



Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-14**

APPLICANT: Steven R. Costa
LOCATION: 41 Butterworth Avenue
PLAT: 121 LOT: 2 ZONE: R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 24ft. x 36ft. accessory garage structure as a size and height greater than permitted for accessory structures in the R-10 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 an accessory garage structure at this property located on the northerly side of Butterworth Avenue. This property is a rather narrow but deep lot contains approximately 39,000 square feet of lot area; and it is improved with a single-family dwelling that was reportedly constructed in 1960. The existing dwelling is located approximately 250 feet from the front property line at Butterworth Avenue. The applicant proposes construction of a detached accessory garage to be located towards the front of the lot. The proposed structure would measure 24' x 36' in size with a total height of 23 feet. The zoning ordinance limits the size of accessory structures in the R-10 zone to 22' x 24' with a maximum height of 20 feet above existing grade. The proposed garage would conform to all minimum yard setbacks for accessory structures in the R-10 zone

The proposed garage would contain three vehicle stalls on the first floor with unfinished, potential future living space on the second floor. The applicant notes that the space on the second floor may potentially be used as a future accessory dwelling unit (ADU). Currently, Bristol's zoning ordinance does not permit the use of a detached accessory structure as an ADU in the R-10 zone without first obtaining a dimensional variance; and then only if the unit is to be occupied by family members of the property owner residing on the premises or if the unit is deed restricted as an affordable housing unit.


