

APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI ZONING BOARD OF REVIEW

DATE: February 4, 2020

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: 113 Memorial Blvd West

Tax Assessor's Plat 27 Lot 083

Petitioner Information

Applicant Jeffrey Marlowe, Nancy Speroni Address 113 Memorial Blvd West, Newport RI

Owner Jeffrey Marlowe, Nancy Speroni Address 113 Memorial Blvd West, Newport RI

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 14.9' depth 82' area 2,483 sq. ft.

Zoning District in which premises is located GB

How long have you owned above premises? 20 Years

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings 1,052 sq.ft.

Total square footage of the footprint of proposed buildings 1,052 sq.ft.

Present use of premises Mixed-Use, 1 residence on 2nd floor; commercial space on 1st floor.

Proposed use of premises Mixed-Use, 1 residence on 2nd floor; commercial space on 1st floor.

2BR
March 4
\$150.00
FEB 20 2020
CR# 10129

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

Give extent of proposed alterations _____

Create third floor addition within existing footprint to enlarge 2nd floor living space, which will maintain existing legal, non-conforming rear yard setback.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	2,483 sq.ft.	5,000 sq.ft.	2,483 sq.ft.(existing)
Lot Coverage (%)	50%	80%	50% (existing)
Dwelling Units	1	1	1 (existing)
Parking (# of spaces)	2	4 (1/D.U., 3/Office)	2 (existing)
Front Setback	0'	0'	Existing
Side Setbacks	0'	0'	Existing
Rear Setback	0'	5'	1'-0", 0'-6"
Height	+/- 26'-1/2"	45'	37'

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?

It is believed that the existing building was moved to this site long ago before the current zoning ordinance went into effect. Therefore the structure is legally non-comforming in dimension, in particular at the rear yard setback. Where 5' is required, 1'0 and 0.4' are existing. Due to the building's location on the unusually shaped site, there is no effective way to expand living space for the Owner other than by expanding to a third floor.

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 required 5' rear yard setback in the GB zone is a very reasonable setback to allow for the expansion of an existing structure for a typical property in this zone. However, due to the unique characteristics of the site and building, there is no opportunity to expand horizontally to the side yards or even the front yard without sacrificing the small yard/open space (side yard) or parking (front) to meet the living needs of the family.

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

Allowing for the continuance of the existing rear yard setback for the third floor addition will enable the home to maintain its original character and existing character of the neighborhood while providing much needed additional living space for the Owner's family. First floor will remain as commercial space (mainly office storage) that the Owner's use to operate their local business at Perry Mill. As there are no nonresident employees on the premises, and only one parking space per dwelling unit is required (property is located in the Historic District), the two existing parking spaces sufficiently serve the Owner's dwelling unit and commercial space.

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:

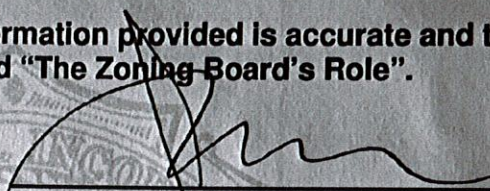
- a. That the reasons set forth in the application justify the granting of the variance and that the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure;
- b. That the variance will not be injurious to the neighborhood or otherwise 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

