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.

Zoning History
No recent history.

Vote: ________________________________

Condition(s): ________________________________

________________________________________

Secretary: ________________________________

Date: ________________________________

Narrative

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).
APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

DATE: __3/20/2020___

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: 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**

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

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”.

[Signature]
Applicant’s Signature

[Signature]
Owner’s Signature

(401) 450-2638
Telephone Number

(401) 450-2638
Telephone Number

Email address: seagulls52@cox.net

Be sure all required drawings are attached to this application at the time of the submittal.
O'CONNOR RESIDENCE
1ST FLOOR PLAN - PROPOSED
1 1/4" = 1'-0"