

Staff Report

Prepared by Guy Weston,
Zoning Officer

Meeting of May 26, 2020

Petition of Kathryn O'Connor

Petitioner seeks permission to construct two rear decks with landings on the rear of the dwelling.

The lot contains approximately 3,049 sq. ft. of land and is a non-conforming lot of record. The use of the property is that of a single-family dwelling.

The resulting lot coverage is very high.

Testimony should be provided to insure only the minimum variance is granted.

Narrative

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PETITION OF KATHRYN O'CONNOR, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct two new rear deck landings, one of which will be located 6.2' from the north property line, (10' required). Said additions will increase the lot coverage from 72% to 75%, (20% allowed), applying to the property located at 4 Record St., TAP 10, Lot 193, (R-10 zone).

Zoning History

No recent history.

Vote: _____

Condition(s): _____

Secretary: _____

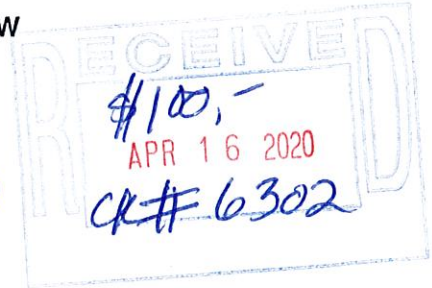
Date: _____

APPLICATION FOR DIMENSIONAL VARIANCE

**CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW**

DATE: 3/20/2020

*ZBR
May 3*



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: 4 Record St

Tax Assessor's Plat 10 Lot 193

Petitioner Information

Applicant Kathryn O'Connor Address 4 Record St Newport RI

Owner Kathryn O'Connor Address 4 Record St Newport RI

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 45' depth 70' area 3,049 sq. ft.

Zoning District in which premises is located R10

How long have you owned above premises? 1 Year

Are there buildings on the premises at present? YES

Total square footage of the footprint of existing buildings 2,199

Total square footage of the footprint of proposed buildings 2,282

Present use of premises SINGLE FAMILY RESIDENCE

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 Add an exterior staircase to access the basement and add a landing and steps to access a new rear door.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	3,049	10,000	3,049
Lot Coverage (%)	72.1%	20%	74.8%
Dwelling Units	1	2	1
Parking (# of spaces)	2	2	2
Front Setback	2'-6"	15'	2'-6"
Side Setbacks	3'-10" & 13'-8"	10'	6'-2"
Rear Setback	24'-8"	20'	21'-2"
Height	29'-0"	30'	12'-0"

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 size lot is only 1/3 the size of the allowable lot which
skews the lot coverage requirement. Existing lot coverage is high
from the large detached single car garage.

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?

Most of the houses in this neighborhood existed before zoning laws were enacted thus most of the lots are well below the required size and a majority of the houses infringe on side setbacks while also are well above the 20% lot coverage requirement.

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

The proposed addition does not house any livable Square footage.

At 83 SF it is a very modest addition and is only required for safe access to the 1st floor and basement from the exterior.

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".

