



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

### STAFF REPORT FOR:

FILE NO. **2023-15**

APPLICANT: 73 Gooding Avenue, LLC  
LOCATION: 73R Gooding Avenue  
PLAT: 106 LOT: 63 ZONE: M

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

Temporarily install two prefabricated relocatable shipping or storage containers on a commercial property.

### 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 April 18, 2023. The TRC recommended approval of the request for a special use permit subject to conditions that the structures not be placed on concrete pads, as originally proposed, and that any approval be valid for no longer than two years. See attached memorandum from Diane Williamson.

### FINDINGS AND RECOMMENDATIONS BY STAFF:

The applicant is requesting that the Board approve a special use permit to temporarily maintain two (2) metal storage / shipping containers on this property located on the northerly side of Gooding Avenue and the westerly side of Broadcommon Road. Lot 63 is a commercial/manufacturing property that is primarily undeveloped and is currently being utilized for employee parking and the storage of equipment associated with the neighboring property at 11 Broadcommon Road (see attached GIS map). These properties are occupied by Superior Comfort, Inc., an electrical and HVAC contractor. The applicant proposes to temporarily maintain two storage containers for use in storing supplies and materials for customers. These containers are currently located on the property. One container is 20 feet in length and the other is 40 feet in length. Each container is 8 feet in width and they have been modified to include overhead doors on their sides to provide access to interior portions of the container. The applicant proposes to locate each container at least six feet from property lines. Board members will notice that there are two additional storage containers on this property. These structures have apparently been at this location for a number of years.

The Zoning Ordinance permits the keeping of "prefabricated relocatable steel buildings, box trailers, or shipping or cargo containers" as an accessory in the Manufacturing (M) 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).

Edward M. Tanner, Zoning Officer

4/24/2023



## Town of Bristol, Rhode Island

### *Department of Community Development*

10 Court Street  
Bristol, RI 02809  
[www.bristolri.gov](http://www.bristolri.gov)  
401-253-7000

April 25, 2023

TO: Zoning Board

FROM: Diane M. Williamson, Administrative Officer *Diane W.*

RE: **Special Use Permit for 73R Gooding Avenue**  
**Temporary installation of two prefabricated relocatable storage containers on property**

The Technical Review Committee met on April 18, 2023 to review the above application and provide a recommendation to the Zoning Board.

The TRC discussed the fact that the containers are not easily seen from the street and the property is in a manufacturing zone and manufacturing use. During the applicant indicated that he intended to install concrete slabs to place the containers on; however, these containers are to be temporary, the TRC did not support the installation of the concrete slabs which might make them more permanent.

Based on the review, a motion was unanimously passed to recommend that the Zoning Board grant the Special Use Permit subject to a condition that the units not be placed on concrete slabs.

Thank You.





