

COMBINED APPLICATION FOR A SPECIAL USE PERMIT & A
REGULATORY (DIMENSIONAL) VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

DATE: 6/10/2021

Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use permit 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.

16-18 Location of premises

Street & No: 16 Liberty St Unit 1

Tax Assessor's Plat 26 Lot 049-1

Petitioner Information

Applicant Adam Montalbano Address 235 Chelsea St Apt 3,

Owner Liberty St. Condo Association Address Boston, MA
93 Governor Bradford Dr.,

Lessee _____ Address Barrington, RI 02806

Property Characteristics

Dimensions of lot-frontage 51'4" depth 99'6" area 5105 sq. ft.

Zoning District in which premises is located R-10

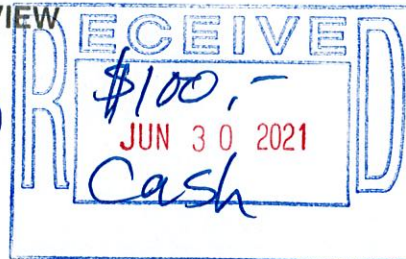
How long have you owned above premises? First owner 25 years ago

Are there buildings on the premises at present? YES

Total square footage of the footprint of existing buildings 2485

Total square footage of the footprint of proposed buildings 2491

Present use of premises Residential (4 unit house)



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

Proposed use of premises

Primary residence (same as prior)

Give extent of proposed alterations Addition of mini-split A/C
Condensers. Including indoor units and refrigerant
Piping (Brown vinyl enclosure).

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	5105	10,000	5105
Lot Coverage	2485 (48.6%)	2000 (20%)	2491 (48.8%)
Dwelling Units	4	4	4
Parking (# of spaces)	2 (for 18D)	2 (for 18D)	2 (for 18D)
Front Setback	0"	10'	0"
Side Setbacks	42"	10'	6"
Rear Setback	26'	20'	26'
Height	30'	30'	30'

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

N/A

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?

The building is currently too close to the side property lines to install the A/C condensers within the setback requirement. The current structure is too large to meet the lot coverage requirement.

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?

If a variance is not approved the building will be deprived of air conditioning. (Medically necessary).

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

The front of the building is flush with the road. The rear is a common living space for all tenants and a condenser installation would impede the living conditions and usable entrance for other tenants. The North side of the building is the only realistic option and can be installed $>10'$ from neighbors' private yards, with a remaining $>3'$ walkway through alley and be invisible from the street and neighboring condos.

★ Condenser located on rear side would exceed the manufacturers maximum allowable lineset length based on indoor unit locations.

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".



Applicant's Signature

(9 7 8) - 7 9 0 - 3 2 2 8

Telephone Number



Owner's Signature

()

Telephone Number

Email address adam.montalbano@gmail.com

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

Parcel: 26-049--1
Account: 8841

Location: 16-18 LIBERTY ST, Unit 1
User Acct: R09429

Owner: MONTALBANO ADAM J
LUC: 23 - Res Condo

Zoning: R10

Parcel Values

Total: \$478,000

Land: \$0

Land Area: 0 SF

Building: \$478,000

Assessed: \$478,000

Sales Information

Book and Page

2980-239

2593-218

Instrument Type

Date

03/18/2021

06/16/2016

Price

\$487,000

\$0

Grantor

DEANGELIS ANN MARY REVOCABLE

DEANGELIS JOSEPH REVOCABLE TR

Building Type: Condominium **Year Built:** 1900

Grade: C

Condition: GD

Heat Fuel: Gas

Heat Type: Hot Water

% Air Conditioned: 0.00

Fireplaces: 0

Exterior Wall: Wood Shingle

Bsmnt Garage: 0

Roof Cover: Asph/F Gls/C

of Units: 1

of Rooms: 7

of Bedrooms: 4

Full Bath: 2

1/2 Baths: 0

Yard Item(s)

