

ZBR 2024 - SEPT - 002

(This box for staff use only)

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JUL 3 1 2024

CK# 1523

By \$100

Date: 7.29.24

#### **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. 316 Gibbs	
Tax Assessor's Plat: 23 Lot: 70 Zoning District: R-20	
Special Use Permit (Non-Conforming Alteration)  Regulatory (Dimensional) Variance	
Special Use Permit (New Use) Use Variance Modification	
Property Owner: Somershome LLC	
Mailing Address: 29 Buckingham Street, Cambridge, MA	
Email Address: jeffreywsinger@gmail.com	
Phone Number: 617-945-2705 617-721-9724	
How long have you been the owner of the above premise? >20 years	
Legally Authorized Representative *if applicable: N/A	
Mailing Address:	
Email Address: Phone Number:	
Lessee:	
Mailing Address:	1
Email Address:  Phone Number:	



### **Property Characteristics**

Dimensions of lot-frontage: 200' x 200' ft. Lot Area: 40,000	sq. ft.
Are there buildings on the premises at present? Yes.	
Total square footage of the footprint of <u>existing</u> buildings: 2,800	sq. ft.
Total square footage of the footprint of proposed buildings: 3,000	sq. ft.

### **Zoning Characteristics Matrix**

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	40,000	20,000	No Change
Coverage Area (sq. ft)	2,800	6,000	3,000
Lot Coverage (%)	7%	15%	7.5%
Dwelling Units	1	1	No Change
Parking (# of spaces)	>2	1	No Change
Front Setback (ft.)	24.89'; 35.6'	30'	No Change
Side Setbacks (ft.)	>15'	15'	No Change
Rear Setback (ft.)	N/A - Corner Lot	20'	No Change
Height (ft.)	30'	30'	No Change



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

Present use of Premise: Single-Family
Proposed use of Premise: Single-Family

### Summary of Proposed Alterations

Applicant proposes extending existing kitchen bumpout by about 12' along the building's northern facade that faces Catherine Street. The existing kitchen bumpout is 24.89' from the Catherine St. property line. The proposed kitchen extension will likewise be 24.89' from the Catherie St. property line.

This renovation will remove an existing exterior staircase and door to create space for the renovation. This is a one-level extension; Applicant is not building on ground level adjacent to the driveway. The proposed kitchen extension will sit on sticks that are consistent with the original design of the house. The existing door in to the basement will remain as the entrance to the rear of the house. Applicant also proposes replacing certain non-historical windows with historically appropriate windows.

The following relief is requested: (1) dimensional relief for extending kitchen bumpout within front setbacks, and (2) cat. 6 special use permit.



### **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 is uniquely situated on a corner lot (the corner of Gibbs Ave. and Catherine Street). As a result, there are two front setbacks that limit development. Were this property not a corner lot, then the proposed kitchen bumpout would be sufficiently distant from the property line to construct by-right. In addition, the historical property was constructed and sited in 1870, long-predating the modern zoning code. The historical siting is partially within the Catherine Street front setback. Thus, the Applicant suffers hardship in lot location and building siting that predates its ownership of the Subject Property.

The proposed alteration will not alter the general character of the neighborhood because the Subject Property will continue to be used as a single-family residential structure.

The proposed addition will not increase stormwater runoff because the extension will be placed on stilts above ground level. The proposed extension will replace an existing exterior staircase and be placed over existing driveway pavers. There will be no increase in impervious surfaces.

The proposed kitchen extension is minimal to the reasonable enjoyment of the property because it further enables cooking area for residential use. The existing historical kitchen is small.

The proposed extension has been conscientiously limited to match the existing historical home without impacting neighbors. This project has been approved by the Historic District Commission regarding size, scale, massing, and location.



