

Revised 2/6/20

NEWPORT ZONING BOARD OF REVIEW
MONDAY, FEBRUARY 24, 2020 – 7:00 P.M.
City Hall Council Chambers, Second Floor
43 Broadway

AGENDA

I. Call to Order

II. Roll Call and Determination of Quorum

III. Minutes:

January 24, 2020

IV. Communications:

V. Action Items:

Request for Extension of Approval

Decisions (Receive, review, and sign)

VI. Continued Petitions:

1. *PETITION OF SALVE REGINA UNIVERSITY, applicant and owner; for a special use permit for permission to construct a 214 bed dormitory with a staff dwelling unit applying to the properties located at 23, 45, & 51 Shephard Ave. and 26 Lawrence Ave., 74 & 80 Victoria Ave., TAP 36, Lots 36, 96, 98, 102, 103 & 104, (R-60 zone). (Cont. Ni Si)*
2. *PETITION OF SALVE REGINA UNIVERSITY, applicant and owner; for a special use permit for permission to construct a 196 bed dormitory with a staff dwelling unit applying to the properties located at 204, 206 & 218 Ruggles Ave. and Lawrence Ave., TAP 36, Lots 48, 49, 89, 111 & 126, (R-60 zone). (Cont. Ni Si)*
3. *APPEAL OF SRU HOLDINGS, LLC & SALVE REGINA UNIVERSITY, appellants and owners; appealing the decision of the Historic District Commission denying a Certificate of Appropriateness for the design of a proposed new dormitory, Building "A" (a/k/a Watts Dormitory), TAP 36, Lots 36, 39, 98, 102, 103, 104, a/k/a 35, 45, 51 Shepard Ave., 26 Lawrence Ave., & 78, 80 Victoria Ave.*

4. *PETITION OF HARBOUR REALTY, LLC, applicant; HARBOUR REALTY, LLC., TOMORL, LLC., 20 WEST EXTENSION, LLC., WAITES WHARF REALTY ASSOCIATION, LLC., AND THOMAS B. ABRUZESE, owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing structures and construct a 150-room transient guest facility, (91 rooms allowed), with a standard restaurant, banquet and wedding facilities, and provide 266 off-street parking spaces on a noncontiguous lot, (all off-street parking must be on the same lot as the use required), and to allow of use of public right of way to maneuver into and out of spaces, (Use of public right of way not allowed), applying to the property located on 0, 1, 16 & 25 Waite's Wharf, 23 Coddington Wharf, and 20 West Extension St., TAP 32, Lots 155, 267, 268, 272, 248, & 293, (WB zone). (Cont. to March 23, 2020 pending review by the Planning Board and the Technical Review Committee)*

5. *PETITION OF ISLAND MOVING COMPANY, applicant; CITY OF NEWPORT, owner; for a special use permit and a variance to the off-street parking design standards for permission to demolish the former administration building and construct a new dance studio, (school of limited instruction), and provide off-street parking which will be located 5' from the south property line, (10' required), applying to the property located at 435 Broadway, TAP 6, Lot 11, (R-10 zone). (Cont. to March 23, 2020 pending review by the Planning Board and the Technical Review Committee)*

PETITION OF ISLAND MOVING COMPANY, applicant; CITY OF NEWPORT, owner; for a variance to the dimensional requirements for permission to demolish the former school building and subdivide the property into 5 parcels. Parcel B to be 9, 58 sq. ft., parcel C to be 9,124 sq. ft. and parcel D to be 9,003 sq. ft., (10,000 sq. ft. required). Lot width/frontage of parcels A, B & C, to be 14.66' and lot width/front of parcel D to be 41.07', (80' required), applying to the property located at 435 Broadway, TAP 6, Lot 11, (R-10 zone). (Cont. to March 23, 2020 pending review by the Planning Board and the Technical Review Committee)

6. *PETITION OF LES HELMERS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 3rd floor addition which will be located 0' from the east property line, (3' required), applying to the property located at 28 Ann St., TAP 27, Lot 155, (R-3 zone).*

