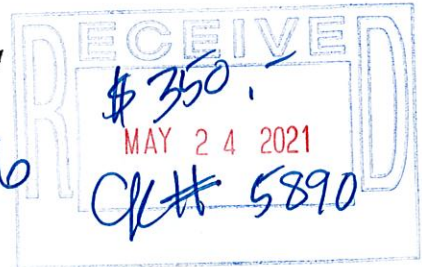


**COMBINED APPLICATION FOR A SPECIAL USE PERMIT & A  
REGULATORY (DIMENSIONAL) VARIANCE**

CITY OF NEWPORT, RI  
ZONING BOARD OF REVIEW

DATE: 5/24/2021

*266  
June-16*



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: 20-28 Dr. Marcus F. Wheatland Blvd.

Tax Assessor's Plat 17 Lot 302

**Petitioner Information**

Martin Luther King Community Center  
Applicant Martin Luther King Community Center Address 20 Dr. Marcus F. Wheatland Blvd.

Owner same Address Newport, RI 02840

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

**Property Characteristics**

Dimensions of lot-frontage 165 depth 113 +/- area 20,854.17 sq. ft.

Zoning District in which premises is located R-10

How long have you owned above premises? 50+ years

Are there buildings on the premises at present? yes

Total square footage of the footprint of existing buildings 12,267

Total square footage of the footprint of proposed buildings 13,233

Present use of premises mixed use community center

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

Proposed use of premises mixed use community center

Give extent of proposed alterations Add front porch, addition for food pantry, loading area, cooler and second story office space expansion.

### Zoning Characteristics Matrix

|                       | Existing                       | Required/Allowed | Proposed  |
|-----------------------|--------------------------------|------------------|-----------|
| Lot Size (sq. ft.)    | 20,854                         | 10,000           | 20,854    |
| Lot Coverage          | 59                             | 20               | 63        |
| Dwelling Units        | 0                              |                  | 0         |
| Parking (# of spaces) | 2                              | 2                | 2         |
| Front Setback         | 5.7 (Edwards) 7.82 (Wheatland) | 15               | 5.7 & 7.8 |
| Side Setbacks         | N/A                            | N/A              | N/A       |
| Rear Setback          | 1.4 & 9.8                      | 20               | 1.4 & 9.8 |
| Height                | 26                             | 30               | 26        |

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

Goal CFS-5. Work with local non profit agencies to provide comprehensive system of social services.

Goal CFS-6. Provide suitable and enhance facilities to serve senior population.

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 current use is a legal non-conforming use. Over time, the site has been developed to maximize various community services. The activities on the site are unique in the area.

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 denial of the requested variances and special use permit will limit the services provided by the applicant.

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

The requested variance and special use permit will allow for the expansion of services and maximize the existing uses on the site.



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".

by Jeremiah C. Lynch, III

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Owner's Signature

( ) 846-0120

\_\_\_\_\_  
Telephone Number

( )

\_\_\_\_\_  
Telephone Number

Email address jlynch@mvlaw.com

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



LAW OFFICES  
MOORE, VIRGADAMO & LYNCH, LTD.

97 JOHN CLARKE ROAD  
MIDDLETOWN, RI 02842

TELEPHONE 401-846-0120  
FAX 401-848-0234

JEREMIAH C. LYNCH III  
BARBARA A. BARROW

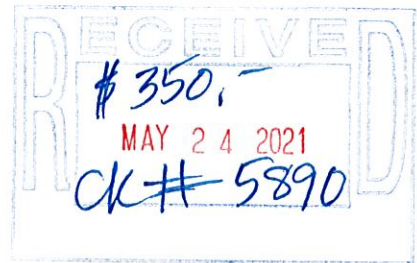
STEPHEN A. HAIRE, OF COUNSEL  
WILLIAM W. HARVEY II, OF COUNSEL

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

May Twenty-Fifth  
Two Thousand Twenty-One

Guy Weston  
Newport City Hall  
43 Broadway  
Newport, RI 02840

ZBR  
June-16



Re: Martin Luther King Community Center

Dear Guy:

I am enclosing a check for \$350.00 in payment of the filing fee.

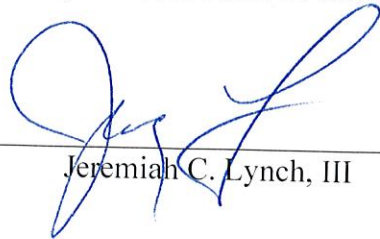
Please contact me if you have any questions.

With best wishes, I am

Sincerely yours,

MOORE, VIRGADAMO & LYNCH, LTD.

