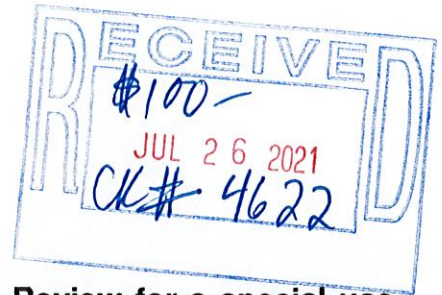


COMBINED APPLICATION FOR A SPECIAL USE PERMIT & A
REGULATORY (DIMENSIONAL) VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

DATE: July 14, 2021

ZBR
Aug-9



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: 38 Bellevue Ave.

Tax Assessor's Plat 25 Lot 062-4

Petitioner Information

Applicant James & Jennifer Hardock Address 38 Bellevue Ave #4, Newport

Owner " " Address 5 Cheyenne Circle Andover, MA

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 106.26 depth 200 ft. area 22,726 sq. ft.
56 feet (Bellevue) (Catherine) back 119.8 feet side 77
Zoning District in which premises is located gB 63
62.5

How long have you owned above premises? condo - 5 years

Are there buildings on the premises at present? yes

Total square footage of the footprint of existing buildings unit 4 - 863 sq. feet

Total square footage of the footprint of proposed buildings N/A (deck)
14x14

Present use of premises mixed use building commercial/residential

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

Proposed use of premises removable deck on roof outside
of our condo - next to another
deck that belongs to our neighbor.

Give extent of proposed alterations (see above)

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	22,726		N/A
Lot Coverage	10,290		N/A
Dwelling Units	23 (COMM + RES)		N/A
Parking (# of spaces)	26 +		N/A
Front Setback	15'		N/A
Side Setbacks	4' & 1'		N/A
Rear Setback	70'		N/A
Height	~45'		N/A

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

Unknown - no impact to land use.

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?

None that we know of. There are already existing decks on our building and our Condo association has approved our proposal.

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?

Almost all of our neighbors in the building have a deck or multiple decks. Our deck would be next to a similar existing deck in the back corner of the building near the parking lot. Not seen from the street (other than a small corner that may be seen from Catherine St.)

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

It will give our unit an outdoor space similar to all of them around us. It will not change the aesthetic of the building.

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".

