ATTN: Zoning Board
Newport City Hall
43 Broadway
Newport, RI 02840

ZBR Sept-9

RECEIVED
$100-
AUG 24 2020
CK# 1061

To whom it may concern,

I, Adam Zaff, am writing to you in the hopes that my wife and I can re-secure a variance approval for a single home on our property at 0 Tompkins Ct. in Newport. We were originally granted a variance in late 2018, and began bidding the project out to contractors and construction companies immediately. However, after a very lengthy process of contacting over 9 companies, we were unable to secure a builder who fell within a price per sq. ft. that we were comfortable with (some companies never even responded). We would have renewed the variance in late 2019, but at the time were making plans to put the property on the market, believing it was not within our scope to build.

Recently, we received a bid from a new builder (Levy & Davies) who is coming in at the price range we would need in order to build. With this in mind, we greatly hope that the Board will be able to re-approve a variance for our project. I've included the below with my submission:

1. Zoning Board Variance Application
2. Building plans WITH a back deck (which the board asked us to remove in their initial findings)
3. Building plans WITHOUT a back deck (the new plans and dimensions we are applying for currently- this is reflected in the application)
4. Photos of neighboring structures highlighting the encroachment of their respective property lines (rooflines hanging over one another)
5. Lot coverage averages of nearby properties
6. A plat map of the property at 0 Tompkins Ct.
7. A transcript of the original Zoning Board hearing
8. The original decision of the Zoning Board as recorded, approving the variance at 0 Tompkins with the same dimensions for which we are currently applying

I am a native Newporter, and am greatly hoping to build this property in order to have a home for my family in town. We've recently received wonderful news that we'll be welcoming our first child in early 2021, and I'd love nothing more than to give her the incredible childhood and support that I've always cherished, to which Newport can be largely attributed.

Sincerely,

Adam Zaff

APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

ZBR 9 Sept-9

$100.-
AUG 24 2020
CK# 1061

DATE: 8/13/20

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: 0 Tompkins Court

Tax Assessor's Plat 25 Lot 125

Petitioner Information

Applicant Adam Zaff Address 4215 Glencoe Ave. #310 Marina del Rey, CA 90292

Owner _____ Address _____

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 40' depth 108' area 3897 sq. ft.

Zoning District in which premises is located R10

How long have you owned above premises? August 5, 2015

Are there buildings on the premises at present? No

Total square footage of the footprint of existing buildings 0

Total square footage of the footprint of proposed buildings 1,185 Sq. Ft.

Present use of premises Vacant Lot

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 Construct a new single family residence on an empty lot.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)		3,897	3,897
Lot Coverage (%)		20	30.49
Dwelling Units		2	1
Parking *(# of spaces)*		1	1
Front Setback		15'	14'-4"
Side Setbacks		10'	4'-7", 5'-4", 8'-1", & 8'-7"
Rear Setback		20'	50'-8"
Height		30'	29'

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?

Existing lot is a T shaped lot with 4 side setbacks

The lot is a very narrow lot, 27' in width.

Lot frontage is only 40'. Total lot size is 3,897 sf,

39% of a standard R10 lot size.

This house has no 3rd story or attic, which is rare for this area.

Vacant Lot

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 zoning setback and lot coverages are meant for a lot size of 10,000 sf, while this lot is only 3,897 sf.

The lot width of 27' only allows for a 7' wide house.

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

The house is set at 29' in height to match the lowest surrounding house (26 Fillmore).

The footprint and total square footage is equal to the averages of all the houses along Tompkins Ct. and Fillmore St. The 2 story section of the house is 803 sf which is comparable to the older historic houses along Fillmore St.

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.

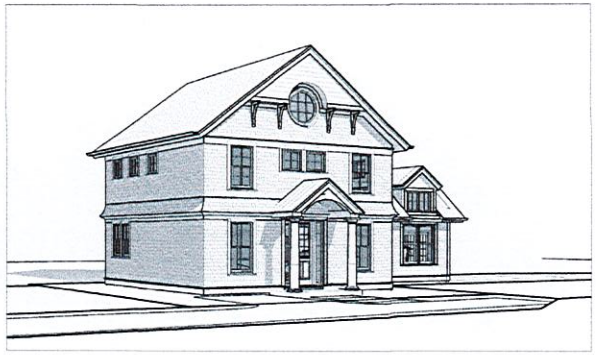
e. That the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief;

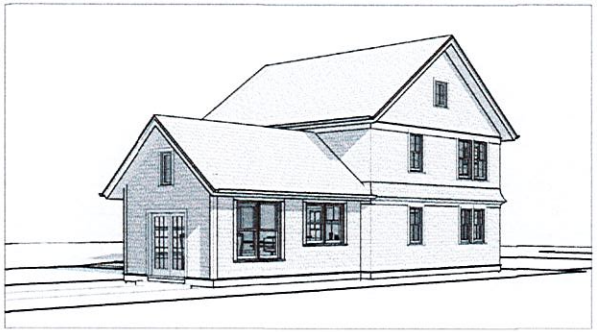
By signing below, I hereby attest that the information provided is accurate and truthful. I also attest that I have read the section entitled "The Zoning Board's Role".

Applicant's Signature	**Owner's Signature**
(401) 487-7061	(401) 487-7061
Telephone Number	**Telephone Number**

Email address adamzaff@gmail.com

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





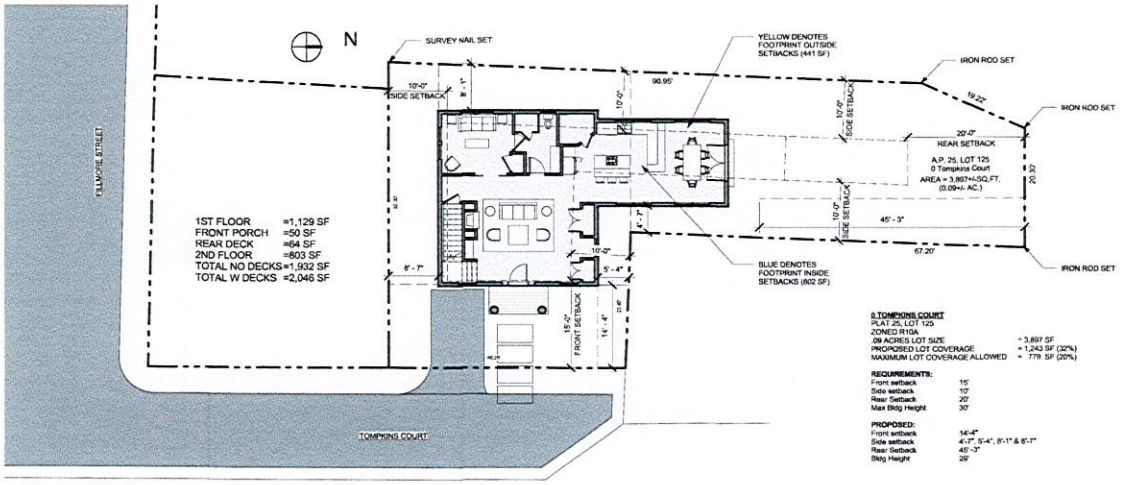
RESIDENCE

0 TOMPKINS COURT
NEWPORT, RI 02840

'PERMIT SET'

SHEET LIST	
Sheet Number	Sheet Name
0	COVER
A111	FLOOR PLANS, ROOF PLANS, SCHEDULES
A201	EXTERIOR ELEVATIONS
A401	BUILDING SECTIONS, WALL SECTIONS

HERK WORKS
ARCHITECTURE
401.662.7875
DAN@HERK-WORKS.COM



4 SITE PLAN PROPOSED
1" = 10'-0"

0 TOMPKINS COURT
PLAT 25, LOT 125
ZONED R10A

.09 ACRES LOT SIZE	= 3,897 SF
PROPOSED LOT COVERAGE	= 1,243 SF (32%)
MAXIMUM LOT COVERAGE ALLOWED	= 779 SF (20%)

REQUIREMENTS:

Front setback	15'
Side setback	10'
Rear Setback	20'
Max Bldg Height	30'

PROPOSED:

Front setback	16'-4"
Side setback	4'-7", 5'-4", 8'-1" & 8'-7"
Rear Setback	45'-3"
Bldg Height	29'

