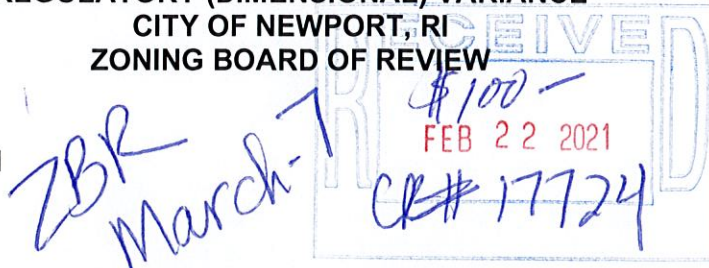


COMBINED APPLICATION FOR SPECIAL USE PERMIT & A
REGULATORY (DIMENSIONAL) VARIANCE
CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

DATE: February 22, 2021

Board Members:



The undersigned hereby petition the Zoning Board of Review for a Special Use Permit and 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.: 529 Bellevue Avenue

Tax Assessor's Plat 37 Lot 44

Petitioner Information

Applicant: Gerald T. Vento & Margaret Vento

Owner: Same

Lessee: N/A

Address: 529 Bellevue Avenue
Newport, RI 02840

Address: Same

Address: N/A

Property Characteristics:

Dimensions of Lot: Frontage: 129.5'; Depth: 415' 83' ±; Area: 51,313 SF ±

Zoning District in which premises is located: R-60

How long have you owned above premises? 6 Months

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing/approved buildings: 5,127 SF

Total square footage of the footprint of proposed buildings: 5,596 SF

Present use of premises: Single Family Dwelling

Proposed use of premises: Single Family Dwelling

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

Give extent of proposed alterations:

Applicants seek a variance from the dimensional requirements to install a 20' by 36' inground swimming pool, which will increase lot coverage from 10% to 10.9% (10% allowed), applying to the property located at 529 Bellevue Avenue identified as Lot 44 on Plat 37 in the R-60 Zone.

Zoning Characteristics Matrix

	Existing/Approved	Required/Allowed	Proposed
Lot Size (sq. ft.)	51,313 SF	60,000 SF	No Change
Lot Coverage (%)	10%	10%	10.9%
Dwelling Units	1	1	No Change
Parking	>2	2	No Change
Front Setback	86.2'	50'	No Change
Side Setbacks	40.1' & 39.8'	40'	No Change
Rear Setback*	191.3'	20'	No Change
Height	<35'	35'	No Change

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

Land Use Goal LU-1.2

What special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district?

The exiting single family dwelling, built in 2006, has lot coverage of 10%, where 10% is allowed. The lot is 15% smaller than the size required in the R-60 Zone, and is a long narrow lot. At 129.5' wide, it is 35% narrower than the 200' required width and has a narrow building envelope.

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 relief requested is necessary for the full enjoyment of a permitted use. Denial of the application would deprive the Applicant of the ability to install a modestly sized inground pool, which is a common amenity in the area.

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

In order to minimize the increase in lot coverage from the proposed pool, the Applicant will reconfigure the existing terraces and areaways on the sides of the house. As a result, while the proposed pool is 720 SF, the increase in total footprint is only 469 SF. This reduces the increase in lot coverage from 11.4% to the proposed 10.9%. In addition, the proposed pool complies with the accessory use setbacks.

The Zoning Board's Role

Special use permits shall be granted only where the zoning board of review finds that the proposed use or the proposed extension or alteration of an existing use is in accord with the public convenience and welfare, after taking into account, where appropriate:

