



Town of Hebron
Zoning Board of Adjustment
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NOTICE OF DECISION

Date: August 12, 2020
Case No: 281

You are hereby notified that following a hearing on August 11, 2020, the application of Frederick C. and Barbara S. Kohout for a VARIANCE under 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 applicants propose to construct an addition to the rear of their residence at 26 Brooks Circle (Unit 23 of Hillside Condominiums, Tax Map 7, Lot 8) which will extend within the 25 foot setback from 117 South Mayhew Turnpike (Tax Map 7, Lot 7) and within the 50 foot setback from the existing residence located at 24 Brooks Circle (Hillside Condominiums, Tax Map 7, Lot 8, Unit 24).

The Board's approval of the variance is based on its unanimous decision the all five criteria specified by the State of New Hampshire for granting a variance were satisfied. The Board of Directors of Hillside Condominiums has provided written approval of the project based upon a unanimous favorable vote of their owners. The owners of 117 South Mayhew Turnpike have no reservations about the addition as it represents no threat to community safety and only intrudes on the setback requirement from a far rear corner of their property which is not within view of their residence. The proposed addition will no less conforming to the setback from 24 Brooks Circle than already exists with the current structure. Architectural elevations from the Kohout's submitted plans are in keeping with the neighboring residences and will not affect property values. Finally, the addition is necessary to serve the needs of an elderly family member and frequent visits by a disabled relative and for which the Board is convinced there are no other reasonable alternatives; failure to grant the variance would result in an unnecessary hardship.

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

1. The applicants will secure all NH DES or other state permits as may be required
2. A copy of the building permit obtained from the Hebron Board of Selectmen be provided for the Zoning Board of Adjustment files
3. Construction will meet all state requirements and fully comply with the Water Supply/ Pollution Control and Zoning Ordinance of the Town of Hebron, especially prevention of runoff which may impact on Newfound Lake
4. The variance will lapse if construction has not commenced within one year of this notice

Signed this day,

Douglas S. McQuilkin
Chairman, Zoning Board of Adjustment

Any person affected by the Board's decision has a right to appeal this decision but must do so within thirty (30) days of this notice. The required initial step, before any appeal may be taken to the courts, is to apply to the Zoning Board of Adjustment for a rehearing. Such 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.