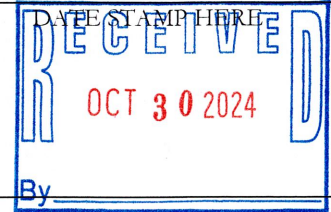




Newport Zoning Application

Amended Application
ZBR 2024 - May - 016

(This box for staff use only)



Date: 10/27/2024

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: 2 Wheatland Ct

Tax Assessor's Plat: 37 Lot: 36-4 Zoning District: R10-A

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

Property Owner: Andrew McHugh & Avani McHugh

Mailing Address: vanimchugh@gmail.com

Email Address: vanimchugh@gmail.com

Phone Number: 401-408-7263

How long have you been the owner of the above premise? 3/14/2018

Legally Authorized Representative *if applicable: N/A

Mailing Address: N/A

Email Address: N/A Phone Number: N/A

Lessee: N/A

Mailing Address: N/A

Email Address: N/A Phone Number: N/A



Newport Zoning Application

Property Characteristics

Dimensions of lot-frontage: 50.89 ft. Lot Area: 2433 sq. ft.

Are there buildings on the premises at present? Yes- demo approved 11/2018

Total square footage of the footprint of existing buildings: 724.5 sq. ft.

Total square footage of the footprint of proposed buildings: 825 sq. ft.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	2433 sq ft	10000 sq ft	2433 sq ft
Coverage Area (sq. ft)	724.5 sq ft	854.7 sq ft	1045 sq ft
Lot Coverage (%)	29.78%	35.13%	43%
Dwelling Units	1	1	1
Parking (# of spaces)	1	2	2
Front Setback (ft.)	north/street = 15.7'	north/street = 3.65'/2.33'	north/street = 13.5'
Side Setbacks (ft.)	west = 9' east = 8'	2.43'	west = 3' east = 7.8'
Rear Setback (ft.)	south = 4.5'	south = 4.87'	south = 4.87'
Height (ft.)	20'	30'	30'



Newport Zoning Application

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

Present use of Premise: single family dwelling

Proposed use of Premise: single family dwelling

Summary of Proposed Alterations

Demolish existing structure to replace with newly constructed FEMA flood compliant single family home located in non-historic R-10A district. Extensive black mold and water damage noted, homeowner's experienced health effects from black mold and consulted with homeowner's insurance and obtained mold testing report. Mold abatement and renovations approximately >50% value of home, and decision made to proceed with new construction for single family, year round use resident home.

Prior applications in: 2019 denied application, 2021 approved application which is currently being appealed by abutters since there was a City of Newport administrative error for filing recorded/approved decision with land evidence. As the current 2021 approved decision is pending with the Land Use Superior Court, construction is on hold. This new application is submitted with consideration of the new statewide zoning changes for substandard lots noted in the RI Zoning Enabling Act effective January 1, 2024.

In comparison the 2021 approved zoning application was a greater deviation from the zoning code than this current 2024 application. Despite a greater lot coverage request in this application, there is a lesser modification from the current zoning code. For reference the 2021 approved modification was 100% special use and dimensional variance and this current 2024 application is a modification of 23% special use and dimensional variance from the proportioned lot coverage.



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)

1. The hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in GLRI §45-24-30(a)(16) ; Our property is a substandard lot that is 75.7% deficient
2. That the hardship is not the result of any prior action of the applicant ; The substandard lot deficiency was not the result of any of our prior actions.
3. That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based ; Our home would be a single family, year round use. There is no street parking allowed on our street Wheatland Court granted per abutters' requests dated 2014 and 2016. There are minor changes to the house size and the addition of architectural features, and verandas for personal use. This application increases the number of off street parking spaces to be provided and justifies reasonable use of the land and structure by right.
4. In granting a dimensional variance, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience meaning that relief sought is minimal to a reasonable enjoyment of the permitted use; Our hardship is a 75.7% deficient lot size which is more than a mere inconvenience and the relief sought is minimal and reasonable due to the reduced structure, exterior verandas for personal use (prior applications removed features such as: excess lot coverage, spiral staircase, and rooftop deck per abutter's objections).



