

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

- Applicant:** Drew Pierce of Seacoast Modular Homes, Inc.
- Owner:** Paul & Helen Kehas of 37 Paquette Ave, Manchester NH
- Property:** 2257 Ocean Blvd, Tax Map 5.3, Lot 7
Property is in the General Residence, Coastal Overlay and SFHA, Zone AO
- Application case:** Case # 08-2020
- Date of decision:** May 6, 2020
- Decision:** The Board voted 5-0 to grant variances from the following sections of the Rye Zoning Ordinance:
- §190-6.3 to tear down and replace a non-conforming structure;
 - §190-2.4C (1) for a house 21.44' from the Baker Ave front boundary; and
 - §190-5.0 (C) for parking in the front (Baker Ave.) setback.
- The Board voted 5-0 to deny a variance from the following section of the Rye Zoning Ordinance:
- §190-3.4.D for a house with a height of 30'6"
- Reasons for denial include:
- The height of the proposed home was driven by the type of proposed construction (modular home) and a home with the same footprint could be built and meet the height requirement. Thus, denying the variance does not result in unnecessary hardship.



Patricia Weathersby, Chair

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.