

*Property Referenced:
Tax Map 4, Lots 38-5 & 55-0*

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by MJS Engineering, P.C., Newmarket, New Hampshire, on behalf of the Toomerfs, LLC, Durham, New Hampshire for an APPLICATION FOR ADMINISTRATIVE APPEAL from a February 7, 2019 denial by the Durham Historic District Commission for a Certificate of Approval for the creation of a 43-space parking lot behind a 4-unit building and addition of access-way off Main Street. The properties involved are shown on Tax Map 4, Lots 38-5 & 55-0, are located at 12 Cowell Drive and 18 Main Street respectively, and are in the Residence A and Church Hill Zoning Districts.

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 MJS Engineering P.C. and testimony given at a Public Hearing on April 9, 2019, a motion was made and seconded:

that the Zoning Board of Adjustment grant the Certificate of Approval pursuant to the Planning Board approval of February 13, 2019 and the Notice of Decision following, on behalf of Toomerfs, LLC, Durham, New Hampshire, for the creation of a 43-space parking lot behind a 4-unit building and addition of access-way off Main Street.

The motion PASSED on a vote of 4-1-0 and the Certificate of Approval was granted.

Date

Chris Sterndale, 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.