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

10/27/2024

Date

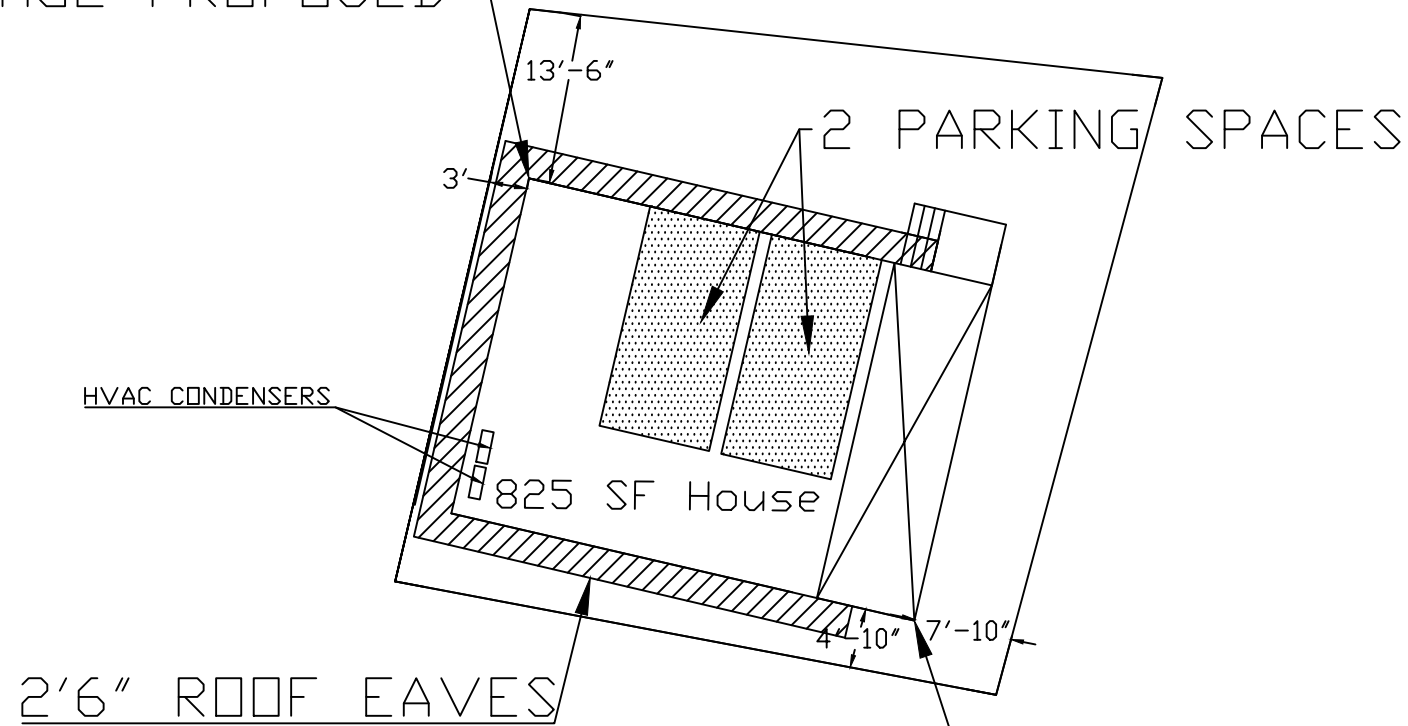
Owner Signature

10/27/2024

Date

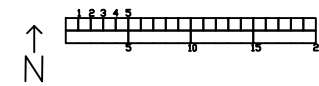
2 Wheatland Court Newport RI
 LOT SIZE 2433 SF
 HOUSE SIZE 825 SF
 TOTAL LOT COVERAGE 1045 SF
 43% LOT COVERAGE PROPOSED

Road - Wheatland CT



Entry Stairway/Verandas
 8' Wide=220 square feet

2 Wheatland Court
 Plat 36, Lot 34-2
 Zone R-10A
 Front Setback Required 3.65'
 Side Setback Required 2.43'
 Rear Setback 4.87'
 Lot Coverage Required 35.13%
 Flood Zone AE 16' Above Sea Level



1/16"=1' Scale

General Notes

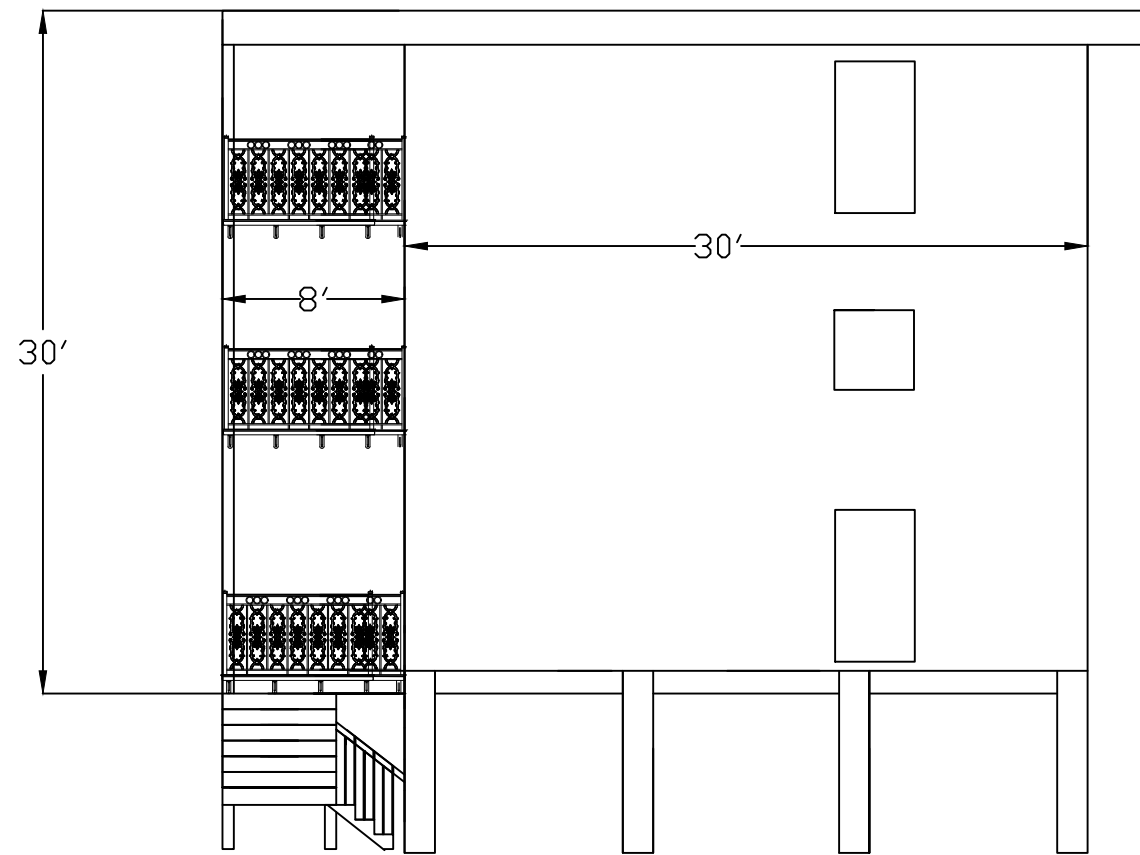
No.	Revision/Issue	Date
	Stair Reduction	11/21/21