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

1101101

Date

Owner Signature

7/31/24

Date



## Newport Zoning Application Submittal Requirements

	1	
ZBR 2024 - SE	PT _ 662	PATE STAMP HERE  OF GEORGE
Special Use Permit (new)	XVariance	JUL 31 2024
☐ Special Use Permit (modification)	☐ Modification	By
(This box for sta	ff use only)	

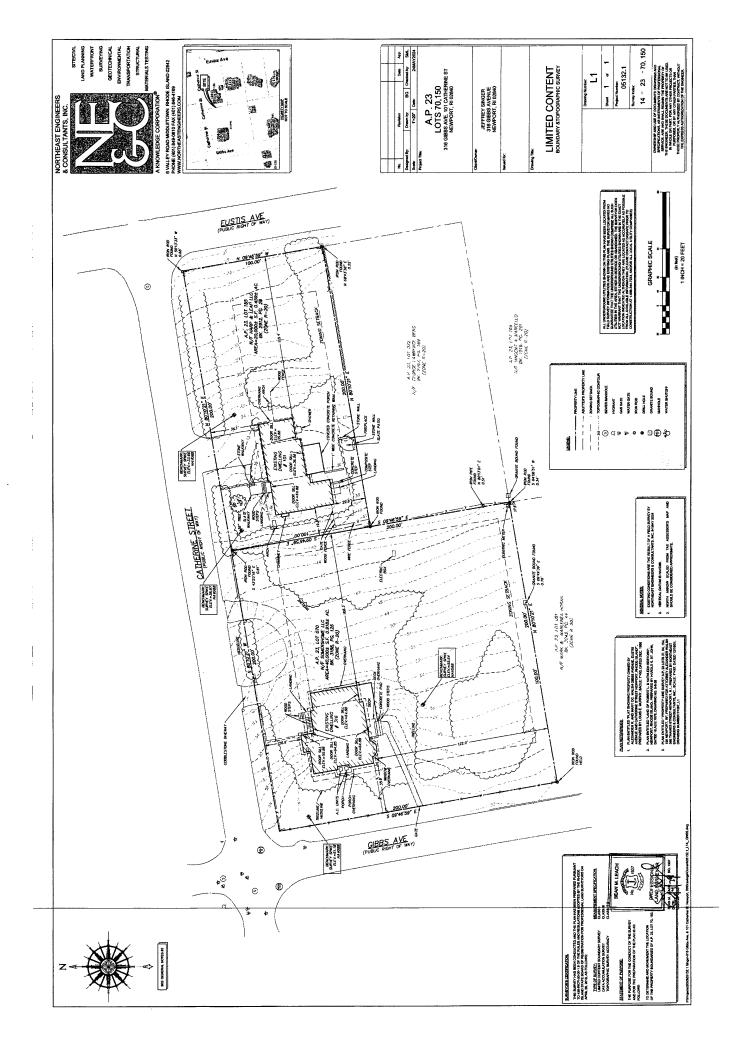
## SUBMITTAL REQUIREMENTS CHECKLIST

Applications that are missing materials in this checklist will not be accepted for review.

Section 1 – Application Forms – Page 3 of the Control Required for All Projects	Guide
sections:  1. Zoning Project Application Form	Packet comprised of the following individual cation Submittal Requirements Checklist (Page 2)
B. Request to Waive any Submittal Requirement C. Application Fee (Please Refer to Current Fe	ts (if applicable)
Section 2 – Plan Package – Pages 4-7 of the Guie Required for All Development Projects (Involving New Individual requirements of the Plan Package (listed	v Structures, Additions, Exterior Alterations, etc.)
A. Class I Site Survey	E. Stormwater Management Plan
B. 🄀 Proposed Site Plan	F. 🗌 Landscape Plan
C.   Lot Coverage Diagram	G. X Building Elevations
D. Floor Plans	H. Change of Use
Section 3 – Supporting Documents, Studies, Gr May be required for certain Development Projects	aphics, and Depictions – Page 8 of the Guide
A. X Site Photographs	D. Parking Survey
B. X Photo Simulations	E. Traffic Impact Analysis
C. Structural Evaluation	

