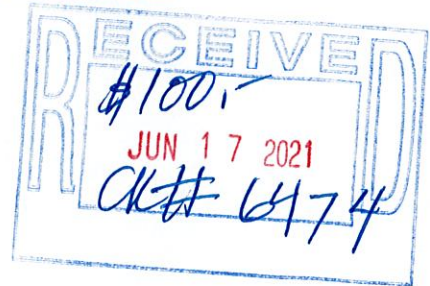


APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW



DATE: 6/13/2021

ZBR
July-3

Board members:

The undersigned hereby petitions the Zoning Board of Review for a variance in the application of the provisions or regulations of the Zoning Ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

Location of premises

Street & No: 36 Newport Ave

Tax Assessor's Plat 10 Lot 149

Petitioner Information

Applicant Aida & Timothy Neary Address 36 Newport Ave

Owner Aida & Timothy Neary Address 36 Newport Ave

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 46' depth 100' area 4,217 sq. ft.

Zoning District in which premises is located R10

How long have you owned above premises? 11.5 years

Are there buildings on the premises at present? YES

Total square footage of the footprint of existing buildings 978 SF

Total square footage of the footprint of proposed buildings 1,445 SF

Present use of premises SINGLE FAMILY RESIDENCE

Proposed use of premises SINGLE FAMILY RESIDENCE

All of the following information and questions must be filled in and answered completely.

Give extent of proposed alterations Remove extg rear deck and construct a new
2 story addition and new deck. Owner agrees to not enclose rear
deck or construct an enclosed space above.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	4,217	10,000	4,217
Lot Coverage (%)	23.2%	20%	34.3%
Dwelling Units	1	1	1
Parking (# of spaces)	2	2	2
Front Setback	3'	15'	3'
Side Setbacks	5'-7" & 12'-0"	10'	10'-0" & 6'-7"
Rear Setback	52'-6"	20'	30'-0"
Height	27'-0"	30'	27'-0"

What special conditions and circumstances exist which are peculiar to the land, structure or building involved, which are not applicable to other lands, structures or buildings in the same district?

Lot size is only 4,217 while being held to the standards
of a 10,000 SF lot size. Existing lot jogs in along the rear
portion of the parcel.

Explain how the literal interpretation of the provisions of this zoning code deprive the applicant of rights commonly enjoyed by other property owners in the same district under the provisions of this zoning code?

The owners are looking expand their home to accomodate their
growing family so they are not forced to move.

Explain why this is the minimum variance that will make possible the reasonable use of the land, building or structure.

Only 84 sf of the proposed addition falls with the side setback.

The rear addition is compliant with the other 3 setbacks.

The adjacent lot closest to this addition is a vacant lot with
only a garage. The existing house 1st floor footprint of 798 sf
is very compact and limited.

The Zoning Boards Role

In granting a variance, the zoning board of review shall **require** that evidence of the following standards be entered into the record of the proceedings:

- a. That the reasons set forth in the application justify the granting of the variance and that the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure;
- b. That the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and will not impair the intent or purpose of the zoning code or the comprehensive plan upon which this zoning code is based;
- c. That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not due to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant; and

- d. That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain.
- e. That the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief;

By signing below, I hereby attest that the information provided is accurate and truthful. I also attest that I have read the section entitled "The Zoning Board's Role".

