

Posted 7/11/2024

NEWPORT ZONING BOARD OF REVIEW SPECIAL MEETING

Monday, July 15, 2024 – 6:00 P.M.

I. Call to Order

II. Roll Call and Determination of Quorum

III. Minutes: - None

IV. Communications - None

V. Summary Calendar - None

VI. Abbreviated Summary - None

VII. Appeals - None

VIII. Full Hearing Petitions to be Considered

1. *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.
Application Materials, February 6, 2024
Public Comment – Combined, May 16, 2024
Staff Report, May 16, 2024
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
Staff Report, April 18, 2024
Public Comment – Combined, May 16, 2024
Supplemental Staff Report, May 16, 2024

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3. *Amended App. #2024-Mar-004 PETITION OF HAZARD AVENUE REALTY, LLC, applicant and owner, **0 Coggeshall Avenue (2-4 Hazard Avenue)**, TAP 36, Lot 030-4, (R-60 Zone) for a special use permit and dimensional variances to legalize a third unit that was added to the property in the 1980s without approval of a special use permit, without meeting minimum lot size required for a multi-family dwelling, without providing any parking on the property (2 additional required).
Application Materials, February 8, 2024
Amended Application, April 3, 2024
Staff Report, July 11, 2024
4. App. #2024-May-010 PETITION OF TURNER C. SCOTT & KATHLEEN PRATT, applicants and owners, **5 Halidon Terrace**, TAP 42, Lot 24, (R-40 Zone) for a special use permit and variances to convert an existing accessory building to a second principal residential dwelling (one allowed per lot) and construct a new two-car garage addition to this structure, located 3.2' from the west side property line (26' required).
Application Materials, April 9, 2024
Substandard Lot Proportionality Calculations
Staff Report, July 11, 2024
5. App #2024-May-017 PETITION OF SEACOAST MORTGAGE CORPORATION, applicant and owner, **425 Thames Street**, TAP 32, Lot 021 (Waterfront Business Zone), for a dimensional variance to convert an existing dwelling to a 2-room guest house, without providing the necessary parking (1 additional space required).
Application Materials, April 9, 2024
Staff Report, July 11, 2024
6. App. #2024-Jun-014 PETITION OF ANDREW and KELLY SALEM, applicants and owners, **96 Washington Street**, TAP 12, Lot 247, (R-10 Zone, Historic Overlay) for special use permits and dimensional variances to construct third floor dormers to the east and west sides of the house, reaching a height of 31'-6" on a building reaching 32' in height (30' permitted), and constructing a first level rear deck and a second level roof deck, located 0' from the Cherry Street front property line (10.62' required), increasing the lot coverage from 26.5% to 31.47% (25.83% permitted).
Application Materials, May 14, 2024
Substandard Lot Proportionality Calculations
Staff Report, July 11, 2024

*Indicates objection(s) to the application

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IX. Full Hearing Petitions to be Continued

1. *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). **(Continue to 7/22/2024 by request of applicant)**
2. *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 7/22/2024 by request of applicant)**
3. 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 7/22/2024 by request of applicant)**
4. *Amended App #2024-Apr-007 PETITION OF 181 HONEYMAN AVE, LLC, applicant and owner, **36 & 38 Everts 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), and a variance to the requirement to underground utilities. **(Continue to 7/22/2024 to Allow for Re-Advertising)**
5. 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 7/22/2024 by request of applicant)**
6. 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 7/22/24 by request of the applicant)**

