



**TOWN OF DURHAM**  
15 NEWMARKET ROAD  
DURHAM, NH 03824-2898  
603/868-8064 • 603/868-8065  
FAX 603/868-8033  
www.ci.durham.nh.us

**Property Referenced:**  
**Tax Map 20, Lot 16-2**

### ZONING BOARD OF ADJUSTMENT

RE: PUBLIC REHEARING on a July 12, 2005, Zoning Board denial on a petition submitted by Ralph & Elisabeth Kleinmann, Durham, New Hampshire, for an APPLICATION FOR VARIANCES from Article XIV, Section 175-72(A), 175-75(C3) and 175-73(D&E), and Article XII, Section 175-54 of the Zoning Ordinance to permit the demolition of a camp and the building of a single family home within the shoreland setback. The property involved is shown on Tax Map 20, Lot 16-2, is located at 269 Durham Point Road, and is in the Residence C Zoning District.

### DECISION OF THE BOARD

After review of the pertinent sections of the Zoning Ordinance of the Town of Durham, and after full consideration of the evidence submitted by Ralph & Elisabeth Kleinmann and testimony given at a Public Hearing on September 13, 2005, a motion was made and seconded:

*that the Zoning Board of Adjustment approve the petition submitted by Ralph & Elisabeth Kleinmann, Durham, New Hampshire, for an APPLICATION FOR VARIANCES from Article XIV, Section 175-72(A), 175-75(C3) and 175-73(D&E), and Article XII, Section 175-54 of the Zoning Ordinance to permit the demolition of a camp and the building of a single family home within the shoreland setback in accordance with the submitted plan dated June 27, 2004, and the associated dimension sheet, with the exception that the setback will be 80 ft. from the reference high tide line.*

The motion PASSED on a vote of 4-1-0 and the petition for variances was **granted**.

9/16/05  
Date

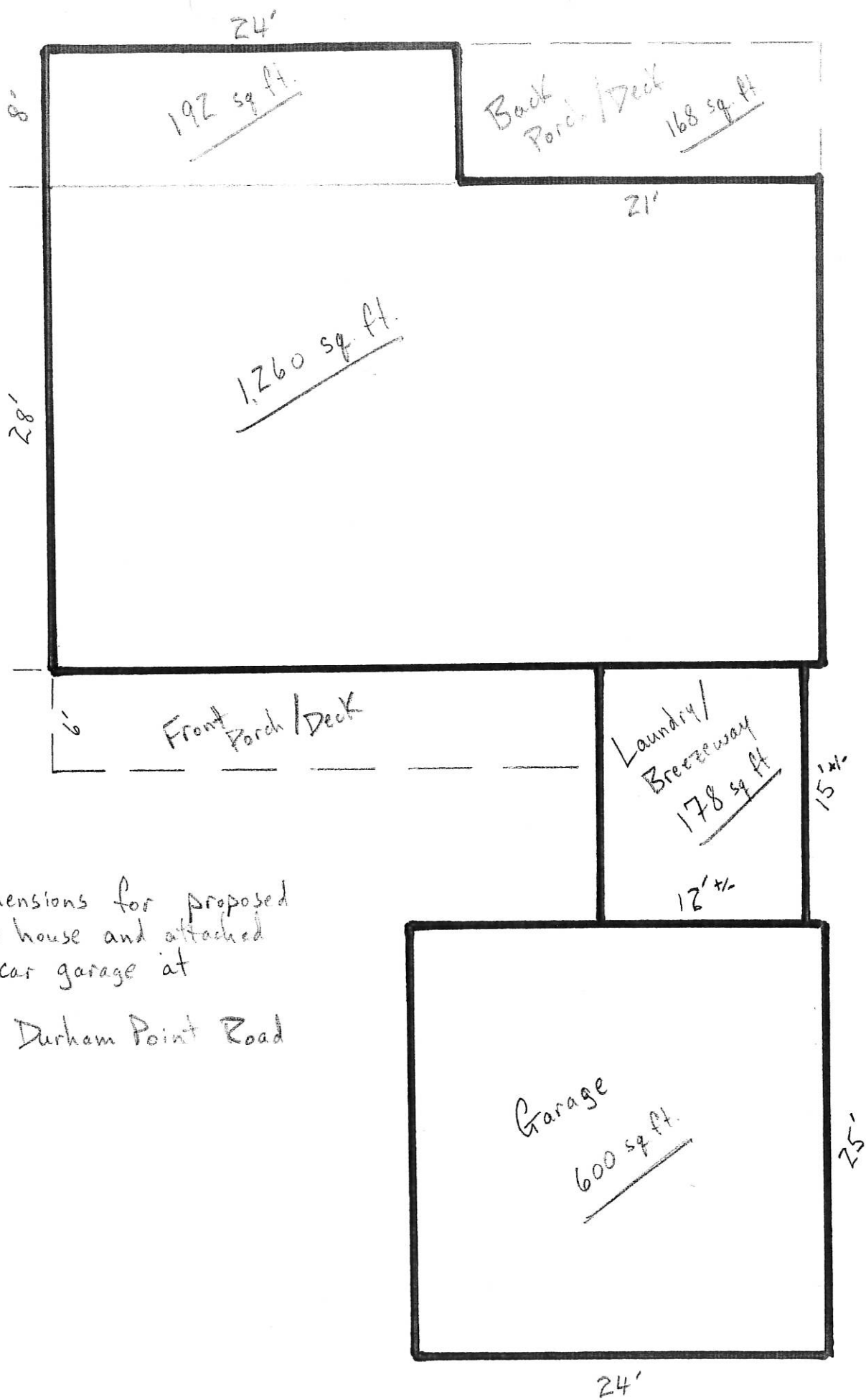
Jay Gooze  
Jay Gooze, Chair  
Durham Zoning Board of Adjustment

