



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

STAFF REPORT FOR:

FILE NO. **2025-20**

APPLICANT: John Marshall / JM Bristol, LLC

LOCATION: 8 Constitution Street

PLAT: 11

LOT: 20

ZONE: Residential R-6

APPLICANT IS REQUESTING A DIMENSIONAL VARIANCE TO:

Construct a second-story living area addition, 5ft. x 18ft. front porch and 3.5ft. x 14ft. rear balcony/deck additions, to an existing single-family dwelling with 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 a dimensional variance to construct a second-story addition to the existing single-family dwelling and to add an enlarged front porch and a new second floor rear balcony/deck to the structure with greater than permitted lot coverage by structures. This property is located on the southerly side of Constitution Street just east of Thames Street within the Bristol Historic District. The existing dwelling on this property consists of a single-story cottage structure. The applicant proposes to add a second floor to the dwelling within the existing footprint. In addition, the applicant proposes to remove the existing front porch and to add a new 5' x 18' covered front porch along and a 3.5' x 14' rear second floor balcony. The existing 8' x 10' front porch is located across only a portion of the dwelling, and it extends beyond the front property line into the Constitution Street right of way. The applicant proposes to shorten the front porch from 8 feet to 5 feet so that it is located entirely on private property, and to extend it to 18 feet across the full length of the dwelling.

This property is a nonconforming single lot of record containing approximately 2,720 square feet of lot area. As such, its minimum setbacks are reduced and the maximum permitted lot coverage by structures is increased per Section 28-221(a)(2)b. of the zoning ordinance. I have determined that the applicable minimum property line setbacks for this lot are as follows: 1 foot front yard (average of block with reduction for lot size); 4.5 foot side yards; and 9 foot rear yard. I have also determined that the maximum permitted lot coverage by structures is 38.7 percent. Thus, the proposed second floor addition and the proposed front porch and rear balcony additions all conform to required minimum property line setbacks. However, the proposed lot coverage by structures is calculated at 53.3%. This is a slight increase from existing conditions due to the expanded front porch and the rear balcony additions. Please note that the survey plan included with this application shows a slightly larger existing lot coverage of 54.5%. However, this calculation includes the portion of the existing front porch that is located within the street right of way and should not be included.

As this property is located within the Bristol Historic District, any exterior modifications to the structures require approval of the Bristol Historic District Commission (HDC). The HDC approved construction of the proposed second floor and porch/balcony additions at its meeting on May 1, 2025 (see attached HDC decision letter).

 7/1/25
Edward M. Tanner, Zoning Officer



Bristol Historic District Commission
Decision Letter

TOWN HALL
10 COURT ST.
BRISTOL, RI 02809
401-253-7000
Application 25-43

May 2, 2025

8 Constitution St, Plat #11, Lot #20

John Marshall/John Marshall
950 Warren Ave
RE: BHDC Review

Dear Applicant:

At its May 1, 2025 meeting, the Bristol Historic District Commission reviewed your proposed work on the property noted above; the motion on your application was as follows:

To approve application 25-43 to:

- Add second floor with modification of setting back frontage of addition 1 foot.
- Modify proposed fiberglass front door to wood.
- Modify proposed windows in addition to diamond pattern to match original
- Rafter Tails on second floor
- Other details as presented.

The Findings of Facts include that this decision conforms to the Secretary of the Interior's Standards for:

- 5 - Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 9 - New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Commission member will be your project monitor. If you need to speak with your monitor(s) or are ready for final review of the completed project please call me at Town Hall, 401-253-7000 x153, and I will contact them for you.

The Certificate of Appropriateness, referred to at the meeting as the "Green Sheet", is part of your permit and will be issued on approval. Work cannot begin, nor a building permit obtained, without your signing this document. Once signed and completed, a copy of the Certificate will be sent to you via the online permitting software, authorizing you to begin your work.

Sincerely,

Nicholas Toth
Planner/HDC Clerk
Town of Bristol Department of Community Development



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

STAFF REPORT FOR:

FILE NO. **2025-21**

APPLICANT: Brian Hutchison

LOCATION: 127 Peck Avenue

PLAT: 61

LOT: 8

ZONE: Residential R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 24ft. x 38ft. single-story mudroom and accessory dwelling unit (ADU) addition to the rear of an existing single-family dwelling with less than the required rear yard, less than the required left side yard, and greater than permitted lot coverage by structures.

