

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

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

JAN. 4, 2022
CHECK # 7912
JAN 4 2022

DATE: 31 Dec. 2021

ZON
JAN. 4

Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use permit 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: 6 Berkeley Terrace
Tax Assessor's Plat 33 Lot 011

Petitioner Information

Applicant Shelley Mathes Address 10 Berkeley Terrace, Newport RI
Owner same Address same
Lessee N/A Address N/A

Property Characteristics

Dimensions of lot-frontage 40.31 depth 73.37 area 2955 sq. ft.
Zoning District in which premises is located R10
How long have you owned above premises? 2006 (16 years)
Are there buildings on the premises at present? YES
Total square footage of the footprint of existing buildings 915
Total square footage of the footprint of proposed buildings 1107

Present use of premises Owner Occupied - Owner Occupied Guest House since 2007

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

Proposed use of premises

Owner Occupied - Owner Occupied Guest House
Residential

Give extent of proposed alterations BUILD 2 LEVEL ATTACHED IN LAW (ADU) TO REAR OF HOUSE
OVER EXISTING DECK AND STAIR SYSTEMS, WHICH WILL EXPAND
Dimensional footprint of home, ADDING A FIRST LEVEL BATH AND LIVING SPACE

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	2955*	10,000	2955
Lot Coverage	915 SF	20%	1104
Dwelling Units	1	1	1 + ADU
Parking (# of spaces)	2	Ø	2
Front Setback	6'6"	15	6'6"
Side Setbacks	10'W-6'5"E	10	10'W-6'5"E
Rear Setback	21'	20	15'6"
Height	29'	30	29'

* Presently Listed as 3437 SF by NorthEast Reevaluation Group

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

ADU - RI Law - Applicant is over age 62

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?

Home was built in 2020. There is only one upstairs bathroom, which is causing a hardship. No closets on level one. Several homes on Berkeley Ter. have expanded enclosed living space. There is only 1010 sq ft of living space presently. The basement is wet, which is difficult to correct, even with sump pump, so cannot use for living space.

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 home, at 6 Berkeley Ter, is bordered by mostly multi-family homes on East Bowling, some 3 level. One neighbor has an AOV above garage. Many homes in neighborhood are much closer to lot lines with little available setback. There was an existing barn when I purchased in 2006 (9'x9') which rotted & was removed.

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

With this expansion I will be able to remain my home and enjoy the space. It will also allow family members to stay with me. A bathroom and additional living space on first level is essential. I thought about expanding up in attic, but stairs make that prohibitive. The requested square footage of addition includes overhangs and stair systems. Waste of lumber would likely occur if smaller, which is not cost effective.

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".

<u>Shelley Mathes</u> Applicant's Signature	<u>Shelley Mathes</u> Owner's Signature
<u>(401) 862-4569</u> Telephone Number	<u>(401) 862-4569</u> Telephone Number

Email address shelleymathes@gmail.com

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

Parcel: 33-011 Location: 6 BERKELEY TER Owner: MATHES SHELLEY
 Account: 5831 User Acct: R06222 LUC: 01 - Single Fam Zoning: R10

Parcel Values
 Total: \$461,800 Land: \$247,900 Land Area: 3,437 SF Building: \$213,900 Assessed: \$461,800

Sales Information

Book and Page	Instrument Type	Date	Price	Grantor
1723-295		03/03/2006	\$355,000	DONNELLY DAVID E JR
915-305		03/01/2000	\$169,000	

Building Type: Colonial **Year Built:** 1920 **Grade:** C+ **Condition:** GD
Heat Fuel: Oil **Heat Type:** Hot Water **% Air Conditioned:** 0.00 **Fireplaces:** 0
Exterior Wall: Clapboard **Basmt Garage:** 0 **Roof Cover:** Asph/F Gls/C **# of Units:** 1
of Rooms: 5 **# of Bedrooms:** 3 **Full Bath:** 1 **1/2 Baths:** 0

