

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant/ Owner:** Carl Boedecker & Erika Pagel

**Property:** 333 Washington Road, Tax Map 16, Lot 123  
Property is in the Single Residence District

**Application case:** Case #01-2019

**Date of decision:** February 6, 2019

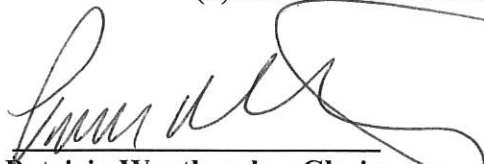
**Decision:** The Board voted 5-0 to grant variances from the following sections of the Zoning Ordinance:

- Section 603.1 for expansion of non-conforming structure 4' into the front setback;
- Section 203.3C for an attached barn 27'2" from the front boundary;
- Section 500.3 for parking in the front setback.

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

- Section 603.1 for expansion of a non-conforming structure into the side boundary;
- Section 203.3B for an attached barn 14'10" from the side boundary.

The Board's reasons for denying the side yard setback variances included: (1) denying the variances resulted in no unnecessary hardship to the Applicant as the Applicant could still build a two- to-three stall barn with second floor living space greater than the minimum size for an accessory dwelling unit without the relief; and (2) the values of surrounding properties would be diminished if relief were granted.



**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.