

Staff Report

Prepared by Guy Weston,
Zoning Officer

Meeting of May 26, 2020

Petition of Patricia Anne Healy

Petitioner seeks permission to construct a 2-story connecting addition between the existing dwelling and detached garage.

The lot contains approximately 3,749 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 property is located on the corner of Connection and Marchant Streets.

The addition will be very close to the west property line.

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

Testimony should be provided to insure only the minimum variances are granted.

Zoning History
No recent history.

Vote: _____

Condition(s): _____

Secretary: _____

Date: _____

Narrative

•••

PETITION OF PATRICIA ANNE HEALY, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 2-story connecting addition from the rear of the existing house to the existing garage which will be located 2' from the west property line, (10' required), 2.5' from the east property line, (15' required), and which will increase the lot coverage from 31% to 40%, (20% allowed), applying to the property located at 56 Connection St., TAP 39, Lot 114, (R-10 zone).

APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI ZONING BOARD OF REVIEW

DATE: 5/12/2020

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: 56 Connection Street

Tax Assessor's Plat 39 Lot 114

Petitioner Information

Applicant Patricia Anne Healey Address 56 Connection Street

Owner Patricia Anne Healey Address 56 Connection Street

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 85' & 45.6' depth 84.4' & 43' area 3,749 sq. ft.

Zoning District in which premises is located R10

How long have you owned above premises? 18 years

Are there buildings on the premises at present? yes

Total square footage of the footprint of existing buildings 1,169

Total square footage of the footprint of proposed buildings 1,481

Present use of premises Single Family Dwelling

Proposed use of premises Single Family Dwelling

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

Give extent of proposed alterations 2-story addition off rear of house, approx. 12' depth,
half being located within the setback. 2nd floor and stair added above existing garage,
half being located within the setback.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	3,749	10,000	Unchanged
Lot Coverage (%)	31%	20%	40%
Dwelling Units	1	1	Unchanged
Parking (# of spaces)	2		Unchanged
Front Setback	1'-0"	15'-0"	Unchanged
Side Setbacks	1'-6"	10'-0"	Unchanged
Rear Setback	N/A	N/A	N/A
Height	28'-0"	30'-0"	Unchanged

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?

I have an under-sized lot that has two front setbacks- 3,749 sq.ft. in a 10,000 sq.ft. zone.

A majority of my existing residence is already located outside the current allowed zoning envelope. My existing footprint is already over allowed lot coverage due to under-sized lot.

My hardship is not based on any prior actions that I have taken and I am not seeking to obtain financial gain.

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?

My hardship is that I own a unique small sized lot that has two front setbacks and any expansion to my structure, to allow for modern living, will require zoning relief.

We have found that the minimum extension of 12 feet will allow for a modern sized kitchen and master bedroom above that benefits my growing family and allows us to function better in our residence.

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

I can't build upwards due to maximum 30' building height so the majority of my proposed habitable spaces would be located towards the center of the lot and towards the street for the least neighborhood impact. The majority of my proposed habitable spaces would also be located over existing footprint or within the buildable area allowed. Stair to access above my garage has been minimally sized.

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".



Applicant's Signature

Owner's Signature

617 909 5588

617 909 5588

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Telephone Number

Telephone Number

Email address thomasbeaton@gmail.com

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

NEWPORT ZONING:

ZONING DISTRICT: R10, PLAT 39, LOT 114
 ZONING USE: SINGLE FAMILY DWELLING

YARD SETBACKS, MINIMUM REQUIRED:

15'-0" FRONT
 10'-0" SIDE
 20'-0" REAR

YARD SETBACKS, EXISTING:

1'-0" FRONT
 17'-0" SIDE
 N/A REAR

YARD SETBACKS, PROPOSED:

UNCHANGED FRONT
 UNCHANGED SIDE
 N/A REAR

BUILDING HEIGHT, MAXIMUM ALLOWED: 30'-0" FROM AVERAGE NATURAL GRADE

BUILDING HEIGHT, EXISTING: 28'-0"

