



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

### STAFF REPORT FOR:

FILE NO. 2023-09

APPLICANT: Daniel L. and Lillian C. Leaser  
LOCATION: 12 Brookwood Road  
PLAT: 79 LOTS: 452 ZONE: R-10

#### APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 24ft. x 26ft. accessory garage structure and a freestanding decorative pergola structure with less than the required front yard on a corner lot; and with the garage at an overall size 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.

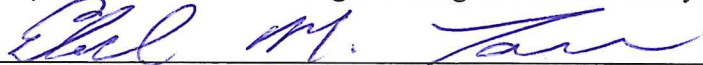
#### FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting dimensional variances to construct a 24' x 26' accessory garage structure on this corner lot located on the easterly side of Brookwood Road and the southerly side of Fenmore Road. This property is a nonconforming single lot of record containing approximately 5,596 square feet of lot area. The proposed garage would be located in the southeasterly corner of the property and would conform to the required six foot minimum setback from the side and rear (east and south) property lines. The proposed structure would, however, be located partially within the front yard setback from Fenmore Road. As proposed, the structure would be located approximately 18 feet from the northerly Fenmore Road property line. As a corner lot, this property has two front yards for purposes of determining zoning setbacks. The zoning ordinance requires a minimum 30 foot front yard setback in the R-10 zoning district. The proposed garage would also be larger than the maximum 22' x 24' size that the zoning ordinance permits for accessory structures in the R-10 zone.

The applicants also propose construction of a "decorative pergola" structure to be located between the existing dwelling and the proposed garage. This structure would measure approximately 10' in width and 35' in length, and it would be located within the front yard setback from Fenmore Road at approximately 10 feet from the northerly property line. The applicants would be required to obtain a building permit to install this structure, and I believe that it is subject to zoning regulation as an accessory structure.

The portion of Fenmore Road that abuts this property is an unimproved "paper" street. The paved portion of Fenmore Road extends from the east ending at approximately the easterly property line of the applicants' lot (see attached GIS aerial photo map). Remaining portions of the right of way are maintained as grass or gravel parking, and vehicular travel is prohibited. The applicant's design plans for the proposed garage depict two vehicular doors on the north elevation of the structure, and their project narrative states that the structure would be used for vehicle storage. However, plans do not show any extension of the existing gravel driveway (part of the Fenmore Road paper street) to access the garage. Should the applicant's propose to bring vehicular access to the garage, the Board should consider requiring improvements to Fenmore Road and the possibility of improving the remaining unimproved portion of the right of way, to fully connect Fenmore Road with Brookwood Road.

Recall that May 2020 (File No. 2020-16), the applicants received dimensional relief to construct a two-story addition to the existing dwelling within the front yard setback from Fenmore Road.

 2/24/2023  
Edward M. Tanner, Zoning Officer





# 12 Brookwood Road

Bristol, RI



February 24, 2023

1 inch = 35 Feet

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

**STAFF REPORT FOR:**

FILE NO. 2023-11

APPLICANT: Joan C. Prescott  
LOCATION: 167 State Street  
PLAT: 18 LOT: 41 ZONE: LB

**APPLICANT IS REQUESTING A DIMENSIONAL VARIANCE TO:**

Construct an 8ft. x 14ft. rear deck 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 a dimensional variance to construct an 8ft. x 14ft. rear deck addition to the existing single-family dwelling at this property located on the northerly side of State Street. Recall that in September 2022, the Board approved a dimensional variance (File No. 2022-29) for the construction of a rear sunporch addition to this dwelling. The applicant now proposes to add a deck to the rear of the previously approved sunporch. This property is a rather narrow nonconforming lot containing only 35 feet of lot width and approximately 3,000 square feet of lot area. The proposed rear deck would measure approximately 8 feet in width and 14 feet in length across the rear of the sunroom addition. The deck would then have a landing and stairs providing access to/from the easterly driveway side of the property. As proposed, the deck would be located approximately 6.7 feet from the westerly left side property line. The zoning ordinance requires a 10 foot side yard setback in the LB zone.