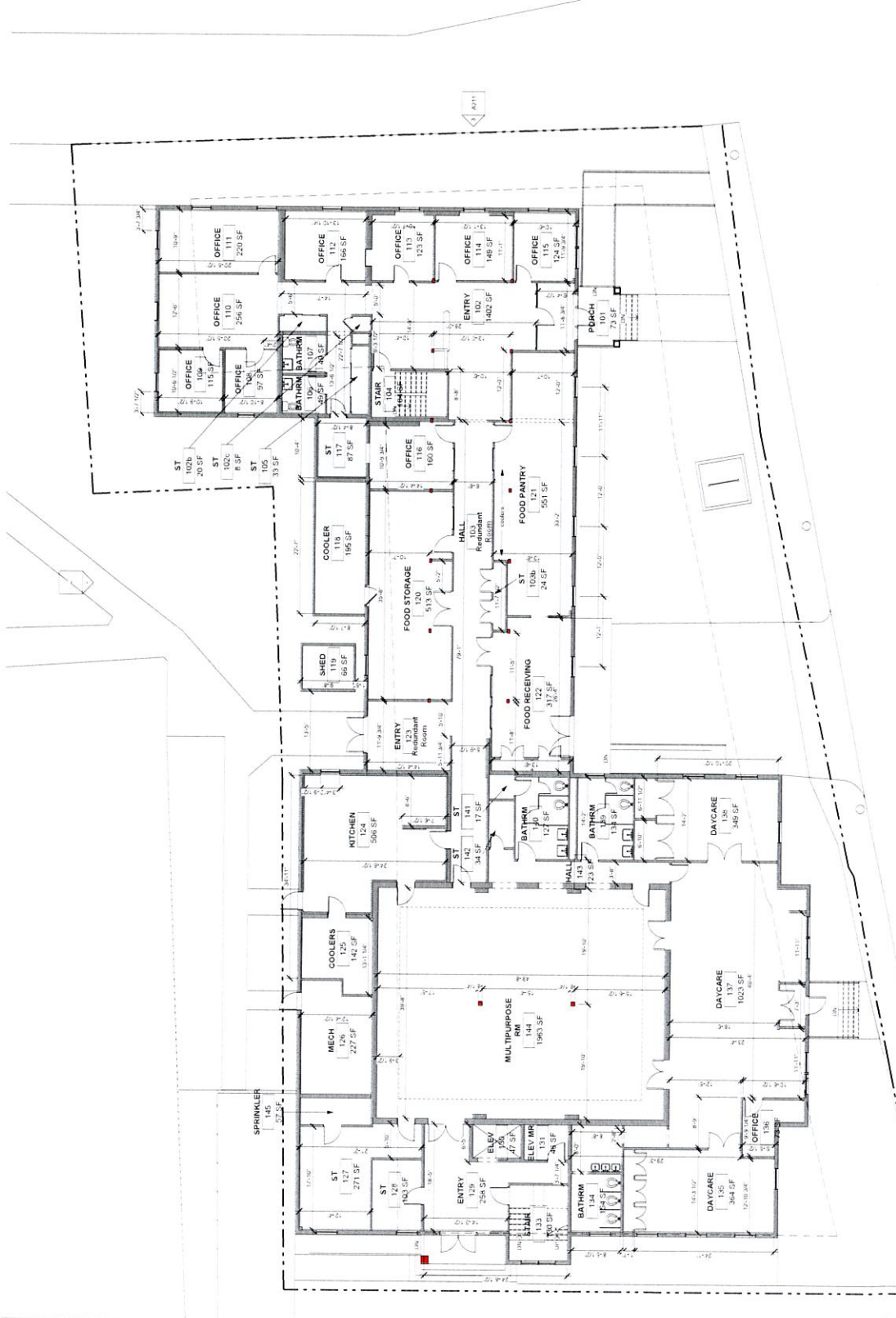
By

  
Jeremiah C. Lynch, III

JCL  
Enclosures

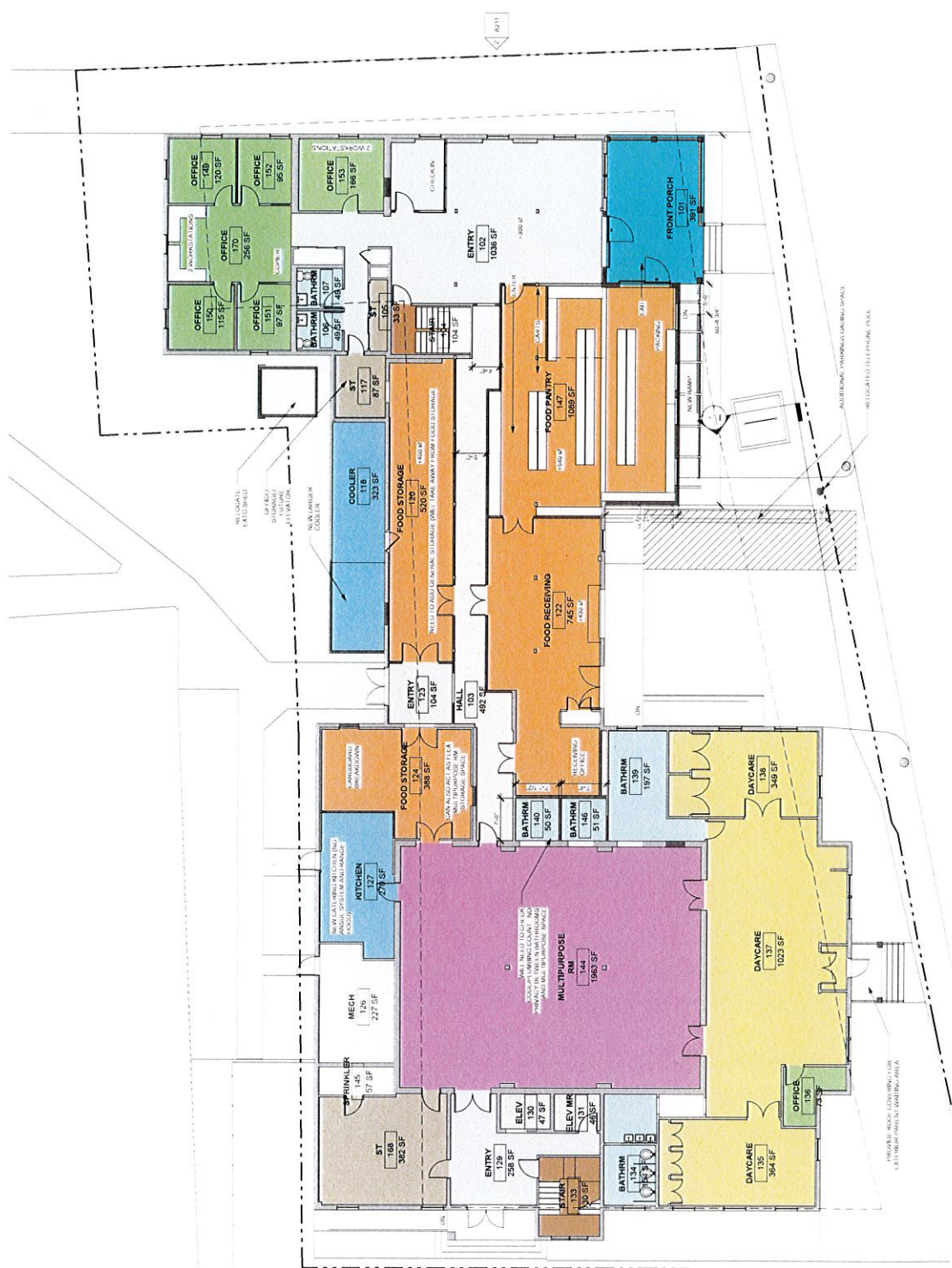