BUILDING HEIGHT, PROPOSED: UNCHANGED

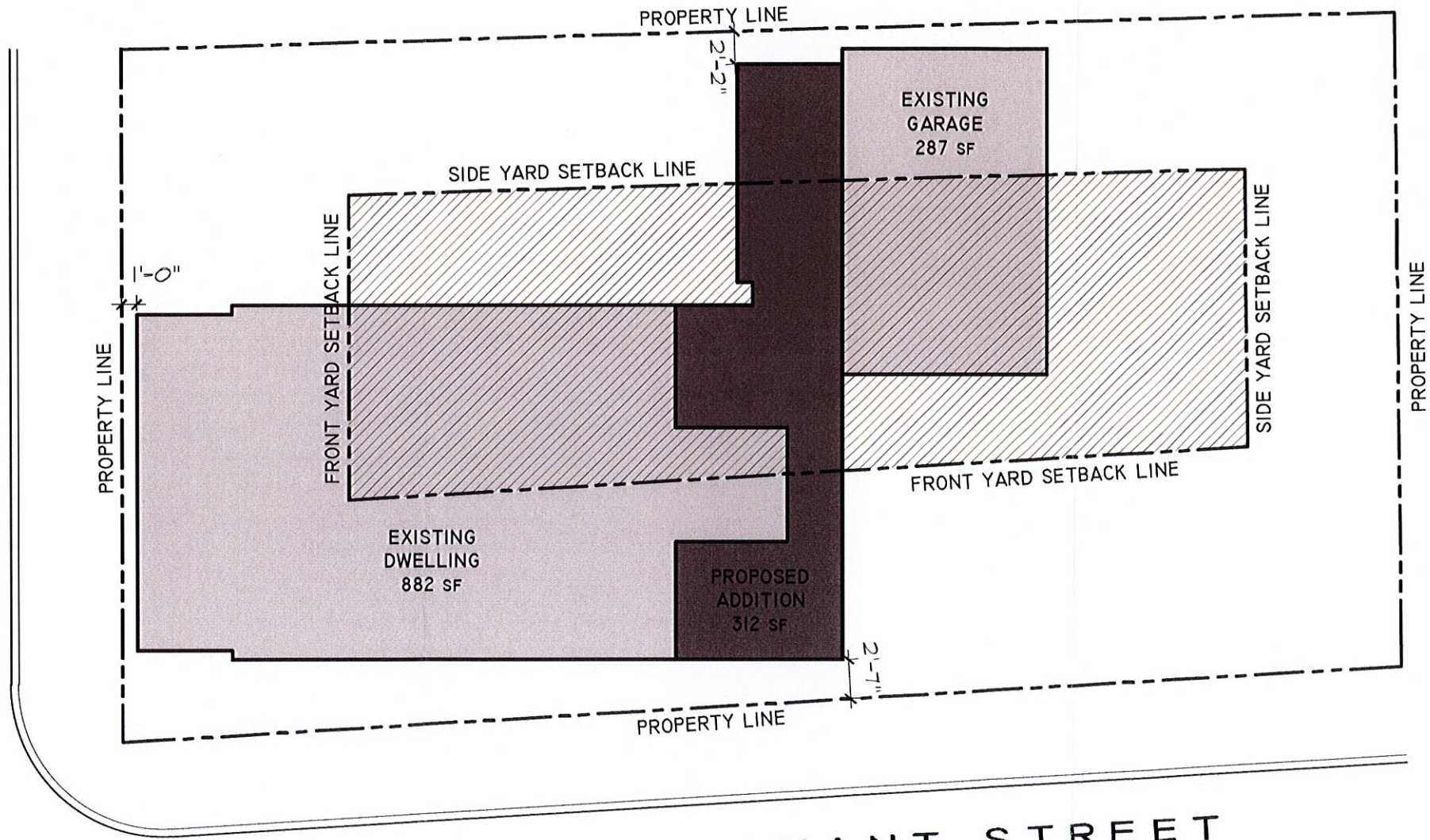
LOT COVERAGE, ALLOWED: 20% OF 3,749 SF = 750 SF

LOT COVERAGE, EXISTING: 31% OR 1,169 SF

LOT COVERAGE, PROPOSED: 4.0% OR 1,481 SF



CONNECTION STREET



MERCHANT STREET

1 SITE PLAN
 SCALE: 1" = 10'-0"



**CORDTSEN
 DESIGN
 ARCHITECTURE**
 45 West Main Road
 Middletown, RI 02842
 Cordtsen.com
 401.817.4887

ZONING SUBMISSION
 DATE: _____
 NOT FOR CONSTRUCTION

REVISIONS:

DESCRIPTION:
 ARCHITECTURAL SITE PLAN

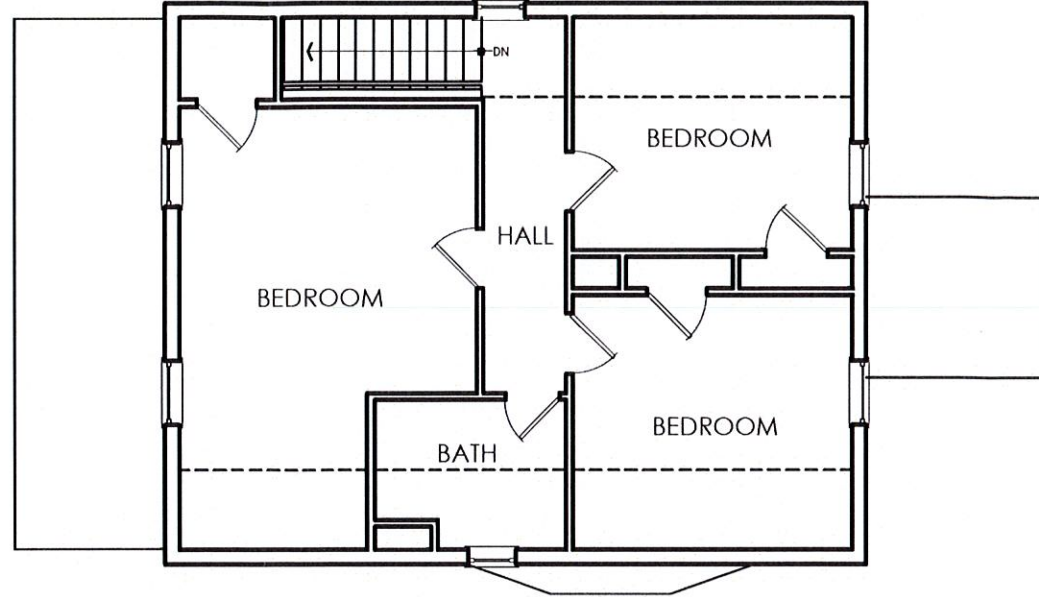
SCALE: As Noted

DATE: May 12th, 2020

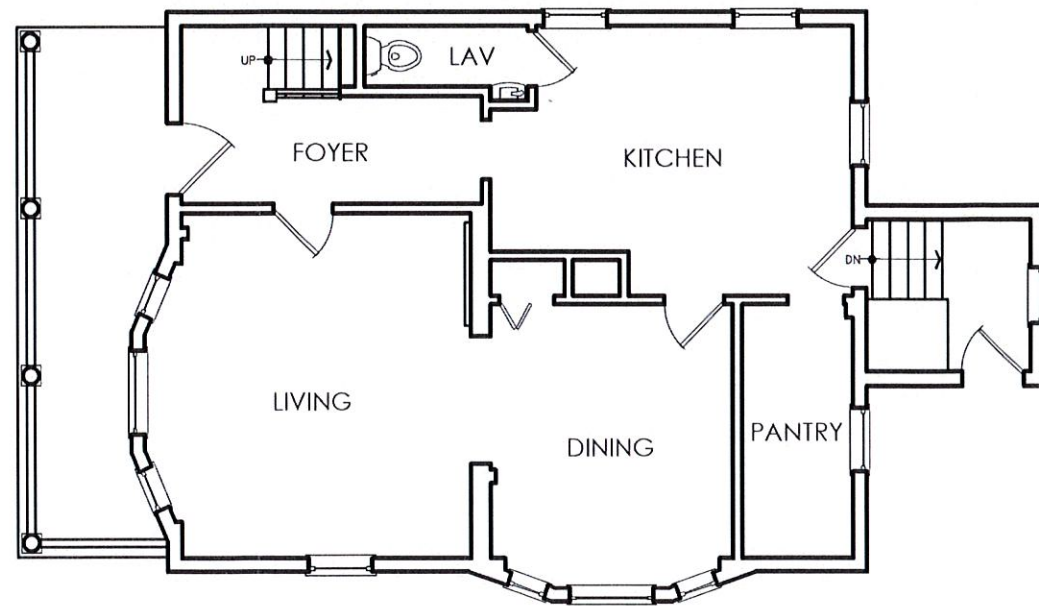
BEATON RESIDENCE
 56 Connection Street
 Newport, Rhode Island