Firm Name and Address

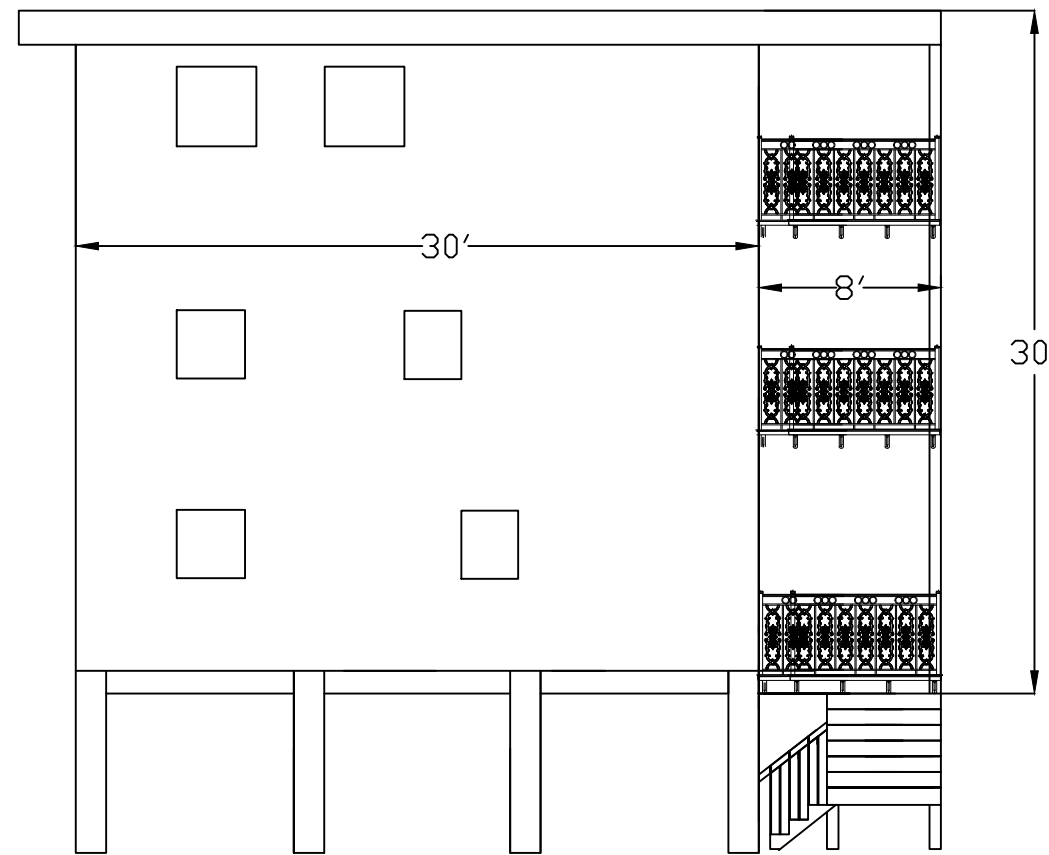
Project Name and Address

Andrew & Avani McHugh
 2 Wheatland CT
 Newport RI, 02840

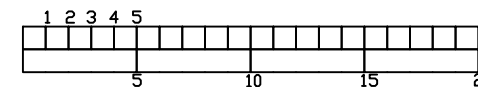
Project	Sheet
Date	Site Plan
Scale	



NORTH FACE (STREET VIEW)