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7. *App. #2024-May-009 PETITION OF PAUL & ELIZABETH SANDER, applicants and owners, **40 Cranston Avenue**, TAP 19, Lot 008-4, (R-10 Zone) for special use permits and a dimensional variance to demolish an existing two-car garage, and construct a two-story addition and a one-car carport, maintaining the non-conforming lot coverage of 21.8% (20% permitted), and demolish and reconstruct a third-floor dormer, reaching a height of 35'-9" on a 40'-8" tall building (30' limit). **(Continue to 8/26/2024 by request of applicant)**
8. *App #2024-May-011 PETITION OF EMMANUEL EPISCOPAL CHURCH, applicants and owners, **0 Spring Street**, TAP 32, Lot 182 (R-10 Zone), for a dimensional variance to install nine (9) condenser units 5' from the South Baptist Street front property line (20' required for accessory structures). **(Continue to 8/26/2024 by request of applicant)**
9. *App #2024-May-016 PETITION OF ANDREW & AVANI McHUGH, applicants and owners, **2 Wheatland Court**, TAP 37, Lot 036-4 (R-10A Zone), to demolish an existing dwelling, and dimensional variances to construct a new single-family dwelling, reaching a height of 38'-6" (36'-9" permitted as defined by FEMA), establishing a lot coverage of 57.54% (35.13% permitted). **(Continue to 7/22/2024)**
10. App. #2024-Jun-013 PETITION OF ISLAND DREAMS, LLC, applicant and owner, **17 Ayrault Street**, TAP 21, Lot 053, (R-10 Zone), for a special use permit to remove an existing two-story component at the rear of the main building and construct a three-story addition, altering the lot coverage on a property that is non-conforming to the allowable lot coverage (23.47% where 20% is permitted). **(Continue to 7/22/2024)**
11. App. #2024-Jun-015 PETITION OF THE BOYS CLUBS AND GIRLS CLUBS OF NEWPORT COUNTY, INC, applicants and owners, **0 Church Street/0 Mill Street (95 Church Street)**, TAP 24, Lot 337, TAP 25, Lot 079, and TAP 25, Lot 052, (R-3 Zone, Historic Overlay) for a special use permit to continue the operation of a Charitable Institution, and special use permits and dimensional variances to construct an addition with a 0' side setback (3' required), reaching a height of 39'-3" (30' permitted), reducing the lot coverage on lot -052 from 77.5% to 74.8% (45% permitted), reducing the parking by 3 spaces (where 20 additional spaces are required). **(Continue to 7/22/2024)**
12. *App. #2024-Jun-018 PETITION OF TOM AND NICOLE SCANLON, applicants and owners, **7 Elm Street**, TAP 17, Lot 012, (R-10 Zone, Historic Overlay) for special use permits and dimensional variances to construct third floor dormers on the east and west side of the building, reaching a height of 33' on a building reaching 35' in height (30' permitted), with the east dormer located 1'-6" from the east side property line (5' required). **(Continue to 7/22/2024)**

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X. Inactive Petitions & Appeals:

1. **Appeals Awaiting Transcripts or Briefs:**

a. App. 2024-Appeal-003 APPEAL OF NEWPORT PM LLC, KAREN G. HARRIS 2003 LIVING TRUST, R. PERRY HARRIS LIVING TRUST, EDWARD W. KANE, and MARTHA J. WALLACE, appealing the decision of the Historic District Commission approving a Certificate of Appropriateness to construct a new single-family dwelling of William & Lisa Ruh, applying to the property located at 88 Washington Street, Tax Assessor's Plat 12, Lot 046. **(Continue generally, awaiting briefs)**

2. **Petitions Pending Other Board Decisions (Continued Generally)**

a. *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. **(Continue, Pending HDC Review)**

b. *Amended App. #2023-Jun-012 PETITION OF C.C.B. CAPITAL & REAL ESTATE INC., applicant, 144 THAMES STREET, LLC, owner, **144-150 Thames Street**, TAP 24, Lot 045, (GB Zone) for dimensional variances to construct a new mixed-use building, containing 14 Vacation Guest Facility units (11 permitted), providing 17 parking spaces (48 spaces required). **(Continue, Pending TRC Review)**

c. App. #2024-Jun-016 PETITION OF 96 RI REALTY, LLC, applicant and owner, **96 Rhode Island Avenue**, TAP 23, Lot 051-4, (R-20 Zone, Historic Overlay) for a special use permit and dimensional variances to construct a one-story addition to the carriage house, located 2'6" from the north side property line (15' required), increasing the lot coverage from 14.9% to 16.1% (15% permitted). **(Continue, Pending HDC Review)**

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

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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