7. *PETITION OF L. ROSS SINCLAIR & DIANE KAZARIAN, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing structure and build a new single-family dwelling which will be located 22' from the east property line, (50' required), and 18.8' from the south property line, (40' required), and which will reduce the lot coverage from 17.8% to 17.7%, (10% allowed), applying to the property located at 40 Castle Hill Ave., TAP 44, Lot 92, (R-40A zone).*

8. *APPEAL OF RICHARD FISHER & PATRICIA MARVEL FISHER, appellants, ARC HTNEWRI001, LLC, owner; appealing the issuance of Building Permit #123153, Plumbing Permit #123516, and Electrical Permit #123514 applying to the property located at 2 Kay St., TAP 21, Lot 123, (R-10 zone). (Continued to March 23, 2020)*

9. PETITION OF WELOVENEWPORT, LLC, applicant and owner; for a variance to the dimensional requirements for permission to demolish the existing structure and construct a new 2-1/2 story, 18,000 sq. ft. single-family dwelling. Said dwelling to be located, 30' from the west property line, (50' required), and 50' from the east property line, (75' required). Total lot coverage of property to be increase from 8% to 13%, (8% allowed), applying to the property located at 1 Harborview Dr., TAP 42, Lot 10, (R-120 zone).
10. PETITION OF THAMES STREET LODGING GROUP, LLC, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to use an overhead electrical wire service, (new underground service required), applying to the property located at 595 Thames St., TAP 39, Lot 270, (LB zone).
11. APPEAL OF JOSEPH TOOLE & TOOLE COMPANIES, INC., appellant and owner; appealing the decision of the City Planner not certifying as complete an application for Development Plan Review applying to the property located at 202 J.T. Connell Highway, TAP 4, Lots 52 & 82, (CI zone).
12. PETITION OF CHARLES KIVEN, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to place a standby generator and air conditioner condensers 1' from the north property line, (10' required), applying to the property located at 37 Kay Blvd., TAP 11, Lot 690, (R-10A zone).
13. APPEAL OF SRU HOLDINGS, LLC & SALVE REGINA UNIVERSITY, appellants and owners; appealing the decision of the Historic District Commission recorded on November 27, 2019, denying a Certificate of Appropriateness for the design of a proposed new dormitory, Building "B" (a/k/a Wallace Dormitory), TAP 36, Lots 48, 49, 89, 111, 126, a/k/a 204, 206, 218 Ruggles Ave., 108 Lawrence Ave., & 0 Victoria Ave.
14. PETITION OF JOHN DUKES, applicant; Lee & Thames Associates, owner; for a special use permit for permission to construct a new 16' x 18' rooftop deck addition applying to the property located at the corner of 550 Thames St. and 6 Lee Ave., TAP 35, Lot 257, (LB).

VII. New Petitions

15. PETITION OF JAMES DUNPHY & PHYLLIS HAWTHORNE, for a special use permit and a variance to the dimensional requirements for permission to construct a 1-1/2 story, 3- car garage addition and a 2nd floor rear addition which will be located 9.5' from the west property line, (15' required). Said garage addition to increase the lot coverage from 15% to 27%, (20% allowed), applying to the property located at 76 Van Zandt Ave., TAP 9, Lot 67, (R-10 zone).
16. PETITION OF BRUCE MONIZ, applicant and owner, for a special use permit and a variance to the density requirement for permission to convert the existing first floor retail space into a soft serve ice cream shop, (fast-food restaurant), and provide 0 additional off-street parking spaces, (3 additional off-street parking spaces required), applying to the property located at 489 Thames St., TAP 32, Lot 157, (WB zone).

