



Town of Bristol, Rhode Island

Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2023-27**

APPLICANT: Robert M. Kreft
LOCATION: 22 Wall Street
PLAT: 33 LOT: 17 ZONE: R-6

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 40ft. x 42ft. accessory garage structure at a size and height greater than permitted for accessory structures, and with greater than permitted lot coverage by structures in the R-6 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 40' x 42' accessory garage structure on this property located on the southerly side of Wall Street (see attached GIS map depicting property). This property consists of a 22,140 square foot lot that is currently improved with a two-story multi-family structure containing 12 residential dwelling units. The applicant proposes to construct a four stall garage with workshop area to provide storage for vehicles and maintenance equipment used on the property. According to information presented with this application, the property currently provides off-street parking for 25 vehicles, and the garage addition would free up three of these spaces, as they are currently occupied by maintenance vehicles and equipment.

The existing residential structure was constructed in the early 1990's and received dimensional variances from the zoning board in July 1991 for a 12 unit multi-family residence with less than the required lot area per dwelling unit. The site plan submitted with the application at that time depicted off-street parking on the property for up to 34 vehicles, including 10 spaces in front of the building where there is now landscaping. The zoning ordinance requires a minimum of two off-street parking spaces per residential dwelling unit.

The proposed garage would be constructed on the westerly end of the property within a portion of the parcel that was previously a separate lot (identified as assessor's lot 21). This lot was purchased by the applicant and merged with lot 17 in 2020. The proposed garage would comply with applicable setbacks for the R-6 zoning district (although a survey will be required to confirm property line locations prior to any building permit), but it would exceed the maximum height and the maximum size permitted for an accessory structure in the R-6 zone. In addition, the proposed structure would increase lot coverage by structures on this property from 46% to 53%. The zoning ordinance permits a maximum size for accessory structures in the lot coverage by structures of 30% in the R-6 zone.

The proposed garage would have a footprint of approximately 1,680 square feet. Although the zoning ordinance does not regulate lot coverage by pavement and structures in residential zones, it appears that the proposal would cover the majority of the site with impervious surfaces. As such, this project would require a Soil Erosion, Runoff and Sediment Control (ERSC) permit per Chapter 29 of Bristol Town Code. As this property is located in the Tanyard Brook Watershed, more stringent runoff mitigation requirements would apply. The applicant will need to demonstrate that the project can meet the requirements of this ordinance and plans prepared by a Professional Engineer will be required prior to issuance of a building permit for the proposed garage.

Recall that the applicant was before the Board with a similar application in July 2021 (File # 2021-31). At that time, the applicant proposed a slightly larger structure with a different design and configuration. The Board denied that application (see attached copy of decision).