SOUTH FACE



Scale in feet

General Notes

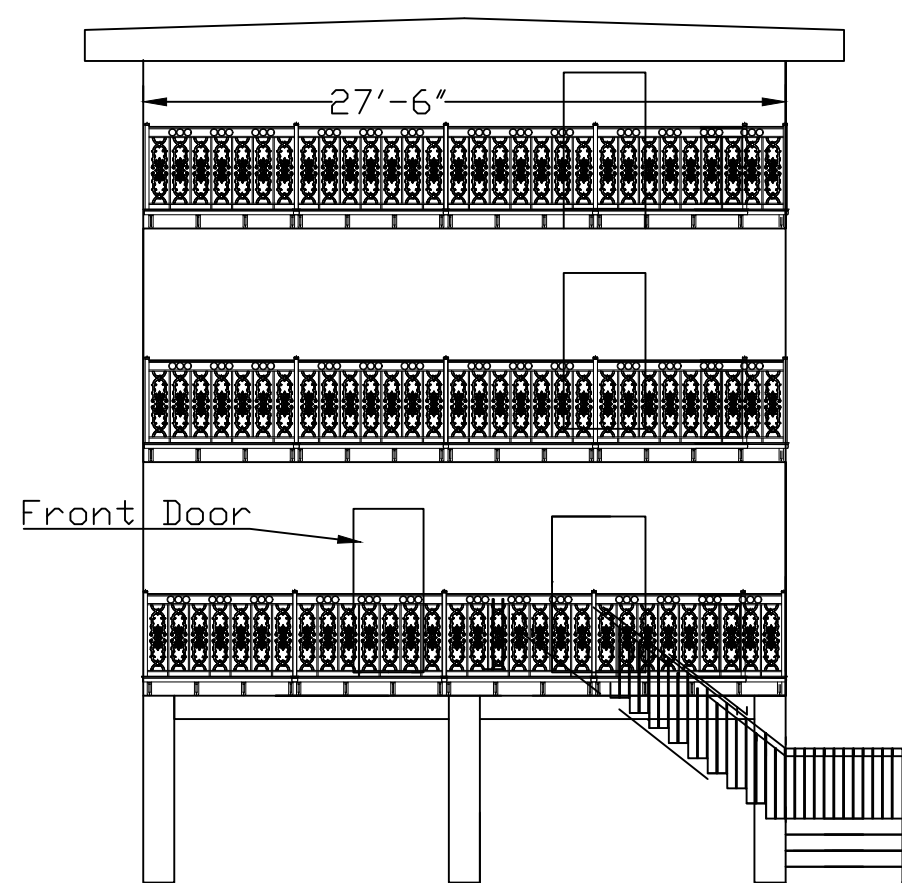
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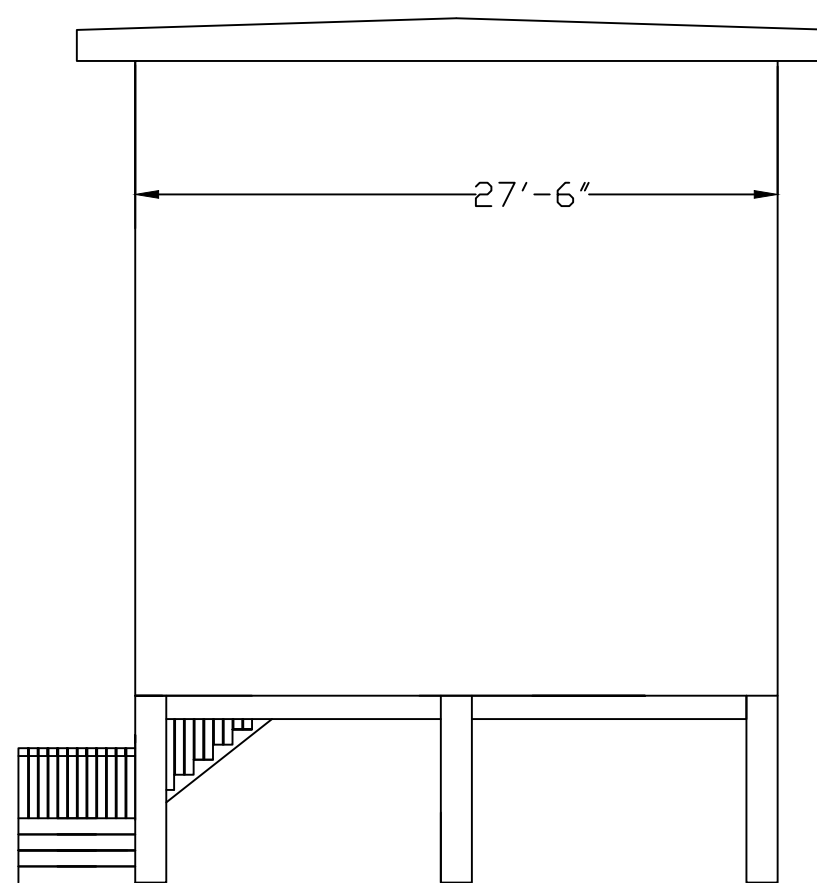
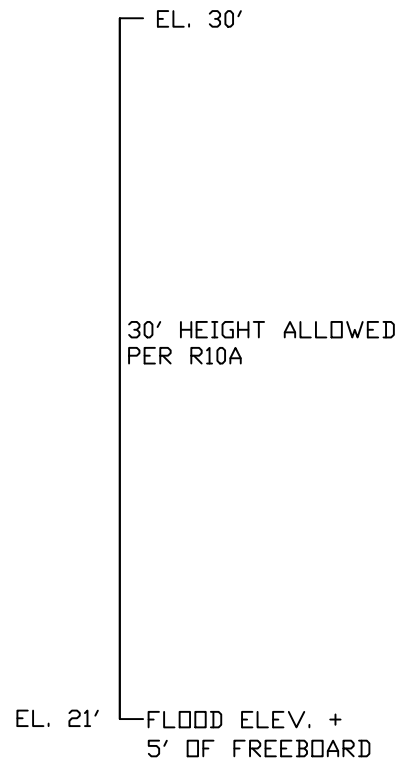
Project Name and Address

