

APPLICATION FOR A SPECIAL USE PERMIT

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

DATE: July 25, 2021

Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use permit 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: 22 Johnson Court

Tax Assessor's Plat 13 Lot 51

Petitioner Information

Applicant Randi Wallace Address 22 Johnson Court

Owner Randi Wallace Address 22 Johnson Court

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 50' depth 90' area 4,500 sq. ft.

Zoning District in which premises is located R-10

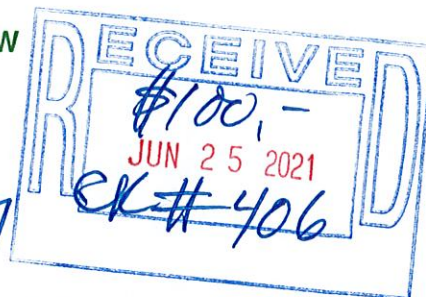
How long have you owned above premises? 2018

Are there buildings on the premises at present? yes

Total square footage of the footprint of existing buildings 2,196

Total square footage of the footprint of proposed buildings 2,196

Present use of premises Residential home



ZBR
July-7

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

Proposed use of premises

Special permit use of loft/room above garage as sleeping quarters for no more than two people and no longer than 30 days (Chapter 5.40) only while owner is

physically present and residing in home.

Give extent of proposed alterations NONE

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	4,310 sq ft (full)	1,500 sq ft (transient guest facility)	0
Lot Coverage	23% / 900 sq ft (garage)	1,500 sq ft	0
Dwelling Units	2	2	0
Parking (# of spaces)	3	3	0
Front Setback	10'	10' - 15'	0
Side Setbacks	4'	4' - 10'	0
Rear Setback	3'	3' - 20'	0
Height	21'	21' - 30'	0

What provisions of the Comprehensive Land Use Plan are the applicable to this project

NONE

The Zoning Boards Role


Special use permits shall be granted only where the zoning board of review finds that the proposed use or the proposed extension or alteration of an existing use is in accord with the public convenience and welfare, after taking into account, where appropriate:

1. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of the structure;
2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
3. The nature of the surrounding area and the extent to which the proposed use or feature will be in harmony with the surrounding area;
4. The proximity of dwellings, churches, schools, public buildings and other places of public gathering;
5. The fire hazard resulting from the nature of the proposed buildings and uses and the proximity of existing buildings and uses;
6. All standards contained in this zoning code;
7. The comprehensive plan for the city.

The burden of proof in a special-use permit application is on the applicant. This means that if the applicant fails to present adequate competent evidence to prove the applicable standard for issuing a special-use permit has been met, the board must deny the application.

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".


Applicant's Signature


Owner's Signature

(617) 669 - 9798

Telephone Number

(617) 669 - 9798

Telephone Number

Email address Randi91176@gmail.com

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

July 25, 2021

Members of the City of Newport Zoning Board Members:

Please accept my application for a special use permit. I am applying for this special use permit to comply with the City of Newport's zoning ordinance under **Chapter 17.100.050** (*Transient Guest Facilities*) for the loft/room located above my garage.

This loft/room will ONLY be a sleeping facility for a maximum of two people on a very short-term rental usage – no more than 30 days as noted in Chapter 5.40. – Transient Guest Facilities;

- **§ 5.40.010. – Definitions:** *"Transient lodging accommodations" means a building, structure or facility or any space therein which is offered to quests, visitors or the public to rent for lodging accommodations for not more than thirty (30) days.*

Per **Chapter 17.100.050**, this room meets each of the expected conditions listed:

- A. *Each room or unit for hire shall have a floor area of at least three hundred (300) square feet of lot area* → **this loft/room has a floor area 667 sq ft (23'x29')**
- B. *N/A*
- C. *There shall not be more than one room or unit for each one thousand five hundred (1,500) square feet of lot area in those zoning districts where a transient guest facility is allowed by special use permit.* → **Lot Size for 22 Johnson Court is: 0.10 AC / 4,310 SF**
- D. *For new construction or renovations resulting in the upgrading of service, all utilities shall be installed underground.* → **NO new construction or renovation has occurred or is necessary.**
- E. *N/A*
- F. *N/A*

Prior to residing at 22 Johnson Ct. in 2018, the Zoning Board of Review approved a variance to covert the area above of the garage into sleeping quarters. Please note, there is no kitchen facility in this loft/room and will remain so; it is solely a loft bedroom for sleeping purposes.