**NOTE:** Please be advised that any person aggrieved by any order or decision of the Zoning Board of Adjustment may apply to Superior Court within thirty (30) days after the action complained of has been recorded. The appeal must set forth that such decision or order is illegal or unreasonable, in whole or in part, and specify the grounds upon which the decision is claimed to be illegal or unreasonable.

Also note that within a period of thirty (30) days after an initial decision has been made by the Zoning Board of Adjustment, any person affected by the decision has the right to appeal that decision. A motion for a second hearing must describe why it is necessary and why the original decision may be unlawful or unreasonable. The Board must decide to grant or deny the rehearing within thirty (30) days.

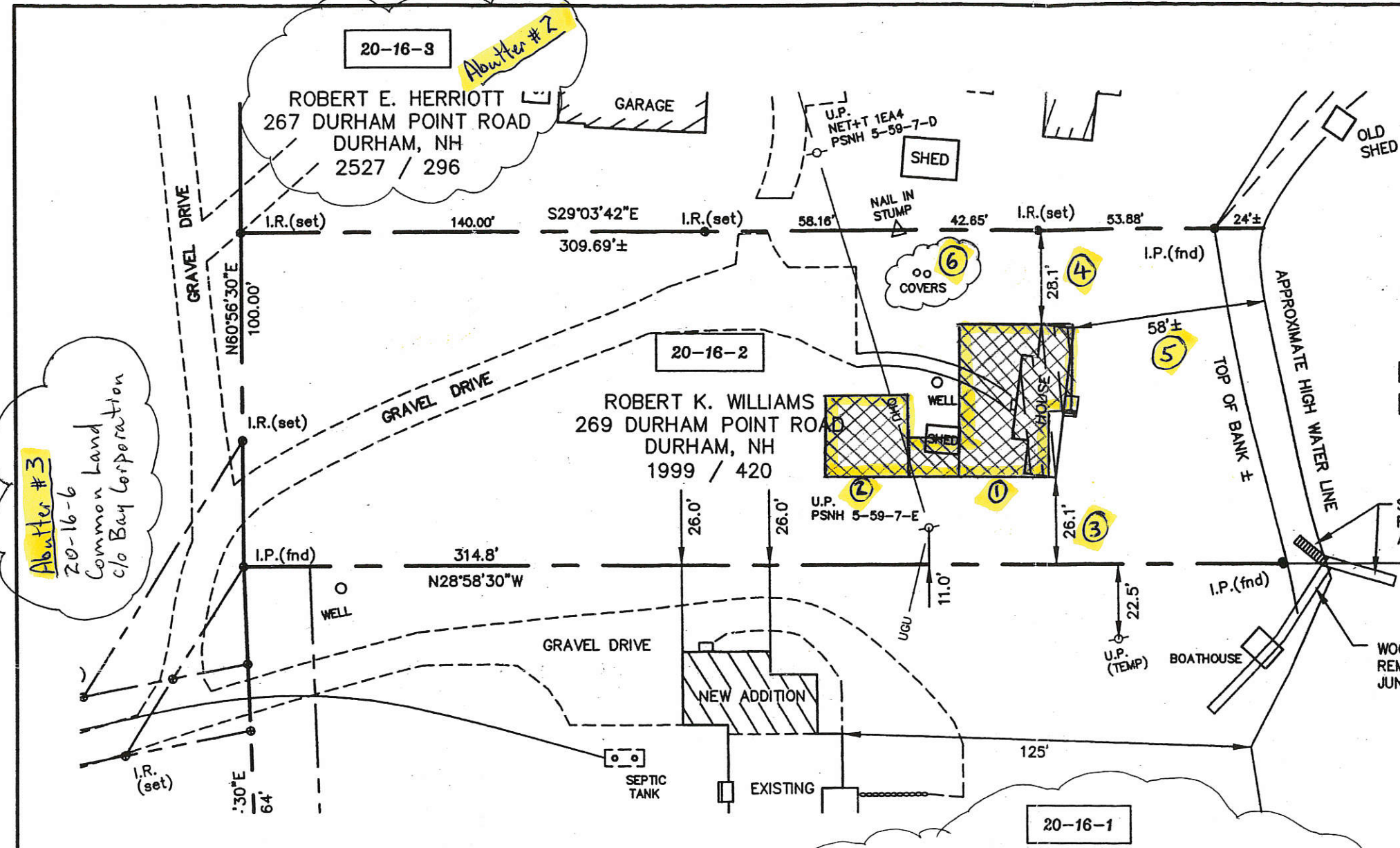
Any questions should be directed to Tom Johnson, Zoning Administrator/Code Enforcement Officer.





