

# APPLICATION FOR DIMENSIONAL VARIANCE

## CITY OF NEWPORT, RI ZONING BOARD OF REVIEW

DATE: 5/13/2021

### Board members:

The undersigned hereby petitions the Zoning Board of Review for 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: 115 Houston Ave

Tax Assessor's Plat 39 Lot 023

### Petitioner Information

John Jay and Alexandra Mouligne  
Applicant John Jay and Alexandra Mouligne Address 115 Houston Ave

Owner John Jay and Alexandra Mouligne Address 115 Houston Ave

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

### Property Characteristics

Dimensions of lot-frontage 50' depth 100' area 5,000 sq. ft.

Zoning District in which premises is located R10

How long have you owned above premises? 6 years

Are there buildings on the premises at present? YES

Total square footage of the footprint of existing buildings 859 SF

Total square footage of the footprint of proposed buildings 750 SF

Present use of premises SINGLE FAMILY RESIDENCE

Proposed use of premises SINGLE FAMILY RESIDENCE

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

Give extent of proposed alterations Construction of a 2 story detached Garage  
with storage above.

### Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	5,000	10,000	5,000
Lot Coverage (%)	17.2%	20%	32.2%
Dwelling Units	1	1	1
Parking (# of spaces)	2	2	2
Front Setback	8.5' & 20'	15'	15'
Side Setbacks	3'	10'	10' & 10'
Rear Setback	corner lot		
Height	25'	30'	27'-6"

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?

Lot size is only 5,000 while being held to the standards  
of a 10,000 SF lot size.



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?

With the existing house size footprint of only 859 sf, the applicant is in need of additional storage space for a growing family.

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

The proposed detached garage is compliant with all setbacks.

The only variance request is a lot coverage variance.

If the lot size was 10,000 sf then the lot coverage would be 16%

### The Zoning Boards Role

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".**

Alexandra Mouligne Alexandra Mouligne

**Applicant's Signature**

( 401 ) 266-8530

**Telephone Number**

Alexandra Mouligne Alexandra Mouligne

**Owner's Signature**

( 401 ) 266-8530

**Telephone Number**

**Email address** alexandramouligne@gmail.com

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