

TOWN OF CHARLESTOWN
ZONING OFFICE
Modification of Dimensional Requirements
 4540 South County Trail
 Charlestown, RI 02813

File number: _____
 Date of Filing: _____
 Filing fee: _____
 Received by: _____

(OFFICIAL USE ONLY)

Pursuant to Article II, Section 218-6B(10), the undersigned hereby applies for a modification of the dimensional requirements of the Zoning Ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

1. Applicant: _____ Address: _____

2. Owner: _____ Address: _____

3. Location of Premises:

| | | |
|----------------|------|-----|
| Street Address | Plat | Lot |
|----------------|------|-----|

4. Dimensions of Lot: Frontage _____ Width _____ Depth _____ Area _____ Sq.Ft.

5. Zoning District(s) in which premises are located _____
 (At the time of this application)

6. When was property acquired? _____
 Date

7. Present use of property _____

8. Is there a building on the premises at present? _____ Give size(s) _____

9. Proposed use of property _____

10. Give size of proposed building(s) _____

11. State proposed alterations _____

Lot Coverage

Height

Setback requirements

| | | <u>Front</u> | <u>Left Side</u> | <u>Right Side</u> | <u>Rear</u> |
|---------------------------|-------------------|---------------------|-------------------------|--------------------------|--------------------|
| Allowed _____ sq.ft. | Allowed _____ | Allowed _____ | Allowed _____ | Allowed _____ | Allowed _____ |
| Existing _____ sq.ft. | Requested _____ | Requested _____ | Requested _____ | Requested _____ | Requested _____ |
| Requested _____ sq.ft. | Relief Req. _____ | Relief Req. _____ | Relief Req. _____ | Relief Req. _____ | Relief Req. _____ |
| Relief Req. _____ sq. ft. | | Relief Req. _____ | Relief Req. _____ | Relief Req. _____ | Relief Req. _____ |

Dimensional Variance(s) related to: Principal Building(s) Accessory Building(s)

14. Other Variance and/or relief sought: _____

15. State grounds for request for relief sought in this case pursuant to Article II, Section 218-6B(10) (a) through (d) [attach separate sheet if necessary]:

16. Provide letters in support of proposed alteration from all abutting property owners.

17. Additional information provided with this application has been attached as follows: _____

The undersigned declares that he/she has received, read and understands the Filing Instructions and Procedural Guidelines and that the information given herein is true to the best of his or her knowledge and belief.

Respectfully submitted,

Applicant: _____ (Signature) _____

Phone: _____ (Address) _____

Email: _____

Land Owner: _____ (Signature) _____

Phone: _____ (Address) _____

Email: _____

Agent: _____ (Signature) _____

_____ (Address) _____

Phone: _____ Email: _____

The Zoning Enforcement Officer may desire to inspect the premises.

Permission for site inspection given _____ refused _____

NOTE: A site plan, sketches, drawings, plans, and other documents, as may be necessary to provide full information, shall be filed with the application. **(See instructions)**

CHARLESTOWN ZONING OFFICE

FILING INSTRUCTIONS for Application for Modification of Dimensional Requirements

1. Read carefully:
 - a. These instructions.
 - b. Procedural guidelines.
2. Be sure the application is filled out IN FULL and COMPLETELY. When the property owner is different than the applicant, the applicant must have a legal interest in the property, and the application must be signed by both parties as indicated on the form. A check payable to the Town of Charlestown for the filing fee must accompany the application. Said packet should include but not be limited to the following documents:
 - a. **Surveyor Stamped Site Plan** – Accurate drawing of the subject property as follows:
 1. Scale of not less than 1" = 100 feet.
 2. Minimum map size of 8½" x 11".
 3. Location of all existing buildings and proposed structures drawn to scale with accurate distances from all streets and lot lines. If vacant lot, Elect. Pole #.
 4. Name of streets and roads.
 5. North arrow.
 6. Dimensions of the subject property.
 - b. **Plans** - Floor plans of existing and proposed building, elevations, and section views drawn to scale with accurate dimensions and location of onsite wastewater treatment system, if applicable.
 - c. **Field Card** - Copy of the Tax Assessor's Field Card for the subject property. (Available online or in the Tax Assessors Office)
 - d. **Correspondence** from all direct abutters indicating their position on the modification request. **Inform direct abutters about request details and provide your contact information for questions as the Building/Zoning Department is not able to provide answers on your behalf.**

PROCEDURAL GUIDELINES

1. A complete application shall be submitted to the Zoning Office with the required fee.
2. The Zoning Enforcement Officer will review all applications upon receipt. If the application is not clear, the Zoning Enforcement Officer will notify the applicant of any discrepancies, or if the application is not complete, it may be returned to the applicant for resubmission.

Section 218-6. Building Official/Zoning Enforcement Officer to enforce.

B.(10) The zoning enforcement officer is authorized to grant modification permits that are fifteen percent (15%) or less of the dimensional requirements specified in the zoning ordinance. A modification does not permit moving of lot lines. Within ten (10) days of the receipt of a request for a modification, the zoning enforcement officer shall make a decision as to the suitability of the requested modification based on the following determinations:

- (a) The modification requested is reasonably necessary for the full enjoyment of the permitted use;
- (b) If the modification is granted, neighboring property will neither be substantially injured nor its appropriate use substantially impaired;
- (c) The modification requested does not require a variance of a flood hazard requirement, unless the building is built in accordance with applicable regulations; and
- (d) The modification requested does not violate any rules or regulations with respect to freshwater or coastal wetlands.

Upon an affirmative determination, in the case of a modification of five percent (5%) or less, the zoning enforcement officer shall have the authority to issue a permit approving the modification, without any public notice requirements. In the case of a modification of greater than five percent (5%), the zoning enforcement officer shall notify, by first class mail, all property owners abutting the property which is the subject of the modification request, and shall indicate the street address of the subject property in the notice, and shall publish in a newspaper of local circulation within the town that the modification will be granted unless written objection is received within fourteen (14) days of the public notice. If written objection is received within fourteen (14) days, the request for a modification shall be scheduled for the next available hearing before the zoning board of review on application for a dimensional variance following the standard procedures for such variances, including notice requirements provided for under this chapter. If no written objections are received within fourteen (14) days, the zoning enforcement officer shall grant the modification. The zoning enforcement officer may apply any special conditions to the permit as may, in the opinion of the officer, be required to conform to the intent and purposes of the zoning ordinance. The zoning enforcement officer shall keep public records of all requests for modifications, and of findings, determinations, special conditions, and any objections received. Costs of any notice required under this subsection shall be borne by the applicant requesting the modification.

Complete copies of the Zoning Ordinance are available for review and/or purchase in the Zoning Office.