(1) 1ST FLOOR PLAN - EXISTING  
1/8" = 1'-0"



[illegible]

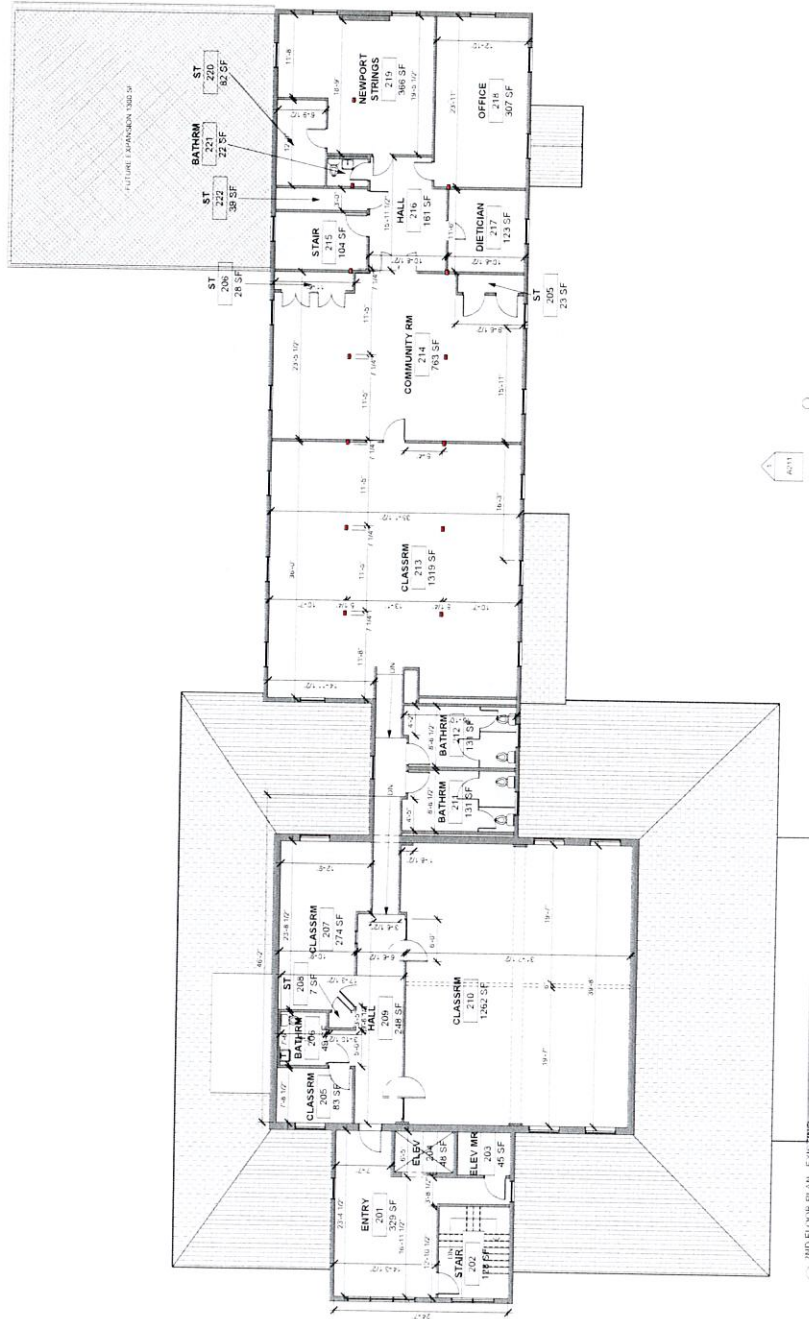
① 1ST FLOOR PLAN - PROPOSED  
1/8" = 1'-0"