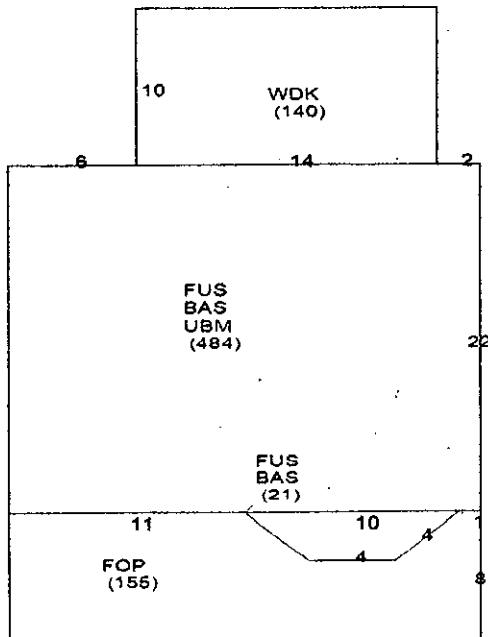
Yard Item(s)

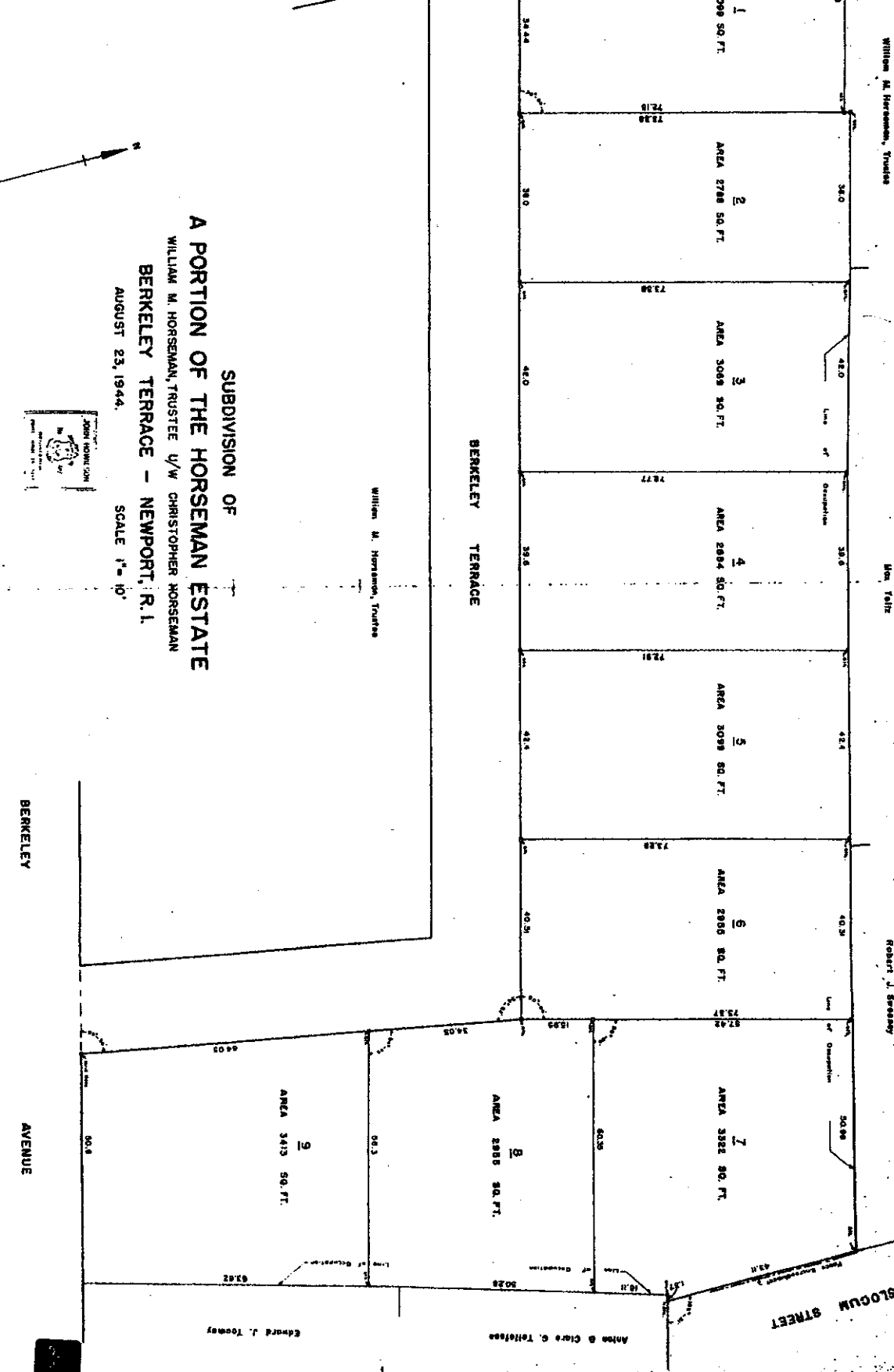
Description	Quantity	Size	Year	Condition	Quality	Value
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Building Areas

