



TOWN OF DURHAM

15 NEWMARKET RD

DURHAM, NH 03824-2898

PHONE: 603/868-8064

FAX: 603/868-8033

www.ci.durham.nh.us

RECEIVED
Town of Durham
OCT - 1 2014

Planning, Assessing
and Zoning

ZONING BOARD OF ADJUSTMENT REQUEST PROCEDURE

MEETINGS: The Zoning Board of Adjustment (ZBA) will meet on the second Tuesday of each month in the Council Meeting Room at the Town Hall.

FILING OF APPLICATION: Applications for ZBA are available at the Town Office. The application must be filed at the Town Office at least 15 days prior to a meeting, along with an application fee. A notice of the meeting will be published in the Foster's Daily Democrat and a similar notice will be sent, by certified mail, to abutters and nearby property owners. The filing fee will be used to meet these expenses. If the expenses exceed the filing fee, the applicant will be billed for the difference.

LIST OF ABUTTERS: You must prepare a list of all abutting property owners, have it verified at the Town Office, and attach it to your application. If you have any difficulty, consult the Assessor's Office, but THE ACCURACY OF THE LIST IS YOUR RESPONSIBILITY. An "abutter" means any person whose property adjoins or is directly across the street or stream from the land under consideration. The list of abutters must also include any holders of conservation, preservation, or agricultural preservation restrictions in accordance with RSA 676:4 (I) (a) of the New Hampshire Planning and Land Use Regulations.

PLOT PLAN: Applications must be accompanied by plot plans in order to be considered by the ZBA. Plans should show the location and shape of the subject structure in relation to lot lines and required setbacks, in addition to location and identification of abutters. Neither the review of any applications or plans by officials of the Town of Durham, nor any subsequent inspection of the premises, should be relied upon as an assurance of conformity to legal requirements. The applicant shall remain fully responsible for complying with all applicable United States, New Hampshire or Durham laws, ordinances, regulations or conditions.

PRESENTATION AT MEETING: The Petitioner should bring all documentation, which will assist the Board in understanding the proposal. Do not assume that anything submitted to a different Town Board will find its way to the ZBA file.

NOTE: Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. An appeal of Administrative Decision must be filed with the Board no later than 30 days from the date of the original decision as per the Zoning Board Rules of Procedure Section D(1)(b).

It is necessary that the applicant or his legal representative attend the meeting held for the review and consideration of this petition.

#214 pd.
9/1
check #
630

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: Vince Todd / Cheryl St. Ouge
Address: 8 Kiskadee Rd Phone # 603-235-8747 (V)
Cherlyestouge@me.com
Email: Vince@vtodd.com

Owner of Property Concerned: SAME
(If same as above, write "Same")

Address: SAME
(If same as above, write "Same")

Location of Property: #225 PACKERS FALLS Rd / MAP 14 LOT 18
(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) MAP 14 Lot 18

CORNER OF KISKADEE + PACKERS FALLS Rd.

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: 9/10/2014
BUILDING PERMIT Number 2014-00311 Date 9/10/24

Article _____ Section _____ of the Zoning Ordinance in question.

SEE ATTACHED # 1

ATTACHMENT # ONE (ZBA application / Vince Todd & Cheryle St. Onge)

I hereby Appeal Building Permit #2014-00311, dated 9/18/2014, regarding 225 Packers Falls Road.

REASON FOR APPEAL: This renovation project began some years ago under a prior building permit (Permit #47, dated 2006, regarding 225 Packers Falls Road.)

Renovation was undertaken in reliance on and in compliance with prior permit, which has no expire date, and under which major portions of the renovation were based upon and are in compliance with the terms of this prior building permit.

The 2014 (appealed) permit attempts, retroactively, to re-write the terms of that prior permit, and constitutes both a retroactive and improper application of the law. Further, compliance by the undersigned with this improper exercise of the building inspector's authority in connection with the 2014 (appealed) permit would operate to the extreme financial detriment of the permit holder."

N78°22'49"E
146.00'

EXISTING WOOD
FRAMED WORKSHOP

FOUND 1" IRON ROD
(LEAN 10 ABOVE
GRADE)
01/24/2006

EXISTING
GRAVEL
DRIVE

ELECTRIC
METER

EXISTING WOOD
FRAMED
WORKSHOP

2.1'