22 Johnson Court is my primary residence and short-terms rentals will be allowed only when I am physically present at my home.

I would like to highlight the following:

- **Usage of this loft/room is for sleeping quarters & bathroom use only**
- **Only a maximum of two individuals will be allowed for this loft/room**
- **There are NO kitchen facilities, therefore, NO COOKING will be occurring**
- **Available OFF-STREET parking is provided in a recently widened driveway; encouraging walking to surrounding areas & limiting additional and extensive automobiles in the heavy & densely populated downtown areas. This OFF-STREET parking also promotes "... peace,**

comfort, convenience and welfare of all residents, inhabitants and visitors of the city – as stated in Chapter 10.32.010 – Statement of Purpose – “H”

- *H. Promote the peace, comfort, convenience and welfare of all residents, inhabitants and visitors of the city*

Special Notes:

- **NO SMOKING** is allowed in this room
- **NO PETS or ANIMALS** of any sort are allowed
- **NO LOUD MUSIC** allowed

Furthermore, there has been **extensive UPGRADE** to the landscaping. Ref: Chapter 17.100. Purpose of provisions § 17.100.010 – “B”

The purpose of this chapter is to promote and protect public health, safety, general welfare and amenity. Effective site planning, development design, and landscaping can accomplish the following objectives.

***B.** Improve the physical environment through the provision of amenities such as open space, street trees, and live vegetation*

****see enclosed pictures**

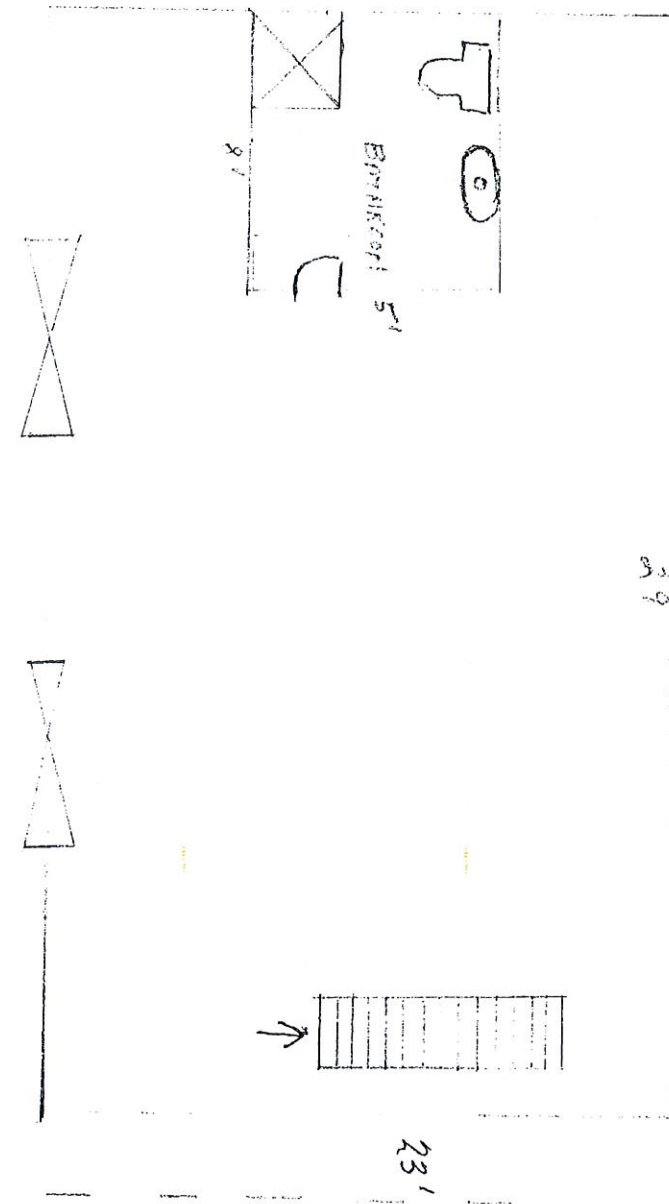
- **Enhanced landscaping** has not only improved the “residential nature” and value of my home, but also preserved both the **CHARACTER & VALUE** of my neighborhood
- **Serene and secure sitting areas** are sectioned off for
 - **Loft area**
 - **Primary dwelling**

I appreciate your consideration of my application.

