

# APPLICATION FOR DIMENSIONAL VARIANCE

## CITY OF NEWPORT, RI ZONING BOARD OF REVIEW

DATE: 2/22/2021

Board members:

The undersigned hereby petitions the Zoning Board of Review for 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: 8 Marin St Newport RI 02840

Tax Assessor's Plat 21 Lot 185

### Petitioner Information

Applicant Anthony Defala Address 214 Hawthorne Ave

Owner Anthony Defala Address Derby CT 06418

Lessee \_\_\_\_\_ Address \_\_\_\_\_

### Property Characteristics

Dimensions of lot-frontage 49' depth 80 area 3,920 sq. ft.

Zoning District in which premises is located R10

How long have you owned above premises? 3 Months

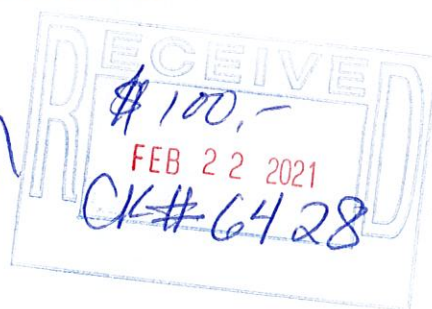
Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings 1,610

Total square footage of the footprint of proposed buildings 1,610

Present use of premises 2 Family Residence

Proposed use of premises 2 Family Residence



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

Give extent of proposed alterations Remove existing gable dormer and replace  
with a new Shed dormer

### Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	3,920	10,000	3,920
Lot Coverage (%)	41%	20%	41%
Dwelling Units	2	2	2
Parking (# of spaces)	0	2	0
Front Setback	6'-3"	15'-0"	6'-3"
Side Setbacks	6'-0"	10'-0"	6'-0"
Rear Setback	31'-5"	20'-0"	31'-5"
Height	34'-2"	30'-0"	30'-0"

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?

Existing dormers and side walls of the house are located 6' off.  
the property line. The existing lot size is 40% of the required  
10,000 Sf size, but held to the same standards of a 10,000 lot size.



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?

This house is located in a dense neighborhood with many houses infringing on their side setbacks.

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

The Proposed dormer only requires a variance for the side

setback. Proposed dormer is located the same distance from the lot line as the existing dormer.

The proposed dormer is now in compliance with the height limit as the existing dormer was 12" over the height limit.

### The Zoning Boards Role

In granting a variance, the zoning board of review shall **require** that evidence of the following standards be entered into the record of the proceedings:

- a. That the reasons set forth in the application justify the granting of the variance and that the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure;
- b. That the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and will not impair the intent or purpose of the zoning code or the comprehensive plan upon which this zoning code is based;
- c. That the hardship from which the applicant seeks relief is **due** to the unique characteristics of the subject land or structure and not **due** to the general 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

(203) 231-5305  
Telephone Number

  
Owner's Signature

(203) 231-5305  
Telephone Number

Email address artndef@cdw.com

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