

November 9, 2021

Re: Mark and Janice Roth
Assessor's Map 96-1, Lot 122
159 Green Hill Ocean Dr.
South Kingstown, R.I.



Dear Board Members,

In regard to the petition of Thomas Rock, 5 Sunrise Lane, South Windsor, Ct., 06074. The applicant is seeking to construct an 8'X22' two story addition to the west side of the single-family dwelling. The applicant also seeks to extend the attached deck and stairs 4' closer to the west side of property line. The deck will be located 3' from the side property line. This Dimensional Variance will affect the restrictions and conditions which are set forth in our title deed of record, a walking easement 4 feet in width along the Westerly boundary of Lot No. 8, to pass and re-pass by foot, as a means of ingress and egress to and from the Atlantic Ocean. This easement is assigned, without in anyway altering the natural characteristics of the right-of-way. We feel that this will impede on our ability to pass unrestrictedly as stated in our deed and therefore we are opposed to granting this variance. We have enclosed a copy of our deed.

Sincerely,

Mark and Janice Roth



Town of South Kingstown

180 High Street
Wakefield RI 02879
Tel. 401-789-9331 x1225
www.southkingstownri.com

ZONING BOARD OF REVIEW NOTICE OF PUBLIC HEARING UNDER THE ZONING ORDINANCE

You are hereby notified that a Public Hearing will be held in-person at the

Town Council Chambers, South Kingstown Town Hall
180 High Street, Wakefield, RI 02879
Wednesday, November 17, 2021 at 7:00 p.m.

Please be advised meetings are now being held in person.
Due to the expiration of the Governor's Executive Order 21-72 that allowed for remote meeting attendance, virtual meetings are no longer permitted.

All board members and applicants must attend in person.
Members of the public are welcome and encouraged to attend in-person or view the meeting live on ClerkBase at <https://clerkshq.com/SouthKingstown-ri>
Members of the public who wish to participate in the meeting must either appear in-person or submit written comments in advance of the meeting.

**Standard COVID-19 protocols in town buildings apply to all meeting attendees.
Attendees who are not vaccinated must wear a mask & maintain social distancing.**

In regard to the petition of:

Thomas Rock
5 Sunrise Lane
South Windsor, CT 06074

For a **Dimensional Variance** under the Zoning Ordinance as follows:

The applicant is seeking to construct an 8' x 22', two-story addition to the west side of the single-family dwelling. The applicant also seeks to extend the attached deck and stairs 4' closer to the west side property line. The deck will be located 3' from the side property line and 8' from the front property line. The required side and front yard setbacks are 11' and 40', respectively. Side yard relief of 8' and front yard relief of 32' are requested. Lot size is .32 acres. **A Dimensional Variance is required per Zoning Ordinance Section 207 (Nonconforming Lots of Record – Building Setback Requirements) and Section 907 (Standards of Relief).** Owners of the property are Thomas & Diana Rock for premises located at 162 Green Hill Ocean Drive, South Kingstown, Assessor's Map 96-1, Lot 7 and is zoned R80.

Said petition, in detail, along with any correspondence or supplemental material, will be available to view in person at the South Kingstown Town Hall, Building and Zoning Department or will be available to view online at: <http://www.southkingstownri.com/1000/Current-Zoning-Applications>

Individuals requesting American Sign Language interpreters or Cart service must call the Town Clerk's Office at 401-789-9331 at least seventy-two (72) hours in advance of public meeting.

Regards,

James Gorman, Building Official & Zoning Cler

TRUSTEES DEED

KNOW ALL MEN BY THESE PRESENTS, That We, DONALD J. BROOKE, of the Town of Simsbury, and State of Connecticut, and GURDON H. BUCK of the Town of Glastonbury, and State of Connecticut, in their capacity as TRUSTEES pursuant to Trust Instrument dated March 31, 1978, hereunto duly authorized, for consideration paid, do hereby grant all our right, title and interest to MARK J. ROTH and JANICE E. ROTH, of 100 Risley Road, in the Town of Vernon, and State of Connecticut, as JOINT TENNANTS, the following described real estate:

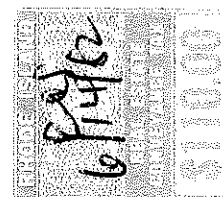
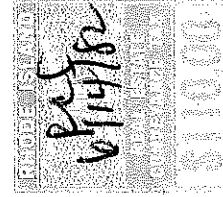
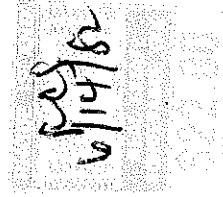
PARCEL I: Those two (2) certain lots or parcels of land, together with all the buildings and improvements thereon situated, located at Green Hill, so-called, in the Town of South Kingstown, County of Washington and State of Rhode Island, said lots or parcels of land laid out and delineated as Lots numbered NINE-A (9-A) and NINE-B (9-B) on that certain recorded plat entitled, "Green Hill Plat No. 1 South Kingstown, R. I. by Frank E. Waterman Co. April, 1924", which said recorded plat is recorded in the Town Clerk's Records of the Town of South Kingstown, Rhode Island, in Land Evidence Records Book No. 43, between pages 26 & 27, reference thereto being hereby made for a further description of the premises hereby conveyed.