 9/13/23
Edward M. Tanner, Zoning Officer

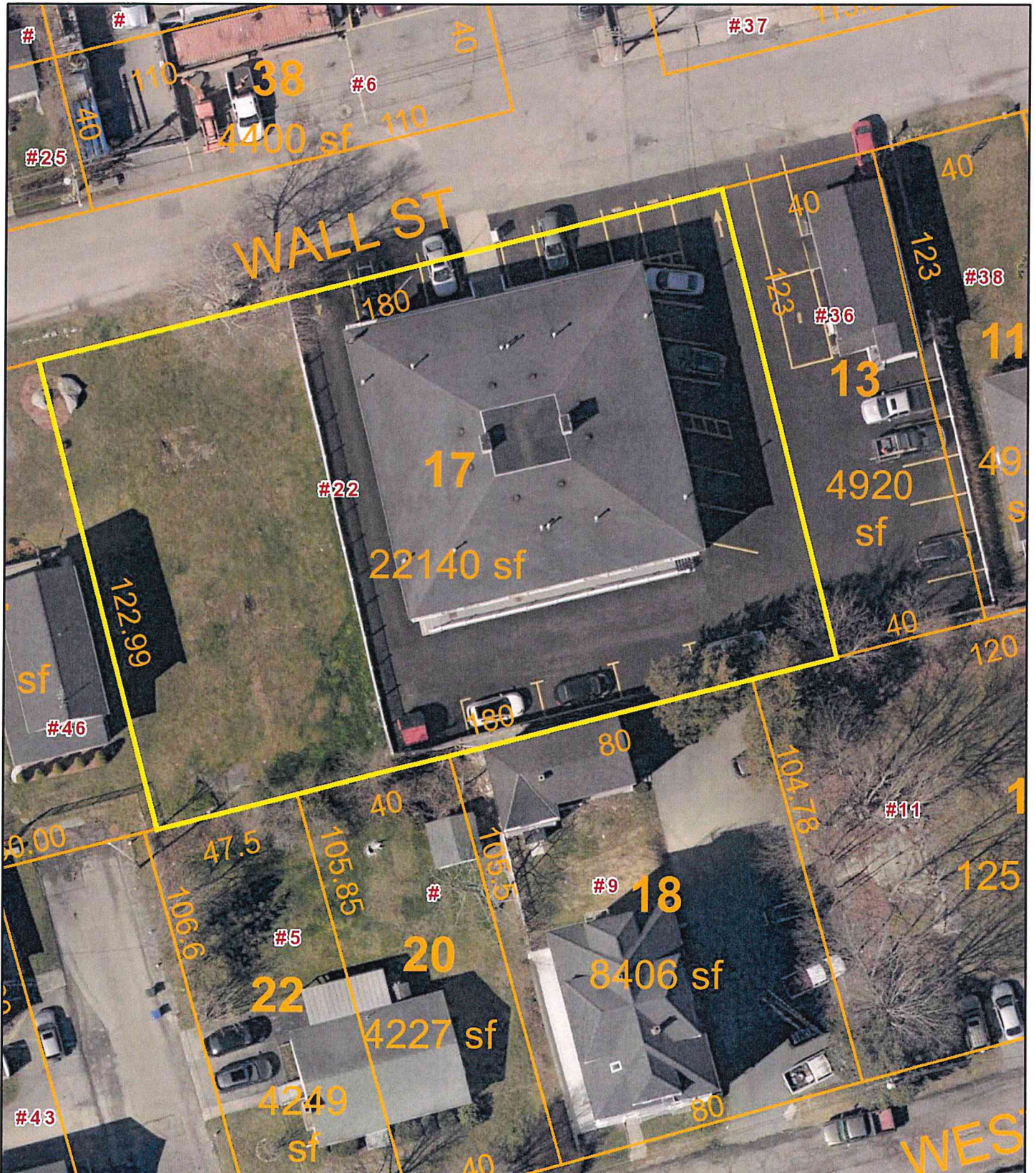


Bristol, RI



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Town of Bristol, Rhode Island
Zoning Board of Review

Document Number 00012353
BOOK 2128 PAGE 161

DECISION FOR VARIANCE

FILE # 2021-31

RE: Application of: Robert Kreft

For property located at 22 Wall Street, in Bristol, Rhode Island (Tax Assessor's Plat 33, Lot 17) in the following zoning district: Residential R-6.

This matter was heard before the Board at a public hearing on July 12, 2021 upon the Applicant's request for DIMENSIONAL VARIANCES from the Zoning Ordinance to:

Construct a 24ft. x 82ft. accessory garage structure at a size greater than permitted for accessory structures in a residential zoning district, and with greater than permitted lot coverage by structures.

After due consideration of the Application, (including the exhibits, testimony of the witnesses, and the entire record presented to the Board), the Board makes the following findings of fact:

The Board finds that the applicant is requesting relief to construct a 24' x 82' accessory garage structure, which exceeds the 22' x 24' maximum size for accessory structures allowed by the Bristol Zoning Ordinance. The proposed structure would also increase lot coverage by structures to approximately 54 percent, which exceeds the 30 percent maximum lot coverage permitted in the R-6 zoning district. The Board finds that this application fails to meet all of the Standards for Relief found in the Bristol Zoning Ordinance necessary to approve a Dimensional Variance.

The Board finds that the hardship from which the applicant seeks relief is not due to the unique characteristics of the subject land or structure. The applicant proposes a six-stall garage and associated paved driveway and parking area to accommodate the residents of the 12 unit apartment building located on this property. According to Town records, this property was in compliance with off-street parking requirements when relief was originally granted for construction of the 12 unit structure. The property has since migrated to a non-conforming property from a parking standpoint. However, the space for adequate off street parking does appear to be available in the paved area surrounding the building.

Granting of the requested Dimensional Variance will alter the general characteristics of the surrounding area and will impair the intent or purpose of the Zoning Ordinance and the Comprehensive Plan of the Town of Bristol. The Zoning Ordinance requires two off-street parking spaces per residential dwelling unit; and that is what the original developer agreed to and that is what is currently available on the property, if not more than the 24 required spaces. The construction of the proposed garage and associated parking would increase lot coverage by structures and alter the characteristics of the property and surrounding area, including increasing the amount of impervious surfaces and stormwater runoff necessitating mitigation.

The relief requested to be granted is not the least relief necessary, as the applicant already has adequate space to meet the required off-street parking. The proposed garage structure would provide parking for only six (6) vehicles, which is only 25 percent of the required off-street parking, and does not appear to be the best use of the property.

The hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted will not amount to more than a mere inconvenience and will have no impact on the ability to rent residential units within that property. If existing adequate parking spaces were provided adjacent to the building, it could enhance the ability to rent the property.

Therefore the Board voted 5 to 0 to DENY the application to construct a 24ft. x 82ft. accessory garage structure.

Voting to Approve petition: None

Voting to Deny petition: Asciola; Burke; Simoes; Brum; and Kern

Making a part of this Decision the application, along with required materials, plans, and exhibits filed with the Board at the meeting, and excerpts of the public hearing minutes.

Recorded as the Decision of the Town of Bristol Zoning Board of Review on

This 18th day of August, 2021.

Diane M. Williamson
Diane M. Williamson, Director of Community Development

Recorded Aug 18, 2021 at 12:53PM
Melissa Cordeiro Town Clerk



Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2023-28**

APPLICANT: Richard P. and Lynn Luiz
LOCATION: 2 Maple Shade Court
PLAT: 54 LOT: 18 ZONE: R-15

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 13ft. x 20ft. garage addition to an existing single-family dwelling with less than the required right 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 applicants are requesting a dimensional variance to construct a 13' x 20' garage addition to the existing single-family dwelling on this property located on the westerly side of Maple Shade Court. The proposed single-story garage addition would extend off the right side of the existing structure. The proposed garage addition would add a single vehicle stall to the existing attached garage, and it would extend to within approximately 10.5 feet of the northerly right side property line. The northerly property line has an irregular shape, and the property to the north consists of an unimproved private right of way that provides access to the neighboring North Farm condominium development. The zoning ordinance requires a minimum 20 foot side yard setback in the Residential R-15 zone.

