



Town of Hebron  
Zoning Board of Adjustment  
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## Notice of Decision

Date: August 7, 2018  
Case No. (276)

You are hereby notified that after a hearing on August 7, 2018, the application of Wilhelmina Bradley for a VARIANCE under the side 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 demolish an existing screen porch and construct a new porch and kitchen addition to a house, portions of which will be situated within the 25 foot side setback boundary of the property located at 123 Braley Road (Tax Map 17, Lot 70). 114 sq. ft. of the existing structure lies within the northeast side setback area toward Tenney Lane. The revised structure will reduce the area to 87 sq. ft. on the same side. Details of the existing and proposed house footprints are shown in the submitted application.

The Board's approval of the variance in this case is based on its unanimous decision that all five criteria for granting a variance as stipulated in The Board of Adjustment in New Hampshire: A Handbook for Local Officials were satisfied. Most importantly, the Board found that the applicant's plans call for an addition that intrudes less into the side setback area than their current house and is, therefore, less nonconforming under local zoning regulations. The current proposal is more in keeping with the spirit of the Zoning Ordinance and public interest in preserving structure setback areas. The applicant satisfied the hardship criterion to the extent that Bradley has demonstrated to the Board's satisfaction that the unique size and configuration of the lot leave no reasonable construction alternative. Finally, the Board concluded that, based on sketches presented at the hearing, the proposed addition will not only not diminish the value of neighboring properties but will positively affect those property values. The Board's approval of the variance is subject to the following standard conditions:

1. Construction will meet all requirements of the Zoning Ordinance of the Town of Hebron.
2. The variance will lapse if construction has not commenced within one year of its granting.
3. A copy of an approved building permit obtained from the Board of Selectmen will be submitted.

Signed this day,

Douglas S. McQuilkin  
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