

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant/ Owner:**

Lucia Moura

**Property:**

1681 Ocean Blvd, Tax Map 13, Lot 11  
Property is in the General Residence, Coastal Overlay and SFHA

**Application case:**

Cases # 14a-2019 and 14b-2019

**Date of decision:**

March 21, 2019

**Decision:**

The Board voted 5-0 to grant a special exception for driveways within the wetland buffer.

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

- (1) Section 204.3 B for a deck 13.3' and tower structure drip edge no more than 15.9' and tower 16.9' from the left side property line;
- (2) Section 204.3 C for a wall 4.2' and an eave 2.87' from the front property line;
- (3) Sections 301.8 B (1) (2) (6) and (7) for the proposed deck, septic system, driveways and building expansion in the wetlands buffer;
- (4) Section 304.4 for a building height (dwelling and attached tower) of 28.6' and a cupola 30.6' in height;
- (5) Section 603.1 for the expansion of the present non-conforming structure; and
- (6) Section 500.3 for parking within the side setback.

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

- (1) Section 7.9.2.2 for a new septic system to be located 50' from the wetlands; and
- (2) Section 7.9.3.2 for the bottom of the effluent disposal 2' above the seasonal high-water table.



**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.