



# Town of Warren, Rhode Island

Town Hall • 514 Main Street • 02885  
www.townofwarren-ri.gov

## Zoning Board of Review

401-245-7343 • 401-245-0595 (fax)

# PETITION FOR VARIANCE

(for office use only) Date received \_\_\_\_\_ Application Number \_\_\_\_\_

To the Honorable Board of Review of the Town of Warren, Rhode Island,  
The subscriber, your petitioner, respectfully requests that they be granted  
a **Variance** from the terms of the Zoning Ordinance,

Section(s) \_\_\_\_\_

For the property located at \_\_\_\_\_

Tax Assessor's Plat \_\_\_\_\_ Lot(s) \_\_\_\_\_

Petitioner requests that a **Variance** be granted as follows: \_\_\_\_\_

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

Petitioner requests this **Variance** in accordance with the standards set forth in Article IV of the Town of Warren Zoning Ordinance.

APPLICANT'S SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

PROPERTY OWNER'S SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_



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### ADDENDUM OF FACTS

(for office use only) Date received \_\_\_\_\_ Application Number \_\_\_\_\_

Applicant \_\_\_\_\_ Address \_\_\_\_\_

Daytime Phone Number(s) \_\_\_\_\_

Property Owner \_\_\_\_\_ Address \_\_\_\_\_

Location of Premises \_\_\_\_\_

Assessor's Plat \_\_\_\_\_ Lot(s) \_\_\_\_\_ Zoning District \_\_\_\_\_

Lot Dimensions: Frontage \_\_\_\_\_ Depth \_\_\_\_\_ Area \_\_\_\_\_

Lot Coverage (sq. ft., %): (existing) \_\_\_\_\_ (proposed) \_\_\_\_\_

Use of the Premises: (existing) \_\_\_\_\_ (proposed) \_\_\_\_\_

Size of structure (footprint): (existing) \_\_\_\_\_ (proposed) \_\_\_\_\_

Number of stories: (existing) \_\_\_\_\_ (proposed) \_\_\_\_\_

Parking spaces: (existing) \_\_\_\_\_ (proposed) \_\_\_\_\_

Public Water \_\_\_\_\_ Well \_\_\_\_\_ Public Sewer \_\_\_\_\_ ISDS \_\_\_\_\_

Is the property located in wetlands or a flood zone? \_\_\_\_\_

Additional approvals received or needed (e.g. Planning Board/DEM/Coastal):

\_\_\_\_\_

Reason for seeking relief: (explain relief requested in your own words)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Applicant's signature \_\_\_\_\_ Date \_\_\_\_\_

Property owner's signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_

## ZONING DIMENSIONAL REQUIREMENTS

	<b>EXISTING</b>	<b>REQUIRED/ALLOWED</b>	<b>PROPOSED</b>
MINIMUM LOT AREA (sq. ft.)			
MINIMUM LOT FRONTAGE & WIDTH (feet)			
MINIMUM FORNT YARD DEPTH (feet) .			
MINIMUM REAR YARD DEPTH (feet)			
MINIMUM SIDE YARD WIDTH (feet)			
MAXIMUM BUILDING COVERAGE OF LOT (%)			
STRUCTURE FROM RESIDENCE DISTRICT BOUNDARY			
BUILDING HEIGHT			
PARKING (# OF SPACES)			
DWELLING UNITS (#)			





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### NOTICE OF ASSISTANCE

As the owner/applicant for the Warren Zoning Board petition # \_\_\_\_\_ I understand that the information provided for this application is true to the best of my knowledge. Further, although I may have received assistance in preparing the application, I have reviewed all of the documents for this petition and I understand that the accuracy of this information is my responsibility.

Owner/applicant name (print) \_\_\_\_\_

Application prepared by \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_



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### **APPLICATION CHECKLIST**

- Petition for Variance, Special Use Permit, Appeal, Extension
- Addendum of Facts
- Site/Plot plan
- Location plan
- Elevation plans
- Floor plans
- Notice of Assistance
- Abutter list
- Original signatures
- Payment/check



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### VARIANCE, SPECIAL USE PERMITS, EXTENSIONS, APPEALS Application Instructions and Meeting Information

#### MEETING

- The regular monthly meeting of the Warren Zoning Board of Review is held on the third (3<sup>rd</sup>) Wednesday of each month at 7:00 PM in the Council Chambers at the Town Hall.
- **COMPLETE** applications must be received in the Building Department on or before the third (3<sup>rd</sup>) Friday of the preceding month in which the application is to be heard.
- The petitioner or authorized agent must appear at the meeting to present the petition.
- Applications that require review by any other Town Board or State agency will not be heard until a report or approval have been received by the Zoning Board.

