



**Town of Bristol, Rhode Island**  
**Department of Community Development**  
**Zoning Board of Review**

TOWN OF BRISTOL  
COMMUNITY DEV.

2024 AUG -9 AM 11:30

**APPLICATION**

File No: 2024-29  
Accepted by ZEO: EMT 8/9/24

<b>APPLICANT</b>	Name: Alex Romano, Emily Romano		
	Address: 17 Mulberry Road		
	City: Bristol	State: RI	Zip: 02809
	Phone #: 401-487-3727	Email: aromano@studentally.com	
<b>PROPERTY OWNER</b>	Name: Alex Romano, Emily Romano		
	Address: 17 Mulberry Road		
	City: Bristol	State: RI	Zip: 02809
	Phone #: 401-487-3727	Email: aromano@studentally.com	

1. Location of subject property: 17 Mulberry Road, Bristol  
Assessor's Plat(s)#: 74 Lot(s) #: 17
2. Zoning district in which property is located: R-20
3. Zoning Approval(s) required (check all that apply):  
☒ Dimensional Variance(s) ☐ Special Use Permit ☐ Use Variance
4. Which particular provisions of the Zoning Ordinance is applicable to this application?:  
Dimensional Variance Section(s): Sec. 28-111 Residential Zones  
Special Use Permit Section(s): \_\_\_\_\_  
Use Variance Section(s): \_\_\_\_\_
5. In a separate written statement, please describe the grounds for the requested variance or special use permit and how the proposal will meet the standards found in Section 28-409 of the Zoning Ordinance.
6. How long have you owned the property?: Since September 2016
7. Present use of property: Single family residence
8. Is there a building on the property at present?: Yes.
9. Dimensions of existing building (size in feet, area in square feet, height of exterior in feet): \_\_\_\_\_  
The building is an irregular shape (as shown in attached drawings, totaling 2,732 above ground sq. ft.  
The rough exterior dimensions are 70' x 30'. The tallest portion (south side) of the building is 30' high.
10. Proposed use of property: Single family residence with integrated accessory dwelling unit for use by  
the applicants' elderly parents.

**11. Give extent of proposed alterations:** Applicant's prior request to build a 54' long by 26' wide ADU with basement and integrating/updating the existing 26'x22' garage was approved in April 2024. (See prior application.) Applicants request to reduce the width of the ADU from 54' to 50', eliminate the basement, move the garage forward approx. 5', while straightening the garage to be perpendicular to the ADU, and adding a loft above the garage (mostly outside the 20' setback).

**12. Dimensions of proposed building/addition (size in feet, area in square feet, height of exterior in feet):**  
A 50' x 26' extension creating a 1133 sq. ft. ADU and 175 sq. ft. hall connecting the garage. A 32' x 23' garage with 5' covered walkway (3<sup>rd</sup> stall and walkway outside 20' setback), and 630 sq. ft. guest/storage area w/ bath above garage (mostly outside 20' setback.) Height +/- consistent with existing 20' N. roof and substantially below existing 30' S. roof.

**13. If dimensional relief is being sought, please state the required and proposed dimensions and setback distances between the proposed building/addition and each lot line:**

Front lot line(s):	Required Setback: _____	Proposed Setback: _____
Left side lot line:	Required Setback: _____	Proposed Setback: _____
Right side lot line:	Required Setback: 20'	Proposed Setback: 1.3' (existing since 1946)
Rear lot line:	Required Setback: 35'	Proposed Setback: 20' (existing since 1946)
Building height:	Required: _____	Proposed: _____
Other dimensions (building size, lot coverage, lot area, parking, sign dimensions, etc.):		
Required: _____	Proposed: _____	

**13. Number of families before/after proposed alterations:**      1      Before      1      After

**14. Have you submitted plans for the above alterations to the Building Official?** No.  
If yes, has he refused a permit? \_\_\_\_\_ If refused, on what grounds? \_\_\_\_\_

**15. Are there any easements on your property?:** No. (If yes, their location must be shown on site plan)

**16. Which public utilities service the property?:** Water: Yes. Sewer: Yes.

**17. Is the property located in the Bristol Historic District or is it an individually listed property?:** No.

**18. Is the property located in a flood zone?** No. If yes, which one?: \_\_\_\_\_

I, the undersigned, attest that all the information provided on this application is true and accurate to the best of my knowledge:

**Applicant's Signature:**   **Date:** 7/30/2024

**Print Name:** Alex A. Romano, Emily Romano

**Property Owner's Signature:**   **Date:** 7/30/2024

**Print Name:** Alex A. Romano, Emily Romano

**Name of attorney or agent (engineer, architect, etc.), if any, who is authorized to represent the applicant:**

**Name:** \_\_\_\_\_ **Telephone #:** \_\_\_\_\_

**Address:** \_\_\_\_\_



# **Application Section 5 – Grounds for Revised Variance**

## **Existing Dimensional Variance April 2024**

Applicants were granted a dimensional variance in April 2024 to construct a 54' x 26' addition with basement, to serve as an ADU for the applicants' elderly parents and also to provide access from the existing home to the currently detached garage.

## **Basis for Revised Variance – Unique Grade/Location of Existing Structures.**

To complete the modifications approved in the April 2024 variance the loadbearing foundation of the existing garage constructed in 1946) needed to be assessed for its capability of supporting the new structure and integrating into the home. Upon engineering review, the garage foundation is only approximately 2' deep, and to complete the modifications approved in the April 2024 variance, the garage foundation would need to be underpinned or repoured to allow for 4' of depth.

Because the garage was built in 1946, pre-zoning, it was built into the hill along the easterly boundary of the property - 1.3' from the easterly side yard property line that separates 17 Mulberry Road from its easterly neighbor at 33 Sunset Road. Because of its construction into the side of the hill and 1.3' from the property line, repouring/underpinning the easterly foundation of the garage would require substantial excavation of the hill including portions of the hill that are beyond the property line of 33 Sunset Road. Effectively, the garage's easterly foundation wall cannot be accessed from the east in order to perform the necessary modifications. Alternatively, if access the easterly foundation wall was attempted from the west, it would require substantial demolition of the existing garage.