A0.1

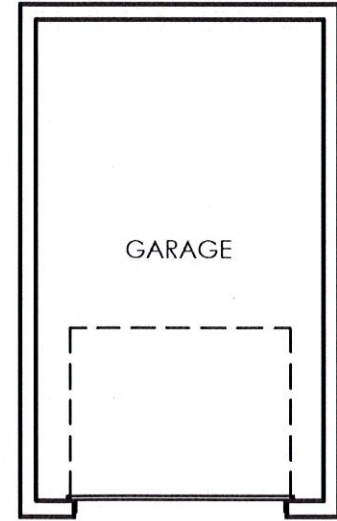
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3 EXST'G SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

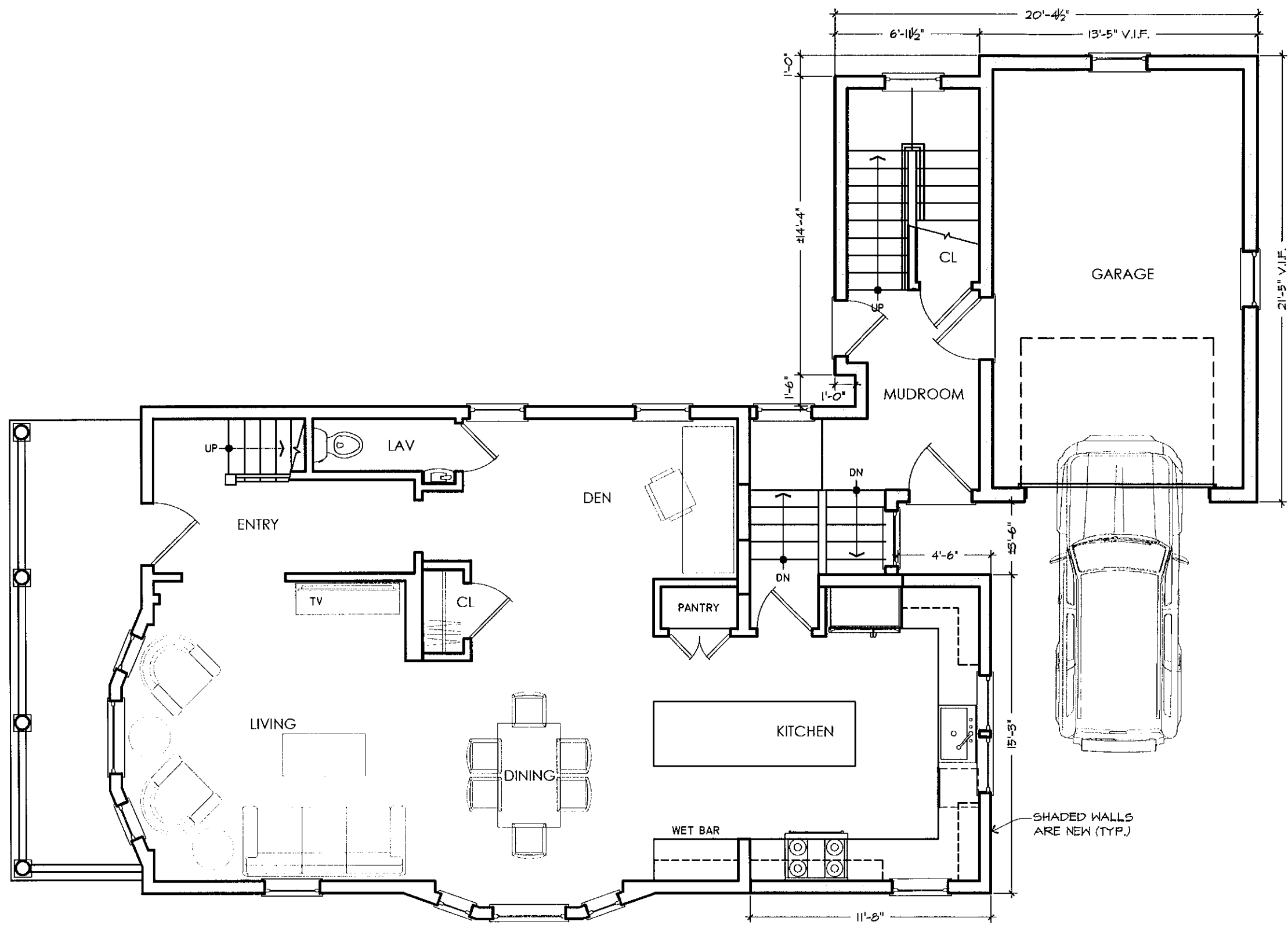


2 EXST'G FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



DESCRIPTION:	EXISTING FLOOR PLANS
SCALE:	As Noted
DATE:	May 12th, 2020

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1 FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



