

Town of Bristol, Rhode Island Zoning Board of Review

STAFF REPORT FOR:

FILE NO. 2023-40

APPLICANT:

Angela Haliburda

LOCATION:

15 Adelaide Avenue

PLAT: 84

LOT: 8

ZONE: R-10

APPLICANT IS REQUESTING A DIMENSIONAL VARIANCE TO:

Construct an approximate 7ft. 7in. x 14ft. exterior deck addition with less than the required 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 approximate 7ft. 7in. x 14ft. exterior deck addition to the existing single family dwelling on this property located off the westerly end of Adelaide Avenue. This property is a 1.1 acre lot which extends from the dead end portion of Adelaide Avenue to the East Bay Bike Path. The lot also has frontage on a portion of the Lindsay Avenue paper street to the south. For purposes of determining zoning setbacks, I have determined that the northerly property line is a side yard. This determination is consistent with the siting of the dwelling when it was constructed in approximately 1995 with its frontage and access from Adelaide Avenue (see attached GIS map).

The applicant proposes to construct an addition to the existing deck located off the rear, westerly side, of the dwelling (although it is referred to as a "front deck" in the application). The proposed deck extension would be located off the northwesterly corner of the dwelling and would connect the westerly "front deck" to an existing elevated walkway deck on the northerly side of the dwelling. The proposed deck extension would be irregularly shaped to connect with the existing deck angles, but would measure approximately 7'7" x 14' in size. The proposed deck addition would extend to within approximately 8 feet of the northerly side property line. The zoning ordinance requires a minimum 15 foot side yard in the R-10 zoning district.

The applicant notes in the project narrative and site plan that she is also proposing to add a pergola structure to the new deck extension; and that the pergola would be used to provide shade on the deck and would be fitted with "retractable screens to block the sun". No additional information or details on the design of the proposed pergola are provided with the application. I have contacted the applicant and requested additional information. Depending on the size and design of the structure, it may also require dimensional relief and permitting by the Building Official prior to construction.

10/24/2023

Edward M. Tanner, Zoning Officer



October 24, 2023



15 Adelaide Avenue

Bristol, RI

1 inch = 70 Feet



www.cai-tech.com





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TOWN UP BHISTOR COMMUNITY DEV.

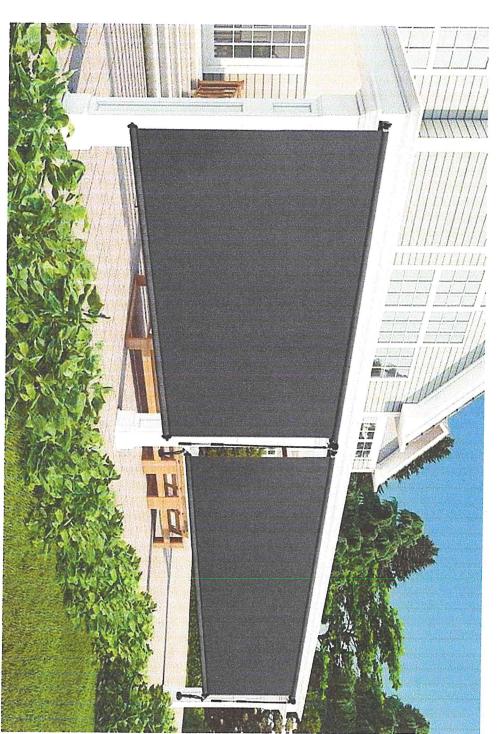
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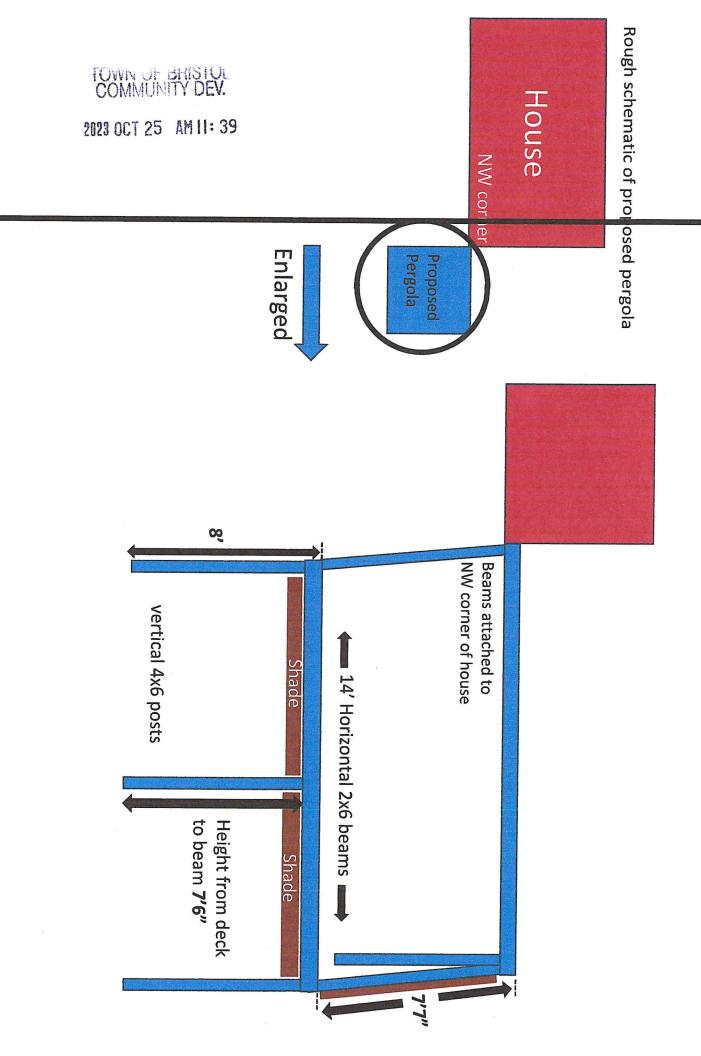
Proposed pergola on the expanded deck:

retractable shades to block the sun.

The reason for adding pergola posts and beams to the deck extension is to provide beams from wh

This photo will give you an idea of the planned pergola:







Town of Bristol, Rhode Island Zoning Board of Review

10 Court Street Bristol, RI 02809 401-253-7000 www.bristolri.gov

File #2023-40

PUBLIC HEARING

Notice is hereby given by the Zoning Board of Review that a public hearing will be held on the following application:

Monday, November 6, 2023

at 7:00 P.M.

Bristol Town Hall

10 Court Street

APPLICANT:

Angela Haliburda

PROPERTY OWNER:

Angela Haliburda

LOCATION:

15 Adelaide Avenue

PLAT: 84

LOT: 8

ZONE: Residential R-10

APPLICANT IS REQUESTING A **DIMENSIONAL VARIANCE** TO: construct an approximate 7ft. 7in. x 14ft. exterior deck addition with less than the required side yard.

Edward M. Tanner,

Principal Planner / Zoning Enforcement Officer

Scanned copies of all applications and supporting materials will be available on the Town of Bristol web site at https://www.bristolri.gov/government/boards/zoning-board-of-review/. If you have any comments regarding this petition, but are unable to attend, you may submit your comments in writing to the Zoning Board via regular mail addressed to: Zoning Board of Review, Bristol Town Hall, 10 Court Street, Bristol, RI 02809 or via email to etanner@bristolri.gov. Written comments should be received no later than 12:00 p.m. on Thursday, November 2, 2023.

Town of Bristol, Rhode Island



COMMUNIDEPARTMENT of Community Development 2023 OCT -3 PM 1: 13 Zoning Board of Review

APPLICATION

File No: 2023-40

Accepted by ZEO: [10/10/23]

APPLICANT:	Name: Angela Haliburda	-	
	Address: 15 Adelaide Ave		
	city: Bristal	State: RI	zip: 02-809
	Phone #: 651, 276, 7166		halib@hotmail.com
PROPERTY	Name: Same as above		
OWNER:	Address:		
	City:	State:	Zip:
	Phone #:	Email:	
1. Location of	subject property: 15 Adelaide	Ave	
Assess	or's Plat(s) #:8 4	Lot(s) #: _	8
2. Zoning distr	ict in which property is located: $R10$		
3. Zoning Appr	oval(s) required (check all that apply):		
	Specification	ecial Use Permit	Use Variance
Dimens Special	cular provisions of the Zoning Ordinance is applicab sional Variance Section(s): Use Permit Section(s): riance Section(s):	le to this applic	ation? TBACK (Ent)
5. In a separate or special use p	e written statement (attach to this application), plea ermit and how the proposal will meet the standard	ase describe the s found in Secti	e grounds for the requested variance on 28-409 of the Zoning Ordinance.
6. How long ha	ve you owned the property? 9 Vrs		
	of property: Residential		
8. Is there a bu	ilding on the property at present? $_$ One ho	use	
9. Dimensions	of existing building (size in feet, area in square feet,	height of exter	ior in feet): 3,000 ⁺ sg Ft
10. Proposed u	se of property: Residential - no	change	in use