The premises herein conveyed are subject to the restrictions and conditions as are set forth in the title deeds of record.

Grantors also grant hereby to Grantees, their heirs and assigns, a walking easement four (4) feet in width along the westerly boundary of Lot No. 8 as laid out and delineated on the above described plat, to pass and repass by foot, as a means of ingress and egress to and from the Atlantic Ocean. Said easement to be used by Grantees, their heirs and assigns, without in any way altering the natural characteristics of said right-of-way.

Nothing herein contained shall be construed so as to impose an obligation or a duty of care upon the Grantors, their heirs and assigns to maintain or service said right-of-way for the benefit of the Grantees, their heirs and assigns.

Received for Record June 14, 1982 at 12:12 P.M.
 Town of South Kingstown, Rhode Island



Being the same premises conveyed to the within named Grantors by Deed of GEORGE L. GIGUERE and JAN P. GIGUERE Dated March 31, 1978 and Recorded in the South Kingstown Land Evidence Records in Book 26 at Page 517.

PARCEL II: That certain lot or parcel of land with all the improvements thereon situated, located at Green Hill, so-called, in the Town of South Kingstown, County of Washington and State of Rhode Island, said lot or parcel of land is laid out and delineated as Lot Numbered EIGHT-A (8-A) on that certain recorded plat entitled, "Green Hill Plat No. 1 South Kingstown, R. I. by Frank E. Waterman Co. April, 1924", which said plat is recorded in the Town Clerk's Records of the Town of South Kingstown, Rhode Island, in Land Evidence Records Book No. 43, between pages 26 & 27, reference thereto being hereby made for a further description of the premises hereby conveyed.

The premises herein conveyed are subject to the restrictions and conditions as are set forth in the title deeds of record.

The premises herein conveyed are subject to a reservation to others of a walking easement four (4) feet in width along the westerly boundary of Lot No. 8-A as hereinabove described on said recorded plat, to pass and repass by foot, as a means of ingress and egress to and from Green Hill Pond. Said easement to be used by the Grantors, their heirs and assigns, without in any way altering the natural characteristics of said right-of-way.

Nothing herein contained shall be construed so as to impose an obligation or duty of care upon the Grantees, their heirs and assigns to maintain or service said right-of-way for the benefit of the Grantors their heirs and assigns.

Grantor also grants hereby to Grantees, their heirs and assigns, a walking easement four (4) feet in width along the westerly boundary of Lot No. 8 as laid out and delineated on the above described plat, to pass and repass by foot, as a means of ingress and egress to and from the Atlantic Ocean. Said easement to be used by Grantees, their heirs and assigns, without in any way altering the natural characteristics of said right-of-way.

Being the same premises conveyed to the within named Grantors by Deed of GEORGE L. GIGUERE and JAN P. GIGUERE Dated March 31, 1978 and Recorded in the South Kingstown Land Evidence Records in Book 26 at Page 517.

WITNESS our hands this 10th day of June, 1982.

Donald J. Brooke
DONALD J. BROOKE, TRUSTEE

Gurdon H. Buck
GURDON H. BUCK, TRUSTEE

STATE OF CONNECTICUT
COUNTY OF HARTFORD

In Hartford, on the _____ day of June, 1982, before me personally appeared DONALD J. BROOKE and GURDON H. BUCK, to me known and known by me to be the parties executing the foregoing instrument and they acknowledged said instrument, by them so executed in my presence, to be their free act and deed, individually, and in their capacity as said Trustees.

Notary Public

Dorothea T. Brown
Notary Public

Notary Public

STATE OF CONNECTICUT
COUNTY OF HARTFORD

My Commission Expires Mar. 31, 1984

In Hartford, on the 10th day of June, 1982, before me personally appeared GURDON H. BUCK, to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument, by him so executed in my presence, to be his free act and deed, individually, and in his capacity as said Trustee.

Dorothea T. Brown
Dorothea T. Brown

Dorothea T. Brown
Notary Public

My commission expires 4/1/84