Kate M. O'Connor
Applicant's Signature

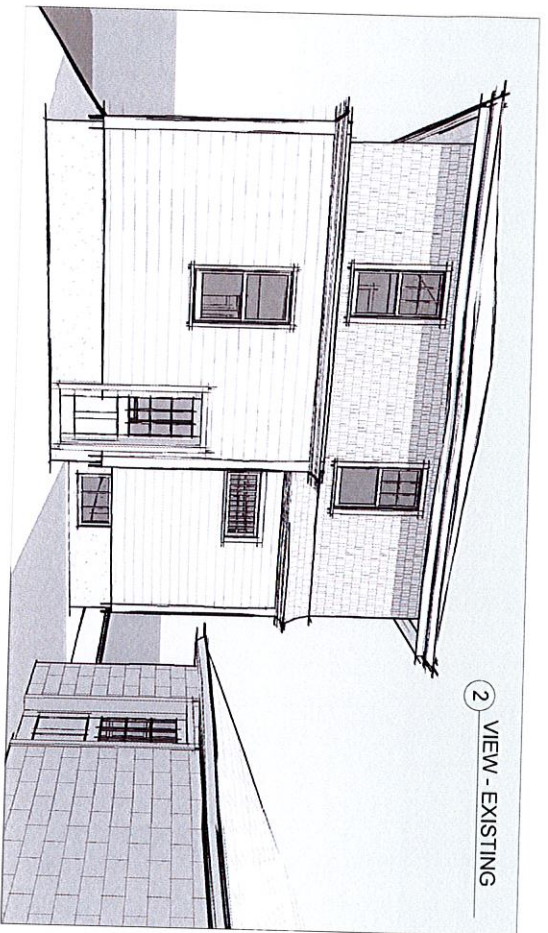
Kate M. O'Connor
Owner's Signature

(401) 450-2638
Telephone Number

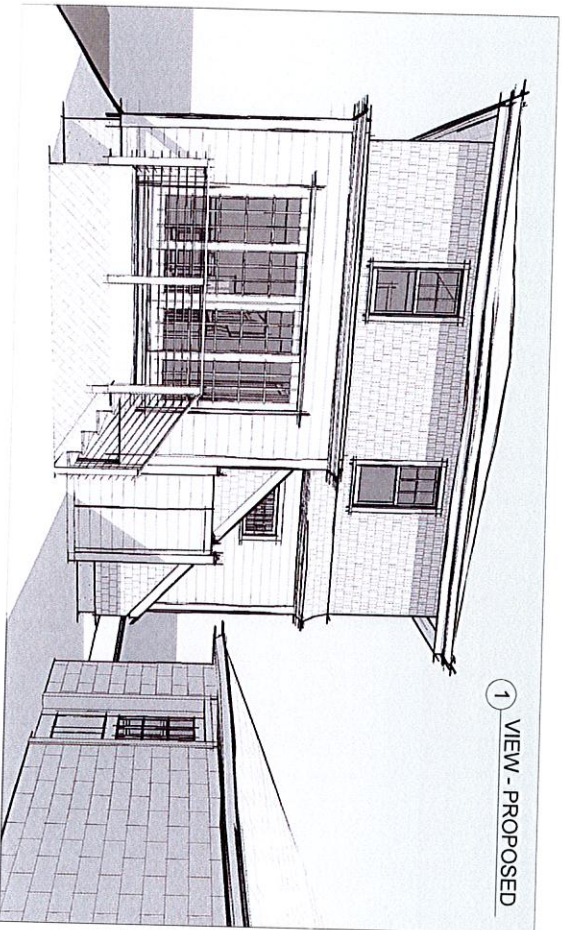
(401) 450-2638
Telephone Number

Email address *seagulls5@cox.net*

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



2 VIEW - EXISTING



1 VIEW - PROPOSED

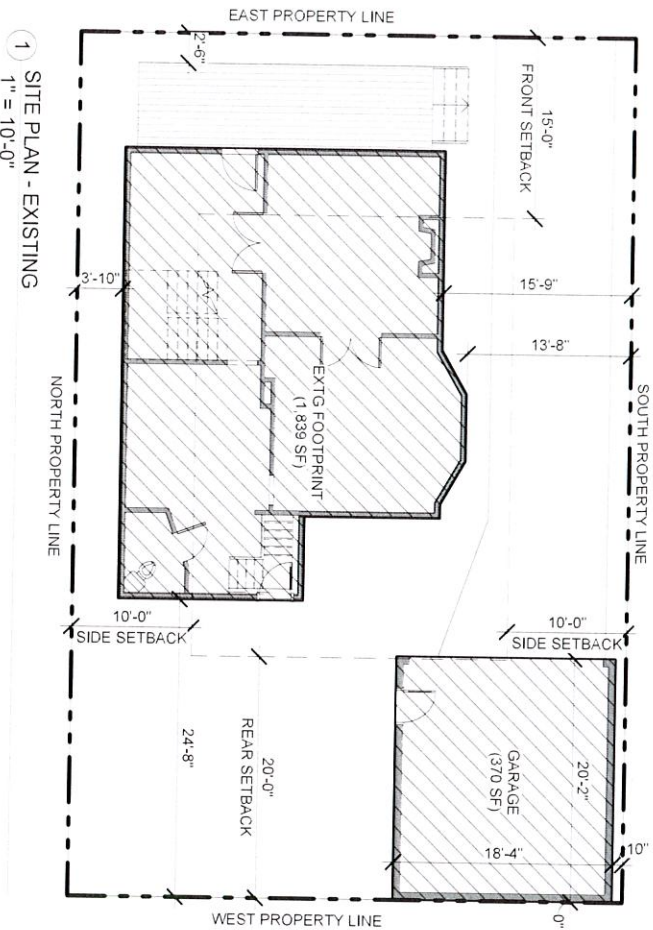
O'CONNOR RESIDENCE
 4 RECORD STREET
 NEWPORT, RI 02840

