



Town of Bristol, Rhode Island

Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-25**

APPLICANT: David V. Loureiro

LOCATION: 27 Franca Drive

PLAT: 123

LOT: 157

ZONE: R-8

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct an approximate 18ft. x 24ft. two-story garage and storage area addition to an existing single-family dwelling with less than the required right side yard and greater than permitted lot coverage by structures.

COMPREHENSIVE PLAN REVIEW:

As this application is for a dimensional variance, it does not require review by the Planning Board per Section 28-409(b) of the Zoning Ordinance.

FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting dimensional variances to construct an 18' x 24' garage, with storage space above, attached to an existing single-family dwelling on this residential property located on the northerly side of Franca Drive. The proposed garage would be constructed on an existing concrete foundation.

This property has a bit of history with the zoning board that I will summarize as follows... The applicant installed the existing concrete slab and foundation in spring 2005 in an effort to construct the proposed garage. No permits were received for the garage foundation and the Building Official issued the applicant a stop work order in May 2005. The applicant appeared before the zoning board in October 2005 (File #2005-61) for a dimensional variance to build the proposed garage and a second floor master bedroom with less than the required right side yard. During the public hearing for this application, it was noted that a retaining wall with six foot fence had been installed without permits and in apparent violation of the fence height ordinance. It was also noted that three accessory structures located on the property were also apparently constructed without permits and in violation of zoning. The applicant withdrew his variance application for the garage without prejudice in order to address the fence and accessory structure concerns. In March 2006, the applicant again applied to the zoning board (File #2006-18) for variances for fence height and accessory structure setbacks, and an exceedance of total lot coverage by structures. In June 2006, the Board approved the variance for the retaining wall and fence, but denied variances for the western-most accessory structure and ordered its removal from the property. The applicant then appealed this decision to Superior Court where it was later remanded back to the zoning board for another public hearing in an effort to resolve the matter. In March 2009, the Board again heard this matter at which time it was noted that the applicant had removed the middle accessory structure from the property. The Board then approved variances for lot coverage (at approximately 29%) and property line setbacks for the two remaining accessory structures, and permitted to western most accessory structure to remain.

The applicant is now proposing to construct an attached garage with storage room above on the existing concrete foundation. The proposed garage would be located off the right side of the existing dwelling and would extend to within 5 feet of the right side property line. The zoning ordinance requires a minimum 15 foot side yard setback in the R-8 zoning district. Based upon the site plan submitted by the applicant, and the site sketch provided on the tax assessor's field card, I have calculated existing lot coverage by structures on the property at approximately 27.4%. The proposed garage would add an additional 432 square feet of lot coverage for a total of 32.8%. The zoning ordinance permits a maximum lot coverage by structures of 25% in the R-8 zone.


Edward M. Tanner, Zoning Officer

8/21/24



Town of Bristol, Rhode Island *Zoning Board of Review*

STAFF REPORT FOR:

FILE NO. **2024-26**

APPLICANT: Kevin J. Moran

LOCATION: 7 Ansonia Avenue

PLAT: 44 LOT: 62 ZONE: R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 14ft. x 30ft. two-story addition to an existing 25ft. x 30ft. accessory structure at a size and height greater than permitted for accessory structures in the R-10 zone; with less than the required lot area for an accessory dwelling unit (ADU) within a new and/or expanded accessory structure; and with an ADU at a size larger than permitted relative to the principal dwelling.

COMPREHENSIVE PLAN REVIEW:

As this application is for a dimensional variance, it does not require review by the Planning Board per Section 28-409(b) of the Zoning Ordinance.