Edward M. Tanner, Zoning Officer



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

STAFF REPORT FOR:

FILE NO. 2023-29

APPLICANT: 20/20 Vision Care, Inc.
LOCATION: 375 Metacom Avenue
PLAT: 46 LOT: 14 ZONE: Manufacturing (M)

APPLICANT IS REQUESTING A DIMENSIONAL VARIANCE TO:

Renovate and reface an existing freestanding commercial sign with the proposed sign having approximately 42 square feet of sign area, at a size greater than permitted for a freestanding sign in the Manufacturing 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 proposing to rehabilitate an existing freestanding commercial sign on this property located on the westerly side of Metacom Avenue and the southerly side of Franklin Street. The existing 20/20 Vision Care sign would be refaced and enlarged, and revised to have a different layout and messaging. Existing sign posts and frame materials would also be refurbished. In addition, the sign would be expanded to include a directory of names for various doctors who practice within the building. The name directory would be located below the primary sign face, and it would eliminate the need to change the larger sign in the event that physicians are added to or leave the practice. The location of the sign will not change from existing, and the overall sign height at 10ft. 8in., and the proposed ground clearance of 5ft., will comply with requirements of the zoning ordinance. The existing sign face has an overall area of 24.25 square feet. The proposed sign would have a primary sign face with an area of 32.8 square feet and a name directory with an area of 8.9 square feet, for a total proposed sign area of 41.6 square feet. The zoning ordinance permits freestanding signs with a maximum size of 15 square feet in the Manufacturing zone.

 9/13/2023
Edward M. Tanner, Zoning Officer



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

STAFF REPORT FOR:

FILE NO. **2023-30**

APPLICANT: Gilbert L. Almeida

LOCATION: 254 Franklin Street

PLAT: 29 LOT: 38 ZONE: Limited Business (LB)

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 40ft. x 60ft. commercial building with less than the required rear yard, and less than the required 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 proposing construction of a 40' x 60' commercial building on this property located on the southerly side of Franklin Street and the westerly side of Buttonwood Street. This property is a vacant parcel that currently has a ground surface that is covered with asphalt paving surrounded by a chain-link fence (see attached GIS aerial map). This lot was historically zoned Manufacturing (M), but its zoning was changed to Limited Business (LB) in the early 2000's. In recent years, this property has been utilized as an overflow parking lot associated with an automotive repair business operating at a nearby property located on the northerly side of Franklin Street.

According to plans submitted by the applicant, the proposed commercial building would include three individual stalls with overhead doors facing the easterly Buttonwood Street side of the building. The proposed building would be located 25 feet from the northerly front property line at Franklin Street, 16.7 feet from the easterly front property line at Buttonwood Street, 15 feet from the southerly "rear" property line, and 10 feet from the westerly "side" property line. As this is a corner lot, the property has two front yards for purposes of determining zoning setbacks. The property also has two rear yards, one of which may be reduced to a side yard. The zoning ordinance requires a minimum 25 foot front yard, a minimum 30 foot rear yard, and a minimum 10 foot side yard in the LB zone. Thus, the proposed building requires dimensional relief for the front yard setback from Buttonwood Street and the rear yard setback from the southerly property line. The applicant has recently submitted revised plans for this proposed development, including a Class 1 survey site plan showing dimensions of the building and proposed property line setbacks. In addition, the applicant has submitted revised building elevations and a revised floor plan.

Please note that the applicant has indicated that the use of this property will be for "small engine repair". I have discussed this proposed use with the applicant, and I have determined that this use is permitted in the LB zone as a "mechanical equipment repair" service business. Although several nearby M zoned properties are occupied by a variety of contract construction service and automotive or boat repair businesses, those types of commercial uses would not be permitted on this LB zoned property.

