

Posted 4/18/2024

NEWPORT ZONING BOARD OF REVIEW
Monday, April 22, 2024 – 6:00 P.M.

I. Call to Order

II. Roll Call and Determination of Quorum

III. Minutes:

1. January 22, 2024 Revised Draft Minutes
2. February 12, 2024 Draft Minutes
3. February 26, 2024 Draft Minutes
4. March 25, 2024 Draft Minutes

IV. Communications –

1. **Extension Requests** –
 - i. 282 Thames – Request for 18-month Extension
2. **Withdrawal Requests** –
 - i. 7 Champlin – Request to withdraw without prejudice

V. Summary Calendar

1. App #2024-Apr-001 PETITION OF DAVID WARREN, applicant and owner, **44 East Bowery Street**, TAP 34, Lot 062 (R-10 Zone), for a variance from the requirement to underground utilities.
Application Materials, February 16, 2024
Staff Report, April 18, 2024
2. App #2024-Apr-004 PETITION OF LOUIS & ALEXANDRIA ROSE, applicants and owners, **700 Bellevue Avenue**, TAP 38, Lot 079 (R-60 Zone, Historic Overlay), for a special use permit and dimensional variance to remove an existing HVAC unit and install three new HVAC units in the same location, 14'-7" from the front property line (31' required) and to remove a non-original addition in the non-conforming front yard setback.
Application Materials, February 16, 2024
Substandard Lot Proportionality Calculations
Staff Report, April 18, 2024

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3. App #2024-Apr-005 PETITION OF IAN C. NIELSON & LEAH STAATS, applicants and owners, **6 Xavier Terrace**, TAP 11, Lot 652 (R-10A Zone), for a special use permit to remove an existing rear deck, and construct a new rear deck and a new covered front porch, reducing the lot coverage from 31.6% to 31.5% (27.4% permitted)
Application Materials, March 11, 2024
Staff Report, April 18, 2024

VI. Abbreviated Summary

1. App. #2023-Dec-006 PETITION OF CLINTON COX, applicant and owner, **493-495 Broadway**, TAP 06, Lot 345, (R-10 Zone) for a special use permit and dimensional variances to construct an accessory shed in the rear yard, located 2' from the south (side) and east (rear) property lines (10' required for both), increasing the lot coverage from 24.9% to 26.8% (20% allowed). (**Continue to 5/20/2024 to allow re-advertising**)
2. App. #2024-Apr-002 PETITION OF KAREN McGUINNESS, TRUSTEE, applicant and owner, **172 Spring Street**, TAP 24, Lot 309, (GB Zone, Historic Overlay) for a dimensional variance to convert the existing single-family dwelling into a 4-bedroom guest house without providing additional on-site parking spaces (4 additional required); parking proposed to be leased off-site.
Application Materials, March 4, 2024
Letter from Manager of Newport Harbor Hotel, March 13, 2024
Public Comment – Combined, April 18, 2024
Staff Report, April 18, 2024
3. App. #2024-Apr-003 PETITION OF MARK AND STACY GEDDIS, applicants and owners, **419 Broadway, Unit 5**, TAP 06, Lot 79, (R-10 Zone) for a modification to a previously-approved special use permit and dimensional variance to enlarge the approved 3rd floor unit deck, increasing the lot coverage from the approved 30% to 31% (20% permitted).
Application Materials, March 7, 2024
Staff Report, April 18, 2024
4. App #2024-Apr-006 PETITION OF MELISSA A. AND ROBERT F. HENRY, applicants and owners, **33 Bliss Road**, TAP 11, Lot 233 (R-10 Zone), for a retroactive variance to place an HVAC unit 11'-2 1/2" from the Whitwell Avenue front property line (20' required for accessory structures).
Application Materials, March 11, 2024
Supplemental – Updated Site Plan, March 18, 2024
Staff Report, April 18, 2024

VII. Appeals

None

VIII. Full Hearing Petitions to be Considered

1. *App. #2024-Feb-005 PETITION OF JOHN M. CURRAN IRREVOCABLE GRANTOR TRUST, applicant and owner, **62 Harrison Avenue**, TAP 41, Lot 185, (R-40 Zone) for a special use permit and dimensional variance to demolish an existing detached one-car garage and construct a new, attached 2-car, two-story garage, increasing the lot coverage from 27.7% to 33% (27.2% allowed).
Application Materials, January 5, 2024
Supplemental Plan Set, March 11, 2024
Supplemental Landscape Plan, March 11, 2024
Supplemental Revisions, March 11, 2024
Supplemental Stormwater Management Plan, March 11, 2024
Substandard Lot Proportionality Calculations
Public Comment – Combined March 21, 2024
Staff Report, March 21, 2024
Corrected Staff Report, April 18, 2024