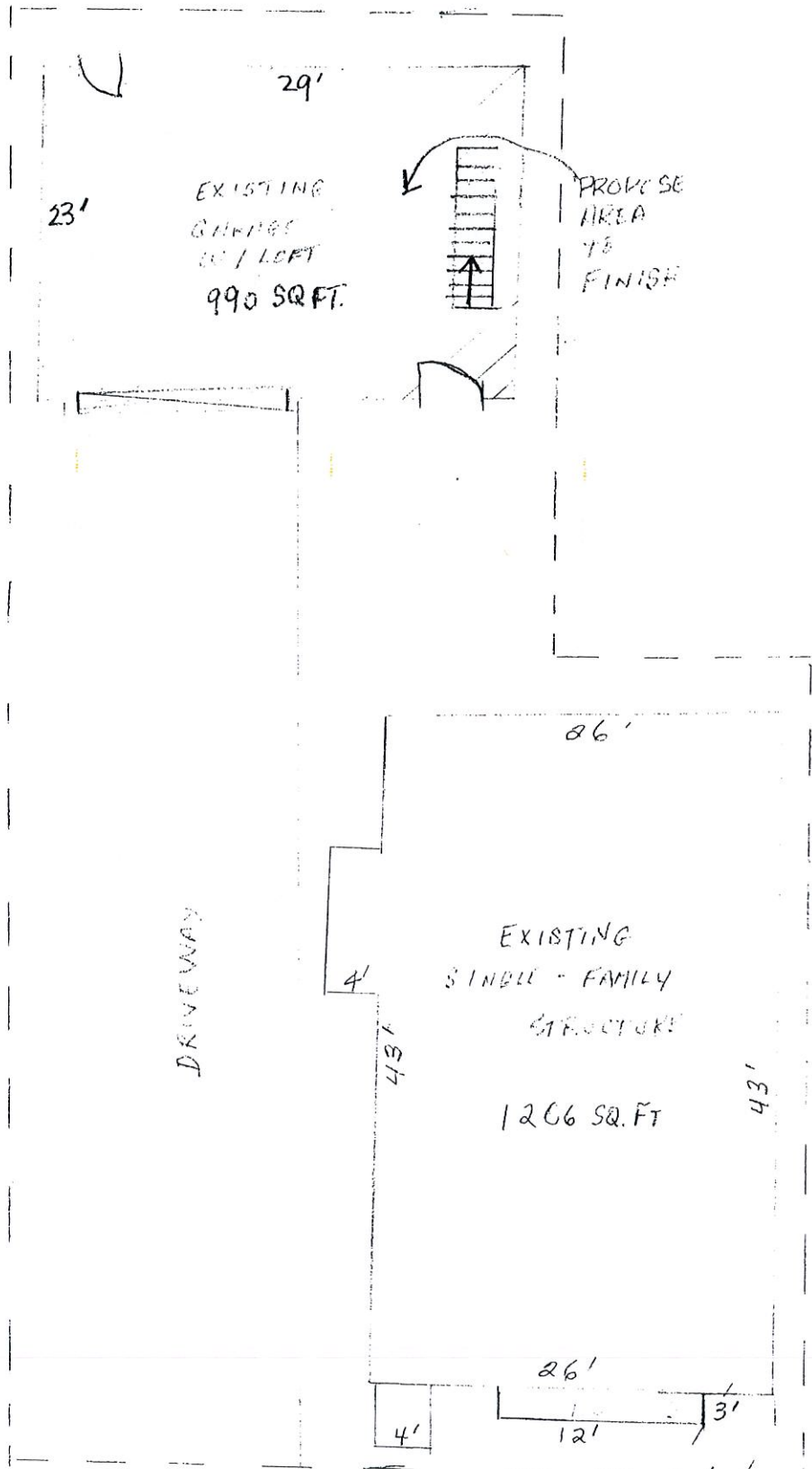
Respectfully,



Randi Wallace



GARAGE LOFT
JOHN T. BOWMERVILLE
12 JEFFERSON CT.
NEWPORT, R.I. 02840

