

Posted 11/21/2024

NEWPORT ZONING BOARD OF REVIEW
Monday, November 25, 2024 – 6:00 P.M.

I. Call to Order

II. Roll Call and Determination of Quorum

III. Minutes –

1. October 28, 2024 Draft Minutes
2. November 18, 2024 Draft Minutes

IV. Communications – None

V. Summary Calendar

1. App. #2024-Nov-012 PETITION OF MICHAEL AND LAURIE LONDERGAN, applicants and owners, **96 Kay Street**, TAP 11, Lot 065, (R-10 Zone) for special use permit and dimensional variance to construct an in-ground pool, increasing the lot coverage from 24.82% to 29.76% (where 23% is permitted).
Application Materials, October 3, 2024
Staff Report, November 21, 2024
2. App. #2024-Nov-013 PETITION OF JOSEPH MITCHELL, applicant and owner, **359 Spring Street**, TAP 32, Lot 089-4, (R-10 Zone) for re-approval of a special use permit and variance to the dimensional requirements to demolish and reconstruct a cupola reaching a height of 36'-7" (30' limit).
Application Materials, October 7, 2024
Staff Report, November 21, 2024
3. App. #2024-Nov-014 PETITION OF TIM SPILLANE, applicant and owner, **3 La Salle Place**, TAP 09, Lot 136, (R-10 Zone; Historic Overlay) for a special use permit and variance to the dimensional requirements to construct a rear stair landing, increasing lot coverage from 43% to 44% (where 35% is permitted).
Application Materials, October 7, 2024
Staff Report, November 21, 2024

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4. App. #2024-Nov-015 PETITION OF THOMAS OLIVEIRA, applicant and owner, **5 Bradford Avenue**, TAP 11, Lot 139 (R-10 Zone) for special use permits and variance to the dimensional requirements to demolish an existing detached shed, front porch, and rear deck, and construction of a new covered front porch and rear addition, maintaining the lot coverage of 36.9% (where 32.6% is permitted).
Application Materials, October 7, 2024
Staff Report, November 21, 2024
5. App. #2024-Nov-017 PETITION OF JESSICA GUARDADO AND BRETT MACALUSO, applicants and owners, **16 Bachelier Street**, TAP 35, Lot 050, (R-10 Zone) for a variance to the dimensional requirements to construct a front porch and a rear deck, increasing lot coverage from 18.9% to 24.6% (where 20% is permitted).
Application Material, October 8, 2024
Staff Report, November 21, 2024

VI. Abbreviated Summary

1. *App. #2024-Oct-005 PETITION OF JAMES & CLAIRE HALL, applicants and owners, **5 Champlin Street**, TAP 23, Lot 018, (R-10 Zone, Historic Overlay) for a special use permit and dimensional variances to install a generator 3' from the south side property line (7.39' required), and install a hot tub, increasing the lot coverage from 38.75% to 39.45% (where 25.9% is permitted).
Application Materials, September 10, 2024
Supplemental Materials, September 17, 2024
Staff Report, November 21, 2024
2. App. #2024-Nov-010 PETITION OF BRETT D. DAVENPORT, applicant and owner, **11 Oakwood Terrace**, TAP 26, Lot 076, (R-20 Zone; Historic Overlay) for dimensional variances to construct an in-ground pool, located 10' from the Rhode Island Avenue right-of-way (20' required), increasing the lot coverage from 16.4% to 19.9% (where 18.3% is permitted).
Application Materials, October 1, 2024
Staff Report, November 21, 2024
3. App. #2024-Nov-011 PETITION OF PATRICK AND VALERIE KELLEY, applicants and owners, **57 Kay Street**, TAP 22, Lot 075, (R-10 Zone; Historic Overlay) for special use permit and dimensional variance to construct an in-ground pool, increasing the lot coverage from 26.1% to 28.9% (where 20% is permitted).
Application Materials, October 1, 2024
Staff Report, November 21, 2024

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4. App. #2024-Nov-016 PETITION OF ADRIAN PREZIOSO, applicant and owner, **24 Byrnes Street**, TAP 35, Lot 061 (R-10 Zone) for a special use permit and variance to the dimensional requirement to raise the height of the second-floor walls and roof, the north side of which is located 2.1' from the side property line (where 3' is required).
Application Materials, October 7, 2024
Staff Report, November 21, 2024

