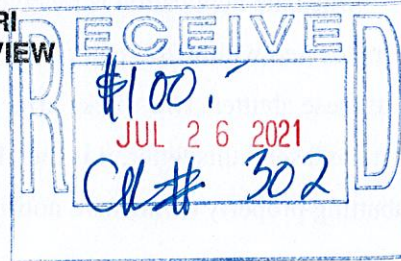


**COMBINED APPLICATION FOR A SPECIAL USE PERMIT & A
REGULATORY (DIMENSIONAL) VARIANCE**

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW



DATE: 7.20.21

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 Weatherly Ave Newport, RI 02840

Tax Assessor's Plat 40 Lot 288

Petitioner Information

Applicant Anthony J. Puzzo Address 13 Weatherly Ave Newport, RI 02840

Owner Anthony J. Puzzo Address 13 Weatherly Ave. Newport, RI 02840
15 ft.

Lessee _____ Address _____

Property Characteristics

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

Zoning District in which premises is located R-10A

How long have you owned above premises? 2 years, 4 months

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings 1,678 sq. ft.

Total square footage of the footprint of proposed buildings 2 sq. ft.

Present use of
premises Primary residence

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

Proposed use of
premises _____

This is our primary residence and will continued to be used as a single family home.

Give extent of proposed alterations _____

We would like to place one air conditioning condenser unit on the north side of our property, seeking a variance

relief or special use permit from Newport Code of Ordinances, Section 17.100.80. Meeting ordinance section 17.100.80 would require us to place the condenser unit in the middle of our yard. Placing the condenser on the north side of the property would be a minimal encroachment and would not be visible from the street or from our neighbor's property.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	5,000	5,000	5,000
Lot Coverage	19.2%	20%	19.3%
Dwelling Units	1	1	1
Parking (# of spaces)	1	1	1
Front Setback	20 ft.	15 ft. min	20 ft.
Side Setbacks	13 ft. 6 in. (L) / 4ft. 3 in. (R)	10 ft. min	13 ft. 6 in. (L) / 4ft. 3 in. (R)
Rear Setback	50 ft.	20 ft. min	50 ft.
Height	25 ft.	N/A	25 ft.

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

Policy H-1.3 The City shall continue to promote the repair, revitalization or rehabilitation of residential structures and neighborhoods.

Policy H-1.4 The City shall encourage resident involvement in identifying and addressing the maintenance of housing in their neighborhood.

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 layout of our property as we purchased it has the utility meters and rain water collection on the north side where the house is set back only ⁴ 3 feet from the property line. This is the only place on the property where an air conditioner condenser would fit without interfering with the intended use of the rest of the yard.

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 code calls for a 10 foot set back on each side of the property, however the house, built in 1951, was built only ⁴ 3 feet from the property line on its northern side and has therefore existed nonconforming before our purchasing of the property. The code prohibits ^{DS} ~~use~~ from upgrading our heating and cooling system to up-to-date standards without the undue burden of placing the condenser unit in the middle of our backyard.

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

Allowing us to put the condenser on the north side of our property will let us continue to use the backyard and will be a minimum encroachment on the adjacent property since there is a fence at the property line and their house is set back from that border.

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;

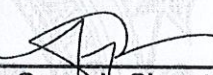
By signing below, I hereby attest that the information provided is accurate and truthful. I also attest that I have read the section entitled "The Zoning Board's Role".



Applicant's Signature

(201) 370.9963

Telephone Number



Owner's Signature

(201) 370.9963

Telephone Number

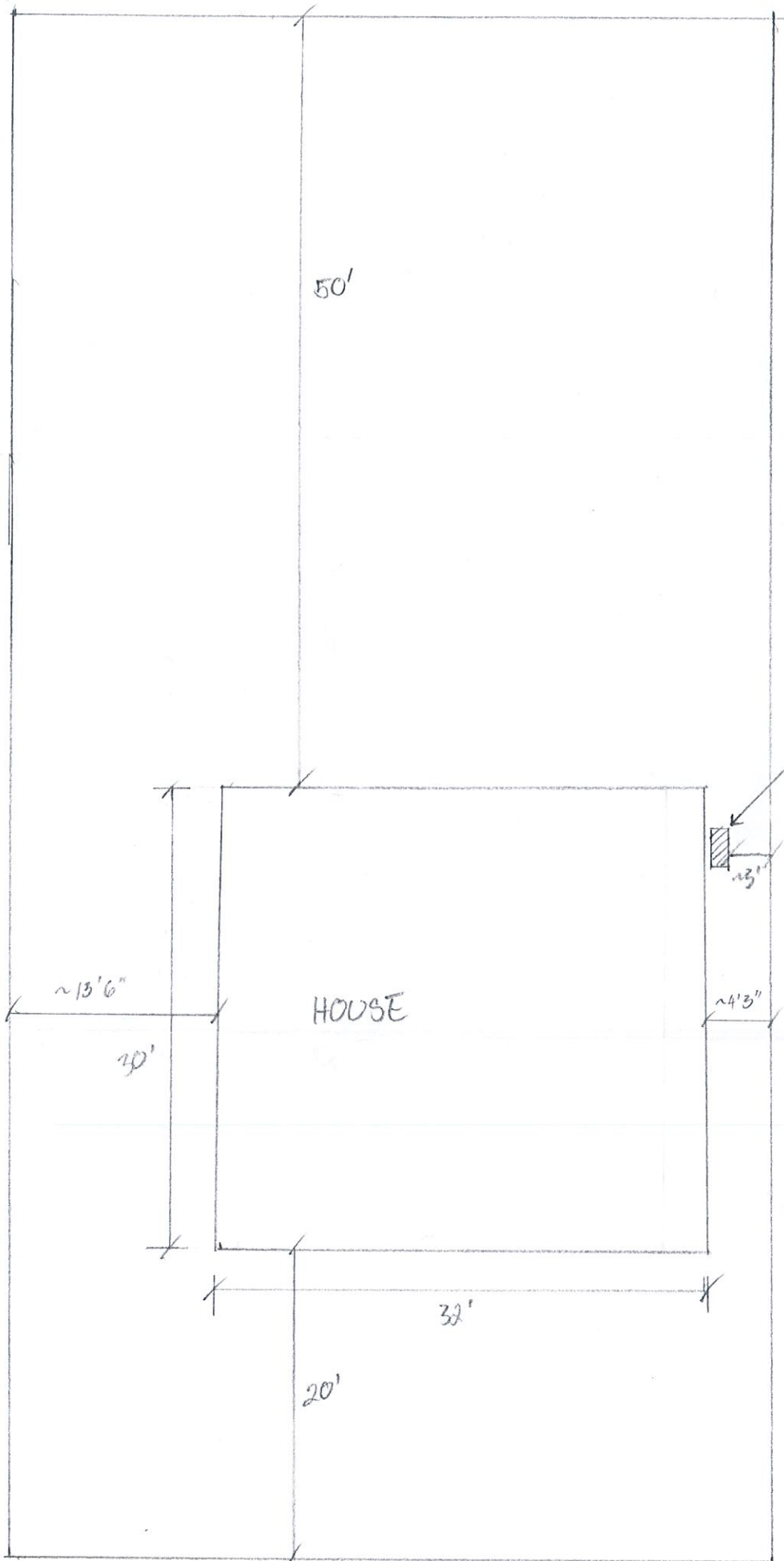
Email address anthony.puzzo@gmail.com

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

13 WEATHERLY AVE.

SITE PLAN

SCALE: 1" = 10'



PROPOSED CONDENSER
POSITIONING

~3'x1'

N →