



THE CITY OF NEWPORT, RHODE ISLAND – AMERICA'S FIRST RESORT  
Department of Planning & Development

September 24, 2024

Sent Via Email:  
[tjackson@millerscott.com](mailto:tjackson@millerscott.com)

Dear Applicant,

Please be advised that your Zoning application, for 7 Carroll Avenue, has been deemed complete, as of September 24, 2024. The following legal description has been prepared, and will be sent to the Newport Daily News for publication on November 8, 2024 to comply with State law. Additionally, letters describing your application will be mailed by our office to all abutting property owners within 200 feet of your property. The legal description of your application is as follows:

***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.***

Said petition will appear on the Zoning Board of Review agenda for the next public hearing, to be held on **November 25, 2024**. Please note that this item will first appear on the agenda noted above, and will be scheduled to be considered at that hearing if it is determined that your item is a “Summary” or “Abbreviated Summary” hearing. If your application is determined to be a “Full Hearing” item, either due to the scope of the project, or if any objections are received once public notices are mailed, your application must await a Full Hearing behind other applications that were deemed complete prior to your application. I will be in contact with you regarding scheduling once this determination has been made.

If you have questions, please email me at [narmour@cityofnewport.com](mailto:narmour@cityofnewport.com).

Sincerely,

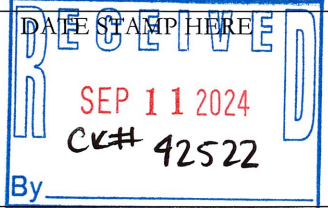
Nicholas Armour  
Zoning Officer



# Newport Zoning Application

ZBR 2024 - NOV - 001

*(This box for staff use only)*



Date: 8.26.24

### Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use permit or 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: 7 Carroll Ave.

Tax Assessor's Plat: 40 Lot: 131 Zoning District: LB

- Special Use Permit (Non-Conforming Alteration)
  Regulatory (Dimensional) Variance  
 Special Use Permit (New Use)
  Use Variance
  Modification

Property Owner: 7 Carroll Ave. LLC

Mailing Address: 7 Carroll Ave.

Email Address: 7carrollavellc@gmail.com

Phone Number: 401-862-9427

How long have you been the owner of the above premise? 15 years

Legally Authorized Representative \*if applicable: Tanner L. Jackson, Esq.

Mailing Address: 122 Touro Street, Newport, R.I., 02840

Email Address: tjackson@millerscott.com Phone Number: 401-847-7500

Lessee: N/A

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_



# Newport Zoning Application

## Property Characteristics

Dimensions of lot-frontage: ~100' ft. Lot Area: 6,898 sq. ft.

Are there buildings on the premises at present? Yes - mixed use

Total square footage of the footprint of existing buildings: 3,535 sq. ft.

Total square footage of the footprint of proposed buildings: 3,535 sq. ft.

## Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	6,898	5,000	No Change
Coverage Area (sq. ft)	3,535	3,449	No Change
Lot Coverage (%)	51.2%	50%	No Change
Dwelling Units	2	2	1
Parking (# of spaces)	7	19	No Change
Front Setback (ft.)	~0'	0'	No Change
Side Setbacks (ft.)	~0'	0'	No Change
Rear Setback (ft.)	N/A - Corner Lot	5'	No Change
Height (ft.)	45'	35'	No Change



# Newport Zoning Application

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

Present use of Premise: Fast-Food (Harvest Cafe) with Two Dwelling Units

Proposed use of Premise: Fast-Food (Harvest Cafe) with One Long Term Rental and One Guest House

## Summary of Proposed Alterations

Applicant proposes converting one (1) pre-existing 3-bedroom dwelling unit to a 3-bedroom guest house use. The Harvest Cafe (a fast-food use) will not be altered. The pre-existing two-bedroom dwelling will be rented long term. The long-term tenant will be the on site manager.

Applicant proposes dedicating one on-site parking spot for the on-site manager. The proposed guest house use increases parking requirements by two spots. Applicant requests (1) a Special Use Permit to operate a Guest House within the Limited Business Zone and (2) a parking variance to operate a mixed use building with a cafe, year-round rental, and guest house use, which necessitate 19 parking spots total, where 7 parking spots exist.