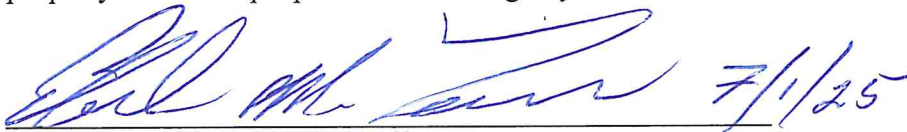
COMPREHENSIVE PLAN REVIEW:

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 addition to the rear of an existing single-family dwelling at this property located on the northerly side of Peck Avenue. The existing dwelling on this property consists of a single-story ranch style house with a footprint of approximately 1,124 square feet. The applicant proposes an addition to the rear and left side of the existing dwelling. The proposed addition includes a 24ft. x 38ft. single-story mudroom / entranceway and accessory dwelling unit (ADU). The proposed two bedroom ADU would be occupied by a disabled family member of the applicant. Thus, as an owner occupied dwelling, the ADU is permitted by right per state law and Section 28-151 of the zoning ordinance. Although the ADU is a permitted use, the proposed addition is subject to all applicable dimensional requirements of the zoning ordinance.

This property is a nonconforming single lot of record containing approximately 5,685 square feet of lot area. As such, its minimum property line setbacks are reduced and the maximum permitted lot coverage by structures is increased from R-10 requirements per Section 28-221(a)(2)b. of the zoning ordinance. I have determined that the applicable minimum property line setbacks for this lot are as follows: 17 foot front yard; 17 foot rear yard; and 8.5 foot side yards. I have also determined that the maximum permitted lot coverage by structures is 35.75 percent. The proposed addition would be located approximately 4 feet 4 inches from the rear property line and approximately 7 feet 2 inches from the westerly left side property line. The proposed lot coverage by structures is 42.7%.


Edward M. Tanner, Zoning Officer



Town of Bristol, Rhode Island

Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2025-22**

APPLICANT: David Butera

LOCATION: 133.5 Ferry Road

PLAT: 165

LOT: 4

ZONE: Residential R-40

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct an approximate 44ft. x 68ft. two-story single-family dwelling with less than the required left and right side yards; and to construct a 26ft. x 28ft. two-story accessory garage structure with a 6ft. x 12ft. second story deck at an overall size and height greater than permitted for accessory structures in the R-40 zoning district.

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 a new single-family dwelling and detached accessory garage structure at this property located on the westerly side of Ferry Road. This property is an undeveloped waterfront parcel containing approximately 1.09 acres of lot area. Recall that in July 2019, the Board approved dimensional variances (File #2019-26) for the creation of this lot with less than the required lot frontage and less than the required lot width for the R-40 zoning district. The applicant now proposes construction of an approximate 44ft. x 68ft. two-story dwelling to be located within approximately 21 feet of the northerly right side property line and within approximately 23 feet of the southerly left side property line. The zoning ordinance requires a minimum 25 foot side yard setback in the R-40 zone.

The applicant also proposes construction of a two-story accessory garage structure with living space above. This structure would measure 26ft. x 28ft. in size but would also have a 6ft. x 12ft. deck off the second floor. Thus, the overall size of the structure would exceed the 26' x 28' maximum size permitted for an accessory structure in the R-40 zone. The proposed accessory structure would also have a height of 22.5 feet from grade to the peak of the roof. The zoning ordinance permits accessory structures to a maximum height of 20 feet in the R-40 zone. It appears that the proposed living space on the second floor of the accessory structure would be considered an accessory dwelling unit (ADU). As this property contains more than 20,000 square feet of lot area, an ADU is permitted by right within a new structure per state law and Section 28-151 of the zoning ordinance. Although the ADU is a permitted use, the proposed accessory structure is subject to all applicable dimensional requirements of the zoning ordinance.

Edward M. Tanner, Zoning Officer