

APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

ZON.

JAN. 1

DATE: DECEMBER 13, 2021

CHK#118

DEC 22 2021
FSD-W

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: 60 RHODE ISLAND AVENUE

Tax Assessor's Plat 20 Lot 219

Petitioner Information

Applicant PETER GEISLER, SORAYA WHELTON Address 60 RHODE ISLAND AVE

Owner PETER GEISLER, SORAYA WHELTON Address 60 RHODE ISLAND AVE

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 109.32' depth 93.92' area 10,592 sq. ft.

Zoning District in which premises is located R10

How long have you owned above premises? 3 MONTHS

Are there buildings on the premises at present? YES

Total square footage of the footprint of existing buildings 2116 SF

Total square footage of the footprint of proposed buildings 396 SF

Present use of premises YARD

Proposed use of premises SWIMMING POOL

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

Give extent of proposed alterations NEW SWIMMING POOL

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	10,592	10,000	10,592
Lot Coverage (%)	20%	20%	23%
Dwelling Units	1	1	1
Parking (# of spaces)	4	2	4
Front Setback	20'	15'	35'
Side Setbacks	39', 21'	10'	5'
Rear Setback	26'	20'	37'
Height	29'-6"	30'	NA

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?

ODDLY SHAPED LOT WITH NO DIRECT DRIVEWAY
ACCESS FROM R.I AVENUE

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?

THE 20% ALLOWABLE LOT COVERAGE DOES NOT
ALLOW ENOUGH AREA FOR A MINIMALLY SIZED
SWIMMING POOL FOR AN AVERAGE SIZED HOUSE
WITH 2 CAR GARAGE

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

A POOL OF SMALLER SIZE WOULD NOT ALLOW
FOR PROPER USE (SWIMMING LAPS, ETC.) FOR
A FAMILY WITH CHILDREN TO ENJOY TOGETHER.

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

Telephone Number

Telephone Number

Email address

917-207-8569 561-846-1561

5044242@whelton@yahoo.com

We enclose all required drawings are attached to this application at the time of the submittal.

SITE DATA

LOT AREA : 10,592

EXIST. LOT COVERAGE

PROPOSED LOT COVER

