

Town of Bristol  
Zoning Board of Appeals  
July 21, 2020

Present: Marty Snyder, Steve Smiley, John Krebbeks, Jen Sanford, Donna Beretta, Sandra Riker

Others Present Michael Estrella

Area Variance: Michael Estrella of 7120 County Road 2 is applying for an area variance for relief in the front yard setback requirement for his home located at the above address. When presenting a building permit application to remove and replace his front porch the Code Officer decided Mr. Estrella will need to apply for an area variance prior to the issuance of a building permit. Present zoning regulations require a 75' front set back to the building line in the M-R district where the home is located. After reviewing a survey map showing the home built in the 1800's only had a front setback of 33' this would be determined to be a nonconforming preexisting condition. Mr. Estrella is asking to place the front porch 5' closer to the front lot line reducing the setback to 28'.

Normally any activity on a County Road would need to go before the County Planning Board, however, this is exempted: *All permits or variances for extensions to preexisting nonconforming buildings when the nonconformity involves extension of an existing building line.*

The Secretary advised the Board she contacted Tim McElligott of the County Public Works he replied via email "the County does not have an issue with Mr. Estrella's request to replace his front porch 5' closer to the front lot line."

Chairman Marty Snyder opened the public hearing and no one wished to comment including the Board that stated this appears to be a straightforward request. The public hearing was closed.

State Environmental Quality Review Act was addressed, and a motion was made by Steve Smiley with a second by Jen Sanford to approve a Negative Declaration.

The Criteria for an Area Variance was reviewed as follows:

Whereas the criteria for an Area Variance were reviewed as follows:

1. undesirable change-No, a new front porch will improve the character of the neighborhood-all Board members agreed
2. could an alternate location be feasible-No, it is the front porch that he is replacing-all Board members agreed

3. is the request substantial-No, the preexisting nonconforming front yard setback is 33' and the porch variance request is for 28' making the variance request less than 20%-all Board members agreed
4. does the variance have an adverse impact on the physical or environmental conditions in the neighborhood-No, the new porch will be replacing an old deteriorating front porch-all Board member agreed
5. Is the alleged difficulty self-created-No, the home was built in the 1800's well before zoning was put in place in Bristol-all Board members agreed

Therefore, a motion was made by Marty Snyder with a second by Jen Sanford to grant the Area Variance for Michael Estrella to place the new front porch at a setback of 28' from the front lot line.

The Board polled as follows:

Jennifer Sanford- aye

Stephen Smiley- aye

Donna Beretta- aye

John Krebbeks- aye

Marty Snyder-aye

Other Business:

Jen Sanford is requesting to step away from her position on the ZBA as soon as a replacement can be found. The secretary will place a notice of opening on the Board in the town webpage. All Board members agreed she will be missed.

The next meeting will be on August 18<sup>th</sup>, Marty will be out of town and would ask Steve Smiley to Chair the meeting if there was one.

A motion to adjourn the meeting was made by Marty Snyder with a second by Steve Smiley.

Respectfully submitted,

*Sandra Riker*

Town of Bristol  
ZBA Secretary

Minutes approved at September 5<sup>th</sup> joint meeting of pb and zba with a motion by Marty Snyder and a second by John Krebbeks. All Board members present agreed.

