

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant/ Owner:

Beth Dietz-Tuttle

Property:

31 Breakers Road, Tax Map 8.4, Lot 58
Property is in the General Residence, Coastal Overlay District.

Application case:

Case#: 21-2019

Date of decision:

May 1, 2019

Decision:

The Board voted 5-0 to grant a variance from the following section of the Zoning Ordinance:

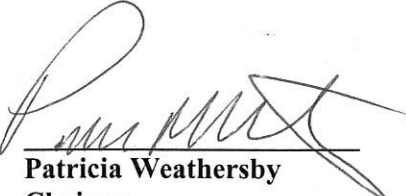
- Section 204.3 B for a patio 15.1' from the side boundary.

The variance was conditioned upon the patio being installed and maintained such that it remains pervious.

The Board voted 4-1 to deny a variance from the following section of the Zoning Ordinance:

- Section 304.5 for a shed which would increase the lot coverage to 30.8%.

The reasons for denying the variance include a finding by a majority of the board that enforcing the ordinance would not result in unnecessary hardship as the applicant had a three stall garage and basement crawl space for storage of gardening and other items, granting the variance would be contrary to the public interest, the spirit of the ordinance would not be observed, substantial justice would not be done, surrounding property values would be diminished and there was a fair and substantial relationship between the general purposes of the lot coverage requirement and the specific application of that section to the subject property.



Patricia Weathersby
Chairman