In sum, to complete the modifications approved in the April 2024 variance, applicants would have to substantially demolish the existing garage.

## **Revised Proposal to Accommodate Unique Conditions of the Property**

To accommodate the issues created by the existing hillside, Applicants propose to reduce the length of the addition from 54' to approx. 50'3" and to eliminate the majority (or all) of the basement portions. This change effectively reduces the existing encroachment into the easterly side yard setback by several feet.

To accommodate these changes, Applicants propose to demolish the majority (or all) of the existing garage in order to allow westerly access to the eastern foundation wall to pour the required structural foundation/footings, and to move the garage 5' forward (southerly) to allow for 22' of interior vehicle access. In addition, because the existing garage was built parallel to the property line and at an acute angle to the existing home, Applicants propose to move the garage westerly (pivoting off its southeasterly corner), which will bring it perpendicular to the addition, allow applicants to reduce the length of the addition from 54' to 50', and minimize the current easterly side yard setback by moving the addition further west. (As shown in attached drawings).

To accommodate for the loss of the basement area for storage and a guest room to serve the primary residence, applicants propose to incorporate a loft above the garage through a 1.5 story design that uses a shed dormer on the westerly side of the garage. Applicants propose to transition the south facing cape-style gable roof into a hip roof at the rear (north) side of the property. This transition will allow applicants to minimize visual impact by keeping the keeping the rooflines of the structure consistent with the rooflines approved at the April 2024 hearing. (See attached exterior renderings). The majority of the loft and the entirety of the shed dormer will be outside of the 20' side yard setback. Applicants also propose to add a 3<sup>rd</sup> garage stall (which is consistent with other homes in the area) and a covered walkway, both of which are on the west wide of the garage and both of which are outside of the 20' side yard setback.

## **Proposed Alterations Maintain Substantial Distances From Nearby Residences**

Because the applicants' property and surrounding homes were all built pre-zoning, the nature of the area is such that the proposed ADU would not encroach on any nearby residences. Although the ADU would maintain a 20'

# **Application Section 5 – Grounds for Revised Variance**

## **Applicants' Hardship (Additional Hardship Explanation)**

The hardships that formed the basis for the April 2024 dimensional variance approval are still in effect and continue to be a basis for this revised variance request. (See April 2024 application for more details).

The additional hardship that forms the basis for this revised variance is the construction of the exiting garage into the side of the hill at the easterly border of Applicants' property I 1946. The nature of the garage's construction is such that, in order to support its integration into the home (which Applicants were granted relief to do in April 2024), Applicants would have to excavate the hill that the garage is built into in order to add adequate structural footings, and because the garage was built 1.3' from the property line, this would require substantial excavation of areas neighbor's property. Alternatively, the garage would have to be substantially demolished in order to perform the excavations from the west wide, in which instance, the more appropriate course of action would be pour new foundations that align the garage perpendicular to the approved addition and reduce the existing side yard encroachment by reducing the length of the proposed addition from 54' to 50'.

Because of the nature of the property, and the original owner's decision to construct the existing house to the far easterly side of the property, and the garage/driveway 1.3' from the easterly property line, there is no other location where the garage could be situated on the site.

## **Closing Remarks**

The revised proposal is substantially similar and even less encroaching than the proposal that was approved by the Board in April of 2024. The revised proposal is consistent with and similar to the sizes of surrounding homes, and is visually and functionally in line with the character of the neighborhood.

For all of these reasons, denial of applicants' request for a dimensional variance would be more than a mere inconvenience. The ADU is for the applicants' elderly parents to permit them to live on a single first-floor area adjacent to the garage and driveway, and adjacent to children who might assist them. ADUs are now encouraged by the State of Rhode Island and are a permitted use. R.I. Gen. Laws §45-24-74(b).

