

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant/Owner: Nicole & Michael Callahan

Property: 1367 Ocean Blvd, Tax Map 17.4, Lot 16
Property is in the General Residence, Coastal Overlay and
SFHA Zone AO+3

Application case: Case #08-2021

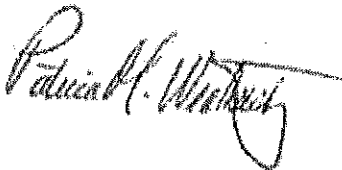
Date of decision: May 5, 2021

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

- §190-2.4.C(1) for a garage 5.1' from the rear boundary.
- §190-2.4.C(1) for a paver walkway 1.2' from the rear boundary.
- §190-2.4.C(2) for a 2nd floor deck 11.0' from the side boundary.
- §190-2.4.C(2) for a garage overhang 15.0' from the side boundary.
- §190-2.4.C(3) for a garage overhang 1.3', from the Highland Park Ave front boundary.
- §190-2.4.C(3) for garage/connector overhang 7.2' from the Highland Park Ave front boundary.
- §190-3.4 D and §190-2.4.C(5) for dwelling coverage of 50.5%.
- §190-3.4 D and §190-2.4.C(5) for total impervious coverage of 56.3%.
- §190-6.3A/B for the expansion of a nonconforming building.
- §190-3.1.H.2(a) and (g) for a paver walkway 56.0' from the wetland.
- §190-3.1.H.2(a)(g) for a garage 61.0' from the wetland.
- §190-5.0.B for 2 on-site parking spaces where 4 are required.
- §190-5.0 C for parking spaces within the front setback and within 10' of the rear boundary (inside garage).

Each of the above variances were granted conditioned upon continued compliance with all the following conditions:

1. The Applicant promptly submit a new Plan C-2, revised to eliminate parking spaces not entirely on the applicant's property; and
2. The pervious pavers shall be installed and maintained so as to remain pervious.



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.