44 6	
11. Give extent of proposed alterations: Extension of front deck on ne	nolla cida Chauca
Extension of front acce on hi	or the state of house
12. Dimensions of proposed building/addition (size in feet $(4' \times 7' 7'')$, area in square feet, height of exterior in feet):
→	
13. If dimensional relief is being sought, please state the rebetween the proposed building/addition and each lot l	equired and proposed dimensions and setback distances ine:
Front lot line(s): Required Setback:	Proposed Setback: No change
Left side lot line: Required Setback:	Proposed Setback: No Chartle
Right side lot line: Required Setback: <u>15 Ft</u>	Proposed Setback: 8ft
Rear lot line: Required Setback:	Proposed Setback: No Change
Building height: Required:	Proposed:
Other dimensions (building size, lot coverage, lot area, Required:	
13. Number of families before/after proposed alterations:	BeforeAfter
 14. Have you submitted plans for the above alterations to a lif yes, has he refused a permit?	
13. Are there any easements on your property? $\underline{I \setminus O}$,
16. Which public utilities service the property? Water:	Sewer:
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?	If yes, which one?:
I, the undersigned, attest that all the information provided (knowledge:	
Applicant's Signature: UHALIBURDA	Date: Oct. 4, 2023
Applicant's Signature: <u>Abaliburda</u> Print Name: <u>Augela Haliburda</u>	1
Property Owner's Signature:	Date:
Print Name:	
Name of attorney or agent (engineer, architect, etc.), if any,	who is authorized to represent the applicant:
Name of attorney or agent (engineer, architect, etc.), if any,	who is authorized to represent the applicant: Phone #:
	Phone #:

I like a sunny day, but I don't like it when the blinding afternoon sun prevents me from relaxing on my front deck or in my living room and enjoying the views from my house.

My living room is mostly large windows and this provides a nice view of Bristol Harbor off to the southeast. However, once the sun passes over my roof in the early afternoon, it shines from the northwest directly across my deck and into my living room. Many days it is too bright to even look out the windows.

It was simply poor planning when the house was built not to take into consideration the arc of the sun. Lucky is a neighboring house, with front windows angled to the southeast.

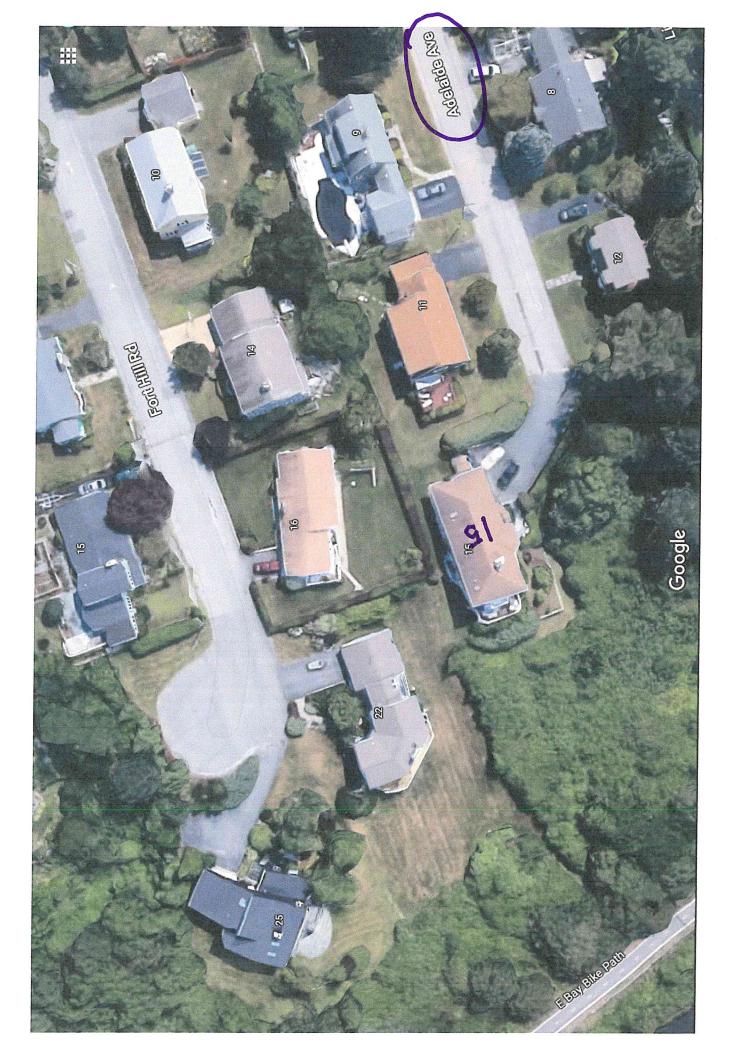
I have tried multiple ways to block the intense afternoon sun, including window blinds, awnings, shade sail, window blocker film and deck umbrellas, all to no avail, as they either block the view, darken the living room too much or restrict access to the deck itself.

