

City of Providence
Zoning Board of Review
190 Dyer Street
Providence, Rhode Island 02903
(401) 421-7740 Ext. 309

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

1. INTRODUCTION

If you wish to apply to the Providence Zoning Board of Review for a Variance and/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, not the architect, engineer, draftsman, contractor, etc.***

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.

2. 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.**

3. **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 (including overlay districts), tax assessor's plat boundaries and indicate new construction and additions. If the 200' radius line intersects or is close to any lot(s) such lot(s) must be included fully within the radius. **(SEE SAMPLE)**
- B. Three (3) sets of architectural drawings of the proposed building(s) or alteration plans including a site plan and floor layout. On-site parking plans showing landscaping and curb cut(s) are required when more than four (4) parking spaces are being provided.
- C. **All plans must be signed by the author and must contain the author's full name, address and telephone number.**
- D. 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 two (2) sets of mailing labels with the property owners' names, address, city, state and zip code.
- E. Four (4) photographs of the subject property from varying angles must be submitted as exhibits **at the hearing**.

4. **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.

5. **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's staff will provide some assistance by pointing out deficiencies in the application before it is filed. The Board's office staff is not permitted to provide specific advice 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.**

6. 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
The following Appeals:	\$260.00
Appeal from decision of Director of Inspection and Standards	
Appeal from decision of Providence Historic District Commission	
Appeal from Douncity Design Review Commission	
Appeal from Decision of the City Plan Commission	
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:

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, fire safety, DEM Wetlands and/or CRMC. 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 a result, a Zoning Board approval does not automatically indicate that you will receive a permit.

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.