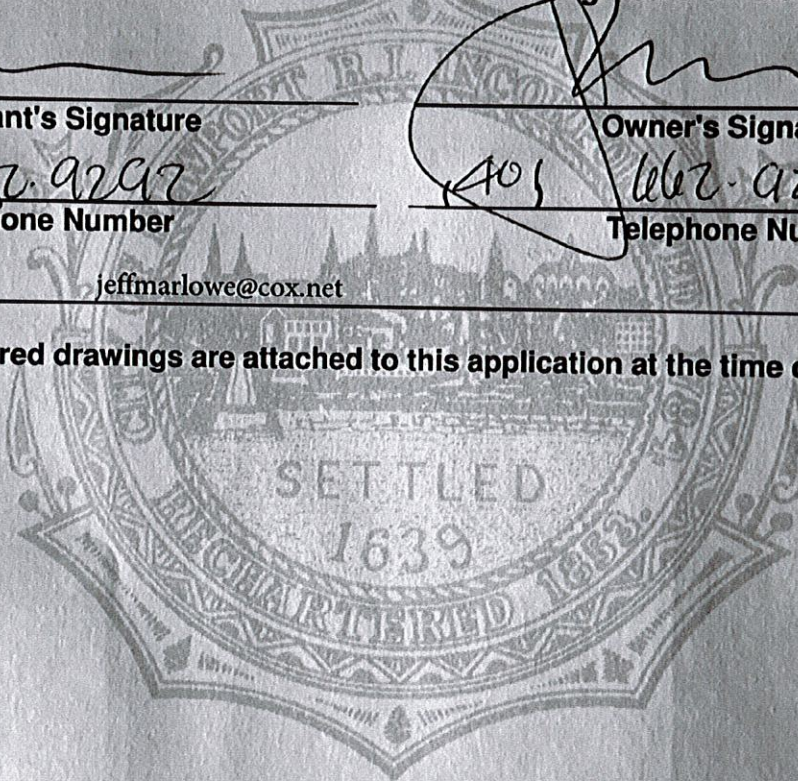

Telephone Number


Owner's Signature


Telephone Number

Email address jeffmarlowe@cox.net

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



MARLOWE SPERONI RESIDENCE

ZONING BOARD OF REVIEW • APPLICATION

113 MEMORIAL BOULEVARD WEST • NEWPORT • RHODE ISLAND • 02840

FEBRUARY 03, 2020



UNION STUDIO

ARCHITECTURE & COMMUNITY DESIGN

www.unionstudioarch.com

140 Union Street Providence, RI 02903

401.272.4724 401.272.4825

EXISTING CONDITIONS

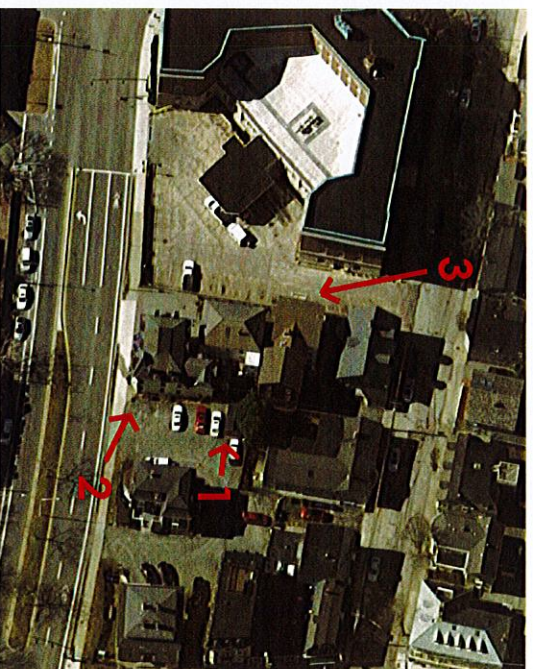
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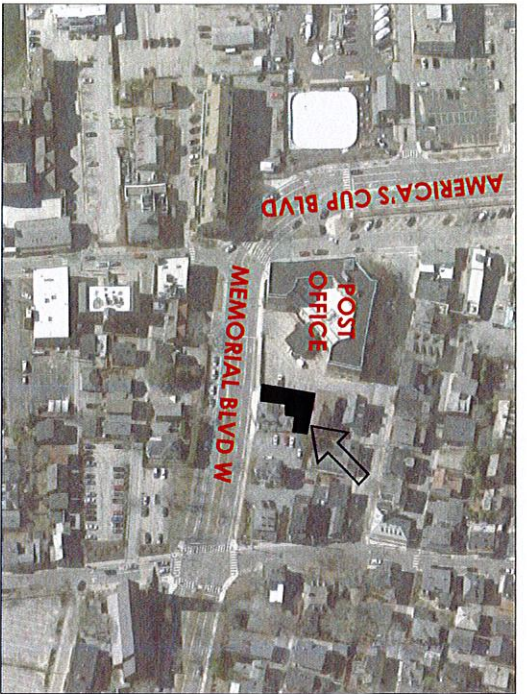


