

COMBINED APPLICATION FOR SPECIAL USE PERMIT & A
REGULATORY (DIMENSIONAL) VARIANCE
CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

DATE: February 22, 2021

Board Members:

The undersigned hereby petition the Zoning Board of Review for a Special Use Permit and 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.: 7 South Baptist Street

Tax Assessor's Plat 32 Lot 188

Petitioner Information

Applicant: Kate W, Haakonsen, Trustee

Owner: Same

Lessee: N/A

Address: 561 Route 87

Columbia, CT 06237

Address: Same

Address: N/A

Property Characteristics:

Dimensions of Lot: Frontage: 9.5'; Depth: 81.07' ±; Area: 2,023 SF ±

Zoning District in which premises is located: R-10

How long have you owned above premises? 12 Years

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing/approved buildings: 765 SF

Total square footage of the footprint of proposed buildings: 765 SF

Present use of premises: Single Family Dwelling

Proposed use of premises: Single Family Dwelling

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

Give extent of proposed alterations:

Applicant seeks a special use permit and variances from the dimensional requirements to extend the existing second floor dormers on both sides of the roof the length of the house, with side setbacks of 4' and 3.5' (10' required) and a rear setback of 3.5' (20' required), applying to the property located at 7 South Baptist Street and identified as Lot 188 on Plat 32 in the R-10 Zone. All work will be done within the existing setbacks.

Zoning Characteristics Matrix

	Existing/Approved	Required/Allowed	Proposed
Lot Size (sq. ft.)	2,023 SF	10,000 SF	No Change
Lot Coverage (%)	37.8%	20%	No Change
Dwelling Units	1	1	No Change
Parking	2	2	No Change
Front Setback	36.5'	15'	No Change
Side Setbacks	4' & 3.5'	10'	No Change
Rear Setback*	3.5'	20'	No Change
Height	23' 7"	30"	No Change

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

Land Use Goal LU-1.2

What special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district?

At 2,023 square feet, the subject lot is very small and only 20% of the size required in the R-10 Zone. In addition, the lot has a very unusual configuration and the existing house is built into the rear and side setbacks.

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 relief requested is necessary for the full enjoyment of a permitted use. Because of the size and configuration of the lot, and the siting of the existing house, there no is practical way to expand the living space of the house, other than to extend the dormers.

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

All work will be done within the existing setbacks, with no increase in lot coverage and no decrease in the size of the existing setbacks.

The Zoning Board's 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/variance 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/variance has been met, the board must deny the application.

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".

Kate W. Haakonsen, Trustee,
By Her Attorney,

/s/ Peter Brent Regan

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