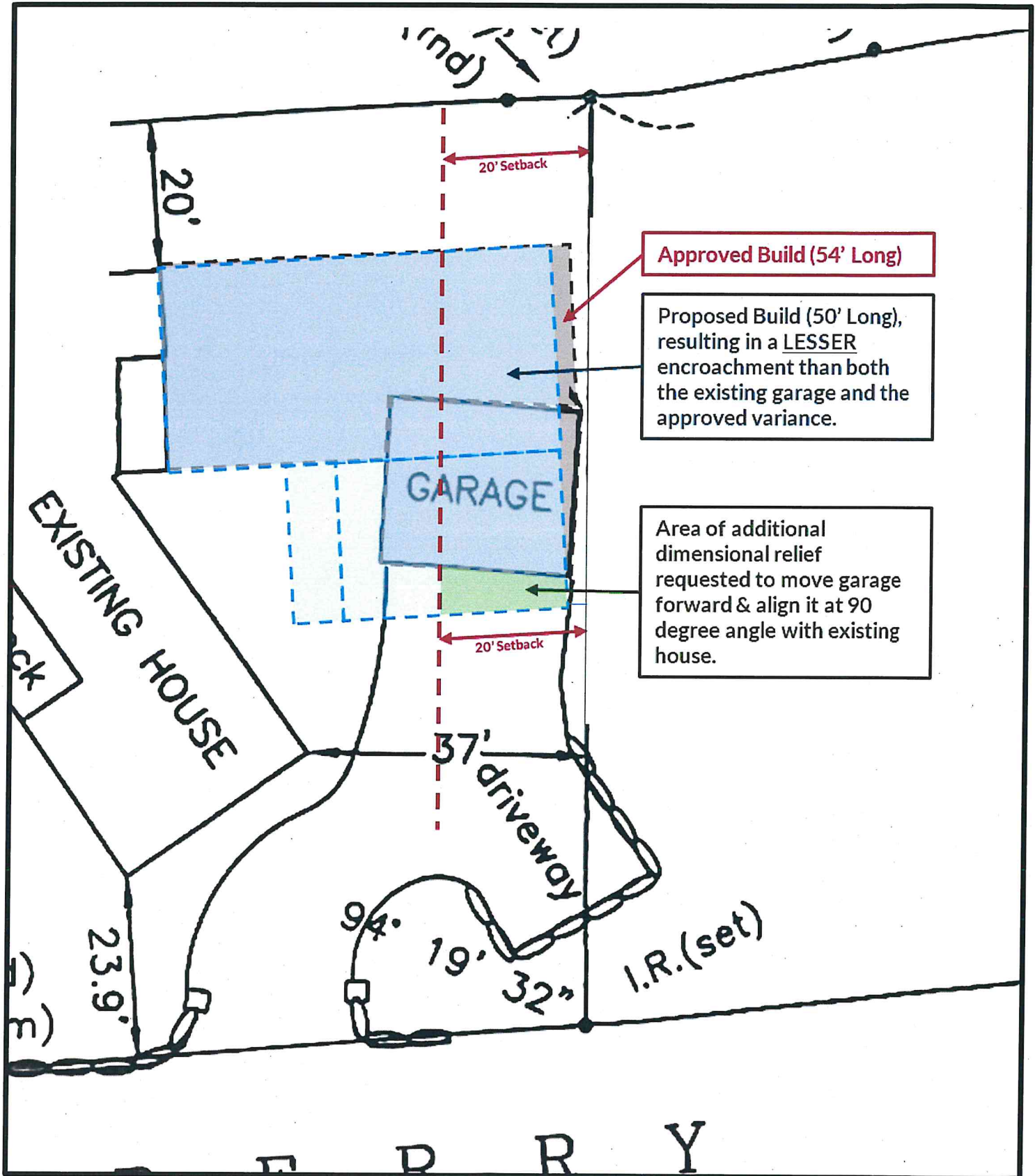


# OVERLAY OF APPROVED VS REVISED VARIANCE

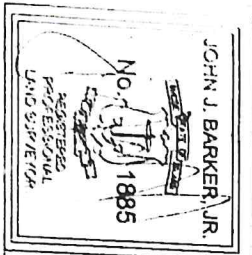
(Approved in brown)

(Proposed in blue)

(Area of additional relief in green)



# Existing Survey



## CERTIFICATION

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS NOVEMBER 25, 2015 AS FOLLOWS:

TYPE OF BOUNDARY SURVEY: COMPREHENSIVE BOUNDARY SURVEY

MEASUREMENT SPECIFICATION: CLASS 1 STANDARD

THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS: TO SHOW THE EXISTING CONDITIONS IN RELATION TO THE SURVEYED BOUNDARY LINES.

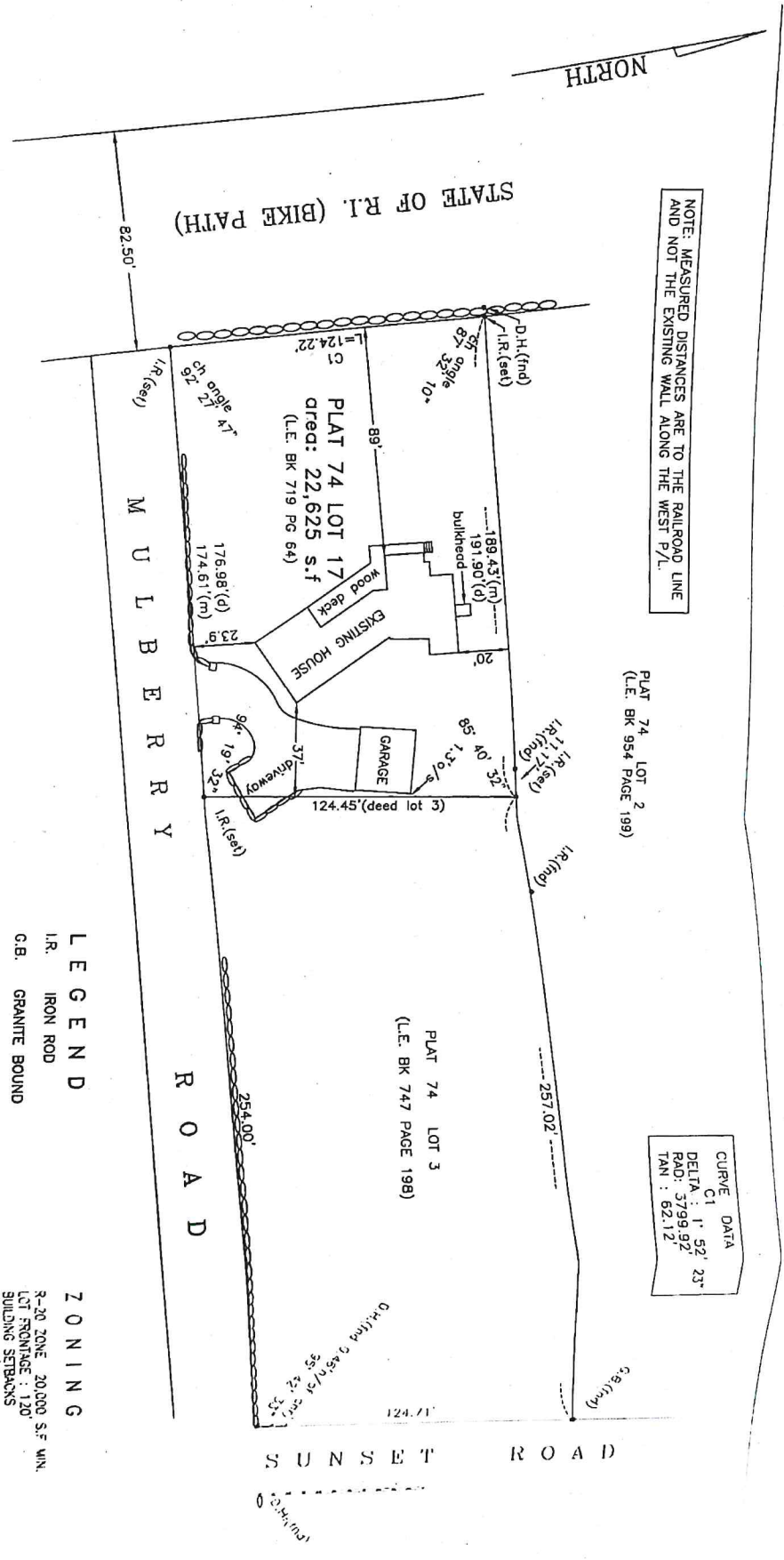
JOHN J. BARKER, JR.  
PLS #1885  
C.O.A # LS-A302