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47 West Main Road
Middletown, RI 02842
CortisenDesign.com
401.677.4689

ZONING SUBMISSION
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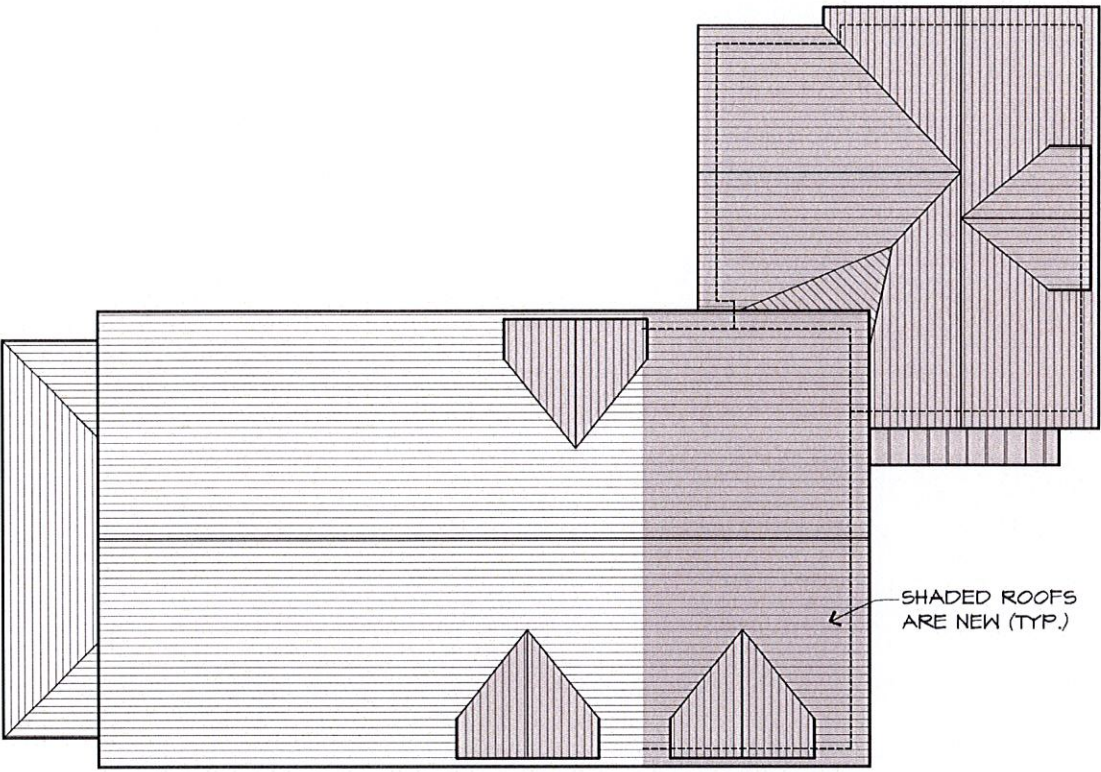
REVISIONS:

DESCRIPTION:	FLOOR PLANS
SCALE:	As Noted
DATE:	May 12th, 2020

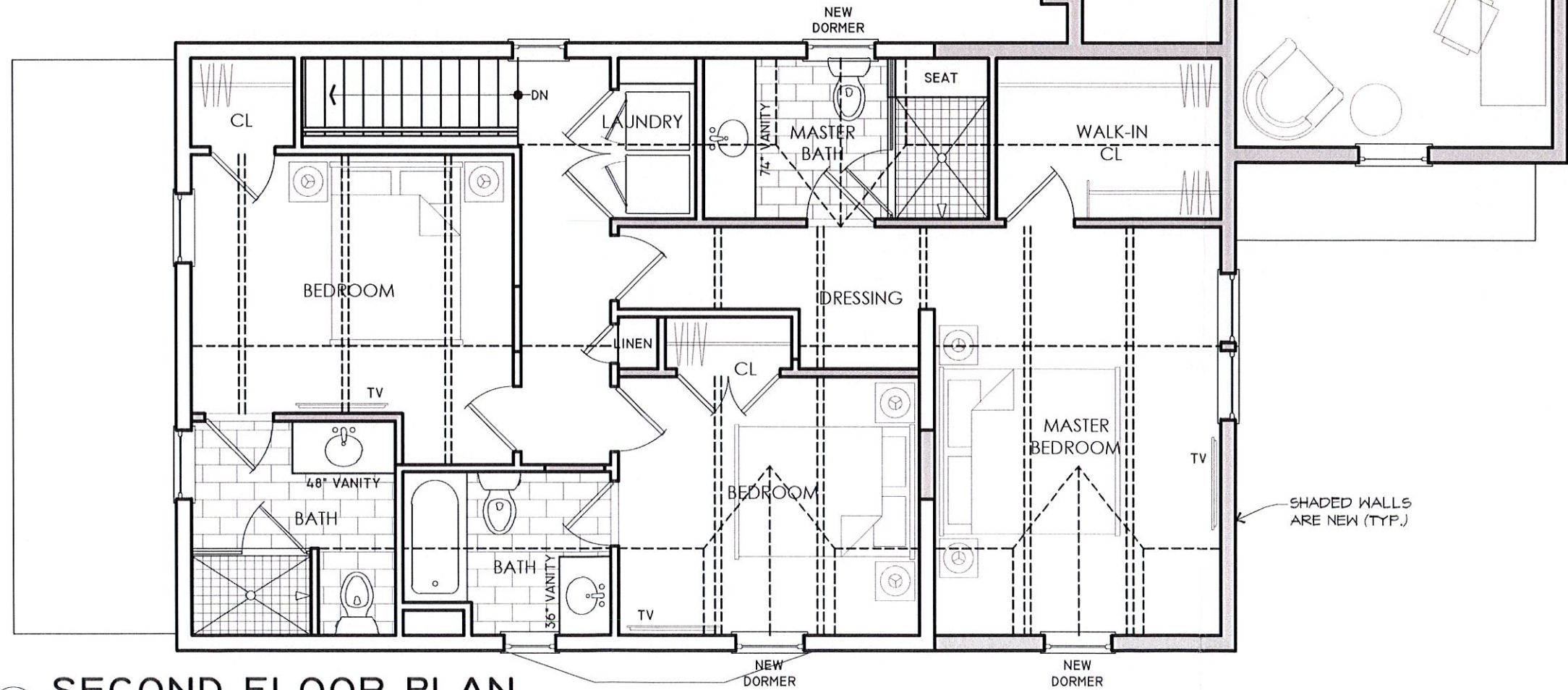
BEATON RESIDENCE
56 Connection Street
Newport, Rhode Island

A1.0

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2 **ROOF PLAN**
SCALE: 3/32" = 1'-0"