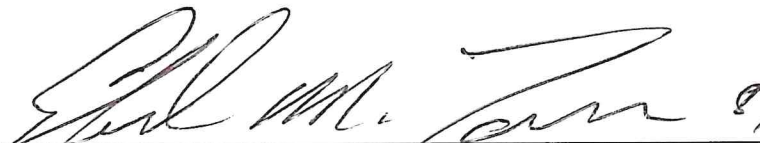
FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting dimensional variances to construct an addition to an existing accessory garage structure and to create a residential dwelling unit within the second floor of the enlarged structure at this property located on the westerly side of Ansonia Avenue. This property contains approximately 10,300 square feet of lot area (lots 62 and 68 were merged together into one lot) and it is improved with a two-family residence that was reportedly constructed in the 1940's. This property is considered nonconforming by dimension, as it is utilized as a two-family residential use but it lacks the required 20,000 feet of lot area for the R-10 zone. The zoning ordinance permits two-family structures in the R-10 zone with 10,000 square feet of lot area per dwelling unit.

The existing accessory garage structure measures approximately 25' x 30' and reportedly contains garage space on the first floor and a recreation room on the second floor. The applicant proposes to add a 14' x 30' two-story addition to the front (easterly) side of the existing structure to provide enlarged garage space on the first level and additional living space above. As proposed, the overall size of the accessory structure would be approximately 30' x 39'. According to plans submitted with this application, the height of the proposed addition would be approximately 5 feet higher than the existing garage structure, extending to a height of approximately 24 feet 10 inches above grade. The zoning ordinance permits accessory structures in the R-10 zone to a maximum size of 22' x 24' and to a maximum height of 20 feet above grade. It is also noted that the existing two-story residential dwelling on this property measures approximately 26' x 32' in size. Thus, the proposed addition to the accessory garage would make that structure larger than the principal residential structure. By definition (see Section 28-1), an accessory structure is subordinate, incidental, and accessory to that of the principal structure.

The applicant proposes to convert the existing recreation room on the second floor of the garage structure to an accessory dwelling unit (ADU) containing two bedrooms. Recall that the applicant was before the zoning board earlier this year and that a public hearing for this proposal was held in May 2024 (File #2024-18). After continuing the public hearing, the application was withdrawn without prejudice in June 2024.

Since the time that the previous application with before the zoning board, the Rhode Island General Assembly has adopted new legislation regulating ADU's. This legislation was signed into law on June 24, 2024. The new legislation has changed many of the rules regarding the construction of ADU's and overrides much of the language regulating ADU's found in Section 28-151 of Bristol's zoning ordinance. Generally speaking, ADU's are no longer restricted to owner-occupied property or to occupancy by family members or as deed restricted affordable housing units. One ADU is now permitted by right within a principal structure or accessory structure on single-family or multi-family properties that contain at least 20,000 square feet off lot area. On lots that contain less than 20,000 square feet of lot area, one ADU is permitted by right within an existing principal or accessory structure. However, local dimensional requirements for an accessory structure still apply; and a dimensional variance(s) is required to exceed the maximum size and/or height dimension for the applicable zoning district. As the applicant's property contains only 10,300 square feet of land, an ADU would be permitted by right within the existing accessory structure. However, a dimensional variance is required to construct an ADU within the new expanded structure. In addition, the new law limits the size of a two-family ADU to 1,200 square feet or 60% of the floor area of the principal dwelling, whichever is less. I have calculated the floor area of the existing two-family dwelling at 1,664 square feet based upon dimensions provided by the tax assessor's field card. Therefore, a two bedroom ADU on this property is limited in size to 998 square feet. The applicant proposes ADU would contain approximately 1,170 square feet.

 8/21/2024
Edward M. Tanner, Zoning Officer



Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-27**

APPLICANT: Kris, Jr and Renee Wetterland

LOCATION: 3 Leila Jean Drive

PLAT: 108

LOT: 55

ZONE: R-15

APPLICANT IS REQUESTING A DIMENSIONAL VARIANCE TO:

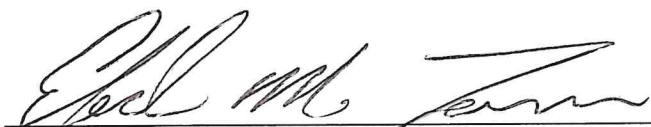
Construct a six foot high fence, portions of which would be located within the front yard from Leila Jean Drive at a height greater than permitted in a front yard on a corner lot.