Description

Quantity

Size

Year

Condition

Quality

Value

Building Areas

Area

Net Area

1,828 SF

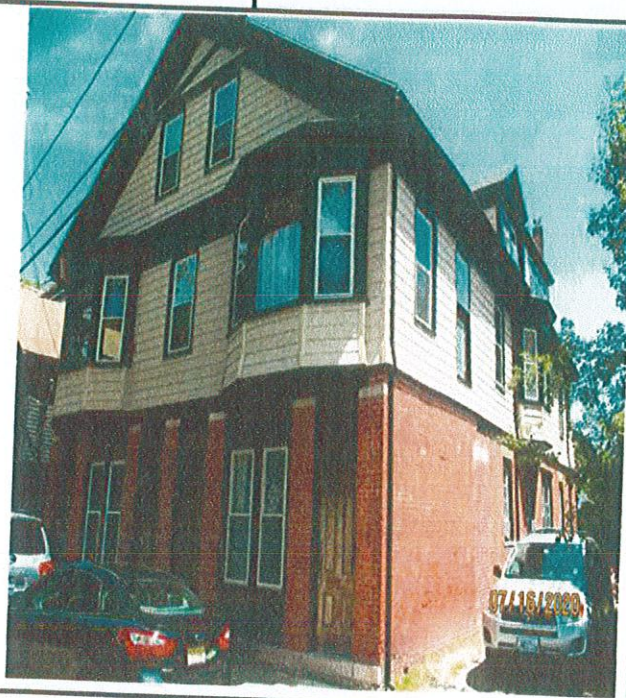
Finished Area

1,828 SF

First Floor

Disclaimer: This information is for tax
assessing purposes
and is not warranted

UnSketched Subareas:
BAS (1828)



North
↑

Property line

line

Shared living space

Property line

utility pole

see following
page for specs
on unit

existing
Propane tanks

5' from North
property
line

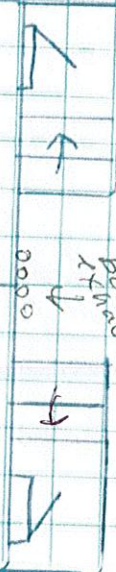
43'

ODU

47'