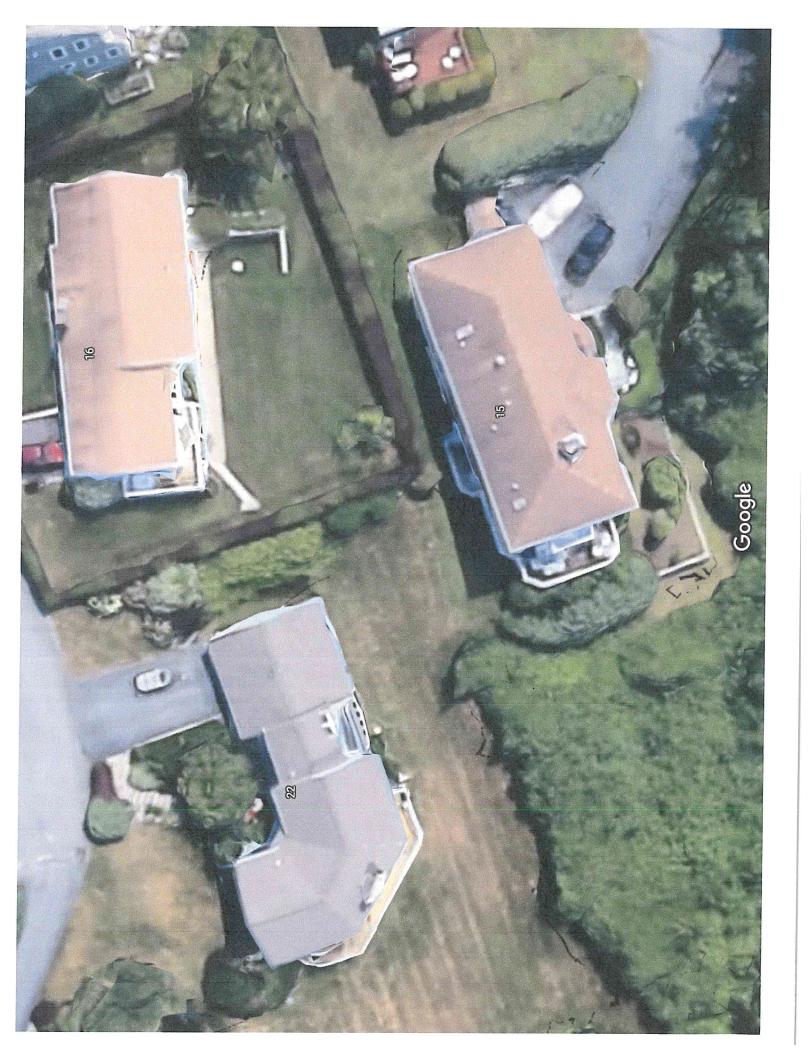
The best solution would be to erect a pergola on the northwest side of my front deck, from which I can hang retractable screens to block the sun. This will provide needed shade on my deck as well as in the living room, while also retaining my water views.

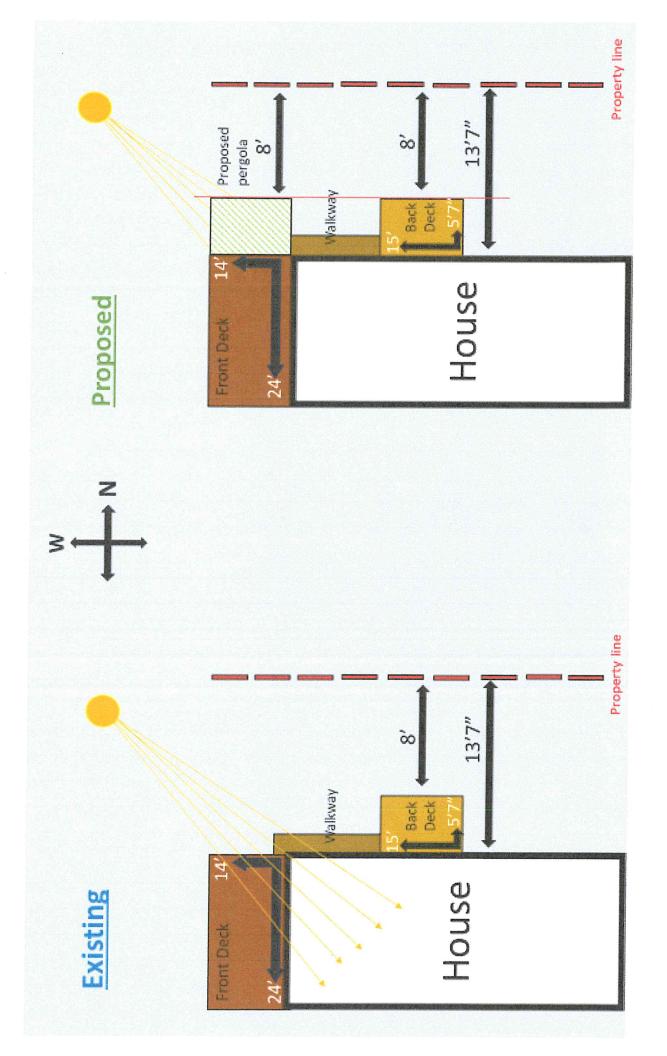
At present, there is not enough space to erect a pergola on the front deck because of interference with my living room windows and doors that open onto the deck and the overhanging balcony on the second floor. Therefore, I am seeking a variance to extend the north side of the front deck to accommodate a pergola.