17. APPEAL OF WELOVENEWPORT,LLC, appellant, CLAYTON DEUTSCH, owner; appealing the decision of the zoning officer's approval of Building Permit 123863 applying to the property at 2 Harbor View Dr., TAP 42, Lot 39, (R-120 zone).
18. PETITION OF JOSEPH BABCOCK, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to place 2 air conditioner condensers 8.5' from the southeast property line, (10' required), and to construct a 7.6' x 29', 1-story rear addition which will increase the lot coverage from 29% to 33%, (20% allowed), applying to the property located at 122 Gibbs Ave., TAP 11, Lot 329, (R-10 zone)
19. PETITION OF HUGH & SUSAN HALL, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to place a 50 gallon propane tank 2' from the north property line, (10' required), applying to the property located at 29 Congdon Ave., TAP 13, Lot 92, (R-10 zone).
20. PETITION OF SCOTT & MARY ROBINS, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to add 2nd floor decks which will be located approximately 12' from the north property line, (15' required), and a rear addition which will increase the lot coverage from 31% to 33%, (20% allowed), applying to the property located at 3 Greenough Pl., TAP 22, Lot 80, (R-10 zone).
21. PETITION OF RONNIE MICHAEL, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to demolish the existing barn and rear deck addition and construct a new 2-1/2 story, 2-car rear garage addition which will be located approximately 3' from the west property line, (10' required), and 15' from the north property line, (20' required), applying to the property located at 12 Brooks Ave., TAP 6, Lot 93, (R-10 zone).
22. PETITION OF MARY LEHANE, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to construct a 10' x 4.4' rear bulkhead/kitchen addition which will be located approximately 2.6' from the west property line, (10' required), and which will increase the lot coverage from 37% to 38%, (20% allowed), applying to the property located at 13 Eastnor Rd., TAP 40, Lot 174, (R-10 zone).
23. PETITION OF JAMES DUSTY, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to construct a 5' x 9' rear laundry room addition which will be located approximately 17' from the south property line, (20' required), and which will increase the lot coverage from 22% to 24%, (20% allowed), applying to the property located at 7 Young St., TAP 32, Lot 318, (R-10 zone).
24. PETITION OF CHRIS FAGAN & HANNAH THOMAS, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to construct a 6' x 12' shed which will be located approximately 1' from the north property line, (10' required), and a 12' x 20' rear deck addition which will be located 4' from the north property line, (10' required). Said additions to increase the lot coverage from 28% to 36%, (20% allowed), applying to the property located at 75 Callender Ave., TAP 18, Lot 150, (R-10 zone).

25. PETITION OF NICHOLAS & STEPHANIE NARDONE, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to construct a 16' x 10.5' rear deck which will be located approximately 7' from the north property line, (10' required), and which will increase the lot coverage from 38% to 43%, (20% allowed), applying to the property located at 13 Chapel St., TAP 26, Lot 53-4, (R-10 zone).
26. PETITION OF JARED LAZOR, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to construct a 16' x 17' rear deck which will be located approximately 7' from the west property line and 8' from the east property line, (10' required), and which will increase the lot coverage from 30% to 39%, (20% allowed), applying to the property located at 8 Cranston Ave., TAP 19, Lot 50, (R-10 zone).
27. PETITION OF PATRICIA LUDWIG, applicant and owner; for a variance to the dimensional requirements for permission to construct a 108 sq. ft. rear stair addition which will be located 5' from the north property line, (10' required), and which will increase the lot coverage from 38% to 40% (20% allowed) applying to the property located at 65 Third St., TAP 12, Lot 34, (R-10 zone).
28. PETITION OF MICHELLE & ROBERT CONWAY, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to construct a 3rd floor shed dormer which will be located approximately 3.75' from the southwest property line and 7' from the northeast property line, (10' required), and which will increase the lot coverage from 38% to 43%, (20% allowed), applying to the property located at 13 Chapel St., TAP 26, Lot 53-4, (R-10 zone).
29. PETITION OF DONALD TOFIAS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 1-1/2 story, 640 s.f., artist studio which will be located 2.25' from the south property line, (20' required), and a 65 s.f. shed will be located 5.3' from the east property line, (20' required). Said structures to increase the lot coverage from 16% to 18%, (10% allowed) applying to the property located at 79-83 Dixon St., TAP 35, Lot 282, (R-60 zone).

VIII. Adjournment:

Please note:

Meetings begin promptly at the time posted and will not last for more than four (4) hours. The Board normally will take a short break after 1½ to 2 hours of hearings to reaccess the agenda and their ability to reach the remaining items pending before it.

The Board will not entertain/begin a new petition after 10:30 p.m. and will conclude all hearings at 11:00 p.m. therefore some petitions cannot be heard due to these time constraints and will be continued to the next regular meeting date.

Items not to be heard tonight.