GENERAL NOTES & SPECIFICATIONS

1. ALL WORK SHALL CONFORM TO ALL APPLICABLE LOCAL STATE AND FEDERAL CODES.
2. ALL MATERIALS, FIXTURES, EQUIPMENT & APPLIANCES SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURE'S INSTRUCTIONS & LOCAL BUILDING CODES.
3. ALL WORK SHALL BE PERFORMED BY MECHANICS SKILLED IN THEIR RESPECTIVE TRADES.
4. ALL CONTRACTORS ARE RESPONSIBLE FOR CUTTING, PATCHING, FILLING, AND CLEANING UP AFTER THEIR OWN WORK.
5. ALL CONTRACTORS SHALL HOLD INTENT OF THE DRAWINGS WHICH IS TO PROVIDE COMPLETE AND FINISH WORK, TESTED AND GUARANTEED FOR A MINIMUM OF 1 YEARS FROM THE TIME OF COMPLETION.
6. IN NO EVENT SHALL STRUCTURAL MEMBERS BE CUT OR DRILLED WITHOUT THE WRITTEN APPROVAL OF THE DESIGNER.
7. ALL CHANGES SHALL BE REQUESTED ON WRITING AND APPROVED IN WRITING BY THE DESIGNER.
8. ALL WASTE AND REMOVALS SHALL BE DISPOSED OF LEGALLY OFF SITE.
9. UPON COMPLETION OF THE CONTRACT, EACH CONTRACTOR SHALL CLEAN UP AFTER HIS WORK, REMOVING ALL DEBRIS INSIDE AND OUTSIDE THE BUILDING CREATED BY HIS WORK. EACH CONTRACTOR SHALL REPAIR ANY PROPERTY DAMAGED DURING THE COURSE OF CONSTRUCTION SUBJECT TO THE APPROVAL OF THE OWNER.
10. THE DESIGNER HAS THE RIGHT TO REJECT ANY SLOPPY, POORLY INSTALLED, OR UNAUTHORIZED WORK OR WORK DONE CONTRARY TO THE INTENT OF THE CONTRACT DOCUMENTS. SUCH WORK SHALL BE REPLACED, REPAIRED AND REMOVED AT CONTRACTORS EXPENSE.
11. JOB SITE MUST BE KEPT CLEAN DURING THE COURSE OF CONSTRUCTION.
12. THE CONTRACTOR AND ALL SUB-CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SITE, AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCY. CROSS-CHECK DETAILS AND DIMENSIONS SHOWN ON DRAWINGS RELATED REQUIREMENTS ON ALL ARCHITECTURAL, MECHANICAL, CIVIL AND ELECTRICAL DRAWINGS, IF ANY.
13. IN ALL CASES WHERE A CONFLICT MAY OCCUR SUCH AS BETWEEN ITEMS COVERED BY SPECIFICATIONS AND NOTES ON THE DRAWINGS, OR BETWEEN GENERAL NOTES AND SPECIFIC DETAILS, THE DESIGNER SHALL BE NOTIFIED AND WILL INTERPRET THE INTENT OF THE CONTRACT DOCUMENTS.
14. FLOOR AND WALL OPENINGS, SLEEVES, VARIATION IN THE STRUCTURAL SLAB ELEVATIONS, DEPRESSED AREAS AND ALL OTHER ARCHITECTURAL, MECHANICAL, ELECTRICAL AND CIVIL REQUIREMENTS MUST BE COORDINATED BEFORE THE CONTRACTOR PROCEEDS WITH CONSTRUCTION.
15. WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF THE BUILDING CODES ACTIVE AT THE TIME OF THE PERMIT.

HERK WORKS

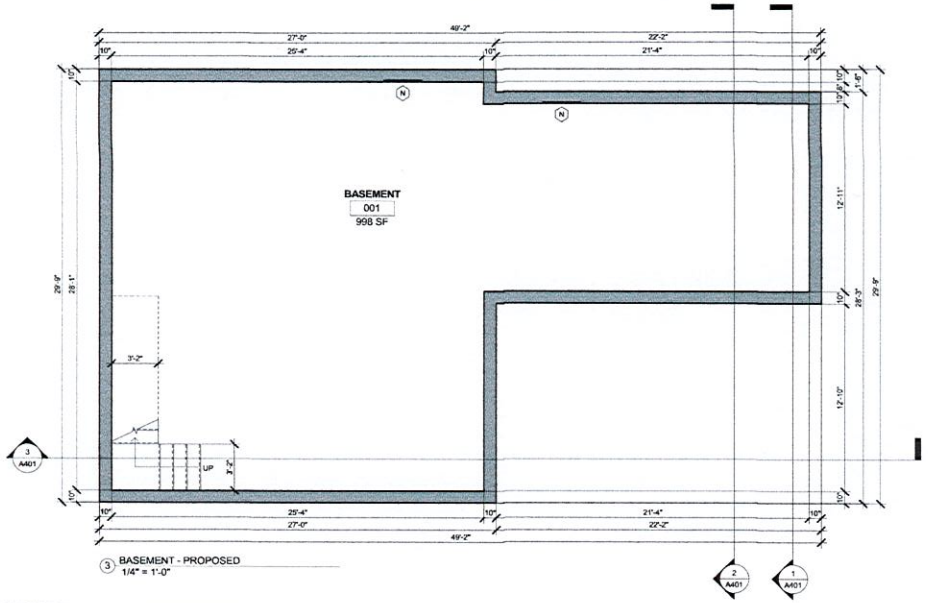
0 TOMPKINS COURT
NEWPORT RI, 02840

REVISIONS:

No.	Description	Date

PERMIT SET

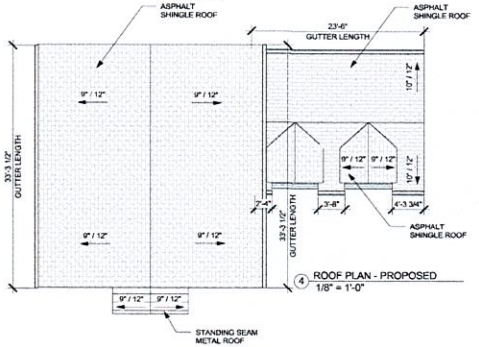
TITLE:	COVER
DATE:	01/19/2019
JOB NO.:	1723
DRAWING NO.:	0



3 BASEMENT - PROPOSED
1/4" = 1'-0"

WINDOW SCHEDULE							
Type Mark	Count	Description	Width	Height	Sill Height	Egress	Comments
A	3	DOUBLE HUNG	3' - 0"	6' - 0"	1' - 8"	Yes	
B1	5	DOUBLEHUNG	2' - 6"	4' - 6"	3' - 2"	Yes	
B2	1	DOUBLEHUNG	2' - 6"	4' - 6"	2' - 6"	Yes	
C	6	DOUBLE HUNG	3' - 0"	6' - 0"	1' - 8"	No	
D	2	DOUBLE HUNG	3' - 0"	4' - 6"	3' - 2"	No	
E	6	AWNING	2' - 6"	2' - 6"	4' - 2"		
F	4	DOUBLEHUNG	3' - 0"	5' - 0"	2' - 0"	Yes	
G	1	AWNING	2' - 0"	2' - 6"	4' - 2"		
H	2	FRONT ENTRY SIDELIGHTS	1' - 2"	6' - 1"	0' - 0"		
J	2	FIXED CASEMENT	4' - 8"	3' - 0"	9' - 10"	Yes	
K	1	FIXED CASEMENT	1' - 6"	3' - 4"	9' - 4"		
L	1	AWNING	2' - 2"	3' - 0"	2' - 0"		
M	1	FIXED ROUND	4' - 0"	4' - 0"	10' - 2 1/16"		
N	2	BASEMENT WINDOW	3' - 0"	2' - 0"	6' - 0"		INCLUDE WINDOW WELL

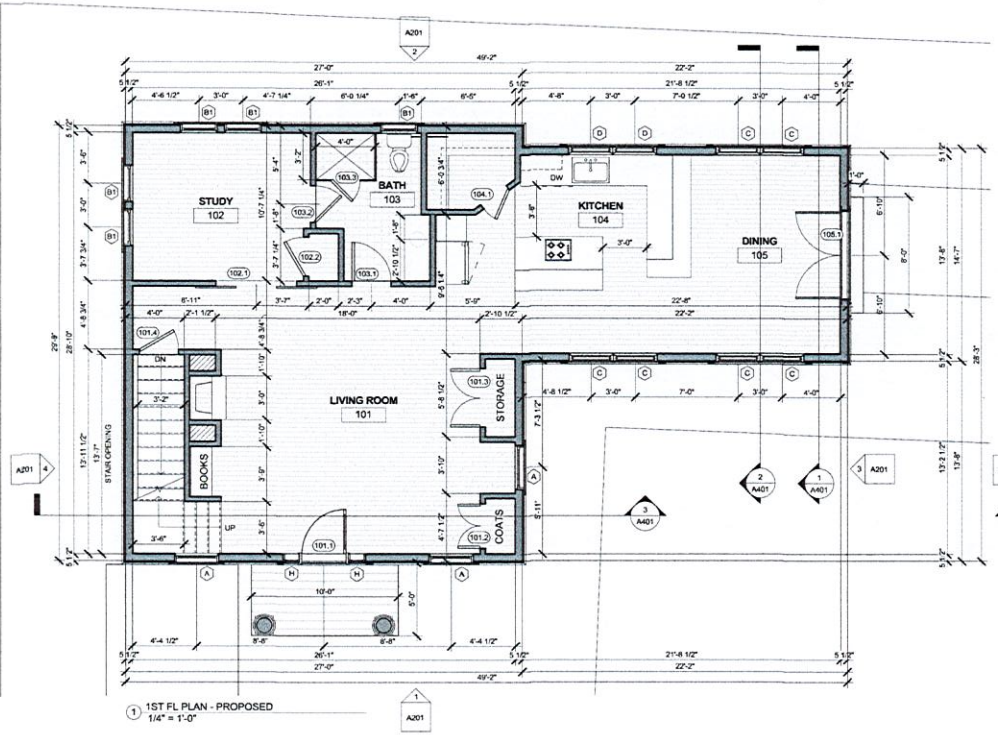
Grand total: 37



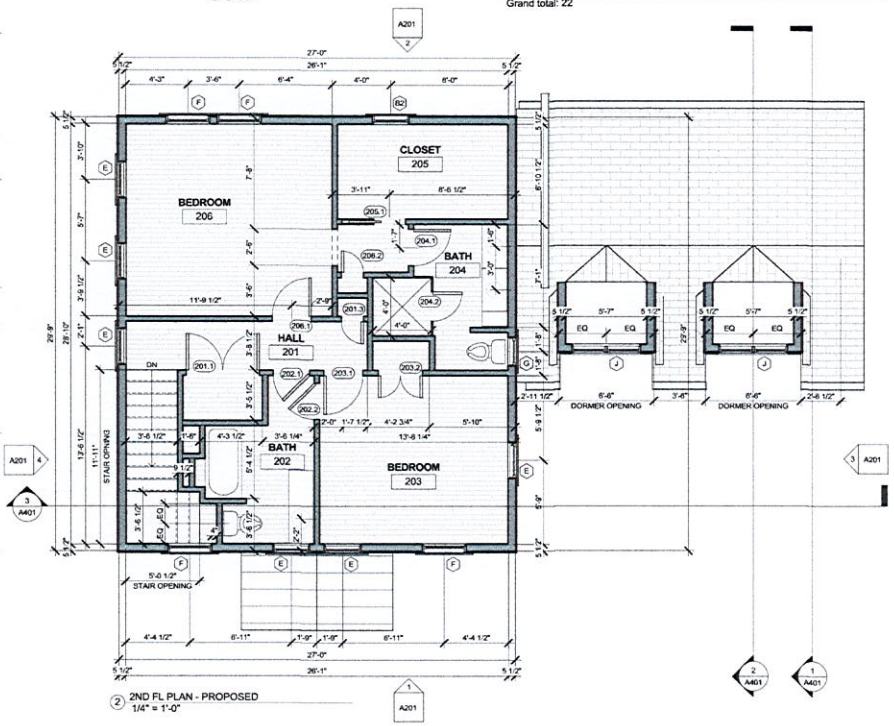
4 ROOF PLAN - PROPOSED
1/8" = 1'-0"