17 MULBERRY ROAD PLAT 74 LOT 17  
SCALE 1"=40' DATE 10/7/16

Alex & Emily Romano

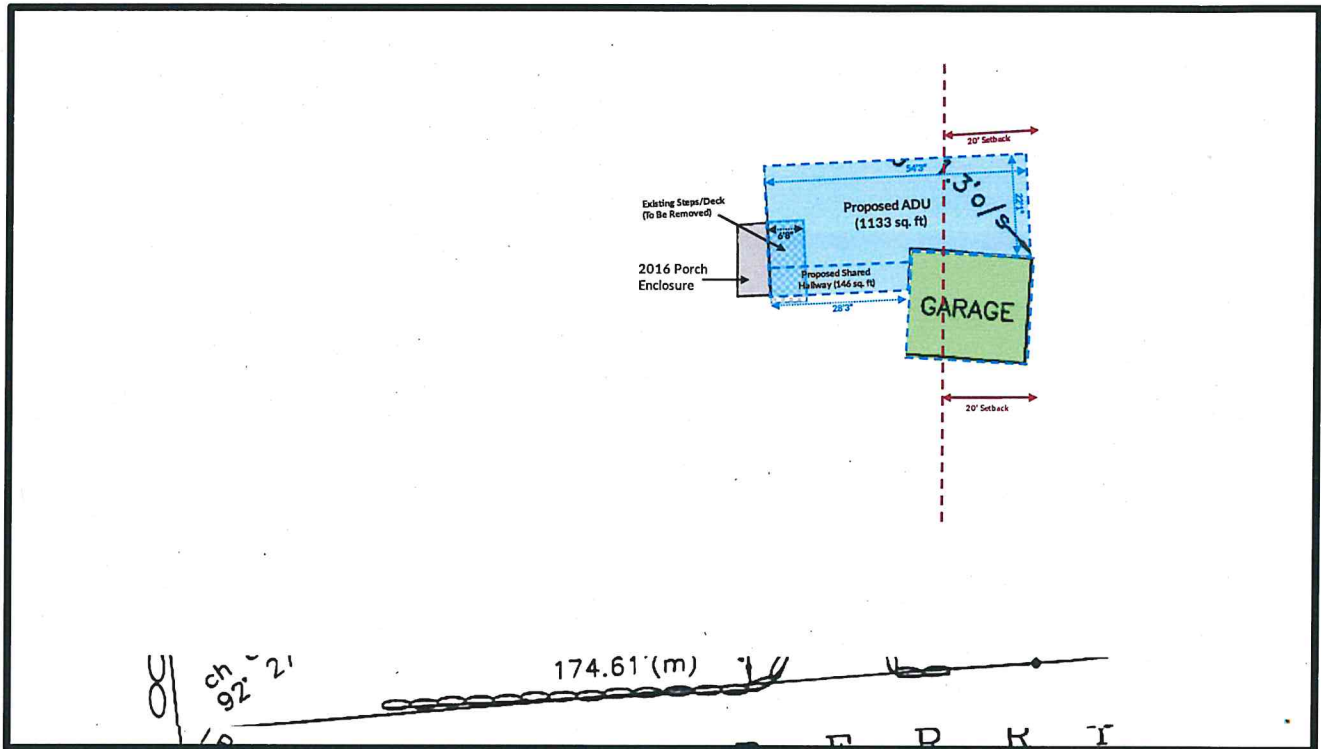
SITE PLAN for

- | LEGEND |                   | ZONING            |                  |
|--------|-------------------|-------------------|------------------|
| I.R.   | IRON ROD          | R-20 ZONE         | 20,000 S.F. MIN. |
| G.B.   | GRANITE BOUND     | LOT FRONTAGE      | 120'             |
| D.H.   | DRILL HOLE        | BUILDING SETBACKS | FRONT : 35'      |
| (m)    | MEASURED DISTANCE | SIDE : 20'        |                  |
| (d)    | DEEDED DISTANCE   | REAR : 35'        |                  |

