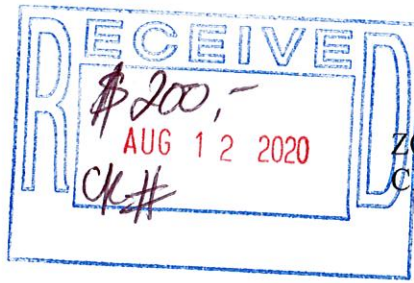


STATE OF RHODE ISLAND  
NEWPORT, S.C.



ZONING BOARD OF REVIEW  
CITY OF NEWPORT

IN RE: APPEAL OF JASON PERKINS, Appellant, pursuant to Newport Zoning Ordinance  
Section 17.116.010 from the issuance of Building Permit #125985 for the property  
located at 12 Goodwin Street, TAP: 35, Lot 244

**NOTICE AND CLAIM OF APPEAL**  
**OF JASON PERKINS**

Mr. Jason Perkins is the owner of 10 Goodwin Street, TAP: 35, Lot: 243, (hereinafter referred to as "the Appellant") hereby claiming an appeal from the issuance of Building Permit #125985 for the property located at 12 Goodwin Street, TAP: 35, Lot 244 ("Subject Property").

As grounds for this Appeal, the Appellant avers that the Subject Property is a non-conforming develop, as defined under the Newport Zoning Ordinance, and that the proposed addition, modifications and renovations which are the subject of the Building Permit are of such a nature and scope that they cannot be permitted without first seeking the appropriate relief from the Zoning Board of Review.

WHEREFORE, for the reasons stated herein, the Appellant respectfully requests that this Appeal be Granted; that Building Permit #125985 be declared void; that the appropriate zoning relief be granted by the Zoning Board of Review for the proposed addition, modifications and renovations, prior to the issuance of a Building Permit; and that the Zoning Board of Review grant all such other relief it may deem appropriate.

Appellant,  
By His Attorneys,  
Miller Scott Holbrook & Jackson

Date: August 7, 2020

  
J. Russell Jackson, Esq. #5901  
122 Touro Street  
Newport, RI 02840  
Tel: 401-847-7500  
Fax: 401-848-5854  
[jrjackon@millerscott.com](mailto:jrjackon@millerscott.com)

### **CERTIFICATION**

I hereby certify that on August 7, 2020, I electronically filed a copy of this Notice and Claim of Appeal to the Newport Zoning Board of Review c/o the Zoning Officer on behalf of the Secretary of the Newport Zoning Board of Review, City Solicitor and Zoning Clerk, City of Newport, 43 Broadway, Newport RI 02840, at the following e-mail addresses:

Guy Weston, Zoning Officer

[gweston@cityofnewport.com](mailto:gweston@cityofnewport.com)

Girard Galvin, Esq., City Solicitor

[ggalvin@CityofNewport.com](mailto:ggalvin@CityofNewport.com)

Stephanie Pires, Zoning Clerk

[SPires@CityofNewport.com](mailto:SPires@CityofNewport.com)



7/24/2020



# BUILDING PERMIT

PERMIT #: 125985

THIS IS TO CERTIFY THAT RI CONTRACTOR	NAME: JOHN R GULLISON COMPANY: JOHN GULLISON ADDRESS: 207 BROADWAY UNIT 201 NEWPORT RI 02840 IF PROPERTY OWNER, INDICATE HERE:	REGISTRATION/LICENSE INFO: LICENSE TYPE: General Contractor BCRB: 15300
IS PERMITTED TO PERFORM THE FOLLOWING SCOPE OF WORK	(1) Lifting the existing building off its foundation up 10 and over 1.5 feet to allow for a 5' setback. The building and new addition will rest on concrete piers per the attached plans.	
ADDITIONAL REMARKS		
AT SITE LOCATION	ADDRESS: 12 GOODWIN ST Newport, RI 02840	PLAT/MAP - LOT/BLOCK - FILE/PARCEL: 35-244 AREA: 0 ZONING: 0002 BUILDING CLASSIFICATION: USE/OCCUPANCY:
OWNER/AGENCY	NAME: John R Gullison ADDRESS: 12 GOODWIN NEWPORT, RI 02840	

provided that the person accepting this Permit shall in every respect confirm to the terms of the application on file in this office and to the provisions of the Statutes and Ordinances relating to the Zoning, Construction, Alteration, and Maintenance of Buildings in the municipality and shall begin work on said building by (within SIX MONTHS from the date of issuance of this permit) hereof and prosecute the work thereon to a speedy Completion.  
Any person who shall violate any of the Statutes and Ordinances relating to Zoning, Construction, Alteration, and Maintenance in the municipality shall be punished by penalties imposed by the State Building Code and Local Zoning Ordinances.

WILLIAM HANLEY, BUILDING OFFICIAL  
DATE: June 29, 2020

Work shall not proceed until the inspector has approved the various stages of construction.

This is an e-permit. To learn more, scan this barcode or visit  
[newportri.viewpointcloud.com/#/records/128503](http://newportri.viewpointcloud.com/#/records/128503)







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

***Zoning Enforcement***

August 12, 2020

NRI 12 GOODWIN ST PARTNERSHIP  
PO BOX 3129  
Newport, RI 02840

Re: Appeal of Jason Perkins  
Building Permit #125985  
12 Goodwin Street, Plat 35, Lot 244

To Whom It May Concern;

A notice of appeal has been filed with the Newport Board of Review applying to the above-mentioned property. In short, the appeal challenges and seeks to overturn my decision, approving for zoning, the afore-mentioned permits.

Please be advised that Section 17.116.040 of the zoning code entitled "Stay of proceedings" states "An appeal shall stay all proceedings in furtherance of the action appealed from, unless the zoning officer or the agency from whom the appeal is taken certifies to the zoning board of review, after an appeal shall have been duly filed, that by reason of facts stated in the certificate a stay would in the zoning officer's or the agency's opinion cause imminent peril to life of property. In that case, proceedings shall not be stayed other than by a restraining order, which may be granted by a court of competent jurisdiction on application thereof and upon notice to the official or agency from whom the appeal is taken on due cause shown."

If time allows, the matter will be heard by the Zoning Board of Review on Monday September 28, 2020.

Sincerely,

A handwritten signature in blue ink, appearing to read "Guy E. Weston", is written over a horizontal line.

Guy E. Weston  
Zoning Officer

cc: Building Official  
City Planner  
Attorney Jeremiah Lynch  
Assist City Solicitor



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

*Zoning Enforcement*

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Guy E. Weston  
Zoning Officer

cc: Building Official  
City Planner  
Attorney Jeremiah Lynch  
Assist City Solicitor