2. *Amended App. #2023-Aug-007 PETITION OF 7 CHAMPLIN STREET REALTY, LLC, applicant and owner, **7 Champlin Street**, TAP 23, Lot 110, (R-10A Zone), for a special use permit and dimensional variances to demolish an existing detached garage and construct a new, attached two-story garage, and additions to the main house, including second floor addition to the south, third-floor dormer additions to the west and east which match the existing 41.6’ non-conforming roof height (30’ allowed), eliminate a second floor deck and enclose the porch to the north, and a special use permit to construct first and third floor decks to the east on a nonconforming property, increasing the lot coverage from 24.4% to 28.5% (21.37% allowed). **(Request to withdraw without prejudice)**

3. *Amended App. #2023-Dec-014 PETITION OF ISLAND DREAMS, LLC, applicant and owner, **17 Ayrault Street**, TAP 21, Lot 053, (R-10 Zone), for a special use permit and dimensional variances for alterations and a three-story addition to an existing legal non-conforming multi-family property (containing 4 units in the main building and a 5th unit constructed above the detached garage without approval), to expand the existing 4 units in the main building into the three-story addition, reaching 34’ in height (30’ permitted), increasing the lot coverage from 23.4% to 33.4% (20% allowed); a variance to density standards to legalize the 5th unit (maximum of 4 units permitted due to lot size); a variance to one parking space (9 provided where 10 are required); and a variance to the requirement for a two-way drive aisle on a multi-family property.
Amended Original Application Materials, November 14, 2023
Amended Application, January 16, 2024
Amended Project Plans, January 16, 2024
Supplemental Project Revisions Letter, April 16, 2024
Supplemental Historical Analysis, April 16, 2024
Supplemental Project Plans, April 16, 2024
Public Comment – Combined April 18, 2024
Staff Report, April 18, 2024

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4. *App. #2024-Feb-006 PETITION OF JOSEPH & BRITTANY COVILL, applicants and owners, **129 Ruggles Avenue**, TAP 40, Lot 404, (R-10A Zone) for a special use permit and dimensional variance to construct a two-story addition over an existing raised patio area, extending the raised patio, and construction of an in-ground pool, increasing the lot coverage from 25% to 31% (20% allowed).
Application Materials, January 8, 2024
Letter of Objection, February 15, 2024
Staff Report, April 18, 2024
5. *Corrected App. #2024-Feb-012 PETITION OF SHANA B. SPEER, applicant and owner, **26 Tilley Avenue**, TAP 13, Lot 075, (R-10 Zone) for a special use permit and dimensional variances to reconstruct a dwelling significantly damaged by fire, including construction of new third floor dormers matching the existing non-conforming height of 33'-0 3/8" (30' allowed), located approximately 1.8' from the right (north) side property line (3' required), and construction of a three-story exterior stair system, and expanded first floor deck, increasing the lot coverage from 46.5% to 50%, (34% allowed), and a special use permit to construct first, second, and third-floor decks on a non-conforming property.
Application Materials, January 16, 2024
Substandard Lot Proportionality Calculations
Revised Project Plans, April 17, 2024
Revised Zoning Characteristics Matrix, April 17, 2024
Letter Regarding Project Changes, April 17, 2024
Public Comment – Combined April 18, 2024
Staff Report, April 18, 2024
6. App #2024-Mar-006 PETITION OF A1 ROOFING & CONSTRUCTION, LLC, applicant and owner, **134-136 Spring Street**, TAP 24, Lot 163 (GB Zone), for a special use permit to construct a second-floor roof deck over a new first-floor addition.
Application Materials, February 12, 2024
Substandard Lot Proportionality Calculations
Staff Report, April 18, 2024

*Indicates objection(s) to the application

IX. Full Hearing Petitions to be Continued

1. *App. #2024-Feb-011 PETITION OF AMER TAJ AND CHRYSANTHE TAJ, applicants and owners, **57 Marchant Street**, TAP 39, Lot 469, (R-10 Zone) for a special use permit and dimensional variance to construct a mudroom and two-story garage, increasing the lot coverage from 30.88% to 40.96% (30.84% allowed), and a special use permit to construct a second story deck on a non-conforming property. **(Continue by request of the Applicant to 5/20/2024)**