#### APPLICATIONS

- Please complete the required forms using **BLACK** pen.
- All attachments must be no larger than 11" x 17". Plans larger than this will not be accepted.
- All required forms must be submitted together.
- Completed Petition for Variance, Special Use, Appeal, or Extension form—depending upon what the applicant is asking for.
- Completed Addendum of Facts form.
- Completed Abutter List form—all pages. State Law requires notification to all abutter's within a two-hundred foot (200') radius of the subject property. The applicant is responsible for providing this list.
- Location Plan—with 200' radius of abutters from subject property. This plan should be a copy of the Plat Map(s) found in the Building Department. Please use a heavy, felt tip pen to draw the 200' radius.
- Site Plan—must include: dimensions of the property, name of adjacent streets, "North" arrow. Existing structures (including pools, sheds, garages)—with dimensions (drawn with a solid line) indicating distances to the nearest property line. Proposed structures—with dimensions (drawn with dashed lines, or shown in color) indicating distances to the nearest property line. If parking is required, it must be shown on this plan with appropriate dimensions. This plan must be drawn to a scale indicated on the plan.
- Floor Plans—scaled plans for all uses that require a Special Use Permit must be submitted. Variance requests (at the Zoning Officers discretion) must be submitted.
- Elevation Plan—must include maximum height of existing and proposed structures. Must be drawn to a scale indicated on the plan. This plan shall be required at the Zoning Officer's discretion.
- Signs—Sign applications must include a rendering of proposed sign with dimensions. Existing signs and proposed signs must be noted on the Site Plan.
- Notice of Assistance—must be signed and returned with application.

**VARIANCE, SPECIAL USE PERMITS, EXTENSIONS, APPEALS**  
**Application Instructions and Meeting Information**

(continued)

**FEES**

- |  |  |
|--|--|
| • <b><u>Residential Application</u></b>                                    | \$125.00                               |
| • <b><u>Commercial Application</u></b>                                     | \$225.00                               |
| • <b><u>Waterfront Overlay Development<br/>Plan Review Application</u></b> | \$25.00 plus \$30.00 (advertising fee) |
| • <b><u>Abutter Notification</u></b>                                       | \$3.00 per abutter                     |

**APPLICANT RESPONSIBILITIES AFTER THE MEETING**

- After the meeting, a **Decision** will be prepared by the Warren Town Solicitor unless you have an attorney who represented you. In this case, it will be their responsibility to prepare a decision. The decision will be reviewed and signed by the chairman of the Zoning Board. The decision will be dated and recorded in Land Evidence.
- The applicant/owner has one year from the date of recording to act on any decision of the board. Failure to act will result in the loss of relief granted by the board and you will have to re-file a new petition. You may file for an extension within 6 weeks of the one-year anniversary.
- Any person who is aggrieved by a decision of the Zoning Board has 20 calendar days from the date of recording in Land Evidence to file an **Appeal** in Superior Court.
- You must obtain a **Building Permit** for the work that was approved by the Zoning Board.



# APPLICATION

## ZONING BOARD OF REVIEW

### WARREN, RHODE ISLAND

#### INSTRUCTIONS

- APPLICATIONS FOR SPECIAL USE PERMIT, DIMENSIONAL AND USE VARIANCES OR APPEALS MUST BE SUBMITTED TO THE BUILDING/ZONING OFFICIAL BY AT LEAST THIRTY-FIVE DAYS PRIOR TO THE MEETING AT WHICH THE APPLICATION IS TO BE HEARD.
- PLEASE NOTE: THERE IS A MAXIMUM OF SIX (6) NEW APPLICATIONS/PROPERTIES PER MONTH. (IF AN APPLICANT HAS A VARIANCE & SUP APPLICATION REQUEST, FOR THIS PURPOSE, THESE WILL BE COUNTED AS ONE APPLICATION.) THESE WILL BE ACCEPTED ON A FIRST COME-FIRST SERVED BASIS. IT IS POSSIBLE THAT THE MEETING WILL FILL UP BEFORE THE APPLICATION DEADLINE.
- THE DEADLINE FOR SUBMISSION OF ANY ADDITIONAL DOCUMENTS TO BE DISTRIBUTED TO THE ZONING BOARD SHALL BE NO LATER THAN NOON THE FRIDAY PRIOR TO THE MEETING. AFTER THAT DEADLINE, DOCUMENTS MAY BE PRESENTED AT THE MEETING IN PERSON AND ACCEPTED AT THE DISCRETION OF THE ZONING BOARD.
- EACH REGULAR MEETING OF THE ZONING BOARD IS SCHEDULED TO BEGIN AT 7:00 p.m. AND NO NEW APPLICATIONS WILL BE HEARD AFTER 10:00 p.m. IF TIME DOES NOT PERMIT YOUR APPLICATION TO BE HEARD BY 10:00 pm, YOUR APPLICATION MAY BE CONTINUED TO THE NEXT REGULARLY SCHEDULED MEETING. DUE TO TIME CONSTRAINTS, THE BOARD CHAIR MAY IMPOSE TIME LIMITATIONS FOR ANY PERSON SPEAKING AT THE MEETING.
- NO REFUNDS WILL BE GIVEN FOR CANCELLATION IF APPLICATION HAS BEEN ADVERTISED.
- APPLICATION MUST BE SIGNED BY APPLICANT. IF THE OWNER IS NOT THE APPLICANT, THE OWNER MUST ALSO SIGN THE APPLICATION.
- THE APPLICANT, OR A REPRESENTATIVE OF THE APPLICANT, MUST BE PRESENT AT THE HEARING.

