

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

## CITY OF NEWPORT, RI ZONING BOARD OF REVIEW

DATE: 1.18.2020

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: 18 Cliff Avenue

Tax Assessor's Plat 31 Lot 122

### Petitioner Information

Applicant William and Cristina Heiden Address 10 Livingston Road, Wellesley, MA 02482

Owner Same as above Address Same as above

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

### Property Characteristics

Dimensions of lot-frontage +/- 59' depth +/- 125' area 6,969 S.F. sq. ft.

Zoning District in which premises is located R-10

How long have you owned above premises? 1 year, 2 months

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings 1,987 SF

Total square footage of the footprint of proposed buildings 2,007 SF

Present use of premises Two Family Residence

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

Proposed use of  
premises Single Family Residence

Give extent of proposed alterations Reconstruct and expand west facing single story bump out. Remove existing west side deck and bulkhead entrance. Slightly expand street facing storage area footprint. Relocate front entry stairway. Expand living area to third floor level and add East facing partially covered deck. Change from two-family to single-family home.

### Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	6,969	10,000	No Change
Lot Coverage	28.5%	20%	29%
Dwelling Units	2	2	1
Parking (# of spaces)	2	2	2
Front Setback	27'-6"	15"	No Change
Side Setbacks	(N)5'-9" , (S) 3'-5"	10'-0"	(N) and (S) No change
Rear Setback	50'-6"	20'-0"	No Change
Height	+/- 29'-0"	30'	30'-0"

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

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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 footprint of the house is placed within the side yard setback on both the North and  
South sides of the property.

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?

Many homes in the R-10 district exist on lots of substandard size. In order to renovate and resolve  
footprint related geometries, a very slight footprint expansion is being requested.

A number of local area homes have third floor level outdoor spaces which allow residents to  
capture limited views of the ocean and bring ocean breezes into the home.

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

The requested footprint expansion is very minimal, and is consistent with already established  
building footprint proximity to the property lines. A first floor exterior deck is being removed to help  
make this request as minimal as possible.

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".

William K. Heiden

Applicant's Signature

Catherine S. Heiden

Owner's Signature

( 781 ) 249-9003

Telephone Number

( )

Telephone Number

Email address heiden59@yahoo.com

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