



**Town of Hebron
Zoning Board of Adjustment
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NOTICE OF DECISION

**Date: March 27, 2018
Case No. 274**

You are hereby notified that after a hearing on March 27, 2018, the application of Peter E. Davies for VARIANCES under the boundary and shore setback requirements of Article IV, Sections H.1 and P, respectively, of the Hebron Zoning Ordinance has been APPROVED by at least three members of the Zoning Board of Adjustment. The applicant proposes to construct a modest (7'6" x 16'9") addition to a three season only, one-bedroom cabin that is situated entirely within the 50-foot lake setback area and partially within the 25-foot boundary setback area, on his property at 264 South Mayhew Turnpike (Route 3-A)(Tax Map 6, Lot 5). Current and proposed structures are depicted in two Christopher P. Williams Architects, PLLC plans, dated January 3 and 4, 2018, as revised, and submitted to the Board for the record on March 27, 2018.

The Board's approval of the variances in this case is based on its unanimous decision that all five criteria for granting a variance were satisfied in this case. More specifically, the Board found that the applicant's plans call for a building addition that intrudes no more into the boundary and shore setback areas than the current structure and is, therefore, not any more nonconforming under state and local shoreland protection regulations. The applicant's current proposal is in keeping with the spirit of the Zoning Ordinance and public interest in preserving the shore setback areas. The applicant satisfied the hardship criterion to the extent that he demonstrated to the Board's satisfaction that the unique size and layout of his lot leaves him no other reasonably feasible building alternative. Finally, the Board concluded that the proposed cabin addition will not diminish the value of neighboring properties. The Board's approval of the variances is subject to the following conditions:

1. The applicant will secure any DES or other state permits required.
2. Construction will meet all requirements of the Water Supply and Pollution Control and Zoning Ordinance of the Town of Hebron.
3. Any variance approving a use that has not commenced within one year from the granting of said variance will lapse.
4. A copy of an approved building permit obtained from the Board of Selectmen will be submitted.

Signed this day,

Peter N. Carey
Acting Chairman, Zoning Board of Adjustment

Any person affected by the Board's decision has a right to appeal its decision, but must do so 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 the appeal is based. See New Hampshire Revised Statutes Annotated (NH RSA), Chapter 677, for details.