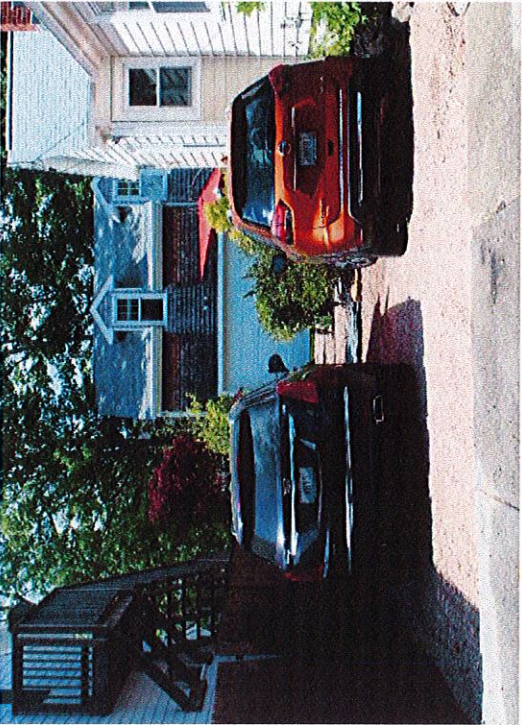
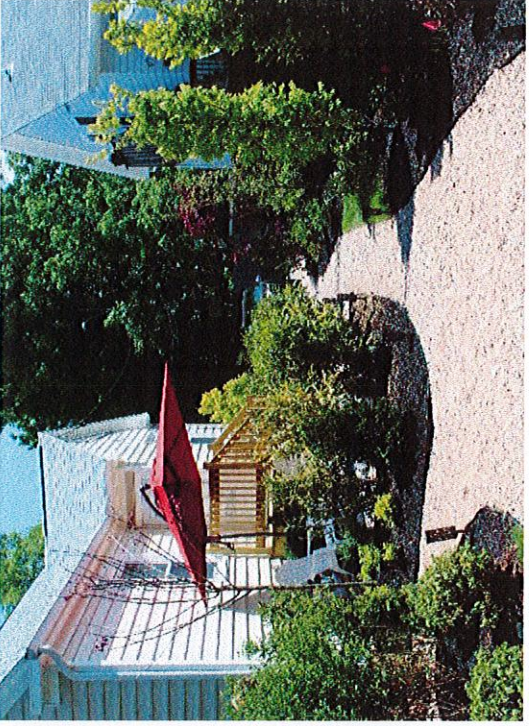
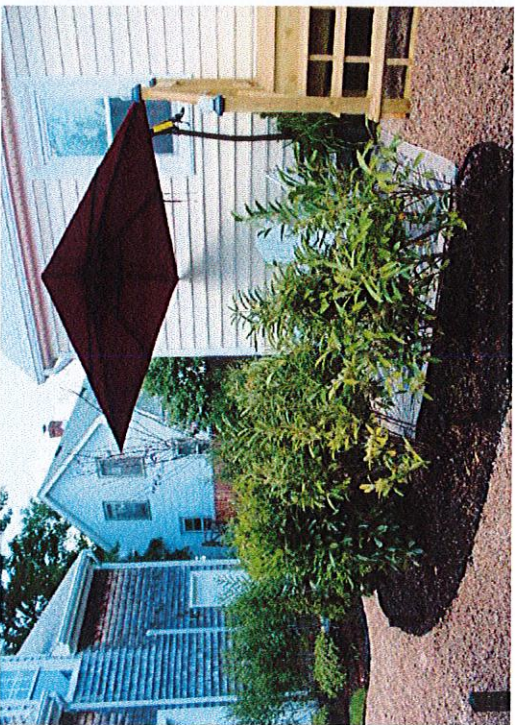
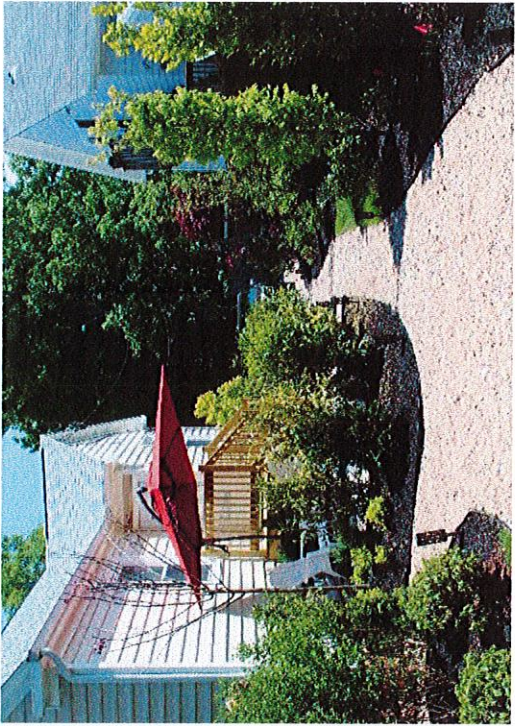