ACB
Applicant's Signature

ACB
Owner's Signature

(401) 536 5749
Telephone Number

(401) 536.5749
Telephone Number

Email address aida.neary@gmail.com

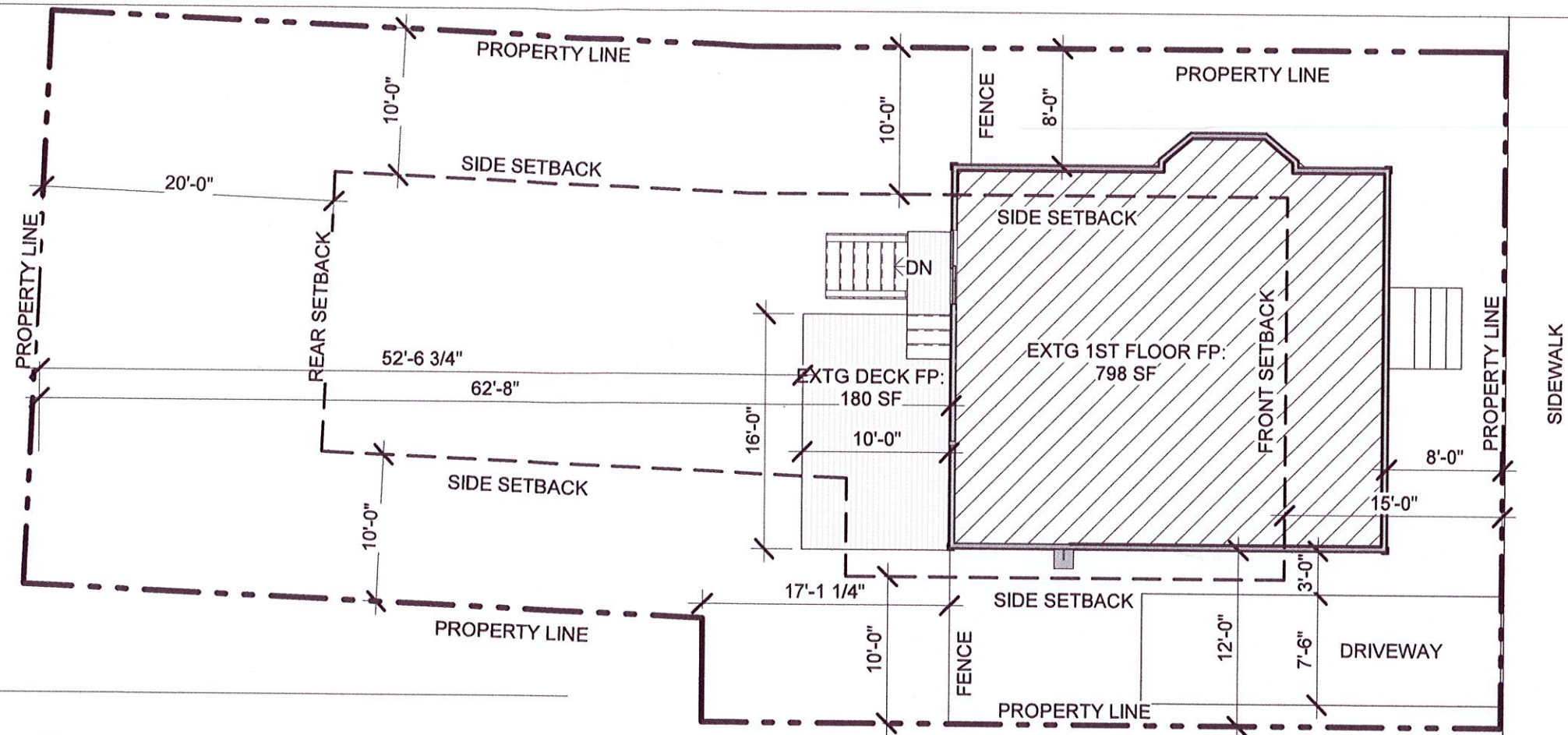
Be sure all required drawings are attached to this application at the time of the submittal.

SITE INFO:

MAP / LOT ZONE: 10 / 149 R10

EXTG. 1ST FLOOR FP: 798 SF.
EXTG. DECK FP: 180 SF.
TOTAL EXTG. FP: 978 SF.