Area	Net Area	Finished Area
Basement, Unfinished	484 SF	0 SF
Deck, Wood	140 SF	0 SF
First Floor	505 SF	505 SF
Porch, Open, Finished	155 SF	0 SF
Upper Story, Finished	505 SF	505 SF

Disclaimer: This information is for tax assessing purposes and is not warranted



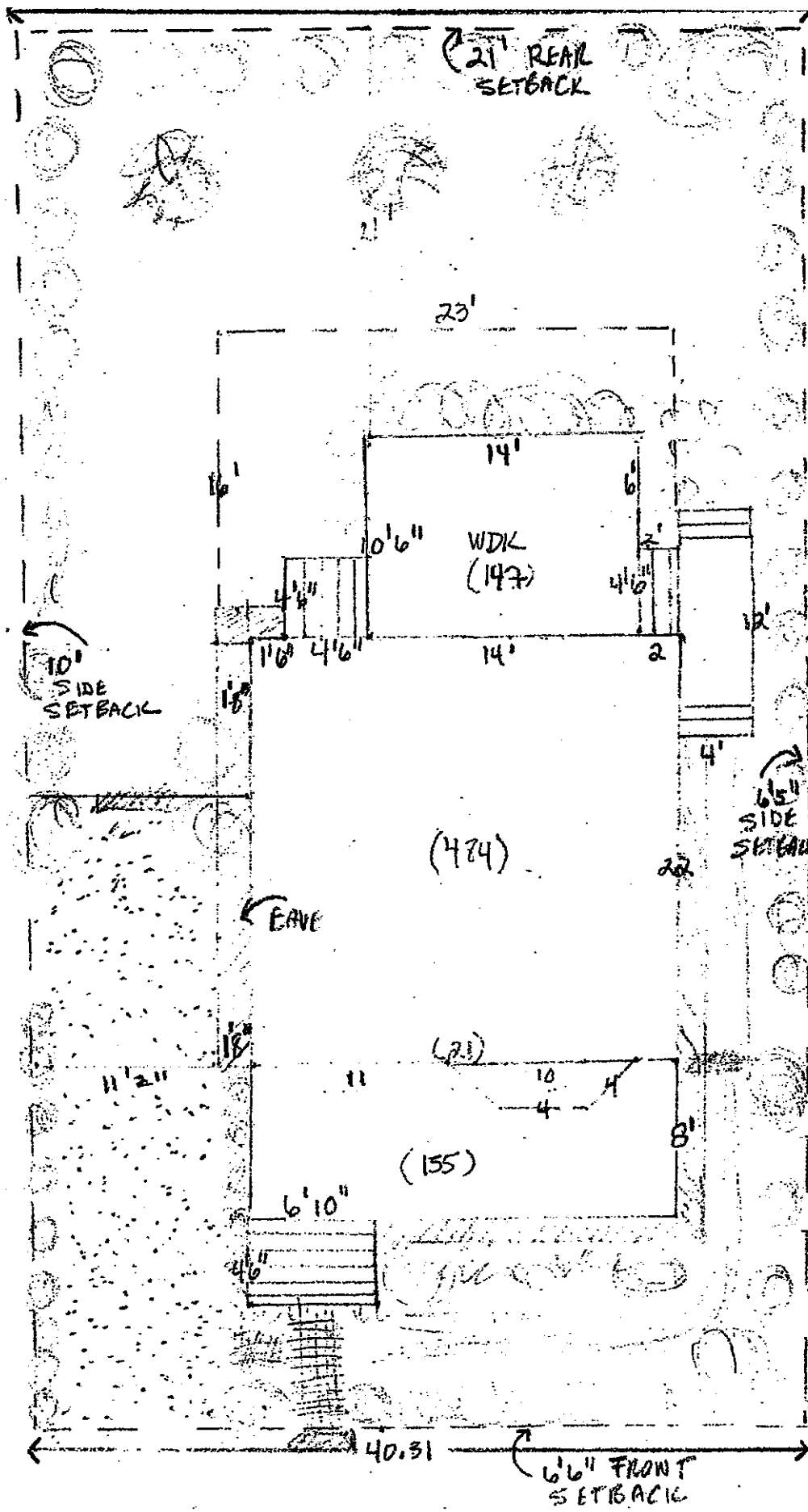