 9/14/2023
Edward M. Tanner, Zoning Officer



254 Franklin Street

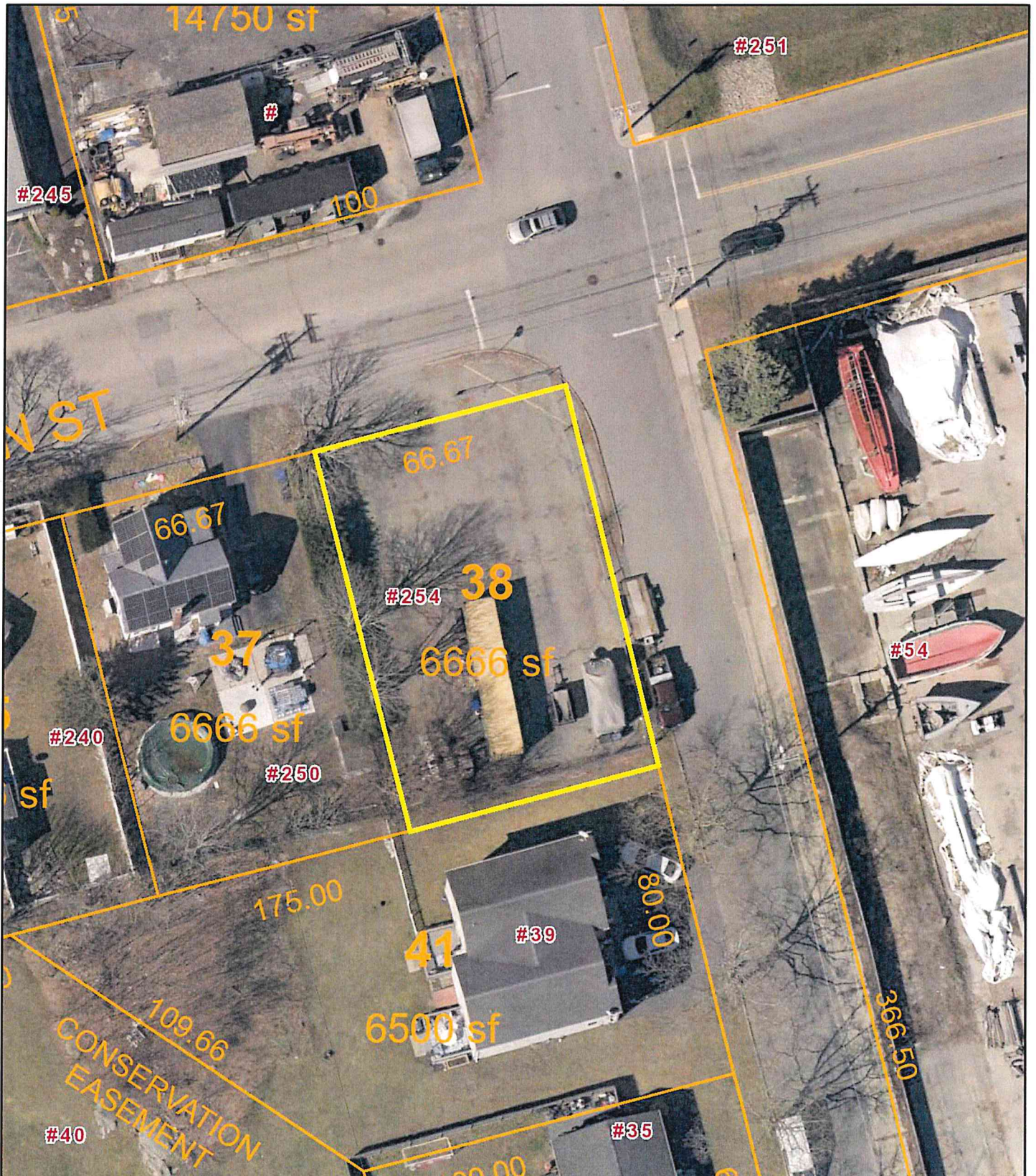
Bristol, RI



September 14, 2023

1 inch = 35 Feet

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NORTH

NOTES

1. THE EXISTING PROPERTY IS 100% PAVED AND WILL REMAIN THE SAME WITH PROPOSED IMPROVEMENTS.
2. THERE ARE NO WETLANDS ON THIS SITE.
3. THIS PROPERTY IS NOT IN A COASTAL FLOOD ZONE.

PLAT 29 LOT 41
LAND N/F OF
PENSICO TRUST COMPANY

PLAT REFERENCE

BEING LOT #E-4 ON PLAT ENTITLED " BRISTOL COUNTY
REALTY CO. INC. REPLAT SECTION D-E-1942
PLAN BOOK B PAGE 58

PLAT 29 LOT 37
LAND N/F OF
CARLOS A. TAVARES &
BRITTANY M. LAMB

PLAT 29
LOT 38
AREA: 6667 S.F.
PROPOSED 40' X 60'
BUILDING (2400' S.F.)

BUILDING SETBACK LINE

---202.26'(to I.R. fnd)

D.H.(fnd)

I.R.(sef)

PIPE(fnd 0.81N
& 0.26'E)

I.R.(sef)

EXISTING CHAIN LINK FENCE
(to be removed)

CLFP(0.21'N/of cnr)

LEGEND

I.R. IRON ROD
D.H. DRILL HOLE
C.B. GRANITE BOUND
N/F NOW OR FORMERLY
BUILDING SETBACK LINES
PROPOSED SETBACK LINES
SPACE NUMBER
CHAIN LINK FENCE POST
CLFP

ZONING

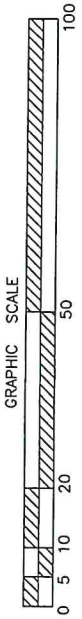
LB ZONE MINIMUM LOT AREA : 4000 S.F/RU
MINIMUM LOT WIDTH : 60'
MAX. LOT COVERAGE/BUILDING = 35%
PROPOSED BLDG COVERAGE : 2400/6667=36%
MAX. LOT COVERAGE/IMPERVIOUS = 60%
EXISTING IMPERVIOUS COVERAGE=100%
PROPOSED IMPERVIOUS COVERAGE =100%
BUILDING SETBACKS
FRONT : 25'
SIDE : 10'
REAR : 30'

BUTTONWOOD STREET

CERTIFICATION

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED
PURSUANT TO 435-RICR-00-00-1.9 OF THE RULES AND REGULATIONS
ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR
PROFESSIONAL LAND SURVEYORS ON
TYPE OF BOUNDARY SURVEY:
LIMITED CONTENT BOUNDARY SURVEY
CLASS 1 STANDARD

THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF
THE PLAN IS AS FOLLOWS: TO SHOW THE PROPOSED BUILDING AND IMPROVEMENTS TO
PROPERTY FOR ZONING PURPOSES.



SITE PLAN FOR

GILBERT L. & CLAUDETTE ALMEIDA

PLAT 29 LOT 38 CORNER OF BUTTONWOOD & FRANKLIN STREETS.

