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1916 - 1970
SALVATORE L. VIRGADAMO
1940 - 1986
JEREMIAH C. LYNCH, JR.
1957 - 1987

December Tenth
Two Thousand Twenty

Guy Weston
Newport City Hall
43 Broadway
Newport, Rhode Island 02840

Re: 2-4 Ledyard Street

Dear Guy:

I am enclosing an Application for Special Use Permit and Regulatory Variance, together with a check in the amount of \$100.00.

With best wishes, I am

Sincerely yours,

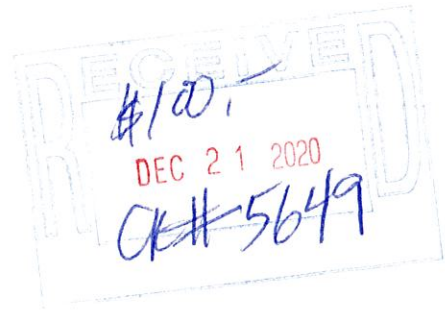
MOORE, VIRGADAMO & LYNCH, LTD.

By

Jeremiah C. Lynch, III

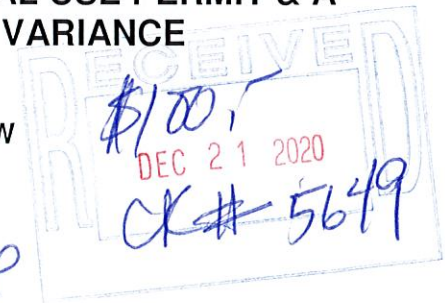
JCL
Enclosures

2BR
Jan 6



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

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW



DATE: _____

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: 2 & 4 Ledyard Street

Tax Assessor's Plat 06 Lot 197

Petitioner Information

Applicant John R. Gullison Address P.O. Box 3129, Newport, RI 02840

Owner 2-4 Ledyard Partnership Address same

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 98.2 depth 61 +/- area 6,100 +/- sq. ft.

Zoning District in which premises is located R-10

How long have you owned above premises? 3 years

Are there buildings on the premises at present? yes

Total square footage of the footprint of existing buildings 1,784

Total square footage of the footprint of proposed buildings 1,784

Present use of premises 2 family residential

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

Proposed use of premises 2 family residential

Give extent of proposed alterations Add front and rear roof dormers.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	6,100 +/-	10,000	6,100 +/-
Lot Coverage	29%	20%	29%
Dwelling Units	2	2	2
Parking (# of spaces)	2+	2	2+
Front Setback	17	15	17
Side Setbacks	12' (west), 22' (east)	10	12' (west), 22' (east)
Rear Setback	1.8	20	1.8
Height	29.5	30'	29.5

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

Goal H-1: Repair, revitalize & rehabilitate residential structures.

Goal H-3: Reduce percentage of seasonally vacant homes.

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 dwelling is located within the rear and west side yard setbacks. The dwelling is also situated on a substandard 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?

The proposed addition will provide additional living space in the second floor unit.

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

The requested variance will permit a modest increase to the living space in the second floor unit, without increasing the non-conformity.

The Zoning Boards Role

Special use permits shall be granted only where the zoning board of review finds that the proposed use or the proposed extension or alteration of an existing use is in accord with the public convenience and welfare, after taking into account, where appropriate:

1. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of the structure;
2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
3. The nature of the surrounding area and the extent to which the proposed use or feature will be in harmony with the surrounding area;
4. The proximity of dwellings, churches, schools, public buildings and other places of public gathering;
5. The fire hazard resulting from the nature of the proposed buildings and uses and the proximity of existing buildings and uses;
6. All standards contained in this zoning code;
7. The comprehensive plan for the city.

The burden of proof in a special-use permit application is on the applicant. This means that if the applicant fails to present adequate competent evidence to prove the applicable standard for issuing a special-use permit has been met, the board must deny the application.