**SUBDIVISION OF
A PORTION OF THE HORSEMAN ESTATE**
WILLIAM M. HORSEMAN, TRUSTEE 1/4 W CHRISTOPHER HORSEMAN
BERKELEY TERRACE - NEWPORT, R. I.
AUGUST 23, 1944.
SCALE 1" = 10'



BERKELEY AVENUE





6 BERKELEY
TERRACE

PROPOSED

PEAK
ELEVATION
29'

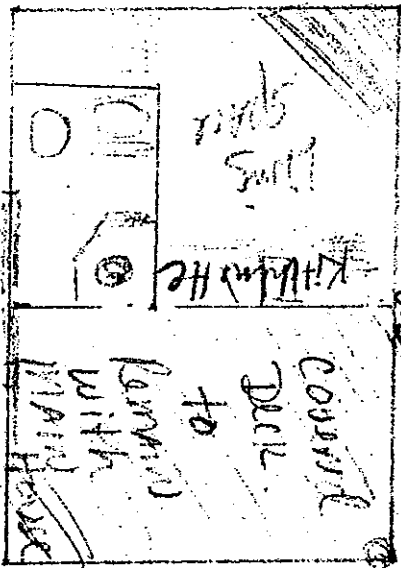
BERKELEY TERRACE

SCALE
1/8" = 1'

