

Minutes of the
Newport Zoning Board of Review

A meeting of the Zoning Board of Review was held on Monday, April 25, 2022, in the Council Chambers, City Hall, 43 Broadway at 6:30 p.m.

PRESENT: Sam Goldblatt, Chair
Russell Johnson, Secretary
David Riley
Bart Grimes
Nicole Shevory, Alternate
Wick Rudd, Vice-Chair
Susan Perkins, Alternate

Guy Weston, Zoning Officer
Girard Galvin, Assistant City Solicitor
Nancy Caron, Stenographer, Esquire Solutions

ABSENT:

D E C I S I O N S

A motion to adopt the staff reports, plans and applications as the Board's findings of fact on items listed below on the Consent Summary section of the agenda was made by Mr. Rudd, seconded by Mr. Johnson. The motion was unanimously approved.

PETITION OF JUSTIN HOLE, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to install 7' x 11.5' hot tub 2.5' from the west property line and 4.75' from the south property line, (10' required), and which increase the lot coverage from 27% to 28%, (20% allowed), applying to the property located at 11 Fillmore St., TAP 25, Lot 32, (R-10 zone).

PETITION OF JOHN & BARBARA ODEGAARD, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to construct a 16' x 18' single-story addition with a rooftop deck which will increase the lot coverage from 20% to 21%, (15% allowed), applying to the property located at 66 Harrison Ave., TAP 41, Lot 247, (R-40 zone).

PETITION OF ALMA MANXHARI, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to construct a second-floor dormer addition and a 125 sq. ft. rear addition which will increase the lot coverage from 21% to 24%, (20% allowed). Said dormer to be located 4' from the south property line, (10' required). Said addition to be located 2.75' from the south property line, (10' required), applying to the property located at 110 Champlin Pl. North, TAP 20 Lot 126, (R-10A).

PETITION OF JAMES TOPPA, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to place air conditioner condensers 7' from the east property line, (10' required), applying to the property located at 54 Morton Ave., TAP 40, Lot 244, (R-10 zone).

PETITION OF VERBANA, LLC, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to place a 500-gal underground propane tank which will be located 25' from the east property line, (50' required), applying to the property located at 155 Ocean Ave., TAP 41, Lot 325, (R-120 zone).

PETITION OF MARK & SHIRLEY EASLEY, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to remove and reconstruct a new front porch which is located 3' from the west property line, (10' required), and which will increase the lot coverage from 28% to 31%, (20% allowed), applying to the property located at 18 Narragansett Ave., TAP 35, Lot 198, (R-10 zone).

PETITION OF CARL ZYSKOWSKI, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to construct a 10' x 10' shed which will be located 5' from the west and south property lines, (10' required), applying to the property located at 6 Cliff Ave., TAP 31, Lot 95, (R-10 zone).

A motion to approve the afore-mentioned consent items with the condition that the project be started and substantially completed within 12 months of the date of the decision and that all outstanding invoices for abutter notification be paid prior to the recording of the decision was made by Mr. Rudd, seconded by Mr. Johnson. The motion was unanimously approved.

A motion to approve the PETITION OF RICHARD OSLON, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to convert the existing rear deck and stairs into a half-bath and add a new stair addition which will be located 11' from the south property line, (20' required), and which will increase the lot coverage from 30% to 32%, (20% allowed), applying to the property located at 21 Hope St., TAP 11, Lot 120, (R-10 zone) was made by Mr. Rudd, seconded by Mr. Johnson. The motion was unanimously approved with the conditions the project be started and substantially completed within (12) twelve months from the date of decision, and all invoices due to the city be paid prior to recording the decision.

A motion to approve the PETITION OF E. J. HUDSON, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing dwelling and construct a new dwelling which will be located 7.2' from the north property line, (10' required), and which will decrease the lot coverage from 35% to 34%, (20% allowed), applying to the property located at 83 Roseneath Ave., TAP 39, Lot 4-4, (R-10 zone) was made by Mr. Rudd, seconded by Mr. Johnson. The motion was unanimously approved with the conditions the project be started and substantially

completed within (12) twelve months from the date of decision, and all invoices due to the city be paid prior to recording the decision.