## **EXHIBIT A**

**Existing Site Plan** 



## **EXHIBIT B**

**Photographs of Existing Conditions** 



1. NORTHWEST VIEW (CORNER OF GIBBS AVENUE AND CATHERINE STREET)



2. SOUTHWEST (FRONT) GIBBS AVENUE



3. SOUTH FAÇADE (MAIN ENTRANCE)



4. EAST FAÇADE (REAR)



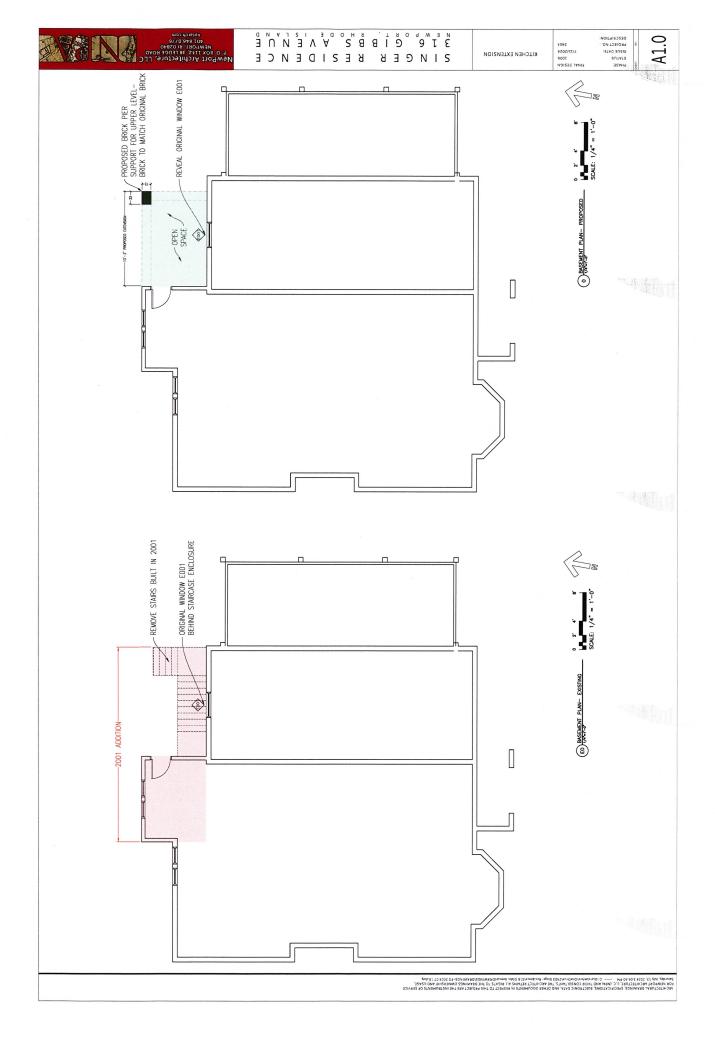
5. NORTHEAST VIEW (REAR) CATHERINE STREET