'ZONING SET'

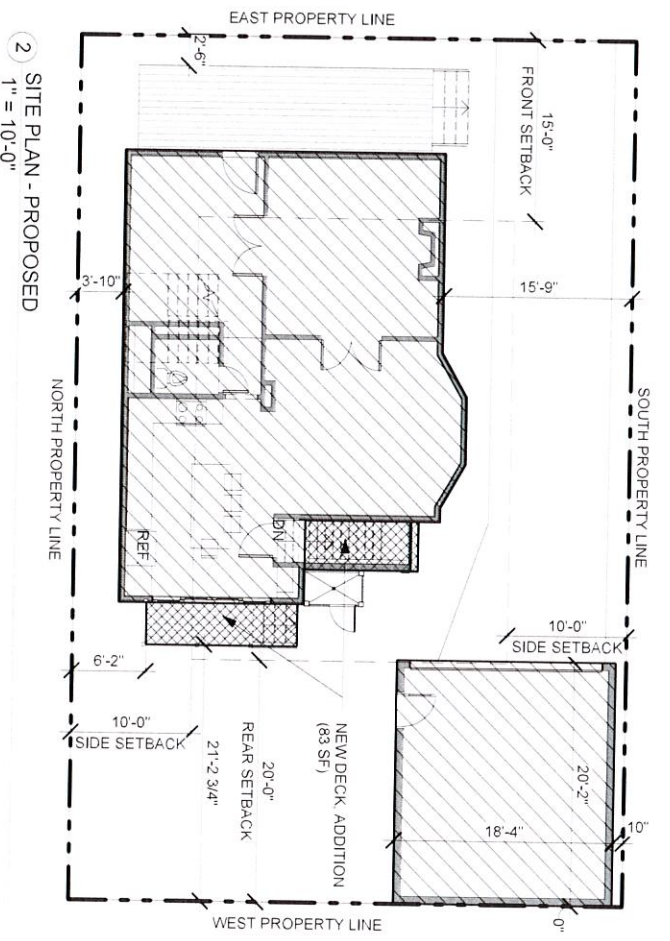
Sheet Number	Sheet Name
A0	COVER
A101	SITE PLAN
A110	1ST FLOOR PLAN - EXISTING / DEMO
A111	1ST FLOOR PLAN - PROPOSED
A121	2ND FLOOR PLAN - EXTG+PROPOSED
A211	REAR ELEVATION
A212	SIDE ELEVATION



HERK WORKS
 ARCHITECTURE
 401.662.7875
 DAN@HERK-WORKS.COM



EXISTING SITE INFO	
PLAT / LOT	10 / 193
ZONE	R10
EXTG FOOTPRINT	1,839 SF.
DETACHED GARAGE	360 SF.
TOTAL EXTG FP:	2,199 SF.
LOT SIZE	3,049 SF
ALLOWED COVERAGE	20%
EXISTING COVERAGE:	72.1%



