

**Property Referenced:
Tax Map 14, Lot 7-5**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by Scott Righini, Durham, New Hampshire, on behalf of Adam Fogg & Patricia Nagle, Durham, New Hampshire, for an APPLICATION FOR VARIANCE as per Article XX, Section 175-109(D)(2) of the Durham Zoning Ordinance to permit the expansion of an accessory apartment to be greater than 25% of the total floor space of the dwelling in which it is located. The property involved is shown on Tax Map 14, Lot 7-5, is located at 149 Mill Road, and is in the 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 Scott Righini and testimony given at a Public Hearing on April 12, 2016 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by Scott Righini, Durham, New Hampshire, on behalf of Adam Fogg & Patricia Nagle, Durham, New Hampshire, for an APPLICATION FOR VARIANCE as per Article XX, Section 175-109(D)(2) of the Durham Zoning Ordinance to permit the expansion of an accessory apartment to be greater than 25% of the total floor space of the dwelling in which it is located, with the requirement that there will be owner occupancy of one of the dwelling units with no specification as to which unit the owner should occupy and based upon the drawings provided by Lauren Roman Interior Design LLC.

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