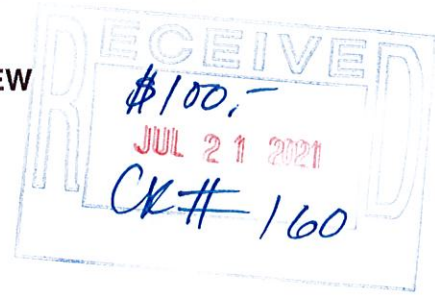


**COMBINED APPLICATION FOR A SPECIAL USE PERMIT & A  
REGULATORY (DIMENSIONAL) VARIANCE**

**CITY OF NEWPORT, RI  
ZONING BOARD OF REVIEW**



DATE: 07/12/2021

**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.

**Location of premises**

Street & No: 41/43 Red Cross Avenue  
Tax Assessor's Plat 29 Lot 168

**Petitioner Information**

Applicant Gregory Bertoncini Address 43 Red Cross Ave  
Owner Gregory Bertoncini Address 43 Red Cross Ave  
Lessee \_\_\_\_\_ Address \_\_\_\_\_

**Property Characteristics**

Dimensions of lot-frontage 60' depth 200' area 12000 sq. ft.  
Zoning District in which premises is located R10  
How long have you owned above premises? 2 years  
Are there buildings on the premises at present? Yes  
Total square footage of the footprint of existing buildings 1808  
Total square footage of the footprint of proposed buildings 1824 (adding 16 sqft outdoor shower)  
Present use of premises Residential, duplex

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

Proposed use of \_\_\_\_\_ Residential, duplex  
premises \_\_\_\_\_

Seeking to add a 4'x4' outdoor shower enclosure \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Give extent of proposed alterations \_\_\_\_\_

Addition of outdoor shower enclosure on Southeast side of home.  
Current set back of home is 8' on this side for one portion of  
the home, and 11' on another portion - proposed outdoor shower  
is 4'x4' and would sit within the 11' set back area, thereby  
resulting in a 7' set back from shower to property line. See  
drawing for details. **Zoning Characteristics Matrix**

|                       | Existing       | Required/Allowed | Proposed         |
|-----------------------|----------------|------------------|------------------|
| Lot Size (sq. ft.)    | 121000         | "                | "                |
| Lot Coverage          | 1808 sq ft 15% |                  | 1824 sq ft 15.2% |
| Dwelling Units        | 2              | "                | "                |
| Parking (# of spaces) | 12             | "                | "                |
| Front Setback         | 50'            | "                | "                |
| Side Setbacks         | 8'             |                  | 7'               |
| Rear Setback          | 110            | "                | "                |
| Height                | "              | "                | "                |

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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 existing home is built within 8' of the south side of the property line - therefore the existing structure violates the current required set back of 10' as-is. Proposed outdoor shower enclosure would be 7' from this same side set back, a mere 1' difference on a 4' structure on a 200' long lot.

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?

As a beach community, the owner would like to add an outdoor shower structure for their enjoyment as is common in the area. This is the only feasible location for this structure, therefore the required 10' set back would deprive owner of the ability to construct an outdoor shower.

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

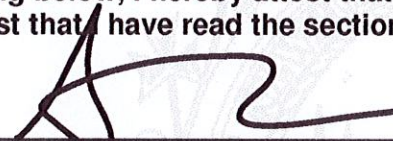
Owner has selected a modest 4'x4' shower enclosure to minimize encroachment on side set back requirements. This would produce a 7' set back for a mere 4' section on this 200' long area of property, whereby the existing home is already 8' from the property line.



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

(401) 447-3440  
Telephone Number

  
\_\_\_\_\_  
Owner's Signature

(401) 447-3440  
Telephone Number

Email address

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