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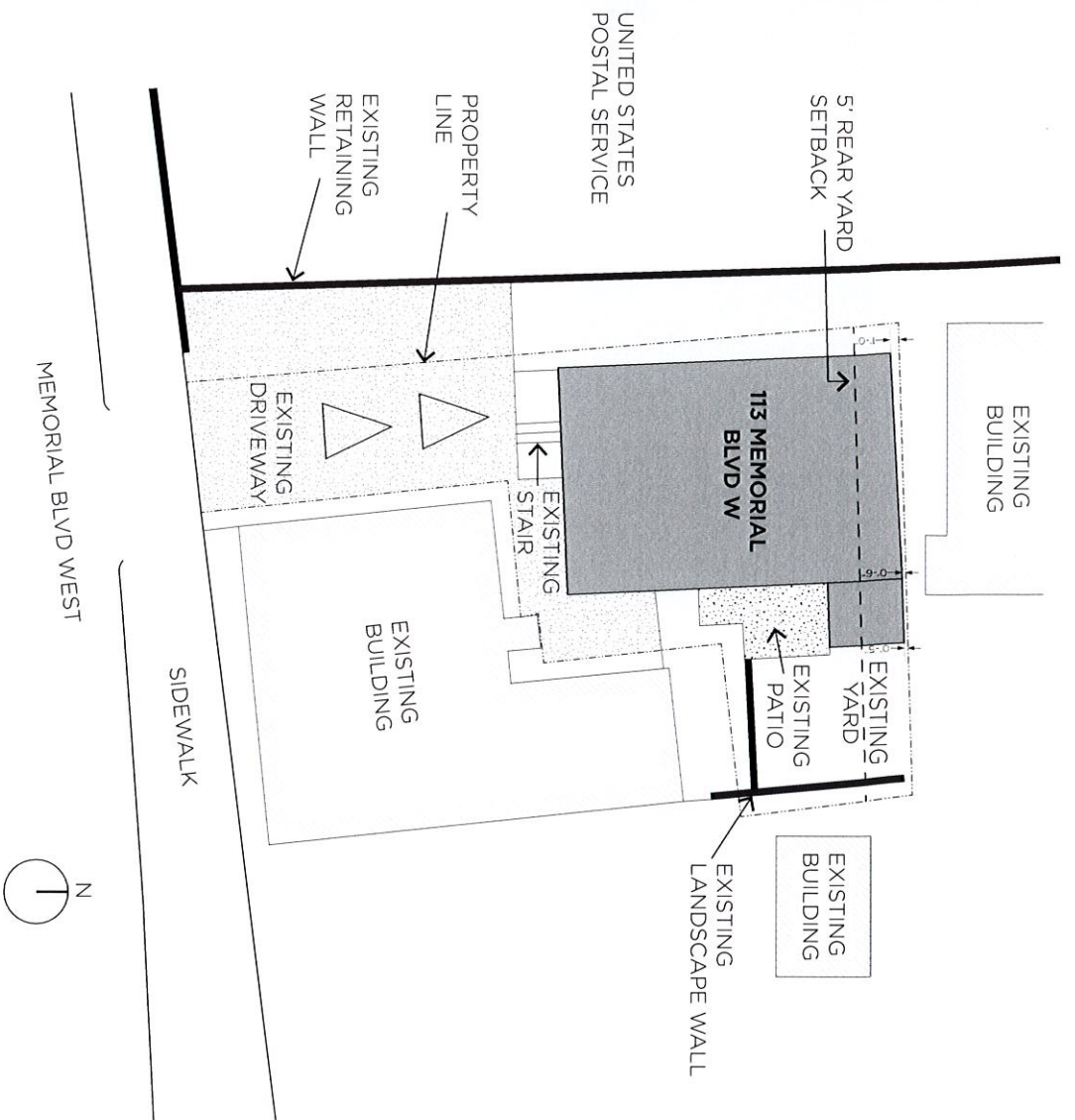


