



Town of Hebron
Zoning Board of Adjustment
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NOTICE OF DECISION

Date: August 25, 2021
Case No. 286

You are hereby notified that, following hearings on August 10 and August 24, 2021, the application of Peter Apicelli 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 by at least three members of the Zoning Board of Adjustment. The applicant is hereby permitted to apply to the Hebron Board of Selectmen for a building permit to construct an Accessory Structure on the property located at 43 Cooper Road (Tax Map 8, Lot BS-1 which may be no closer to the travelled portion of Cooper Road than thirty feet (30') at its closest point, including roof eaves. The Accessory Structure shall consist of a wooden storage building having dimensions of no greater than fifteen feet by fifteen feet (15' X by 15'), half of which shall be open on at least 2 sides and used for the covered storage of firewood and the other half shall be fully enclosed and used for general storage purposes. The Board determined that:

- The variance is not contrary to the public interest as there were no objections to the proposed structure from abutters to this property and, in fact, a neighboring family praised the applicant's efforts to improve the property from its previous state.
- The spirit of the ordinance is observed as the proposed small structure will provide valuable benefits to the applicant without harm to the bordering properties.
- Substantial justice is done as there are virtually no other locations on the property for the structure to be located due to the proximity of Georges/Bog Brook (a "Designated Brook" under the Ordinance) and the general topography of the lot.
- The values of surrounding properties are not diminished since the structure will be aesthetically in keeping with the main dwelling and will be situated among large trees and at more than the minimum required setback from the neighboring sideline.
- Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship to the applicant as there is virtually no other solution to his storage needs.

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

- This decision applied to the variance of the 50' street setback requirement for only the proposed structure of the aforementioned dimensions and specifications. Any future dimensional modifications or changes in use would require additional variance application(s).
- All other requirements of the Hebron Zoning Ordinance will be followed.
- A Building Permit will be obtained from the Hebron Board of Selectmen before any construction is begun. A revised survey will be included in the application.
- The applicant acknowledges that, under New Hampshire Revised Statutes Annotated (NH RSA), Chapter 677, any person affected by this Board's decision has the right to appeal the decision within thirty (30) days of the date of this notice.

Signed this day,

Douglas S. McQuilkin
Chairman, Zoning Board of Adjustment