RANDI WALLACE
22 JOHNSON COURT
NEWPORT, RI 02840
PLAT 13 LOT 51

ZONE R10

JOHNSON COURT

UTILITY
EASEMENT









Copyright ©2007 Pictometry International Corp.

Average Scale: 1 inch = 22.7 feet

Distance between tick marks: 22.881839 feet

STATE OF RHODE ISLAND
NEWPORT, Sc.

ZONING BOARD OF REVIEW
CITY OF NEWPORT

In Re: PETITION OF JOHN SOMMERVILLE; applicant and owner; for a special use permit for permission to convert the existing second floor of the detached garage from storage to sleeping quarters (change of a non-conforming development) applying to the property located at 22 Johnson Ct., TAP 13, Lot 51, (R-10 zone).

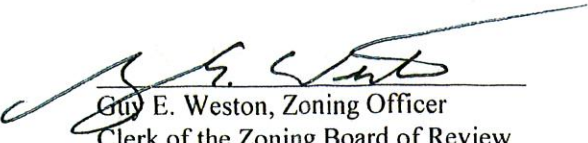
DECISION

This matter came before the Newport Zoning Board of Review on Monday, June 28, 2010. After reviewing the submitted application, plans, testimony of John Somerville, and the staff report, the Board adopted the following findings of fact:

1. The property is located in a residential (R-10) zoning district.
2. The use of the property is that of a single-dwelling which is permitted by right. The lot contains 4,500 sq. ft. of land and is a non-conforming lot of record. The property is also non-conforming to lot area, setbacks and the lot coverage requirements.
3. Petitioner request permission to convert the second floor area of the garage into sleeping quarters for family members. Due to the existing non-conformity of the garage, a special use permit is required. Mr. Somerville testified that the extra bedrooms were needed for visting family members. Mr. Somerville stated that a bathroom was being added but not cooking facilities were to be installed. The area was not going to be used as a separate dwelling unit.
4. Privacy is not an issue as there are no windows in the sides of the garage which face abutting properties There were no objections to the proposal.

Upon a motion duly made and seconded, the Board found that the request is in harmony with the surrounding area. The proposal will not have an adverse impact on abutting properties, and that the proposal was in conformance with the city's Comprehensive Master Plan, therefore the petition was unanimously approved by with the concurring votes of Mr. Martin, Ms. Minifie, Ms. McSweeney, Mr. Cohen and Ms. Hoene with the following condition(s):

- 1.) *The project be started and substantially completed by June 30, 2011.*
- 2.) *The use of the second floor to be bedrooms and bath only with no cooking facilities.*


Guy E. Weston, Zoning Officer
Clerk of the Zoning Board of Review

KATHLEEN M. SILVIA
CITY OF NEWPORT
CITY CLERK
Jul 15, 2010 11:17:47A
BOOK: 2102 PAGE: 151

Staff Report
Newport Zoning Board of Review
Agenda for June 28, 2010

PETITION OF JOHN SOMMERVILLE; applicant and owner; for a special use permit for permission to convert the existing second floor of the detached garage from storage to sleeping quarters (change of a non-conforming development) applying to the property located at 22 Johnson Ct., TAP 13, Lot 51, (R-10 zone).