MARLOWE SPERONI RESIDENCE
113 MEMORIAL BLVD. WEST, NEWPORT, RI
DATE: FEBRUARY 03, 2020





LOCUS MAP - SITE LOCATION



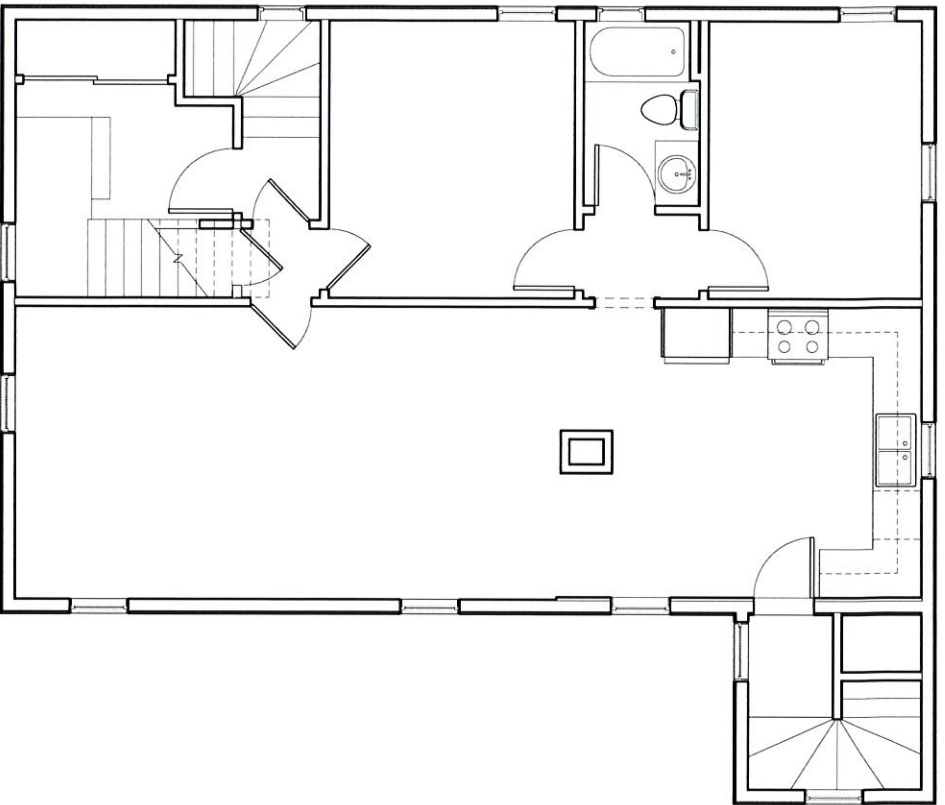
PROPOSED SITE PLAN

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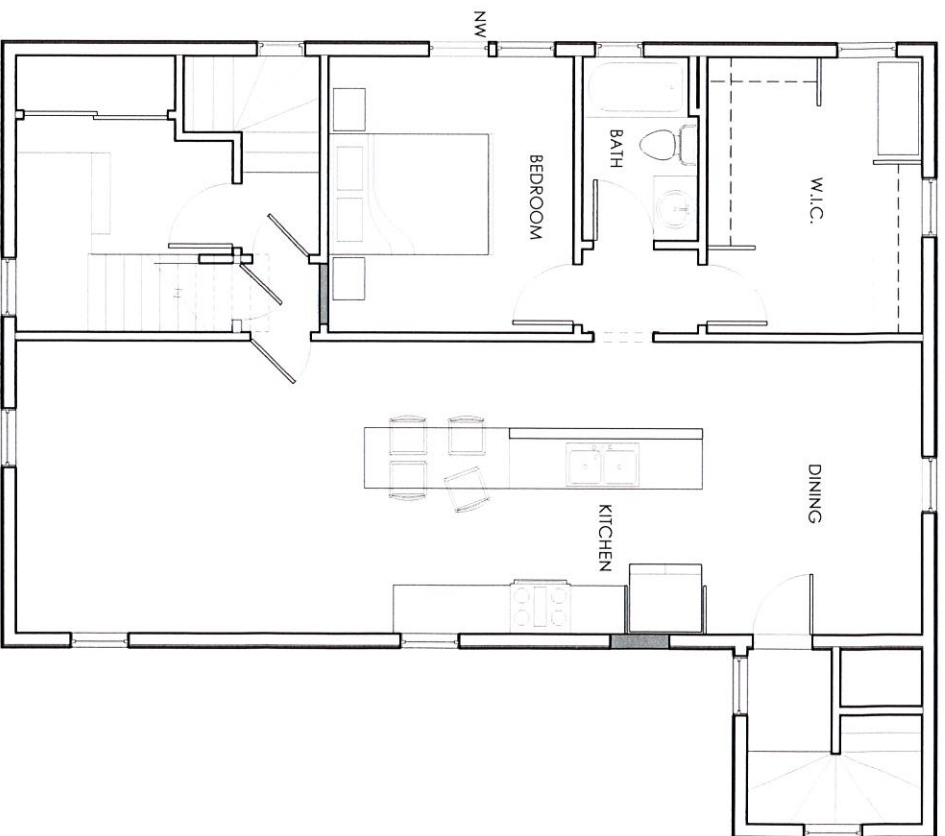