Edward M. Tanner, Zoning Officer 4/23/2024



41 Butterworth Avenue

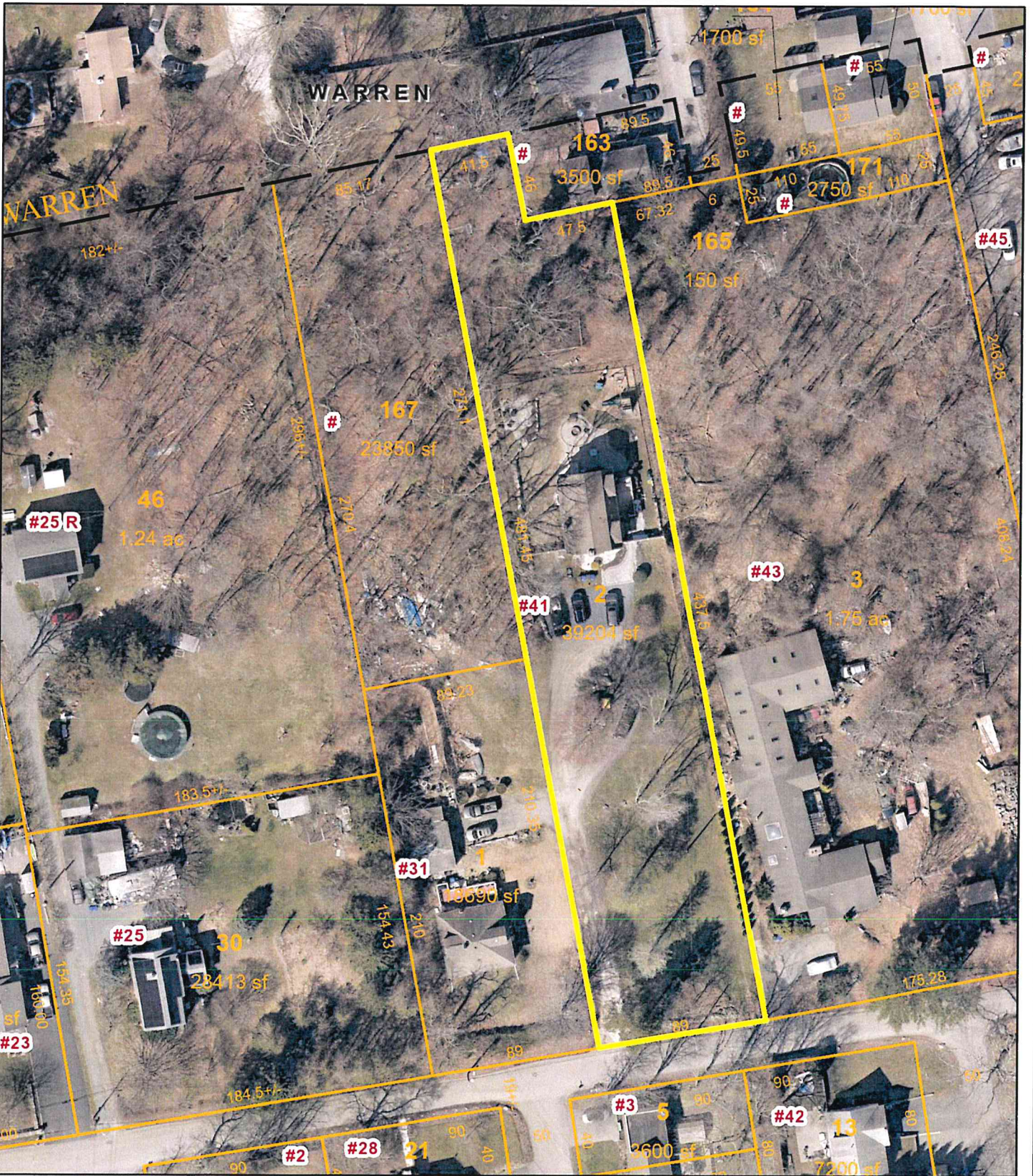
Bristol, RI

1 inch = 71 Feet



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April 23, 2024



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Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-15**

APPLICANT: Michael W. Mackniak
LOCATION: 10 King Phillip Avenue
PLAT: 151 LOT: 25 ZONE: R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct an approximate 34ft. x 34ft. second-story living area addition and a 6ft. x 33ft. front porch addition to an existing single-family dwelling with less than the required left side 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 dimensional variances to construct second story and front porch additions to an existing single-family dwelling located on the easterly side of King Phillip Avenue. This property is a nonconforming waterfront lot containing approximately 6,390 square feet of lot area. The existing single-story cottage dwelling was reportedly constructed in 1952 and it is located within approximately 4 feet of the northerly left side property line. The applicant proposes construction of a second-story living area addition containing two bedrooms, a bathroom, and a rear deck. The second story addition would be located within the footprint of the existing structure. Thus, a portion of the addition would also be located within approximately 4 feet of the left side property line. The applicant is also proposing construction of a 6 foot wide covered porch along the length of the front of the dwelling. This porch would extend to within approximately 18 feet of the front property line at King Phillip Avenue. A portion of this porch would also be located within the left side yard, extending to within approximately 4 feet of the left side property line.

As this lot is a nonconforming single lot of record, it is subject to reduced yard setbacks per Section 28-221(b) of the zoning ordinance. Revisions to this section of the ordinance adopted January 1, 2024 require that yard setbacks be reduced by the proportion of the lot area to the minimum lot area requirement for the zoning district in which the lot is located. Thus, I have determined that all property line setbacks on this lot are reduced to 64% of the R-10 requirements. As such, the minimum (rounded off) front and rear yard setbacks on this property are 19 feet, and the minimum side yard setbacks are 10 feet. Note that front porches may extend up to one-third into a required front yard. Thus, the minimum front yard setback requirement for the proposed front porch is 13 feet.


Edward M. Tanner, Zoning Officer

4/23/24



10 King Phillip Avenue

Bristol, RI

1 inch = 36 Feet



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Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-16**

APPLICANT: Adrian Summers

LOCATION: 16 Jessica Drive

PLAT: 150

LOT: 137

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 Addy 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 a 6 foot high fence on this residential lot located on the westerly side of Jessica Drive and the northerly side of Addy Drive. The existing dwelling on this property faces Jessica Drive. The property owners have recently installed an in-ground swimming pool to the rear of the dwelling, and they now wish to enclose the rear portion of the property with a 6 foot high fence. As a corner lot, this property has two front yards for purposes of determining zoning setbacks and dimensional requirements. The rear of this property had previously been enclosed with a 4 foot high fence. The applicants have recently replaced portions of this fence with a 6 foot high fence and they now wish to extend that fence to the southerly portion of the backyard adjacent to Addy Drive. The zoning ordinance permits fences within a front yard setback to a maximum height of 4 feet. As this property is located within the Residential R-15 zoning district, the front yard setback extends 35 feet from the street property line. Thus, any portion of the fence located within the front setback has a maximum height requirement of 4 feet.

 4/23/24
Edward M. Tanner, Zoning Officer



16 Jessica Drive

Bristol, RI

1 inch = 36 Feet



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Town of Bristol, Rhode Island
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STAFF REPORT FOR:

FILE NO. **2024-17**

APPLICANT: Joshua Haskell

LOCATION: 770 Metacom Avenue

PLAT: 123 LOT: 322 ZONE: R-8

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Remove an existing 10ft. x 12ft. accessory shed structure and construct a new 12ft. x 24ft. accessory shed/garage structure with less than the required rear yard and less than the required left side 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 dimensional variances to construct a 12' x 24' accessory shed/garage structure on this residential property located on the easterly side of Metacom Avenue. This property is improved with a single-family dwelling and also an existing 10' x 12' accessory shed structure. The existing shed is located in the northeast corner of the property and is located approximately 3.5 feet from the easterly rear property line and approximately 1.5 feet from the northerly left side property line. The applicant proposes to remove the existing shed and to replace it with the larger proposed shed/garage while keeping similar property line setbacks as existing.