LOT SIZE: 4,217 SF
MAX COVERAGE: 20%
EXISTING COVERAGE: 23.19%



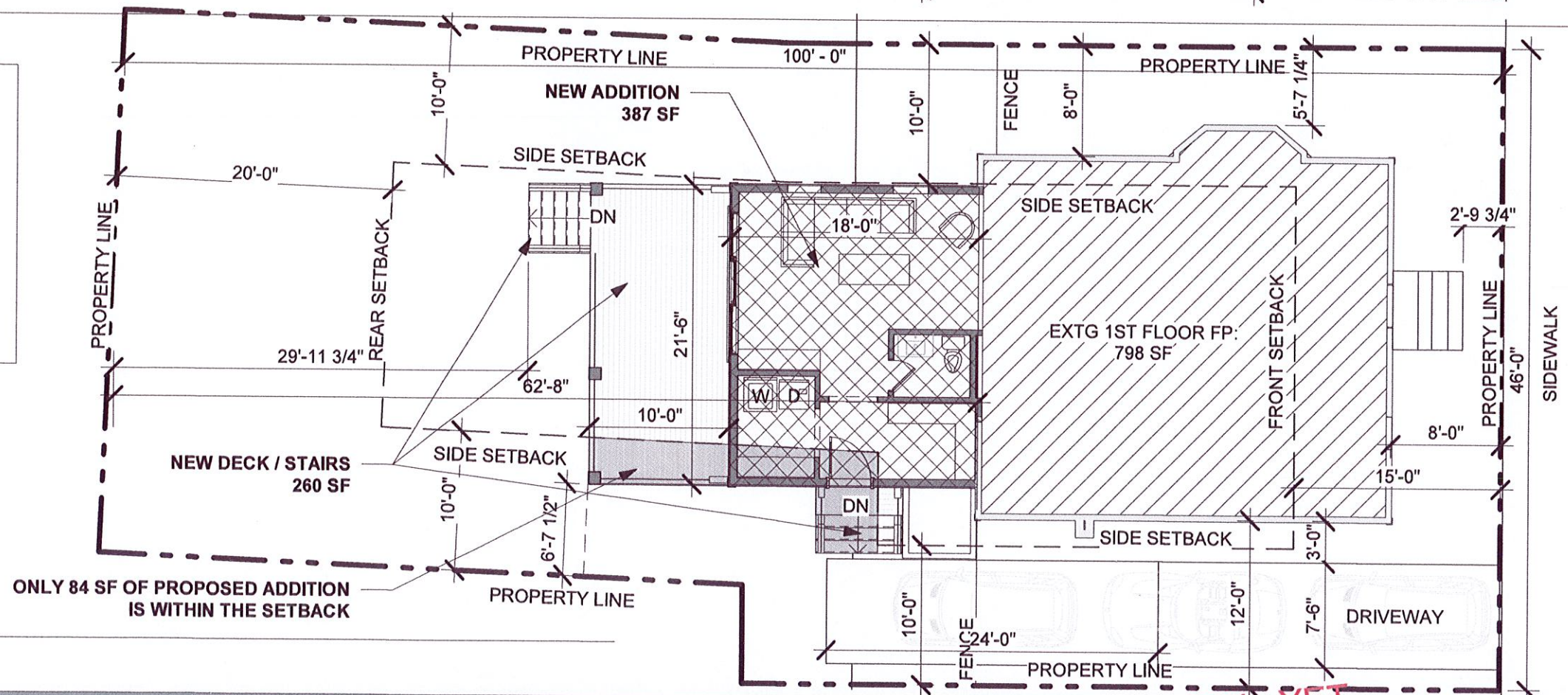
1 SITE PLAN extg
1" = 10'-0"

PROPOSED SITE INFO:

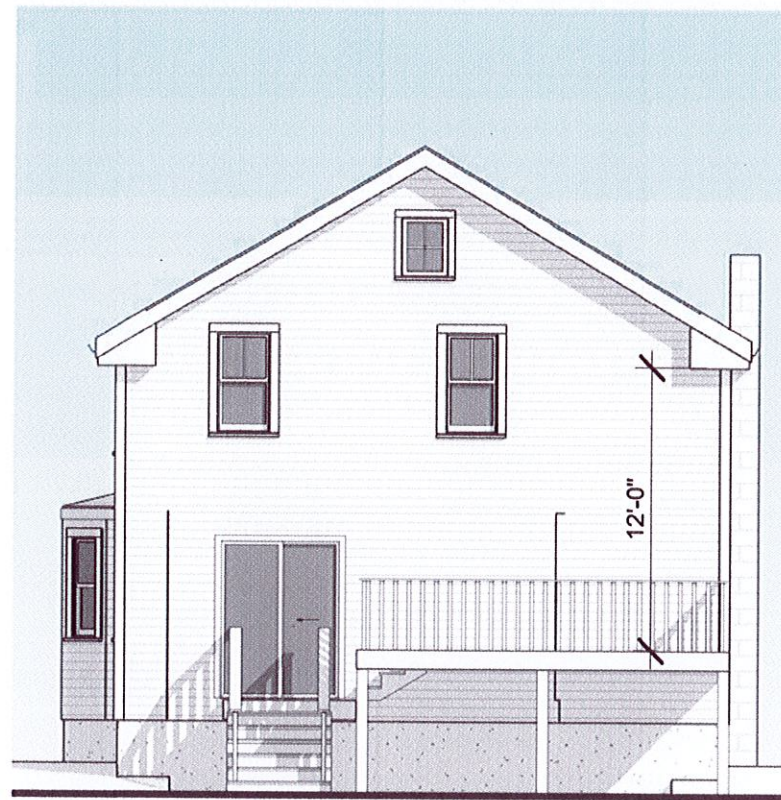
MAP / LOT ZONE: 10 / 149 R10

EXTG. 1ST FLOOR FP: 798 SF.
PROPOSED ADDITION FP: 387 SF.
PROPOSED DECK/STAIRS FP: 260 SF.
TOTAL PROPOSED FP: 1,445 SF.