| REVISIONS |             |      |
|-----------|-------------|------|
| No.       | Description | Date |
| 1         | A121        |      |

**NOT FOR  
CONSTRUCTION**

TITLE: 200111 LAYOUT PLAN A121.dwg  
DATE: 1/26/2021  
JOB NO.: 2002  
DRAWING NO.:

**A121**



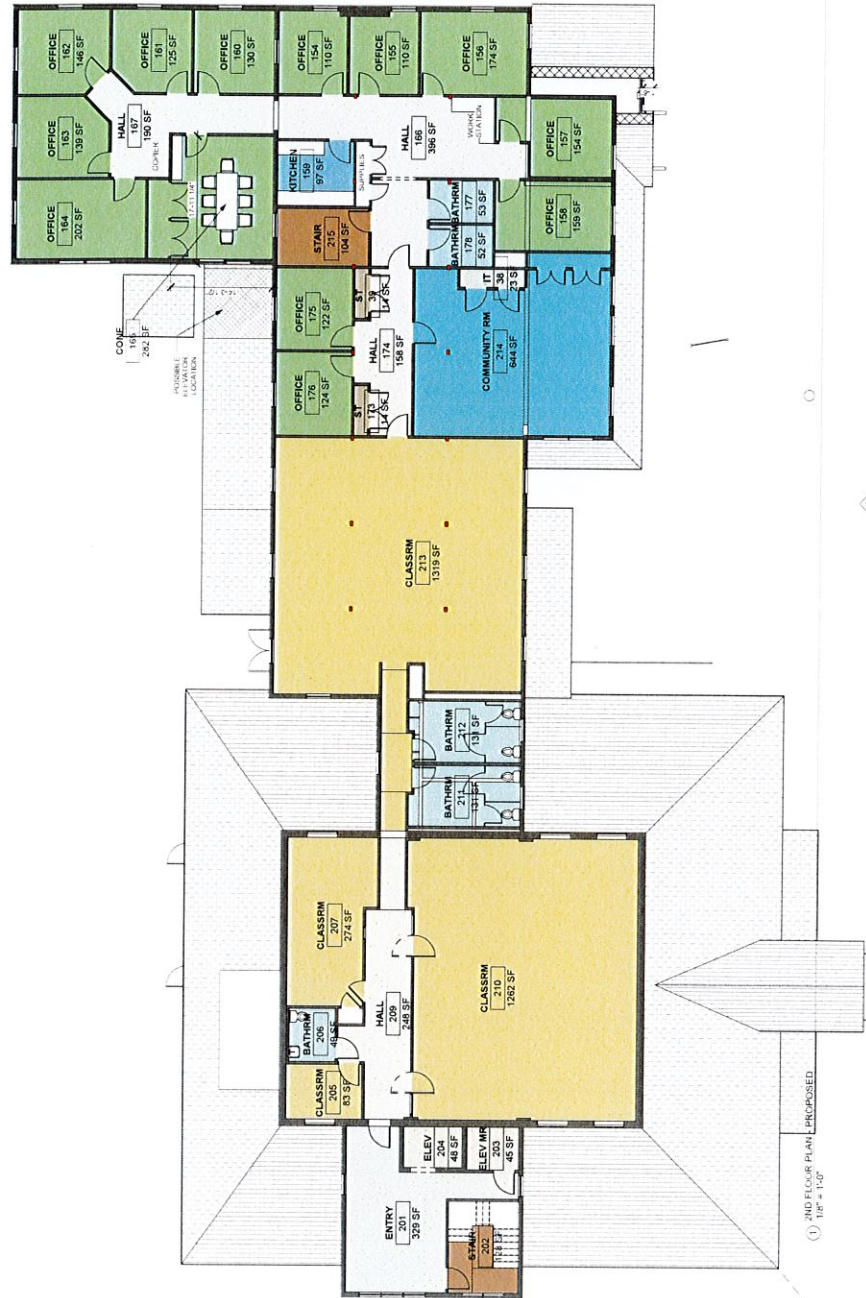


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NOT FOR  
CONSTRUCTION

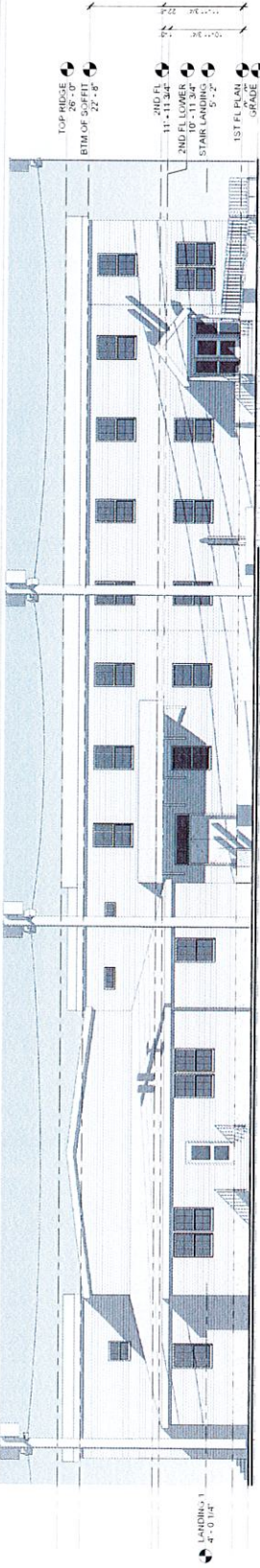
|              |                              |