JOHN J. BARKER, JR. PLS #1885
C.O.A. # LS-A302

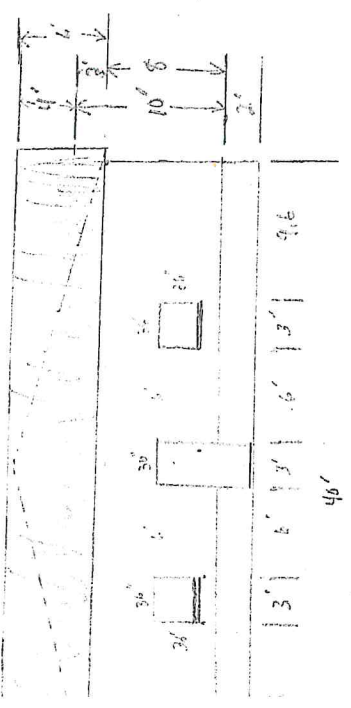
SCALE 1"=20' DATE 9/6/2023 DWN BY: JUB DWG # 230901-676

1/8 scale

Specifications by manufacturer
 METAL STRUCTURE
 8' FOUNDATION
 1/2" METAL ROOF
 ! Denotes 7" deep joists
 of joists in roof
 3" x 10" x 10" joists
 2" x 10" x 10" joists
 6" x 4" overhang on
 front side

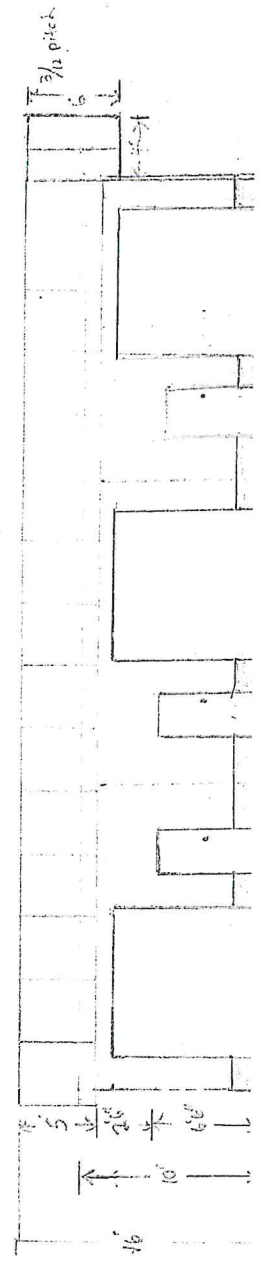
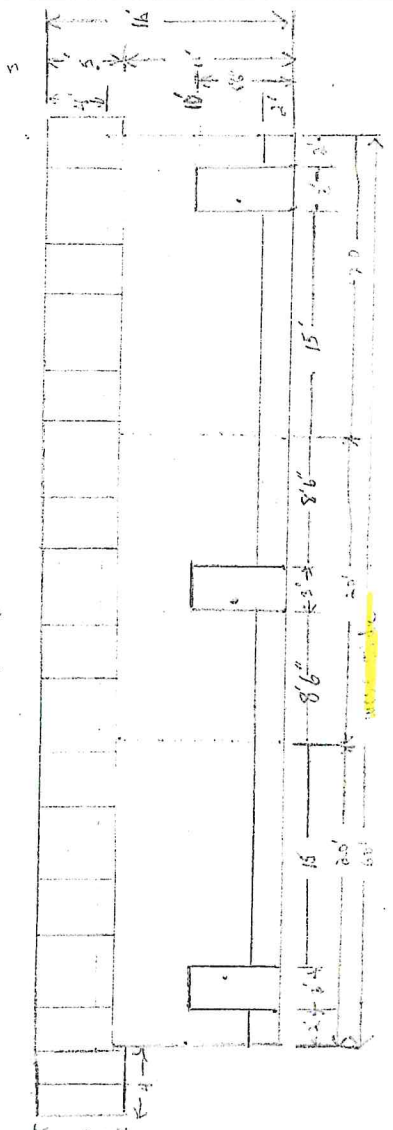
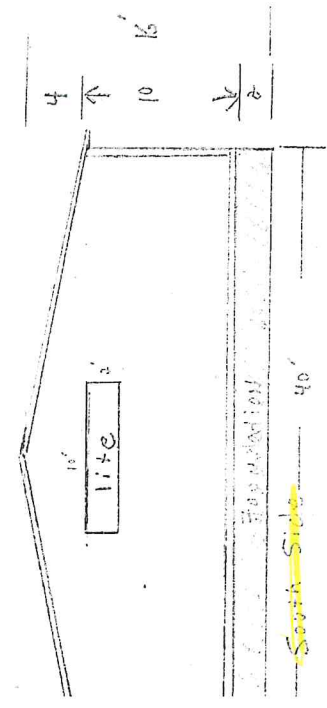
TOWN OF BRISTOL
 COMMUNITY DEV
 2023 SEP 12 PM 12:43