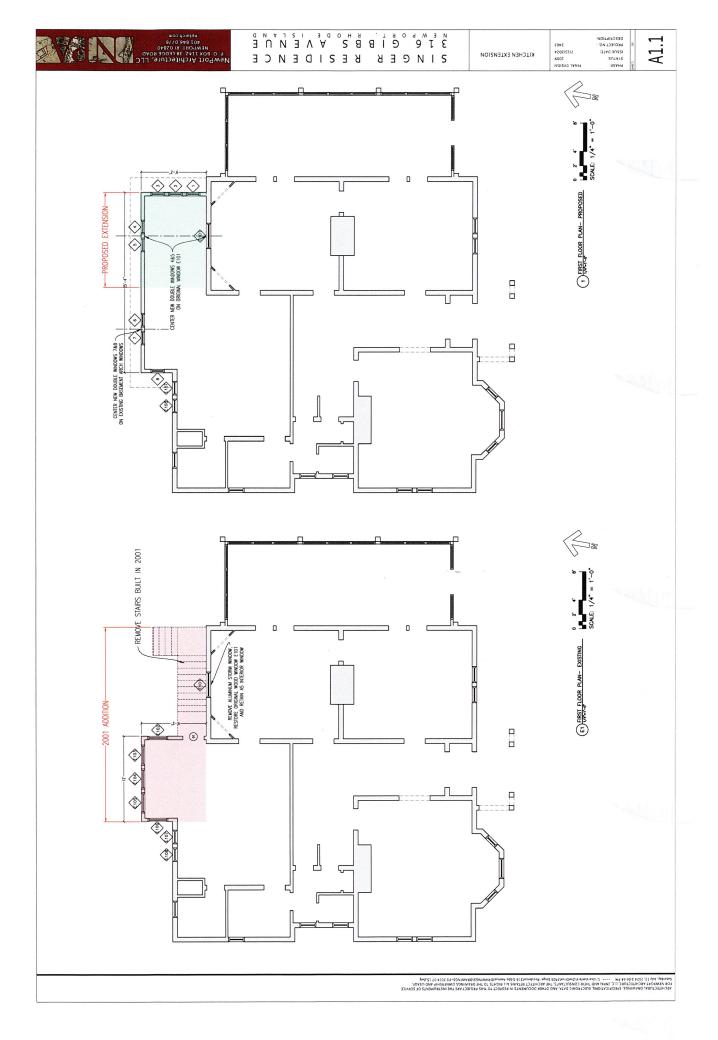


6. NORTH FAÇADE (REAR) CATHERINE STREET

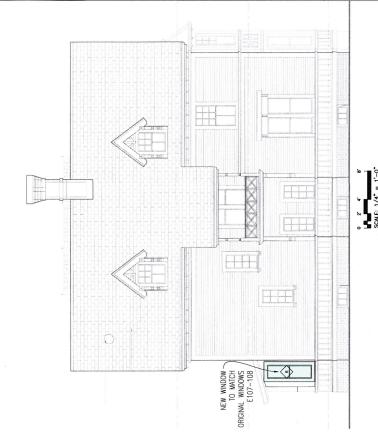
## **EXHIBIT C**

**Architectural Packet** 



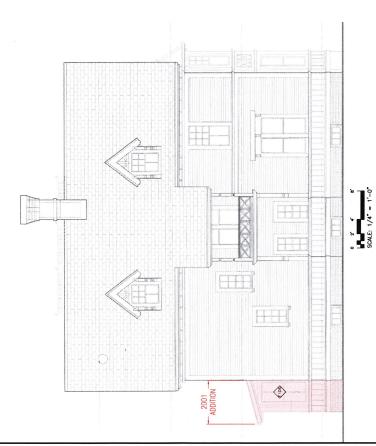




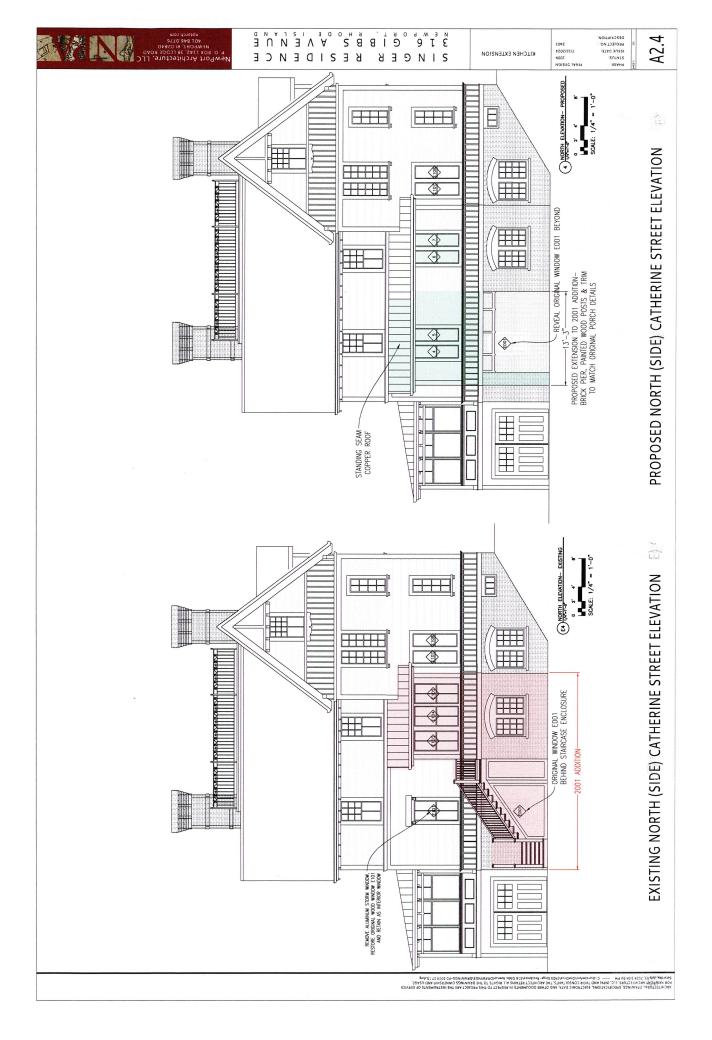




PROPOSED WEST (FRONT) GIBBS AVENUE ELEVATION







RECEIVED - RECORDED, NEWPORT RI

03/21/2024, 09:20:44A

LAURA SWISTAK, NEWPORT CITY CLERK E-RECORDED

#### EXHIBIT A

That certain lot or parcel of land with the buildings and improvements thereon situated in

the City of Newport, County of Newport, State of Rhode Island and described as follows:

WESTERLY:

on Gibbs Avenue;

NORTHERLY:

on Catherine Street;

EASTERLY:

on land now or formerly of Julia W. Emmons, life tenant;

and

**SOUTHERLY:** 

on land now or formerly of Crawford and Evelyn L. Hill;

containing by estimation 40,000 square feet.

Being Lot No. 70 on Plat 23 of the Assessor's Plats of the said City of Newport.

Property Address (for reference purposes only): 316 Gibbs Avenue, Newport, RI 02840 (AP 23 / 070)

xecuted: February 26, 2024

Recorded original retained by David M. Dolbashian, Esq., PC

Copy retained by Currier Ryan LLC, Boston, MA

### WARRANTY DEED

### KNOW ALL PERSONS BY THESE PRESENTS: That

MAUREEN W. SINGER (aka MAUREEN WHITLEY SINGER) and JEFFREY W. SINGER, in their capacities as Co-Trustees of the MAUREEN W. SINGER 2016 REVOCABLE TRUST u/d/t dated AUGUST 10, 2016 (now known as the MAUREEN WHITLEY SINGER 2016 