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

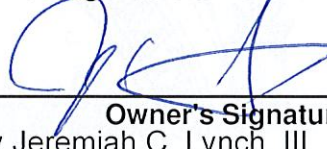
- d. That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain.
- e. That the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted 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
by Jeremiah C. Lynch, III
() 846-0120

Telephone Number

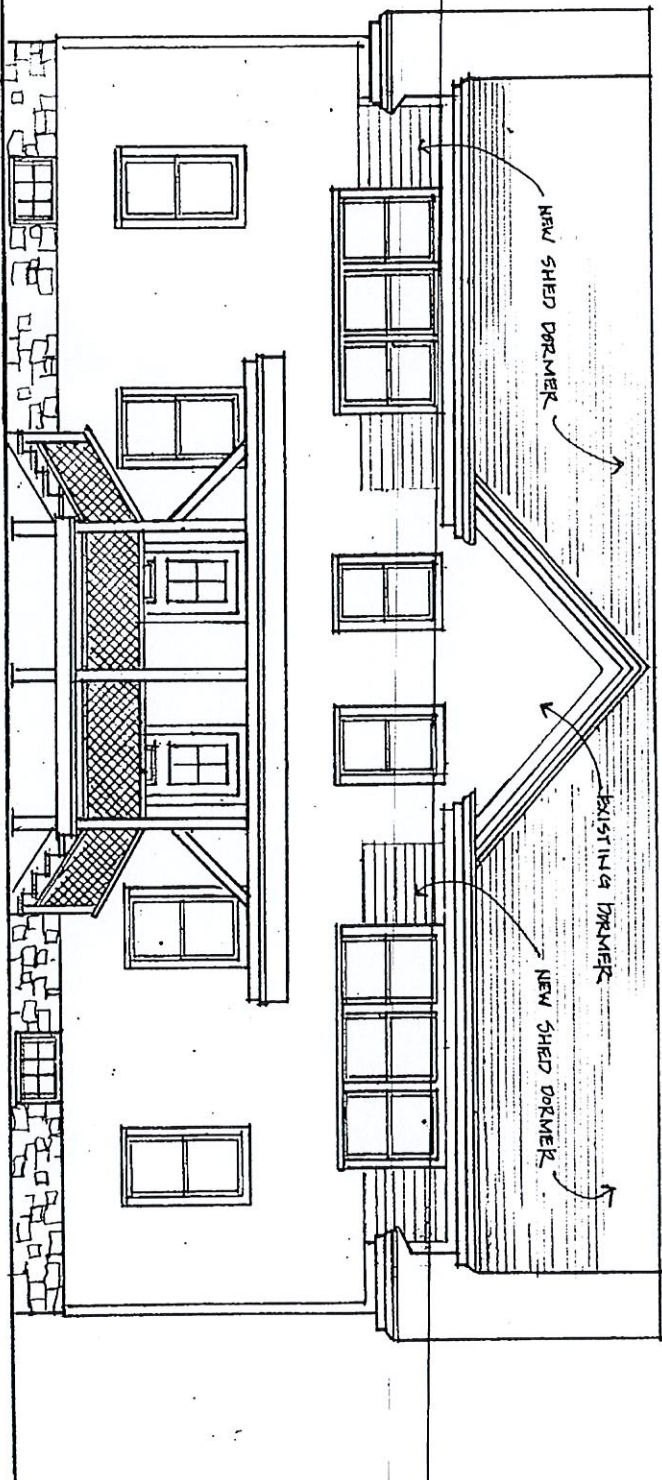


Owner's Signature
by Jeremiah C. Lynch, III
()