DOOR SCHEDULE				
Mark	Level	Width	Height	Description
101.1	1ST FL PLAN	3' - 0"	8' - 0"	SINGLE SWING EXTERIOR DOOR
101.2	1ST FL PLAN	3' - 0"	6' - 8"	DOUBLE SWING
101.3	1ST FL PLAN	4' - 0"	6' - 8"	DOUBLE SWING
101.4	1ST FL PLAN	2' - 8"	6' - 8"	SINGLE SWING
102.1	1ST FL PLAN	5' - 6"	6' - 8"	SLIDING DOUBLE BARN DOOR
102.2	1ST FL PLAN	2' - 8"	6' - 8"	SINGLE SWING
103.1	1ST FL PLAN	2' - 8"	6' - 8"	SINGLE SWING
103.2	1ST FL PLAN	2' - 6"	6' - 8"	SINGLE SWING
103.3	1ST FL PLAN	2' - 0"	6' - 8"	SINGLE SWING
104.1	1ST FL PLAN	2' - 2"	6' - 8"	SINGLE SWING
105.1	1ST FL PLAN	6' - 0"	6' - 8"	EXTERIOR GLASS FRENCH DOOR
201.1	2ND FL PLAN	5' - 0"	6' - 8"	DOUBLE SWING
201.3	2ND FL PLAN	1' - 6"	6' - 8"	SINGLE SWING
202.1	2ND FL PLAN	2' - 6"	6' - 8"	SINGLE SWING
202.2	2ND FL PLAN	2' - 6"	6' - 8"	SINGLE SWING
203.1	2ND FL PLAN	2' - 8"	6' - 8"	SINGLE SWING
203.2	2ND FL PLAN	3' - 0"	6' - 8"	DOUBLE SWING
204.1	2ND FL PLAN	2' - 6"	6' - 8"	SINGLE SWING
204.2	2ND FL PLAN	2' - 0"	6' - 8"	SINGLE SWING
205.1	2ND FL PLAN	2' - 2"	6' - 8"	SINGLE POCKET DOOR
206.1	2ND FL PLAN	2' - 8"	6' - 8"	SINGLE SWING
206.2	2ND FL PLAN	1' - 6"	6' - 8"	SINGLE SWING

Grand total: 22



1 1ST FL PLAN - PROPOSED
1/4" = 1'-0"



2 2ND FL PLAN - PROPOSED
1/4" = 1'-0"

HERK WORKS

0 TOMPKINS COURT

NEWPORT RI, 02840

REVISIONS:		
No.	Description	Date

PERMIT SET

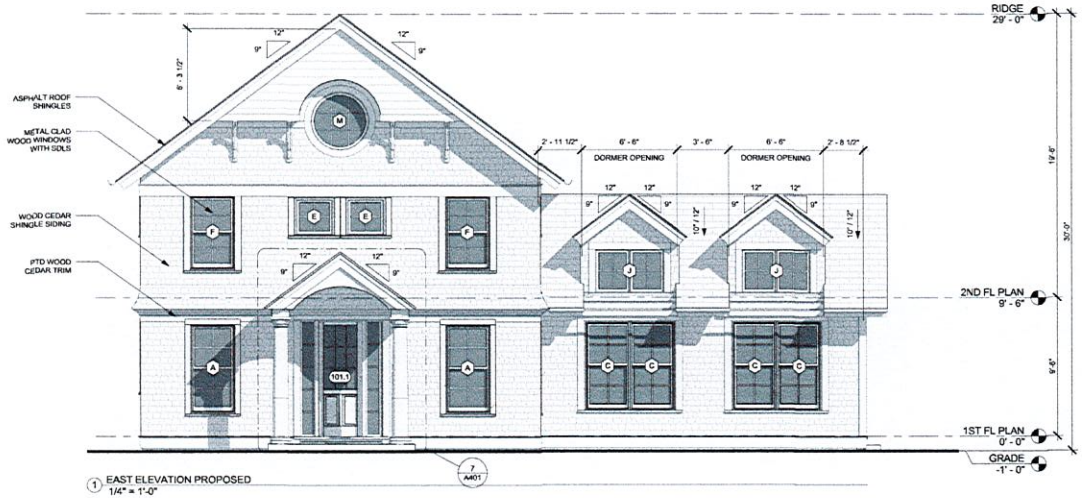
TITLE: FLOOR PLANS, ROOF PLANS, SCHEDULES

DATE: 01/19/2019

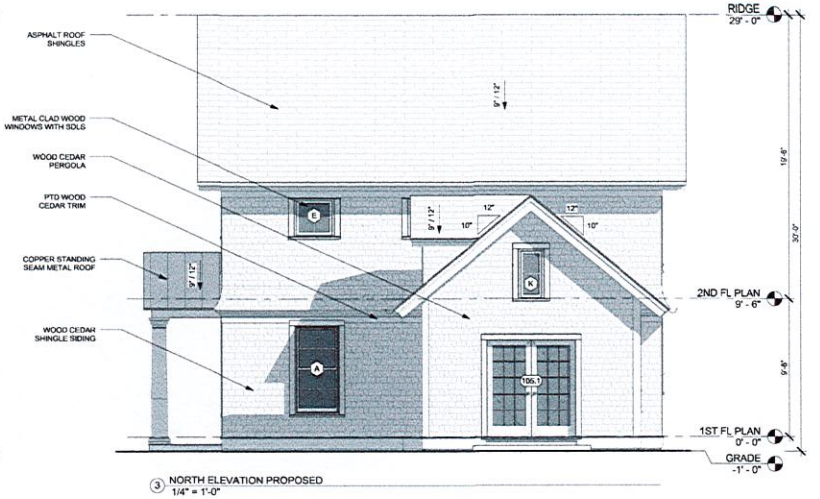
JOB NO.: 1723

DRAWING NO.:

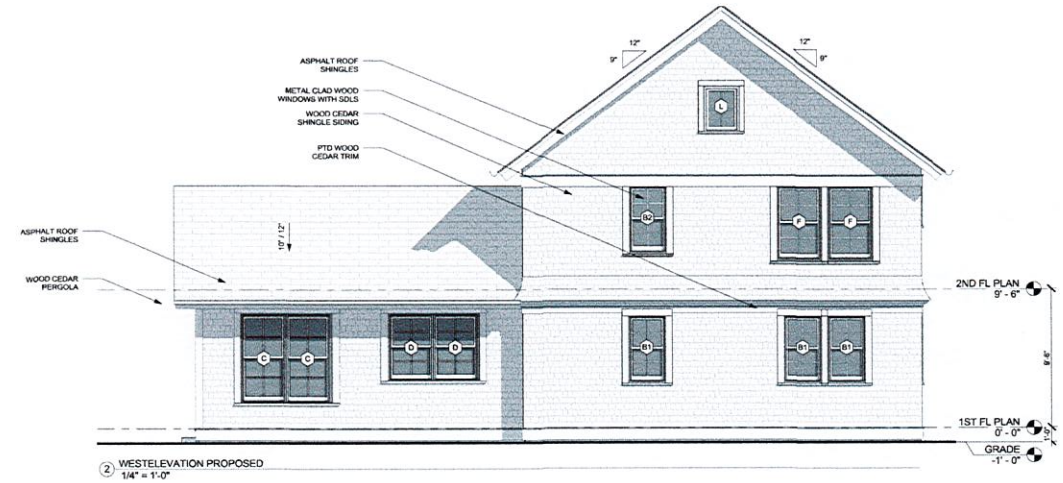
A111



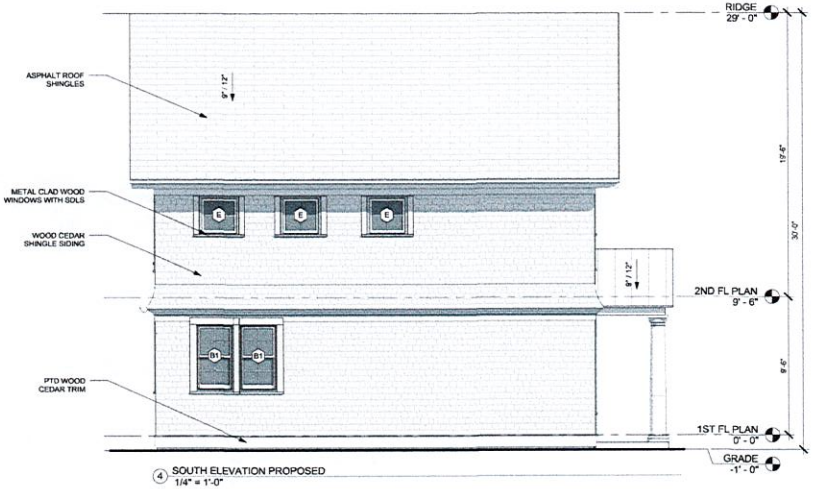
1 EAST ELEVATION PROPOSED
1/4" = 1'-0"