COMPREHENSIVE PLAN REVIEW:

As this application is for a dimensional variance, it does not require review by the Planning Board per Section 28-409(b) of the Zoning Ordinance.

FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting a dimensional variance to construct fencing along a portion of the front yard of this residential property located on the easterly and southerly side of Leila Jean Drive. The applicant proposes installation of a 6 foot high vinyl privacy fence along a portion of the westerly property line at Leila Jean Drive. As depicted on the site plan submitted with this application, the fence would extend from the end of an existing fence located at the southerly rear property line approximately 54 feet to be in line with the rear of the dwelling. The proposed fence would then extend easterly approximately 33 feet to the rear corner of the dwelling. As this is a corner lot, it has two front yards for purposes of determining zoning dimensional requirements. The front yard measures 35 feet from the street property line in the R-15 zone. Section 28-146(b)(1) of the zoning ordinance permits fences within the front yard portion of a property to a maximum height of 4 feet.

 8/21/2024
Edward M. Tanner, Zoning Officer



Town of Bristol, Rhode Island Zoning Board of Review

STAFF REPORT FOR:

FILE NO. 2024-28

APPLICANT: Susan J. and Johnathan E. Dell

LOCATION: 5 Lindberg Avenue

PLAT: 148

LOT: 68

ZONE: R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:


Construct a six foot high fence, portions of which would be located within the front yards from Lindberg Avenue and Paine Avenue at a height greater than permitted in a front yard.

COMPREHENSIVE PLAN REVIEW:

As this application is for a dimensional variance, it does not require review by the Planning Board per Section 28-409(b) of the Zoning Ordinance.

FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting a dimensional variance to construct fencing along two sides of this through lot property located on the easterly side of Lindberg Avenue and the westerly side of Paine Avenue. The applicant proposes installation of a 6-foot high stockade fence along the easterly property line at Paine Avenue and then turning to run along the southerly property line to Lindberg Avenue. As depicted on the site plan submitted with this application, the proposed fence would be located just inside the property line and would extend from the end of an existing fence on neighboring property southerly along Paine Avenue for approximately 35 feet. The fence would then run westerly towards Lindberg Avenue for approximately 86 feet. The last section of fence closest to Lindberg Avenue would transition in height from 6 feet to 4 feet, and it would end approximately three feet from the Lindberg Avenue property line. Additional sections of fence would also extend off the northerly and southerly property line fences to the existing dwelling to enclose the easterly "rear" portion of the property. As this is a through lot, which fronts on two parallel streets, it has two front yards for purposes of determining zoning dimensional requirements. The front yard typically measures 30 feet from the street property line in the R-10 zone. However, as this is a legal nonconforming single lot of record, all of its setback dimensions are reduced proportionally based upon the size of the lot relative to the minimum lot size for the zoning district. Thus, as this lot contains only 3,225 square feet of lot area, its front yard setback is reduced from 30 feet to approximately 10 feet per Section 28-221(a)(2)b. of the zoning ordinance. Section 28-146(b)(1) of the zoning ordinance permits fences within the front yard portion of a property to a maximum height of 4 feet. As such, the proposed fence requires dimensional variances only for those portions located within 10 feet of the Paine and Lindberg Street property lines.

 8/21/2024
Edward M. Tanner, Zoning Officer



5 Lindberg Avenue

Bristol, RI

1 inch = 36 Feet



www.cai-tech.com

August 21, 2024



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



Town of Bristol, Rhode Island Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-29**

APPLICANT: Alex A. and Emily E. Romano

LOCATION: 17 Mulberry Road

PLAT: 74

LOT: 17

ZONE: R-20

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Modify a previously approved variance decision and construct an approximate 26ft. x 50ft. single-story accessory dwelling unit (ADU) addition and a 23ft. x 32ft. two-story garage addition to an existing single-family dwelling with less than the required right side yard and less than the required rear yard.