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EXISTING SECOND FLOOR



PROPOSED SECOND FLOOR

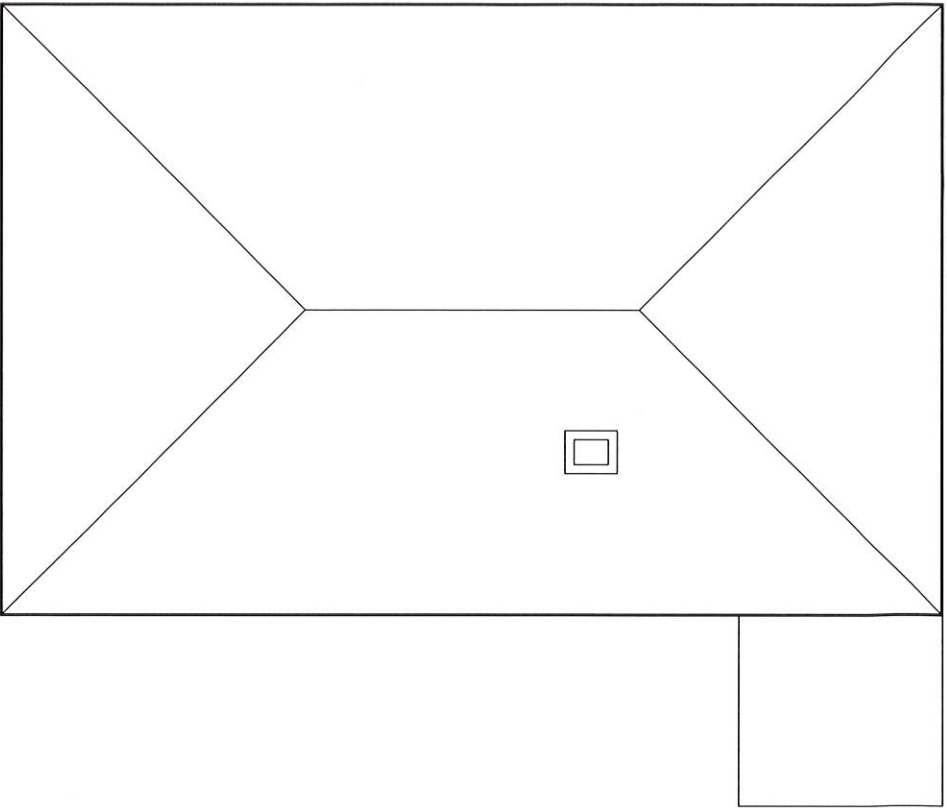
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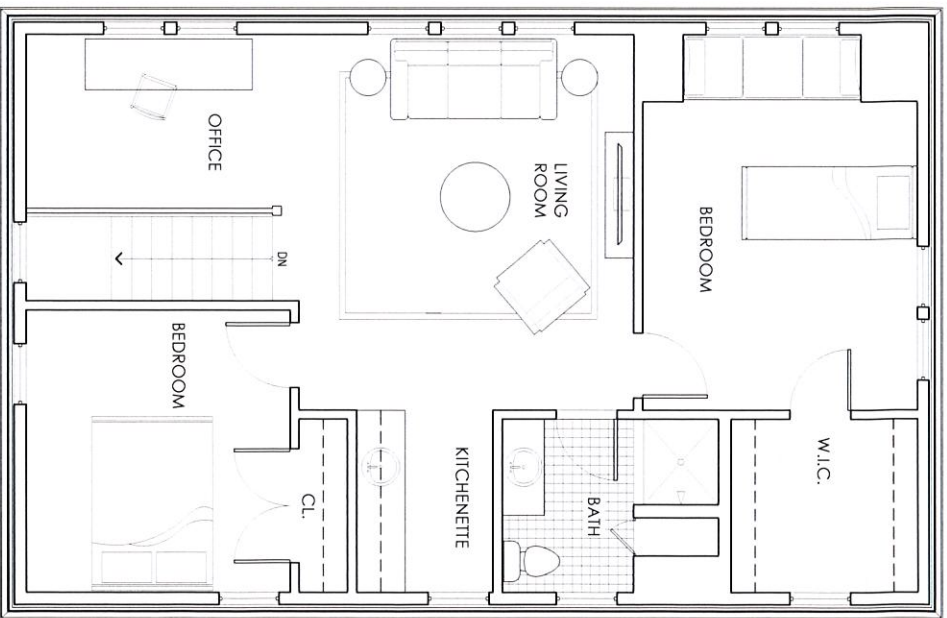
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0 4 8 16 32'





