



Town of Hebron
Zoning Board of Adjustment
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NOTICE OF DECISION

Date: November 28, 2017
Case No. 273

You are hereby notified that after a hearing on November 28, 2017, the application of Patricia Karlsen for a VARIANCE under the highway setback requirements of Article IV, Section H.1, 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 3' by 24' shed roof on the exterior of the north garage wall for the purpose of sheltering firewood. The existing home, located at 5 Church Lane (Tax Map 17, Lot 22), lies within the highway setback areas of both Church Lane and North Shore Road.

The Board's approval of this variance is based on its unanimous decision that all five criteria for granting a variance were satisfied. Most importantly, the Board found that the applicant's plan calls for an addition to the current structure that will not increase the setback intrusion in any dimension and therefore does not increase the nonconformity and, therefore, does not detract in from the spirit of the ordinance. As the entire current historical home is a pre-existing nonconforming structure, literal enforcement of the zoning ordinance would result in an unnecessary hardship and granting of the variance provides substantial justice. Finally, the small shed roof will have no impact on the values of surrounding properties. The Board's approval of the variance is subject to the following conditions:

1. The applicant will secure all required local and state permits prior to construction.
2. Construction will meet all ordinances 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,

Douglas S. McQuilkin
Vice Chairman, Zoning Board of Adjustment

Any person affected by the Board's decision has a right to appeal the 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 of the grounds on which the appeal is based. See New Hampshire Revised Statutes Annotated (NH RSA), Chapter 677, for details.