



Town of Hebron
Zoning Board of Adjustment
PO Box 188
Hebron, NH 03241-0188
Phone: (603) 744-2631
adminassist@hebron.org

NOTICE OF DECISION

Date: January 14, 2021
Case No. 284

You are hereby notified that, following a hearing on January 12, 2021, the application of Joseph and Susan Murphy for a VARIANCE pursuant to Article IV, Section H.1 of the Town of Hebron Zoning Ordinance has been granted by a vote in the affirmative of at least three members of the Zoning Board of Adjustment. The applicants are hereby permitted to seek a building permit for construction of a 14' X 14' screened porch and a 6' open access deck with a stairway on the north side and a 6' roofed access deck (including a short stairway) on the west side of their house located at 72 Indian Point Road (Tax Map 18-A, Lot IP-13). The Board thoroughly reviewed the five variance criteria contained in The Board of Adjustment in New Hampshire: A Handbook for Local Officials, RSA 674:33 Powers of Zoning Board of Adjustment, 1(b) and unanimously concurred that all were fully satisfied. Specifically, the Board found that the variance was not contrary to the public interest as all abutters were properly notified of the hearing and those responding were fully in favor of granting the variance and, in the view of the Board, no public safety issues would result from the addition of the porch and decks. The Board further believes that the spirit of the Ordinance is observed since the additions add to the aesthetics of the neighborhood and the value of the property. The issue of providing substantial justice was believed by the Board to be evidenced by increasing the livability of the small home without any objections from neighboring property owners. The Board felt strongly that surrounding property values would be significantly increased rather than being negatively affected. Finally, it was the opinion of the Board that if the application for the variance were denied, it would result in a significant hardship to the applicants as new, full-time residents of Hebron.

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

1. Before initiation of any construction covered by this variance, a building permit be obtained from the Town of Hebron Board of Selectmen
2. Prior to filing for the above building permit, a licensed contractor or surveyor shall attest that the distance from the closest point of the proposed screened porch will be a minimum of 50 feet to the nearest point (including roof eaves) of the structure located immediately to the north (Tax Map 18-A, Lot IP 14)
3. All conditions of the NHDES permit dated May 27, 2020 be observed during and after construction.

Signed this day,

Douglas S. McQuilkin
Chairman, Zoning Board of Adjustment

Any person affected by the Board's decision has the 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 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.