The applicant proposes to utilize the existing shed's concrete slab foundation and to enlarge it to accommodate the proposed structure. Thus, as proposed, the shed/garage would be located the same distance as the existing shed from the rear property line at approximately 3.5 feet. The proposed structure would have its 24 foot length running parallel to the left side property line at the same 1.5 foot setback as the existing shed. The zoning ordinance permits accessory structures in the R-8 zone with a minimum setback of 6 feet from side and rear property lines.

 4/24/2024
Edward M. Tanner, Zoning Officer



770 Metacom Avenue

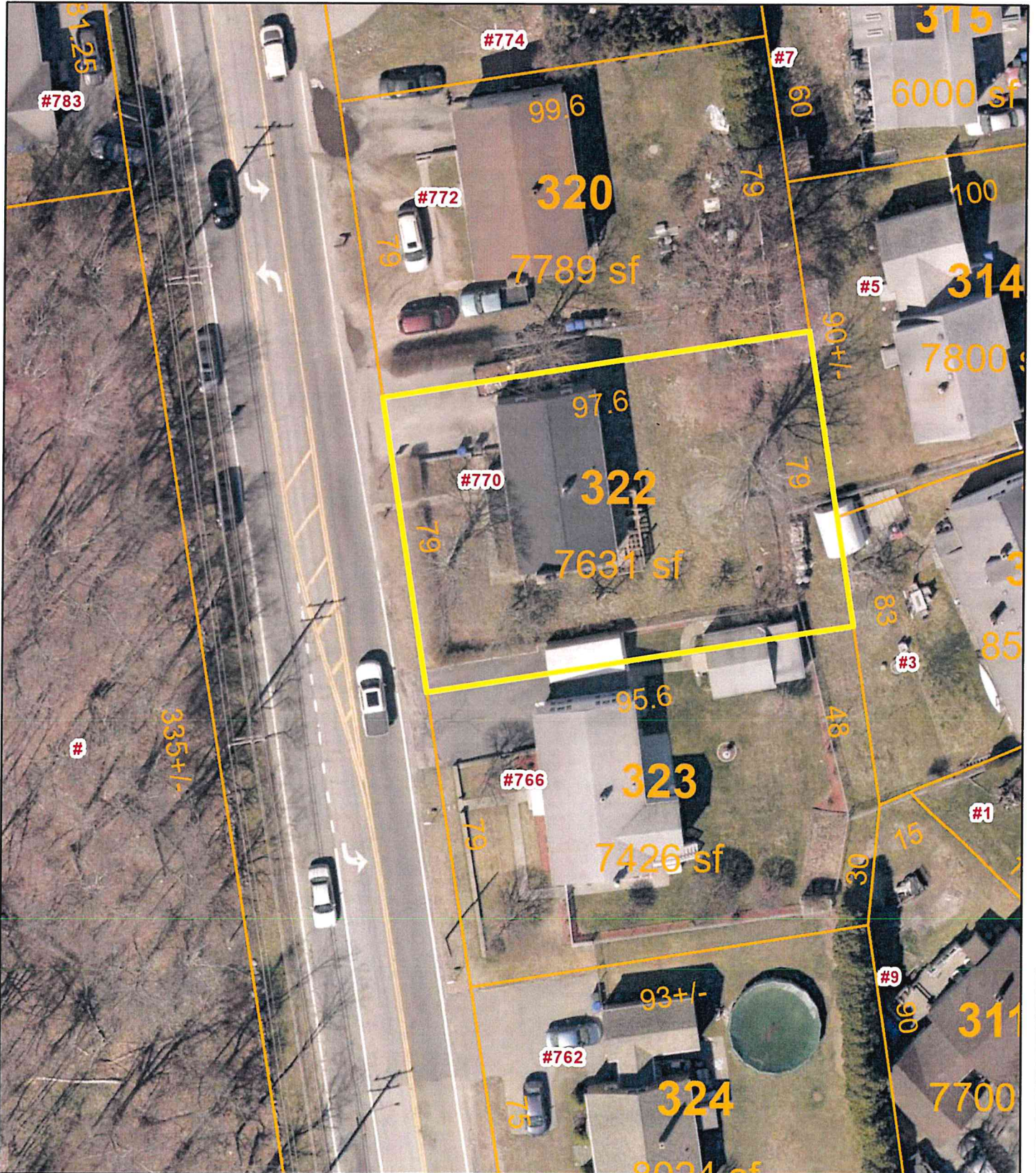
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April 24, 2024