REVOCABLE TRUST), both of 29 Buckingham Street, Cambridge, Massachusetts (the "Grantors"), for the consideration of ONE (\$1.00) DOLLAR paid, does hereby give, grant and convey all interest in the herein described property unto SOMERSHOME LLC, a limited liability company organized under the laws of the State of Rhode Island with its principal place of business located at 316 Gibbs Avenue, Newport, Rhode Island (the "Grantee"), as Sole Owner with WARRANTY COVENANTS:

That certain lot or parcel of land, known as 316 Gibbs Avenue, Newport, Rhode Island 02840 and more accurately described in the attached EXHIBIT A herein:

- -Meaning and intending to convey and hereby conveying the same premises conveyed by deed dated July 17, 2020, and recorded in the Newport, RI Land Evidence Records in Book 2912, Page 25.
- -This transfer is such that no RIGL 44-30-71.3 withholding is required as this transaction is a gift and for no consideration.
- -This transfer is such that no Conveyance Tax Stamps are required as this transaction is a gift and for no consideration.
- -Grantee accepts this deed with the knowledge that it is subject to that certain Mortgage, dated October 21, 2016, from Jeffrey W. Singer and Maureen W. Singer, in favor of BankNewport, in the face amount of \$417,000.00, recorded in the Newport, RI Land Evidence Records in Book 2622, Page 239.
- -Grantee accepts this deed with the knowledge that it was prepared without the benefit of a full title exam.