Zoning History:

Staff Comments:

The petitioner has a large detached 1-1/2 story garage in the southwest corner of the property. The lot is non-conforming to lot area, setbacks and lot coverage. The use of the main building is that of a two-family dwelling. No.

The petition seeks permission to convert the second floor area of the garage into sleeping quarters for family members. Due to the existing non-conformity of the garage, a special use permit is required.

Privacy may not be an issue as it does not appear to be windows in the sides of the garage which face abutting properties.

There are no letters of opposition.

Vote: 5-0

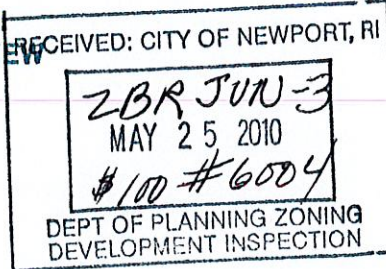
Condition(s): ① Complete by 30 June 2011
② Only bedroom & showers, no cooking

Secretary: Mark F. Colie

Date: 28 June 2010

APPLICATION FOR A SPECIAL USE PERMIT

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW



DATE: MAY 25, 2010

Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use permit 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: 22 JOHNSON COURT

Tax Assessor's Plat 13 Lot 51

Petitioner Information

Applicant John T. Somerville Address 22 JOHNSON CT.

Owner John T. Somerville Address 22 JOHNSON CT.

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 50 depth 90 area 4500 sq. ft.

Zoning District in which premises is located R-10

How long have you owned above premises? 1997

Are there buildings on the premises at present? yes

Total square footage of the footprint of existing buildings 2196 sq. ft.

Total square footage of the footprint of proposed buildings 2196 sq. ft.

Present use of premises Residential home

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

Proposed use of premises USE LOFT ABOVE GARAGE AS SLEEP AREA FOR
FAMILY MEMBERS.

Give extent of proposed alterations FINISH INTERIOR WALLS AND ADD
BATHROOM.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	4500	4500	Ø
Lot Coverage		20% or 900	
Dwelling Units	2	2	Ø
Parking (# of spaces)	4	4	Ø
Front Setback	10	10 / 15'	Ø
Side Setbacks	4'	4' / 10'	Ø
Rear Setback	3'	3' / 20	Ø
Height	21'	21' / 30'	Ø

What provisions of the Comprehensive Land Use Plan are the applicable to this project?

NONE

The Zoning Boards Role

Special use permits shall be granted only where the zoning board of review finds that the proposed use or the proposed extension or alteration of an existing use is in accord with the public convenience and welfare, after taking into account, where appropriate:

1. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of the structure;
2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
3. The nature of the surrounding area and the extent to which the proposed use or feature will be in harmony with the surrounding area;
4. The proximity of dwellings, churches, schools, public buildings and other places of public gathering;
5. The fire hazard resulting from the nature of the proposed buildings and uses and the proximity of existing buildings and uses;
6. All standards contained in this zoning code;
7. The comprehensive plan for the city.

The burden of proof in a special-use permit application is on the applicant. This means that if the applicant fails to present adequate competent evidence to prove the applicable standard for issuing a special-use permit has been met, the board must deny the application.

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".

John O. Sommerall
Applicant's Signature

(401) 864-8616
Telephone Number

John O. Sommerall
Owner's Signature

(401) 864-8616
Telephone Number

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



THE CITY OF NEWPORT, RHODE ISLAND – AMERICA'S FIRST RESORT
Department of Planning, Zoning, Development & Inspections

June 11, 2010

COPY

John T. Sommerville
22 Johnson Ct.
Newport, RI 02840

Re: PETITION OF JOHN SOMMERVILLE; applicant and owner; for a special use permit for permission to convert the existing second floor of the detached garage from storage to sleeping quarters (change of a non-conforming development) applying to the property located at 22 Johnson Ct., TAP 13, Lot 51, (R-10 zone).

