



TOWN OF LINCOLN, NH
Planning & Zoning Department
PO Box 39
Lincoln, NH 03251

Phone: 603-745-2757
Fax: 603-745-6743
Email: planning@lincolnnh.org
Web: www.lincolnnh.org

November 23, 2011

Notice of Decision

Zoning Board of Adjustment

RE: Case No. 11-06 – Roy Sabourn – PO Box 650, North Woodstock NH 03262

The application submitted by Roy Sabourn on behalf Richard & Pamela Devellis for an Equitable Waiver of Dimensional Requirements pursuant to Article VI of the Town of Lincoln Land Use Plan Ordinance – District Regulations - was **APPROVED**, on November 22, 2011 by a vote of the Zoning Board of Adjustment.

The reasons for approval were as follows (agree-disagree-abstain):

- 1) **Does the request involve a dimensional requirement and not a use restriction:** Agree (4-0-0)

The ZBA found that it involved a dimensional requirement.

- 2) **The non-conformity was discovered after the structure was substantially completed:** Agree (4-0-0)

The ZBA found that the structure is indeed substantially completed.

- 3) **The violation was not the outcome of ignorance of the law or bad faith but resulted from a legitimate mistake in measurement:** Agree (4-0-0)

The ZBA found that it was indeed a legitimate mistake in measurement.

- 4) **The non conformity does not constitute a nuisance or diminish the value or interfere with future uses of other property in the area:** Agree (4-0-0)

The ZBA found that it did not constitute a nuisance or diminish the value or interfere with future uses of other property in the area.

- 5) **The costs of correction outweighs any public benefit to be gained:** Agree (4-0-0)

The ZBA found that the costs of correction outweighs any public benefit to be gained.

FOR THE ZONING BOARD OF ADJUSTMENT

Matt Henry
Zoning Administrator

Notice: Any person directly affected by this decision has a right to apply for a rehearing for up to 30 days from the date of the meeting. See New Hampshire Revised Statutes Annotated (NH RSA), Chapter 677, available at the Lincoln Town Offices during regular working hours. This notice has been placed on file and made available for public inspection in the records of the ZBA on November 28, 2011. Copies of this notice have been distributed on November 28, 2011

to: Roy Sabourn, Board of Selectmen, Town Manager, Town Clerk, Tax Assessor