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Town of Bristol, Rhode Island

Zoning Board of Review

STAFF REPORT FOR:

FILE NO. 2024-18

APPLICANT: Kevin Moran

LOCATION: 7 Ansonia Avenue

PLAT: 44 LOT: 62 ZONE: R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 14ft. x 29ft. 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; and to create an accessory dwelling unit (ADU) within the proposed structure that is not located within a principal single-family 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.

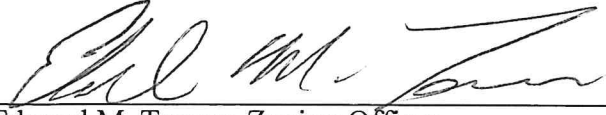
FINDINGS AND RECOMMENDATIONS BY STAFF:

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 recently 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 structure 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 19' 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. 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). Section 28-151(a) of Bristol's zoning ordinance permits ADU's only in (within or attached to) a single-family dwelling. In the R-10 zoning district, this requirement has

not been impacted by any recent legislative changes. Thus, the solicitor's office has advised that detached ADU's may only be permitted with a dimensional variance from the zoning board, as the location of the unit on the lot is considered dimensional. In addition to the requirement for ADU's to be attached to the primary dwelling unit, the zoning ordinance also requires that ADU's be accessory to owner-occupied single-family dwellings. It is my understanding that the existing dwelling on the property is a two-family structure and it is not occupied by the property owner. Although the applicant is related to the property owner, the owner does not reside on the lot.

 4/24/2024
Edward M. Tanner, Zoning Officer



7 Ansonia Avenue

Bristol, RI

1 inch = 36 Feet



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Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-19**

APPLICANT: Hilary M. Rosenfeld

LOCATION: 9 Pearse Avenue

PLAT: 19 LOT: 40 ZONE: R-6

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:


Construct two 3ft. x 6ft. accessory garden shed structures with 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:

The applicant is requesting dimensional variances to construct two garden shed accessory structures on this residential property located on the westerly side of Pearse Avenue and on the northerly side of Constitution Street. This property is an "L" shaped lot which is improved with a single-family dwelling fronting on Pearse Avenue. The southern portion of the lot contains landscaping and garden areas extending to Constitution Street. The applicant proposes construction of two 3' x 6' garden sheds to be located adjacent to the westerly rear property line. The sheds would be connected by an outdoor "planting shelf" and would be located between two existing mature trees approximately 2 feet from the rear property line. The zoning ordinance permits accessory structures within residential properties at a minimum distance of 6 feet from rear property lines.


Edward M. Tanner, Zoning Officer



Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2024-20**

APPLICANT: Danial Ferreira / Fair Wind Properties, LLC

LOCATION: 1 Coggeshall Avenue

PLAT: 147 LOT: 50 ZONE: R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct approximately 100 feet of eight foot high fence along a portion of the easterly property line at a height greater than permitted for fences in a residential zoning district; and to install approximately 30 feet of six foot high fence between two existing residential structures portions of which would be located within the front yard from Coggeshall 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.

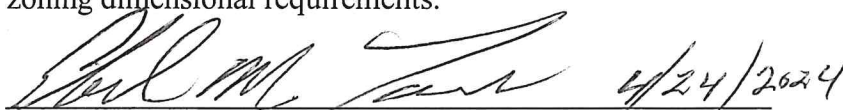
FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting dimensional variances to construct privacy fencing on this residential lot located on the easterly side of Coggeshall Avenue and the southerly side of Narrows Road. Recall that the applicant appeared before the zoning board in May 2023 (File #2023-18) and received a use variance and several dimensional variances to demolish and reconstruct two residential structures on this property. The construction of these dwellings is nearly complete, and the applicant is now proposing the installation of fencing along a portion of the easterly property line as well as within a courtyard area between the two residential structures.

The applicant proposes the installation of an 8 foot high stockade fence ("Fence A" on site plan) along the easterly property line extending from the Narrows Road right of way southerly approximately 100 linear feet. This fence has reportedly been requested by the neighbor to the east at 134 Narrows Road to provide privacy to their home and yard from the applicant's property. Section 28-146 of the zoning ordinance permits fences on residential properties to a maximum height of 6 feet. In addition, the zoning ordinance limits the height of fencing located within the front yard setback to a height of 4 feet. The northern 30 feet of this proposed fence would be located within the front yard from Narrows Road.

