



Town of Hebron
PO Box 188
Hebron, NH 03241
Phone: 603-744-2631
adminassist@hebronnh.org

NOTICE OF DECISION

Date: October 15, 2013

Case No.: 263

You are hereby notified that after a hearing on October 15, 2013, the application of Judy Rogers, Trustee of the Braley Family Irrevocable Trust, for a VARIANCE from Article IV (General Provisions), items K (limit of one family dwelling unit per two acres of useable land) and R (requirement for a building permit for change of use of a building) of the Hebron Zoning Ordinance, has been DENIED by unanimous vote of the members of the Zoning Board of Adjustment. The applicant proposed to obtain an "as built" building permit for the conversion of a storage shed/workshop located at 5 Veasey Drive (Tax Map 17, Lot 48) to a separate dwelling unit on a lot of 2.4 acres in size on which another dwelling unit already exists.

The denial of the variance is based on the Board's decision that none of the five criteria for granting a variance was satisfied in this case. More specifically, the Board found that the applicant proceeded with the conversion of the structure at an unknown date between 2009 and 2011 without the approval of the Town of Hebron and has, subsequent to that time, secured rental income from third party tenants, all unbeknownst to the town. Inspection of the structure by Town of Hebron officials in June of 2013, initiated at the request of a concerned tenant, revealed numerous health, safety and construction violations and deficiencies that, notwithstanding the violations of the Zoning Ordinance, made the structure unfit for habitation. A majority of the Board voted that a granting of a variance WOULD decrease the values of surrounding properties, WOULD be contrary to the public interest, WOULD NOT result in an undue hardship to the applicant, WOULD NOT do substantial justice and WOULD be contrary to the spirit and intent of the ordinance.

Signed this day,

Douglas S. McQuilkin
Vice Chairman, Zoning Board of Adjustment

Any person affected by the Board's decision has a right to appeal its decision. If you wish to appeal, you must act within thirty (30) days of the date of this notice. The necessary first step, before any appeal may be taken to the courts, is to apply to the Zoning Board of Adjustment for a rehearing. The motion for a rehearing must set forth all the grounds on which you will base your appeal. See New Hampshire Revised Statutes Annotated (NH RSA), Chapter 677, for details.