LOT SIZE: 4,217 SF
MAX COVERAGE: 20%
PROPOSED COVERAGE: 34.27%



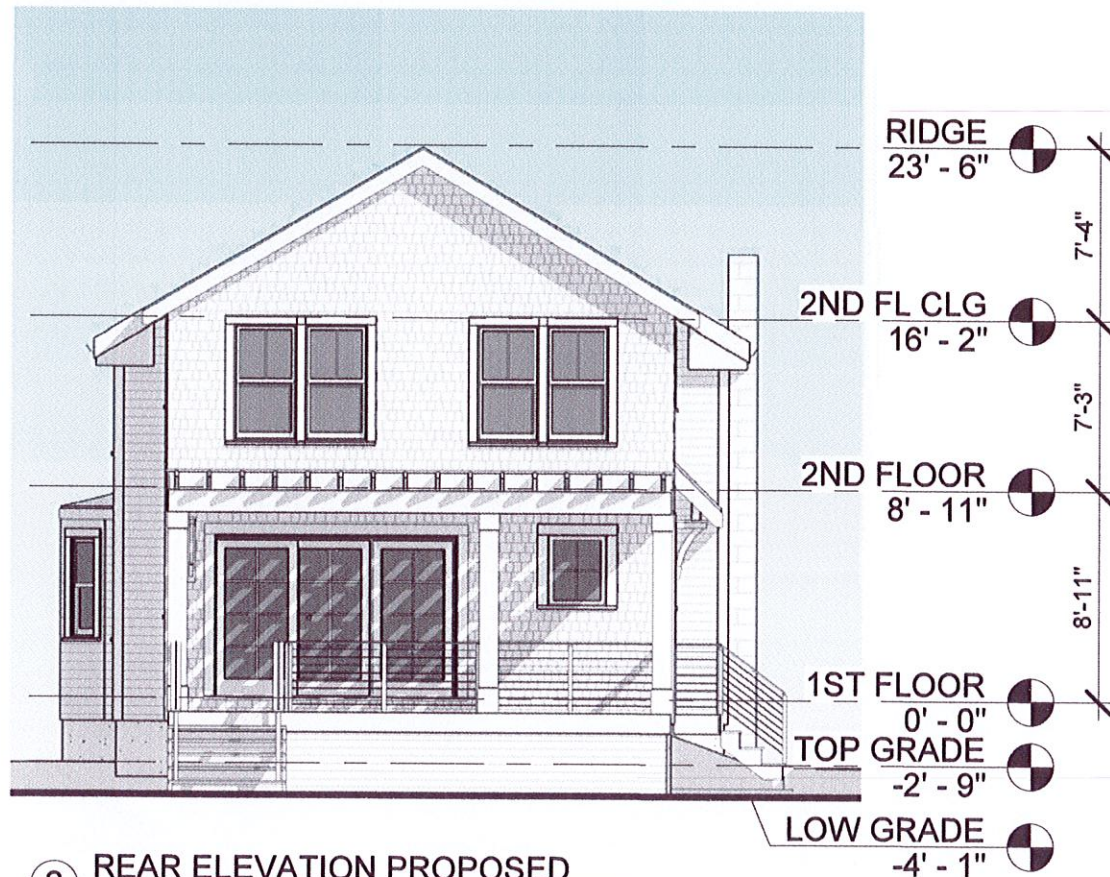
2 SITE PLAN PROPOSED
1" = 10'-0"



① REAR ELEVATION
1/8" = 1'-0"



③ SIDE ELEVATION (SOUTH)
1/8" = 1'-0"



② REAR ELEVATION PROPOSED
1/8" = 1'-0"



④ SIDE ELEVATION (SOUTH) PROPOSED
1/8" = 1'-0"