# 73R Gooding Avenue

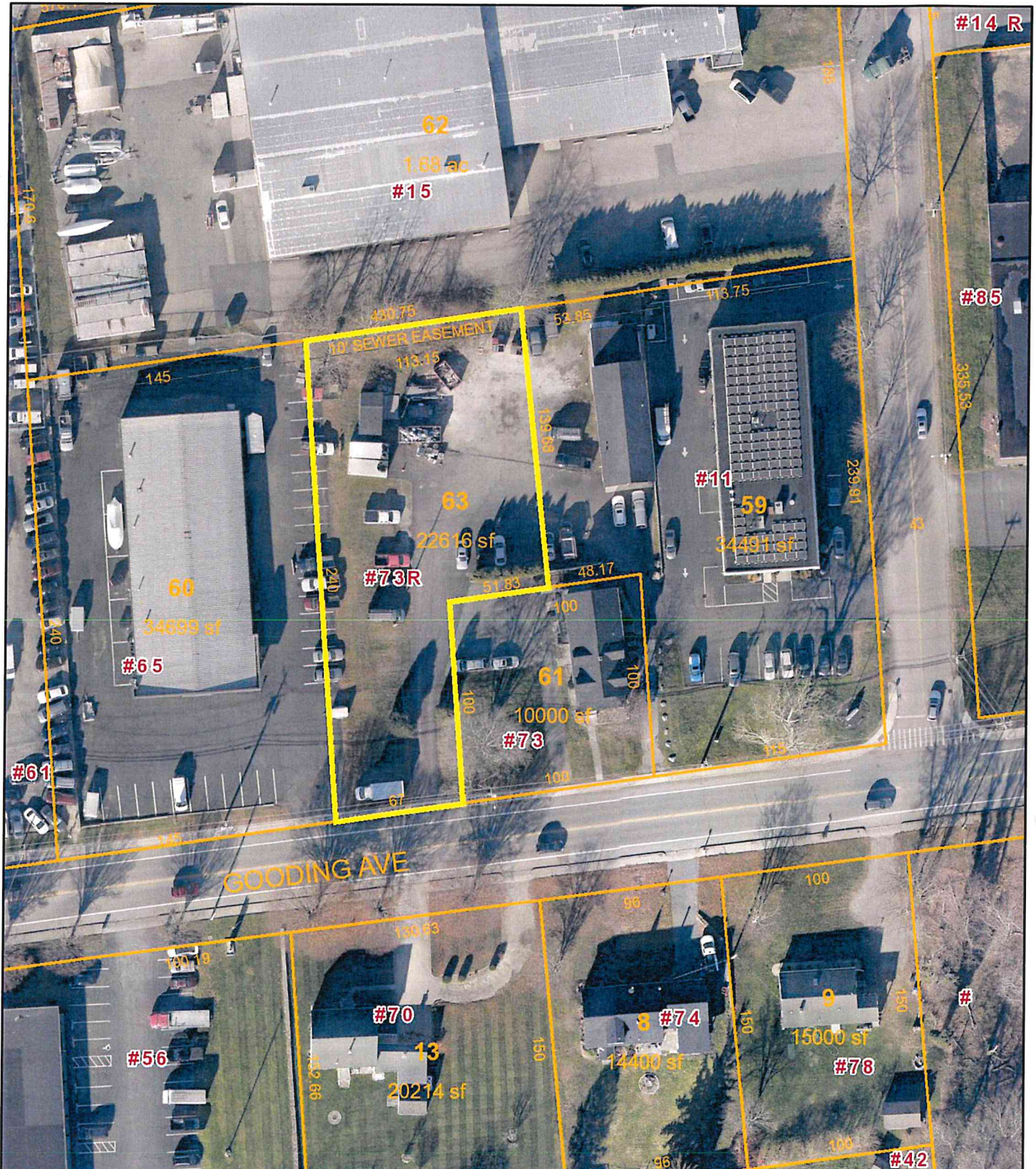
Bristol, RI



April 26, 2023

1 inch = 70 Feet

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Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.















SKYU

264249

2

22G1

MAX. GROSS

TARE

NET

CU. CAP.

30,480 KGS.  
67,200 LBS.  
2,000 KGS.  
4,410 LBS.  
28,480 KGS.  
62,790 LBS.  
33.2 CU.M.  
1,170 CU.FT.



CIMC















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

**STAFF REPORT FOR:**

FILE NO. **2023-16**

APPLICANT: Frank J., Robin A., and Brandon Paulino  
LOCATION: 52 Thompson Avenue  
PLAT: 22 LOT: 119 ZONE: R-10

**APPLICANT IS REQUESTING DIMENSIONAL VARIANCES TO:**

Construct a 20ft. x 26ft. two story addition to the rear of an existing single-family dwelling and to convert the structure into a two-family dwelling with less than the required left side yard and less than the required lot area per dwelling unit.


