



2024 - Appeal - 003

STATE OF RHODE ISLAND
ZONING BOARD OF REVIEW

CITY OF NEWPORT

In re: Application of Mr. William and Mrs. Lisa Ruh, 88 Washington Street, Plat 12, Lot 46

NOTICE OF APPEAL

Newport PM LLC, Karen G. Harris 2003 Living Trust, R. Perry Harris 2003 Living Trust, Edward W. Kane, and Martha J. Wallace (collectively, "Appellants"), by and through undersigned counsel, hereby appeal the decision of the Historic District Commission of the City of Newport recorded on April 29, 2024, in the Land Evidence Records for the City of Newport at Book 3193, Page 154 (the "Decision"), which Decision granted final approval to Mr. William and Mrs. Lisa Ruh for, *inter alia*, the construction of a new 1,825 square foot, single family dwelling (the "Proposed House") at the premises located at 88 Washington Street, Plat 12, Lot 46 (the "Premises").

As grounds therefore, Appellants state that the Historic District Commission ("HDC") made prejudicial procedural error when issuing the Decision, made clear error when issuing the Decision, and that the Decision lacks support by the weight of the evidence in the record.

CONCLUSION

For the reasons set forth above, and as will be set forth in subsequent briefing and at the hearing of this appeal, Appellants respectfully request that the Zoning Board of Review overturn the Decision of the HDC in its entirety. Appellants respectfully request that a briefing schedule be set for this matter.

Dated: May 7, 2024

Respectfully submitted,

/s/ Joshua S. Parks

Elizabeth McDonough Noonan (#4226)

Joshua S. Parks (#9782)

ADLER POLLOCK & SHEEHAN P.C.

49 Bellevue Avenue

Newport, RI 02840
Tel: (401) 274-7200
Fax: (401) 351-4607
enoonan@apslaw.com
jparks@apslaw.com