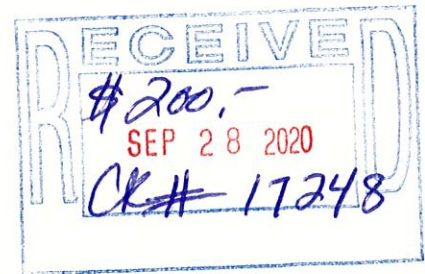




# Sayer Regan & Thayer, LLP

ATTORNEYS AND COUNSELLORS AT LAW



ZBR  
Oct-5

September 28, 2020

*Hand Delivered*

Mr. Guy Weston  
Ms. Helen Johnson  
Dept. of Planning, Zoning & Inspections  
Newport City Hall  
43 Broadway  
Newport, RI 02840

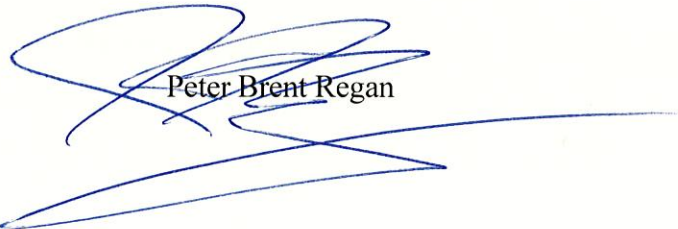
Re: *Notice of Appeal – Application of Timothy West and Maureen West  
45 Everett Street, Newport, Rhode Island, Plat 22, Lot 17*

Dear Guy and Helen:

Please find enclosed a Notice of Appeal to the Zoning Board of Review from the Historic District Commission's denial of Application of Timothy West and Maureen West regarding the property at 45 Everett Street, Newport, Rhode Island (Plat 22, Lot 17). Also enclosed is a check in the amount of \$200.00 made payable to the City of Newport for the filing fee.

Thank you for your attention to this matter.

Sincerely,



Peter Brent Regan

PBR/ar  
Enclosures  
cc: Timothy West and Maureen West

STATE OF RHODE ISLAND  
NEWPORT SC

ZONING BOARD OF REVIEW  
CITY OF NEWPORT

In Re: Application of Timothy West and Maureen West

NOTICE OF APPEAL

Now come Timothy West and Maureen West (“Appellants”), pursuant to Section 17.80.110 of the Newport Zoning Code, and hereby appeal the decision of the Newport Historic District Commission (“HDC”) to deny their Application for Certificate of Appropriateness (the “Application”) regarding the property located at 45 Everett Street and identified as Lot 17 on Newport Tax Assessor’s Plat 22 (the “Property”). The Application was denied at the HDC’s meeting held on July 21, 2020, and in its written decision recorded on September 17, 2020. In support of thier appeal, Appellants state that the HDC’s denial of the Application was:

1. In violation of constitutional, statutory, or zoning code provisions;
2. In excess of the authority granted to the HDC by statute or zoning code;
3. Made upon unlawful procedure and based upon prejudicial procedural error;
4. Based on clear error;
5. Affected by other error of law;
6. Not supported by the weight of the evidence in the record;
7. Clearly erroneous in view of the reliable, probative, and substantial evidence of the whole record; or
8. Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

WHEREFORE, Appellants respectfully request that the Zoning Board of Review sustain their appeal and reverse the HDC’s decision denying the Application.

Dated: September 28, 2020

Timothy West and Maureen West,  
By Their Attorneys:



Peter Brent Regan, Esq.  
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