**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 20ft x 26ft. addition to the rear of an existing single-family dwelling at this property located on the easterly side of Thompson Avenue. This property is a nonconforming 8,535 square foot lot with a lot width of 50 feet. The property is improved with an existing single-family dwelling and a detached accessory garage. The applicant proposes to construct a two-story addition to the rear of the existing dwelling and convert the structure into a two-family dwelling. The proposed layout of the dwelling would be modified such that the first floor would consist of one dwelling unit and the second floor would be a separate second unit. As proposed, the new rear addition would be located approximately five feet from the left side property lines. The zoning ordinance requires a minimum 10 foot side yard setback for principal structures on a nonconforming lot with 50 feet of lot width (see Section 28-221(a)(2)b.). In additional, the zoning ordinance requires a minimum 10,000 square feet of lot area per dwelling unit in the R-10 zoning district. Thus, the proposed two-family dwelling requires a minimum of 20,000 square feet of lot area.

The applicants are proposing this addition to create a second dwelling unit for use by family members. The owners of the property are Frank and Robin Paulino, who currently reside in the dwelling and will occupy the proposed first floor unit. Their son is Brandon Paulino and he will reside in the proposed second floor unit.

 4/25/2023  
Edward M. Tanner, Zoning Officer





## **Town of Bristol, Rhode Island**

### ***Zoning Board of Review***

#### **STAFF REPORT FOR:**

FILE NO. **2023-17**

APPLICANT: Jesse James / 477 Hope Street, LLC  
LOCATION: 477 Hope Street  
PLAT: 9 LOT: 52 ZONE: D

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

Construct a third floor living area expansion, including raised exterior wall heights and altered roof pitch, 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 a dimensional variance to construct a third floor expansion to the existing mixed-use structure at this property located on the westerly side of Hope Street. This property is a nonconforming lot of approximately 2,700 square feet, and the existing structure covers the entire parcel. The existing structure on this parcel contains first floor commercial space, a second floor consisting of four one-bedroom residential dwelling units, and third floor unfinished attic space. The applicant proposes to increase wall heights and adjust the roof pitch of the structure to allow for additional living space on the third floor. The existing roof peak will reportedly not be changes, but the pitch of the roof will be lessened to accommodate the increased wall heights. The proposed second and third floor configuration would keep four individual dwelling units, but each would be expanded to have increased living space and a second bedroom.

This property is located within the Downtown (D) zoning district. There are no minimum front or side yard setbacks in the D zone. However, there is a minimum 10 foot rear yard setback in the D zone. As this building occupies the entire lot, the proposed wall extension and rising roof pitch within the rear 10 foot portion of the structure requires dimensional relief as it would occur within the rear yard setback.

This property is also located within the Bristol Historic District Overlay zoning district. Thus, any exterior alterations require approval from the Bristol Historic District Commission (HDC). The HDC has reviewed the proposed building expansion plans and approved the design at their March 2023 meeting.

 4/26/2023  
Edward M. Tanner, Zoning Officer





## **Town of Bristol, Rhode Island**

### ***Zoning Board of Review***

#### **STAFF REPORT FOR:**

FILE NO. **2023-18**

APPLICANT: Fair Wind Properties, LLC  
LOCATION: 1 Coggeshall Avenue  
PLAT: 147 LOT: 50 ZONE: R-10

#### **APPLICANT IS REQUESTING A USE VARIANCE AND DIMENSIONAL VARIANCES TO:**

Demolish an existing single-family dwelling and an existing two-family dwelling on one lot, and to replace them with new structures having the same number of residential dwelling units and similar footprints as existing, and with the addition of covered front porches; with less than the required front yard, less than the required rear yard, and with greater than permitted lot coverage by structures.

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

As this application is for a use variance, 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 April 18, 2023. The TRC recommended approval of the request for a use variance and dimensional variances. See attached memorandum from Diane Williamson.