VII. Appeals - None

VIII. Full Hearing Petitions to be Considered

1. *Amended 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, establishing a lot coverage of 43% (35.13% permitted), and special use permits to construct first, second, and third floor decks on a non-conforming property.
Application Materials, April 9, 2024
Objection – Blanchard, Gray, and Fischer, May 13, 2024
Amended Application, October 30, 2024
Substandard Lot Proportionality Calculations
Staff Report, November 21, 2024
2. *App #2024-Nov-004 PETITION OF 424 & 624 THAMES STREET, LLC, applicant and owner, **624-626 Thames Street**, TAP 35, Lot 123 (LB Zone), for a special use permit and dimensional variances to convert two dwelling units into two guest house units containing a total of five (5) bedrooms, without providing additional parking (2 additional spaces required), requiring reversing into the right-of-way (no maneuvering onto the public right-of-way permitted).
Application Materials, September 20, 2024
Amended Project Narrative, November 20, 2024
Amended Variance Narrative, November 20, 2024
Staff Report, November 21, 2024
3. App #2024-Nov-005 PETITION OF 424 & 624 THAMES STREET, LLC, applicant and owner, **424 Thames Street**, TAP 32, Lot 023 (LB Zone), for a use variance, special use permit, and dimensional variance to convert a dwelling unit into a three-bedroom guest house, without providing additional parking (2 additional spaces required), requiring reversing into the right-of-way (no maneuvering onto the public right-of-way permitted), and without providing the required on-site manager.
Application Materials, September 20, 2024
Amended Project Narrative, November 20, 2024
Amended Variance Narrative, November 20, 2024
Staff Report, November 21, 2024

*Indicates objection(s) to the application

IX. Full Hearing Petitions to be Continued

1. *Corrected 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 use variance to convert a dwelling to a guest house with no on-site manager, and a dimensional variance to provide no additional parking spaces (2 additional parking spaces required). **(Continue to 12/23/24 by Request of the Applicant)**
2. *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 to December 23, 2024 pending HDC Decision)**
3. *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 to 12/9/24 Special Meeting)**
4. App #2024-Nov-001 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 one dwelling unit to a three-bedroom guest house, without providing additional parking (2 additional spaces required), without providing the required 24-foot two-way drive aisle on the same property. **(Continue to 12/23/24 by Request of the Applicant)**
5. *App #2024-Nov-002 PETITION OF MARK ORAVEC, applicant and owner, **9 Lee's Wharf**, TAP 32, Lot 253 (WB Zone), for dimensional variances to convert a two-bedroom guest house to a four-bedroom guest house without providing additional parking (2 additional spaces required), requiring reversing into the right-of-way (no maneuvering onto the public right-of-way permitted). **(Continue to 12/23/24 by Request of the Applicant)**
6. *App #2024-Nov-003 PETITION OF 640 THAMES STREET, LLC, applicant and owner, **640 Thames Street**, TAP 35, Lot 226 (LB Zone), for a use variance, a special use permit, and a dimensional variance to convert two dwelling units into two guest house units containing a total of five (5) bedrooms, with two "lock-out" bedrooms, requiring reversing into the right-of-way (no maneuvering onto the public right-of-way permitted), and without providing additional parking (2 additional spaces required), and without providing the required on-site manager. **(Continue to 12/23/24 to Allow for Readvertising)**
7. App #2024-Nov-006 PETITION OF 130 TOURO STREET, LLC, applicant and owner, **130 Touro Street**, TAP 21, Lot 121 (R-10 Zone, Historic Overlay), for a use variance to convert two one-bedroom dwelling units into two one-bedroom guest houses. **(Continue to 12/23/24)**

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8. App #2024-Nov-007 PETITION OF WORLD VIEW GRAPHICS, INC., applicant and owner, **404 Thames Street**, TAP 27, Lot 259 (LB Zone), for a special use permit, and dimensional variance to convert one dwelling unit into a two-bedroom guest house, without providing additional parking (1 additional space required for the manager). **(Continue to 12/23/24)**
9. App #2024-Nov-008 PETITION OF 517 THAMES STREET, LLC, applicant and owner, **517 Thames Street**, TAP 35, Lot 128 (WB Zone), for a dimensional variance to convert one dwelling unit into a two-bedroom guest house, without providing additional parking (1 additional space required for the manager). **(Continue to 12/23/24)**
10. *App. #2024-Nov-009 PETITION OF VINEYARD 5 LLC, applicants and owners, **221-225 Spring Street, Unit 7**, TAP 27, Lot 054, (GB Zone; Historic Overlay) for a dimensional variance to convert a residential dwelling unit to a three-bedroom Guest House without providing additional parking (1 additional space required). **(Continue to 12/23/24)**

*Indicates objection(s) to the application

X. Inactive Petitions & Appeals:

1. **Appeals Awaiting Transcripts or Briefs:** None
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).
3. *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 generally by request of the applicant)**
4. App. #2024-Jul-003 PETITION OF CHURCH OF JESUS SAVIOR OF NEWPORT, applicant and owner, **507 Broadway**, TAP 06, Lot 009-4, (R-10 Zone) for a variance to construct a twenty (20)

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space parking lot to serve the Jesus Savior Church, not located on the same lot as the church.
(Continue generally by request of the applicant)

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