3 NORTH ELEVATION PROPOSED
1/4" = 1'-0"



2 WESTELEVATION PROPOSED
1/4" = 1'-0"



4 SOUTH ELEVATION PROPOSED
1/4" = 1'-0"

HERK WORKS

0 TOMPKINS COURT

NEWPORT RI, 02840

REVISIONS:

No.	Description	Date

PERMIT SET

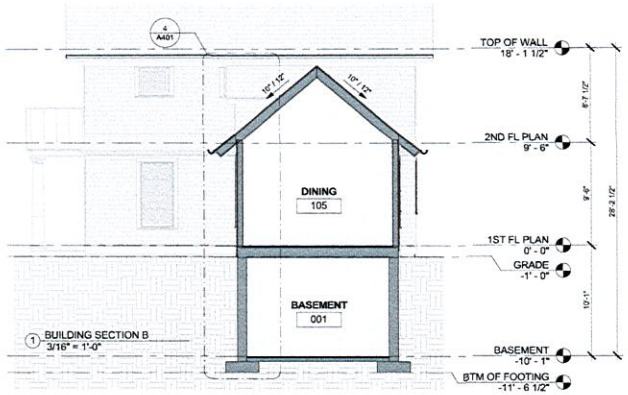
TITLE: EXTERIOR ELEVATIONS

DATE: 01/19/2019

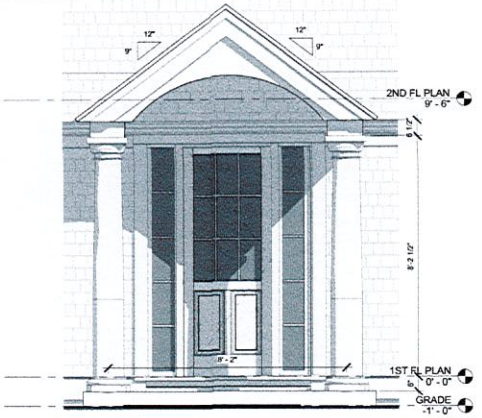
JOB NO.: 1723

DRAWING NO.:

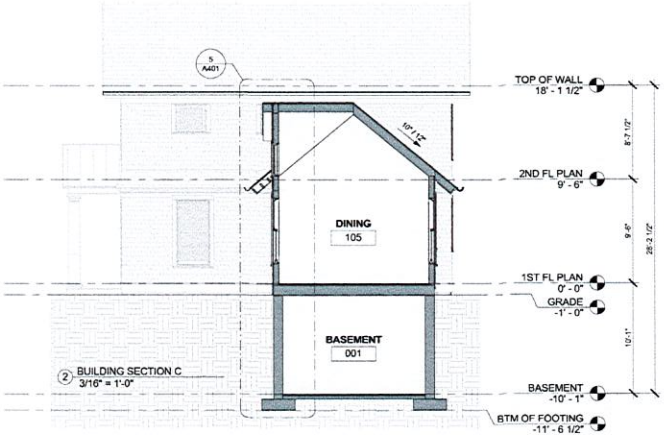
A201



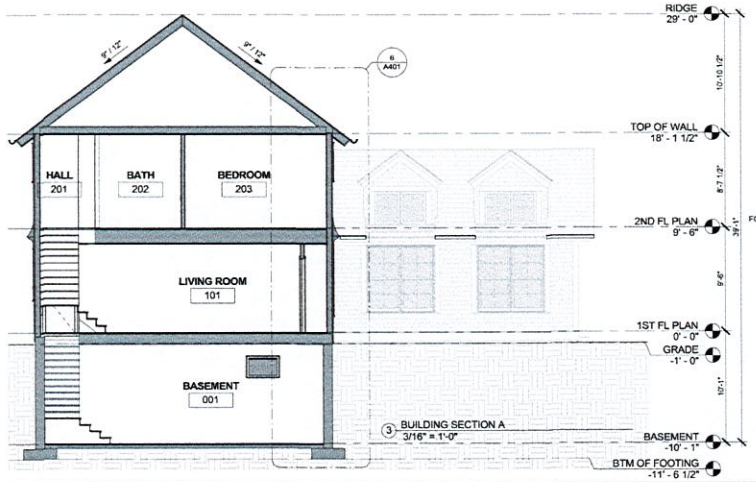
1 BUILDING SECTION B
3/16" = 1'-0"



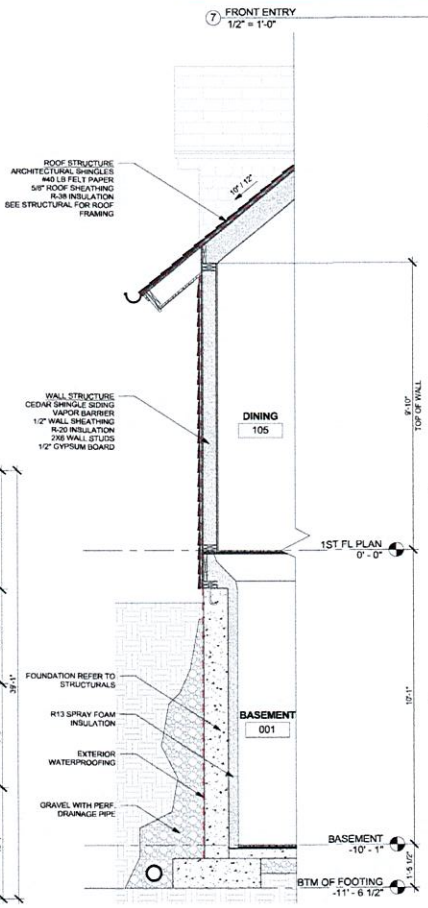
7 FRONT ENTRY
1/2" = 1'-0"



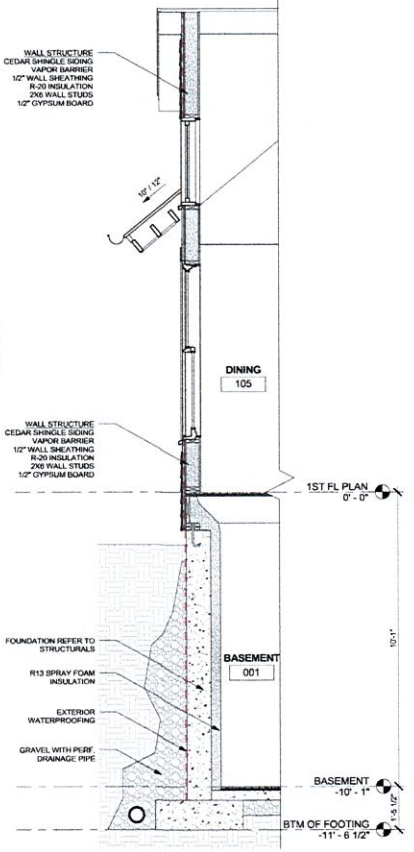
2 BUILDING SECTION C
3/16" = 1'-0"



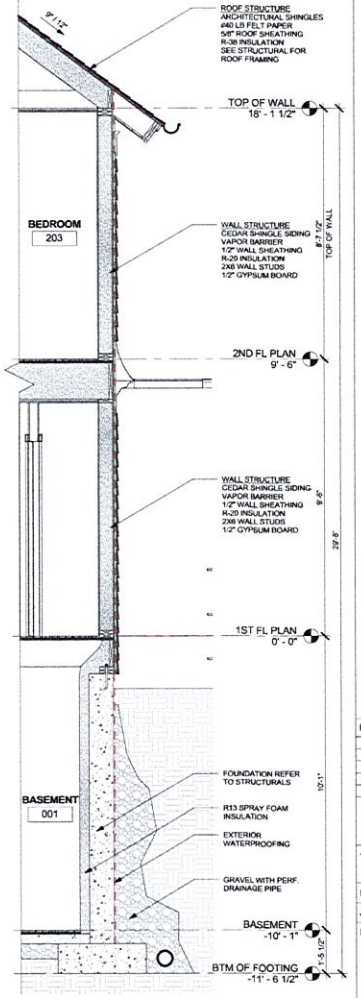
3 BUILDING SECTION A
3/16" = 1'-0"



4 WALL SECTION B
1/2" = 1'-0"



5 WALL SECTION C
1/2" = 1'-0"



6 WALL SECTION A
1/2" = 1'-0"

HERK WORKS

0 TOMPKINS COURT

NEWPORT RI, 02840

REVISIONS:

No.	Description	Date

PERMIT SET

TITLE: BUILDING SECTIONS, WALL SECTIONS

DATE: 01/15/2019

JOB NO.: 1723

DRAWING NO.:

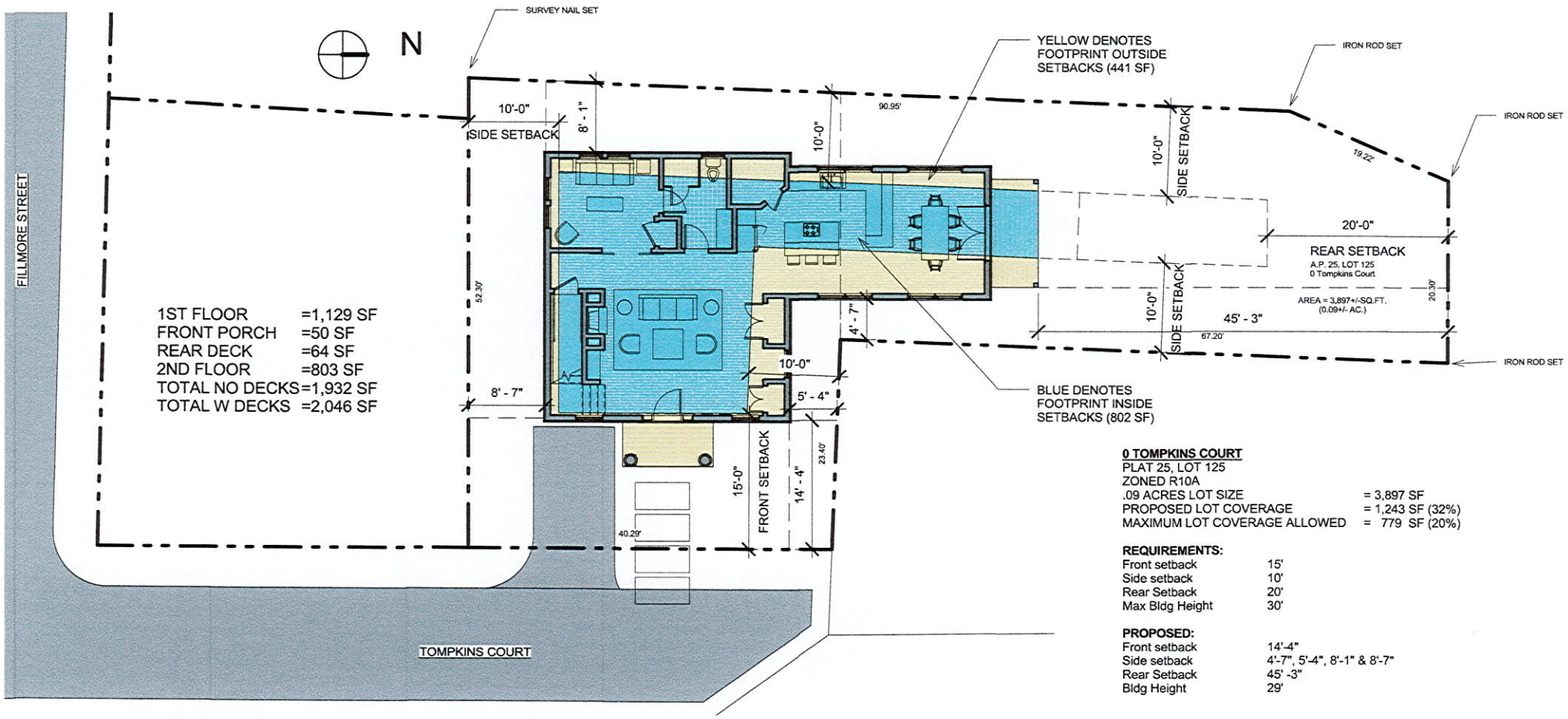
A401

HERK WORKS
ARCHITECTURE

DAN HERK
ARCHITECT

401.662.7875
dan@herk-works.com
36 Aquidneck Ave
Middletown, RI 02842

ZONING DRAWING SET
APRIL 19, 2018



0 TOMPKINS COURT
PLAT 25, LOT 125
ZONED R10A

.09 ACRES LOT SIZE	= 3,897 SF
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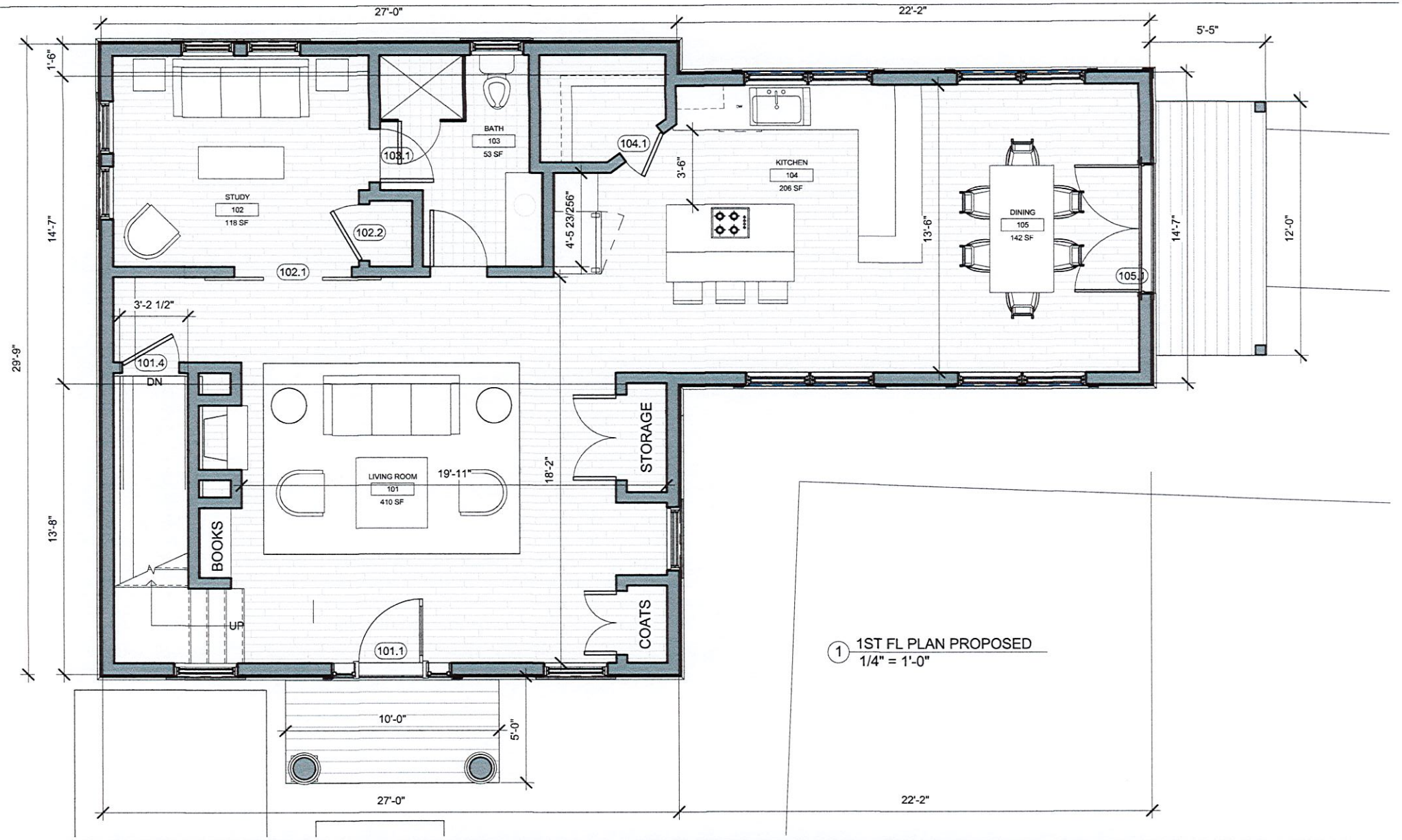
Rear Setback	45' -3"
Bldg Height	29'

1 SITE PLAN PROPOSED
3/32" = 1'-0"



1 1ST FL PLAN PROPOSED
1/4" = 1'-0"