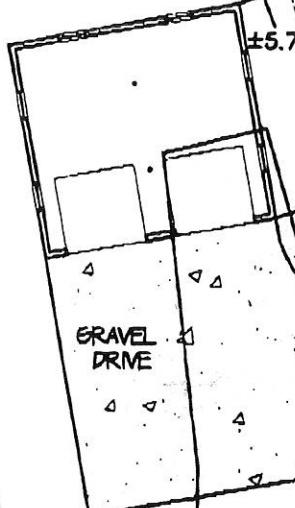
PACKERS FALLS ROAD (PUBLIC R/W)
EDGE OF PAVEMENT
EDGE OF PAVEMENT

50' REAR YARD SETBACK

MAP 14 LOT 18
31,042 S.F.
0.71 ACRES

50' SIDE YARD SETBACK

50' SIDE YARD SETBACK



GRAVEL
DRIVE

EXISTING
GRAVEL
DRIVE

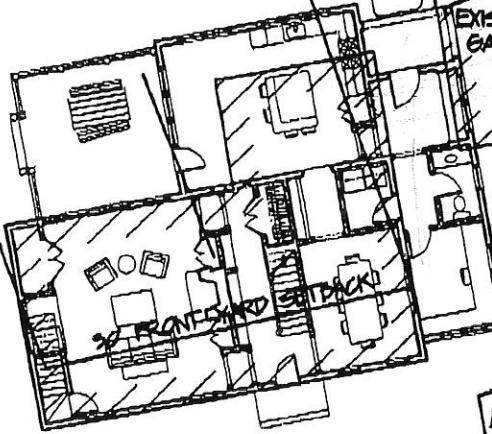
21.5'

35.4'

EXISTING
GARAGE

ELECTRIC
METER

225
PACKERS
FALL RD.



32' FRONT YARD SETBACK

30" PINE

41.6'

NET 8
LOT
88%

12" PINE

EXISTING
GRAVEL
DRIVE

23.4'

AS PREVIOUS DWG.

WELL
HOUSE

3/19/06



Town of Durham
Building Permit
 Code Enforcement Office
 15 Newmarket Road
 Durham, NH 03824
 (603) 868-8064

Permit Number
 2014-00311
Date of Issue
 9/18/2014
Expiration Date
 9/18/2015

Owner: TODD JR, VINCENT E ST ONGE, CHERYLE

Applicant: TODD JR, VINCENT E ST ONGE, CHERYLE

Location of Work: 225 PACKERS FALLS ROAD (Unit or Building)
 (No. and Street)

Description of Work: Complete project started in 2006 (06-47) Presently: systems roughed in/insulated/ ext trim and sided. insulation completed. Drywall completed, interior finished inc trim, cabinetry, flooring.

ZONING DATA: District: R Map\Lot: 14-18

REMARKS:

Build to 2011 NEC, 2009 IRC Residential Code, 2009 IPC Plumbing, 2009 IMC Mechanical, 2015 IECC Energy (Climate Zone 6), 2009 IBC Building, 2009 Life Safety and all state and local ordinances. Separate master electric, master plumbing, mechanical permits required. Call for inspections. Provide sparate permit renewal for detached garage. Provide minimum 1 egress window/door in each bedroom and habitable room. Resolve granite posts in Town right-of-way issue. Call for blower door inspection witnessed by Town prior to CO. Provide NH Master plumbing, electrical and gas permits prior to inspection. Provide signed Rescheck. Permit #06-47 will be closed out and any inspections transferred to this permit.

NEITHER THE REVIEW OF ANY APPLICATIONS OR PLANS BY OFFICIALS OF THE TOWN OF DURHAM, NOR ANY SUBSEQUENT INSPECTION OF THE PREMISES SHOULD BE RELIED UPON AS AN ASSURANCE OF CONFORMITY TO LEGAL REQUIREMENTS. THE APPLICANT SHALL REMAIN FULLY RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE UNITED STATES, NEW HAMPSHIRE OR DURHAM LAWS, ORDINANCES, REGULATIONS OR CONDITIONS.

THIS PERMIT CONVEYS NO RIGHT TO OCCUPY ANY STREET, ALLEY OR SIDEWALK OR ANY PART THEREOF, EITHER TEMPORARILY OR PERMANENTLY. ENCROACHMENTS ON PUBLIC PROPERTY, NOT SPECIFICALLY PERMITTED UNDER THE BUILDING CODE, MUST BE APPROVED BY THE JURISDICTION. STREET OR ALLEY GRADES AS WELL AS DEPTH AND LOCATION OF PUBLIC SWERS MAY BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS. THE ISSUANCE OF THIS PERMIT DOES NOT RELEASE THE APPLICANT FROM THE CONDITIONS OF ANY APPLICABLE SUBDIVISION RESTRICTIONS.

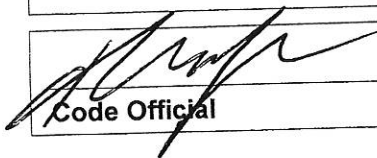
APPROVED PLANS MUST BE RETAINED ON JOB AND THIS CARD KEPT POSTED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE A CERTIFICATE OF OCCUPANCY IS REQUIRED, SUCH BUILDING SHALL NOT BE OCCUPIED UNTIL FINAL INSPECTION HAS BEEN MADE. WHERE APPLICABLE SEPARATE PERMITS ARE REQUIRED FOR ALL ELECTRICAL, PLUMBING AND MECHANICAL INST ALLATIONS.

PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN SIX MONTHS OF DATE THE PERMIT IS ISSUED AS NOTED ABOVE.

Permit Holder: TODD JR, VINCENT E ST ONGE, CHERYLE
 (Taking Responsibility for the Work)
Company/Affiliation: Owner **Job Site Phone Number:** 659-6528

Constr Cost: \$46,000 **Permit Fee:** \$230.00 **Check No.:** 1548 **Cash:** \$0.00

The Permit Card Shall be Posted and Visible From the Street During Construction

 _____ **Code Official** _____ **Permit Holder** _____ **Date** _____