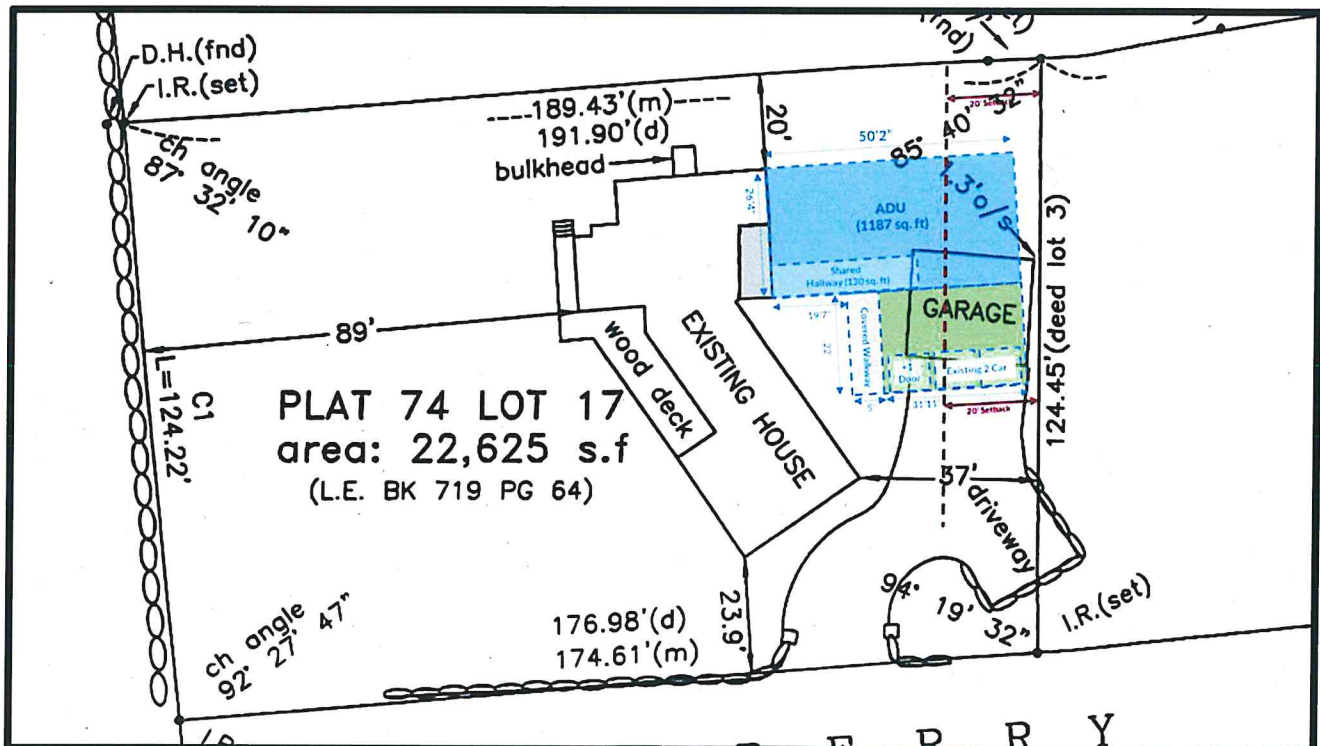


# APPROVED VARIANCE VS REVISED VARIANCE

## APPROVED VARIANCE

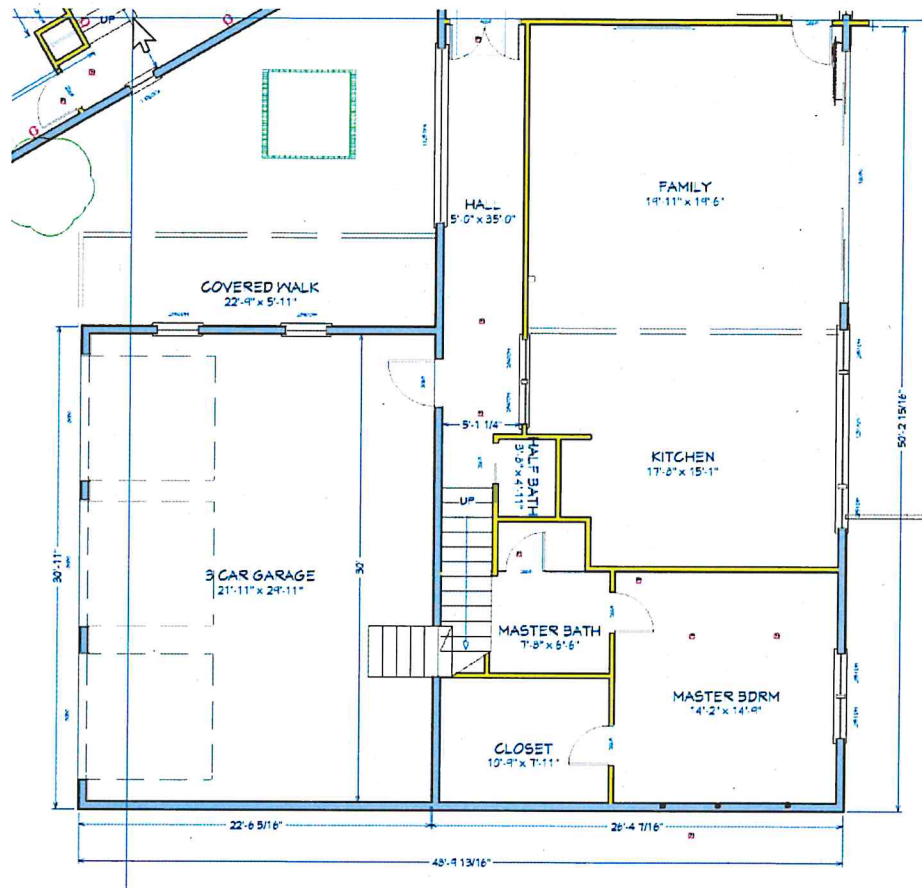


## REVISED VARIANCE

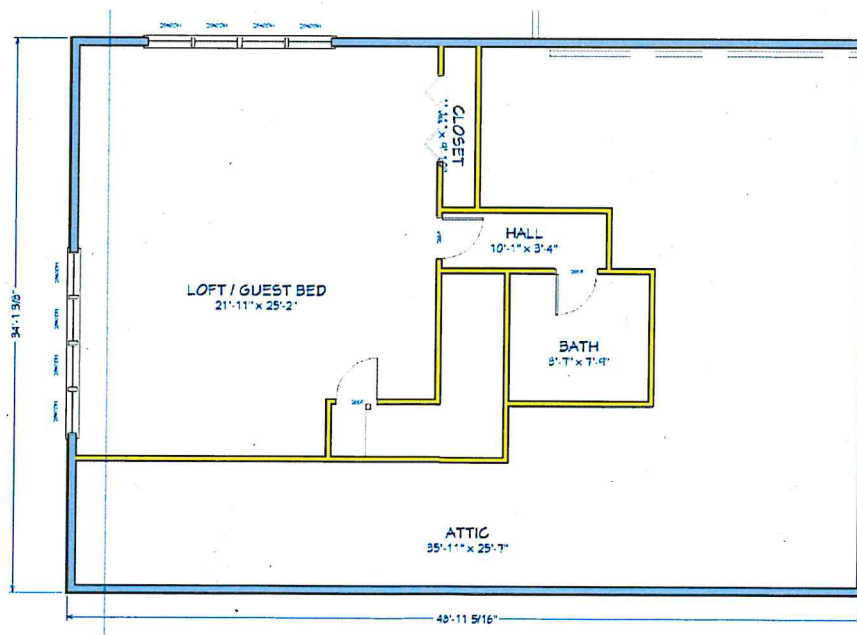


# REVISED ADDITION PLANS

## GROUND FLOOR



## LOFT & STORAGE





# APPROVED & REVISED RENDERINGS

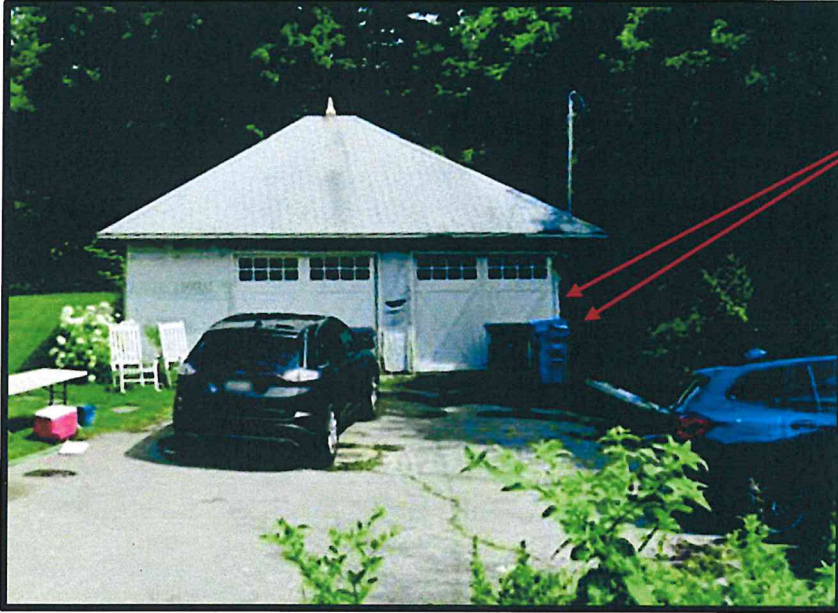
## APPROVED EXTERIOR



## REVISED EXTERIOR

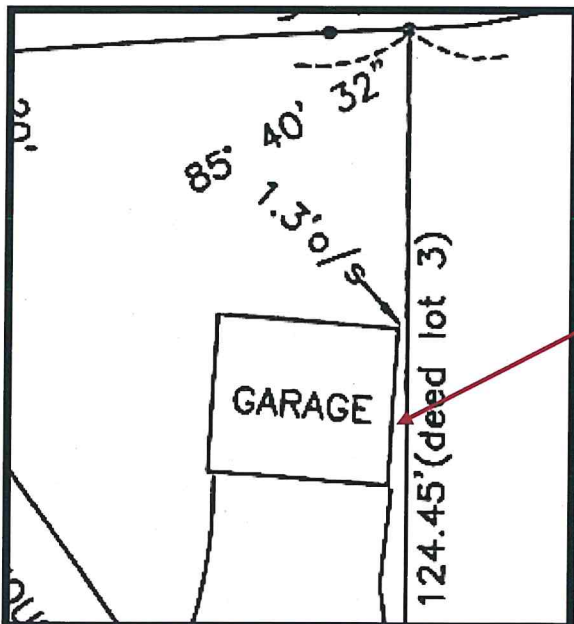


## Existing Hill Conditions



Front (S.E.) garage foundation wall sits into side of hill approximately 2.5 – 3' high.

Rear (N.E.) side of garage sits approximately 8' deep and 3' high into the side of the hill.



Location of existing garage along easterly property line does not allow for access to easterly foundation wall due to the hill.



