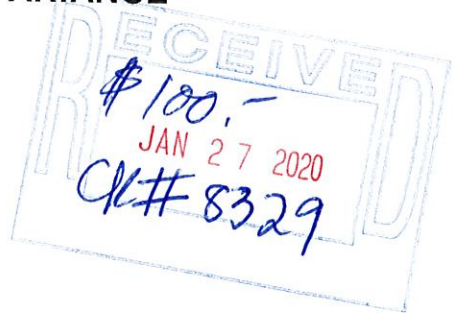


COMBINED APPLICATION FOR A SPECIAL USE PERMIT & A  
REGULATORY (DIMENSIONAL) VARIANCE

CITY OF NEWPORT, RI  
ZONING BOARD OF REVIEW

DATE: 1/20/2020

ZBR  
Feb-6



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: 3 GREENOUGH PLACE, NEWPORT, RI

Tax Assessor's Plat 22 Lot 080

Petitioner Information

Applicant <sup>JK6</sup> JOHN K GROSVENOR, AIA Address 4 BOSTON TERRACE

Owner SCOTT & MARY ROBINS Address 3 GREENOUGH PLACE

Lessee \_\_\_\_\_ Address \_\_\_\_\_

Property Characteristics

Dimensions of lot-frontage \_\_\_\_\_ depth \_\_\_\_\_ area \_\_\_\_\_ sq. ft.

Zoning District in which premises is located R-10

How long have you owned above premises? 2 MONTHS

Are there buildings on the premises at present? YES

Total square footage of the footprint of existing buildings 1858 SF

Total square footage of the footprint of proposed buildings 1981 SF

Present use of premises SINGLE FAMILY HOME

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

Proposed use of premises

TO REMAIN A SINGLE FAMILY HOME,

Give extent of proposed alterations

TO ADD A SMALL SEMICIRCULAR ADDITION TO THE SOUTH ELEVATION, TO ADD A SECOND FLOOR DECK TO THE NORTH ELEVATION TO IMPROVE THE AESTHETICS OF THE EXISTING COLUMN. THE ADDITIONAL 2ND FLOOR DECK IS WITHIN THE FRONT SETBACK

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	6,150		
Lot Coverage	1,858 SF	1,220 SF	1,981 SF
Dwelling Units	1	1	1
Parking (# of spaces)	2 + GARAGE	2	2 + GARAGE
Front Setback	18'	15'	10'
Side Setbacks	10'	10'	10'
Rear Setback	20'	20'	20'
Height	27-7 3/4"	35'	27-7 3/4"

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

2H, 5A, 5C



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?

MOST OF THE NEIGHBORING LOTS ARE  
SUBSTANDARD. THE PROPOSED SOUTH  
ADDITION IS SIMILAR IN SIZE AND SCALE  
OF AN ADDITION THAT WAS REMOVED IN  
2017

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?

- 1) THE EXPANSION OF A NON-COMFORMING USE  
THE NORTH ELEVATION FIRST FLOOR DECK IS  
WITHIN THE FRONT SET BACK. THE PROPOSED  
SECOND FLOOR DECK MATCHES THE FIRST FLOOR  
FOOTPRINT. IT WILL VASTLY IMPROVE THE AESTHETIC
- 2) THE WEST SOUTH ELEVATION ADDITION IS SIMILAR TO  
AN ADDITION REMOVED IN 2017

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

THIS IS THE MINIMUM VARIANCE NECESSARY  
TO ALLOW AN ACCESS TO THE BACK YARD (SOUTH)  
THAT WAS REMOVED IN 2017. ADDITIONALLY  
THE NORTH ELEVATION 2ND STORY DECK IS  
IMPORTANT TO CORRECT THE <sup>EXISTING</sup> OVER SIZED COLUMNS  
AT THE FRONT PORTICO



### **The Zoning Boards 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 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 has been met, the board must deny the application.

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".**

_____	_____
<b>Applicant's Signature</b>	<b>Owner's Signature</b>
(      )	(      )
_____	_____
<b>Telephone Number</b>	<b>Telephone Number</b>

**Email address** \_\_\_\_\_

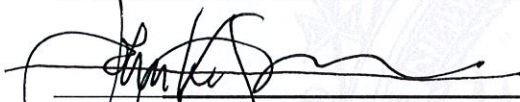
**Be sure all required drawings are attached to this application at the time of the submittal.**



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\_\_\_\_\_  
Applicant's Signature

(401) 855-2947  
\_\_\_\_\_  
Telephone Number

  
\_\_\_\_\_  
Owner's Signature

1 (508) 922 9337  
\_\_\_\_\_  
Telephone Number

Email address JOHN K GROSVENOR @ GMAIL .COM

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