|--------------|------------------------------|
| TITLE:       | ZNLF11.DWG P1.AN<br>17090902 |
| DATE:        | 11/05/2021                   |
| JOB NO.:     | 2062                         |
| DRAWING NO.: |                              |

A122

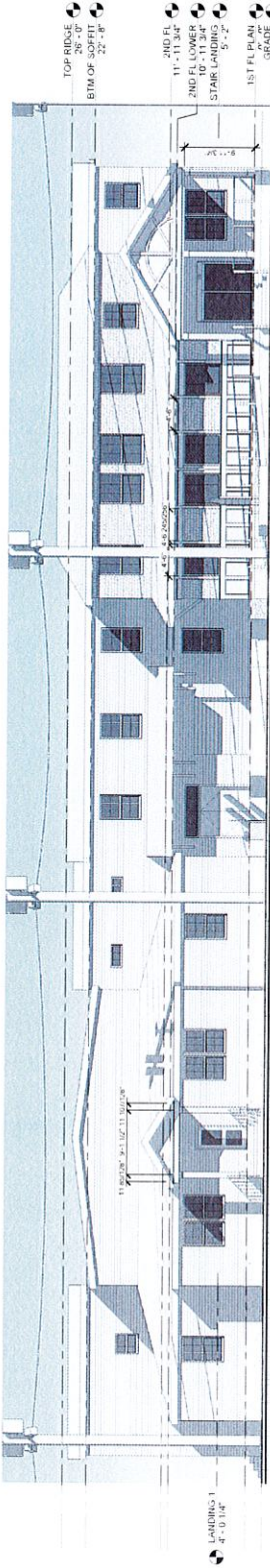


① 2ND FLOOR PLAN - PROPOSED  
1/8" = 1'-0"

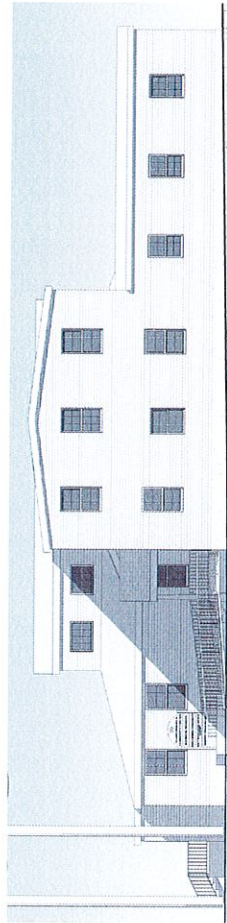




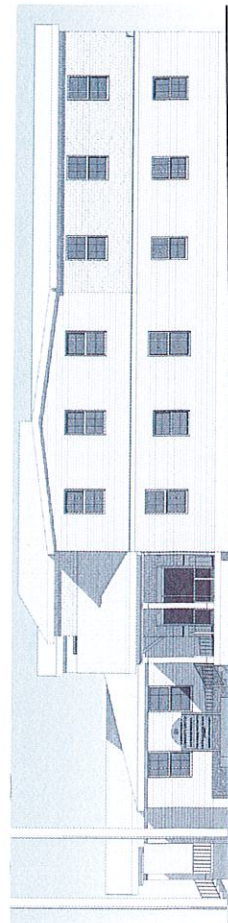
(1) FRONT ELEVATION - EXISTING  
1/8" = 1'-0"