COMPREHENSIVE PLAN REVIEW:


As this application is for a dimensional variance, it does not require review by the Planning Board per Section 28-409(b) of the Zoning Ordinance.

FINDINGS AND RECOMMENDATIONS BY STAFF:

In April 2024 the applicants received dimensional variances (File #2024-12) to construct an addition to connect an existing single-family dwelling and existing detached garage structure at this property located on the northerly side of Mulberry Road. The proposed addition would contain an accessory dwelling unit (ADU) to be utilized by the applicants' family members. The applicants have since investigated the condition of the detached garage and found that due to its age and manner of construction, it is not suitable for connection to the proposed addition. The applicants now propose to demolish the existing garage and to construct a new 23' x 32' three car garage in its place. As proposed, the new garage addition would be larger than the existing garage structure and would include second story living space that will extend partially over the proposed ADU addition. The proposed garage would be located further forward on the lot and at an angle that will bring it slightly farther away from the right side property line than the existing garage structure.

This property contains approximately 22,625 square feet of land area and is improved with a one to two-story dwelling that was reportedly originally constructed in the 1940's. The East Bay Bike Path abuts the property to the west. In November 2016, the applicants were granted relief (File No. 2016-27) to construct a second story addition and covered front porch on the existing dwelling partially within front and rear yard setbacks.

The proposed addition would extend from the northern portion of the dwelling and measure approximately 26' x 50' in size. This addition would include the proposed one bedroom single-story ADU, a connecting hallway, and a stairway leading to a proposed "loft/guest" bedroom and bathroom space to be located above the proposed garage. As with the previously approved proposal, the proposed addition is depicted to be in line with the northerly wall of the existing dwelling and would be located approximately 20 feet from the northerly rear property line. The zoning ordinance requires a 35 foot rear yard setback in the R-20 zone. The proposed addition would also extend to within approximately 2 to 3 feet of the easterly right side property line. This setback is slightly farther away from the right side property line than the original proposal as it corresponds to the setback of the southeast corner of the existing detached garage. The zoning ordinance requires a 20 foot minimum side yard setback in the R-20 zone.


