

# Staff Report

Prepared by Guy Weston,  
Zoning Officer

Meeting of April 27, 2020

## *Petition of Giuseppe (Joe) Pugliares*

Petitioner seeks permission to construct a new 140 sq. ft. shed in the rear yard of his property.

The lot contains approximately 4,971 sq. ft. of land and is a non-conforming lot of record. The property is that of a two-family dwelling.

The property abuts the rear yards of houses fronting on Second Street.

The proposal provides for adequate maintenance of the shed.

The shed will not have an adverse impact on the abutting properties.

*Zoning History*  
No recent history.

Vote: \_\_\_\_\_

Condition(s): \_\_\_\_\_  
\_\_\_\_\_

Secretary: \_\_\_\_\_

Date: \_\_\_\_\_

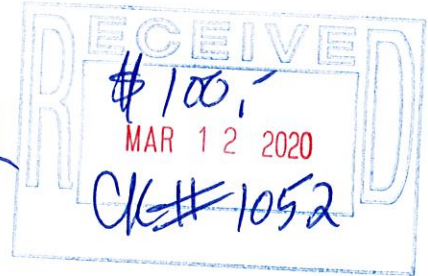
## *Narrative*

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PETITION OF GIUSEPPE (JOE) PUGLIARES, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct 10' X 14' shed which will be located 6' from the south property line and 3' from the west property line, (10' required), and which will increase the lot coverage from 24% to 26%, (20% allowed), applying to the property located at 98 Third St., Tax Assessor's Plat 9, Lot 142, (R-10 zone).

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

CITY OF NEWPORT, RI  
ZONING BOARD OF REVIEW



ZBR  
April - 2

DATE: 3/12/2020

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: 98 Third Street

Tax Assessor's Plat 09 Lot 142

Petitioner Information

Applicant Giuseppe (Joe) Pugliares Address 98 Third Street, Newport, RI

Owner Giuseppe (Joe) Pugliares Address 98 Third Street, Newport, RI

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

Property Characteristics

Dimensions of lot-frontage 53' depth 90' area 4,791 sq. ft.

Zoning District in which premises is located R-10 Residential

How long have you owned above premises? 10 months

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings 1,131

Total square footage of the footprint of proposed buildings 140

Present use of premises Residential

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

Proposed use of premises Residential

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Give extent of proposed alterations Add a 10'x14' cedar shed for storage of scooters, bikes, lawn mower, gas grill, and patio furniture.

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**Zoning Characteristics Matrix**

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	4,971	10,000	1,271
Lot Coverage	24%	20%	26%
Dwelling Units	2	2	2
Parking (# of spaces)	4	4	4
Front Setback	1'	15'	87'
Side Setbacks	4', 23'	10'	6'
Rear Setback	33'	20'	3'
Height	28'	30'	11'

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

1G: Encourage the availability of seasonal housing for the service industry and other seasonal employers. The storage space will be attractive to prospective renters.

6A: Encourage owner-occupied multi-family housing to help promote neighborhood stabilization.

The rental income potential was a reason we purchased this home.

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?

Lack of a garage to allow storage of gasoline-powered equipment and vehicles.

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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?

Other homes in the neighborhood have garages or sheds.

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

Given the narrow lot dimension and small rear yard area, the setback requirements would place the structure in the center of the rear yard which would encroach on a proposed patio.

This variance is necessary for reasonable use of the land.