GRANTEE ADDRESS: 29 Buckingham Street, Cambridge, Massachusetts 02138

[SIGNATURE PAGES TO FOLLOW]

WITNESS my hand this $\frac{2L}{}$ da	y of February, 2024.				
of Shipping					
	JEFFREY W. SINGER, Co-Trustee of THE MAUREEN W. SINGER 2016				
REVOCABLE TRUST u/d/t dated	AUGUST 10, 2016 (now known as the				
MAUREEN WHITLEY SINGER	2016 REVOCABLE TRUST)				
STATE OF Massachuset	<u>ts</u> )				
CONTRACT SUPPLIES	) ss.				
COUNTY OF SUPPORE	)				
On this 24 day of Februa	' r 4 2024, before me the undersigned officer,				
personally appeared JEFFREY W. S	SINGER, in his capacity as Co-Trustee of THE				
MAUREEN W. SINGER 2016 RE	VOCABLE TRUST u/d/t dated AUGUST 10, 2016				
	HITLEY SINGER 2016 REVOCABLE TRUST),				
	name is subscribed to the within instrument, proven				
with satisfactory evidence, and acknowledge acknowledge and acknowledge acknowledge and acknowledge acknow	owledged that he executed same for the purpose deed. IN WITNESS WHEREOF I hereunto set my				
hand and seal.	deed. In withess whereof inclounce seemy				
(Insert any State Specific language re	equired here:)				
(					
	116				
	Notary Public: Liam M, Ryan				
Mariantana D.	My Commission Expires: 11 4 2027				
True of Michigan Control	my commonon Express				
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SLLYS OF MASSION ESTATEMENT OF MASSION ESTAT					
Mittheth Hipe.					

WITNESS my hand this $26$ day of $fz$	bruary, 2024.
MAUREEN W. SINGER AKA MAUREE THE MAUREEN W. SINGER 2016 REVO 2016 (now known as the MAUREEN WHIT TRUST)	N WHITLEY SINGER), Co-Trustee of CABLE TRUST u/d/t dated AUGUST 10, TLEY SINGER 2016 REVOCABLE
COUNTY OF SUFFORM  On this 26 day of February 26 personally appeared MAUREEN W. SINGE SINGER), in her capacity as Co-Trustee of REVOCABLE TRUST u/d/t dated AUGU: MAUREEN WHITLEY SINGER 2016 RE the person whose name is subscribed to the wevidence, and acknowledged that she execute her free act and deed. IN WITNESS WHERE (Insert any State Specific language required in the second control of the s	THE MAUREEN WHITLEY THE MAUREEN W. SINGER 2016 ST 10, 2016 (now known as the EVOCABLE TRUST), known to me to be within instrument, proven with satisfactory and same for the purpose therein contained, as EOF I hereunto set my hand and seal.
M. R. S. M. S. M. R. S. M. S. M. R. S. M. S. M. S. M. S. M. R. S.	Notary Public: A'am M Ryan My Commission Expires: 1/14 202

Executed: February 26, 2024

Original retained by Currier Ryan LLC,

Boston, MA

#### SOMERSHOME LLC

#### **Assignment of Membership Interest**

MAUREEN WHITLEY SINGER and JEFFREY W. SINGER, Trustees of the MAUREEN WHITLEY SINGER 2016 REVOCABLE TRUST, under instrument of trust dated August 10, 2016 (the "Transferor"), presently holds a 100.00% Membership Interest in SOMERSHOME LLC (the "Company"), a Rhode Island Limited Liability Company formed pursuant to the Rhode Island Limited Liability Company Act under a Limited Liability Company Operating Agreement (the "Agreement") by and among the Company and its members dated February 26, 2024, as the same may be amended from time to time, and an Articles of Organization filed with the Secretary of the State of Rhode Island on October 26, 2023.

It being the intention of the Transferor that JEFFREY W. SINGER, as Trustee of THE WHITLEY SINGER FAMILY TRUST, under instrument of trust dated February 26, 2024, succeed to all of the Transferor's interest as a Member in the Company, the Transferor hereby assigns, transfers and conveys all of the Membership Interests in the Company held by her to THE WHITLEY SINGER FAMILY TRUST (the "Transferee").

Executed as of this 26 day of February, 2024.

Maureen Whitley Singer, Trustee of The Maureen Whitley Singer 2016 Revocable

Trust

Jeffrey W. Singer, Trustee of The Maureen Whitley Singer 2016 Revocable Trust