Andrew & Avani McHugh
2 Wheatland CT
Newport RI, 02840

Project	Sheet
Date	North/South Elevations
Scale	



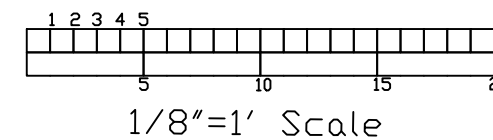
EAST FACE - towards Coggeshall Ave



WEST FACE - towards almy pond



Example of Wisteria/garden space on deck



General Notes

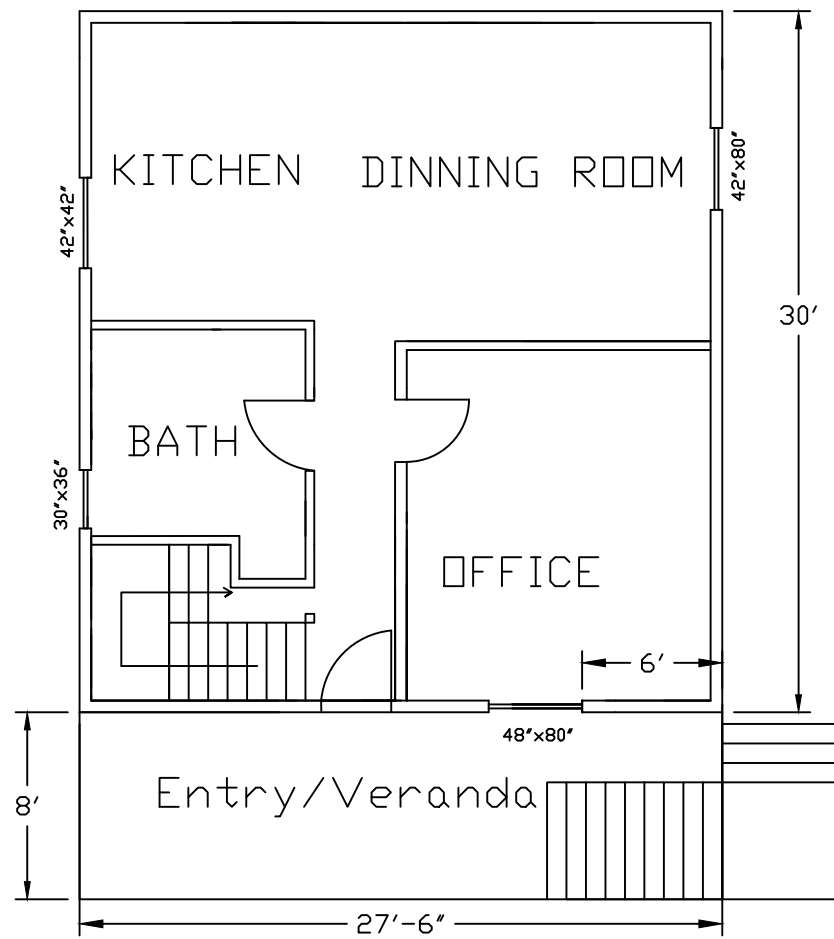
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Firm Name and Address