PROPOSED SITE INFO	
PLAT / LOT	10 / 193
ZONE	R10
EXTG FOOTPRINT	1,839 SF.
DETACHED GARAGE	360 SF.
NEW DECK / ADDITION	83 SF.
TOTAL EXTG FP:	2,282 SF.
LOT SIZE	3,049 SF
ALLOWED COVERAGE	20%
PROPOSED COVERAGE:	74.8%



HERK WORKS
401 862 7295 herkworks.com

O'CONNOR RESIDENCE

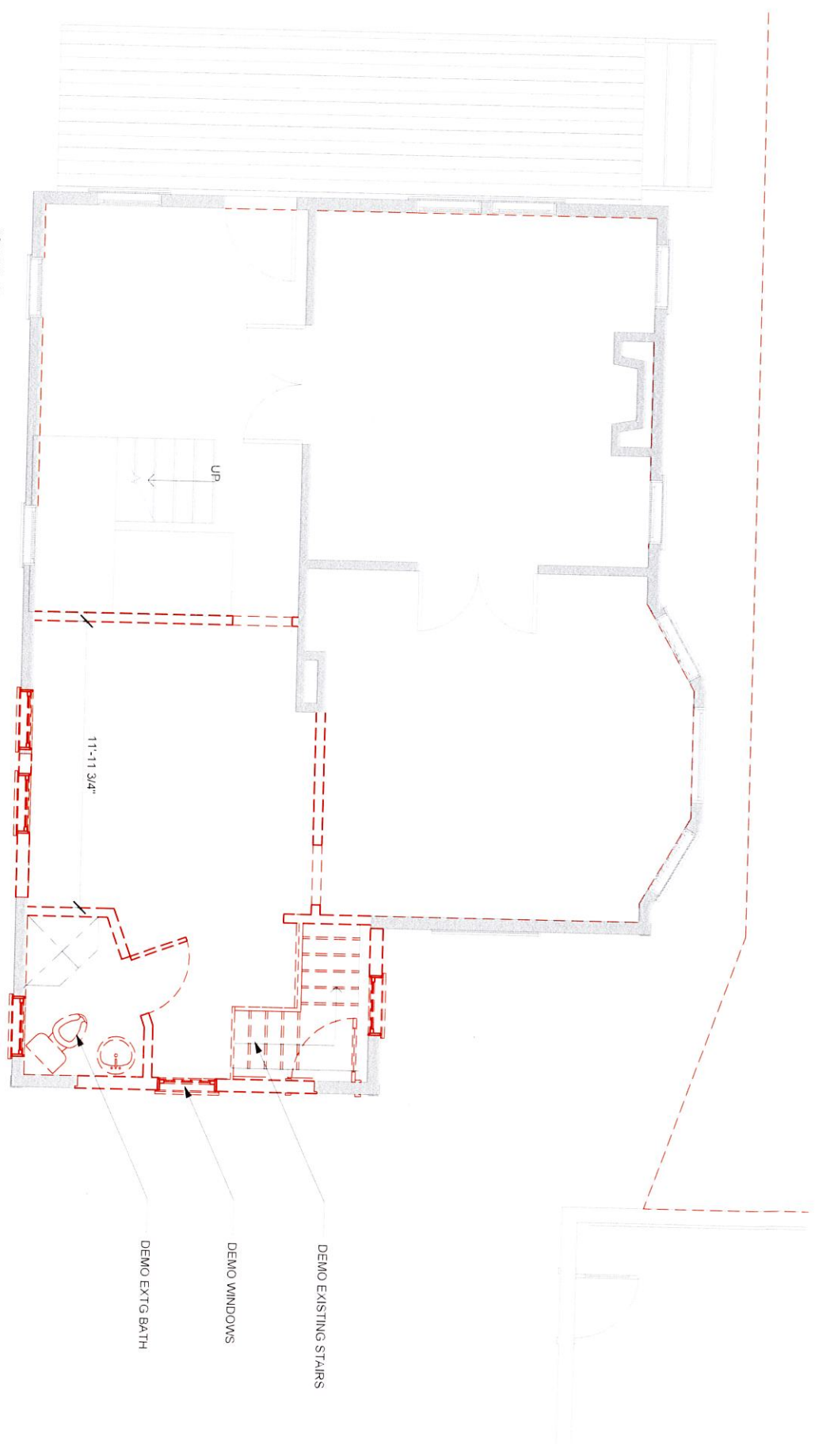
4 RECORD ST NEWPORT RI 02840

1ST FLOOR PLAN - EXISTING CONSTRUCTION ..YET

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



DEMO EXISTING STAIRS

DEMO WINDOWS

DEMO EXTG BATH