## Existing Site Conditions



Surrounding hill and trees make addition nearly invisible to surrounding properties, drivers, and pedestrians.

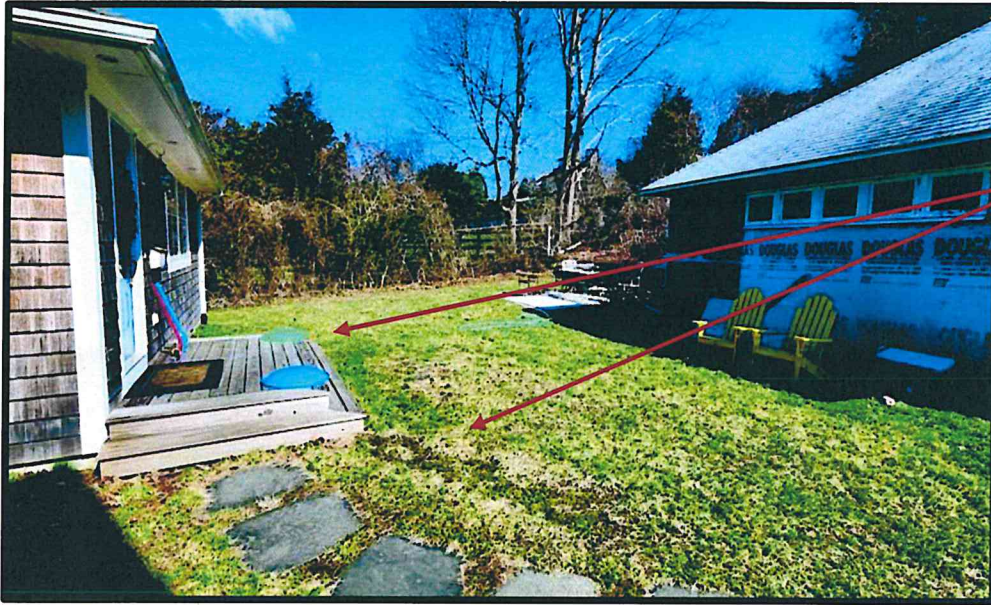
Heading westerly on Mulberry Road, the addition would be fully hidden behind trees and at the base of the hill, making it invisible to neighbors, drivers and pedestrians.



Heading easterly on Mulberry Road, the addition would be hidden behind the existing structure and would be minimally visible to neighbors and pedestrians.



## Existing Site Conditions



Location of ADU at the rear (north side) of the property tucks it into the existing structure and allows us to keep overall height low to avoid impact on neighbors.

