

# City of Newport

## Zoning Board of Review



Application for a  
Special-Use Permit

Revision 3/1/05

# Instructions

(Please read and follow carefully)

This application is to be used when submitting an appeal to the City of Newport's Zoning Board of Review, seeking to apply for a special use permit. Should the project also require a regulatory/dimensional variance, a separate dimensional/regulatory application must also be completed and submitted at the same time. *The zoning ordinance prohibits the varying of the density requirements for multi-family dwellings.*

This application is an important legal public document. Please type or print all information completely, accurately, clearly and legibly. It is your responsibility as the appellant to provide accurate and complete information and data. Incomplete, inaccurate or missing information and data may cause a delay in the Board's ability to render a decision or cause the application to be rejected as incomplete.

The petitioner must be available to appear before the Zoning Board of Review at a public hearing. The petitioner may be represented by legal counsel at this hearing. Architects, realtors, contractors, etc. may testify during the hearing, but they may not represent the petitioner and should not be listed as the applicant.

## **Other required items in addition to the completed application:**

A site plan showing all off-street parking and accessory structures (see example).

Elevations (see example)

Floor Plans

Any other drawing or information deemed necessary by the Zoning Officer

The appropriate filing fee.

## **Information for prospective petitioners**

Once the application is received and certified as complete, a list of abutting property owners located within 200 feet of the subject property will be prepared. A letter of notice will be sent to these abutters two weeks prior to the meeting date. While the city, as a service, will prepare and send this letter, it is the ultimate responsibility of the petitioner to review and insure all abutting property owners are notified.

To speed the hearing process, the Zoning Board will accept written testimony of any expert witness. This written testimony may be presented with the application at the time of the submittal or any time up to fourteen (14) days prior to the hearing date.

## Information for perspective petitioners (cont'd)

A special use permit for a particular project runs with the land and cannot be restricted by the zoning board of review to a particular owner or developer.

The Newport Planning Board will receive and review your application for conformance to the city's Comprehensive Land Use Plan after which it make a recommendation to the Zoning Board. Petitioners are encouraged to attend the Planning Board meeting to answer any questions the Planning Board may have.



# APPLICATION FOR A SPECIAL USE PERMIT

## CITY OF NEWPORT, RI ZONING BOARD OF REVIEW

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

### Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use permit in the application of the provisions or regulations of the Zoning Ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

### Location of premises

Street & No: \_\_\_\_\_

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

### Petitioner Information

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

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

Lessee \_\_\_\_\_ Address \_\_\_\_\_

### Property Characteristics

Dimensions of lot-frontage \_\_\_\_\_ depth \_\_\_\_\_ area \_\_\_\_\_ sq. ft.

Zoning District in which premises is located \_\_\_\_\_

How long have you owned above premises? \_\_\_\_\_

Are there buildings on the premises at present? \_\_\_\_\_

Total square footage of the footprint of existing buildings \_\_\_\_\_

Total square footage of the footprint of proposed buildings \_\_\_\_\_

Present use of premises \_\_\_\_\_

**All of the following information and questions must be filled in and answered completely.**

Proposed use of premises \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Give extent of proposed alterations \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Zoning Characteristics Matrix**

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)			
Lot Coverage			
Dwelling Units			
Parking (# of spaces)			
Front Setback			
Side Setbacks			
Rear Setback			
Height			

What provisions of the Comprehensive Land Use Plan are the applicable to this project?

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

## The Zoning Boards Role

Special use permits shall be granted only where the zoning board of review finds that the proposed use or the proposed extension or alteration of an existing use is in accord with the public convenience and welfare, after taking into account, where appropriate:

1. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of the structure;
2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
3. The nature of the surrounding area and the extent to which the proposed use or feature will be in harmony with the surrounding area;
4. The proximity of dwellings, churches, schools, public buildings and other places of public gathering;
5. The fire hazard resulting from the nature of the proposed buildings and uses and the proximity of existing buildings and uses;
6. All standards contained in this zoning code;
7. The comprehensive plan for the city.

The burden of proof in a special-use permit application is on the applicant. This means that if the applicant fails to present adequate competent evidence to prove the applicable standard for issuing a special-use permit has been met, the board must deny the application.

**By signing below, I hereby attest that the information provided is accurate and truthful. I also attest that I have read the section entitled "The Zoning Board's Role".**

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

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

(      )  
\_\_\_\_\_  
**Telephone Number**

(      )  
\_\_\_\_\_  
**Telephone Number**

**Be sure all required drawings are attached to this application at the time of the submittal.**