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O'CONNOR RESIDENCE

4 RECORD ST NEWPORT RI 02840

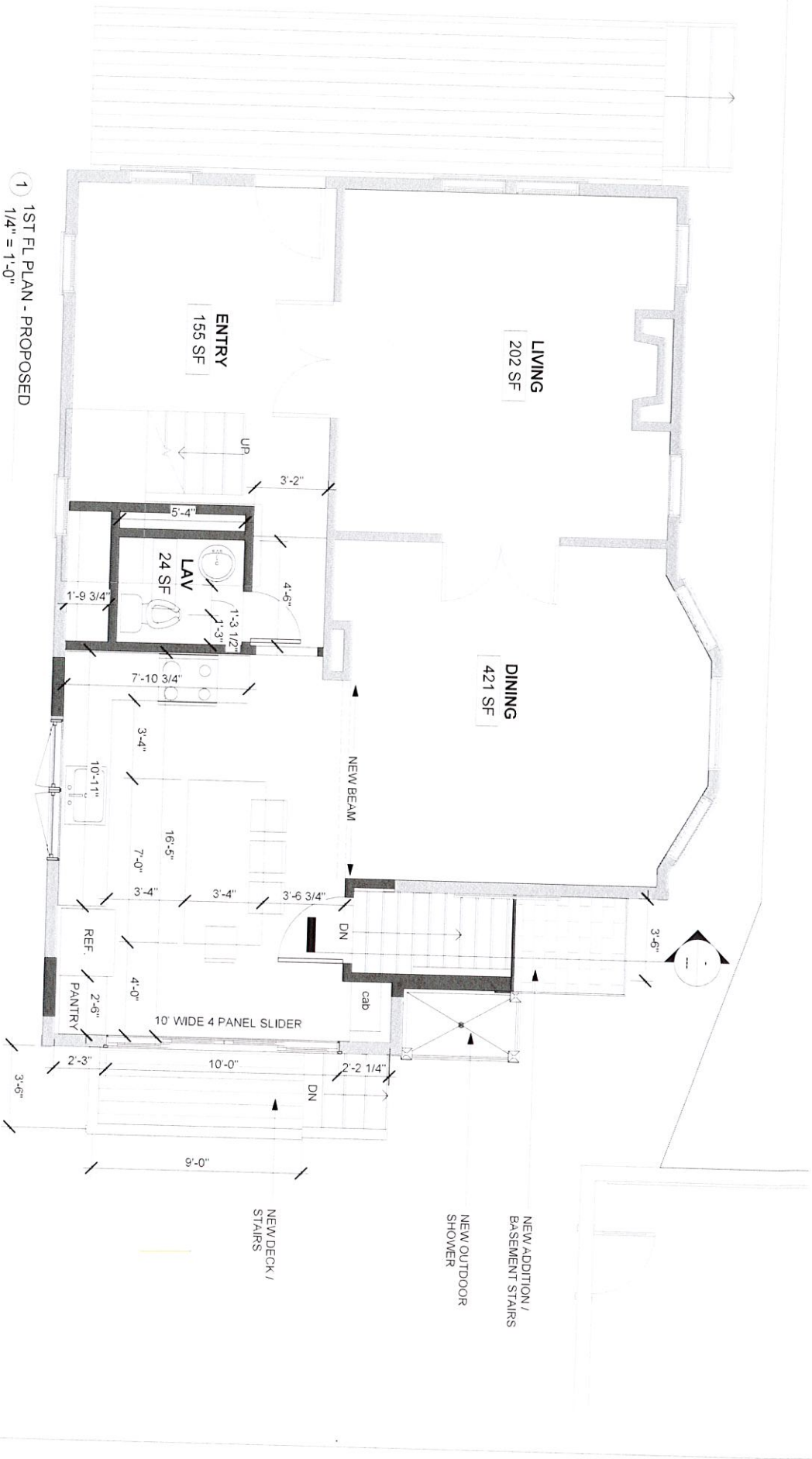
1ST FLOOR PLAN

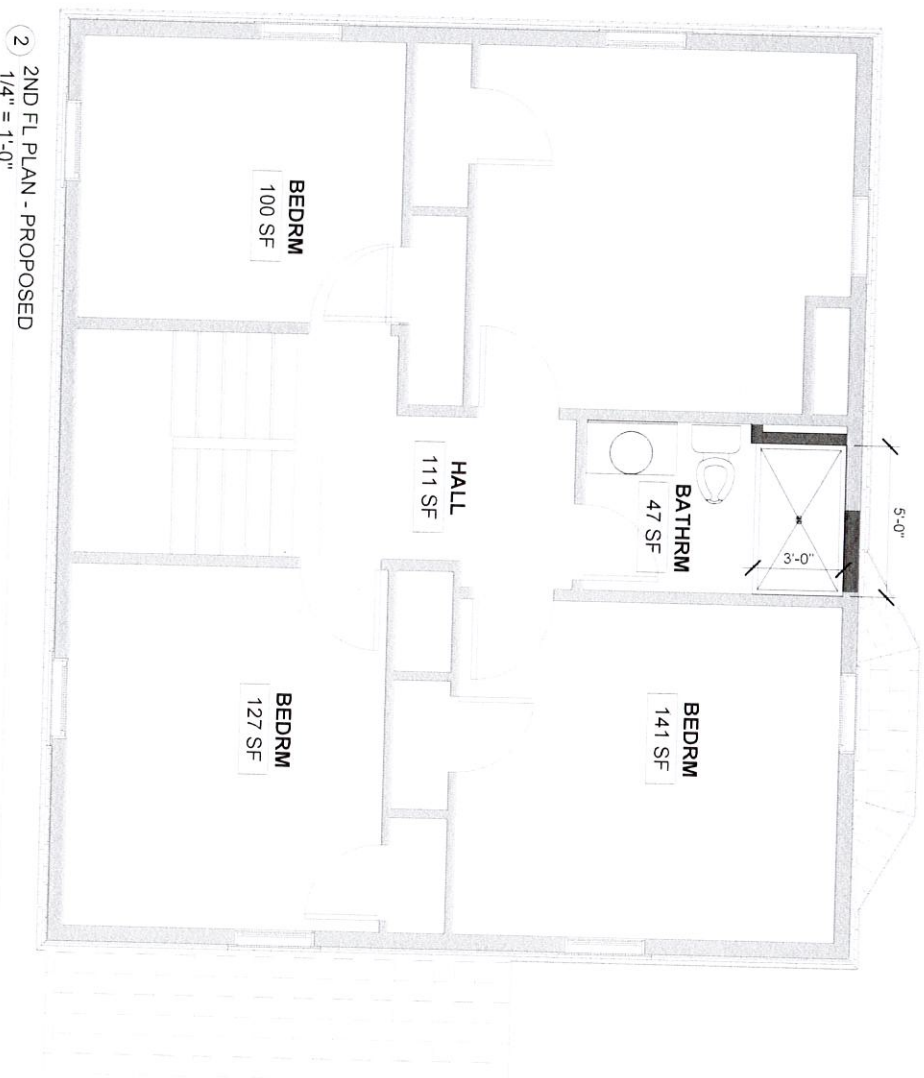
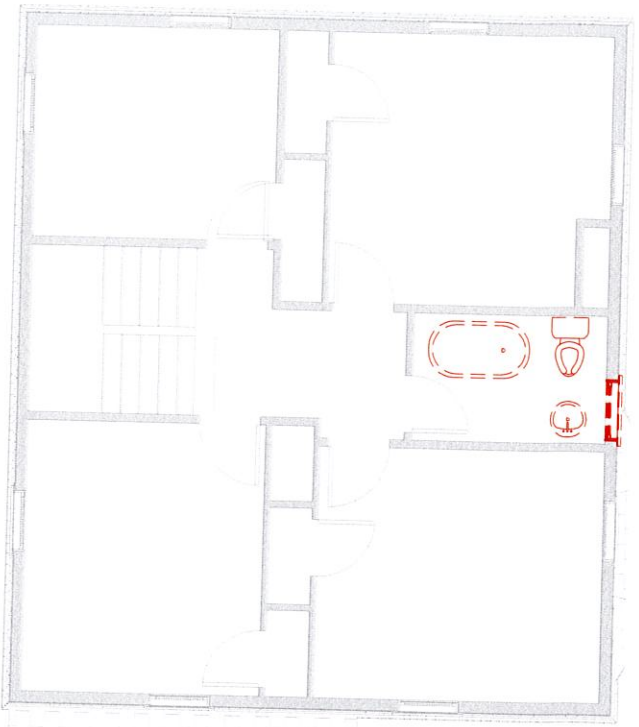
PROPOSED CONSTRUCTION ..YET