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

The applicant is requesting a use variance to demolish and rebuild two residential structures at this property located on the easterly side of Coggeshall Avenue and the southerly side of Narrows Road. This property is nonconforming by dimension as it contains approximately 8,500 square feet of land area. The property is also nonconforming by use as it is improved with two principal residential structures. Section 28-141 of the zoning ordinance prohibits more than one principal residential structure on a lot. These nonconforming uses and dimensions are legal as they predate Bristol's zoning ordinance (see attached Zoning Certificate). Section 28-218 regulates structures that are legal nonconforming by use and prohibits their expansion or enlargement in most cases. Thus, the applicant is requesting a use variance to alter the existing structures.

The site is currently improved with a single-family cottage structure (identified at 1 Coggeshall Avenue) located at the northerly end of the lot facing Narrows Road. A two-family structure (identified as 5-7 Coggeshall Avenue) is located further to the south along the Coggeshall Avenue property line. In fact, according to the property line survey, a portion of this structure is located over the property line, within a portion of the street right of way. Both of these structures are reportedly in disrepair, and the two-family structure has been condemned by the Building Official as its foundation is deteriorated and the Town's street is being undermined. This property is also encumbered by a private right of way along the easterly side of the lot extending from Narrows Road to the abutting landlocked property, lot 80, to the east.

The applicant proposes to demolish both of the existing structures on this property and to rebuild them at similar locations and dimensions. The existing single-family cottage measures 32'x39' and consists of one story with loft attic space above. This structure is located between 0.35 and 2.65 feet from the front property lines at Narrows Road and Coggeshall Avenue. The applicant proposes to replace this structure with a new single-family cottage having the same footprint as existing, but with a modified design including a covered front porch, a three foot higher roof peak, and roof dormers to allow



additional living space in the second floor loft area. The proposed cottage footprint will also be adjusted from the existing footprint so that the structure is "squared off" and located entirely on the applicant's property. The structure would be located approximately one foot from the westerly Coggeshall Avenue front property line, two feet from the northerly Narrows Road front property line, and approximately 15 feet from the easterly rear property line.

The existing two-family structure measures 32' x 72' and also consists of one story with loft attic space above. The applicant proposes to replace this structure with a new two-family structure having the same footprint as existing, but with a modified design including a covered front porch, a three foot higher roof peak, and roof dormers to allow additional living space in the second floor loft area. The proposed two-family structure will also be moved back away from Coggeshall Avenue so that the entire structure, including the front porch roof overhang, will be located on the applicant's property. Thus, the two family structure would have a foundation that is located approximately 6 feet from the front property line at Coggeshall Avenue to accommodate the five foot wide front porch and one foot for the roof overhang. The rear of the structure would be located approximately 15 feet from the easterly rear property line.

In addition to dimensional setback relief for front and rear yards, this application was advertised as needing a variance for lot coverage by structures. Using the applicant's proposed building dimensions, and lot area data from the survey plan, I have calculated the proposed lot coverage by structures to be 39.9 percent. The zoning ordinance permits a maximum lot coverage by structures of 40 percent for legal nonconforming single lots of record per Section 28-221(a)(2)b. Thus, I do not believe that a lot coverage by structures variance is required.

I have reached out to the applicant and requested that they submit additional plans with more detailed information on proposed building locations setback dimensions. This information will be forwarded to zoning board members when received or will be submitted for consideration at the May 1<sup>st</sup> public hearing.

 4/26/2023  
Edward M. Tanner, Zoning Officer





## Town of Bristol, Rhode Island

*Department of Community Development*

10 Court Street  
Bristol, RI 02809  
[www.bristolri.gov](http://www.bristolri.gov)  
401-253-7000

April 25, 2023

TO: Zoning Board  
FROM: Diane M. Williamson, Administrative Officer  
RE: **Use Variance and Dimensional variances for 1 Coggeshall Avenue**

*Diane W.*

The Technical Review Committee met on April 18, 2023 to review the above application and provide a recommendation to the Zoning Board.

The TRC discussed the fact that the proposal will not increase the density of the property and will eliminate a blighted condition with existing unsafe and uninhabitable dwellings.

