



## Town of South Kingstown, Rhode Island

### BUILDING AND ZONING DEPARTMENT

180 High Street  
Wakefield, RI 02879  
Tel (401) 789-9331 x1225

March 30, 2022

Thomas Rock  
5 Sunrise Lane  
South Windsor, CT 06074

At a meeting of the Zoning Board of Review held March 16, 2022, your petition for a Dimensional Variance was granted for premises located at 162 Green Hill Ocean Drive, South Kingstown, Tax Assessor's Map 96-1, Lot 6.

Please be further advised that there is a Two-year Expiration on this Dimensional Variance with the right to extend, if necessary, per South Kingstown Zoning Ordinance Section 908.

If you have to apply for a building permit, this Decision must be presented to the Building Official's office at the time you make application for your building permit.

Regards,

James Gorman,  
Building Official & Zoning Clerk  
Town of South Kingstown



## Town of South Kingstown, Rhode Island

**BUILDING AND ZONING DEPARTMENT**  
180 High Street  
Wakefield, RI 02879  
Tel (401) 789-9331 x1225

March 30, 2021

### NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Rosen and duly seconded by Mr. Charkowick  
Motion passed unanimously: Vote 5-0  
(W. Rosen-Aye, C. Charkowick-Aye, S. Walsh-Aye, T. Daniels-Aye, R. Cagnetta-Aye)

At a meeting held on March 16, 2022 regarding the Petition of Thomas Rock, 5 Sunrise Lane, South Windsor, CT 06074 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.

The following individuals spoke as representatives of the applicant:

- Thomas Rock

There was no one present who spoke either in favor of or opposition to the petition.

The following materials were entered into the record:

- Application signed and dated October 13, 2021; Owner Authorization signed and notarized October 15, 2021; Site Plan (1 page); Existing and Proposed Floor Plan (1 page); Site Plan (1 page) stamped by Wesley Grant III, PE, Revised Site Plan (1 page) dated January 2022 prepared by Environmental Planning & Surveying, Inc.
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Continuation Request received January 18, 2022
- Correspondence
  - 1. South Kingstown Resident
  - 2. Mark and Janice Roth, 159 Green Hill Ocean Drive dated November 9, 2021
  - 3. South Kingstown Resident, received February 15, 2022
- Applicant's Exhibit I
  - Revised site plan prepared by Environmental Planning and Surveying, Inc and stamped by Wesley Grant III, PE and dated January 2022
- Supplemental Materials
  - ISDS Plan (1 page) dated April 4, 2007 and revised March 22, 2007 prepared by Environmental Planning and Surveying, Inc and stamped by Wesley Grant III, PE
  - CRMC Residential Assent A2007-06-094 (5 pages)
  - Certificate of Occupancy 05735/01 (1 page)
  - Site Plan (1 page) dated April 13, 2007 prepared by Environmental Planning and Surveying, Inc and stamped by Wesley Grant III, PE

- o RI DEM OWTS Permit Application received August 15, 2007
- o Zoning Decision granted on May 16, 2007 and recorded on May 25, 2007 in South Kingstown Land Evidence Book L1283 and Page 735
- o Septic System Inspection Report prepared by Tom Ready and Sons Excavating, Inc. and dated August 13, 2021

**Findings of Fact:**

1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because subject parcel is located in an extreme ocean front environment and the applicant has submitted all of the necessary supporting documentation to grant relief. Additionally, the applicant will still need to go before CRMC to obtain the necessary CRMC Assent to perform the requested work.
2. The Board finds that that the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain, because the applicant is simply looking to expand the existing structure to meet his family's needs as well as accommodate his elderly, disabled mother in law.
3. The Board finds that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because the proposed addition and stair will fit well within the character of the existing beach community.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant has shown due diligence in answering all of the question brought forth by the Board in such a challenging ocean front environment.
5. The Board finds that that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, because the applicant has had to go through this process several times through the years due to the unique ocean front conditions and if the petition were not granted the applicant would not have the necessary accommodations for his mother in law.

**Approval is conditional subject to the following conditions:**

- The decision is a Conditional Zoning Approval and is conditioned upon any, if necessary, further RI DEM and/or CRMC approval(s) and will have a two-year expiration from the recorded date per Section 908 of the Zoning Ordinance with the right to extend if necessary.

Respectfully,



James Gorman,  
Building Official & Zoning Clerk  
Town of South Kingstown