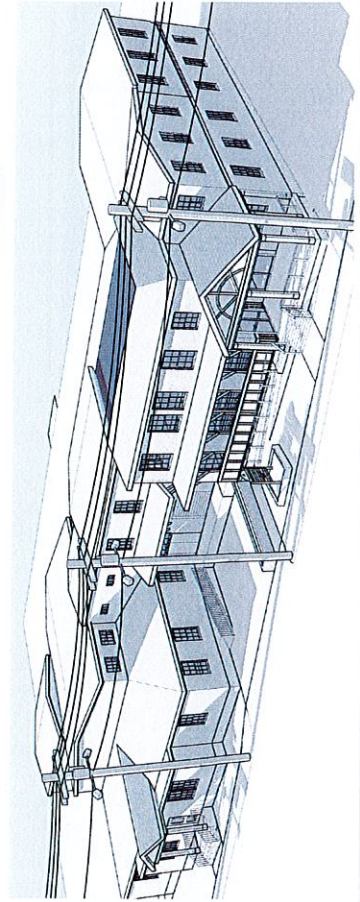
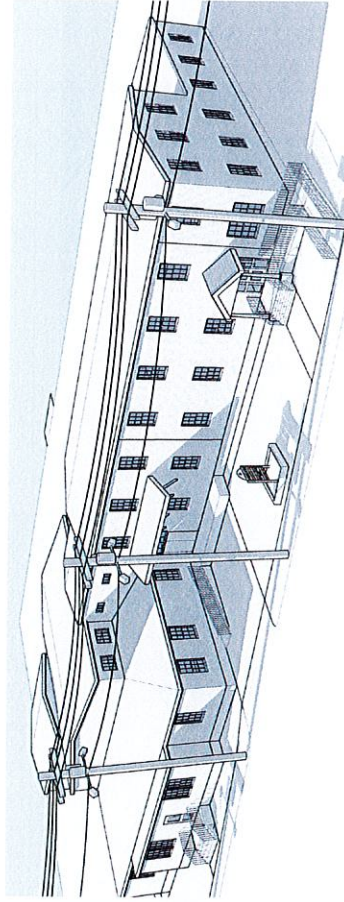
(4) FRONT ELEVATION - PROPOSED  
1/8" = 1'-0"



(3) SIDE ELEVATION (NORTH) - EXISTING  
1/8" = 1'-0"



(2) SIDE ELEVATION (NORTH) - PROPOSED  
1/8" = 1'-0"











