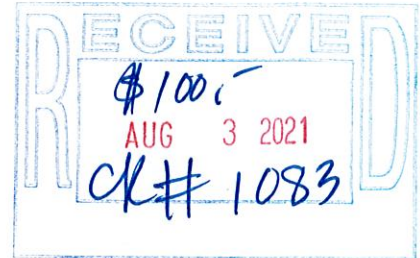


COMBINED APPLICATION FOR A SPECIAL USE PERMIT & A
REGULATORY (DIMENSIONAL) VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW



DATE: 8.3.2021

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: 13 Summer St

Tax Assessor's Plat 07 Lot 034

Petitioner Information

Applicant Michael & Janet Palmer Address 13 Summer St

Owner Michael & Janet Palmer Address _____

Lessee — Address _____

Property Characteristics

Dimensions of lot-frontage 53.4' depth 58'4" ^{E 93.8'} area 4,982.2 sq. ft.

Zoning District in which premises is located R10

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 1080 sq ft

Total square footage of the footprint of proposed buildings 3.7 sq ft (41' 17/8" W X 13' 10" D)
3.44 x 1.08

Present use of premises owner occupied residence

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

Proposed use of premises

Continued single family, owner occupied Dwelling. Adding electric heat/cooling pump unit to reduce oil consumption after having National Grid Energy Audit and all recommended work completed (VIA RISE Engineering) to eliminate energy deficiencies

Give extent of proposed alterations

No change other than placing Mitsubishi Multi zone outdoor unit (52 1/16" h 41 17/48" w 13" deep) against ~~East~~^{West} side of house - only 6 ft setback East side neighbor has only 4' 8" setback to our property West side neighbor has 6' 7" inch setback to our property

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	4990 sq ft	10,000 sq ft	4990
Lot Coverage	21% - 22%	20%	22%
Dwelling Units	1	1	1
Parking (# of spaces)	3		3
Front Setback	18 ft	15 ft	18
Side Setbacks	West EAST 6' 17' 3"	10 ft	W 5' 17' 3"
Rear Setback	27' 10"	20 ft	20
Height		30 ft	

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

2H - Promote Private home ownership

5C - Provide housing Rehabilitation guidance

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?

Home was built in 1886. We have strived to renovate our home, and upgrade its utilities without compromising on its historic/authentic architecture. Placing the heatpump on our west side will minimize the appearance of modernization. It will also eliminate the use + appearance of window air conditioners.

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 minimum 10 ft side set back required in the R-10 District cannot be met because of the age of buildings in our surrounding neighborhood. Neither neighbor, east or west can meet this required minimum either.

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

Asking to place an approx 1 foot wide heating/cooling unit in an unobtrusive "alleyway", where the set back cannot be met is the best option esthetically for both ourselves and our west side neighbors because it will not impede backyard living spaces. Its whisper quiet (58dB) function will also be minimized, as there are no windows immediately in its proposed space.

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".