Jennifer B. Hardock
Applicant's Signature

(978) 697-9102
Telephone Number

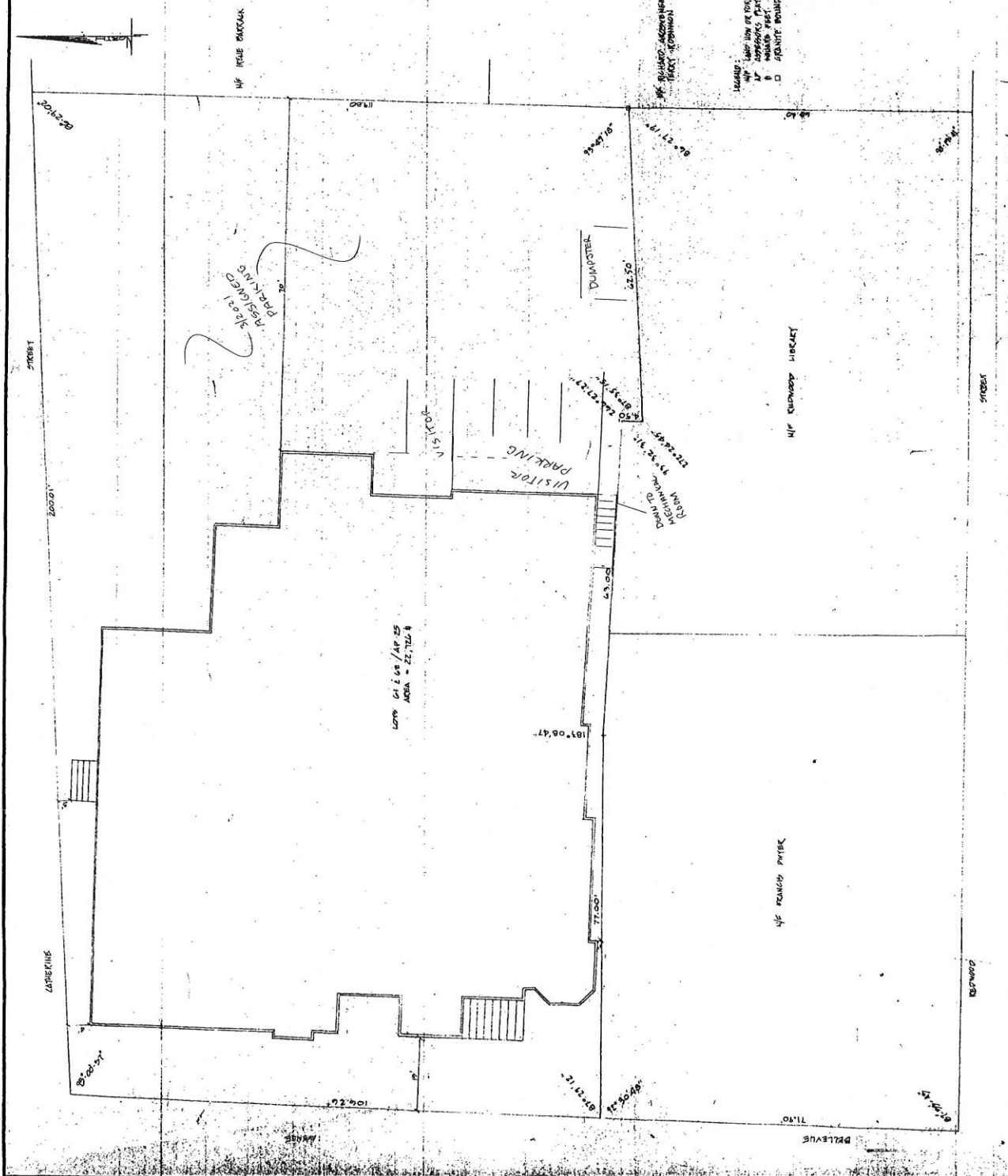
Jennifer B. Hardock
Owner's Signature

(978) 697-2102
Telephone Number

Email address ~~jen~~ mike.hardock@verizon.net

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

12.8



Muenchinger-King Condominium Association
38 Bellevue Avenue
Newport RI 02840

April 3, 2021

To Whom it may concern,

Certain sections of the bylaws require board approval to allow a unit owner to make "additions, alterations, or improvements" to common elements.

Unit 2,3,PH1&PH2 have requested permission from the board to install decks in locations where decks were removed to replace leaking flat roofs.

Unit 4 has requested permission from the board to install a deck on the flat roof at the bottom of the fire escape and adjacent to Unit 1 deck, where no deck existed prior.

Units 2,3,4,PH1&PH2 have the Muenchinger-King Condo Associations Board of Directors approval under the following conditions:

The deck, railings, doors, windows, trim, siding, and paint are in compliance with the city's HDC and the city building department for proper installation, flashing, and code compliance if required;

They shall match the current adjacent buildings details in style, size, and quality.

If the deck bears on a roof with finished space below, the deck itself must be removeable and in pieces that are not attached to the roofing in anyway. They must be easily removeable with basic tools by 1 person without equipment, and easily replaced back in their position to allow the management to address roof condition, diagnose problems, and for cleaning and maintenance.

Further, the improvements shall now and forever bear no burden on the Muenchinger-King Condo Association of any kind including liability, maintenance, or replacement.