HERK WORKS  
ARCHITECTURE









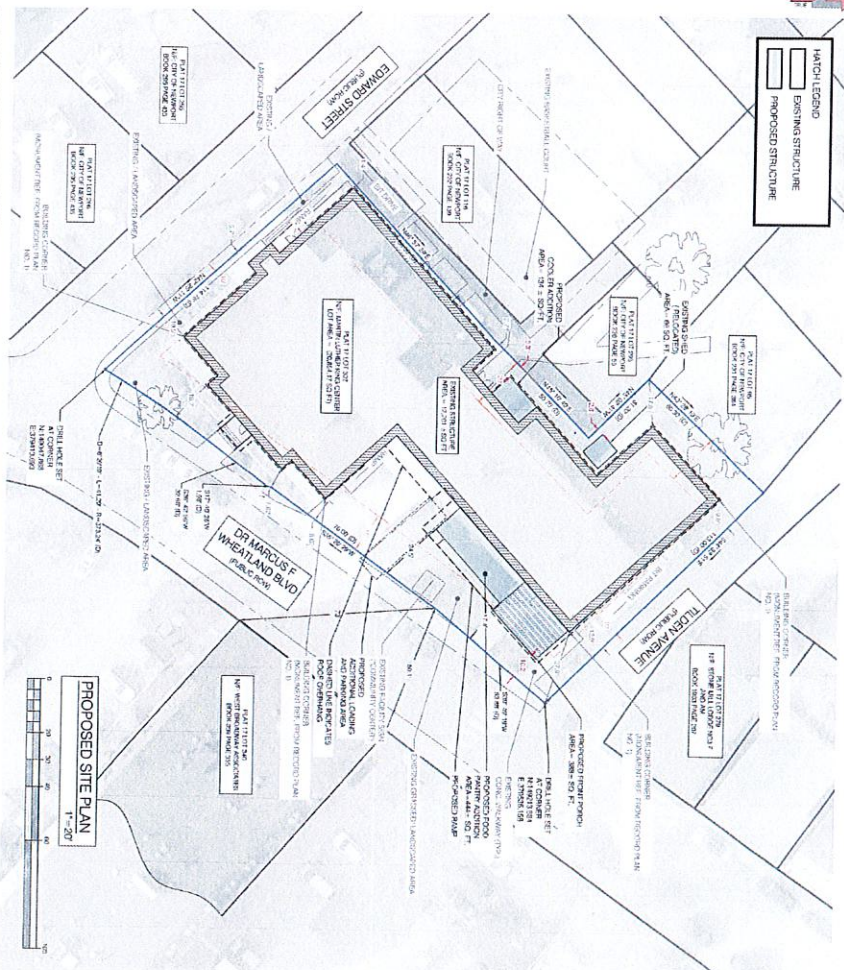






## DEED RESEARCH &amp; PLAN REFERENCE

| NO | CLIENT PROJECT # | M.L.K. CENTER | LOT | BOOK   | PAGE | OWNER OF RECORD                          | SHEET DATE | 1 OF 1 |           |
|----|------------------|---------------|-----|--------|------|------------------------------------------|------------|--------|-----------|
|    |                  |               |     |        |      |                                          |            | PLAT   | OTHER     |
| 1  | 17               | 302           | 274 | 64     | 326  | REDEVELOPMENT AGENCY                     | PLAT       | OTHER  | DATE RECD |
| 2  |                  | 218           | 282 |        |      | BONINGTON LMC SITES FROM AP 17, LOT 302  | X          |        | 3/20/1900 |
| 2  |                  |               |     |        |      | WASHTONVILLE WASHINGTON OWNER NEWPORT RL | X          |        |           |
| 2  |                  |               |     |        |      | E.C. WESTL GRANT P.S. # 1093             |            |        |           |
| 2  |                  | 65            | 281 | 384.5  |      | CITY OF NEWPORT                          | X          |        | 2/6/1971  |
| 3  |                  | 295           | 285 | 55.7   |      | CITY OF NEWPORT                          | X          |        | 6/30/1972 |
| 4  |                  | 116           | 282 | 179.40 |      | CITY OF NEWPORT                          | X          |        | 5/12/1971 |
| 5  |                  | 340           | 302 | 355    |      | WEST BROADWAY ASSOCIATES                 | X          |        | 10/1/1982 |
| 6  |                  | 279           | 213 | 283    |      | STONE MILL LODGE NO. 3 F.A.M.            | X          |        | 3/31/1985 |



17-20-010 City of Newport Zoning Ordinance

The minimum vehicle requirements are:

- A. Front-end height: 13'4" (4m);
- B. Side rail height: 6'0" (1.8m);
- C. Rear-end air bag: Yes.

2010-2014: 2014: 13'4" (4m); 2013: 13'0" (3.96m); 2012: 12'6" (3.81m); 2011: 12'0" (3.66m); 2010: 11'6" (3.51m).

**17.20.050 - Lateral coverage requirements.**

The portion of a vehicle to be covered by the following shall not exceed twenty (20%) percent.

2010-2014: 2014: 20% (0.20m); 2013: 20% (0.20m); 2012: 20% (0.20m); 2011: 20% (0.20m); 2010: 20% (0.20m).

**17.20.060 - Building height requirements.**

2010-2014: 2014: 20' (6.10m); 2013: 20' (6.10m); 2012: 20' (6.10m); 2011: 20' (6.10m); 2010: 20' (6.10m).

| Milk Center                 |                    |               |
|-----------------------------|--------------------|---------------|
| Existing Lot Coverage Table |                    |               |
| No.                         | Description        | Area<br>Units |
| 1                           | Total Lot Area     | 20,654.17     |
| 2                           | Existing Structure | 12,201        |
| 3                           | Existing Shed      | 66            |
| 4                           | Percent Cover      | 59%           |

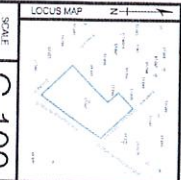
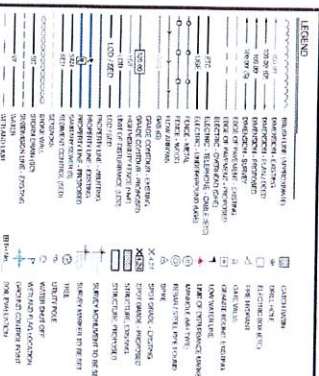
| Proposed Lot Coverage Table |                          |               |
|-----------------------------|--------------------------|---------------|
| No.                         | Description              | Area<br>Units |
| 1                           | Total Lot Area           | 20,654.17     |
| 2                           | Existing Structure       | 12,201        |
| 3                           | Existing Shed (proposed) | 66            |
| 4                           | Pt. Additional Cover     | 134           |
| 5                           | Pt. Feed Parity Addition | 444           |
| 6                           | Pt. Frow Front           | 388           |
| 7                           | Percent Cover            | 63%           |

MAX 20% COVERAGE EXISTING OR NEWER (TOTALS CORRESPOND)

MINIMUM 10% COVERAGE EXISTING OR NEWER (TOTALS CORRESPOND)

### VARIANCE REQUEST LIST

1. LOT COVERAGE: REQUEST OF 43% COVERAGE
2. FRONT SETBACK: FRONT PORCH: SETBACK RELIEF REQUEST OF 4.8'
3. REAR SETBACK: ADDITIONAL COOLER: SETBACK RELIEF REQUEST OF 14.7'
4. REAR SETBACK: RELOCATED SIDE: SETBACK RELIEF REQUEST OF 17.4'



DOI: 10.1002/for

[illegible]

