**Notice of Decision - Granted**

**Town of Stoddard**

**Zoning Board of Adjustment**

Case No. 2024-0302 Hearing Date: March 21, 2024

You are hereby notified that the appeal of Donall Healy for a Variance regarding Article 111 Section 1 of the Stoddard Community Planning Ordinance to build a new dwelling that extends into the required 25-foot setback on property located off Aten Road, Tax Map 418 Lot 87, in the Rural District, has been GRANTED by the affirmative vote of at least three members of the Zoning of Adjustment.

Findings of fact on the five variance criteria from the evidence of the case presented and discussed at the above public hearing:

1. & 2. Granting the Variance would not be contrary to the public interest and the spirit of the ordinance would be observed because; the lot was established as a building lot prior to the Town Ordinance and is a non-conforming lot; there is no general-public involvement with the property as all abutting properties are owned by the applicant. Project will not impact density of siting in the locality.

3. The Variance would do substantial justice because the project is a reasonable use of the property and there is no perceived loss to the general public.

4. The value of the surrounding properties would not be diminished because; the project will enhance surrounding values with road improvements and sell sized and designed structure.

5. Hardship exists

5A i. There is no substantial relationship between the general public, purpose of the ordinance and application to the property because; the applicant is the sole abutter to the lot and property surrounding it; and

5A ii. The proposed use is a reasonable one because; building a dwelling of the requested size on this non-conforming lot is a reasonable use of the property and applicant owns far more than the required setbacks on all four boundaries.

Conditions: None

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Chairperson, Zoning Board of Adjustment

Date: March 26, 2024

This approval shall be valid if exercised within two years from the date of final approval, and shall not expire within six (6) months after the resolution of a planning application filed in reliance upon this decision, as per RSA674:33, IV.

Note: The selectmen, any party to the action, or any person directly affected has a right to appeal this decision. See New Hampshire Revised Statutes Annotated, Chapter 677 available online at www.NH.gov. This notice has been placed on file and made available for public inspection in the records of the ZBA. Copies of this notice have been distributed to the applicant, Planning Board, Board of Selectmen, Town Clerk, and Property Tax Assessor.