Dear Sir or Madam:

A meeting of the City of Newport Zoning Board of Review is scheduled for Monday, June 28, 2010, at 7:00 p.m. in the City Hall Council Chamber.

You are being notified as the petitioner. Please attend to answer any questions from the Board or provide clarification.

Sincerely,

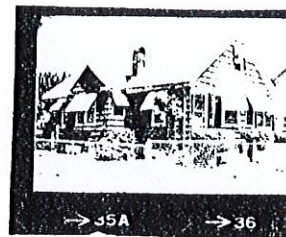
A handwritten signature in black ink, reading "Guy E. Weston". The signature is written in a cursive style.

Guy E. Weston
Zoning Officer

GW/jh

FORMIC BUILDING DATA SHEET
RHODE ISLAND STATEWIDE SURVEY

FILE NO. _____ PLAT 13 LOT 51 LUS _____
ADDRESS 22 JOHNSON COURT
OWNER A. PENNA



PRESENT USE:

1 fam ☒ 2 fam _____ multi _____
pub _____ comm _____ indus _____
reli _____ agr _____ mixed _____
other _____

NEIGHBORHOOD LAND USE:

res ☒ comm _____ indus _____
pub _____ agr _____ woods _____
other _____

PERIOD/STYLE: P C F GR EV LV ET (MT) LT

DESCRIPTION: Stories: 1 1/2
Roof: gable (flank ☒ end _____ cross _____)
hambrel (flank _____ end _____ cross _____) hip _____
monitor _____ mansard _____ flat _____
other _____

Walls: clapboard _____ brick _____ stone _____
shingle ☒ modern comp _____
other _____

Foundation: height 1 1/4' stone _____ brick _____
other CEMENT COVERED

Alterations: good _____ poor _____ none ☒
are bldg. _____ Typical of its area _____

COMMENTS: SLATE ROOF. BARN-GARAGE IN
REAR. CHAIN LINK FENCE ENCLOSES
YARD. WELL KEPT. WROUGHT IRON
BANNISTER. NUMEROUS ALUMINUM
AWNINGS.

NEGATIVE NO. NNWB 14 35A

KNOWN AS _____

ARCHITECT _____

DATE & SOURCES POST 1921 (MAPS)

ORIGINAL USE RESIDENTIAL

ORIGINAL OWNER _____

HISTORY & SOURCES:

MAPS:

1850 - (WIDOW) IRISH (NO STRUCTURE)
1870 - NO STRUCTURE
1876 - J. STODDARD (STABLE)
1893 - SAME (2 STABLES)
1907 - P. HORGAN (2 STABLES)
1921 - SAME

DIRECTORIES:

1876 - NO LISTING ON JOHNSON CT.
(JOHN H. IRISH, BUTCHER, h.
HEATH CT)
1893 - NO LISTING ON JOHNSON CT.
1907 - SAME
1921 - PATRICK H. (MARY H) HORGAN
REAL ESTATE, 239 B'WAY. h. do

EVALUATION:

Physical Condition

structure	5 (3) 2 0	3
grounds	2 (1) 0	1
neighborhood	3 (2) 0	2

Architectural

value	38 30 20 (10) 0	10
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Importance to

neighborhood	14 10 (5) 0	5
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Historical

value	38 30 20 (10) 0	10
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Total Score

1 A - 1	31
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SURVEYOR M.S. & J.H. AV Checked
SUPERVISOR D. C. HV Checked

DATE: JULY - AUGUST, 1975

CITY/TOWN

NEIGHBORHOOD

ROAD 22 JOHNSON COURT

MAP NO.

PRIORITY

Plat	Lot	Alpha
0	0	
13	19	
13	34	
13	40	
13	41	
13	41	-4
13	46	
13	48	
13	49	
13	50	
13	52	
13	68	
13	69	
13	71	
13	73	
13	134	
13	140	
13	145	
13	146	
13	155	
13	158	
13	168	
14	11	
14	12	
14	13	
14	14	
14	14	-4
14	15	
14	16	-4
14	31	
14	31	
14	32	
14	33	

Plat	Lot	Alpha
14	34	
14	119	
14	132	
14	135	
14	140	
14	158	
14	170	
14	181	
14	190	
14	195	
14	204	
14	206	
14	207	