781-CDS-0071

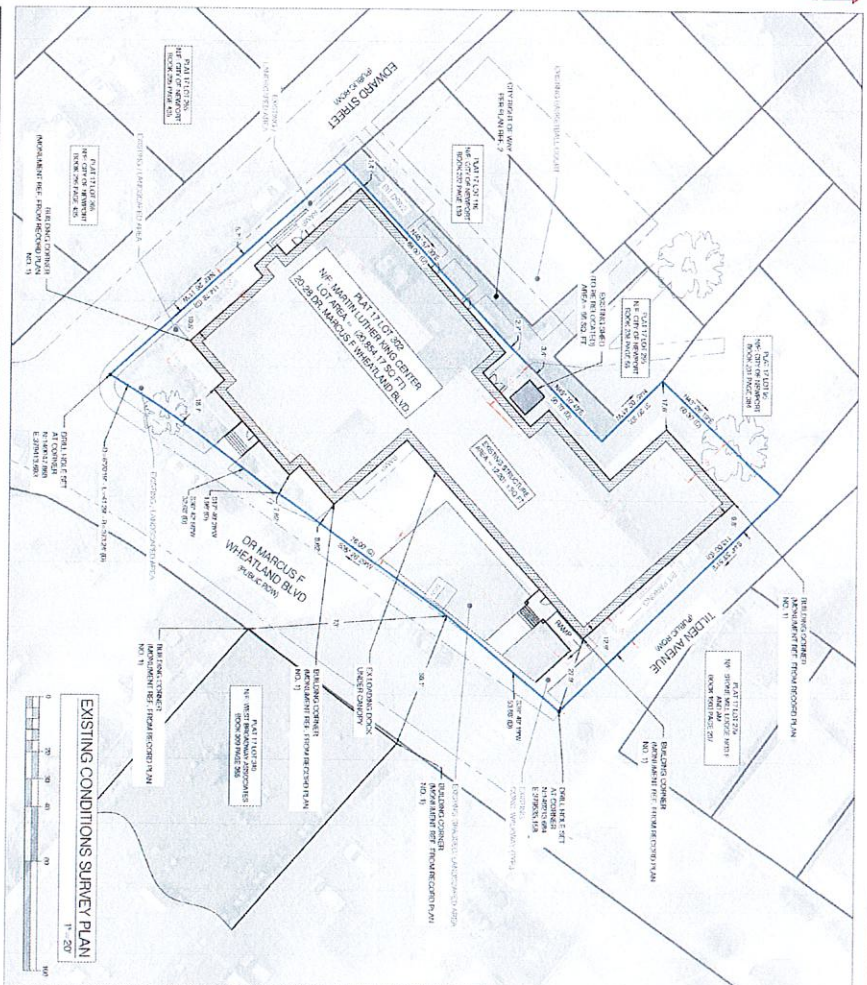
PLEASE PRINT YOUR NAME AND MAILING ADDRESS ON THE BACK OF THE CARD AND MAIL TO: **THE DIRECTOR OF THE COMMISSION ON THE STATUS OF WOMEN**, 1000 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20540-5001. IF YOU HAVE ANY QUESTIONS, PLEASE CALL 202-452-2400.

**DR. MARTIN LUTHER KING, JR.  
COMMUNITY CENTER**  
1144 PARK STREET  
SEATTLE, WASHINGTON 98101  
TEL: (206) 462-2000  
F: (206) 462-2004

**MEET**  
**Narragansett**  
Engineering Inc.

CH: Barry Trivelpiece  
3107 East Main Road,  
Portsmouth RI 02871  
Tel: 401.812.6530  
www.nai-ehi.com





| DEED RESEARCH & PLAN REFERENCE |      |      |      |                    |                        |      |      |      |               |
|--------------------------------|------|------|------|--------------------|------------------------|------|------|------|---------------|
| S-242 1/4 E. CENTER            |      |      |      |                    |                        |      |      |      |               |
| PROJECT # 22-01                |      |      |      |                    |                        |      |      |      |               |
| NEARBY                         |      |      |      |                    |                        |      |      |      |               |
|                                | PLAT | BOOK | PAGE | QUANTITY OF RECORD | RECORD ORIGINATOR      | PLAT | BOOK | PAGE | DATE RECEIVED |
| 1                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 2                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 3                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 4                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 5                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 6                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 7                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 8                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 9                              | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 10                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 11                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 12                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
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| 14                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 15                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 16                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 17                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 18                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 19                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 20                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 21                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 22                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 23                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 24                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 25                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 26                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
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| 28                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 29                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 30                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 31                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 32                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 33                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 34                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
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| 37                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 38                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 39                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 40                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 41                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 42                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 43                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |
| 44                             | 107  | 552  | 274  | 64                 | REPT. OF PLAT. & RECD. | X    |      |      |               |

**ZONE R10 PER CITY OF NEWPORT ZONING ORDINANCE**

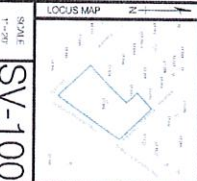
**17-20.00. - Standard requirements:**

The minimum standards requirements are:

- A. Front yard: 25 feet (5'0" Min);
- B. Side yard: 10' feet;
- C. Rear yard: 20 feet (20' Min).

City Ord. 2006-16281, 2007 Ord. 65-24 (2nd), 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 26

| MILK CENTER                 |                    |          |         |
|-----------------------------|--------------------|----------|---------|
| Existing Lot Coverage Table |                    |          |         |
| No.                         | Description        | Area     | Units   |
| 1                           | Total Lot Area     | 20,654.2 | sq. ft. |
| 2                           | Existing Structure | 12,201   | sq. ft. |
| 3                           | Existing Shed      | 66       | sq. ft. |
| 4                           | Percent Cover      | 59%      |         |

[illegible]

SV-100