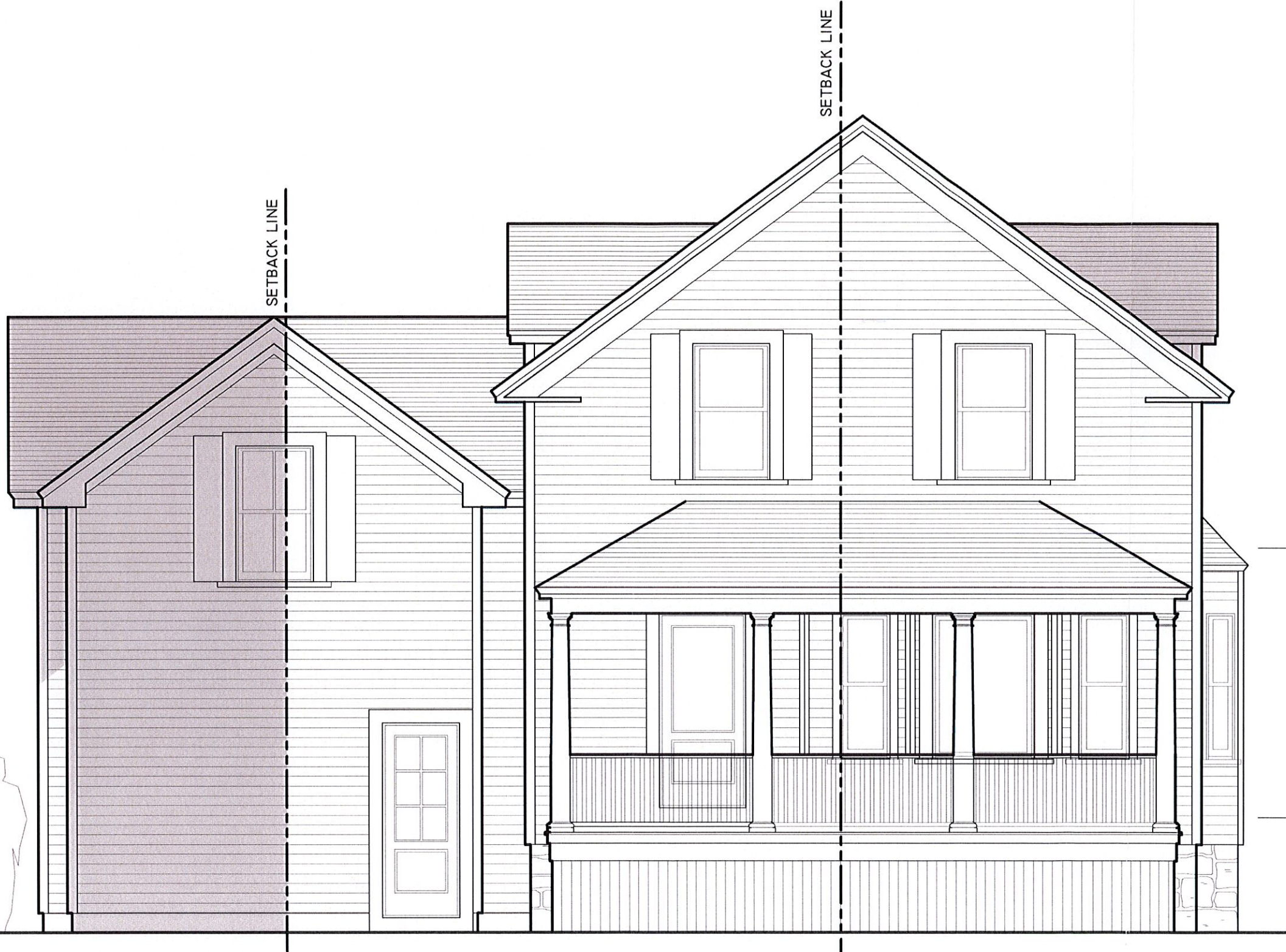


1 **SECOND FLOOR PLAN**
SCALE: 3/16" = 1'-0"

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L T.O. FIN. FLOOR

G T.O. FIN. SLAB



1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

T.O. FIN. FLOOR 2

T.O. FIN. FLOOR 1

DATE: 05/11/2020 11:46:00 AM

BEATON RESIDENCE
56 Connection Street
Newport, Rhode Island

DESCRIPTION: EXTERIOR ELEVATIONS
SCALE: As Noted
DATE: May 12th, 2020

REVISIONS:

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DATE: _____
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401.871.1487

L T.O. FIN. FLOOR

G T.O. FIN. SLAB



PROPOSED
EXISTING

T.O. FIN. FLOOR 2

T.O. FIN. FLOOR 1

2 WEST ELEVATION
SCALE: 1/4" = 1'-0"

EXST'S FIRST FLOOR OF GARAGE TO BE VERIFIED FOR STRUCTURAL INTEGRITY

ZONING SUBMISSION
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DESCRIPTION:	EXTERIOR ELEVATIONS
SCALE:	As Noted
DATE:	May 12th, 2020

BEATON RESIDENCE
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Newport, Rhode Island

A2.1

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401.819.4689

DATE: 5/12/2020 10:58 AM DRAWN BY: JACOB CORTISEN CHECKED BY: JACOB CORTISEN PLOT DATE: 5/12/2020 10:58 AM PLOT BY: JACOB CORTISEN



3 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

EXST'G FIRST FLOOR OF GARAGE TO BE VERIFIED FOR STRUCTURAL INTEGRITY

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EXISTING
PROPOSED

2 T.O. FIN. FLOOR

T.O. FIN. FLOOR

T.O. FIN. FLOOR L

T.O. FIN. SLAB G

4 EAST ELEVATION
SCALE: 1/4" = 1'-0"

EXST'G FIRST FLOOR OF GARAGE TO BE VERIFIED FOR STRUCTURAL INTEGRITY

REVISIONS:

DESCRIPTION:	EXTERIOR ELEVATIONS
SCALE:	As Noted
DATE:	May 12th, 2020

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Newport, Rhode Island