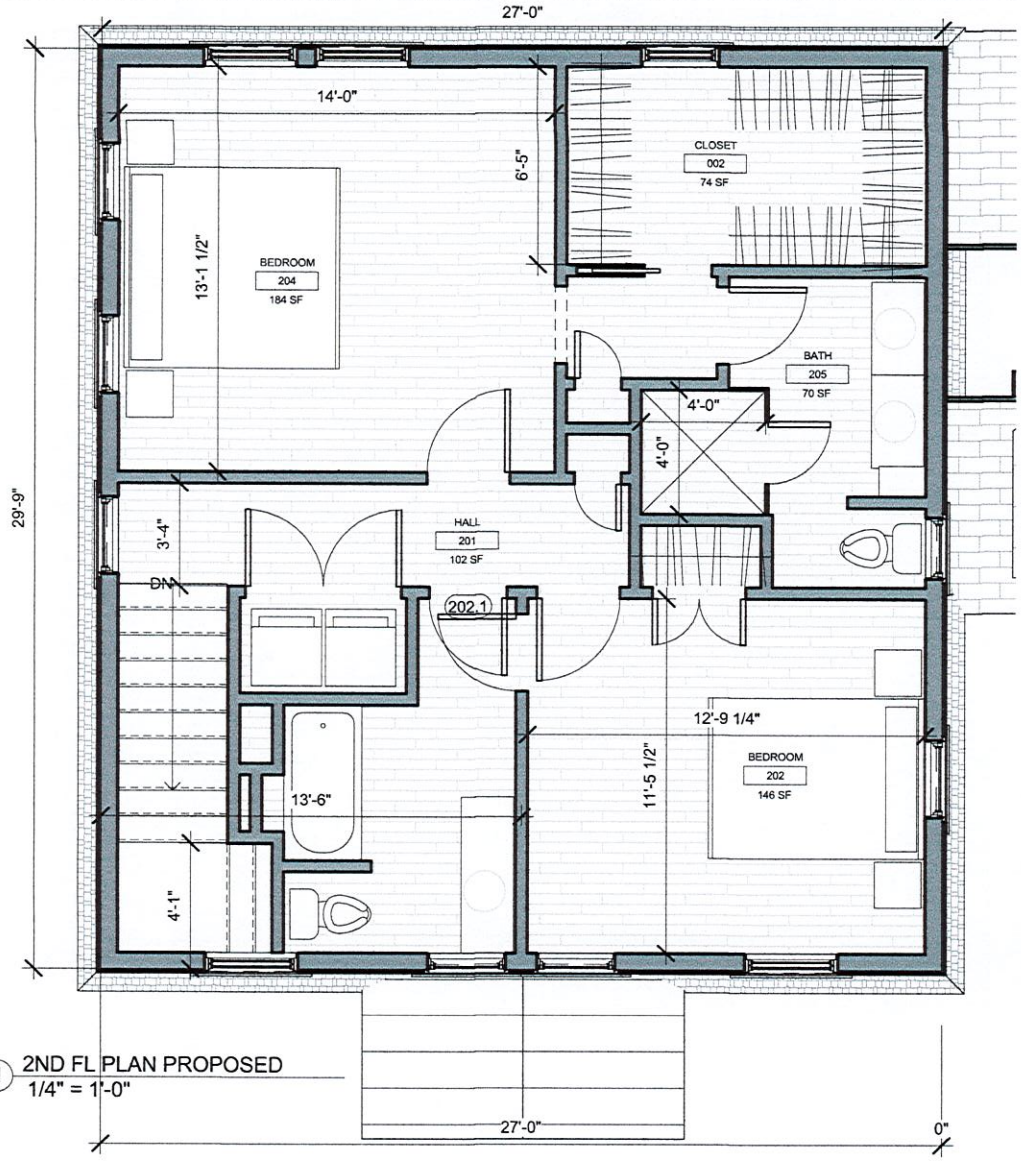
HERK WORKS ARCHITECTURE
401.662.7575

0 TOMPKINS COURT
NEWPORT RI 02840

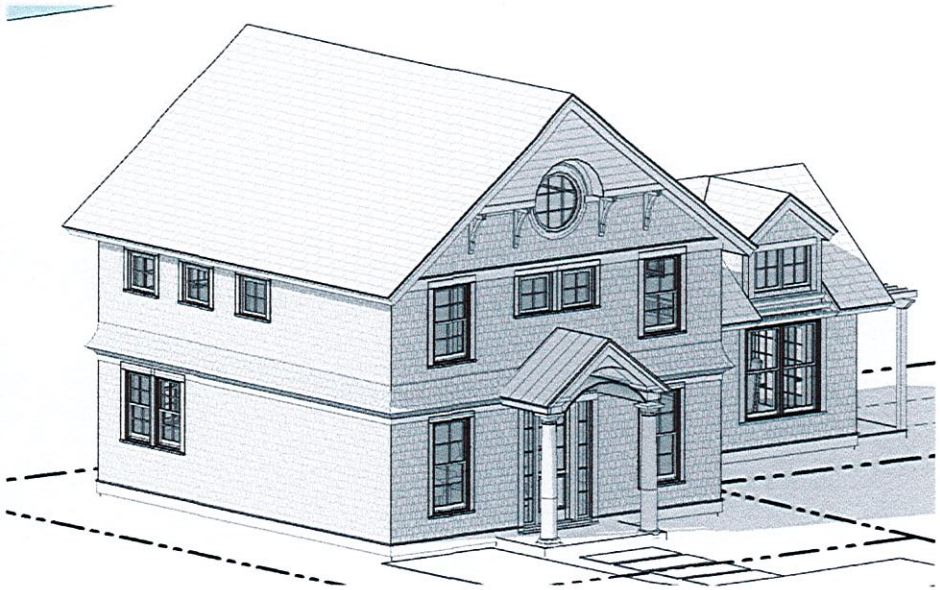
1ST FLOOR PLAN

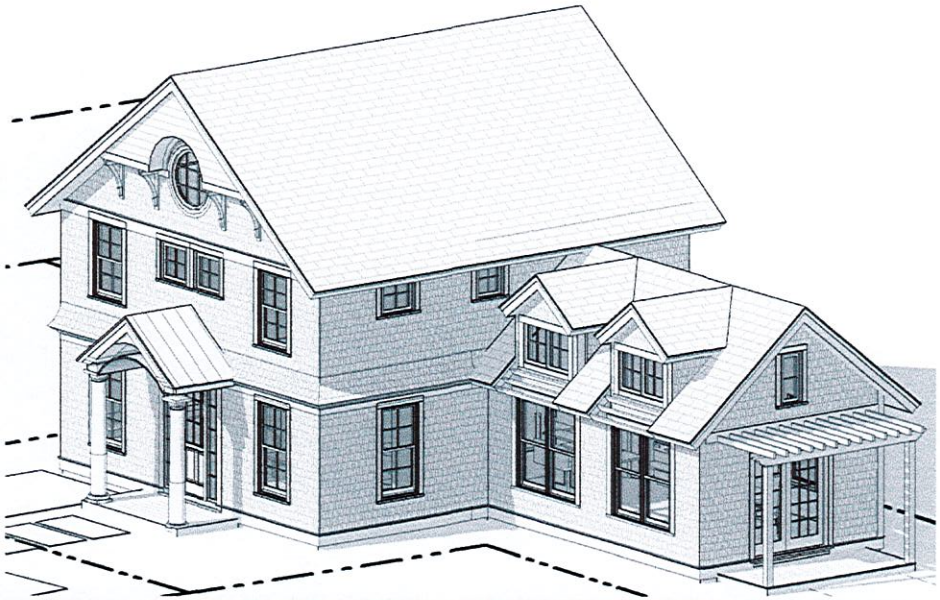
4/19/2018 10:29:02 PM

A101

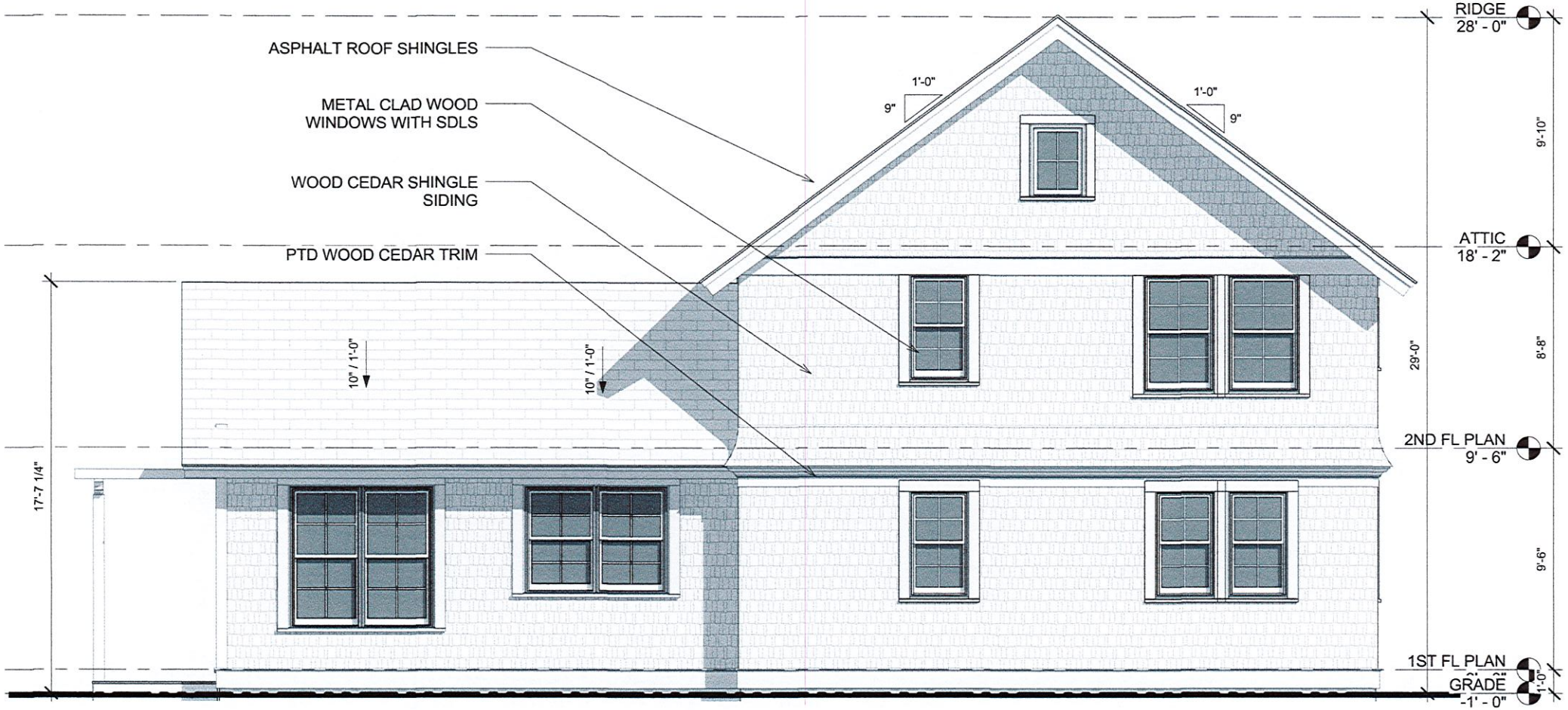


1 2ND FL PLAN PROPOSED
1/4" = 1'-0"