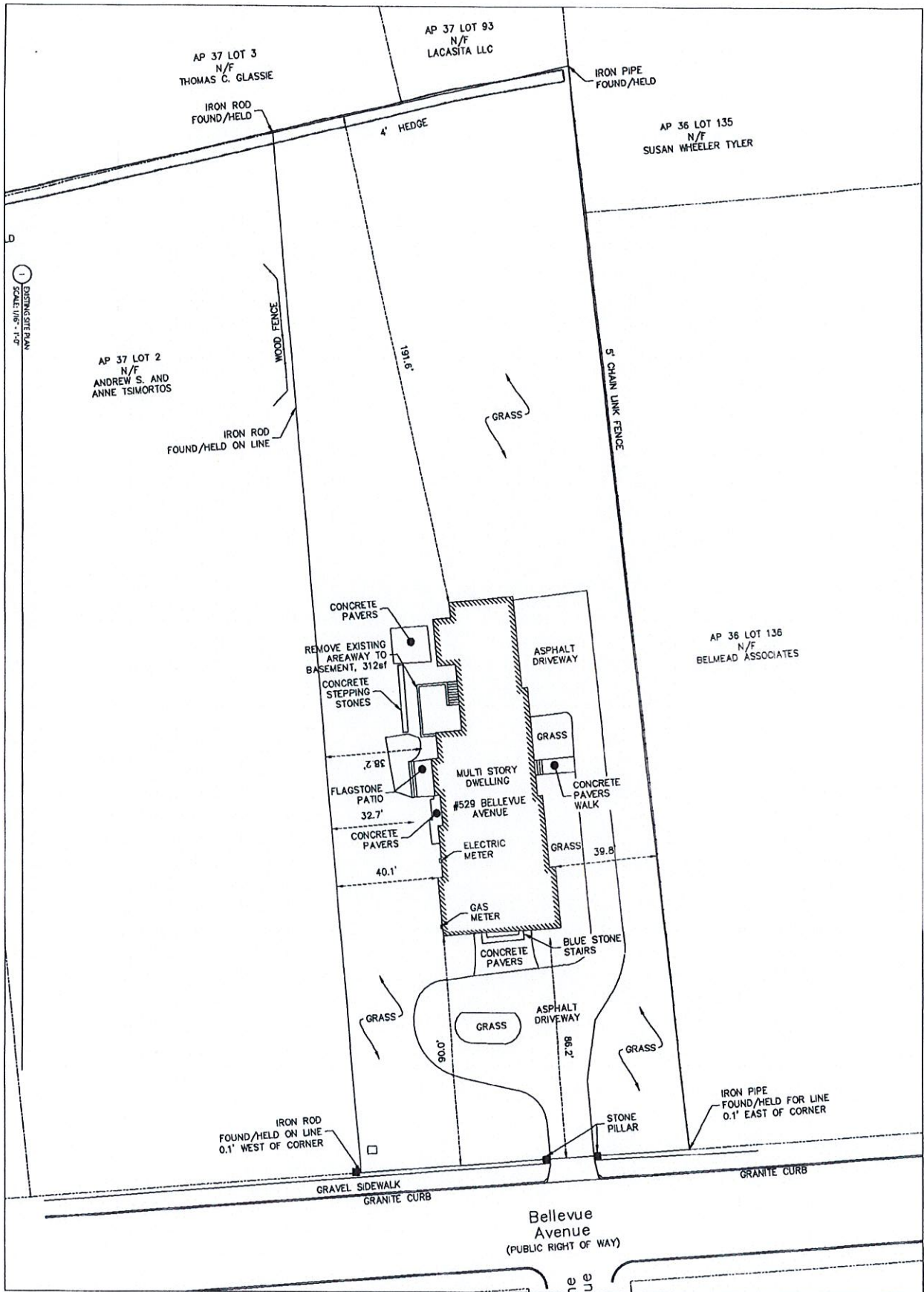
1. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of the structure;
2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
3. The nature of the surrounding area and the extent to which the proposed use or feature will be in harmony with the surrounding area;
4. The proximity of dwellings, churches, schools, public buildings and other places of public gathering;
5. The fire hazard resulting from the nature of the proposed buildings and uses and the proximity of existing buildings and uses;
6. All standards contained in this zoning code;
7. The comprehensive plan for the city.

The burden of proof in a special-use permit/variance application is on the applicant. This means that if the applicant fails to present adequate competent evidence to prove the applicable standard for issuing a special-use permit/variance has been met, the board must deny the application.