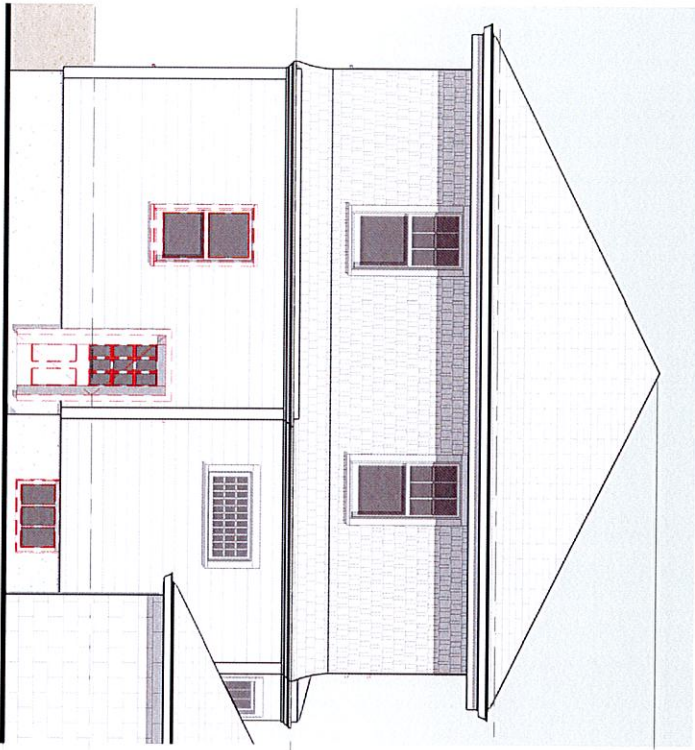
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1 1ST FL PLAN - PROPOSED
 1/4" = 1'-0"



