

**CITY OF PROVIDENCE
ZONING BOARD OF REVIEW
190 DYER STREET
PROVIDENCE, RI 02903
TEL. NO. (401)-421-7740 EXT. 309**

HOW TO FILE AN APPLICATION FOR A VARIANCE OR SPECIAL USE PERMIT

I. INTRODUCTION

If you wish to apply to the Providence Zoning Board of Review for a Variance or Special Use Permit for relief from certain sections of the Providence Zoning Ordinance you must complete an “**Application for Variance or Special Use Permit under the Zoning Ordinance**” which is available in the Zoning Board office located at the above address. Two **TYPEWRITTEN** applications with the property owner(s) original signature(s) must be returned to the Zoning Board office together with the required plans and application fee.

**The applicant is the person or entity that has a financial interest in the subject property.*

The application is not complete and will not be accepted for filing until the requirements listed below are met. You will be notified by mail of the date, time and location of the hearing.

II. APPLICATION

- (A) The application (Item 15) must clearly set forth those sections of the Zoning Ordinance from which the applicant is seeking relief as well as those sections under which the applicant believes relief should be granted. Reference must be made to the specific sections. The application will be deemed incomplete if the specific sections of the Ordinance are not set forth.
- (B) The application (Item 16) must contain a brief and simple description of the relief requested including a description of any proposed changes to be made to the existing structure(s), proposed additions or new construction to be located on the subject property. If any new construction is contemplated, a brief description of the proposed construction must be included.
- (C) The application (Item 16) must contain a brief statement of the reasons justifying the relief sought and the grounds for the Variance or Special Use Permit.
- (D) A copy of the most current deed (not Quit Claim) on file in the office of the Recorder of Deeds must be submitted to the office of the Zoning Board of Review along with the application.
- (E) All other information requested in the application must be complete.
- (F) **Applications and plans must be filed in person by APPOINTMENT ONLY.**
- (G) Make check payable to: **PROVIDENCE CITY COLLECTOR**

III. ADDITIONAL DOCUMENTATION

As part of the application, the following plans and data are required:

- (A) Ten (10) 200' radius plans drawn to a scale of 1"=50' from all corners of the lot or lots in question. Show all lot numbers, owners' names, street numbers and buildings (if any) on each lot within the radius, present use (example: parking lot, vacant lot, gas station, number of families, etc.) zone boundaries, assessor's plat boundaries and indicate new construction and additions. All lots touched by the radius line must be drawn in full and included in the plans. (**SEE EXAMPLE**)
- (B) On-site parking plans showing landscaping are required when more than four (4) parking spaces are being provided. Three (3) copies must be pre-submitted to and approved by the Department of Traffic Engineer, 60 Ernest Street, Providence, Rhode Island. Parking plans should be drawn to the scale of 1"=10' (but no less than 1"=30') and in accordance with Sections 425 and 700 of the Zoning Ordinance.
- (C) Three (3) sets of architectural drawings of the proposed building(s) or alteration plans including a site plan and floor layout.
- (D) All plans must be signed by the author and must contain the author's full name, address and telephone number.
- (E) Two (2) lists of names and mailing addresses of property owners that appear within the radius. **INCLUDE ZIP CODES.** The list of property owners must be in accordance with the latest listing available in the office of the City of Providence Tax Assessor. List names and mailing addresses by plat and lot numbers. Provide mailing labels with the property owners' names, address, city, state and zip code.
- (G) Four (4) photographs of the subject property from varying angles must be submitted **at the hearing.**

IV. LEGAL COUNSEL

There is no requirement that applicants be represented by legal counsel either during the application process or when appearing before the Board. While the Zoning Board neither recommends for or against the hiring of legal counsel, the Board does caution all applicants that zoning law can be complex for an individual with no expertise in the area. Zoning Board members and staff are not permitted to make referrals or recommend any specific attorney, architect, draftsman, traffic engineer or an expert in the field of real estate.

V. PRELIMINARY REVIEW

In order to avoid the unnecessary duplication of effort, which could occur where an applicant files an application package, the Board recommends that applicants submit a single copy of the application, radius map and radius mailing list to the Zoning Board office for review. While the Board and staff accepts no responsibility for correcting or completing any application, the Board office will provide some assistance by pointing out deficiencies in the application before it is filed. Board office staff is not permitted to provide specific advise as to the contents required by any particular application, but staff may be helpful in providing an explanation of the application process, requirements and general content. **PRELIMINARY REVIEW IS MADE BY APPOINTMENT ONLY.**

VI. APPLICATION FEE

The application fee consists of an advertising fee and a processing fee:

(A) The advertisement fee for each petition shall be one hundred fifteen (\$115.00) dollars.

