



**BUILDING, ZONING & LICENSING SERVICES**  
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**ZONING BOARD OF ADJUSTMENT  
NOTICE OF DECISION  
Case No 2016-29**

October 13, 2016

**2016-29** Ekimbor, LLC applicant request a Variance to the terms of Article 42.20, Section b.11.B, and asked that said terms be waived to permit a Multifamily Development within 43.6 feet of a single family residence where 100 feet is required.

**Location:** 15 Norway Plains Road, 0215-0017-0000, Residential 2 Zone

The variance was APPROVED as requested for the following reasons:

The variance will not be contrary to the public interest because: It will not diminish the value of buildings. The spirit of the ordinance observed because: It will not hamper the proper use of natural resources. If granted, the benefit to this individual applicant, outweighs any harm to the community as a whole. The value of the surrounding properties will not be diminished because: It will not generate levels of noise, light, activity or traffic that are significantly different from that which currently exist.

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Mr. Ralph Torr - Chair  
Rochester Zoning Board of Adjustment

**It is the applicant's responsibility to obtain any applicable permits from local, state, and federal agencies. Contact the Department of Building, Zoning and Licensing Services at 332-3508 ext. 1, to apply for any necessary permits and certificates. Any work completed within the thirty (30) day appeal period, explained below, is at your risk. Note:** Any person affected has a right to appeal this decision. A request for a rehearing is the first step of an appeal. The request must be submitted to the Department of Building, Zoning and Licensing within **thirty (30) days** (calendar days starting the day after the decision is made). If a rehearing is not granted, the next step is to appeal to Superior Court within thirty (30) days. If a rehearing IS granted, it is the responsibility of the original applicant to present the case to the Zoning Board, with the same obligations and following the same procedure used when the case was first heard.