



# Application to Smithfield RI Zoning Board of Review for SPECIAL USE, VARIANCE OR APPEAL

TOWN HALL, 64 FARNUM PIKE, ESMOND, RI 02917

File # \_\_\_\_\_ Rec'd by: \_\_\_\_\_

**FILING FEES** Application fee plus total postage cost for abutters' mailing.

Amt. Paid: \$ \_\_\_\_\_ Amt. Due \$ \_\_\_\_\_ Date Fee Paid: \_\_\_\_\_

**NOTE: Application and documentation shall be accepted only in duplicate PDF format**

*This APPLICATION must be completed in full prior to being considered by the Zoning Board of Review. Refer to Page Four of this APPLICATION for additional information and materials required for submission with the APPLICATION.*

The UNDERSIGNED hereby applies to the Smithfield Zoning Board of Review for the following:

I HEREBY SUBMIT THE FOLLOWING INFORMATION IN SUPPORT OF THIS REQUEST FOR CONSIDERATION AND PUBLIC HEARING;

- SPECIAL USE**, as provided in Section 5.0 of the ZONING ORDINANCE.
- VARIANCE** from the application of a requirement(s) of the ZONING ORDINANCE.
- APPEAL** of Building Official, Planning Board Decision, or Zoning enforcement agency.
- EXTENSION APPLICATION** for recorded decision. Year 1 Year 2 Year 3

APPLICANT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

OWNER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

LESSEE/PURCHASER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_  
existing/proposed

PHONE: \_\_\_\_\_

1. **Location of Property** Street Address: \_\_\_\_\_ Pole # \_\_\_\_\_

Assessor Plat No. \_\_\_\_\_; Assessor Lot No. \_\_\_\_\_;

2. **Size of Lot** Dimensions: Width \_\_\_\_\_ Depth: \_\_\_\_\_ Total Area: \_\_\_\_\_ Acres/Sq. Ft. \_\_\_\_\_

3. **Zoning Designations** Current Zoning District Classification of Property: \_\_\_\_\_

4. **Ownership Tenure**

DATE of PURCHASE of the above stated property by the CURRENT OWNER: \_\_\_\_\_

Will Ownership of said property be transferred by the CURRENT OWNER TO the APPLICANT for developmental purposes? Yes No Does Not Apply

5. **Developmental Status and Proposal**

**A. Existing Developmental State**

Are there any buildings on the property at present: Yes No

If YES, how many buildings? \_\_\_\_\_

IDENTIFY the Size and Use of each building \*\*: \_\_\_\_\_

	Building Type	Height	Area (Sq. Ft.)	Use
(1)	_____	_____	_____	_____
(2)	_____	_____	_____	_____
(3)	_____	_____	_____	_____

\*\*NOTE: Use additional sheet(s) of paper, if necessary.

**B. Proposed Development**

Have plans for proposed construction activities for building structure(s) been submitted to the Office of the Smithfield Building Official? Yes No Does Not Apply

If YES, has a Building Permit been refused? Yes No

6. **SPECIAL USE PERMIT** (Complete this Section only if Box #1 of the Introduction is checked).

NOTE: For Special Use Permits - Three (3) copies of Site Plan and all additional material required by Section 10-9 A,B, and C of the Zoning Ordinance must accompany application.

A. IDENTIFY proposed use, action, or activity for which SPECIAL USE PERMIT is requested.

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B. LIST precise ARTICLE(s) and SECTION(s) of the ZONING ORDINANCE which authorize consideration of the SPECIAL USE PERMIT described in above.

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C. DESCRIBE BRIEFLY how the granting of the SPECIAL USE PERMIT will meet the requirements of Section 10-8C.2 and 3 of the ZONING ORDINANCE.

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7. **VARIANCE** (Complete this Section only if Box No. 2 of the Introduction is checked).

A. IDENTIFY proposed activity, action, or use for which VARIANCE from the terms of the ZONING ORDINANCE is requested.

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B. LIST precise ARTICLE(s) and SECTION(s) of the ZONING ORDINANCE from which VARIANCE is requested. BRIEFLY DESCRIBE applicable regulation of standard and the variance that is requested.

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C. IDENTIFY Grounds for VARIANCE. The APPLICANT is required to relate this APPLICATION REQUEST to the Criteria governing the Granting of a VARIANCE as set forth in Section 10-8 C.1.

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8. **NATURE OF APPEAL** (Complete this Section only if Box #3 of the Introduction is checked).