Franklin St
 North Side



Back side
 East side

Franklin St North Side



17
 18

- 8" Foundation wall
- 2' Above ground
- 3" Pine Doors
- 3" 10 x 10 Gary Doors

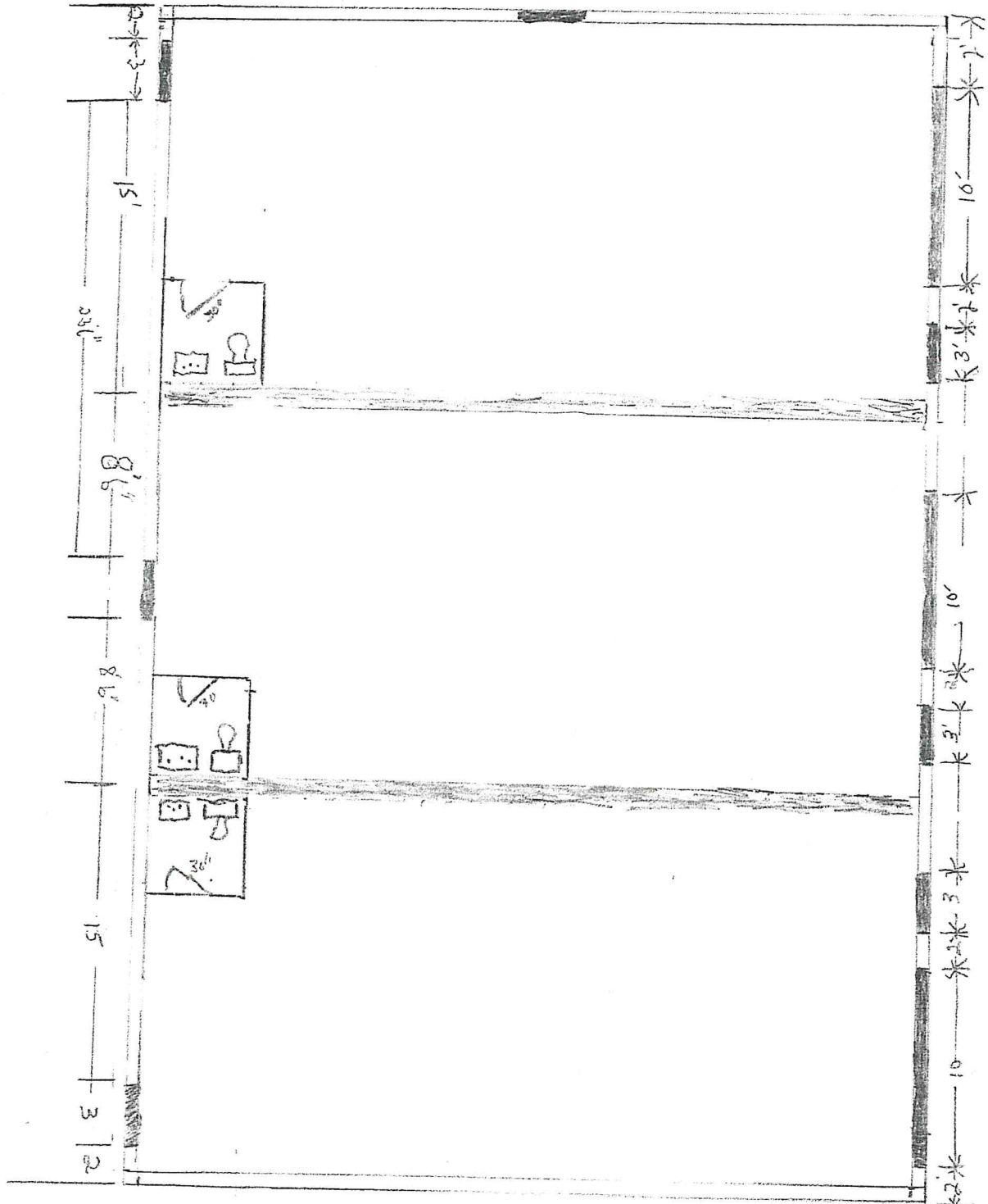
East Side

Fireproof

Handwritten: 10/10/19

TOWN OF BRISTOL
COMMUNITY DEV.

2023 SEP 12 PM 12: 43



Backward St
East side

JOHN MC ARDLE ELECTRICIAN

28 VALLEY DRIVE

BRISTOL , R.I, 02809

TO: GILBERT ALMEIDA

984 HOPE STREET

BRISTOL, R.I. 02809

RE: FIRE ALARM PLAT 29 LOT 38

Preliminary Fire Alarm requirements for proposed new building. Complete fire alarm drawing to be submitted with the building plans for approved permits.

EXTERIOR

Nox Box

Horn and Strobe

INTERIOR

Strobe in each bathroom

Pull station at each exit door

Fire alarm panel to be located in unit # 1

Smoke detector at panel location

Heat detectors located in units

Horn & strobe to be located at each exit door

TOWN OF BRISTOL
COMMUNITY DEV.
2023 SEP 12 PM 12:43



Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2023-31**

APPLICANT: Daniel LaChance
LOCATION: 20 Highview Drive
PLAT: 48 LOT: 71 ZONE: R-15

APPLICANT IS REQUESTING A DIMENSIONAL VARIANCE TO:


Construct a 38ft. 10in. x 50ft. 7in. single-family dwelling with less than the required 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 a 38' 10" x 50' 7" single-family dwelling on this undeveloped parcel located at the south-westerly end of Highview Drive. This property contains 37,713 square feet of land area. However, a large portion of the lot is encumbered by a 150 foot wide easement to the electric company. This easement was historically used for poles and power transmission lines, but it is currently not in use by the electric company. The easement prohibits the property owner from constructing any structures within the westerly 150 foot portion of the lot. Thus, the applicant is proposing to construct a new dwelling at the easterly end of the lot nearby the street cul de sac. The dwelling would be located at the easement boundary, but the structure would remain outside of the easement. A portion of the proposed dwelling would extend to within approximately 25 feet from the curved front property line adjacent to the Highview Drive cul de sac. The zoning ordinance requires a minimum 35 foot front yard setback in the Residential R-15 zone.


Edward M. Tanner, Zoning Officer 9/14/2023



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

STAFF REPORT FOR:

FILE NO. **2023-32**

APPLICANT: Wendy J. Raad and Andrejs V. Gale
LOCATION: 5 Adelaide Avenue
PLAT: 84 LOT: 47 ZONE: R-10

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Construct a 24ft. x 26ft. garage addition and 8ft. x 23ft. breezeway addition to an existing single-family dwelling with less than the required front yard and 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 a 24' x 26' garage and 8' x 23' open breezeway addition to an existing single-family dwelling on this property located on the northerly side of Adelaide Avenue. This property is a nonconforming lot containing 7,236 square feet of land area, and the existing dwelling is located approximately 15 feet from the front property line and approximately 27 feet from the rear property line. The proposed garage and breezeway (open with roof connecting house and garage) addition would be set back approximately two feet from the front of the existing dwelling and would be in line with the rear of the dwelling. Thus, the proposed addition would be located within a portion of both the front and rear yard setbacks at a distance of 17.4 feet from the front property line and 26.8 feet from the rear property line. The zoning ordinance requires a minimum 30 foot front yard setback and a minimum 30 foot rear yard setback in the Residential R-10 zone.