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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

( 860 ) 301-6695

\_\_\_\_\_  
Telephone Number

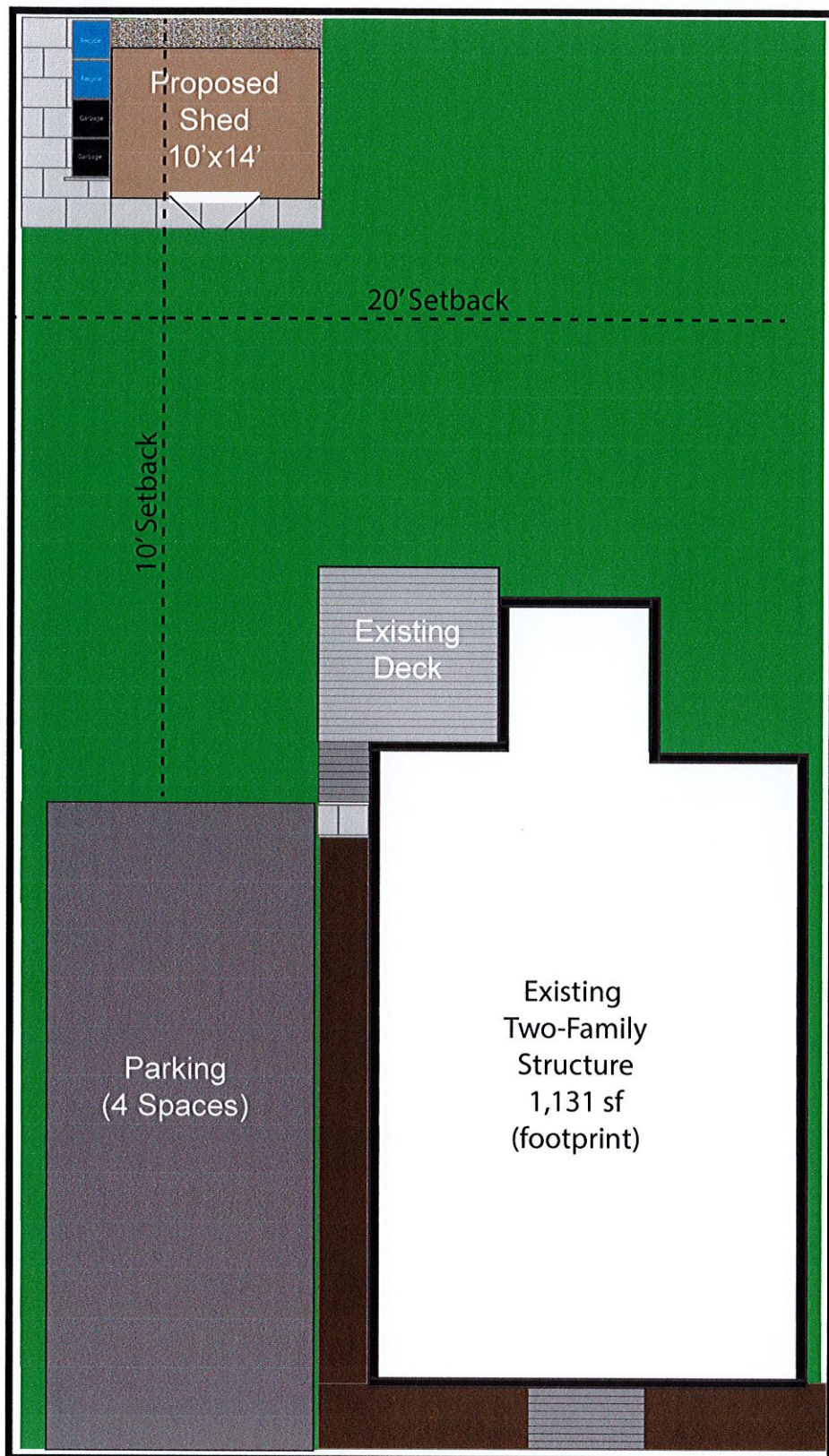
  
\_\_\_\_\_  
Owner's Signature

( 860 ) 301-6695

\_\_\_\_\_  
Telephone Number

Email address pugliaresj@aol.com

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



Existing Zoning: R-10  
 Existing Lot Size: 4,791sf  
 Existing Lot Coverage: 24%  
 Existing Height:  
 Parking: 4  
 Proposed Lot Coverage: 26%

Giuseppe (Joe) Pugliares  
 98 Third Street Plat 9, Lot 142  
 Newport, RI 02840

Third Street