A. Appeal of Building Official (Attach copy of any denial, notification or correspondence relating to appeal).

1. Date of denial/issuance of permit or date of alleged error in enforcement of ordinance: \_\_\_\_\_, 20\_\_\_\_\_

2. Basis for Appeal (Cite applicable provisions of ordinance.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Appeal to the Smithfield Platting Board of Review from an action of the Smithfield Planning Board. (NOTE: attach copies of all correspondence, plans and the written decision pertaining to the appeal.)

Basis for Appeal (Cite applicable ordinance provisions and any other date in support of appeal.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Appeal to Zoning Enforcement Agency decision. (NOTE: attach copies of all correspondance, plans, and written decision pertaining to the appeal.)

Basis for Appeal (Cite applicable ordinance provisions and any other date in support of appeal.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I/We, the UNDERSIGNED, swear that all information provided in this APPLICATION is to the best of MY/OUR knowledge complete and correct in every detail.

RESPECTFULLY SUBMITTED,

\_\_\_\_\_  
Owner's Name Printed

\_\_\_\_\_  
Applicant's Name Printed

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Applicant's Signature

AGENT/ATTORNEY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

REPRESENTING: \_\_\_\_\_

DATE: \_\_\_\_\_

**NOTE: One original signed application and eleven copies must be submitted.**

**REQUIRED ATTACHMENTS TO APPLICATION FOR VARIANCES AND SPECIAL USE PERMITS**

11 (eleven) copies of Radius Map (scale not less than 200 feet/inch) showing all property, street names, plat and lot numbers within a 200' (two hundred feet) Radius.

12 (twelve) copies of a LIST OF ALL PROPERTY OWNERS within the 200' (two hundred feet) Radius. Said List shall identify the names and addresses of each property owner, with plat and lot numbers. Also available from Tax Assessors Office. **Three (3) sets of abutters printed on mailing labels.**

12 (twelve) copies of the PLOT PLAN showing the dimensions and location(s) of all existing and proposed buildings with identification as such, plus such building plans floor plans, sketches, and drawings as may be necessary to provide complete information relative to the APPLICATION'S proposal.

12 (twelve) copies of the SITE PLAN and all additional material required by Section 10-9 A, B and C must accompany application.

**ALL REQUIRED INFORMATION AND ATTACHMENTS SHALL BE FILED AS SEPARATE DOCUMENTS AND MUST BE ACCOMPANIED BY THE APPLICATION AND FILING FEES FOR THE CASE TO BE CONSIDERED COMPLETE AND READY FOR PUBLIC HEARING.**

ALL DOCUMENTS shall be filed in the office of the Smithfield Building Official (Smithfield Town Hall, 64 Farnum Pike, Esmond, RI 02917; Telephone: (401) 233-1039. Said documents shall be filed at least forty two (42) days in advance of the regular monthly meeting of the Smithfield Zoning Board of Review.

FILING FEES, payable to the Town of Smithfield, shall be paid by the APPLICANT at the time of APPLICATION SUBMISSION. Smithfield Municipal Agents acting within their official capacity shall be exempted from the Filing Fees.

**PUBLIC HEARING REQUIREMENT**

No APPLICATION for a SPECIAL USE PERMIT, VARIANCE, or APPEAL to the Smithfield ZONING ORDINANCE shall be heard by the Zoning Board of Review until after a Public Hearing has been held upon the APPLICATION. Written Notice of the time and place of such Public Hearing, and the purpose thereof, shall be made by the Zoning Board of Review to all owners of any Real Property within 200' (two hundred feet) of the perimeter of the Real Property, which is the subject matter of the APPLICATION. Said Written Notice shall be made by Registered or Certified Mail at least fourteen (14) days prior to the date of said Public Hearing. Publication of such Notice shall also be made in a newspaper of general circulation within the Town of Smithfield at least fourteen (14) days prior to the date of such Hearing. (Zoning Ord. §10.8,B) Any party may appear at the Public Hearing in person, by agent, or by attorney and may present such experts or witnesses that may have information relating to the APPLICATION.

**EXPIRATION OF SPECIAL USE PERMITS AND VARIANCES**

A Special Exception or a Variance from the provisions of the Smithfield Zoning Ordinance shall expire **one (1) year** from the date granted by the Board unless the applicant exercises the permission granted or receives a building permit to do so and commences construction and diligently prosecutes the construction until completed. No application for the renewal of a lapsed Special Use Permit or Variances shall be granted without a hearing.

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**SPACE BELOW RESERVED FOR ZONING BOARD OF REVIEW USE ONLY**

Date Notices Sent to Respective Property Owners: \_\_\_\_\_

Date of Newspaper Notice: \_\_\_\_\_

Newspaper \_\_\_\_\_