Edward M. Tanner, Zoning Officer 2/14/2023

Wendy Raad & Andrejs Gale (Owners)

5 Adelaide Ave., Bristol, RI

Project Narrative

The subject property is a substandard lot of record and as such the existing house cannot honor the setback for its zoning. We propose to add an attached garage with connecting open breezeway per the plans submitted. In keeping with the streetscape and adjacent properties to the east and west on Adelaide Avenue, the front wall of the garage and breezeway shall be held back 2 feet from the front plane of the existing house. As a result, there is no additional encroachment on the front yard setback. Similarly, the rear of the garage shall not extend beyond that of the existing house. Measures have been taken to honor the right-side yard setback with the proposed addition.

We purchased the house approximately five years ago and have been eager to add a garage. The existing driveway is quite inclined and creates a hazard in wet or snowy conditions. I (Wendy) suffered a fall last year fracturing my hip. I was subsequently diagnosed with osteoporosis, and I'm still considered a "fall risk". Since then, throughout the winter season, I have opted to work from home to eliminate the risk of falling while transitioning to and from the car. Loading into and out of the vehicles in the proposed garage shall be a much safer condition than doing so on the steeply pitched driveway. So, the garage is a much-welcomed addition.

In summary, the garage is required for personal safety, protected vehicle parking, additional storage and a small workbench area. Aesthetically, the house is symmetrical and balanced with the garage and breezeway addition. The R-10 Zone allows 25% Lot Coverage by Structures. The proposed plan has 22.7% coverage by structures.

Thank you.

Wendy & Andrejs



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

STAFF REPORT FOR:

FILE NO. **2023-33**

APPLICANT: Louis and Joan Cabral
LOCATION: 14 Union Street
PLAT: 15 LOT: 52 ZONE: R-6

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

Modify a previous decision approving the construction of a 24ft. x 36ft. two-story accessory garage structure at a size and height greater than permitted for accessory structures in the R-6 zoning district by repositioning the proposed structure to the southeastern portion of the lot.

COMPREHENSIVE PLAN REVIEW:

As this application is for dimensional variances, 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 36' accessory garage structure on this property located on the southerly side of Union Street. This property contains nearly 13,000 square feet of land area, and is improved with an existing single-family dwelling and a detached three-stall accessory garage structure. Recall that in spring 2023, the applicant appeared before the Board and was granted dimensional variances (File #2023-08) for a front porch addition on the dwelling as well as the demolition and replacement of the garage structure with a new garage in a similar location; but at a size and height that was greater than permitted for accessory structures in the R-6 zone. A copy of the Board's previous decision is attached.

The applicant now proposes to relocate the previously approved accessory garage structure to a location at the south-easterly portion of the property. The proposed garage would also be turned such that the "front" of the structure would face westerly towards the dwelling rather than northerly towards Union Street as originally proposed. The proposed garage is of the same 24' x 36' dimensions as the previously approved structure, and would have a total height of 22' 10" (one inch higher than previously approved). Other proposed changes to the structure including a modified roof design, and revisions to roof dormer and window locations. The zoning ordinance permits accessory structures in the R-6 zone to a maximum size of 22' x 24' and with a maximum height of 20 feet.

The applicant presented this revised garage layout and design to the Bristol Historic District Commission (HDC) in August 2023 for concept review. However, the HDC requested additional information and no final approval was granted.

 9/14/2023
Edward M. Tanner, Zoning Officer



Town of Bristol, Rhode Island
Zoning Board of Review

07/24/2023
03:36:36 PM
2 Pages
DECISION
Bk: 2218 Pg: 159
Instr: 2023-5494

DECISION FOR VARIANCE

FILE # 2023-08

RE: Application of: Louis and Joan Cabral

Property Owner: Louis Cabral and Joan F. Greenwell

For property located at 14 Union Street, in Bristol, Rhode Island (Tax Assessor's Plat 15, Lot 52) in the following zoning district: **Residential R-6.**

This matter was heard before the Board at public hearings on **February 6, 2023** and **April 3, 2023** upon the Applicant's request for **DIMENSIONAL VARIANCES** from the Zoning Ordinance to:

Construct a covered front porch addition to an existing single-family dwelling with less than the required front yard; and to demolish an existing 20ft. x 30ft. single-story accessory garage structure and construct a new 24ft. x 36ft. two-story accessory garage structure with less than the required rear yard and at a size and height greater than permitted for accessory structures in the R-6 zoning district.