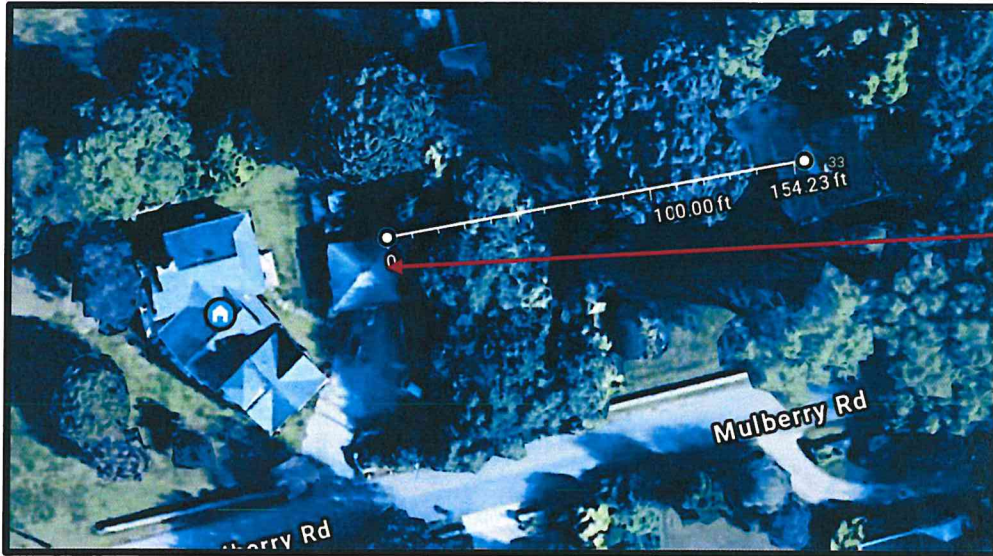


Location of ADU on the east side of the property tucks it into the existing garage at the base of the hill and keep it hidden behind tall trees and shrubs to avoid impact on neighbors.



## Existing Site Conditions

The proposed addition is substantially distant from any of the surrounding homes.



Proposed addition would be approximately 150' from the nearest residence to the East.



Proposed addition would be approximately 143' from the nearest residence to the North.





# 17 Mulberry Road - 300' Radius

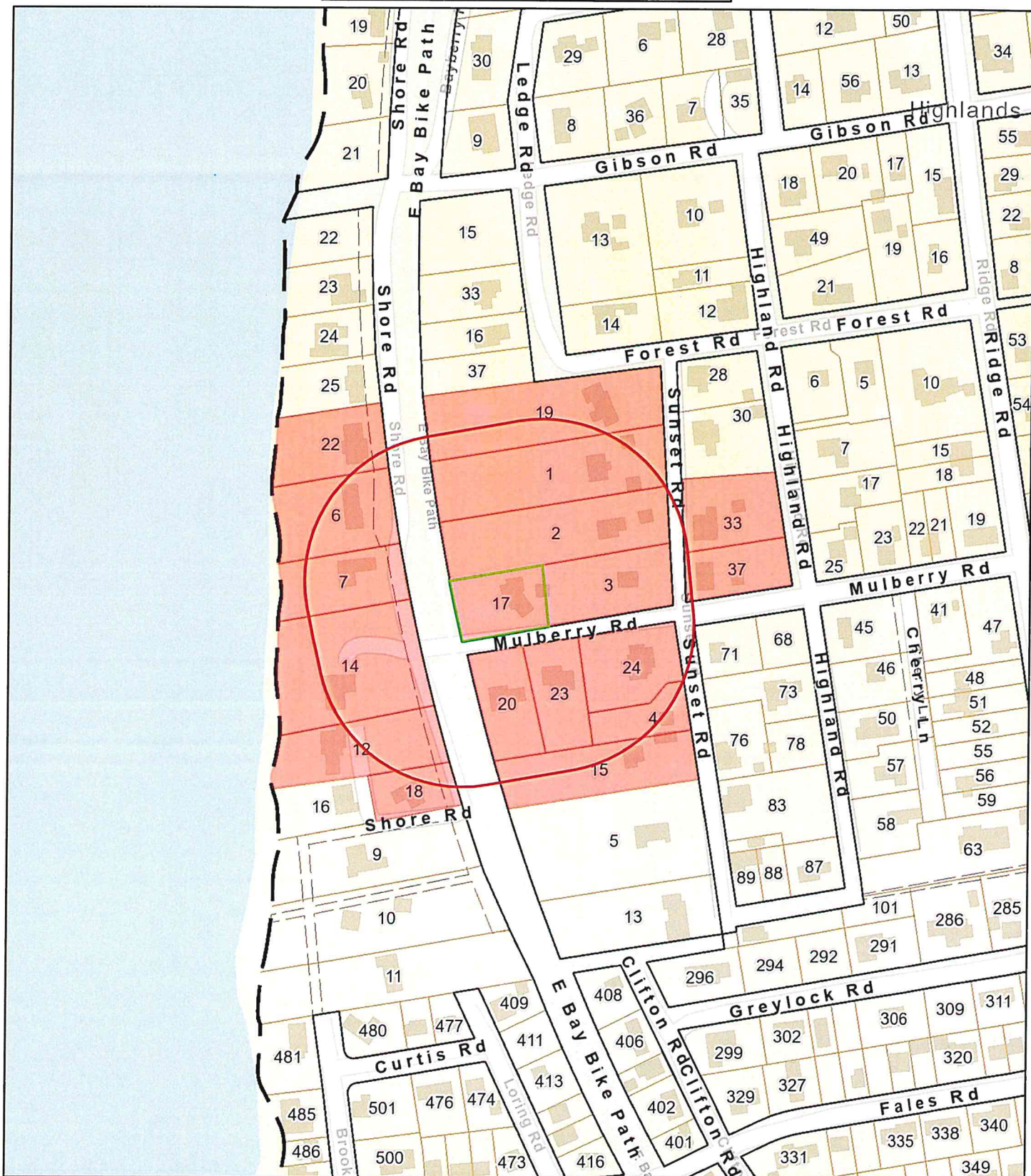
Bristol, RI



1 inch = 282 Feet

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August 9, 2024



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# 300 feet Abutters List Report