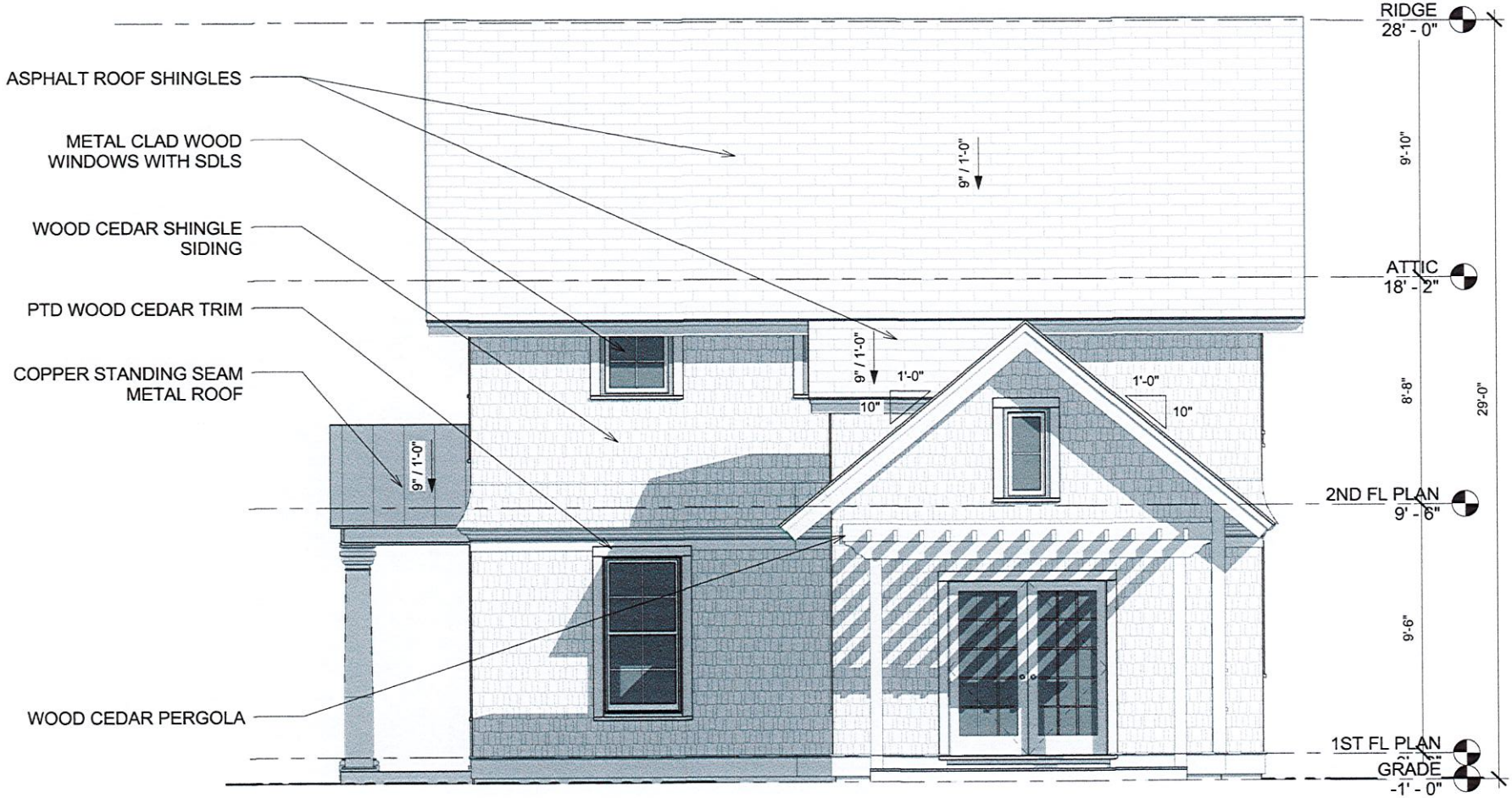




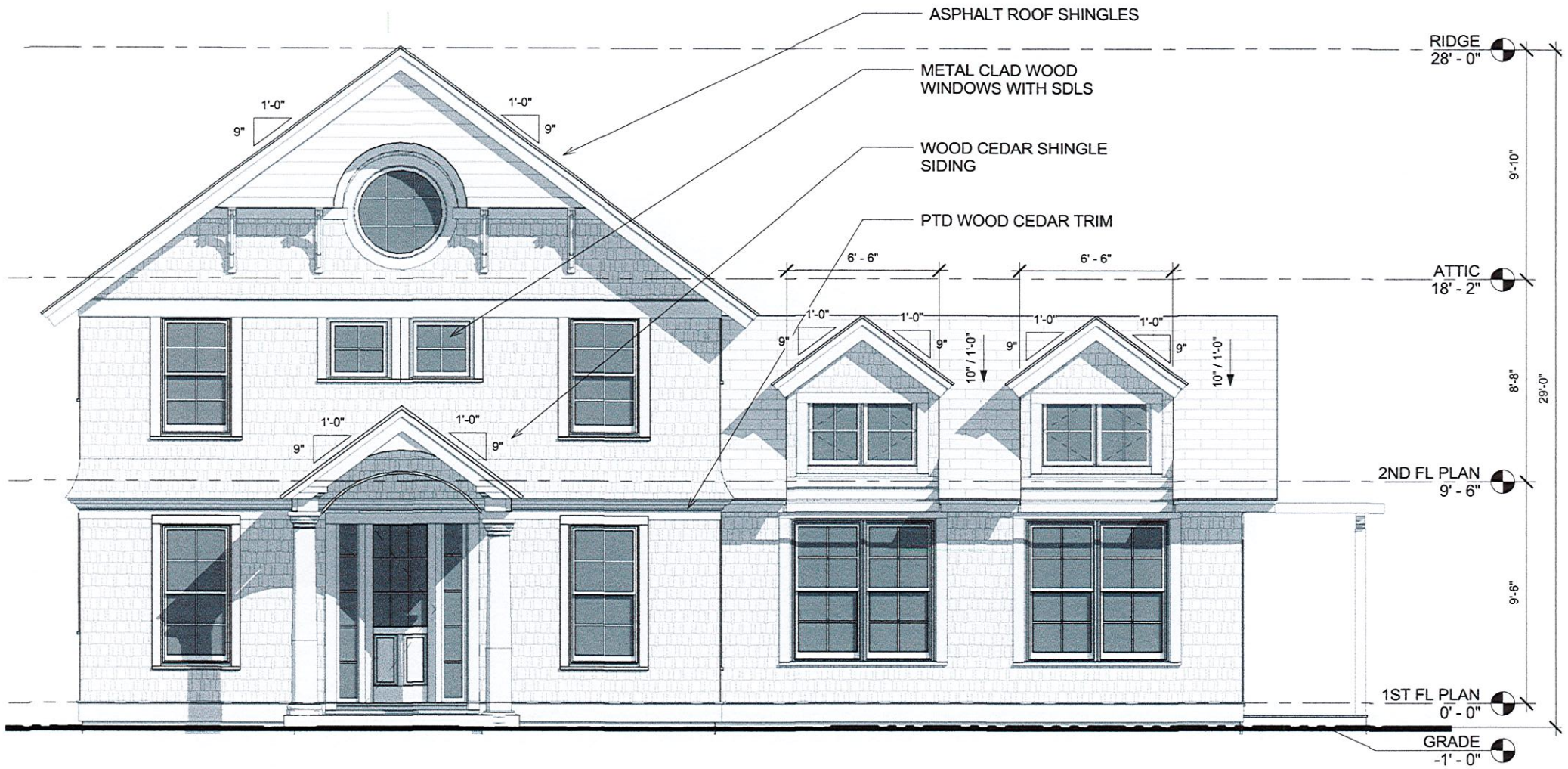
2 WEST ELEVATION PROPOSED
1/4" = 1'-0"



2 NORTH ELEVATION PROPOSED
1/4" = 1'-0"



2 EAST ELEVATION PROPOSED
1/4" = 1'-0"



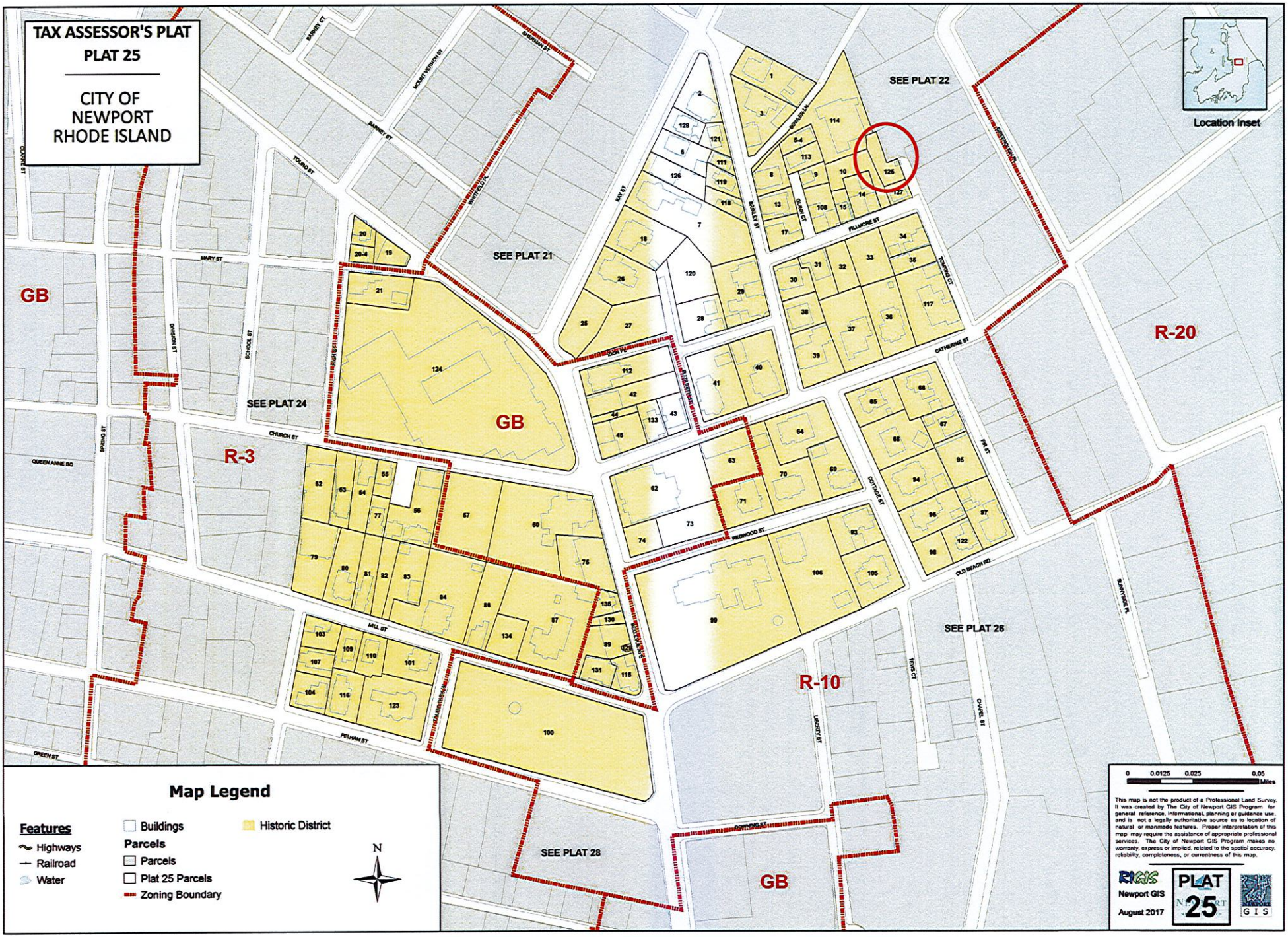
2 SOUTH ELEVATION PROPOSED
1/4" = 1'-0"