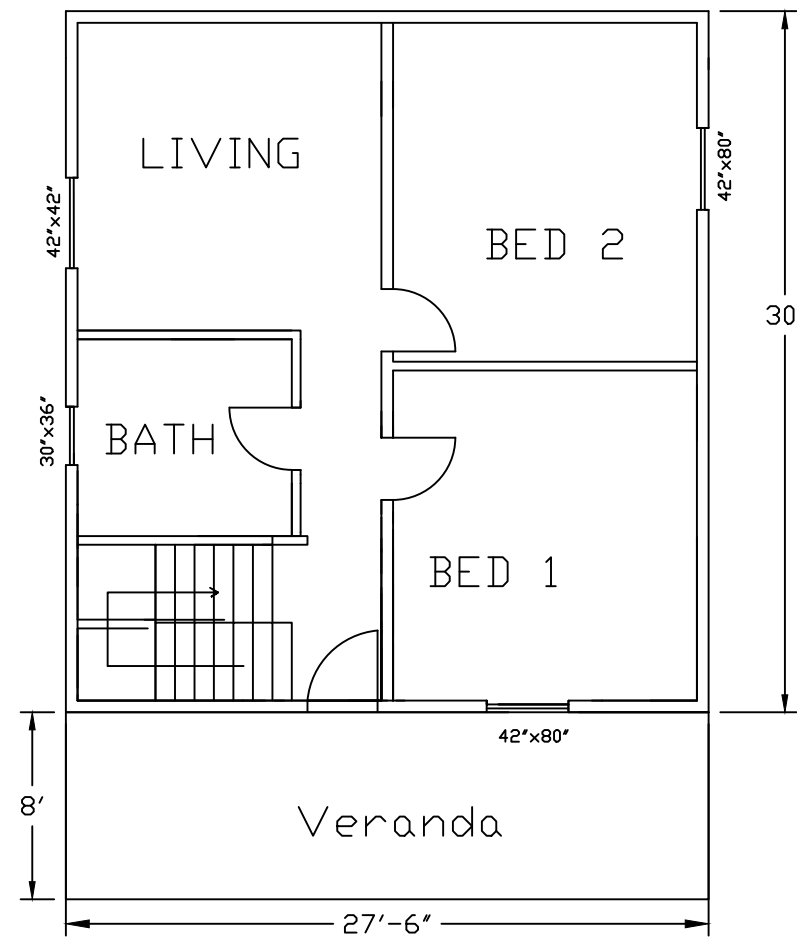
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Newport RI, 02840

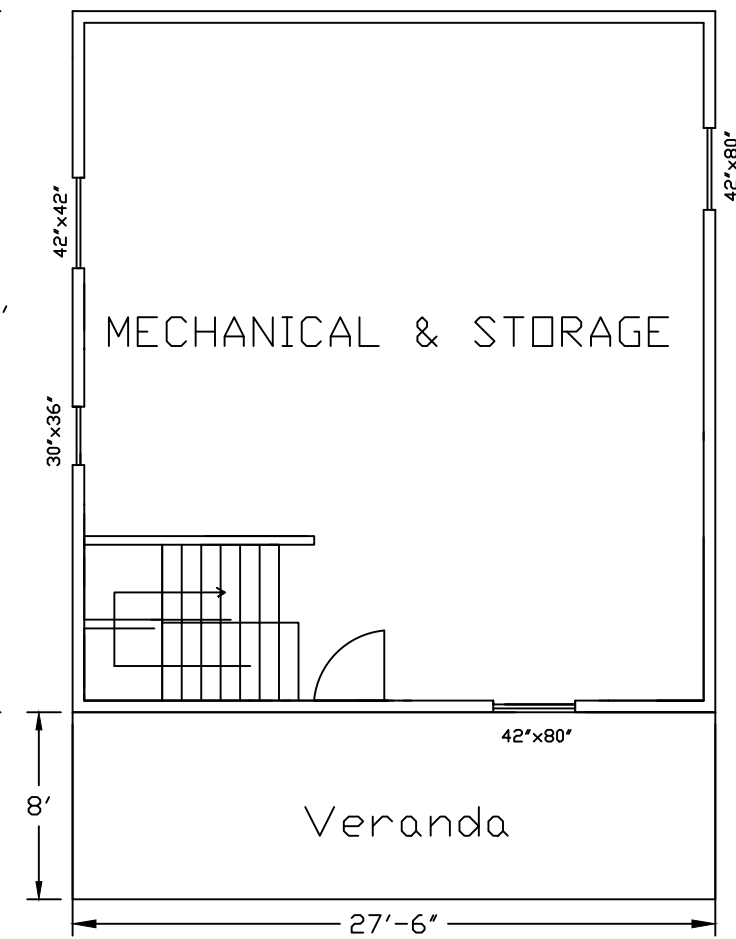
Project	Sheet
Date	East/West Elevations
Scale	



