

**Property Referenced:
Tax Map 18, Lot 7-3**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by William & Heather Wardwell, Durham, New Hampshire, for an APPLICATION FOR VARIANCES from Article IX, Section 175-30(A) and Section 175-30(D)(3)(c&d), Article XII, Section 175-54, Article XIII, Section 175-59(A) and Article XIV, Section 175-74(A) of the Zoning Ordinance to build a garage, breezeway and second floor on a non-conforming single family dwelling within the wetland and shoreland setbacks. The property involved is shown on Tax Map 18, Lot 7-3, is located at 300 Newmarket Road; and is in the Rural 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 William & Heather Wardwell and testimony given at a Public Hearing on August 11, 2015 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by William & Heather Wardwell, Durham, New Hampshire, for an APPLICATION FOR VARIANCES from Article IX, Section 175-30(A) and Section 175-30(D)(3)(c&d), Article XII, Section 175-54, Article XIII, Section 175-59(A) and Article XIV, Section 175-74(A) of the Zoning Ordinance to build a garage, breezeway and second floor on a non-conforming single family dwelling within the wetland and shoreland setbacks with the condition that the water containment plan, as proposed at the meeting, be put into place.

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

Date

Chris Sterndale, Vice 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.