Telephone Number

Email address jlynch@mvllaw.com

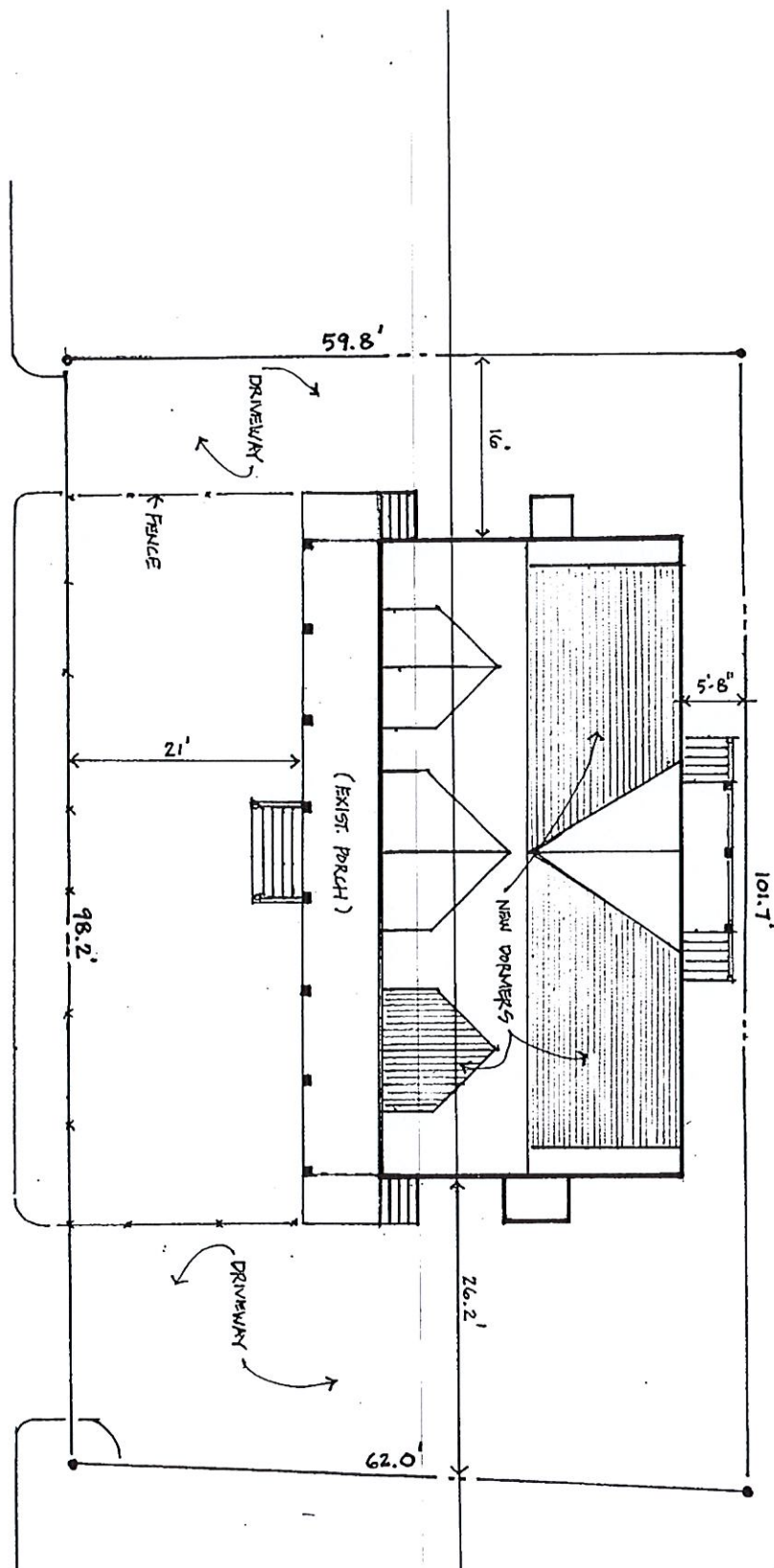
Be sure all required drawings are attached to this application at the time of the submittal.