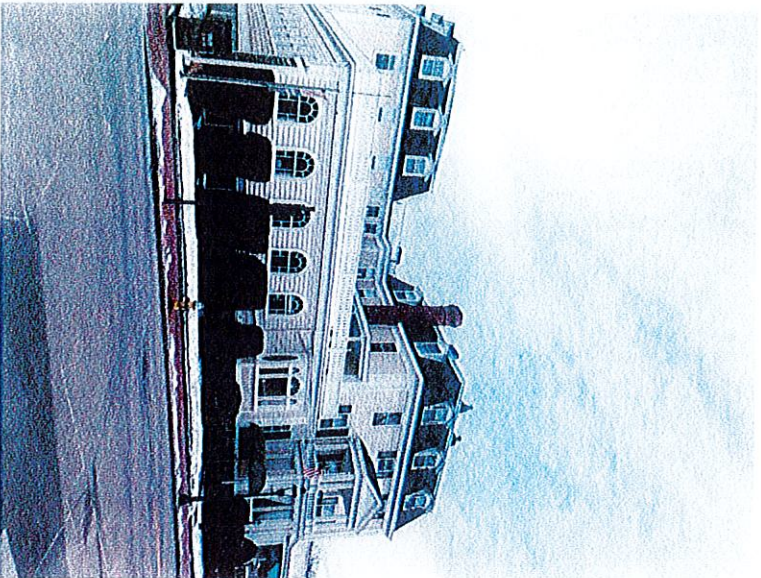
This addition may limit access to roofing and flashing maintained by the association; therefore this units owner shall now and forever bear the effort and cost of providing access to the common elements this project restricts access to.

By installing deck(s) on flat roofs, the owners also agree that these decks are on common elements, and although the deck itself is a limited common element, access to the roof through and over the deck shall not be restricted in anyway.

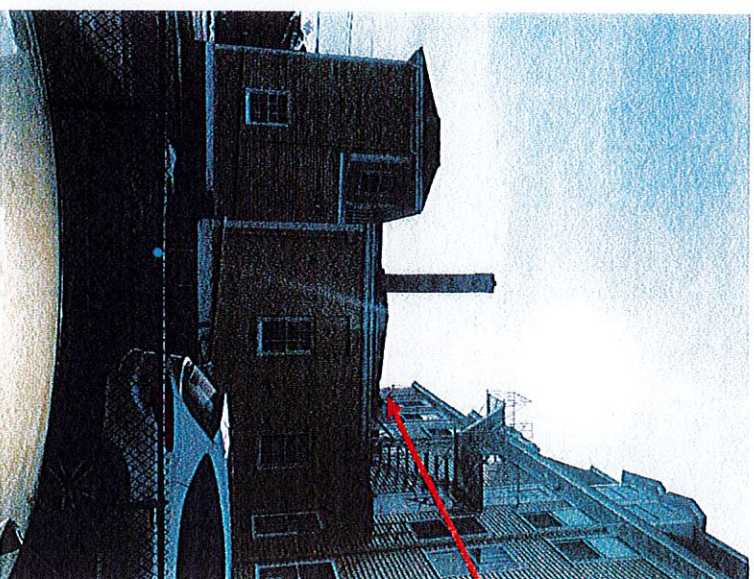
Thank You,

Muenchinger-King Condominium Association by its board of directors:
Ed Derosier, Leah Culver, Daniel Dwyer, Chris Reidy, Vick Bogan

38 Bellevue Ave, Newport RI, Unit 4 Proposed Deck



Front of Muenchinger-King Building,
38 Bellevue Ave, Newport. Unit 4 is
not on front face of building.

