



Town of Hebron
Zoning Board of Adjustment
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NOTICE OF DECISION

Date: April 10, 2018
Case No. 275

You are hereby notified that after a hearing on April 10, 2018, the application of the Collins Camp Corporation for a VARIANCE under the boundary 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 38.5 foot x 51 foot seasonal summer cabin partially within the 25-foot northern boundary setback area on its property at 47 Lillard Lane (Tax Map 19A, Lot 2). The proposed structure and its precise location are depicted in a detailed site plan submitted with the Collins Camp Corporation's 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 were satisfied in this case. More specifically, the Board found that the applicant's plans call for building a seasonal cottage in a boundary setback area adjacent to another lot owned by the Lillard Camp Corporation. Both corporations are family-owned and overlap to the extent that the family members-owners of both corporations are either one and the same or related. Amongst both corporations' owners, there is unanimous support for the boundary variance. Topography, environmental considerations, and sensitivity to aesthetics drove the applicant's selection of location for the cottage—the only structure on the 4.5-acre lot. The structure's height, as measured from the average finished grade at all exterior walls, will not exceed the 35-foot limit under Article IV, Paragraph A of the Hebron Zoning Ordinance. The Board concludes the applicant's proposal is in keeping with the spirit of the Zoning Ordinance and public interest and certainly does justice. The applicant satisfied the hardship criterion to the extent that it demonstrated to the Board's satisfaction that the unique size, layout, and topographical features of its lot leave it no other reasonably feasible building alternative. Finally, the Board concluded that the proposed cabin will not diminish the value of neighboring properties. The Board's approval of the variance 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.