After due consideration of the Application, (including the exhibits, testimony of the witnesses, and the entire record presented to the Board), the Board makes the following findings of fact:

1. The aforementioned hardship from which the applicant seeks relief is due to the unique characteristics of the subject land and structure and is not due to the general characteristics of the surrounding area, and is not due to an economic disability of the applicant. The applicant is seeking relief from the minimum front yard setback for a front porch on the existing dwelling and also for the construction of a new accessory garage. The proposed front porch addition will measure approximately 6ft. 8in. wide and approximately 29ft. long across the front and a portion of the left side of the existing dwelling. This porch would have a roof covering and would replace an existing stone and masonry step that leads from the sidewalk to the front door of the dwelling. The proposed front porch would extend to within 3ft. 3in. of the front property line, which would require 5ft. 9in. of relief for the front yard. Because this property is located within the Bristol Historic District, the Town's dimensional requirements and zoning ordinance did not exist when this property was originally constructed in 1849. In that time, the size of Bristol's streets has changed, and the Town has changed; because of that, the residents who live in this particular part of Town often need to seek relief. The applicant also proposes to demolish an existing 20ft. x 30ft. accessory structure and construct a new 24ft. x 36ft. three-car accessory garage structure in its place. The existing accessory structure also has three-car garage spaces. The proposed garage would be located on the southern rear portion of the property in line with the existing driveway. The applicant has modified the proposed garage location such that it does not require a rear yard setback variance. The structure would be larger in size and height than the zoning ordinance permits for an accessory structure in an R-6 zone. The proposed height of the structure is 22ft. 9 1/4in. above grade. The Ordinance allows for a maximum height of 20 feet and the proposed amount of building height relief would be 2ft. 9 1/4in. The dwelling in which Mr. Cabral will reside with his wife and his son, given its age, has substandard storage opportunities with a damp basement and limited above-ground storage. In that case, the applicant has asked for relief to create a storage floor on the second story of the proposed three-car accessory structure.
2. The hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain. The structures on the subject property were built many years ago, and were not built by the applicant. In this particular case the applicant is essentially replacing what is already existing, and bringing it to standards, which would be expected for a structure to house three vehicles.
3. The granting of relief will not alter the general characteristic of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Community Plan of the Town of Bristol. This is a residential use within a residential neighborhood, and an accessory garage structure is permitted in residential zoning districts. In addition, the proposed front porch with the amount of relief requested would not be uncharacteristic of the surrounding area. Nor would it create an adverse impact to the surrounding area. The Board heard testimony that the proposed front porch and accessory garage have been brought before the Historic District Commission and received favorable reviews; and even after this decision, the applicant will be returning to the Historic District Commission for further review.
4. The variance granted by the Board is the least relief from the provisions of the Zoning Ordinance necessary to remove the aforementioned hardship. Given that to construct a structure to house three vehicles, it is required that each vehicle be given a certain amount of space; and in this case the Town has deemed that 36 feet of width is required to house three vehicles at 12 feet each.
5. The hardship that will be suffered by the owner if the dimensional variance were not granted would amount to more than a mere inconvenience, as the existing structure is substandard and not adequate to house three vehicles, nor does it provide any additional storage currently.

Continued on Next Page



Town of Bristol, Rhode Island
Zoning Board of Review

DECISION FOR VARIANCE

FILE # 2023-08
(Page 2 of 2)

RE: Application of: Louis and Joan Cabral

Property Owner: Louis Cabral and Joan F. Greenwell

For property located at 14 Union Street, in Bristol, Rhode Island (Tax Assessor's Plat 15, Lot 52) in the following zoning district: Residential R-6.

Therefore the Board voted 4 to 1 to approve the application as presented permitting the construction of a 24ft. x 36ft. accessory garage structure at a height of 22ft. 9 1/4 in. above grade; and to construct a 6ft. 8in. wide front porch at a length of 29 feet along the front and left side of the existing dwelling within 3 feet 3 inches of the front property line; subject to a condition that the design of the proposed garage and front porch addition be approved by the Bristol Historic District Commission.

Voting to Approve: Simoes; Brum; Kern; and Tipton
Voting to Deny: White

Making a part of this Decision the application, along with required materials, plans, and exhibits filed with the Board at the meeting, and excerpts of the public hearing minutes.

Recorded as the Decision of the Town of Bristol Zoning Board of Review on

This 24TH day of JULY, 2023.


Edward M. Tanner, Principal Planner / Zoning Enforcement Officer

Received for record at Bristol, RI
7/24/2023 03:36:36 PM





Town of Bristol, Rhode Island
Zoning Board of Review

STAFF REPORT FOR:

FILE NO. **2023-34**

APPLICANT: Michelle R. and Jeffrey J. Cote
LOCATION: 192 Poppasquash Road
PLAT: 176 LOT: 98 ZONE: R-40

APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:

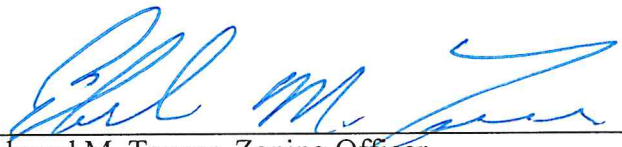
Construct a 36ft. x 42ft. two-story accessory barn / garage structure at a size and height greater than permitted for accessory structures in the R-40 zoning district.

COMPREHENSIVE PLAN REVIEW:

As this application is for dimensional variances, 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 36' x 42' accessory structure on this property located on the westerly side of Poppasquash Road. This property contains nearly four acres of land area located at the southerly end of the private right of way known as Clam Shell Road (see attached GIS aerial photograph map). The property is currently improved with a single-family dwelling and a detached accessory garage structure. The applicant proposes construction of a second accessory structure to be located east of the dwelling near the southerly property line. The proposed barn / garage structure would include three vehicle stalls as well as workshop space and second floor storage space. The proposed structure would have a maximum height of 25 feet. The zoning ordinance permits accessory structures in the R-40 zone to a maximum size of 26' x 28' and a maximum height of 20 feet.

 9/14/2023
Edward M. Tanner, Zoning Officer



192 Poppasquash Road

Bristol, RI



September 14, 2023

1 inch = 281 Feet

www.cai-tech.com



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