

ZONING  
260 Attachment 2

**Town of Westerly**

**APPENDIX B**

**Dimensional Variance  
Application Checklist  
[Amended 5-15-2000 by Ch. No. 1300;  
5-14-2007 by Ch. No. 1601; 6-13-2011 by Ch. No. 1753]**

The application for a **dimensional variance** to the Zoning Board of Review must be accompanied by the following information. All required checklist items must accompany the application in order to be considered a complete application.

A. Original application and 10 copies of a site plan prepared by, and signed and stamped by, a professional engineer and/or professional land surveyor, as required by Rhode Island General Laws, at a scale of not less than one inch equals 40 feet, clearly showing:

- (1) Name and address of property owner(s).
- (2) Date, North arrow, graphic scale, lot dimensions and area in square feet or acres.
- (3) Plat and lot, zoning district(s) and front, side and rear yard setbacks.
- (4) Existing and proposed structures, and their relationship and distances from lot boundary lines.
- (5) FEMA flood hazard zone, wetlands and coastal features boundaries, if present.
- (6) Existing and proposed topography at two-foot intervals.
- (7) Existing and proposed driveways, parking areas and walkways.
- (8) Existing and proposed landscaping, as it relates to the request.
- (9) Existing streets, 911 address, wells, septic system.
- (10) Any peculiar site conditions or features.

B. List of names and addresses of all property owners within 200 feet of subject property, and 10 copies of a separate map showing all property owners within 200 feet of the subject property and/or all those property owners and entities that require notice under RIGL 45-24-53, also depicting any zoning district boundary and uses of all neighboring properties.

C. Letter from a biologist indicating that there are no coastal or freshwater wetlands on or in proximity to the site. In cases where the application is regulated by the Rhode Island Freshwater Wetlands Act or the Rhode Island Coastal Resources Management Council (CRMC), a physical alteration permit issued by the Rhode Island Department of Environmental Management (RIDEM) and, where applicable, the United States Army Corps of Engineers shall be required.

D. Where construction requires approval by RIDEM Office of Water Resources for an OWTS (on-site wastewater treatment system) or change of use permit for the proposed activity, attach a copy of the required application.

ZONING  
**Application for Dimensional Variance**

To: Westerly Zoning Board of Review  
Town Hall – 45 Broad Street  
Westerly, RI 02891

Date: \_\_\_\_\_

The undersigned hereby applies to the Westerly Zoning Board of Review for a **dimensional variance** pursuant to the provisions of § **260-33** of the Westerly Zoning Ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

Applicant(s): \_\_\_\_\_ Address: \_\_\_\_\_

Owner(s): \_\_\_\_\_ Address: \_\_\_\_\_

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

1. Filing instructions:
  - a. Original application and 10 copies, typed or legibly printed, must be filed with the Zoning Office in accordance with the minimum time required to post adequate notice.
  - b. A filing fee in the amount of **\$150**, plus legal advertising and recording fees, shall accompany an application to the Zoning Board of Review to cover the costs of processing (payable to "Town of Westerly – Zoning"). In addition to the \$150 fee, the applicant shall also be responsible for all additional costs, if any, incurred by the town in the course of review of this application, such as third-party review, cost of additional advertising and stenographic fees, and will be billed when the final costs have been determined.
  - c. All required checklist items for a **dimensional variance** must accompany the application in order to be considered a complete application.

2. Location of premises: \_\_\_\_\_

3. Plat: \_\_\_\_\_ Lot: \_\_\_\_\_ Zoning District: \_\_\_\_\_

911 Address: \_\_\_\_\_

4. Dimensions of lot: (frontage) feet by (depth) feet; Area (square feet or acres): \_\_\_\_\_

\_\_\_\_\_

5. Present use of premises: \_\_\_\_\_

6. Proposed use of premises: \_\_\_\_\_

7. Is there a building on the premises at present: \_\_\_\_\_

8. How long have you owned the premises: \_\_\_\_\_

9. Year that lot was platted and recorded: \_\_\_\_\_

WESTERLY CODE

- 10. Have you submitted plans to the Zoning Inspector: \_\_\_\_\_
- 11. Has a permit been refused: \_\_\_\_\_ If a permit has been refused, attach a copy of the denial in writing.
- 12. Size (in square feet) of all existing buildings and accessory structures:  
\_\_\_\_\_
- 13. Size (in square feet) of all proposed buildings and accessory structures:  
\_\_\_\_\_
- 14. Indicate the number of families to reside in the building: \_\_\_\_\_
- 15. Describe the extent of the proposed alterations: \_\_\_\_\_
- 16. Indicate the section of the Westerly Zoning Ordinance under which application for **dimensional variance** is made:
- 17. State what relief is sought (dimensions, in number of feet):  
Side: \_\_\_\_\_ Side: \_\_\_\_\_ Rear: \_\_\_\_\_ Front: \_\_\_\_\_ Height: \_\_\_\_\_
- 18. Clearly state the grounds for which this **dimensional variance** is sought:
- 19. Request for waiver: Indicate checklist items that are requested to be waived by the Zoning Board and the reasons for the request:

Respectfully submitted:

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Dimensional Variance  
Affidavit of Notice**

ZONING

Re: Petition of \_\_\_\_\_

Assessor's Plat: \_\_\_\_\_ Lot: \_\_\_\_\_ Zoning District: \_\_\_\_\_

In accordance with § 260-33C of the Westerly Zoning Ordinance, I hereby certify that I have sent written notice of the **date, time and place of the public hearing** with the nature and purpose thereof to all owners of real property whose property is located in or within **200 feet** of the perimeter of the area I am proposing to change.

I certify that this notification was sent by **both first-class mail, postage prepaid, and by certified mail**, return receipt requested, to all those owners of real property or other entities which would require notice under **RIGL 45-24-53 at least 14 days prior to the date of the hearing.**

Notice shall be sent to the last known mailing address as shown on the current real estate tax assessment records, and if such **address is different** from the property address, also to said property address **by first-class mail, postage prepaid**. Said notice shall include the street address of the property for which the variance is sought. A copy of the list of names and addresses and a locus map are attached.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Applicant or Attorney

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public