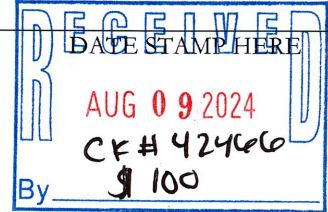




Newport Zoning Application

ZBR 2024 - Sept - 007

(This box for staff use only)



Date: 7.23.24

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: 24 Winans Ave.

Tax Assessor's Plat: 44 Lot: 82 Zoning District: R-40A

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

Property Owner: Donna Medeiros

Mailing Address: 107 Mako Lane, Jupiter, FL, 33477

Email Address: c/o tjackson@millerscott.com

Phone Number: 401-847-7500

How long have you been the owner of the above premise? 2023

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: ~178'x~116' ft. Lot Area: 20,298 sq. ft.

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings: 3,389 sq. ft.

Total square footage of the footprint of proposed buildings: 3,572 sq. ft.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	20,298	20,298	No Change
Coverage Area (sq. ft)	3,389	3,028	3,572
Lot Coverage (%)	16.7%	14.9%	17.6%
Dwelling Units	1	1	No Change
Parking (# of spaces)	>2	2	No Change
Front Setback (ft.)	>50'	25.4'	No Change
Side Setbacks (ft.)	41.2'	20.29'	No Change
Rear Setback (ft.)	7.3'	10.1'	No Change*
Height (ft.)	<35'	35'	No Change

*There is no change to the primary residence rear setback. The requested dimensional relief relates solely to accessory setbacks.



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

Applicant proposes to revitalize pre-existing outdoor patio area by:

- 1) renovating free-standing outdoor shower;
- 2) constructing outdoor kitchen with stainless steel appliances, bluestone counter top, and cedar siding, all to be under an overhead pergola; and
- 3) renovate the existing outdoor fireplace with Montauk Blue Ashlar stone veneer.

Proposed outdoor kitchen and chimney will not be connected to the main residence.

In total, the proposed work increases lot coverage by only 183 sq. ft., most of which is the pergola overhang. The proposed outdoor kitchen is only 50 sq. ft. and will lay entirely underneath the proposed pergola overhang.

At its closest point, the proposed accessory structure will be 4' 1" to the rear property line.

The following relief is requested:

- 1) Dimensional relief to place accessory outdoor kitchen 4' 1" and renovated chimney 6' from rear property line, respectively, and to increase lot coverage to 17.6%; and
- 2) Special Use Permit to alter non-conforming elements.



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 is located in the R-40A zone. The lot is substandard, being only 20,298 sq. ft. where 40,000 sq. ft. is required. The residential structure was also constructed partially within the rear setback. Indeed, the single-family home is 7' from the rear property line and the resulting backyard is narrow. These two unique characteristics, the substandard lot size and peculiar building placement, restrict space for any accessory structures. There is no building space in the backyard that permits by-right construction. There is no alternative siting as placement within the front yard would also require a variance and the sideyard contains septic tank infrastructure.

In addition, the pre-existing structure already exceeds permissible lot coverage, even when proportionality is applied, meaning that any improvement, alteration, or accessory structure necessitates zoning relief, no matter how reasonable.

These characteristics originate from subdivision and original construction, which both predate the Applicant's ownership of the property.

A strict interpretation of the zoning code would completely deprive the applicant of the ability for any outdoor amenities. The Applicant has conscientiously limited the proposed work to request the minimal variances necessary to support a modern patio area.

The proposed work will not alter the general character of the neighborhood because the Subject Property will continue to be used as a single-family home. The proposed kitchen will be part and parcel of the pre-existing patio, ensuring that there will be minimal change to the Subject Property's historical usage. The proposed work will enable the Applicant to install modern amenities that support a reasonable residential use of the property.



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.

c/o Tanner Johnson

Applicant Signature

8/13/24

Date

c/o Tanner Johnson

Owner Signature

8/13/24

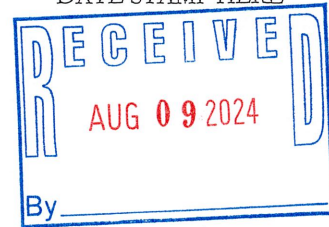
Date



Newport Zoning Application Submittal Requirements

ZBR 2024 - Sept - 007

DATE STAMP HERE



- Special Use Permit (new)
 - Special Use Permit (modification)
 - Variance
 - Modification
- (This box for staff 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 Guide Required for All Projects

- A. Completed Zoning Project Application Packet comprised of the following individual sections:
 1. Zoning Project Application Form
 2. Completed copy of this Zoning Application Submittal Requirements Checklist (Page 2)
- B. Request to Waive any Submittal Requirements (*if applicable*)
- C. Application Fee (Please Refer to Current Fee Schedule)

Section 2 – Plan Package – Pages 4-7 of the Guide Required for All Development Projects (Involving New Structures, Additions, Exterior Alterations, etc.) Individual requirements of the Plan Package (listed below) may differ depending on the project

- A. Class I Site Survey
- B. Proposed Site Plan
- C. Lot Coverage Diagram
- D. Floor Plans
- E. Stormwater Management Plan
- F. Landscape Plan
- G. Building Elevations
- H. Change of Use

Section 3 – Supporting Documents, Studies, Graphics, and Depictions – Page 8 of the Guide May be required for certain Development Projects

- A. Site Photographs
- B. Photo Simulations
- C. Structural Evaluation
- D. Parking Survey
- E. Traffic Impact Analysis

EXHIBIT A

Existing Site Plan

EXHIBIT B

Proposed Site Plan

EXHIBIT C

Photographs of Existing Conditions and Renderings by Landscape Architect



Winans Avenue

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Existing Conditions



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Overhead View





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Stainless Steel Charcoal grill
Stainless Steel auxiliary gas burner
Outdoor electrical outlets
Stainless Steel Sink
Smoker

Counter - Bluestone with thermal finish, Select Blue Color Range.
White painted cedar, horizontal overlap planks and stainless steel cabinets



Chimney - Stone veneer LaPietra
Montauk Blue, Ashlar, Bluestone Blue
Select, thermal finish cap

Bluestone with thermal
finish, select blue color
range

Manufacturer: LaPietra
Natural Thinstone Veneers
Model: Montauk Blue™
Style: Ashlar

White painted cedar with
horizontal overlap plank profiles



Outdoor Shower - Siding to match existing house siding both in color and dimensions.



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