

**Property Referenced:  
Tax Map 12, Lots 1-23/1-24**

## **ZONING BOARD OF ADJUSTMENT**

*RE: PUBLIC HEARING on a petition submitted by Christopher Levesque, Madbury, New Hampshire, on behalf of Emily R. Hart Rev Trust, Durham, New Hampshire, for an APPLICATION FOR VARIANCES from the Article XII, Section 175-54, Article XIII, Section 175-59(A), Article XIV, Section 175-74(A), Article IX, Section 175-30(D)(3)(c&d) and Article XX, Section 175-109(D)(3) of the Zoning Ordinance to construct a new single family home with attached garage, new septic system and a new detached garage with an accessory apartment within the property, wetland and shoreland setbacks, to enlarge the building footprint by more than 15 percent, to enlarge the usable building volume by more than 30 percent and to create an accessory dwelling unit that is more than 25 percent of the total floor space of the main home. The properties involved are shown on Tax Map 12, Lots 1-23 & 1-24, are located on Cedar Point Road, and are in the Residential Coastal 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 Christopher Levesque 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 Christopher Levesque, Madbury, New Hampshire, on behalf of Emily R. Hart Rev Trust, Durham, New Hampshire, for an APPLICATION FOR VARIANCES from the Article XII, Section 175-54, Article XIII, Section 175-59(A), Article XIV, Section 175-74(A) and Article IX, Section 175-30(D)(3)(c&d) of the Zoning Ordinance to construct a new single family home with attached garage within the property, wetland and shoreland setbacks, to enlarge the building footprint by more than 15 percent and to enlarge the usable building volume by more than 30 percent with the condition that an approved PE stamped stormwater management plan be produced and that the applicant use a pervious driveway surface as per the plan submitted dated July 24, 2015. This approval only applies to the lot on the water side of the road.*

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

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Date

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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.

Ellen Cohen zoning decision

August 11, 1998

Page 2

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.