

Richard M. Fisher Patricia A. Marvel Fisher

130 Touro Street, Newport, RI 02840 401-261-7513(cell)

September 29, 2019

Director of Planning, Zoning & Inspections

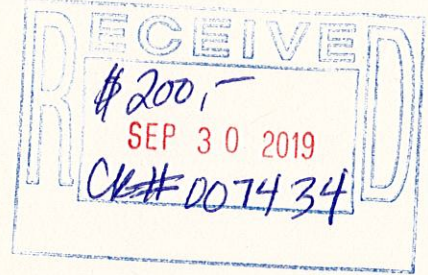
Attn: Guy Weston

City Hall

43 Broadway

Newport, RI 02840

Hand Delivered 9/30/2019



ZBR  
Oct-11

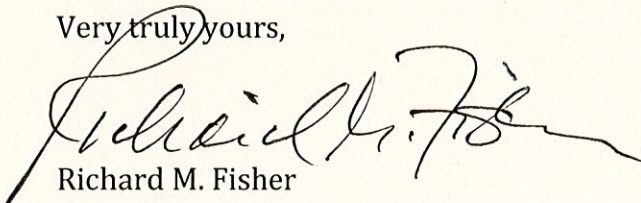
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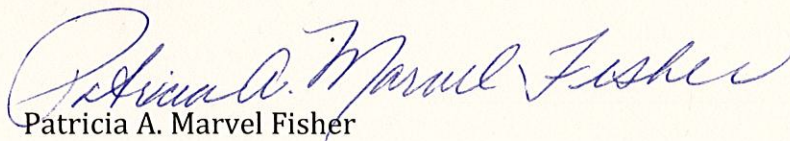
Dear Mr. Weston:

Please accept this letter as our appeal of Building Permits issued for the building at #2 Kay Street, Newport for Building (Permit # 123153), Plumbing (Permit # 123516) and Electrical, (Permit # 123514). As the abutter to the immediate North, at 130 Touro Street, we believe the abovementioned permits were improperly issue, misstated the scope of the work to be accomplished, misstated the proposed use, and beyond the permissible approved "patio" use.

It is the contention of the Appellants that the approvals received were not within per view of the City of Newport building officials, and the scope of the project should have been properly the Zoning ordinance of the City of Newport.

Very truly yours,

  
Richard M. Fisher

  
Patricia A. Marvel Fisher

cc: abutters



PERMIT #: 123514

# ELECTRICAL PERMIT

THIS IS TO CERTIFY THAT  
RI CONTRACTOR

NAME:  
ADDRESS:  
COMPANY: SHAMROCK ELECTRIC INC  
COMPANY ADDRESS: 800 AQUIDNECK AVENUE, MIDDLETOWN, RI, 02840  
IF PROPERTY OWNER, INDICATE HERE:

REGISTRATION/LICENSE INFO:  
LICENSE TYPE: ELECTRICAL CORP  
LICENSE NUMBER: AC003247

IS PERMITTED TO PERFORM THE  
FOLLOWING SCOPE OF WORK

**Wire for exterior ground landscape lighting and a few general purpose GFI outlets.**

ADDITIONAL REMARKS

AT SITE LOCATION

ADDRESS: 2 KAY ST  
Newport, RI 02840

PLAT/MAP - LOT/BLOCK - FILE/PARCEL: 21-123  
AREA: 0  
ZONING: 0001  
BUILDING CLASSIFICATION:  
USE/OCCUPANCY:

OWNER/AGENCY

NAME: ARC HTNEWRI001 LLC  
ADDRESS: C/O ARC REAL ESTATE PARTNERS  
106 YORK RD, JENKINTOWN PA 19046

PROVIDED that the person accepting this Permit shall in every respect confirm to the terms of the application on file in this office and to the provisions of the Statutes and Ordinances relating to the Zoning, Construction, Alteration, and Maintenance of Buildings in the municipality and shall begin work on said building by March 16, 2020 (within SIX MONTHS from the date of issuance of this permit) hereof and prosecute the work thereon to a speedy Completion.

Any person who shall violate any of the Statutes and Ordinances relating to Zoning, Construction, Alteration, and Maintenance in the municipality shall be punished by penalties imposed by the State Building Code and Local Zoning Ordinances.

RICHARD GREEN, ELECTRICAL INSPECTOR  
DATE: September 16, 2019

Work shall not proceed until the inspector has approved the various stages of construction.

This is an e-permit. To learn more, scan this barcode or visit [newportri.viewpointcloud.com/#/records/124696](https://newportri.viewpointcloud.com/#/records/124696)





# PLUMBING PERMIT

PERMIT #: 123516  
 PROJECT #:  
 PROJECT NAME:  
 PROJECT COST: 2000

THIS IS TO CERTIFY THAT  
 RI CONTRACTOR

NAME: STEPHEN A ANTOCH  
 COMPANY: A & L PLUMBING INC  
 ADDRESS: 98 WATSON ROAD PRESTON CT 06365-  
 IF PROPERTY OWNER, INDICATE HERE:

REGISTRATION/LICENSE INFO:  
 LICENSE TYPE: MASTER PLUMBER  
 LICENSE NUMBER: MP001956

IS PERMITTED TO PERFORM THE  
 FOLLOWING SCOPE OF WORK

**Install underground water and drain for sink and ice maker**

ADDITIONAL REMARKS

AT SITE LOCATION

ADDRESS: 2 KAY ST  
 Newport, RI 02840

PLAT/MAP - LOT/BLOCK - FILE/PARCEL: 21-123  
 AREA: 0  
 ZONING: 0001  
 BUILDING CLASSIFICATION:  
 USE/OCCUPANCY:

OWNER/AGENCY

NAME: ARC HTNEWRI001 LLC  
 ADDRESS: C/O ARC REAL ESTATE PARTNERS  
 106 YORK RD, JENKINTOWN PA 19046

provided that the person accepting this Permit shall in every respect confirm to the terms of the application on file in this office and to the provisions of the Statutes and Ordinances relating to the Zoning, Construction, Alteration, and Maintenance of Buildings in the municipality and shall begin work on said building by (within SIX MONTHS from the date of issuance of this permit) hereof and prosecute the work thereon to a speedy Completion.