The existing 7 parking spots will be allocated in the following manner:

1. Unit 3: Year-round rental. 1 parking spot. Please note, however, that the on-site manager will be the long-term tenant for the proposed guest house.
2. Unit 2: Proposed three-bedroom Guest House. Three parking spots for guests. One spot for on-site manager.
3. Harvest Cafe: Two parking spots. Please note that Harvest Cafe customers also use six parking spots located on 3 Carroll Ave. and four additional curbside parking spots.



# Newport Zoning Application

## Applicant Statement

How does your application meet the required standards for variance(s) or special use permit(s)?  
*(See page 6 for most common applicable standards)*

The Subject Property was constructed in 1905, predating the modern zoning code and parking requirements. Though the Subject Property is a conforming lot of record and roughly compliant in lot coverage, the structure's historical size hosts a business and two dwelling units that already demand additional parking. As a result, it is not possible to convert any dwelling unit to a guest house or increase the cafe's square footage without necessitating parking variances. The Subject Property is already fully developed; it is not physically possible to add any further parking.

The structure's size, retail space, and two-unit character predate the Applicant's ownership of the property.

The proposed guest house use will not impair the City's comprehensive plan, which contemplates the Limited Business Zone as hosting commercial uses side-by-side residential uses, because the Applicant proposes just one guest house.

The requested variance will not alter the general character of the surrounding neighborhood because the Subject Property has long been used in a mixed use capacity. Indeed, the ground-floor fast-food use predates the Applicant's ownership of the property, and the Applicant was previously registered with the City of Newport to operate guest houses within the two dwelling units. Thus, the proposed guest house use represents only de minimis change.

Nor will the proposed guest house use materially alter the existing parking. The Applicant owns the neighboring lot at 3 Carroll Ave, and, together, the lots share a parking lot that permits customers and tenants to exit without backing out in to the roadway. Harvest Cafe customers regularly park using 3 curbside spots and 7 additional spots located on 3 Carroll Ave. In practice, Harvest Cafe customers, the long-term tenant, and the guest house use visitors will have ample parking spots and parking opportunities to ensure no disruption to the existing parking and traffic patterns.



# Newport Zoning Application

Upon submittal of this application, please make sure you have also reviewed our Zoning Application Submittal Requirements packet, and included with your application, a copy of the Submittal Checklist which can also be found here: [Zoning Application Submittal Requirements](#). If an application is missing any submittal requirements and/or necessary application information, your application may be regarded incomplete. Incomplete applications will not be publicly advertised or appear on an agenda until the project is deemed complete.

**By signing below, I hereby attest that the information provided is accurate and truthful. I also attest that I have read through this application thoroughly and understand what is required to submit a completed application.**