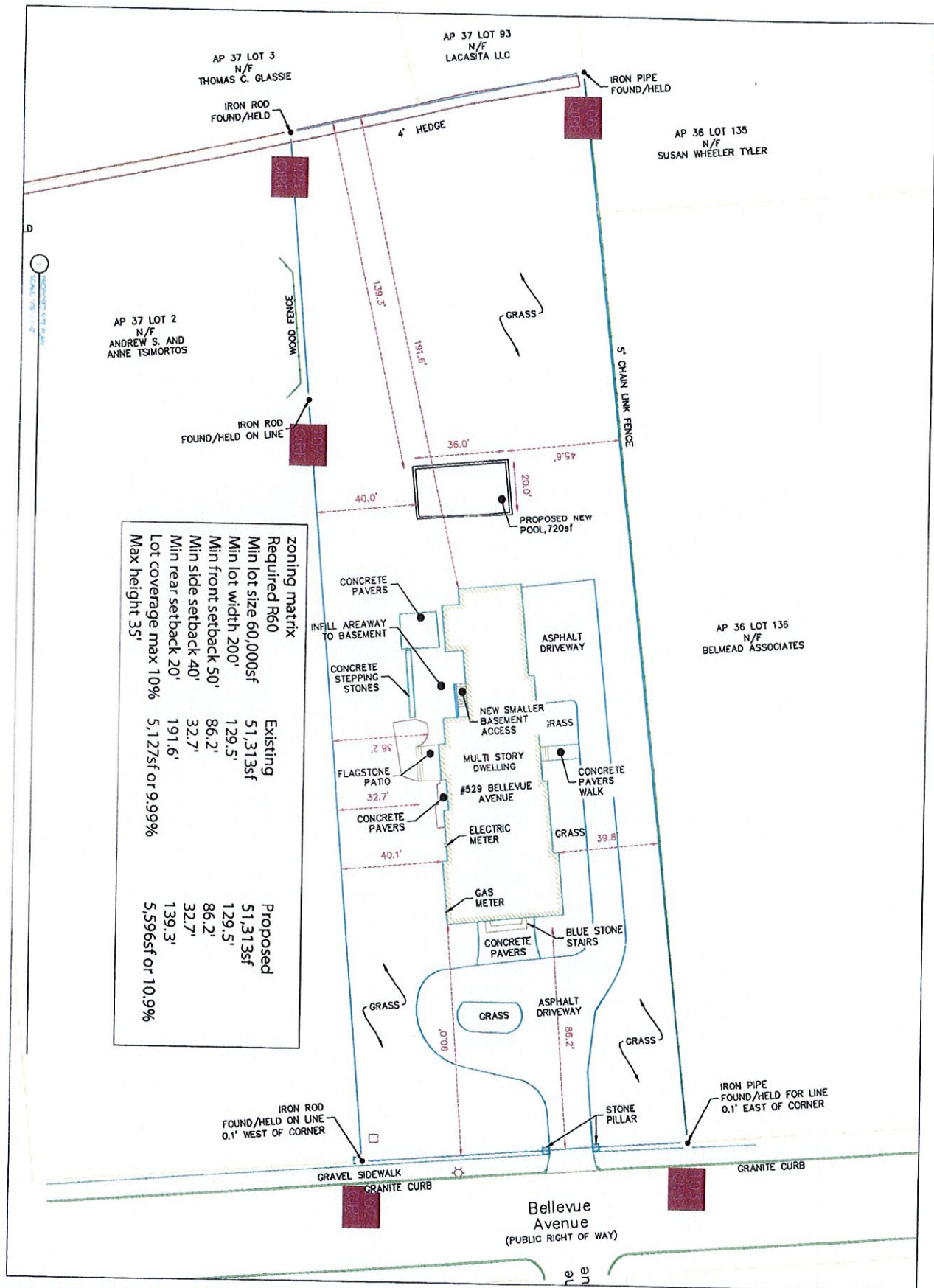
By signing below, I hereby attest that the information provided is accurate and truthful. I also attest that I have read the section entitled "The Zoning Board's Role".

Gerald T. Vento & Margaret Vento,
By Their Attorney,

/s/ Peter Brent Regan
Peter Brent Regan, Esq.
Sayer Regan & Thayer, LLP
130 Bellevue Avenue
Newport, RI 02840
(401) 849-3040
pregan@srt-law.com



<p>EXSP100</p>	<p>DATE: 10/1/2003</p> <p>BY: [Signature]</p>	<p>PRIVATE RESIDENCE</p> <p>BELLEVUE AVENUE</p> <p>NEWPORT, RI</p>	
	<p>PROJECT: [Blank]</p> <p>CLIENT: [Blank]</p>	<p>[Blank]</p>	
	<p>DESIGNER: [Blank]</p> <p>ARCHITECT: [Blank]</p>	<p>[Blank]</p>	
	<p>CONTRACTOR: [Blank]</p> <p>OWNER: [Blank]</p>	<p>[Blank]</p>	



SP100

PRIVATE RESIDENCE
BELLEVUE AVENUE
NEWPORT, RI