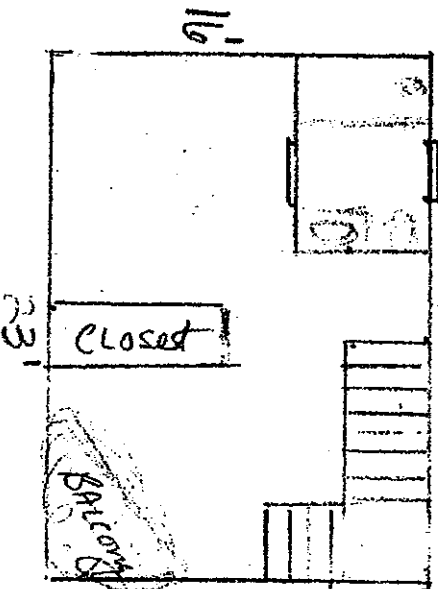
6 Building Ter Proposed

Level 2

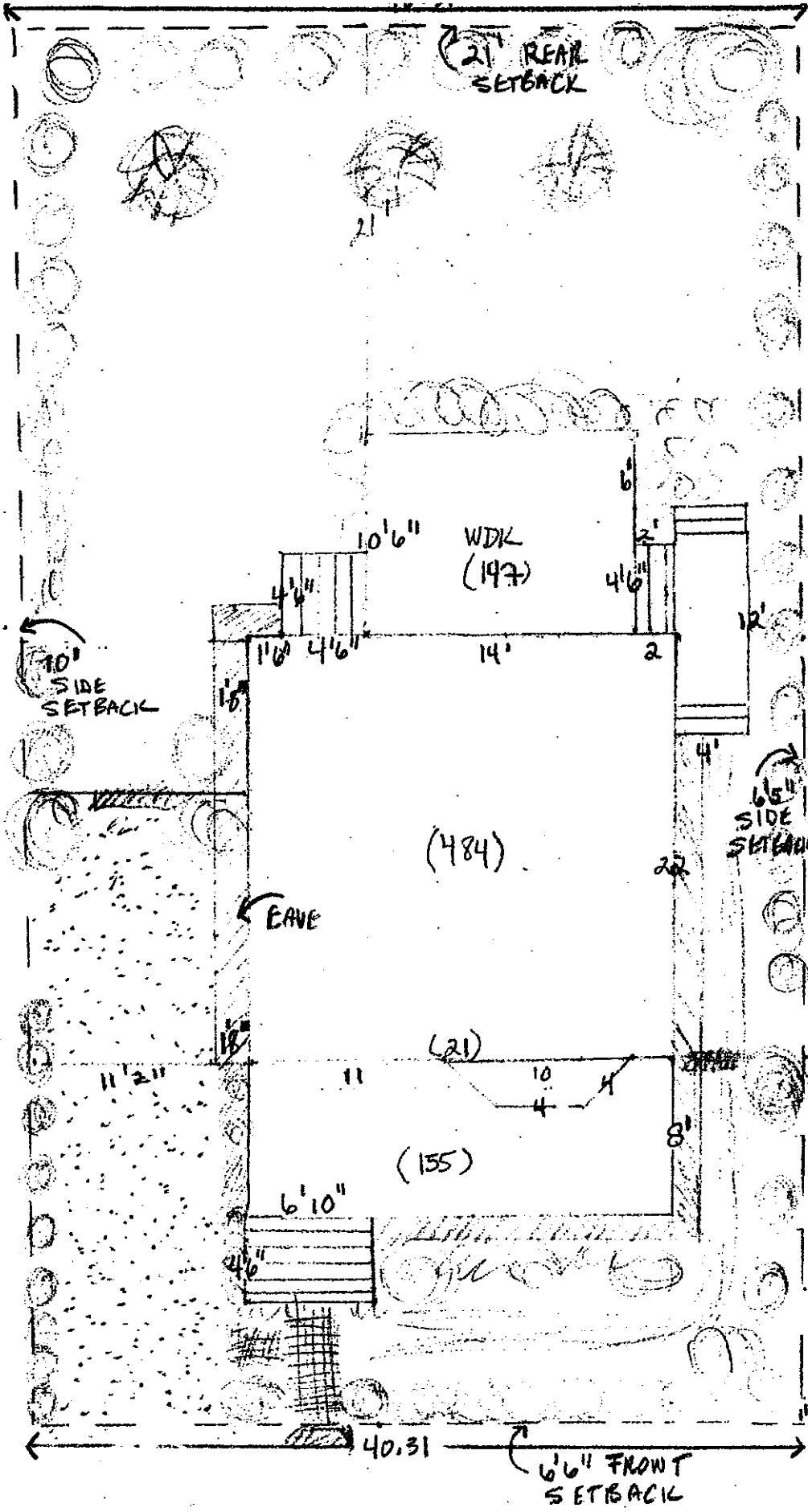
Level 1



Bathroom Door to Main House
Access



Door Access to Main House



6 BERKELEY
TERRACE

SITE
MAP

PEAK
ELEVATION
29'

BERKELEY TERRACE

SCALE
1/8" = 1'