Edward M. Tanner, Zoning Officer 8/22/2024

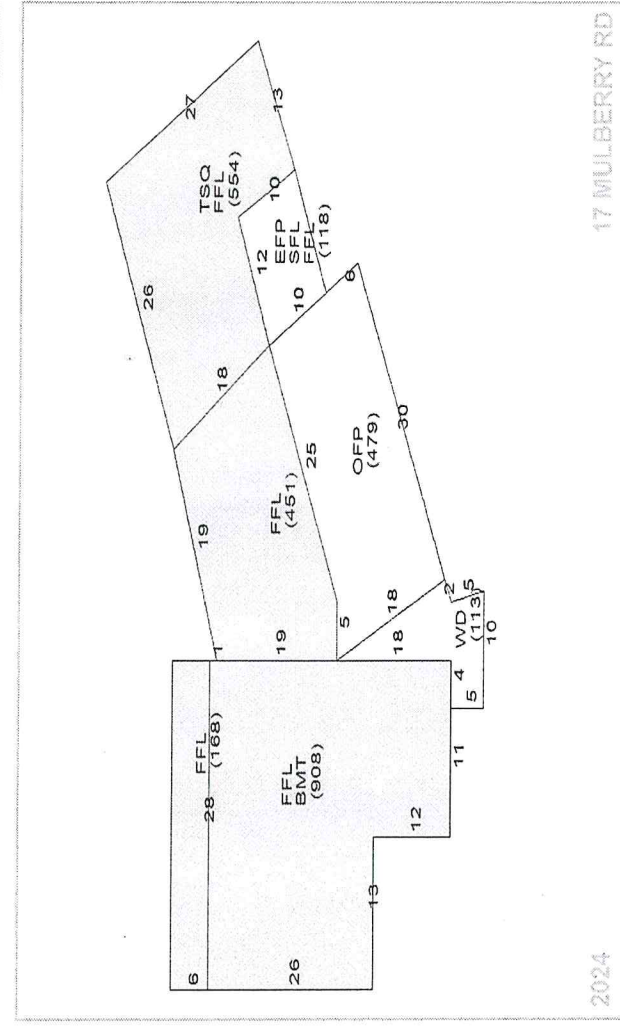
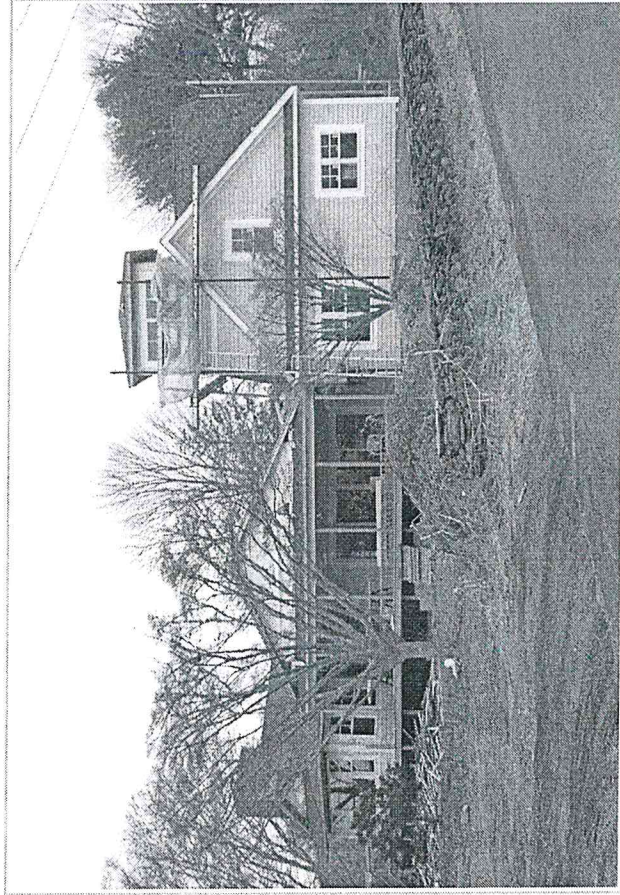
Owner	Owner Account #:	% Owned
Owner 1 ROMANO, EMILY E &	50-0016-01	0.00
Owner 2 & ALEX A TE		0.00
Owner 3		
Address	PO BOX 1205, BRISTOL, RI 02809-0000	

► Previous Owners & Sales Information				
Grantor	Date	Sale Price	Leg Ref	Deed Type
BRAY, SYLVIA E TRUSTEE	09/30/2016	340,000	1855-24	L T

► Assessment						
Use Code	Bldg Value	SF/Yl Value	Land Size	Land Value	AG Credit	Assessed Value
01	379,900	13,800	0.44	285,300	0	679,000
TOTAL	379,900	13,800	0.44	285,300	0	679,000

Previous Assessments								
Year	LUC	Building	SF/YI	Land Size	Land	AGR Credit	Appraised Value	Assessed Value
2024	01	379,900	13,300	0	285,300	0	679,000	679,000
2023	01	379,900	13,300	0	285,300	0	679,000	679,000
2022	01	379,900	13,300	0	285,300	0	679,000	679,000
2021	01	249,800	13,300	0	226,800	0	490,400	490,400
2020	01	249,800	13,300	0	226,800	0	490,400	490,400
2019	01	249,800	13,300	0	226,800	0	490,400	490,400

Source >	Mkt Adj Cost	VAL per SQ Unit/Card >	VAL per SQ Unit/Parcel >	156.07	156.07



Land Information						
	Use	Description	Units	Unit Type	Land Type	LT Fact
1	01	Single Fam	0.43962	AC	P	1.00
2						
3						
4						

Neigh	Inf 1	Inf 1 %	Inf 2	Inf 2 %	Inf 3	Inf 3 %	Appr Value	Spec Land	Juris	Fact	Use Value
F	Partial View	25					285,300			1.00	0

