

**Property Referenced:
Tax Map 12, Lot 2-7**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by Alex Builders, Portsmouth, New Hampshire, on behalf of Michael C. Mullins, Dulles, Virginia, for an APPLICATION FOR VARIANCES from an Article IX, Sections 175-29(D), 175-30(A), and 175-30(D)(3), Article XII, Sections 175-40(E) and 175-54, Article XIII, Section 175-59 and Article XIV, Section 175-74 of the Durham Zoning Ordinance to construct a second story addition and additional square footage to first floor on a non-conforming structure within the property, wetland and shoreland setbacks. The property involved is shown on Tax Map 12, Lot 2-7, is located at 3 Cedar 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 Alex Builders and testimony given at a Public Hearing on January 12, 2016 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by Alex Builders, Portsmouth, New Hampshire, on behalf of Michael C. Mullins, Dulles, Virginia, for an APPLICATION FOR VARIANCES from an Article IX, Sections 175-29(D), 175-30(A), and 175-30(D)(3), Article XII, Sections 175-40(E) and 175-54, Article XIII, Section 175-59 and Article XIV, Section 175-74 of the Durham Zoning Ordinance to construct a second story addition and additional square footage to first floor on a non-conforming structure within the property, wetland and shoreland setbacks, as shown on the plan named ZBA Site Plan as submitted at the January 12, 2016 Zoning Board meeting, with the added stipulation to not exceed the proposed square footage as was presented to the Board.

The motion PASSED on a vote of 4-0-0 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 Audrey Cline, Zoning Administrator/Code Enforcement Officer.