## WARREN ZONING BOARDS RULES OF PROCEDURE

1. The regular meeting of the Warren Zoning Board shall be held on the third Wednesday of the month at 7:00 p.m. All applications shall be heard at the regular meeting of the Board, unless a quorum of the Board members agree to hold a special meeting, either at an applicant's request or on their own initiative.
2. No new applications will be heard after 10:00 p.m. If there are any applications that have not been started by 10:00 p.m., those applications will be automatically continued to the next regular meeting of the Board. Alternatively, if a quorum is available for a special meeting, the Board may elect to schedule a special meeting for hearing the remaining applications.
3. The Board may vote to extend the meeting time for a particular meeting past 10:00 p.m. only upon the unanimous vote of all members present at the meeting, including alternate members.
4. In order to meet time constraints, the Board Chair may place reasonable constraints on any person speaking before the Board, including placing a time limitation on speaking, asking speakers to remain on topic, or asking speakers not to make duplicative points.
5. The application deadline for a regular meeting is the thirty-five (35) days preceding the date of the meeting. Any application filed after the deadline for a particular meeting will not be placed on that meeting's agenda. The Board may disregard any materials provided after the filing deadline to supplement an application that was filed prior to the deadline, or the Board may choose to continue the application to the next regularly scheduled meeting to give the Board members time to review the supplemental materials.
6. In order for an application to be complete, the following items must be submitted to the Building/Zoning Official prior to the application deadline:
  - a) A complete application form signed by the applicant or the applicant's representative;
  - b) A site plan showing the location of existing structures, proposed structures, and applicable setback requirements;
  - c) Elevations plan for any proposed structures; and
  - d) A brief narrative description of the applicable provision(s) of the Zoning Ordinance and the relief sought.

The Building/Zoning Official will review each application for completeness before forwarding the same to the Board for review.

7. The deadline for submission of any additional documents to be distributed to the Zoning Board shall be no later than Noon the Friday prior to the meeting. After that deadline, documents may be presented at the meeting in person and accepted at the discretion of the Zoning Board.
8. No more than three (3) continuances, to be known as Old Business, shall be placed on the next agenda or upon the meeting agenda which the Board has granted the continuance to.
9. The Board will hear no more than six (6) new applications/properties at any meeting.

- a) Applications will be assigned to a meeting based upon the time of filing, with the earlier applications filed taking precedence over the later applications filed. Once a meeting has six (6) new applications for consideration, no further applications will be accepted for that meeting, even if the application deadline has yet to expire. At the discretion of the Chair of the Zoning Board, additional applications, over the six (6) application limit, may be placed on any particular Zoning Board agenda.
  - b) If an applicant applies for a Variance AND a Special Use Permit request, for the same property/combined lots, for these purposes, these applications will be counted as one item/application
10. Hearings on applications will generally proceed as follows:
- a) First, the applicant will present the evidence in support of his or her application, including any witness testimony. Board members may ask questions of the applicant and his or her witness. Second, members of the public will be given an opportunity to speak. Members of the public should direct all questions and comments to the Board and the Board may question members of the public. Members of the public will not be given an opportunity to cross-examine the applicant or the applicant's witnesses. Generally, each member of the public will only be given one opportunity to speak on each application. The Board Chair may make an exception to this rule on a case-by-case basis.
  - b) Third, the applicant will be given an opportunity to respond to the comments and questions of members of the public, answer any of the Board's remaining questions, and make any closing remarks. The applicant's response should be directed to the Board. The applicant will not be given the opportunity to cross-examine members of the public. The Board Chair may make an exception to this rule on a case-by-case basis.
  - c) Fourth, the Board will close the public hearing and take no further comment from either the applicant or members of the public. The Board will deliberate and render a decision on the application.

In all other matters not otherwise addressed in these rules of procedure, in Warren Town Ordinance or Charter, or in state law, the Warren Zoning Board shall follow the 11th edition of Robert's Rules of Order.

These Rules of Procedure were adopted by the Warren Zoning Board pursuant to RIGL 45-24-56 at its regular meeting held on the 19 day of February, 2020

  
 \_\_\_\_\_  
 Paul Atjemann, Chairman  
 Warren Zoning Board

Date 03/04/2020