

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant/ Owner:** Lisa Lombard

**Property:** 1248 Ocean Blvd, Tax Map 17.3, Lot 148  
Property is in the General Residence, Coastal Overlay and SFHA.

**Application case:** Case #03-2019

**Date of decision:** April 3, 2019

**Decision:** The Board voted 3-2 to grant variances from the following sections of the Zoning Ordinance:

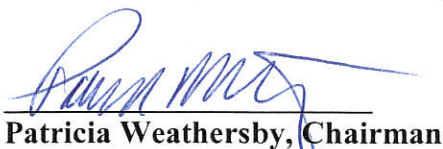
- Section 603.1 for expansion of a non-conforming structure;
- Section 304.4 for a dwelling height of 33.16 +/-;
- Section 204.3 B for a retaining wall 0' from the side boundary;
- Section 204.3 B for steps 5.8' from right side boundary;
- Section 204.3 B for the house 6.59' from right side boundary and 8.8' from the left side boundary; and
- Section 202.5 for septic system 10.84' from the side boundary.

The Board voted 3-2 to grant relief from the following section of the Building Code:

- Section 7.9.2.5 for septic system 10.84' from the side boundary.

Each variance and building code relief was conditioned upon continued compliance with the following conditions:

1. The pavers are installed and regularly maintained so as to remain permeable;
2. A stormwater management plan is submitted to and approved by the Building Department; and
3. Native plantings are installed and maintained in the area in front of the seawall and the area of the dune as per the December 22, 2018 letter of the Rye Conservation Commission and as shown on the Plan entitled NHDES Wetland/Shoreland Plan dated 03-26-2019.

  
**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.