Bristol, RI  
August 09, 2024

## Subject Property:

Parcel Number: 74-17  
CAMA Number: 74-17  
Property Address: 17 MULBERRY RD

Mailing Address: ROMANO, EMILY E & ALEX A TE  
PO BOX 1205  
BRISTOL, RI 02809

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## Abutters:

Parcel Number: 73-33  
CAMA Number: 73-33  
Property Address: 36 SUNSET RD

Mailing Address: DOW, STEPHEN & JULIANNA TE  
36 SUNSET RD  
BRISTOL, RI 02809

Parcel Number: 73-37  
CAMA Number: 73-37  
Property Address: 35 MULBERRY RD

Mailing Address: DOW, PAUL R & MARY JANE  
35 MULBERRY RD  
BRISTOL, RI 02809

Parcel Number: 74-1  
CAMA Number: 74-1  
Property Address: 43 SUNSET RD

Mailing Address: LANDEKIC, NICHOLAS & LABEL, ROBYN  
TE  
43 SUNSET RD  
BRISTOL, RI 02809

Parcel Number: 74-12  
CAMA Number: 74-12  
Property Address: 2 MULBERRY RD

Mailing Address: PIRRI, JEANNE M TRUSTEE JEANNE M  
PIRRI LIV TRUST AGMT  
2 MULBERRY RD  
BRISTOL, RI 02809

Parcel Number: 74-14  
CAMA Number: 74-14  
Property Address: 4 MULBERRY RD

Mailing Address: GEREMIA, BRENDA A, VINCENT F JR &  
TIMOTHY V-TRUSTE GEREMIA,  
VINCENT F JR & TIMOTHY V -  
TRUSTEES (50%)  
4 MULBERRY RD  
BRISTOL, RI 02809

Parcel Number: 74-15  
CAMA Number: 74-15  
Property Address: 17 SUNSET RD

Mailing Address: VITALE, CHRISTOPHER P & AMY C TE  
17 SUNSET RD  
BRISTOL, RI 02809

Parcel Number: 74-17  
CAMA Number: 74-17  
Property Address: 17 MULBERRY RD

Mailing Address: ROMANO, EMILY E & ALEX A TE  
PO BOX 1205  
BRISTOL, RI 02809

Parcel Number: 74-18  
CAMA Number: 74-18  
Property Address: 17 SHORE RD

Mailing Address: VOUTES, GEORGE & LISA  
17 SHORE RD  
BRISTOL, RI 02809

Parcel Number: 74-19  
CAMA Number: 74-19  
Property Address: 45 SUNSET RD

Mailing Address: COE, MARK W & KRISTEN Q TE  
611 EDGEWOOD PL  
RIVER FOREST, IL 60305



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8/9/2024

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## 300 feet Abutters List Report

Bristol, RI  
August 09, 2024

Parcel Number: 74-2  
CAMA Number: 74-2  
Property Address: 35 SUNSET RD

Mailing Address: HARDING FIRST, LLC  
35 SUNSET RD  
BRISTOL, RI 02809

Parcel Number: 74-20  
CAMA Number: 74-20  
Property Address: 8 MULBERRY RD

Mailing Address: LOURIA, AGNES  
8 MULBERRY RD  
BRISTOL, RI 02809

Parcel Number: 74-22  
CAMA Number: 74-22  
Property Address: 45 SHORE RD

Mailing Address: PARISEAULT, THOMAS A & LISA M TE  
45 SHORE RD  
BRISTOL, RI 02809

Parcel Number: 74-23  
CAMA Number: 74-23  
Property Address: 10 MULBERRY RD

Mailing Address: WHEELER, JESSICA A., TRUSTEE THE  
JESSICA A WHEELER TRUST 1  
10 MULBERRY ROAD  
BRISTOL, RI 02809

Parcel Number: 74-24  
CAMA Number: 74-24  
Property Address: 25 SUNSET RD

Mailing Address: FISHER, CRAIG M. KATHRYN M TE  
25 SUNSET RD  
BRISTOL, RI 02809

Parcel Number: 74-3  
CAMA Number: 74-3  
Property Address: 33 SUNSET RD

Mailing Address: HERDRICH, STEPHEN S. FAYTHE  
J.TRST & STEPHEN & FAYT  
33 SUNSET RD  
BRISTOL, RI 02809

Parcel Number: 74-4  
CAMA Number: 74-4  
Property Address: 21 SUNSET RD

Mailing Address: FISHER, CRAIG M KATHRYN M ETUX TE  
25 SUNSET ROAD  
BRISTOL, RI 02809

Parcel Number: 74-6  
CAMA Number: 74-6  
Property Address: 41 SHORE RD

Mailing Address: 41 SHORE ROAD, LLC  
30 KING PHILIP AVE  
BRISTOL, RI 02809

Parcel Number: 74-7  
CAMA Number: 74-7  
Property Address: 37 SHORE RD

Mailing Address: FOURNIER, RICHARD E JR & KAREN K  
TE  
37 SHORE RD  
BRISTOL, RI 02809



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8/9/2024

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41 SHORE ROAD, LLC  
30 KING PHILIP AVE  
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LABEL, ROBYN TE  
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BRISTOL, RI 02809

VITALE, CHRISTOPHER P & A  
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BRISTOL, RI 02809

FOURNIER, RICHARD E JR &  
KAREN K TE  
37 SHORE RD  
BRISTOL, RI 02809

VOUTES, GEORGE & LISA  
17 SHORE RD  
BRISTOL, RI 02809

GEREMIA, BRENDA A, VINCEN  
GEREMIA, VINCENT F JR & T  
4 MULBERRY RD  
BRISTOL, RI 02809

WHEELER, JESSICA A., TRUS  
THE JESSICA A WHEELER TRU  
10 MULBERRY ROAD  
BRISTOL, RI 02809

HARDING FIRST, LLC  
35 SUNSET RD  
BRISTOL, RI 02809

HERDRICH, STEPHEN S.  
FAYTHE J. TRST & STEPHEN &  
33 SUNSET RD  
BRISTOL, RI 02809