Any person who shall violate any of the Statutes and Ordinances relating to Zoning, Construction, Alteration, and Maintenance in the municipality shall be punished by penalties imposed by the State Building Code and Local Zoning Ordinances.

*Joseph Francis*

JOSEPH FRANCIS, PLUMBING & MECHANICAL INSPECTOR  
 DATE: September 12, 2019

Work shall not proceed until the inspector has approved the various stages of construction.

This is an e-permit. To learn more, scan this barcode or visit [newportri.viewpointcloud.com/#/records/124703](https://newportri.viewpointcloud.com/#/records/124703)





PERMIT #: 123153



# BUILDING PERMIT

THIS IS TO CERTIFY THAT  
RI CONTRACTOR

NAME: GLENN A PARKER  
COMPANY: PARKER CONSTRUCTION COMPANY, INC  
ADDRESS: 320 NARRAGANSETT PARK DRIVE EAST PROVIDENCE RI 02916  
IF PROPERTY OWNER, INDICATE HERE:

REGISTRATION/LICENSE INFO:  
LICENSE TYPE: General Contractor  
BCRB: 23104

IS PERMITTED TO PERFORM THE  
FOLLOWING SCOPE OF WORK

**Enlarge seating area, modify fencing, install entrance gate and pergola.**

ADDITIONAL REMARKS

ADDRESS: 2 KAY ST  
Newport, RI 02840

PLAT/MAP - LOT/BLOCK - FILE/PARCEL: 21-123  
AREA: 0  
ZONING: 0001  
BUILDING CLASSIFICATION:  
USE/OCCUPANCY:

AT SITE LOCATION

OWNER/AGENCY

NAME: ARC HTNEWRI001 LLC - C/O ARC REAL ESTATE PARTNERS  
ADDRESS: 106 YORK RD  
JENKINTOWN, PA 19046

provided that the person accepting this Permit shall in every respect confirm to the terms of the application on file in this office and to the provisions of the Statutes and Ordinances relating to the Zoning, Construction, Alteration, and Maintenance of Buildings in the municipality and shall begin work on said building by (within SIX MONTHS from the date of issuance of this permit) hereof and prosecute the work thereon to a speedy Completion.

Any person who shall violate any of the Statutes and Ordinances relating to Zoning, Construction, Alteration, and Maintenance in the municipality shall be punished by penalties imposed by the State Building Code and Local Zoning Ordinances.

WILLIAM HANLEY, BUILDING OFFICIAL  
DATE: August 21, 2019

Work shall not proceed until the inspector has approved the various stages of construction.

This is an e-permit. To learn more, scan this barcode or visit [newportri.viewpointcloud.com/#/records/124132](https://newportri.viewpointcloud.com/#/records/124132)





THE CITY OF NEWPORT, RHODE ISLAND – AMERICA'S FIRST RESORT  
Department of Zoning & Inspections

*Zoning Enforcement*

October 1, 2019

ARC HTNEWRI001 LLC  
C/O ARC REAL ESTATE PARTNERS  
2 Kay Street  
Newport, RI 02840

Re: Appeal of Richard M. Fisher & Patricia A. Marvel Fisher  
Building Permit #123153, Plumbing Permit #123516, and Electrical Permit #123514  
2 kay Street, Plat 21, Lot 123

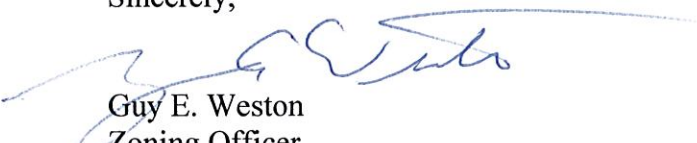
To Whom It May Concern;

A notice of appeal has been filed with the Newport Board of Review applying to the above-mentioned property. In short, the appeal challenges and seeks to overturn my decision, approving for zoning, the afore-mentioned permits.

Please be advised that Section 17.116.040 of the zoning code entitled "Stay of proceedings" states "An appeal shall stay all proceedings in furtherance of the action appealed from, unless the zoning officer or the agency from whom the appeal is taken certifies to the zoning board of review, after an appeal shall have been duly filed, that by reason of facts stated in the certificate a stay would in the zoning officer's or the agency's opinion cause imminent peril to life of property. In that case, proceedings shall not be stayed other than by a restraining order, which may be granted by a court of competent jurisdiction on application thereof and upon notice to the official or agency from whom the appeal is taken on due cause shown."

If time allows, the matter will be heard by the Zoning Board of Review on Monday, October 28, 2019.

Sincerely,



Guy E. Weston  
Zoning Officer

cc: Building Inspector  
City Planner  
Attorney J. Russell Jackson  
City Solicitor