



Town of Hebron

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NOTICE OF DECISION

November 5, 2013

Case No. 264

You are hereby notified that after a hearing on November 5, 2013, the application of Michael Avery for a VARIANCE from building setback requirements under Article IV, Section H. 1, of the Town of Hebron Zoning Ordinance has been GRANTED by the vote in the affirmative of at least three members of the Zoning Board of Adjustment. The applicant's propose to construct a handicap ramp at the front of the house located within the road setback area at 129 North Mayhew Turnpike (Tax Map 2, Lot 12-3) as depicted on the plan dated October 16, 2013, and submitted to the Board.

The approval of the variance is based on the Board's unanimous decision that all five criteria for granting a variance were satisfied in this case. More specifically, the Board found that the applicant satisfied the hardship criterion in that the configuration of the lot leaves him no other reasonably feasible alternatives to accommodate the needs of a wheelchair-bound family member. The Board members concluded that granting a variance would be consistent with both public interest and spirit of the Hebron Zoning Ordinance, do justice, and not diminish neighboring property values.

The Board's approval of the variance is subject to the following conditions:

Under the provisions RSA 674:33, the Board may elect, at the Board's discretion, to rescind the variance if and when the need for the handicap ramp ceases to exist or if the property is sold. If the variance is rescinded, the property shall be returned as close to the original configuration as reasonably possible.

A building permit obtained from the Board of Selectmen will be submitted.

Signed this day,

Douglas S. McQuilkin
Acting 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.