

**Property Referenced:
Tax Map 15, Lot 17-3**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by James Siedenbug, Durham, New Hampshire for an APPLICATION FOR VARIANCES from Article II, Section 175-7 and Article XX, Section 175-109 of the Durham Zoning Ordinance to allow an accessory apartment and an accessory dwelling unit on a property and to allow for short term rental of the accessory apartment. The property involved is shown on Tax Map 15, Lot 17-3, is located at 23 Durham Point Road, and is in the Residence C 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 James Siedenbug and testimony given at a Public Hearing on September 8, 2015 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by James Siedenbug, Durham, New Hampshire for an APPLICATION FOR VARIANCES from Article II, Section 175-7 and Article XX, Section 175-109 of the Durham Zoning Ordinance to allow an accessory apartment on a property at 23 Durham Point Road and to allow for short term rental of the primary residence at 23 Durham Point Road with the conditions that 1. The owner occupy the property during a short term rental, 2. The variance approval expires at the end of calendar year 2017, and 3. The short term rental will be rented for no more than 30 nights per calendar year with a maximum stay length of 2 weeks per renter.

The motion PASSED on a vote of 4-1-0 and the application for variances was approved.

Date

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.