NORTH ELEVATION

3/16" = 1'-0"

A2	12.7.20	PROJECT: Ledyard St. Apts. Newport, RI	PAUL D. BURKE, ARCHITECT AIA, NCAARB 211 Veterans Ave. Middletown, Rhode Island 401-866-8888
	SCALE: 3/16		



Site Plan

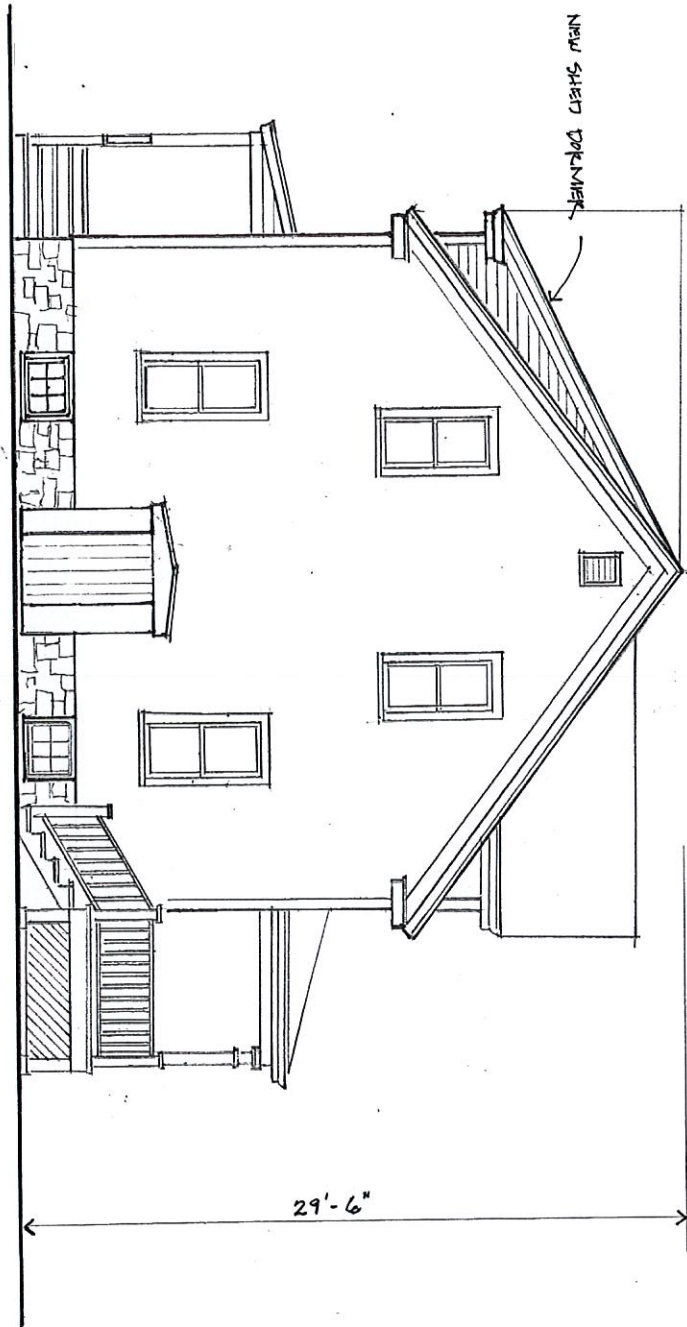
LEDYARD STREET

1" = 10'

L1	SCALE	PROJECT	PAUL D. BURGE ARCHITECT AIA, NCARB 211 Vantage Ave. Middletown, Rhode Island 401-840-8888
	12.7.20	Ledyard St. Apts. Newport, RI	

WEST ELEVATION

3/16" = 1'-0"



A3

SCALE: 3/16"

12'-8"-20"

PROJECT:

Ledyard St. Apts.
Newport, RI

PAUL D. BURKE, ARCHITECT
A.I.A., N.C.A.R.B.

211 Vantage Ave.
Westport, South Island
401-660-4228