 2/24/2023  
Edward M. Tanner, Zoning Officer



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

### STAFF REPORT FOR:

FILE NO. 2023-12

APPLICANT: Alfred L. Collins  
LOCATION: 980 Hope Street  
PLAT: 3 LOT: 1 ZONE: R-10

#### APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct an approximate 12ft. x 26ft. single-story addition and 12ft. x 18ft. deck addition to the rear of an existing single-family dwelling; and to construct an approximate 12ft. x 24ft. second-story addition above a portion of the existing 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 variance to construct several additions to the existing single-family dwelling at this property located on the easterly side of Hope Street. This property is a rather narrow lot with 54 feet of lot frontage. The existing dwelling is located at the northerly left side property line and at a slight angle to the south. The applicant proposes to add a 12' x 26' single-story rear addition which will consist of additional first floor kitchen and dining room living space. Due to the slope of this property, this addition would also include a lower level slab on grade "walk out" basement. The applicant also proposes an approximate 12' x 18' rear deck addition to be added off the proposed first floor addition. This deck would include stairs extending down to the rear yard. The final proposed addition would consist of an approximate 12' x 24' bedroom and bathroom addition above a portion of the existing dwelling footprint.

As proposed, the rear addition and deck would extend beyond the footprint of the existing dwelling at or within a foot or two of the left side property line. Given the angle of the existing structure relative to the north property line, the proposed additions would be further away from the property line than the existing dwelling. The proposed second story addition would be above the existing dwelling footprint, and would thus extend to (or very close to) the north side property line. The zoning ordinance typically requires a 15 foot side yard setback in the R-10 zone. However, as this property lacks the required minimum lot frontage and lot width for the R-10 zone, it is considered a nonconforming substandard lot of record. Thus, the minimum side yard setbacks are reduced to 11 feet (20% of 55 feet of lot width) per Section 28-221(a)(2)b. of the zoning ordinance.

 2/24/2023  
Edward M. Tanner, Zoning Officer





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

### STAFF REPORT FOR:

FILE NO. **2023-13**

APPLICANT: The Malverne Trust c/o Bart Kavanaugh and Betty Saks

LOCATION: Low Lane

PLAT: 166 LOT: 16 ZONE: R-40

#### **APPLICANT IS REQUESTING A SPECIAL USE PERMIT TO:**

Modify a previous approval decision to temporarily maintain four (4) prefabricated relocatable shipping / storage containers on a residential property with screening to be provided by a combination of a solid wood gate and evergreen tree plantings.

#### **COMPREHENSIVE PLAN REVIEW:**


As this application is for a special use permit, it requires review by the Planning Board or the Technical Review Committee (TRC) per Section 28-409(b) of the Zoning Ordinance. The TRC reviewed this application at a meeting on November 28, 2022 prior to the Board's previous review of application No. 2022-37. The TRC recommended approval of the request for a special use permit subject to conditions regarding the submittal of detailed design details for any proposed fencing or screening.

#### **FINDINGS AND RECOMMENDATIONS BY STAFF:**

The applicant is requesting that the Board modify its previous approval of a special use permit to temporarily maintain four (4) metal storage / shipping containers on this property located on the northerly side of Low Lane. Recall that the Board approved a special use permit for this property in December 2022 (File No. 2022-37) subject to a condition that the containers be screened from view from neighboring properties and from Low Lane by an eight-foot high chain link fence with opaque green colored slats as depicted on the image provided from the "Wood and Wire" website and agreed to by the applicant's representatives during this public hearing. The applicant is now requesting that the Board modify the previous approval and issue a new special use permit approving the temporary maintenance of the four storage containers without a fence screening. The applicant instead proposes to screen the containers from neighboring properties and Low Lane with evergreen trees planted along the westerly and portions of the northerly property lines; and with a solid wood gate to be installed at the entrance driveway at Low Lane.

As noted in my previous staff report, lot 16 is a primarily undeveloped parcel that is currently being utilized as a staging area for construction of a new residential dwelling at the nearby 13 Low Lane property to the west. The applicant's proposal is to maintain four 40-foot long containers for use in storing building supplies during house construction. These containers are currently located on the property. Lot 16 is separated from the 13 Low Lane parcel (lot 5) by an approximate 20 foot wide strip of land that provides driveway access to the property at 15 Low Lane.

The Zoning Ordinance permits the keeping of "prefabricated relocatable steel buildings, box trailers, or shipping or cargo containers" as an accessory in the R-40 zone only with a special use permit. In addition to the standards for relief for a special use permit found in Section 28-409(c)(2) of the Zoning Ordinance, the proposed use is also subject to the four specific standards found in Section 28-150(i).

 2/24/2023  
Edward M. Tanner, Zoning Officer