EXISTING ROOF PLAN



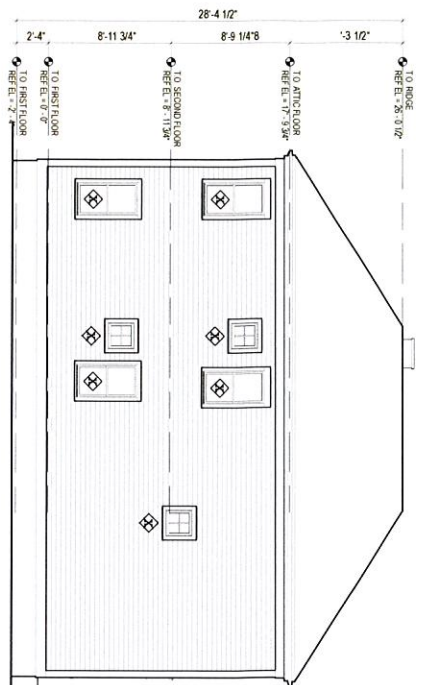
PROPOSED THIRD FLOOR

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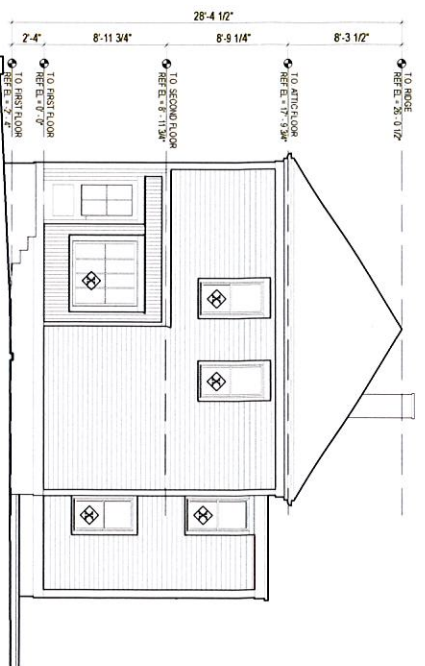
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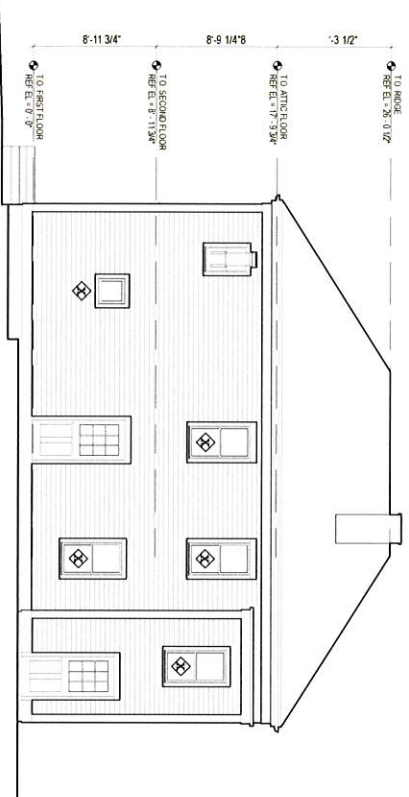