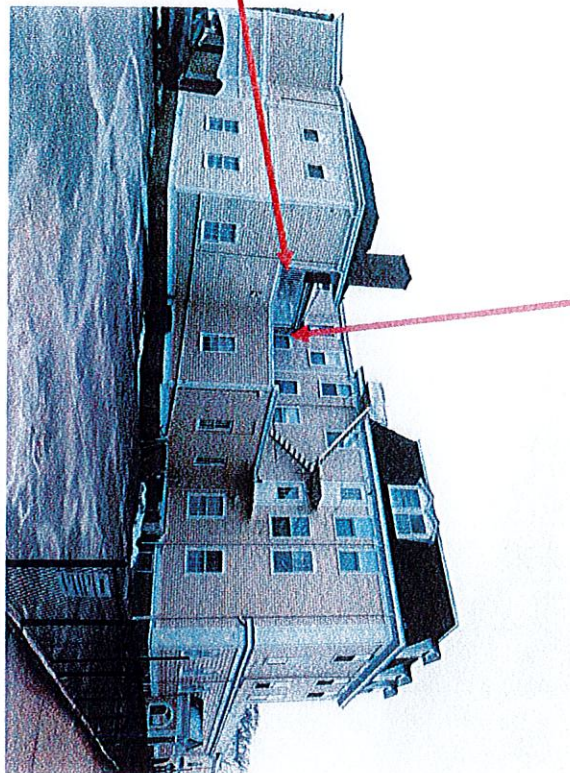


Deck
location

38 Bellevue Ave, view from Catherine Street.
(Back/Left side of building.)

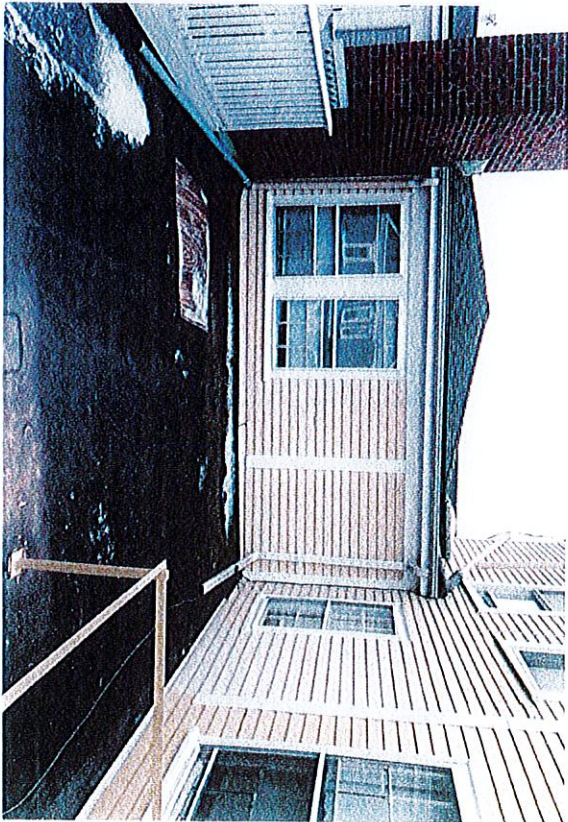
38 Bellevue Ave, Newport RI, Unit 4 Proposed Deck

Location of Unit 4
proposed deck



Unit 1
existing
deck
railings

View from Catherine Street sidewalk
approx. 50 yards from back corner of
building



Proposed deck location. Far right window will
become glass door with same grid pattern.

38 Bellevue Ave, Unit 4, Decking Material

IPE Deck Tiles

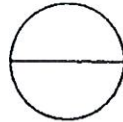


IPE Deck Tiles



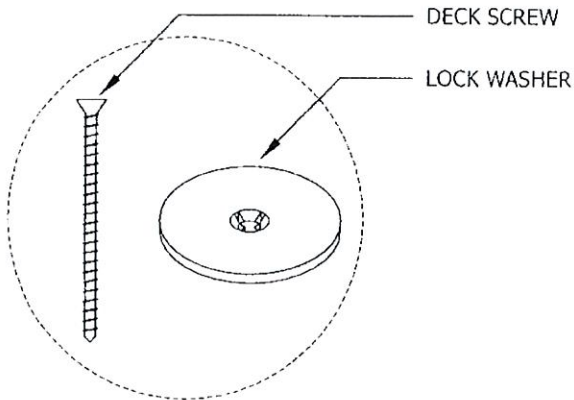


National Distribution Tel: 213-380-5560
Toll Free: 888-380-5575 Fax: 213-380-5561