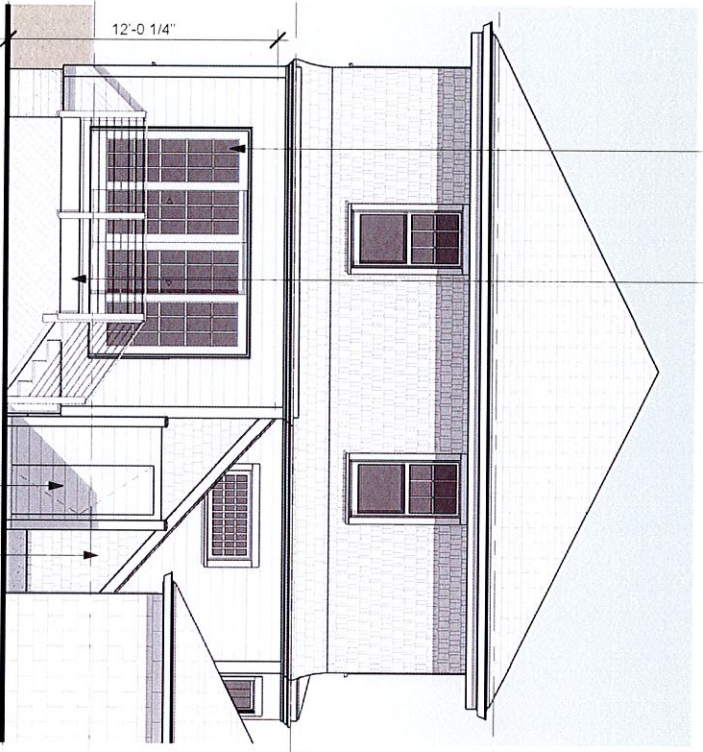




1 WEST ELEVATION - EXISTING
3/16" = 1'-0"

ATTIC 18'-0"
2ND FL PLAN 9'-0"
1ST FL PLAN 0'-0"
GRADE -3'-10"

28'-11 3/4"



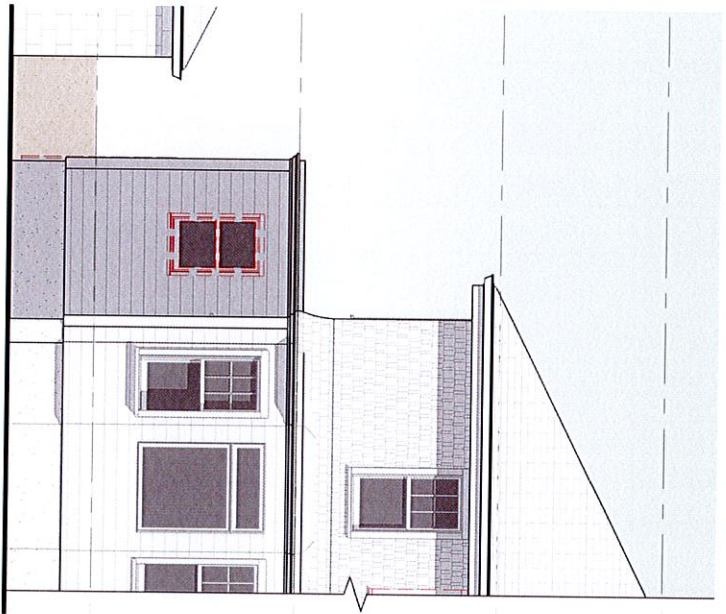
2 WEST ELEVATION - PROPOSED
3/16" = 1'-0"

ATTIC 18'-0"
2ND FL PLAN 9'-0"
1ST FL PLAN 0'-0"
GRADE -3'-10"

NEW DOUBLE GLASS SLIDER DOOR
NEW DECK / STAIRS

NEW ADDITION
NEW OUTDOOR SHOWER

12'-0 1/4"



2 SOUTH ELEVATION - EXISTING
3/16" = 1'-0"

ROOF
25' - 4"

ATTIC
18' - 0"

2ND FL PLAN
9' - 0"

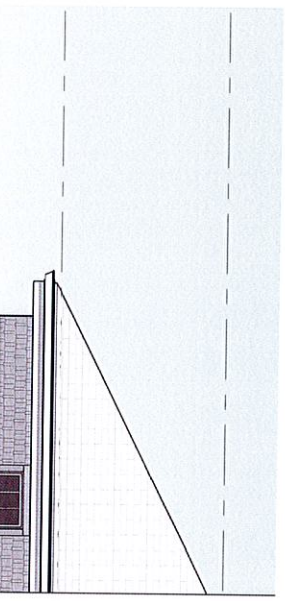
1ST FL PLAN
0' - 0"

GRADE
-3' - 10"

NEW ADDITION

NEW SHOWER

NEW DECK / STAIRS



1 SOUTH ELEVATION - PROPOSED
3/16" = 1'-0"

ROOF
25' - 4"

ATTIC
18' - 0"

2ND FL PLAN
9' - 0"

1ST FL PLAN
0' - 0"

GRADE
-3' - 10"