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

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

DATE: September 16, 2019

Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use
permit 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: 28 Ann Street
Tax Assessor's Plat: 27 Lot: 155

Petitioner Information

Applicant Mr. Les Helmers Address: 28 Ann Street, Newport, RI
Owner: Mr. Les Helmers Address: 28 Ann Street, Newport, RI
Lessee: Address

Property Characteristics

Dimensions of lot-frontage 34.7' depth 54.3' area 1742 sq.ft.

Zoning District in which premises is located R-3

How long have you owned above premises 6 years

Are there buildings on the premises at present yes

Total square footage of the footprint of existing buildings 630 sf

Total square footage of the footprint of proposed buildings 630 sf

Present use of
Premises: Single Family Residence
All of the following information and questions must be filled in and answered completely.

Proposed use of premises: --no change--

Give extent of proposed alterations: The project proposes to raise the existing roof ridge 4’ and to build a shed dormer on the back side of the house to make the upper level more functional for the occupants.

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>1742 sf</td>
<td>3000 sf</td>
<td>1742 sf (No change)</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>36.2%</td>
<td>45%</td>
<td>36.42</td>
</tr>
<tr>
<td>Dwelling Units</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Parking (# of spaces)</td>
<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Front Setback (S)</td>
<td>0.0’</td>
<td>0’</td>
<td>0.0’ (No change)</td>
</tr>
<tr>
<td>Side Setback (E)</td>
<td>0.0’</td>
<td>3’</td>
<td>0.0’ (No Change)</td>
</tr>
<tr>
<td>Side Setback (W)</td>
<td>11.4’</td>
<td>3’</td>
<td>11.4’ (No change)</td>
</tr>
<tr>
<td>Rear Setback (N)</td>
<td>19.4’</td>
<td>5’</td>
<td>19.4’ (No change)</td>
</tr>
<tr>
<td>Height (from mean grade)</td>
<td>23’+/-</td>
<td>30’</td>
<td>27’+/-</td>
</tr>
</tbody>
</table>

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

Maintenance of historic structures & neighborhoods.
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?

This historic lot is almost than half the recommended size and therefore the setbacks of a building that is typical and appropriate to the neighborhood are not achievable. The actual footprint of the building is to remain unchanged and it is only on the east where the building is projecting vertically into the setback that zoning relief is being sought.

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?

By strictly enforcing the setback limitations upon the property, the code would deny the owners similar amenities enjoyed by their surrounding neighbors and property owners such as a usable top floor of their building.

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

The request for variance is minimal, asking only for vertical project of 4’ within the 3’ side setback which will not be particularly noticeable or impactful on the neighboring structures.
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 ___________________________

(914) 656-4121 ........................................... (914) 656-4121 ...........................................

Telephone Number ___________________________ Telephone Number ___________________________

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