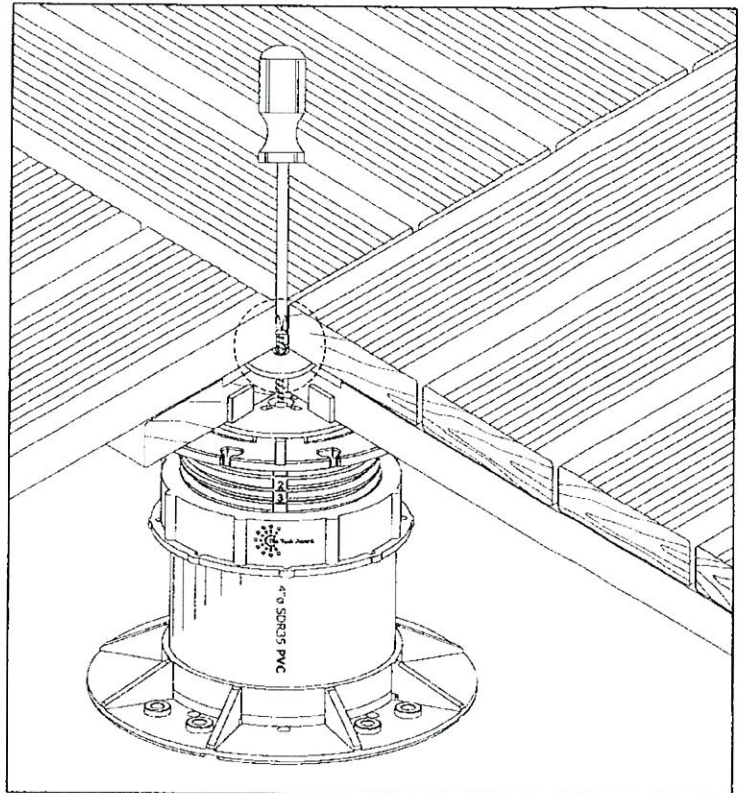


WOOD TILE & PEDESTAL APPLICATION

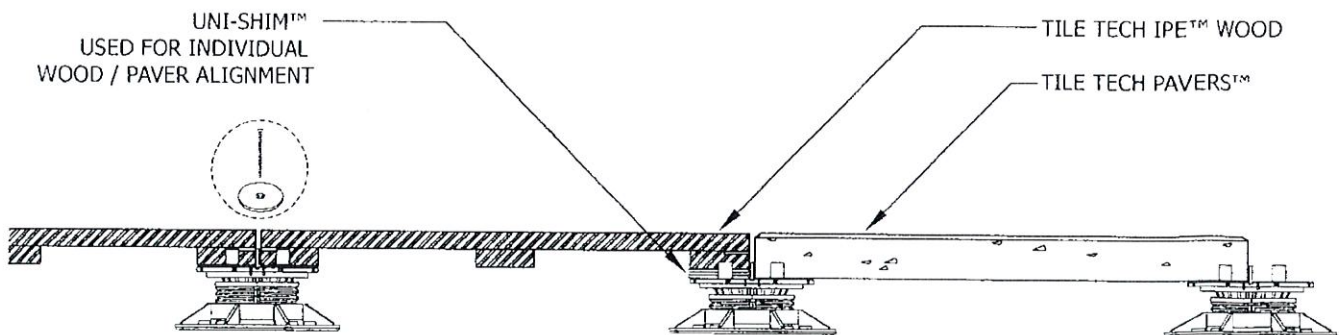
TRANSITION, ALIGNMENT & LOCK DOWN DETAILS



INSERT THE LOCK WASHER IN TO THE KURF CUT BETWEEN THE UPPER SLAT AND BOTTOM RAIL OF 3 WOOD PAVERS. INSERT THE 4th PAVER IN TO THE 4TH CORNER. ONCE ALL 4 PAVERS ARE TIGHTLY IN PLACE INSERT SCREW THROUGH LOCK WASHER AND HAND TIGHTEN IN TO PEDESTAL TOP UNTIL ALL 4 PAVERS ARE SECURELY FASTENED TO THE PEDESTAL. DO NOT OVER TIGHTEN.



IPE WOOD & PAVER TRANSITION AND ALIGNMENT

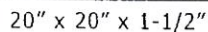


GENERAL NOTES: APPLY TO ALL OF THE ABOVE PRODUCTS

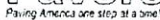
1. INSTALLATION MUST BE COMPLETED IN ACCORDANCE WITH TILE TECH PAVERS PRODUCT SPECIFICATIONS.
2. DRAWING NOT TO SCALE.
3. USE OF BUFFER PADS IS MANDATORY.
4. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.TILETECHPAVERS.com



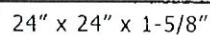
Fax: 213-380-5561



3. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT WWW.TILETECHPAVERS.COM



Fax: 213-380-5561



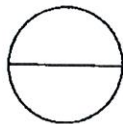
3. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.tiletechpavers.com



Tile Tech Pavers
Paving America one step at a time!