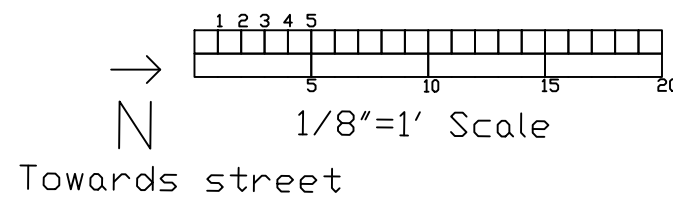
FIRST FLOOR



SECOND FLOOR



ATTIC



General Notes

No.	Revision/Issue	Date

Firm Name and Address

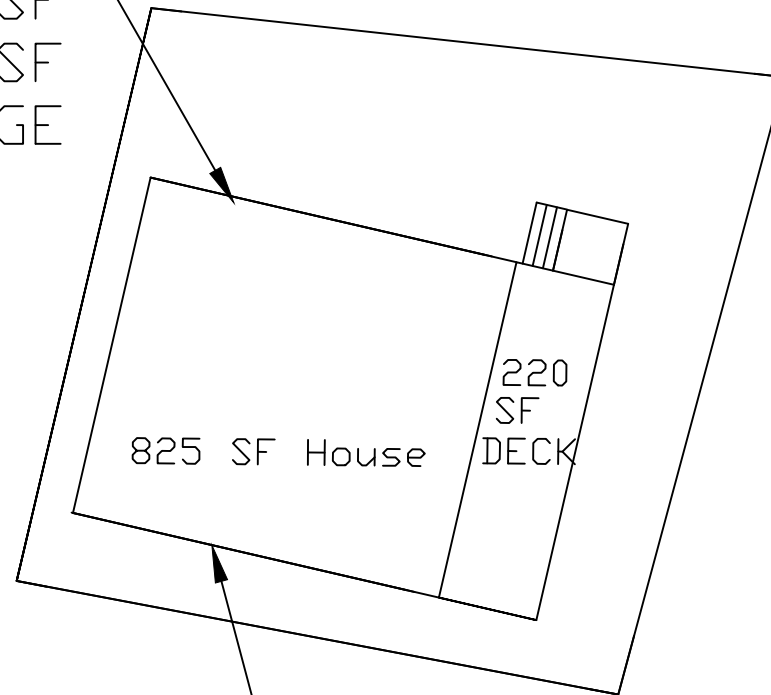
Project Name and Address

Andrew & Avani McHugh
2 Wheatland CT
Newport RI, 02840

Project	Sheet
Date	Floorplan
Scale	

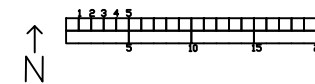
Road - Wheatland CT

2 Wheatland Court Newport RI
LOT SIZE 2433 SF
HOUSE SIZE 825 SF
TOTAL LOT COVERAGE 1045 SF
43% LOT COVERAGE



FRENCH DRAIN AROUND FOUNDATION

2 Wheatland Court
Plat 36, Lot 34-2
Zone R-10A
Front Setback Required 3.65'
Side Setback Required 2.43'
Rear Setback 4.87'
Lot Coverage Required 35.13%
Flood Zone AE 16' Above Sea Level



