

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant/Owner:** Ocean View Trust, Timothy E. Sanborn, Trustee

**Property:** 753 Ocean Blvd, Tax Map 23.1, Lot 16

**Application case:** Case #28-2018

**Date of decision:** September 19, 2018

**Decision:** The Board voted 5-0 to grant variances from the following sections of the Zoning Ordinance:

- Section 601 for expansion of a nonconforming structure;
- Section 204.3 B for an addition 11.5' from the side property line; and
- Section 204.3 C for an addition 16.2' from the front property line.

The Board voted 5-0 to grant building code relief from the following sections of the Rye Building Code:

- Section 7.9.2.5 for septic system 8.5' from Ocean Blvd. property line; and
- Section 7.9.2.5 for septic system 7' from the Pollock Drive property line.

Each variance and building code relief was granted upon the following conditions:

1. The applicant shall promptly seek state approval for the septic design submitted to the Board and such septic system be installed within 90 days of receiving NH DES approval;
2. A stormwater management plan for the property is approved by the building inspector;
3. The front porch entryway is repaired as part of the construction project and, post-construction, shall meet all applicable sections of the Rye Building Code; and
4. The area where the septic system is installed is seeded as soon as weather permits.



Patricia Weathersby  
Chairman

**Note:** This decision is subject to motions for rehearing which may be filed within 30 days of the above date of decision by any person directly affected by it including any party to the action, abutters and the Rye Board of Selectmen; see Article VII, Section 703 of the Town of Rye Zoning Ordinance. Any work commenced prior to the expiration of the 30 day rehearing / appeal period is done so at the risk of the applicant. If a rehearing is requested, a cease and desist order may be issued until the Board of Adjustment has had an opportunity to act on the rehearing request.