(B) The processing fee for each petition shall be as follows:

One Family Dwelling (use code 11)	\$175.00
Two Family Dwelling (use code 12)	\$345.00
Three Family Dwelling (use code 13)	\$430.00
Multi-family Dwelling (use code 14) \$520.00 for first four units plus \$80.00 per additional unit over four	\$520.00
Other Residential Uses (use codes 15-17)	\$430.00
Institutional, Governmental, Cultural, Entertainment, Recreational, General Trade, Transportation, Communications, Utilities and Manufacturing uses (use codes 21-86)	\$870.00
Appeal from decision of Director of Inspection and Standards	\$260.00
Appeal from decision of the Building Official	\$260.00
Appeal from decision of Providence Historic District Commission	\$260.00
Appeal from decision of the Downcity Design Review Commission	\$260.00
Appeal from decision of the City Plan Commission	\$260.00
Renewal of Variance or Special Use Permit	\$260.00

Where there are mixed use codes, the higher fee shall govern.

In no case shall the sum of the advertisement fee and the processing fee exceed two thousand six hundred (\$2,600.00) dollars.

MAKE CHECK PAYABLE TO: PROVIDENCE CITY COLLECTOR.

NOTES:

As per Section 45-23-61 of the Rhode Island General Laws, proposals for Subdivision of Land must be submitted to the office of the City Plan Commission (CPC) for recommendation to the Zoning Board of Review. Proposals for land subdivision may be filed simultaneously with the Zoning Board of Review and the CPC.

In the interest of saving time you are strongly advised to submit your construction plans to the Department of Inspection and Standards in order to initiate the building permit review process. Please be advised that your plans should detail **exactly** what you intend to do.

A Zoning Board approval of your plans **does not** address such critical issues as leaching systems/sewers, flood plain, building codes, fire safety, DEM Wetlands and/or CRMC. As a result, a Zoning Board approval does not automatically indicate that you will receive a permit. Further, a Zoning Board approval authorizing a change in use may require certain building alterations in order to comply with current building code requirements.

As per Ordinance No. 412 approved July 26, 2007
Revised: August 20, 2007

CITY OF PROVIDENCE

ZONING BOARD OF REVIEW

APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

- Variance - Use
- Variance - Dimensional
- Special Use Permit

Date: _____

To the Zoning Board of Review:

The undersigned hereby applies to the Zoning Board of Review under the provisions of the Zoning Ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

Owner: _____ Tel. No. _____

Address: _____ Zip Code _____

Applicant: _____ Tel. No. _____

Address: _____ Zip Code _____

Lessee: _____ Tel. No. _____

Address: _____ Zip Code _____

1. Location of subject property: _____

2. Assessor's Plat(s) _____ Lot(s) _____

3. Dimensions: Lot # _____ frontage _____ depth _____ area _____ sq. ft.

Lot # _____ frontage _____ depth _____ area _____ sq. ft.

Lot # _____ frontage _____ depth _____ area _____ sq. ft.

4. Zoning District(s) in which subject property is located: _____

5. Is the property located within: (check one) Historic District
 Downcity Overlay District
 Capital Center District

5a. If question No. 5 is checked, have the plans been approved by the Providence Historic District Commission, the Downcity Design Review Committee or the Capital Center Commission? Yes No

6. How long have you owned the subject property? _____

7. Is there a building(s) on the property at present? Yes No

8. Size of existing building(s): _____

9. Size of proposed building(s): _____

10. Present Use of Premises (each lot): _____

11. Legal Use of Premises, each lot as recorded in the Department of Inspection & Standards:

12. Proposed Use of Premises (each lot): _____

13. Give extent of proposed construction or alterations (each lot): _____

OVER

14. Are there outstanding violations concerning the: Zoning Ordinance
 RI State Building Code
 Providence Housing Code
 Not applicable

15. Section(s) of the Zoning Ordinance under which this application is made:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

16. Explain the proposed changes to be made to the subject property and state grounds to support this application:

The undersigned further acknowledges and agrees that the members of the Zoning Board of Review and the Board's staff may enter upon the exterior of the property prior to any scheduled hearing on the application pending before the Zoning Board of Review to view the premises in connection with said hearing.

Signature(s) of Property Owner(s):

Signature(s) of Applicant(s):

Signature

Signature

Type Name

Type Name

Signature

Signature

Type Name

Type Name

Address:

Address:

Please Note: All requirements listed on the instruction sheet must be complied with or this application will not be accepted.