Staff Report

Prepared by Guy Weston, Zoning Officer Meeting of May 26, 2020

Petition of David Platt

Petitioner seeks permission to construct a rear deck addition with landings on the rear of the dwelling.

The lot contains approximately 9,590 sq. ft. of land and is a slightly non-conforming lot of record. The use of the property is that of a single-family dwelling.

The deck conforms to all setback requirements.

The resulting lot coverage is high relative the size of the lot.

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

Zoning History

Granted permission to raise the structure by 5' - 2014.

/ote:	_
Condition(s):	-
Secretary:	-
Date:	

Narrative

PETITION OF DAVID PLATT, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 15' x 7' first floor , rear deck and stair addition which will increase the lot coverage from 22% to 25%, (20% allowed), applying to the property located at 70 Bridge St., TAP 16, Lot 78,

(R-10 zone).

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

REGULATORY (DIMENSIONAL) VARIANCE
CITY OF NEWPORT, RI ZONING BOARD OF REVIEW
DATE: 4/16/2020 11 11 11 11 11 11 11 11 11 11 11 11 11
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: 70 BRIDGE STREET
Tax Assessor's PlatLot78
Petitioner Information
Applicant DNID A. PLAT Address TO BRIDGE ST, Navgont At
Owner DAVID A PLATTSE Address SAME
LesseeAddress
Property Characteristics
Dimensions of lot-frontage depth area sq. ft.
Zoning District in which premises is located <u><i>R</i>10</u>
How long have you owned above premises? Z Montus
Are there buildings on the premises at present? \underline{YES}
Total square footage of the footprint of existing buildings
Total square footage of the footprint of proposed buildings 2, Acdo SF
Present use of premisesSINGLE FAMILY HOME

Proposed use of premises SINGLE FAMILY HOME					
Give extent of proposed	d alterations CON	BIRUCT AN ATTAC	HED DECK		
MEASURING	15'X T' AND	7.5'x 7' STAIRIC	AY TO		
GRADE.	TRAD				
	1935	LL HARON			
The second se	Zoning C	Characteristics Matrix	New		
14	Existing	Required/Allowed	Proposed		
ot Size (sq. ft.)	9583	9583	9583		
ot Coverage	22%	20%	25%		
welling Units	2136	1917-101	Schert		
arking (# of spaces)	Q CE	TTIEN //*/8/	2		
ront Setback	ON CONTRACTOR	Inc Istal	C D		
ide Setbacks	13		13		
	30 37	O IRIS 20 S	30		
lear Setback	1 C. C. Star William	and the second sec			

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

DEVELOPING, THE PROPERTY SUCH THAT THE OWNER CAN GET MORE ENJOYMENT ON THE

PROPERTY IDHILE MAINTAINING THE HISTORIC

CHARACTER

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?

THE EXISTING FIRST FLOOR IS FIVE ABOVE GRADE AND THE DODLER WOULD LIKE A WAY TO EXIT THE EXISTING SCREEN IN PORCH TO A DSEARLE DUTDOOR SPACE. FROM THE DUTDOOR SPACE (DECK) THE DUDLER WOULD LIKE TO BE ABLE TO EXIT TO GRADE.

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?

JL. MM

111 18

BASED ON THE LOT COVERAGE PERCENTAGE ALLOWED BY KID ZONING, THE PROPOSED OUTWOOR DECK WOULD NOT BE POSSIBLE. THE DIENER WANTS THIS OUTDOOR SPACE AND IT IS NOT VISIBLE FROM

THE STREET,

A THIRD

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

THE DECK IS OF A MODEST SIZE COMPARED TO THE SIZE OF THE HODSE

The Zoning Boards Role

Special use permits shall be granted only where the zoning board of review finds that the proposed use or the proposed extension or alteration of an existing use is in accord with the public convenience and welfare, after taking into account, where appropriate:

- 1. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of the structure;
- 2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
- 3. The nature of the surrounding area and the extent to which the proposed use or feature will be in harmony with the surrounding area;
- 4. The proximity of dwellings, churches, schools, public buildings and other places of public gathering;
- 5. The fire hazard resulting from the nature of the proposed buildings and uses and the proximity of existing buildings and uses;
- 6. All standards contained in this zoning code;
- 7. The comprehensive plan for the city.

The burden of proof in a special-use permit application is on the applicant. This means that if the applicant fails to present adequate competent evidence to prove the applicable standard for issuing a special-use permit has been met, the board must deny the application.

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 <u>minimum variance</u> 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

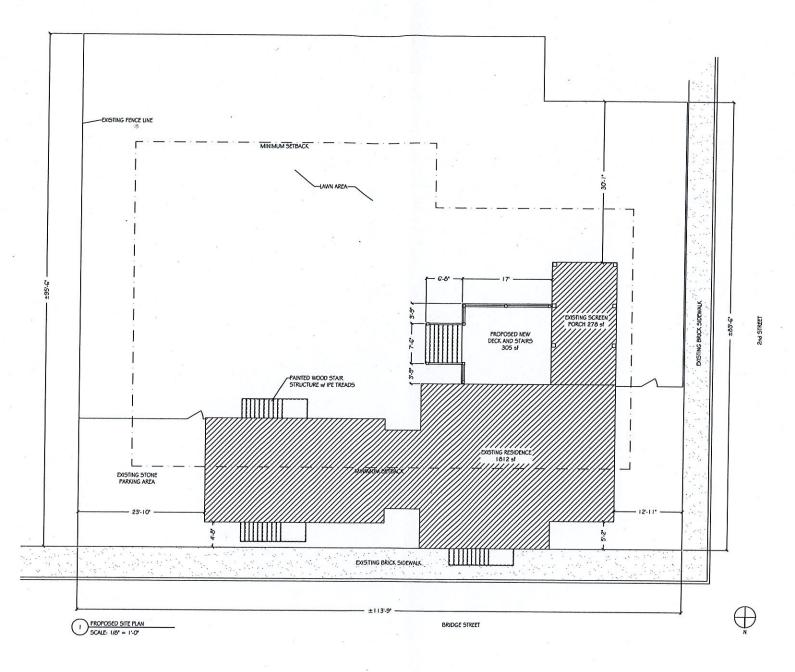
characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant; and

- 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".

779 364-2493 Telephone Number **Owner's Signature** 1774, 364-2493 Telephone Number DAVID Platt @ US. ST. COM **Email address**

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



ZONING CHART					
	REQUIRED	EXISTING	PROPOSED		
LOT SIZE	10000 SF MIN.	±10534 SF	±10534 5		
ROAD FRONTAGE	BO' MIN.	±113'-9'	±113'-9"		
FRONT SET BACK	15'	Ø	0		
LEFT SIDE SETBACK	10	23-10	23-10		
RIGHT SIDE SETBACK	10	12-11	12-11		
REAR SETBACK	20' MIN.	30-1	30-1		
BUILDING FOOTPRINT		2220 5F	2525 SF		
LOT COVERAGE %	20% MAX.	21%	24%		
BUILDING HEIGHT	30' MAX.	28-10	28-10		