Based on the review, a motion was unanimously passed to recommend that the Zoning Board grant the Use Variance and Dimensional Variances.

Thank You.





**TOWN OF BRISTOL**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
10 Court Street • Bristol, Rhode Island 02809

February 10, 2023

***ZONING CERTIFICATE***  
**1 COGGESHALL AVENUE, ASSESSOR'S PLAT 147, LOT 50**  
**BRISTOL, RHODE ISLAND**

TO: Whom It May Concern

According to Tax Assessor's records, the property referenced above is currently owned by Ricardo J. and Robert Amaral. This property is located on the easterly side of Coggeshall Avenue and the southerly side of Narrows Road within the Residential R-10 zoning district. Lot 50 contains approximately 8,835 square feet of land area and was created in its current configuration in 1922 via recorded deed. This property is currently improved with two residential structures. The northerly most of these structures is a single-family dwelling that was reportedly constructed in approximately 1940. The southerly most structure contains two dwelling units and was also reportedly constructed in approximately 1940. A review of tax assessor records indicates that the structures on this property have contained three residential dwelling units since at least the late 1950's.

Single-family and two-family residential dwellings are a permitted use in the R-10 zoning district. However, Bristol's zoning ordinance prohibits more than one principal residential structure on a lot. In addition, the zoning ordinance requires a minimum 30 foot front and rear yard setback, as well as a minimum lot area of 10,000 square feet per dwelling unit in the R-10 zone. As the existence of the two residential structures in their present locations, and their use containing three dwelling units predates Bristol's Zoning Ordinance, this property is considered legal nonconforming by use and legal nonconforming by dimension.

Edward M. Tanner  
Principal Planner / Zoning Enforcement Officer

cc: Building Department  
Tax Assessor



## Ed Tanner

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**From:** Eileen Merkle [eileen.merkle@ymail.com](mailto:eileen.merkle@ymail.com)  
**Sent:** Monday, April 17, 2023 4:53 PM  
**To:** Ed Tanner  
**Subject:** 1 Coggeshall Avenue

**Caution:** CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

We recently purchased the house at 15 Coggeshall Avenue and have been hoping that the situation with these homes would be remedied since we live in proximity to them. We 100% support any and all variances necessary to get these buildings demolished and new buildings constructed. They are in such poor shape and an eyesore for the neighborhood. Additionally, the homes, particularly the multi family home, is more than likely a home to many animals/rodents with the ground being open and other parts of the house being accessible. Please say yes and grant the variances needed to get this property redeveloped. It is absolutely necessary for the good of the neighborhood.

Thank you!

Jeff & Eileen Merkle





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

**STAFF REPORT FOR:**

FILE NO. **2023-19**

APPLICANT: Eric L. and Ruthann DeLong  
LOCATION: 120 Peck Avenue  
PLAT: 61 LOT: 17 ZONE: R-10

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

Construct a 22ft. x 22ft. accessory garage structure 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 variances to construct a 22ft x 22ft. accessory garage structure at this property located on the southerly side of Peck Avenue. This property is a nonconforming 9,338 square foot lot with a rather long but narrow configuration. The property is improved with an existing single-family dwelling and attached one car garage. The applicant proposes to construct a new detached garage and driveway on the westerly portion of the property. The proposed garage would conform to the size requirements for an accessory structure in a residential zoning district, but it would be located partially within the front yard setback. As proposed, the garage would be located 23.6 feet from the front property line at Peck Avenue. The zoning ordinance requires a minimum 30 foot front yard in the R-10 zone. The proposed garage would conform to the minimum six foot side and rear yard setbacks for accessory structures per Section 28-142(d). The applicant is also proposing a new driveway to access the proposed garage structure. The new driveway would require a "curb cut permit" from the Town Council and Department of Public Works.

 4/26/2023  
Edward M. Tanner, Zoning Officer