A motion to approve the PETITION OF LAUREN & PATRICK DURNEY, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to remove an existing rear addition and deck and construct a larger 2-story addition which will be located 4.5' from the south property line, (10' required and a new rear deck. Also, permission to demolish and reconstruct an existing detached garage which will be located 6' from the north property line, (10' required). Said proposal to increase the lot coverage from 19% to 27%, (20% allowed), applying to the property located at 31 Annandale Rd., (TAP 29, Lot 119, (R-10 zone) was made by Mr. Rudd, seconded by Mr. Johnson. The motion was unanimously approved with the conditions the project be started and substantially completed within (12) twelve months from the date of decision, and all invoices due to the city be paid prior to recording the decision.

A motion to approve the PETITION OF LAUREN & PATRICK DURNEY, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to remove an existing rear addition and deck and construct a larger 2-story addition which will be located 4.5' from the south property line, (10' required and a new rear deck. Also, permission to demolish and reconstruct an existing detached garage which will be located 6' from the north property line, (10' required). Said proposal to increase the lot coverage from 19% to 27%, (20% allowed), applying to the property located at 31 Annandale Rd., (TAP 29, Lot 119, (R-10 zone) was made by Mr. Rudd, seconded by Mr. Johnson. The motion was unanimously denied. The Board found that the applicant failed to provide evidence meeting required criteria for the granting of a special use permit. The application was represented by attorney Christopher McNally.

A motion to approve the PETITION OF L AND B ASSOCIATES, applicant; Swinburne Row Retail, LLC., owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 1,000 sq. ft. second floor deck and a 900 sq. ft. first floor bocce court dining area to the existing standard restaurant and provide 0 additional off-street parking spaces, (14 additional off-street parking spaces required), applying to the property located at 151 Swinburne Row, (The Stoneacre Restaurant), TAP 24, Lot 349-1, (GB zone).) was made by Mr. Rudd, seconded by Mr. Johnson. The motion was unanimously approved with the conditions the project be started and substantially completed within (12) twelve months from the date of decision, that entertainment and activities be limited as per the written decision, and all invoices due to the city be paid prior to recording the decision. The application was represented by attorney Andrew Teitz.

By a unanimous vote, the following requests were granted a 12 month extension to their approvals:

PETITION OF WILLIAM & SHARI DAILEY, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a second-floor bathroom addition which will be located 3.3' from the east property line, (10' required), applying to the property located at 9 Ellery Rd., TAP 20, Lot 83, (R-10A zone).

PETITION OF ALYSE WILLIAMS & ROBERT TOROBIO, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to raise the ridge of the existing roof from 28' to 33', (30' allowed), applying to the property located at 2 Rowland Rd., TAP 7, Lot 415, (R-10 zone).

PETITION OF CAMERON & MICHAELA STEWART, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 2-story rear addition which will be located 3.75' from the south property line, (10' required), a gas fireplace which will be located 2' from the south property line, (10' required), and add a new 12' x 26' rear deck with stairs all of which increase the lot coverage from 18% to 26%, (20% allowed), applying to the property located at 114 Champlin Pl. North, TAP 20, Lot 203, (R-10A zone).

PETITION OF DONALD TOFIAS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 1-story, 19.5' x 27.33' greenhouse addition which will increase the lot coverage from 18% to 20%, (10% allowed), applying to the property located at 79-83 Dixon St., TAP 35, Lot 282, (R-60 zone).

The following applications were withdrawn/dismissed without prejudice:

PETITION OF RANDI WALLCE, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to convert the existing second floor of the detached garage from sleeping quarters into a guest house use applying to the property located at 22 Johnson Ct., TAP 13, Lot 51, (R-10 zone).

PETITION OF DENNIS ROTUNNO, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to install 2 air conditioner condensers one of which will be located 6' from the east property line, (10' required), applying to the property located at 5 Sylvan St., TAP 33, Lot 95, (R-10 zone).

All other matters were continued as to the notations on the posted agenda.

Meeting adjourned.