Michael A. Palmer
Joel H. Palmer
Applicant's Signature

(401) 862 2496
Telephone Number

Michael A. Palmer
Joel H. Palmer
Owner's Signature

(401) 862 2449
Telephone Number

Email address palmerj13@gmail.com

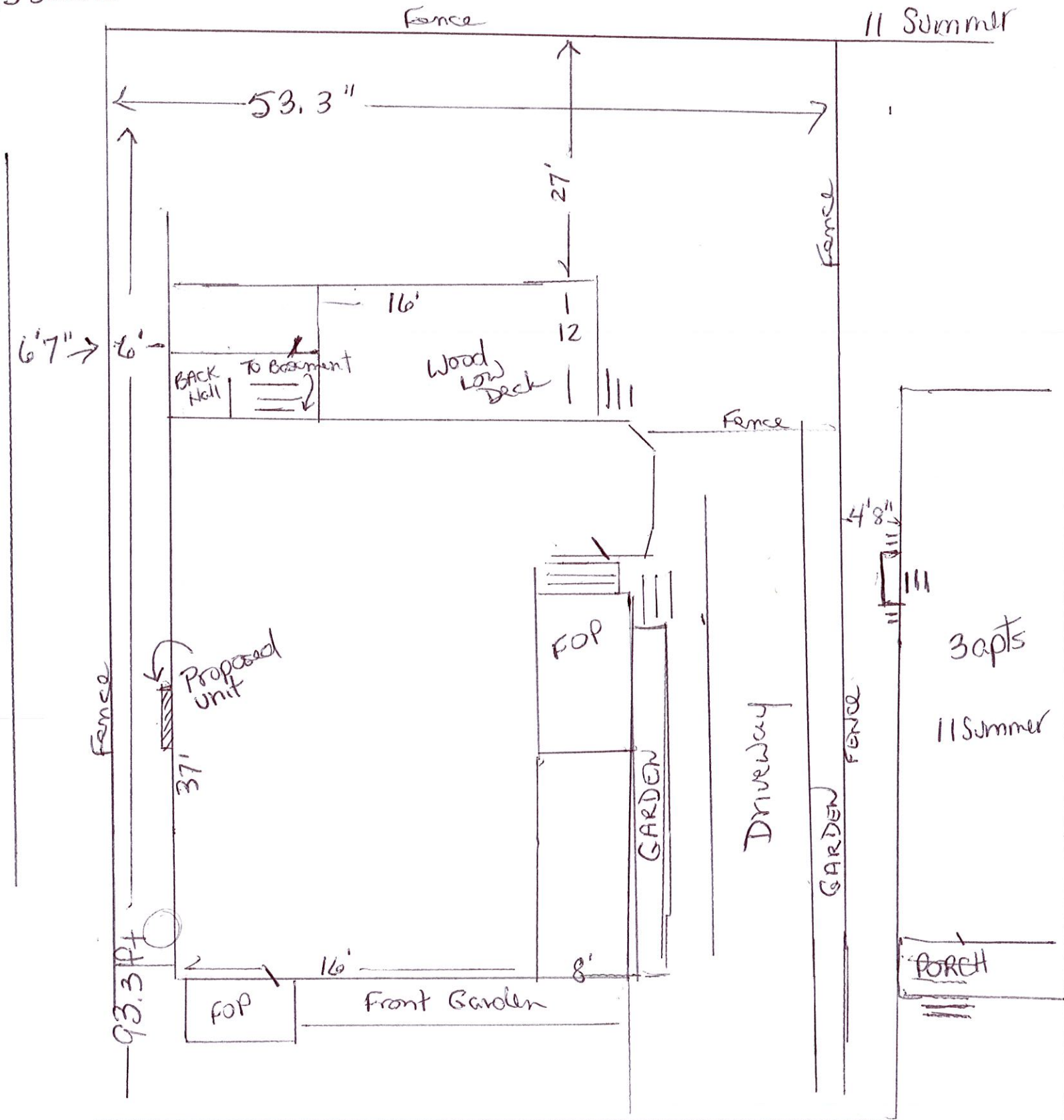
Be sure all required drawings are attached to this application at the time of the submittal.

13 Summer St

N
W - | - E
S

15 Summer

11 Summer



From: Susan Ryan Susanr1@cox.net
Subject: Letter
Date: Aug 3, 2021 at 9:12:55 AM
To: Palmerj13@gmail.com

15 Summer Street

Newport, Rhode Island

August 3, 2021

To Whom It May Concern,

We are owners of the property on the west side of 13 Summer Street and have had a discussion with Michael and Janet Palmer about their proposed installation of a Mitsubishi 60000BTU multi-zone outdoor heating and cooling unit on the west side of their property. We understand the proposed unit would be installed four feet closer to our property than is allowed under current zoning restrictions but believe that the unit, thus placed, would have little to no negative effect on our welfare or the value and aesthetics of our property.

Sincerely,

Matthew Bodah and Susan Ryan





THE CITY OF NEWPORT, RHODE ISLAND 02840

OFFICE OF PLANNING AND ZONING

12-JUN-89

PALMER, MICHAEL R & JANET H
13 SUMMER ST
NEWPORT RI 02840

Dear Property Owner:

This is to notify you as owner of property located at
0013 SUMMER ST PLAT: 7 LOT: 34
that the following petition has been filed with the Newport
Zoning Board of Review affecting property which abuts yours.

PETITION OF MICHAEL R. AND JANET H. PALMER,
applicants and owners; for a variance to the
dimensional requirements for permission to
construct a 12' X 16' ground level deck which
will be located approximately 8' from the east
property line (10' required) and which will
increase the lot coverage from 20% to 25% (20%
allowed) applying to the property located at 13
Summer Street, Tax Assessor's Plat 7, Lot 34, (R-
10 zone).

Said petition is now on file in the Office of Planning and Zoning,
City Hall and may be examined during regular office hours,
9:00 a.m. to 4:30 p.m.

This matter will be heard at a public hearing to be held 26-JUN
1989 at 7 o'clock p.m. At the hearing, opportunity will be given
to all interested parties who wish to be heard or comments may be
submitted in writing. Mail or deliver written comments to the Office
of Planning and Zoning, City Hall, or present them at the hearing.
Call 846-9600 ext 217 for additional information.

Sincerely,

Zoning Board of Review, City of Newport

Roland F. Chase
Chairman



THE CITY OF NEWPORT, RHODE ISLAND 02840

June 29, 1989

Michael & Janet Palmer
13 Summer Street
Newport, Rhode Island 02840

Re: PETITION OF MICHAEL R. AND JANET H. PALMER, applicants and owners; for a variance to the dimensional requirements for permission to construct a 12' X 16' ground level deck which will be located approximately 8' from the east property line (10' required) and which will increase the lot coverage from 20% to 25% (20% allowed) applying, to the property located at 13 Summer Street, Tax Assessor's Plat 7, Lot 34, (R-10 zone).

Dear Mr. & Mrs. Palmer:

At the meeting of the Board of Review held Monday, June 26, 1989, the above petition received the concurring vote of 5 members, therefore the petition was approved.

All necessary permits must be obtained prior to the start of any construction.

Sincerely,

Roland F. Chase

Roland F. Chase
Chairman

RFC:jlc