Code	Description
FFL	1st FLOOR
TSQ	3/4 STORY
SFL	2nd FLOOR
BMT	BASEMENT
EPF	ENCL PORCH
OPF	OPEN PORCH
WD	WOOD DECK
Total	

► **Notes**

ASSESSMENT REDUCED

► Remodeling History		► Condo Data	
Additions	Plumbing	Complex	
Exterior	Electric	Location	
Interior	Heating	Tot Units	
Kitchen	General	FL Level	
Bath(s)		# Floors	0
		Bldg Seq	1

	Issue Date	Permit #	Closed Date	BP Type	Est. Cost
1	01/28/2018	E45147		ELEC	5,000
2	01/18/2018	P45098		PLMB	12,000
3	11/02/2017	M44489		MECH	20,000
4	05/18/2017	B30512		BLDG	0
5	05/04/2017	255-17-B		BLDG	200,000
6	10/25/2016	D360		DEMO	0
7	03/07/2016	D347		DEMO	0
8					
9					

	13	Patio	1	Y	1	25	22
1							
2	1	Garage	1	Y	1		
3							
4							
5							
6							
7							
8							
9							
10							

	Use	Description	A	Y/S	Qty	Length	Width
1	13	Patio	1	Y	1		
2	1	Garage	1	Y	1	25	22
3							
4							
5							
6							
7							
8							
9							
10							

Quality	Condition	Year	Assessed Value
3	AV	1945	500
3	AV	1945	13,300

AFDU
PortTermRental
PriorID1c
PriorID2a
PriorID2b
PriorID2c
PriorID3a
PriorID3b
PriorID3c



Town of Bristol, Rhode Island Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-30**

APPLICANT: John M. Lannan / Fairpoint Realty, LLC

LOCATION: 111 King Phillip Avenue

PLAT: 147

LOTS: 61 & 62

ZONE: R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Modify a previously approved variance decision and demolish an existing single-family dwelling, construct a new 23ft. x 43ft. two-story single-family dwelling with a 19ft. x 23ft. porch and a 24ft. x 24ft. attached single-story garage with less than the required front yards on a corner lot.

COMPREHENSIVE PLAN REVIEW:


As this application is for a dimensional variance, it does not require review by the Planning Board per Section 28-409(b) of the Zoning Ordinance.

FINDINGS AND RECOMMENDATIONS BY STAFF:

In March 2024 the applicant received dimensional variances (File #2024-06) to construct additions to an existing single-family dwelling on this property located on the westerly side of King Phillip Avenue and the southerly side of Narrows Road. The applicant has since investigated the structural integrity of the dwelling, which was constructed in the mid-1950's, and reportedly determined that it was in poor condition and could not be added to as originally proposed. The applicant has demolished the dwelling with the exception of its foundation; and now proposes to reconstruct the previous structure on its original foundation and to construct the previously approved additions to nearly the same dimensions as previously proposed. As the original variance application was for additions to an existing dwelling and that dwelling is no longer existing, I have determined that this is a substantial change from the original approved application and that this proposal must return to the zoning board for approval.

As with the previously approved application, the proposed two-story dwelling and proposed mudroom and garage would be located partially within the front yard setback of both intersecting streets. The dwelling and wrap around covered front porch would be located approximately 15 feet from the easterly front property line at King Phillip Avenue and approximately 3.5 feet from the northerly front property line at Narrows Road. The zoning ordinance requires a minimum 30 foot front yard setback in the R-10 zoning district.

The proposed garage and breezeway / great room addition would extend off the south side of the dwelling. Although it would be set back approximately 4 feet from the front of the dwelling, a portion of the proposed garage and breezeway addition would extend into the front yard setback from King Phillip Avenue. As proposed, the garage would be located 19.4 feet from the easterly King Phillip Avenue property line. Of note, the current design for the proposed garage is smaller than originally proposed and approved, as there is no longer a second floor in the design.

 8/22/2024
Edward M. Tanner, Zoning Officer