

## **NOTICE OF DECISION**

### **ZONING BOARD OF ADJUSTMENT TOWN OF HOLDERNESS PO BOX 203 HOLDERNESS, NH 03245**

Case No: 385-07-14

You are hereby notified that on July 8, 2014 the Board APPROVED a variance in case #385-07-14 (applicant, Karin Beij) for a Variance pursuant to RSA 674:33, V, from Article 300.4.2.1 of the Town of Holderness Zoning Ordinance to permit the construction of a 24' x 28' caretaker cottage on property identified as Tax Map 251, Lot 004, 167 East Holderness Road, in the Rural Residential District.

In granting the variance, the Board found that Ms. Beij's elderly parents, who reside in the existing dwelling on the property, have recognized physical disabilities which require reasonable accommodations to allow them to reside in the premises. Specifically, given their age and their frailty, they require almost constant care, which can best be accommodated by the construction of a separate caretaker cottage; their doctor having certified that construction of an adjoining dwelling unit for such a use would be untenable, and the property being subject to a conservation easement which prohibits its subdivision. The Board made specific findings that each of the variance criteria (other than hardship) were met by the application. The Board further found that although the applicant could not demonstrate the unnecessary hardship normally required for a variance, there was a basis for a limited variance under RSA 674:33, V, and that granting the variance would be in harmony with the general purpose and intent of the zoning ordinance.

This variance shall survive only so long as either or both of Ms. Beij's parents continue to reside in the main dwelling unit. The town shall be notified upon the last of the two vacating the premises, and within 6 months of the last of the two vacating the premises, the property shall be returned to one dwelling unit by the removal of the cooking facilities from one of the structures. This condition was discussed with the applicant, who agreed to it.

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Susan Webster, Chair  
Board of Adjustment

July 16, 2014

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 of this notice, tomorrow being day one. 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.