

TOWN OF HOLDERNESS  
ZONING BOARD OF ADJUSTMENT

Case No: 482-06-12  
NOTICE OF DECISION

The Holderness Zoning Board of Adjustment conducted a public hearing on July 11, 2023 to consider the following application:

Application as submitted by John J. McCormack as agent for David & Patricia Souter, for an Equitable Waiver of Dimensional Requirements for a garage that extends approximately 4' 8" into the 35' side setback area located at 44 Pleasant Place Drive, Tax Map 227-011-007.

The following action was taken at the meeting on July 11, 2023:

Motion: "To approve the request for an equitable waiver of the dimensional requirements for an as-built garage that extends approximately 4' – 8" into the side set back area located at 44 Pleasant Place Drive, Tax Map 227-011-007 as shown on the referenced plan.

FINDING OF FACTS: The applicant did not discover the violation until after the structure was built, that they knew the setback requirements and thought they were adhering to it, that the minor waiver does not constitute a nuisance and that the cost to relocate the structure outweighs any public benefit in requiring the violation to be corrected.

Motion: E. MacLeish

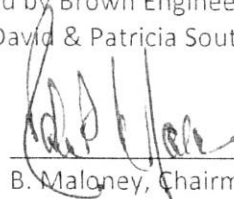
Second: W. Zurhellen

Discussion: None

Motion Passes: 5-Yes                      0-No

Discussion: No further discussion

Plans referenced: An Equitable Waiver Plan prepared by Brown Engineering LLC and French Land Services Inc. of Tax Map 227 Lot 11.7 prepared for David & Patricia Souter dated 5-22-2023



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B. Maloney, Chairman  
Zoning Board of Adjustment  
July 12, 2023

*Note: Any person affected has a right to appeal this decision. If you wish to appeal, you must act within thirty days of the date on which the Zoning Board of Adjustment made the decision noted above, with day one being the day following the date on which the Board took the vote. The necessary first step, before any appeal may be taken to the courts, is to apply to the Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds on which you will base your appeal. See New Hampshire Revised Statutes Annotated, Chapter 677 for details.*