1/16"=1' Scale

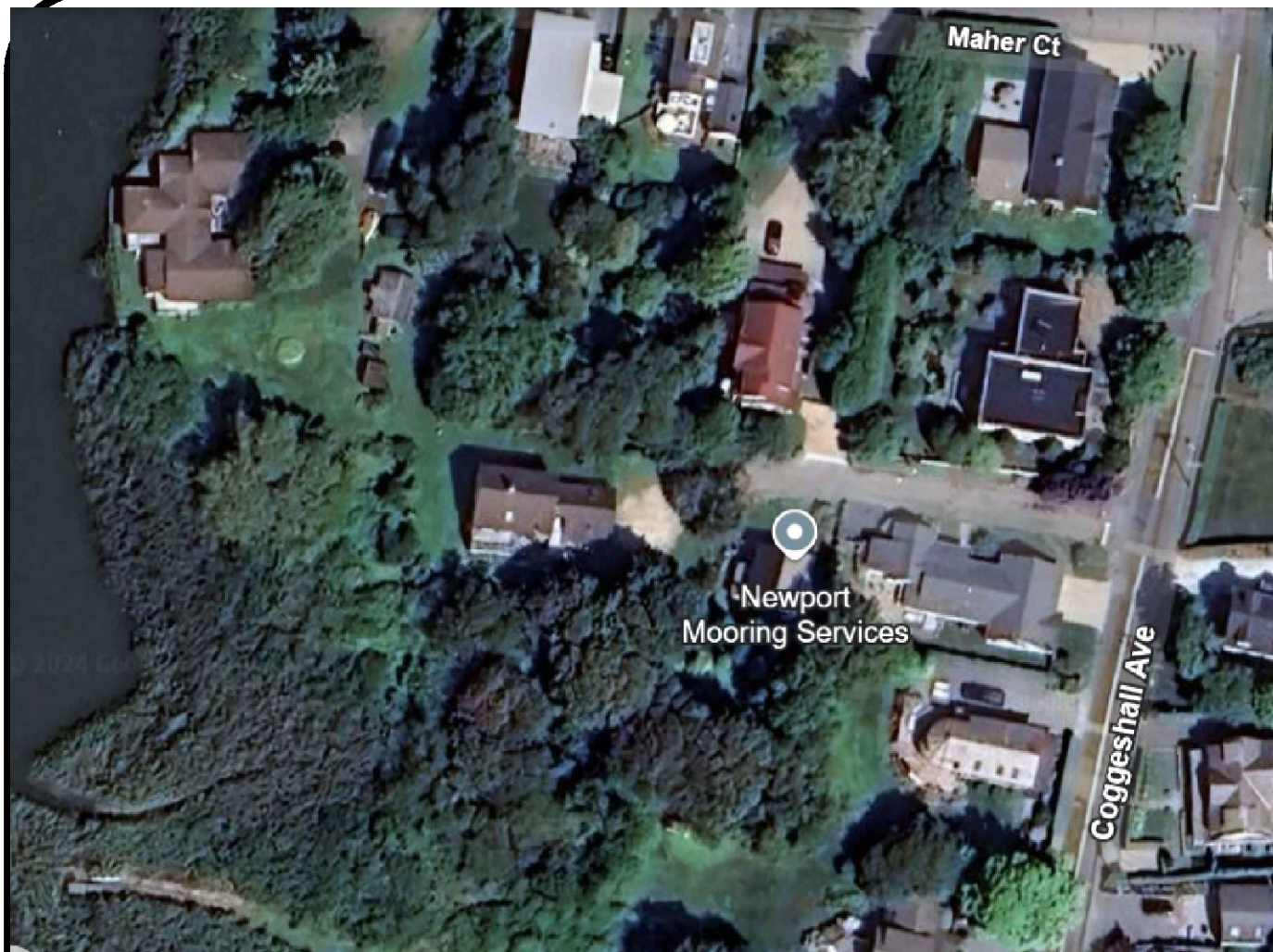
General Notes

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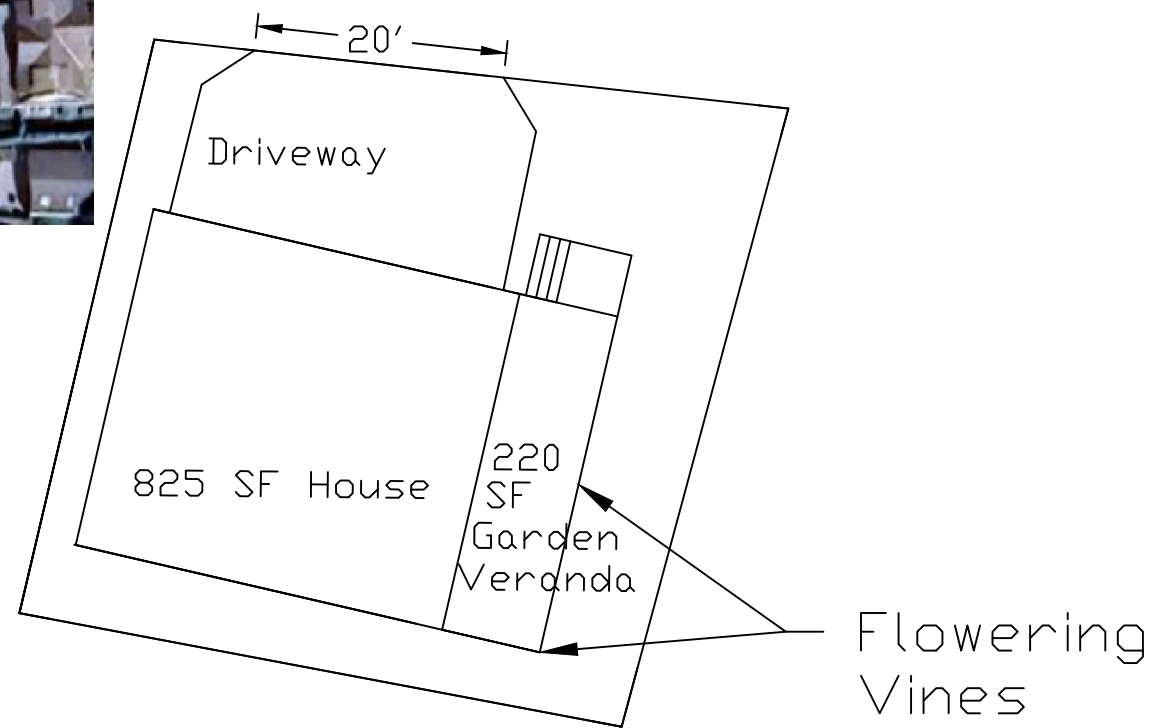
Firm Name and Address

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Newport RI, 02840

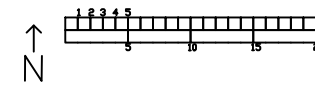
Project	Sheet
Date	STORMWATER
Scale	



Road - Wheatland CT



2 Wheatland Court
 Plat 36, Lot 34-2
 Zone R-10A
 Front Setback Required 3.65'
 Side Setback Required 2.43'
 Rear Setback 4.87'
 Lot Coverage Required 35.13%
 Flood Zone AE 16' Above Sea Level



1/16" = 1' Scale

General Notes																
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