

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant/Owner: Ocean Mustang Trust & Viking Realty Trust, Donna M. Miller, Trustee

Property: 1264-1266 Ocean Blvd, Tax Map 17.3, Lots 55 & 57
Property is in the General Residence and Coastal Overlay Districts, SFHA Zone AO (3) and VE (20).

Application case: Case #45-2023

Date of decision: September 6, 2023

Decision: The Board unanimously voted to approve the variances from the Rye Zoning Ordinance as presented on 10-4-2023 and as advertised:

- §190-2.4.C(7)/ §190-3.4.D for building height of 35'-4" (+/-)
- §190-2.4.C(5)/ §190-3.4.E for impervious lot coverage of 36.6% (+/-)
- §190-6.3.B for demolishing two existing structures on two nonconforming lots and creating one house
- §190-3.1.H(2) for the structure 51' (+/-) from the highest observable tide line.
- §190-11.1 for a driveway within 10' of an abutting property line.

The above variances were granted with the following conditions.

1. The lot merger is approved by the Planning Board.
2. A formal planting plan submitted to RCD for review and approval prior to installation.
3. The driveway easement bracketting 1266 Ocean Blvd, over 1268 Ocean Blvd is extinguished and document recorded.
4. The pedestrian easement is relocated as presented and recorded.


Shawn Crapo, 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.