Applicant Signature

9/11/24

Date

Owner Signature

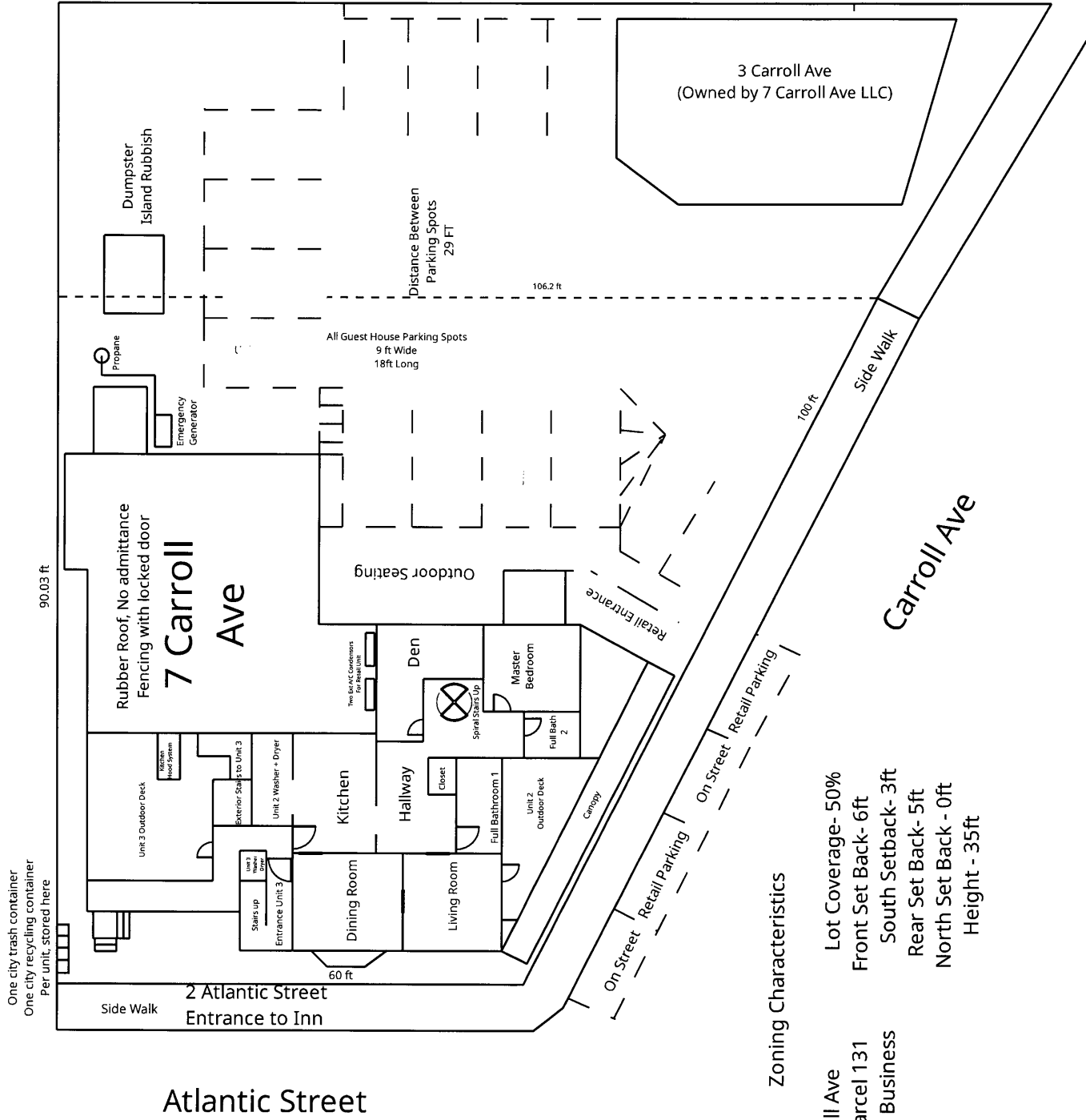
9/11/24

Date



# 7 Carroll Ave LLC

## Unit 2 Plan



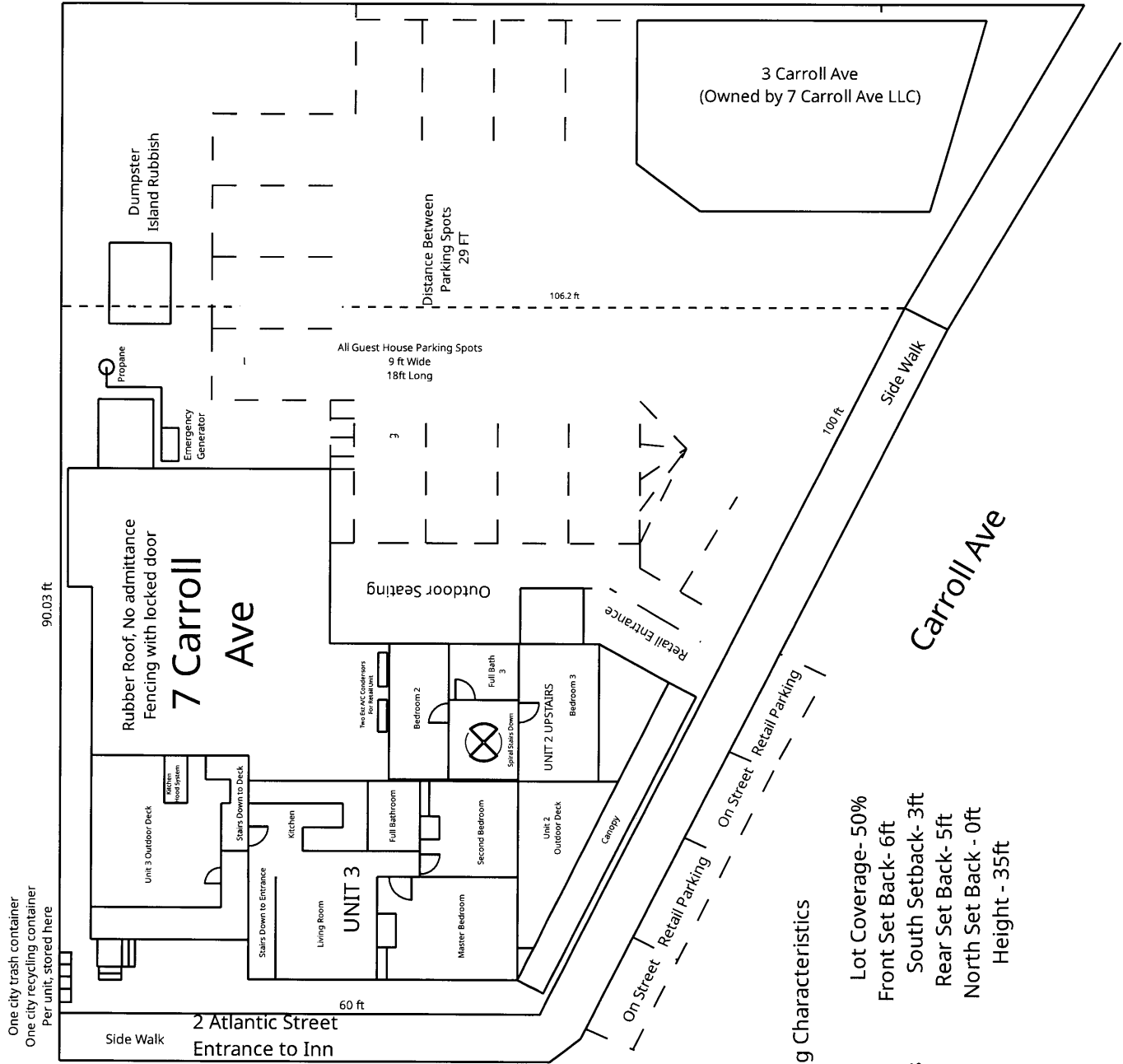
### Zoning Characteristics

- 7 Carroll Ave
- Plat 40 - Parcel 131
- Limited Business
- Lot Coverage- 50%
- Front Set Back- 6ft
- South Setback- 3ft
- Rear Set Back- 5ft
- North Set Back - 0ft
- Height - 35ft



# 7 Carroll Ave LLC

## Unit 3 Plan



One city trash container  
One city recycling container  
Per unit, stored here

Side Walk

2 Atlantic Street  
Entrance to Inn

7 Carroll Ave

Rubber Roof, No admittance  
Fencing with locked door

Dumpster  
Island Rubbish

Propane

Emergency  
Generator

All Guest House Parking Spots  
9 ft Wide  
18ft Long

Distance Between  
Parking Spots  
29 FT

106.2 ft

100 ft

Side Walk

Carroll Ave

Outdoor Seating

Retail Entrance

Two HVAC Condensers  
for Unit 3

Bedroom 2

Full Bath

UNIT 2 UPSTAIRS

Bedroom 3

Spiral Stairs Down

Unit 2  
Outdoor Deck

Canopy

Stairs Down to Deck

UNIT 3

Living Room

Master Bedroom

Second Bedroom

Full Bathroom

Kitchen

Unit 3 Outdoor Deck

Motor  
hood system

On Street

Retail Parking

On Street

Retail Parking

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Atlantic Street