The applicant also proposes the installation of 6 foot high fencing ("Fence B" on the site plan) to bisect a patio area located between the two residential buildings on this property. This fencing would split the patio area in two and provide privacy for the residents of each dwelling. This fencing would be located partially within the 30 foot front yard from Coggeshall Avenue. As noted above, the zoning ordinance limits the height of fencing located within the front yard setback to a height of 4 feet.

Additional fencing as depicted on the site plan submitted with this application appears to comply with zoning dimensional requirements.


Edward M. Tanner, Zoning Officer



1 Coggeshall Avenue

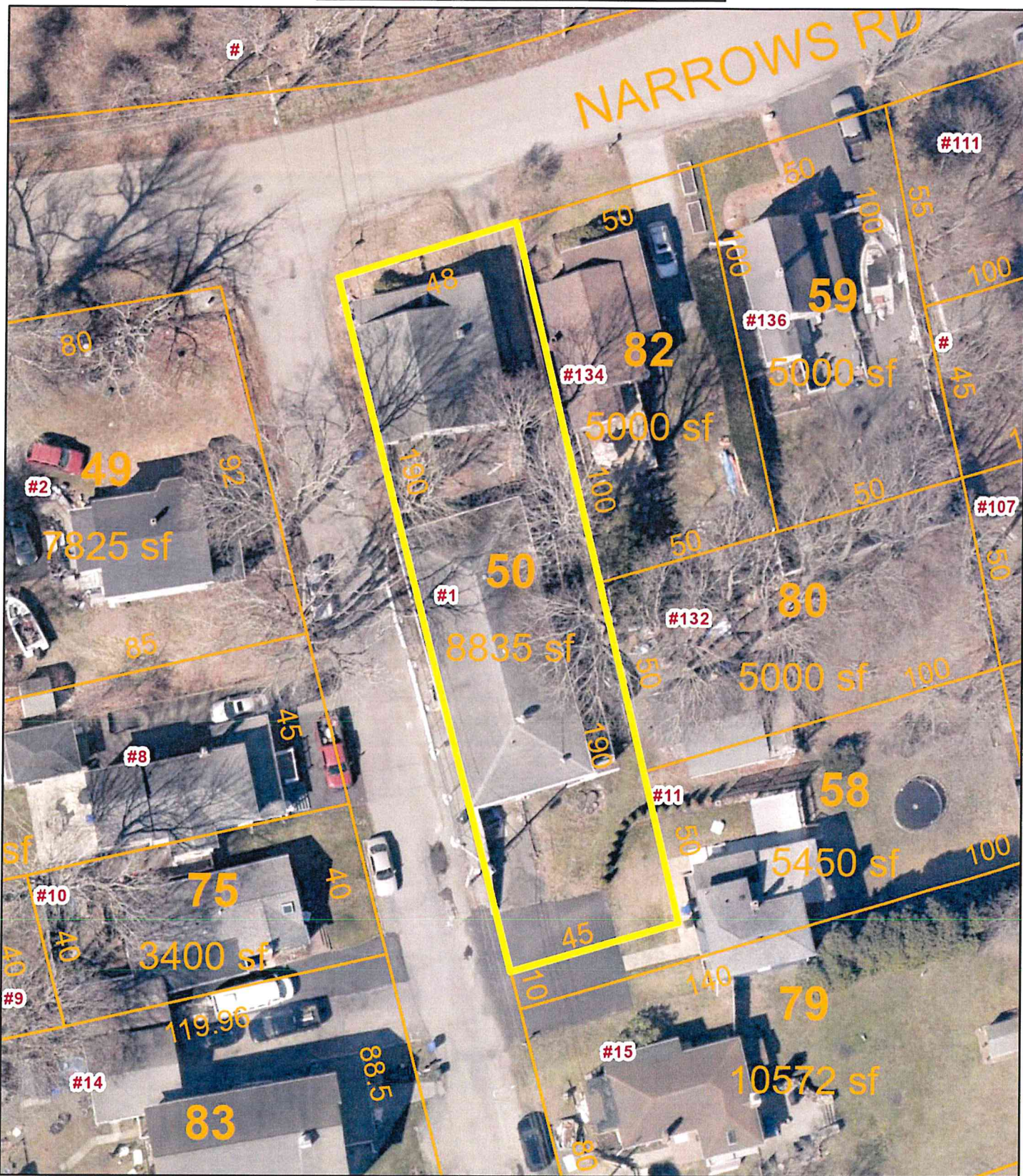
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