My existing back deck extends 5ft 7in from the north side of the house and is 8ft from the property line. I would like to extend the north side of the front deck to also be 8 ft from the property line, so both decks will be in alignment with each other on the north side of the house.

Please refer to the attached map and diagrams for further clarification and measurements.







115 Kitchen Deck Area Deck Walkway Existing . Front Deck Proposed Deck Expansion S

Card 1 of 1 15 ADELAIDE AVE Account: 5041 ► Bristol ► Plat/Lot 84 8

► Owner ► Owner Account #:		▶ Previous Owners & Sales Infor
Owner 1 HALIBURDA, ANGELA	% Owned	Grantor
Owner 2	000	XIFARAS, LOUIS G. & CYNTHIA J. TRUSTEES
		XIFARAS, LOUIS G. & CYNTHIA J.
Owner 3	0.00	CLAIR, DONALD F. & MARY
Address 15 ADELAIDE AVE, BRISTOL, RI 02809-0000		

 Use Code
 Bidg Value
 SF/YI Value
 Land Size
 Land Value

 01
 475,000
 0
 1.10
 400,800

▶ Assessment

400,800

1.10

475,000

TOTAL

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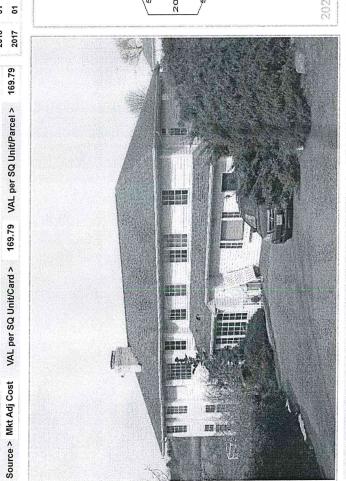
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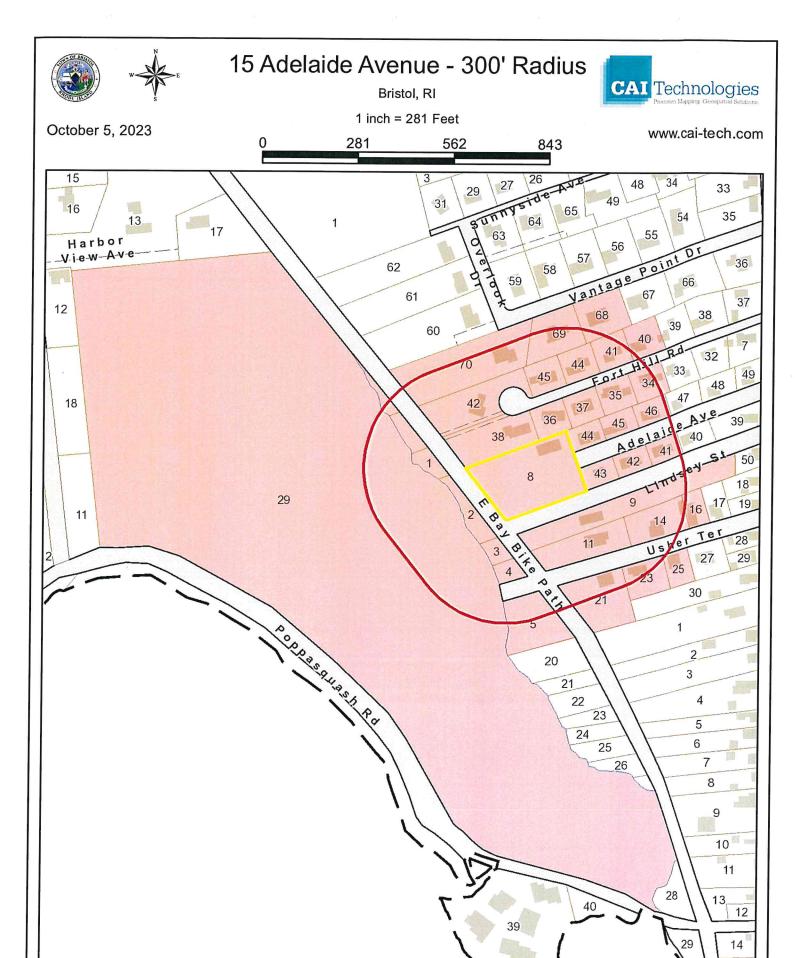
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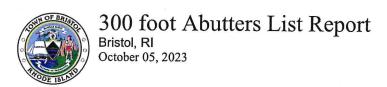
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Disclaimer - This Information is believed to be correct, but is subject to change and is not warranteed.