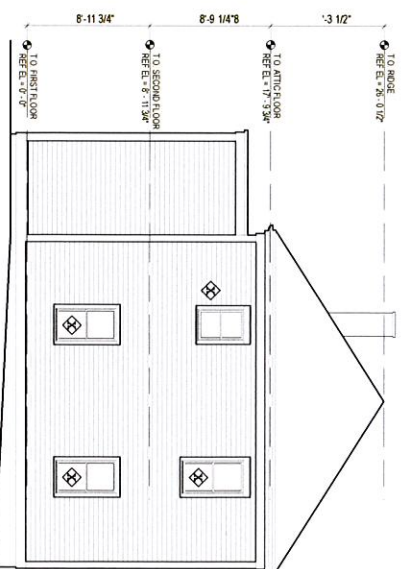
EXISTING WEST ELEVATION



EXISTING SOUTH ELEVATION



EXISTING EAST ELEVATION



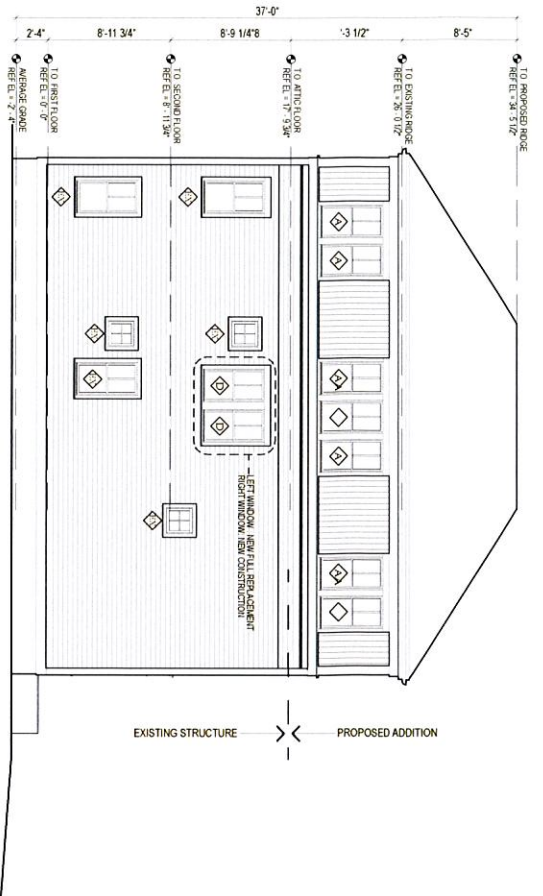
EXISTING NORTH ELEVATION

MARLOWE SPERONI RESIDENCE

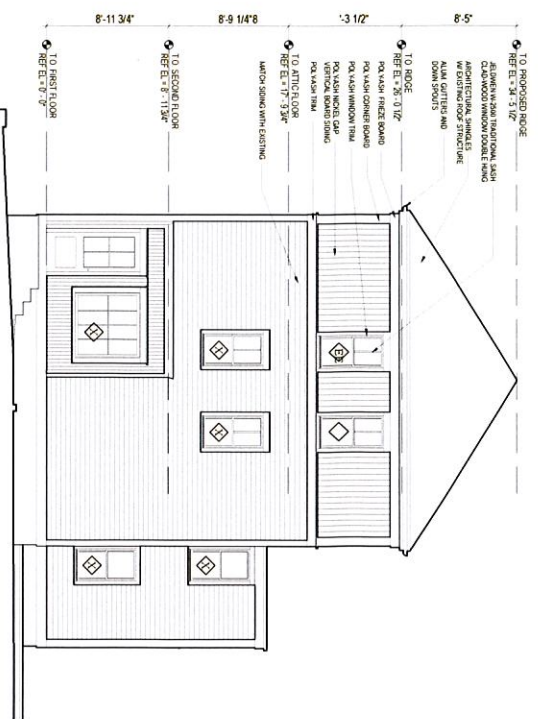
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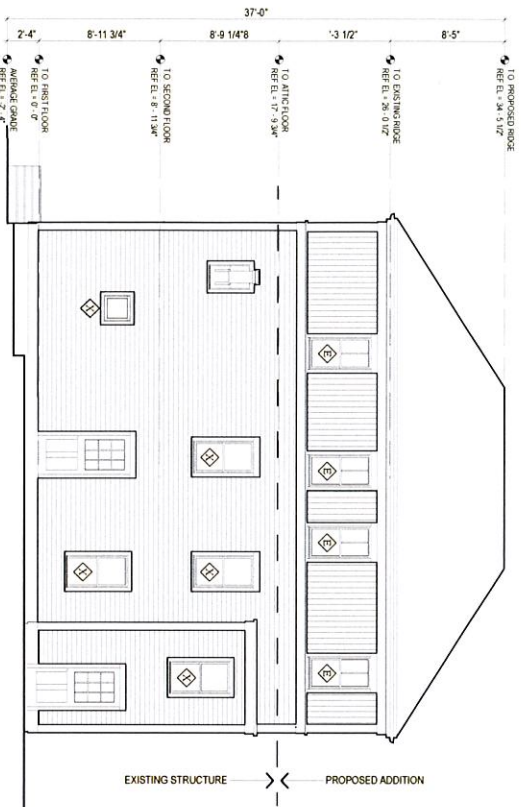