Lot and House averages on Fillmore and Tompkins

4/19/2018

	Recently Built	Footprint	Lot Size	Lot Coverage	Total Square Footage	
0 Tompkins Court		1,243	3,897	32%	2,046	
6 Tompkins Court	yes	1,027	4,356	23.58%	2,039	
18 Brinley	no	2,341	3,920	59.72%	3,707	
24 Brinley	no					Multifamily
9 Fillmore	no					Multifamily
11 Fillmore	yes	1,410	4,791	29.43%	2,634	
12 Fillmore	no	776	5662	13.71%	1,436	
13 Fillmore	yes	1426	7405	19.26%	2718	
14 Fillmore	no	775	2,178	35.58%	1,523	
16 Fillmore	no	726	4,791	15.15%	2,178	
20 Fillmore	no	1440	4,791	30.06%	2,136	
22 Fillmore	no	616	5,662	10.88%	1,848	
23 Fillmore	no	1236	6098	20.27%	2124	
26 Fillmore	no	500	1742	28.70%	980	
Averages		1126	4608	26.53%	2114	

Total Square footage inclues porches and decks, but not unfinished basements and attics


TAX ASSESSOR'S PLAT
PLAT 25
CITY OF
NEWPORT
RHODE ISLAND
Location Inset
SEE PLAT 22
SEE PLAT 21
SEE PLAT 24
SEE PLAT 26
SEE PLAT 28
GB
R-3
R-10
R-20
Map Legend
Features
Highways
Railroad
Water
Buildings
Parcels
Parcels
Plat 25 Parcels
Zoning Boundary
Historic District
N
0 0.0125 0.025 0.05 Miles
This map is not the product of a Professional Land Survey. It was created by The City of Newport GIS Program for general reference, informational, planning or guidance use, and is not a legally authoritative source as to location of natural or manmade features. Proper interpretation of this map may require the assistance of appropriate professional services. The City of Newport GIS Program makes no warranty, express or implied, related to the spatial accuracy, reliability, completeness, or currentness of this map.
Newport GIS
August 2017
PLAT 25

INST: 00120216
BK: 2781 PG: 39

STATE OF RHODE ISLAND
NEWPORT, SC.

ZONING BOARD
CITY OF NEWPORT

In Re: **PETITION OF ADAM ZAFF, applicant and owner; for a dimensional variance for permission to construct a new single-family dwelling which will be located 8.1' from the west property line, 8.6' from the south property line, 5.5' from the north property line and 4.7' from the east property line, (10' required), and which will increase the lot coverage from 0% to 32%, (20% allowed), applying to the property located at 0 Tompkins Ct., TAP 25, Lot 125, (R-10 zone).**

FINDINGS AND DECISION

The above-captioned matter came before the City of Newport Zoning Board of Review (the "Board") at a duly-noticed public hearing on October 22, 2018, on the application of Adam Zaff, applicant and owner; for a dimensional variance for permission to construct a new single-family dwelling which will be located 8.1' from the west property line, 8.6' from the south property line, 5.5' from the north property line and 4.7' from the east property line, (10' required), and which will increase the lot coverage from 0% to 32%, (20% allowed), applying to the property located at 0 Tompkins Ct., TAP 25, Lot 125. The subject property is located in the R-10 zone.

Andrew M. Teitz, Esq., represented the applicant. The applicant presented testimony from Daniel Herchenroether, architect, and George Valentine, real estate appraiser, both of whom were recognized and accepted as experts in their respective fields. The owner of the property and his family members were unable to attend due to the multiple postponements of the public hearing caused by the length of the zoning board agenda.

The Board received a letter of support from the Bowler Lane Artisans, an immediate abutter to the North at 11 Bowler Lane. Mr. Teitz represented that he had spoken to Sonya Simmons, a member of the family owning the property which is an immediate abutter to the west, and which is also the party from whom Mr. Zaff purchased the lot. Mr. Teitz represented that Ms. Simmons requested that a fence be installed along the western lot line of the subject property to provide some privacy for the Simmons family property, to which request Mr. Teitz consented on behalf of his client.

The Board accepted several exhibits, the most significant of which were: Exhibit C – a photograph of the large houses in close proximity to each other and the subject property which bolstered the Board's personal knowledge of the area; Exhibit E – an aerial photograph with the footprints and heights of the neighboring properties delineated; and Exhibit F – a spreadsheet of lot and house sizes in the neighborhood.

After consideration of the application, testimony, and evidence introduced at the hearing, the Board made the following findings of fact and conclusions of law:

Dimensional Variance

Per Sec. 17.108.010(B)(5) of the Zoning Ordinance, the Board finds as follows:

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 because:

- The Subject Property is a very small non-conforming lot in a very tight neighborhood. The height has already been lowered by the Historic District Commission, and there will be no third floor. It is a small house that does not overpower the lot or the neighborhood. Furthermore, the applicant has eliminated the deck at the north side of the house, thus further reducing the lot coverage to 30.49%, which is in keeping with the neighborhood.

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 because:

- As indicated above, this small house is appropriate for the neighborhood. The Board is persuaded of this especially based on Exhibits E and F and the expert testimony of the architect.
- The Board relies upon the uncontradicted expert opinion of George Valentine, real estate appraiser, that the variance will not have a negative effect upon the values of neighboring properties.

c. That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant because:

- The Subject Property was created prior to current zoning and is unusually small, and is an awkward or abnormally-shaped lot. The Board bases this finding on its own knowledge of the neighborhood and the exhibits presented.

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 because:

- The Subject Property was developed prior to the current zoning ordinance, and the applicant is only trying to make a reasonable beneficial use of the Subject Property with one small dwelling unit.

Furthermore, per Sec. 17.108.010(B)(6)(b) of the Zoning Ordinance, the Board finds as follows:

In granting a dimensional variance, 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, because:

- Denying the requested dimensional variances will essentially leave this lot unbuildable, which amounts to more than a mere inconvenience. The Board bases this finding upon

its own knowledge of the neighborhood, and the uncontradicted expert opinion of George Valentine, real estate appraiser.

Conditions of Approval

The following conditions of approval are imposed:

(1) The project shall be started and substantially completed within 12 months of the date this decision is recorded;
(2) All outstanding invoices related to the cost of abutters' notices shall be paid prior to the recording of the decision.
(3) The applicant shall install a fence of not less than 5 feet in height along the westerly property line of the Subject Property, prior to issuance of a Certificate of Occupancy.
(4) The deck at the north side of the building as shown on the plans shall not be built, but may be replaced with a flat patio at grade and a step to said patio, resulting in an allowable lot coverage of not more than 1,185 square feet.

Record of Vote

Motion to grant the dimensional variance made by Allott, seconded by Buzard.

Members voting in favor (unanimous): Kirwin, Buzard, Allott, Rudd, Grimes

	12/10/18
Signature of Chair	Date

Presented By:

/s/ Andrew M. Teitz

Andrew M. Teitz, Esq. (#3503)
Ursillo, Teitz & Ritch, Ltd.
2 Williams St.
Providence, RI 02903
(401) 331-2222
zoning@utrlaw.com

\SERVER\Share\ANDY\Zaff, Adam re Newp Zoning\ZB Decision Zaff d3 clean.docx

LAURA C SWISTAK
CITY OF NEWPORT
CITY CLERK
Dec 11,2018 11:23A
BOOK: 2781 PAGE: 39

In The Matter Of:

Newport Zoning Board

Adam Zaff, 0 Tompkins Court

October 22, 2018

ALLIED

COURT REPORTERS, INC.

—AND—

VIDEO CONFERENCE CENTERS

ORIGINAL

Min-U-Script® with Word Index

(COMMENCED AT 11:01 P.M.)

MR. ALLOTT: Motion to approve the petition of the applicant with the condition that the project be started and substantially completed within 12 months of the date of the decision; that all outstanding invoices related to the cost of abutters' notices be paid prior to the recording of the decision, and the condition that a 5-foot fence be installed along the westerly boundary line of the property.

MR. WESTIN:: Excuse me, that should be a fence of not less than 5 feet.

MR. ALLOTT: Fence not less than 5 feet along the westerly boundary line.

MR. BUZARD: Second.

MR. KIRWIN: Discussion?

MR. GRIMES: It's a reasonable plan. It's a very small non-conforming lot, very tight neighborhood. I believe they should be able, we should grant the dimensional variance. Enough to be said. I would approve the plan.

MR. ALLOTT: I agree. I think the lot sizes and the lot coverages in the surrounding area are important to look at. It does seem to be well within the norm for the property. There is nothing

(UNANIMOUS VOTE)

(CLOSED AT 11:05 P.M.)

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