

NOTICE OF DECISION
ZONING BOARD OF ADJUSTMENT
TOWN OF HOLDERNESS
PO BOX 203
HOLDERNESS, NH 03245

Case No: 401-07-15

You are hereby notified that Case #401-07-15, 27 Pine Lane Nominee Realty Trust, represented by Misiaszek Turpin, PLLC, a request for 11 Variances from Sections 400.8.1.1. and 400.8.1.2, Town of Holderness Zoning Ordinance, to renovate an existing building to provide a new roof structure; add decks for egress; and install a new septic system for property located at 27 Pine Lane, Tax Map 240, Lot 018 in the Rural Residential District, Town of Holderness has been APPROVED with the exception of the request for the variance of 12' 9" for the deck expansion on the façade facing the lake labeled #1 on the site plan which has been DENIED.

The Board made specific findings that each of the variance criteria was met by the application with the exception of the deck expansion variance. With respect to the denial, the Board made the following specific findings:

1. The variance would be a detriment to the public interest, coming closer to the lake. Any type of expansion of the deck is not supported. There is always space down by the dock to put chairs.
2. The Ordinance was written to prevent this expansion and should be followed.
3. Substantial justice is not done by this approval, since the public voted to provide for a shoreland setback.
4. The values of the surrounding properties are not affected.
5. Literal enforcement does not cause unnecessary hardship, because the Board is approving other variances for portions of the house and the applicants will still have reasonable use of their property.

Susan Webster, Chair
Board of Adjustment

July 29, 2015

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.