

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant/Owner:

Greg Sandell

Property:

6 Tower Ave Tax Map 8.1, Lot 64
Property is in the Single Residence and Coastal Overlay Districts

Application case:

Cases #41-2022

Date of decision:

09-7-2022

Decision:

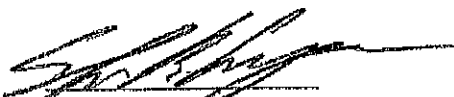
The Board voted 5-0 on all points to deny the variances from the following section of the Rye Zoning Ordinance

- §190-5.0. for parking 6" from the boundary line
- §190-5.6.C (3) for parking spaces for an ADU.

The variances were denied for the following reasons:

1. The parking is not contrary to public interest because of emergency vehicles.
2. The spirit was not observed
3. There is legal parking there for the structure at hand the use requested is asking for parking beyond which would be just.
5. The values of the neighborhood diminished as articulated by the abutters.
6. No special conditions they are all small lots in that area.
7. No fair and substantial provision to the property same as other properties.
8. The ADU's requirements cannot be met therefore use not reasonable.

The Application withdrew his request for a variance from §190-6.3A for an addition of a structure on a non-conforming lot and from §190-2.4.C(2) for construction 21.5' where 20' is required.



Shawn Grapo, 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.