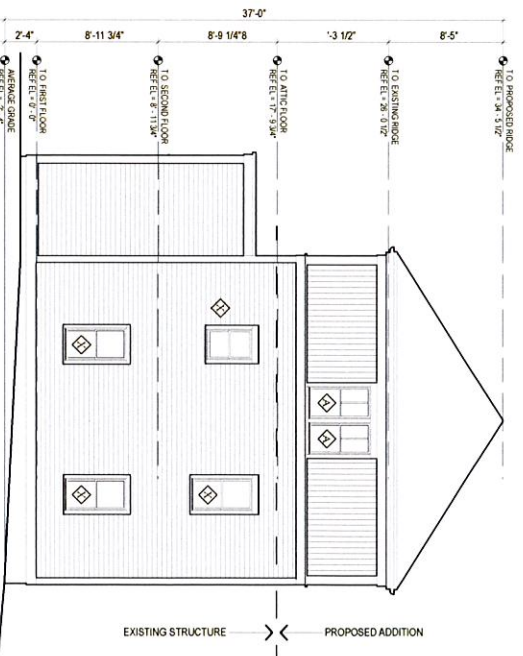
PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEVATION



PROPOSED NORTH ELEVATION

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PROPOSED ADDITION - VIEW FROM MEMORIAL BLVD WEST



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