16 A+B

18 A+B



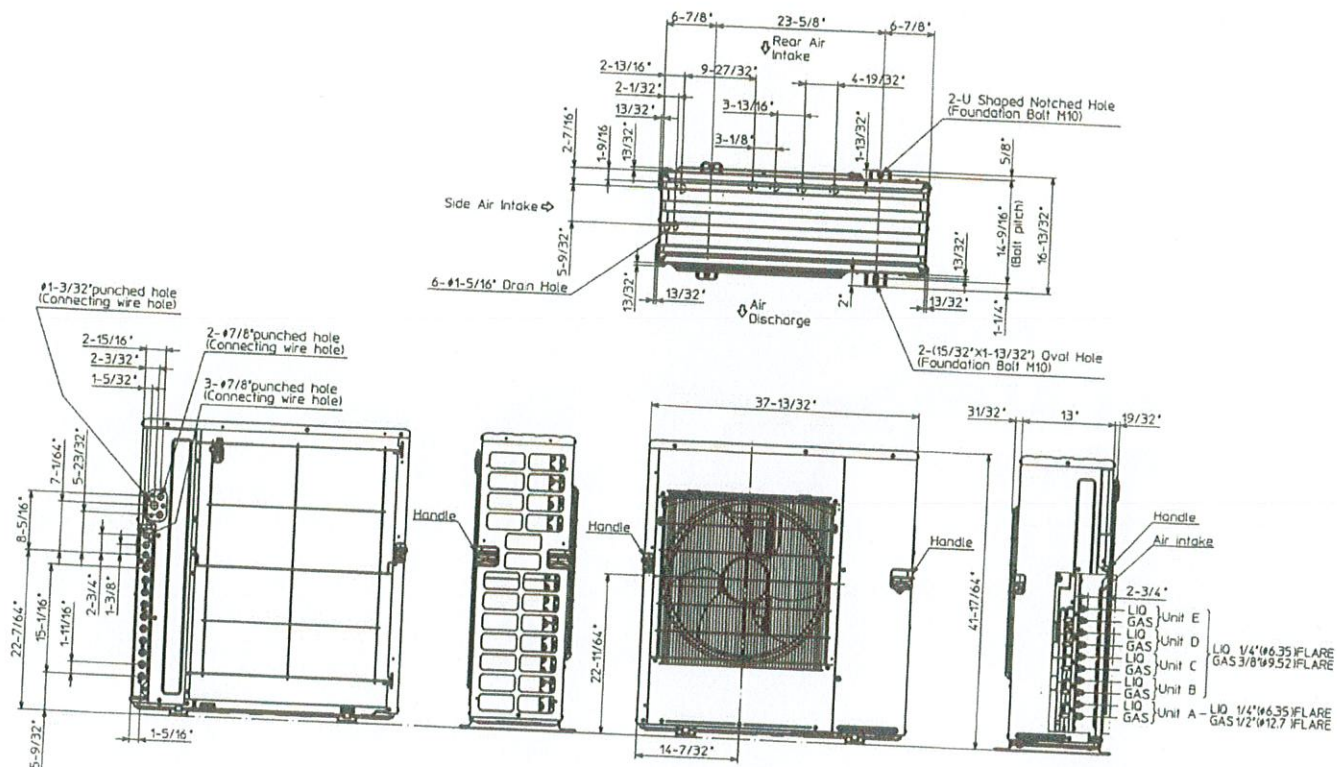
Sidewalk

See following
pages for pictures
of all unit
location
liberty St site plan

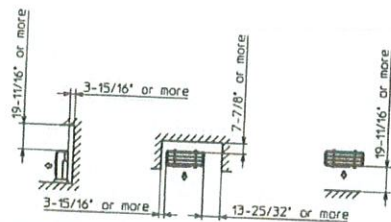
Driveway w/ 180 2 spaces

DIMENSIONS: MXZ-5C42NA2

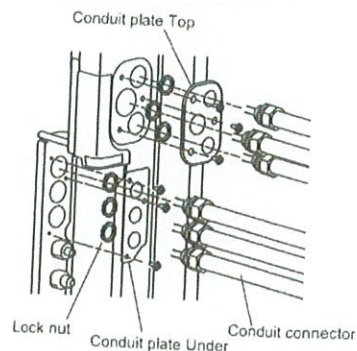
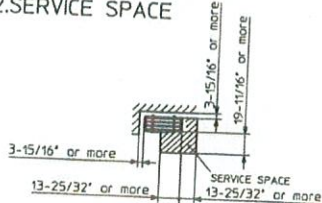
Unit: inch (mm)



1.FREE SPACE



2.SERVICE SPACE



COOLING & HEATING

1340 Satellite Boulevard, Suwanee, GA 30024
Toll Free: 800-433-4822 www.mehvac.com



Back left
stairway

→
Shared
living
space

Condenser location
(not to scale)



(not to scale)
Condenser location
Liberty St

Shared living space

Hi Adam please explain what you need a variance for so I can send to all owners for their consent. I assume it's to install mini splits but I'm not sure. Tx

[Quoted text hidden]

Joseph DeAngelis <joe@jdeangelislaw.com>
To: Adam Montalbano <adam.montalbano@gmail.com>

Fri, Jun 11, 7:38 AM

Hi Adam, I heard from the owners of 18C Liberty and they are Ok with it as are my wife and I. Just need to email the new girl. If you happen to see her run it by her and let me know. Thanks, Joe

In an effort to protect the health and safety of all our clients, business partners and staff, we are trying to limit the number of people in and out of our office.

During these important times, we ask that you be respectful of our safety phase and not come to the office.

Joseph J. DeAngelis, Esq.

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