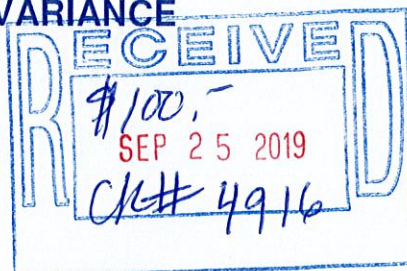


APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW



DATE: _____

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: 1 Harbor View Drive

Tax Assessor's Plat 42 Lot 010

Petitioner Information

Applicant WELOVENEWPORT, LLC Address 640 Main Street, Westbury, NY 11590

Owner same Address _____

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 278+/- depth 197+/- area 51,845 sq. ft.

Zoning District in which premises is located R-120

How long have you owned above premises? 2 months

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings 3,974

Total square footage of the footprint of proposed buildings 6,710

Present use of premises single family residential

Proposed use of premises single family residential

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

Give extent of proposed alterations Demolish existing single family dwelling and
construct a new single family dwelling.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	51,845	120,000	51,845
Lot Coverage (%)	8%	8%	13%
Dwelling Units	1	2	1
Parking (# of spaces)	3+	2	3+
Front Setback	81	75	48.2' (east), 114.4(north)
Side Setbacks	N/A	N/A	
Rear Setback	47.5	50	20 (west), 50 (south)
Height		35	35

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 lot is a substandard irregularly shaped parcel which is abutted by two (2) streets
(Wellington & Harbor View). The northern portion of the lot is also located in a flood zone. The combination
of the substandard lot, two (2) front yards and flood zone create a limited building envelope requiring
dimensional relief.

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?

If the subject lot were a conforming lot in the R120 district (square footage and width), the proposed structure would be conforming. A literal interpretation of the Ordinance deprives this owner of the ability to construct a similarly sized dwelling that other owners of conforming lot in this district could build.

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

Special conditions exist which are particular to the land. If the owner is required to conform to the dimensional requirements of the ordinance, it will be deprived of rights commonly enjoyed by other owners in the same district. The denial of relief will amount to more than a mere inconvenience.

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".

by: Jeremiah C. Lynch, III

Applicant's Signature

() 846-0120

Telephone Number

by: Jeremiah C. Lynch, III

Owner's Signature

()

Telephone Number

Email address jlynch@mvlaw.com

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



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