

**Property Referenced:
Tax Map 6, Lot 2-1**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by James Bruner, Durham, New Hampshire, on behalf of Steven Nollkamper and Maria Basterra, Durham, New Hampshire, for an APPLICATION FOR VARIANCE from Article XIII, Section 175-59(A)(2) of the Zoning Ordinance to allow for the construction of a deck into the wetland setback. The property involved is shown on Tax Map 6, Lot 2-1, is located at 9 Orchard Drive; and is in the Residence B 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 James Bruner and testimony given at a Public Hearing on November 18, 2014 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by James Bruner, Durham, New Hampshire, on behalf of Steven Nollkamper and Maria Basterra, Durham, New Hampshire, for an APPLICATION FOR VARIANCE from Article XIII, Section 175-59(A)(2) of the Zoning Ordinance to allow for the construction of a deck into the wetland setback.

The motion PASSED on a vote of 5-0-0 and the application for variance was granted.

Date

Sean Starkey, Chair
Durham Zoning Board of Adjustment

NOTE: Any person affected by this decision has the right to appeal this decision. If you wish to appeal, you must act within thirty (30) calendar days from the date of the hearing. The necessary first step before any appeal may be taken to the courts is to apply to the Zoning Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds upon which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677, for details.

As per RSA 674:33 Variances and Special Exceptions shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance.

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