

**Property Referenced:  
Tax Map 12, Lot 1-23**

## **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 and Article XX, Section 175-109(D)(3) of the Zoning Ordinance to construct an accessory dwelling unit that is more than 25 percent of the total floor space of the main home and is within the property setbacks. The property involved is shown on Tax Map 12, Lots 1-23, is located on Cedar Point Road, and is 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 October 13, 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 and Article XX, Section 175-109(D)(3) of the Zoning Ordinance to construct an accessory dwelling unit not to exceed 50 percent of the total floor space of the main home and within the property setbacks, as shown on the plan dated 7/24/15 named Building Permit Plan B-2.***

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

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Date

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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.