Petition of Barbara Winkler, et al.

Petitioners seek permission to construct a rear deck addition with landings on the rear of the dwelling.

The lot contains approximately 7,405 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 numbers seem to be in error. A 13’ x 19.5’ deck is 253 sq. ft. However, it is listed as 604 sq. ft. on the application. The resulting lot coverage is very high.

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

Zoning History

Granted 2nd floor rear deck - 2014.

Narrative

PETITION OF BARBARA WINKLER & ROBERT VITELLO, applicants & owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 13’ x 19.5’ first floor, rear deck and stair addition which will increase the lot coverage from 26% to 34%, (20% allowed), applying to the property located at 17 Everett Street, TAP 19, Lot 52, (R-10 zone).
COMBINED APPLICATION FOR A SPECIAL USE PERMIT & A
REGULATORY (DIMENSIONAL) VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

DATE: 27 April 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: EVERETT STREET 17
Tax Assessor’s Plat 19 Lot 072

Petitioner Information
Applicant: BARBARA M. WINKLER Address 17 EVERETT ST.
Owner: ROBERT S. VITALE Address 17 EVERETT ST.
Lessees: Address

Property Characteristics
Dimensions of lot-frontage 50'-5" depth 120'-5" area 7405.7 sq. ft. %
Zoning District in which premises is located R-10
How long have you owned above premises? 30 YEARS.
Are there buildings on the premises at present? YES.
Total square footage of the footprint of existing buildings 1644.2 sq. 26.20%
Total square footage of the footprint of proposed buildings 803.5 sq. 34.40%
Present use of premises SINGLE FAMILY.
All of the following information and questions must be filled in and answered completely.

**Proposed use of premises:** Single Family Dwelling.

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**Give extent of proposed alterations:** Construct an outdoor wood deck, handrail and balustrade,Starway to the main floor level, 30% table finish grade.

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### 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>7405.2</td>
<td>10000</td>
<td>7405.2</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>70%</td>
<td>20%</td>
<td>34%</td>
</tr>
<tr>
<td>Dwelling Units</td>
<td>1</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Parking (# of spaces)</td>
<td>2+</td>
<td></td>
<td>2+</td>
</tr>
<tr>
<td>Front Setback</td>
<td>7 ft.</td>
<td>15.0 ft.</td>
<td>75 ft.</td>
</tr>
<tr>
<td>Side Setbacks</td>
<td>E 19 ft., W 12 ft.</td>
<td>10.0 ft.</td>
<td>E 19 ft., W 10 ft.</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>50.0 ft.</td>
<td>20.0 ft.</td>
<td>45.0 ft.</td>
</tr>
<tr>
<td>Height</td>
<td>30.0 ft.</td>
<td></td>
<td>4.5 ft.</td>
</tr>
</tbody>
</table>

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

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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?

NONE

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?

DUE TO THE DENSITY OF THE NEIGHBORHOOD.
MOST OF ALL THE HOMES DO NOT MEET AND/OR
CONFORM TO THE REQUIRED SETBACK
AND DENSITY LAWS.

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

THE EXPANSION WILL ALLOWS MORE SPACE
TO CONSTRUCT AN OUTDOOR WOOD DECK, AND
SUPPORT A "FAMILY USE ONLY" DECK AREA
FOR A YOUNG AND EXPANDING FAMILY.
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

Owner's Signature

Telephone Number

Telephone Number

Email address WINKLERBTVG@GMAIL.COM

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