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Subject Property:

Parcel Number:

84-8

CAMA Number:

84-8

Property Address: 15 ADELAIDE AVE

Mailing Address: HALIBURDA, ANGELA

15 ADELAIDE AVE

BRISTOL, RI 02809

Abutters:

Parcel Number:

186-29

CAMA Number:

186-29

Property Address: STATE

Parcel Number:

83-40

CAMA Number: Property Address: 9 FORT HILL RD

83-40

Mailing Address:

Mailing Address:

NORTH KINGSTOWN, RI 02852

GENDREAU, ROLAND JANET TE

9 FORT HILL ROAD

TOWER HILL RD

BRISTOL, RI 02809

Parcel Number:

83-41

CAMA Number:

83-41

Property Address: 11 FORT HILL RD

Mailing Address: OSE, BETSY D LE OSE, ERIK D

ATTN: KIMBERLY LAPIERRE

DEM PARKS AND RECREATION 1100

22 GIBSON RD BRISTOL, RI 02809

Parcel Number:

83-42

CAMA Number: 83-42

Property Address: 25 FORT HILL RD

Mailing Address: WOOD, EMESE F. TRUSTEE THE WOOD

WOOD, EMESE F. TRUSTEE THE WOOD

FAMILY TRUST

19 GLORIA DR SAN RAFAEL, CA 94901

Parcel Number:

83-43

CAMA Number:

83-43

Property Address: FORT HILL RD

Mailing Address:

19 GLORIA DR

FAMILY TRUST

SAN RAFAEL, CA 94901

Parcel Number:

83-44

CAMA Number:

83-44

Property Address: 13 FORT HILL RD

Mailing Address:

L & L REALTY HOLDING CORP.

C/O MICHAEL DOBRINDA 110 ALEXANDER MCGREGOR RD

PAWTUCKET, RI 02861

Parcel Number:

83-45

CAMA Number:

83-45

Property Address: 15 FORT HILL RD

Mailing Address:

VAN DIJK, HAS CORNELIS TRUSTEE &

HOMAN, ALISON TC 15 FORT HILL RD

BRISTOL, RI 02809

Parcel Number: CAMA Number: 83-46

83-46

Mailing Address:

METZ, MANUEL MARGARITA B. ETAL

THE METZ LIVING TRUST 135 FREEMAN PKWY

PROVIDENCE, RI 02906

Parcel Number: **CAMA Number:**

83-68 83-68

Property Address: 9 VANTAGE POINT DR

Property Address: VANTAGE POINT DR

Mailing Address:

BRUNO, NICHOLAS M & JILLIAN M TE

9 VANTAGE POINT DR BRISTOL, RI 02809

Parcel Number:

83-69

Mailing Address:

FAZIO, ELIZABETH PONTE

CAMA Number:

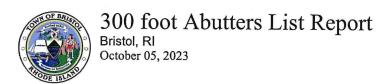
83-69

11 VANTAGE POINT DR

Property Address: 11 VANTAGE POINT DR

BRISTOL, RI 02809





Parcel Number: CAMA Number: 83-70

83-70

Property Address: 13 VANTAGE POINT DR

Parcel Number:

84-1 84-1

CAMA Number:

Property Address: FORT HILL RD

Parcel Number:

84-11 84-11

CAMA Number:

Property Address: 41 USHER TERRACE

Parcel Number:

84-14

CAMA Number:

84-14

Property Address: 27 USHER TERRACE

Parcel Number: CAMA Number:

84-16 84-16

Property Address: 21 USHER TERRACE

Parcel Number:

84-2 CAMA Number: 84-2 Property Address: W OF RR

Parcel Number:

84-21 84-21 **CAMA Number:**

Property Address: 40 USHER TERRACE

Parcel Number: CAMA Number: 84-23 84-23

Property Address: 36 USHER TERRACE

Parcel Number: CAMA Number:

84-25 84-25

Property Address: 26 USHER TERRACE

Parcel Number:

84-3 **CAMA Number:** 84-3 Property Address: W OF RR

Parcel Number:

84-34 **CAMA Number:** 84-34

Property Address: 8 FORT HILL RD

Parcel Number: 84-35

CAMA Number:

84-35 Property Address: 10 FORT HILL RD

Mailing Address: METZ, MANUEL MARGARITA B. ETAL

THE METZ LIVING TRUST 135 FREEMAN PKWY

PROVIDENCE, RI 02906

Mailing Address: MALONEY, PETER E. ET UX SUSAN W.

MALONEY TE

22 FORT HILL ROAD BRISTOL, RI 02809

Mailing Address:

HARTWELL, HAYWOOD, JR ETUX &

HARTWELL, ARLENE E. TC 41 USHER TERRACE BRISTOL, RI 02809

Mailing Address:

GREGORY, NILES MARY ELLEN ETUX

27 USHER TERRACE BRISTOL, RI 02809

Mailing Address:

TOOLAN, CHARLES M & CLAUDIA H TE

36 USHER TERRACE BRISTOL, RI 02809

Mailing Address:

HALIBURDA, ANGELA 15 ADELAIDE AVE

BRISTOL, RI 02809

Mailing Address: PIRRI, JOSEPH A & GERALDINE L

40 USHER TR BRISTOL, RI 02809

Mailing Address:

TOOLAN, CHARLES M. CLAUDIA H. ETU 36 USHER TERRACE

BRISTOL, RI 02809

Mailing Address:

MILOT, ARTHUR B. & GAUTHIER, LUCIE

26 USHER TERRACE BRISTOL, RI 02809

Mailing Address:

SHERMAN, JOHN A 1 LINDSEY AVE BRISTOL, RI 02809

Mailing Address: MARESIC, CARYN & LARIVIERE, JAMES K JT

> 8 FORT HILL RD BRISTOL, RI 02809

Mailing Address:

MASONE, ANTHONY M JR & CHRISTINE A TE

11 GLENWOOD RD WINDHAM, NH 03087



Parcel Number: CAMA Number: 84-36

84-36

Property Address: 16 FORT HILL RD

BRISTOL, RI 02809 Mailing Address: SARAPAS, SARAH ELIZABETH &

MICHAEL ALAN TE

22 FORT HILL ROAD BRISTOL, RI 02809

41 USHER TERRACE BRISTOL, RI 02809

6 ADELAIDE AVE BRISTOL, RI 02809

PARKER TRUST

8 ADELAIDE AVE BRISTOL, RI 02809

PAULL, RACHAEL

12 ADELAIDE AVE

BRISTOL, RI 02809

11 ADELAIDE AVE BRISTOL, RI 02809

MALONEY, PETER E. ET UX SUSAN W.

HARTWELL, HAYWOOD, JR ETUX &

PARKER, DAVID L - TRUSTEE DAVID L

CELONE, LEONORA M TRUSTEE LT

MELLO, CHRISTOPHER C VICTORIA R.

CELONE, JAMES A TRUSTEE LT

HARTWELL, ARLENE E. TC

14 FORT HILL RD BRISTOL, RI 02809

MALONEY TE

S TE

16 FORT HILL RD

Mailing Address: LOWE, STEPHEN E.

Parcel Number: CAMA Number:

84-37 84-37

Property Address: 14 FORT HILL RD

Parcel Number:

84-38

CAMA Number:

Property Address: 22 FORT HILL RD

Parcel Number:

84-4

CAMA Number:

84-4

Property Address: W OF RR

Parcel Number: CAMA Number:

84-41

Property Address: 6 ADELAIDE AVE

84-41

Parcel Number: CAMA Number: 84-42 84-42

Property Address: 8 ADELAIDE AVE

Parcel Number: CAMA Number: 84-43 84-43

Property Address: 12 ADELAIDE AVE

Parcel Number: CAMA Number: 84-44 84-44

Property Address: 11 ADELAIDE AVE

Parcel Number: CAMA Number:

84-45 84-45

Property Address: 9 ADELAIDE AVE

Parcel Number:

84-46 84-46

CAMA Number: Property Address: 7 ADELAIDE AVE

Parcel Number:

CAMA Number: Property Address: W BPATH

Parcel Number: CAMA Number: 84-8

Property Address: 15 ADELAIDE AVE

84-38

Mailing Address:

Mailing Address:

Mailing Address: AUGUST, THEODORE J IV & REBEKAH

Mailing Address:

Mailing Address:

Mailing Address:

Mailing Address:

RUGGEIRO, JOSEPH JR ANGELA LE

9 ADELAIDE AVE BRISTOL, RI 02809

Mailing Address:

7 ADELAIDE AVE

BRISTOL, RI 02809

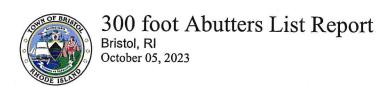
Mailing Address: PIRRI, JOSEPH A & GERALDINE L

40 USHER TR BRISTOL, RI 02809

Mailing Address:

HALIBURDA, ANGELA 15 ADELAIDE AVE BRISTOL, RI 02809

CAI Technologies



Parcel Number: CAMA Number: 84-9 84-9

Property Address: 1 LINDSEY AVE

Mailing Address: SHERMAN, JOHN A

1 LINDSEY AVE

BRISTOL, RI 02809

AUGUST, THEODORE J IV & 6 ADELAIDE AVE BRISTOL, RI 02809

LOWE, STEPHEN E. 16 FORT HILL RD BRISTOL, RI 02809

PIRRI, JOSEPH A & GERALDI 40 USHER TR BRISTOL, RI 02809

BRUNO, NICHOLAS M & JILLI 9 VANTAGE POINT DR BRISTOL, RI 02809 MALONEY, PETER E. ET UX SUSAN W. MALONEY TE 22 FORT HILL ROAD BRISTOL, RI 02809 RUGGEIRO, JOSEPH JR ANGELA LE 9 ADELAIDE AVE BRISTOL, RI 02809

CELONE, LEONORA M TRUSTEE CELONE, JAMES A TRUSTEE L 11 ADELAIDE AVE BRISTOL, RI 02809

MARESIC, CARYN & LARIVIER 8 FORT HILL RD BRISTOL, RI 02809

SARAPAS, SARAH ELIZABETH 14 FORT HILL RD BRISTOL, RI 02809

DEM PARKS AND RECREATION 1100 TOWER HILL RD ATTN: KIMBERLY LAPIERRE NORTH KINGSTOWN, RI 02852

MASONE, ANTHONY M JR & CH 11 GLENWOOD RD WINDHAM, NH 03087 SHERMAN, JOHN A 1 LINDSEY AVE BRISTOL, RI 02809

FAZIO, ELIZABETH PONTE 11 VANTAGE POINT DR BRISTOL, RI 02809 MELLO, CHRISTOPHER C VICTORIA R. TE 7 ADELAIDE AVE BRISTOL, RI 02809 TOOLAN, CHARLES M & CLAUDIA H TE 36 USHER TERRACE BRISTOL, RI 02809

GENDREAU, ROLAND JANET TE 9 FORT HILL ROAD BRISTOL, RI 02809

METZ, MANUEL MARGARITA B. THE METZ LIVING TRUST 135 FREEMAN PKWY PROVIDENCE, RI 02906 TOOLAN, CHARLES M. CLAUDIA H. ETU 36 USHER TERRACE BRISTOL, RI 02809

GREGORY, NILES MARY ELLEN ETUX TE 27 USHER TERRACE BRISTOL, RI 02809

MILOT, ARTHUR B. & GAUTHIER, LUCIE C. JT 26 USHER TERRACE BRISTOL, RI 02809

VAN DIJK, HAS CORNELIS TR HOMAN, ALISON TC 15 FORT HILL RD BRISTOL, RI 02809

HALIBURDA, ANGELA 15 ADELAIDE AVE BRISTOL, RI 02809 OSE, BETSY D LE OSE, ERIK D 22 GIBSON RD BRISTOL, RI 02809 WOOD, EMESE F. TRUSTEE THE WOOD FAMILY TRUST 19 GLORIA DR SAN RAFAEL, CA 94901

HARTWELL, HAYWOOD, JR ETU & HARTWELL, ARLENE E. TC 41 USHER TERRACE BRISTOL, RI 02809 PARKER, DAVID L - TRUSTEE DAVID L PARKER TRUST 8 ADELAIDE AVE BRISTOL, RI 02809

L & L REALTY HOLDING CORP C/O MICHAEL DOBRINDA 110 ALEXANDER MCGREGOR RD PAWTUCKET, RI 02861

PAULL, RACHAEL 12 ADELAIDE AVE BRISTOL, RI 02809