



TOWN OF DURHAM
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Property Referenced:
Tax Map 18, Lot 7-3

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC RE-HEARING on a February 10, 2004, decision of the Zoning Board of Adjustment to deny an APPLICATION FOR VARIANCES submitted by Sally Craft, Newmarket, New Hampshire, from Article IV, Section 175-28(B), Article III, Section 175-16(A), Article V, Section 175-41(A) and Article X, Section 175-83(A) to build a new septic system and to build a two-car garage with a bedroom on the second floor and breezeway to a single family dwelling on a nonconforming lot. The property involved is shown on Tax Map 18, Lot 7-3, is located at 300 Newmarket Road, and is in the R, 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 Sally Craft and testimony given at a Public Hearing on April 27, 2004, a motion was made and seconded:

that the Zoning Board of Adjustment approve the petition on re-hearing for an APPLICATION FOR VARIANCES submitted by Sally Craft, Newmarket, New Hampshire, from Article IV, Section 175-28(B), Article III, Section 175-16(A), Article V, Section 175-41(A) and Article X, Section 175-83(A) to build a new septic system and to build a 22' x 24' two-car garage with a bedroom on the second floor and 12' x 12' covered breezeway to a single family dwelling on a nonconforming lot with the following conditions: 1. No more than two (2) bedrooms in the entire structure (house and garage). 2. The shed closest to the water must be removed.

The motion PASSED on a vote of 5-0-0 and the petition for variances as amended was **granted**.

April 29, '04
Date

Henry Smith
Henry Smith, 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.



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