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2. *App #2024-Mar-005 PETITION OF 7 CARROLL AVE LLC, applicant and owner, **7 Carroll Avenue**, TAP 40, Lot 131 (LB Zone), for a special use permit and dimensional variances to convert two dwelling units to two guest house units with five (5) total bedrooms, requiring relief from one parking space (manager parking space partially located on the adjacent property), without providing the required 24-foot two-way drive aisle on the same property; and a variance to the on-site manager. **(Continue to 5/20/2024)**
3. App #2024-Mar-007 PETITION OF 1 LEE'S WHARF LLC, applicant and owner, **429-431 Thames Street**, TAP 32, Lot 021-4 (WB Zone), for a dimensional variance to convert an existing dwelling to a guest house, without providing additional parking spaces (2 additional spaces required). **(Continue to 5/20/2024)**
4. App. #2024-Mar-008 PETITION OF C.C.B CAPITAL & REAL ESTATE, INC., applicants and owners, **406-410 Thames Street**, TAP 27, Lot 184, (LB Zone) for a special use permit and dimensional variance to convert a dwelling to a guest house, with no on-site manager, without providing additional parking spaces (2 additional parking spaces required). **(Continue to 5/20/2024)**
5. App #2024-Apr-007 PETITION OF 181 HONEYMAN AVE, LLC, applicant and owner, **36 & 38 Evarts Street**, TAP 09, Lot 043-4 (R-10 Zone), for special use permits and a dimensional variance to alter an existing non-conforming three-family dwelling by demolishing a detached garage, and constructing a three-story addition, reaching a height of 32', which reduces the height of the roof from 34'-9" (30' allowed), reducing the lot coverage from 35.72% to 35.64% (30% allowed), and variances to the commercial parking standards by not providing the 24-foot drive aisle required for two-way traffic and requiring reversing into the right-of-way (not permitted on a multi-family lot). **(Continue to 5/20/2024)**
6. App. #2024-Apr-010 PETITION OF BRONYA G. SHILLO, applicant and owner, **52 Berkeley Avenue**, TAP 34, Lot 104, (R-10 Zone) for a special use permit and dimensional variance to construct a one-car garage, a wrap-around porch and stairs, and construct a three-story addition matching the existing 36'-9" height of the building (30' allowed), increasing the lot coverage from 18.6% to 30.9% (23.34% allowed), and a special use permit to add a deck to a non-conforming property. **(Continue to 5/20/2024)**
7. App #2024-Apr-011 PETITION OF LA FARGE RESTORATION FUND AT NEWPORT CONGREGATIONAL CHURCH, applicant and owner, **0 Spring Street & Pelham Street, 0 Pelham Street (aka 73 Pelham Street)**, TAP 27, Lots 011 and 284 (R-3 Zone, Historic Overlay), for a special use permit to convert the existing church and former Parish Hall to a museum. **(Continue to 5/20/2024)**

*Indicates objection(s) to the application

X. Inactive Petitions & Appeals:

1. **Appeals Awaiting Transcripts or Briefs:**
2. **Petitions Pending Other Board Decisions (Continued Generally)**

XI. Other Inactive Petitions

1. *PETITION OF BP REALTY, LLC, applicant and owner; **Banisters Wharf**, DBA The Black Pearl, TAP 24, Lot 276, (WB zone); for a special use permit and variance to the dimensional requirements for permission to install a 14'2" by 7'6" retractable awning structure over the northern portion of the existing outdoor bar area which will be located 0' from the north property line (5' required).
2. APPEAL OF MR. JASON PERKINS, appellant; NRI 12 GOODWIN ST PARTNERSHIP, owner; appealing the issuance of building permit #125985 applying to the property located at **12 Goodwin St.**, TAP 35, Lot 244, (WB zone).

XII. Adjournment

Please note:

Meetings begin promptly at the time posted and will not last for more than four (4) hours. The Board normally will take a short break after 1½ to 2 hours of hearings to re-assess the agenda and their ability to reach the remaining items pending before it.

The Board will not entertain/begin a new petition after 9:30 p.m. and will conclude all hearings at 10:00 p.m. therefore some petitions cannot be heard due to these time constraints and will be continued to the next regular meeting date.

Please send any inquiry to Nick Armour, Zoning Officer, at narmour@cityofnewport.com or call (401) 845-5452