

AUG 26 2013

Planning, Assessing,
Zoning & Code Enforcement

Please send this form with Plot Plan and List of Abutters to the Town of Durham, 15
Newmarket Rd., Durham, NH 03824, Attn: Zoning Board of Adjustment.

Appeal for Applicant

State of New Hampshire

Strafford, SS

To: Zoning Board of Adjustment, Town of Durham NH 03824

Name of Applicant: 6 Jenkins Court, LLC

Address: P. O. Box 313 Durham, NH 03824 Phone # 203-339-0370

Owner of Property Concerned: same

(If same as above, write "Same")

Address: same

(If same as above, write "Same")

Location of Property: 6 Jenkins Court Map 4 Lot 8-0

(Street & Number, Subdivision and Lot number)

Description of Property (Give Tax Map number, length of frontage, side and rear lines
and other pertinent descriptive information) The parcel is 9,382sf (0.215)ac,
has 107' of frontage on Jenkins Court and is approximately 90' deep
with its rear boundary adjacent to the parking lot for Tedeschi Food
store. The subject parcel is currently improved with a 4-story
mixed-use building.

Fill in Section 1, 2, 3 or 4 below as appropriate. Do not fill in more than one section.
This application is not acceptable unless all required statements have been made.
Additional information may be supplied on separate sheets if the space provided is
inadequate.

SECTION 1: APPEAL FROM AN ADMINISTRATIVE DECISION

Appeal must be filed no later than 30 days from the date of the original decision.

Relating to the interpretation and enforcement of the provision of the Zoning Ordinance.

Decision of the enforcement officer to be reviewed: _____

Number _____ Date _____

Article XXI Section _____ of the Zoning Ordinance in question.

Utility trailer cannot be parked in off street parking space at
the subject parcel

SECTION 2: APPLICATION FOR SPECIAL EXCEPTION

Description of proposed use showing justification for a Special Exception as specified in the Zoning Ordinance Article _____ Section _____

N/A

SECTION 3: APPLICATION FOR EQUITABLE WAIVER

The undersigned hereby requests an Equitable Waiver of Dimensional Requirements as provided in RSA 674:33-A of the New Hampshire Planning and Land Use Regulations.

Please give a brief description of the situation: _____

N/A

SECTION 4: APPLICATION FOR A VARIANCE

STANDARD OF REVIEW: The New Hampshire Legislature has declared that each of the following conditions must be found in order for a variance to be legally granted. Prior to seeking a variance, the property owner must have been DENIED a building permit by the Building Inspector or approval by the Planning Board.

1. No decrease in value of surrounding properties would be suffered;
2. Granting the variance would not be contrary to the public interest;
3. Denial of the variance would result in unnecessary hardship to the owner seeking it;
4. By granting the variance substantial justice would be done;
5. The use must not be contrary to the spirit and intent of the ordinance.

A Variance is requested from Article _____ Section _____ of the Zoning Ordinance to permit _____

N/A

August 26, 2013

Durham Planning Board
15 Newmarket Road
Durham, NH 03824

Dear Chairperson:

I hereby authorize Michael J. Sievert, P.E of MJS Engineering, P.C. to represent me at the Durham Planning Board and technical review committee meetings for site plan review approval. The subject parcels are shown on Tax Map 4 as Lot 12-0 located on 9 Madbury Road and Lot 8-0 located on 6 Jenkins Court.

Sincerely;



Authorized Agent