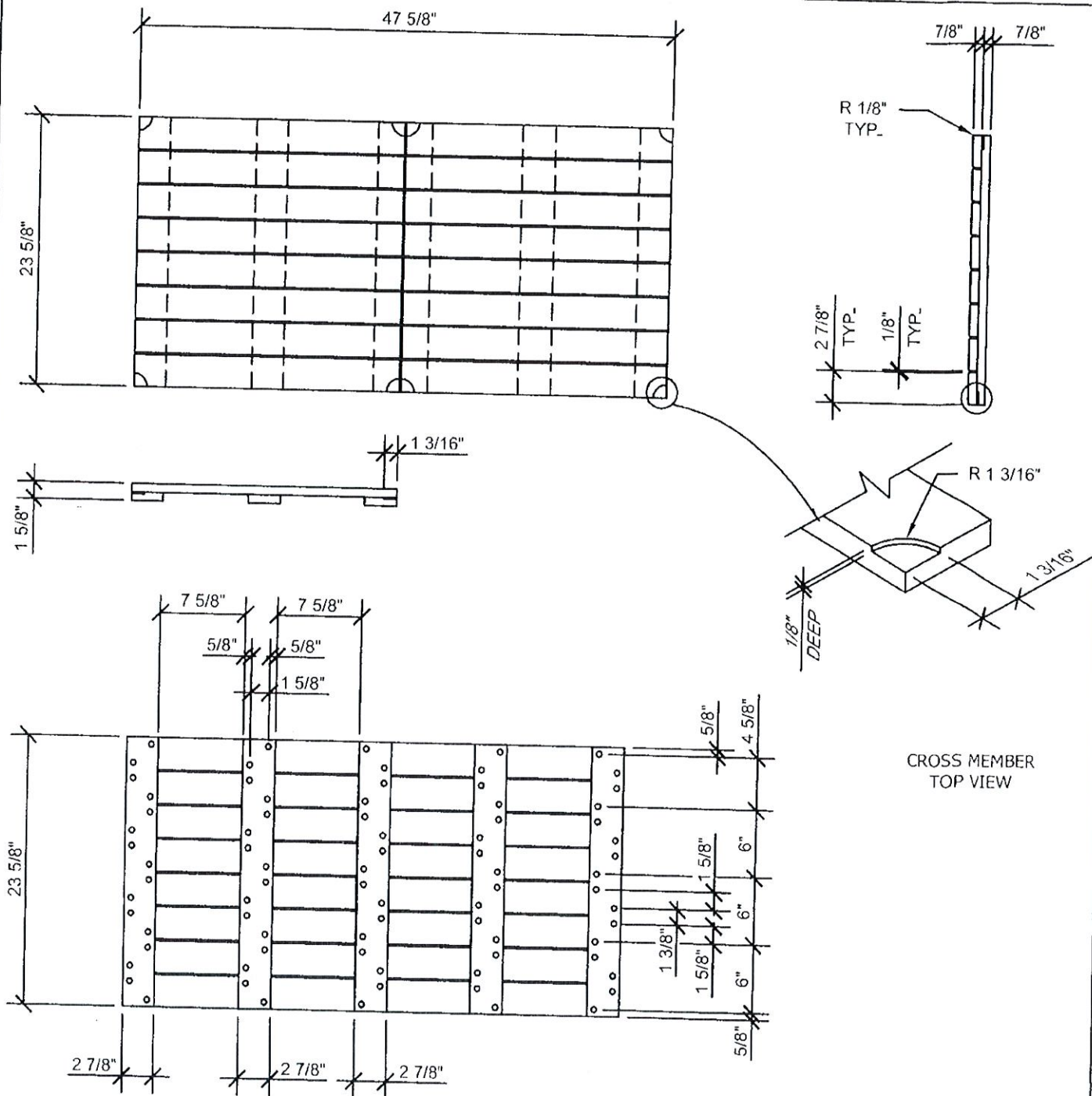
National Distribution
Toll Free: 888-380-5575

Tei: 213-380-5560
Fax: 213-380-5561



IPE WOOD TILES DETAILS

24" x 48" x 1-5/8"



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2. DRAWING NOT TO SCALE.

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38 Bellevue Avenue, Newport RI
Muenchinger-King Building Condominium, Unit 4

Attached please find:

1. Application for Certificate of Appropriateness
2. Digital pictures of location with descriptions
3. Letter from MK Building Condominium Association Board
4. 4x6 Color pictures of location
5. Specification for Ipe deck tiles