Dimensions for proposed  
 new house and attached  
 2-car garage at  
 269 Durham Point Road

Plot Plan for 269 Durham Point Road



Notes:

- ① Location of proposed new CAPE-style house. First floor not to exceed 1,630 sq. ft. of Living Area (excluding attached garage). Basement not to exceed 1,500 sq. ft.
- ② Location of proposed new attached 2-car garage not to exceed 600 sq. ft. (25' x 24' = 600 sq. ft.)
- ③ Maintain side setback of 26'
- ④ Maintain side setback of 28'
- ⑤ Maintain setback from water of 58' ±
- ⑥ Location of existing septic tank. 4-bedroom pump-up septic system installed in 2003
- ⑦ See separate sheet for dimensions for new house and garage

SKETCH PLAN

FOR ROBERT K. WILLIAMS,  
ALBERT P. WILLIAMS & JOHN N. WILLIAMS  
OFF DURHAM POINT ROAD  
DURHAM, NEW HAMPSHIRE

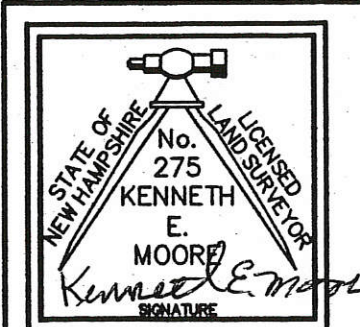
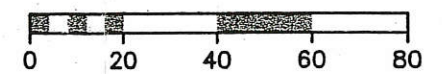
REFERENCE PLANS:

- 1.) PLAN OF LAND - CHARLOTTE H. GALLANT, DURHAM POINT ROAD, DURHAM, NH. DATED: DEC. 1947; BY: G.L. DAVIS & ASSOC., RECORDED S.C.R.D. PLAN 21, POCKET 4, FOLDER 3.
- 2.) PLAN OF DIVISION OF PROPERTY AT DURHAM POINT, ACQUIRED BY CHARLOTTE H. GALLANT HEIRS, BY MALCOLM J. CHASE BY DEED DATED AUGUST 13, 1954. SCALE: 1" = 100'; DATED: NOV. 1954 RECORDED S.C.R.D. PLAN 20, POCKET 4, FOLDER 3.

NOTES:

- 1.) ZONING DISTRICT RC.
- 2.) THIS IS NOT A BOUNDARY SURVEY, IT IS INTENDED TO SHOW THE RELATIONSHIP OF THE BUILDING AND ACCESSORY STRUCTURES THE PROPERTY LINES ONLY.

MALCOLM J. CHASE REV. TRUST  
DAVID J. CHASE & MALCOLM J. CHASE, JR. TRUSTEES  
271 DURHAM POINT ROAD  
DURHAM, NH  
2527 / 281



KEM LAND SURVEY, INC.  
52 Spruce Lane  
Dover, New Hampshire  
(603) 742-2782

SCALE: 1" = 40'

DATE: JUNE 27, 2004