

**Property Referenced:
Tax Map 11, Lot 31-26**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by Christopher & Elizabeth Phillips, Durham, New Hampshire for an APPLICATION FOR VARIANCE from Article XII.1, Section 175-54, of the Durham Zoning Ordinance to construct a barn within the sideyard setback. The property involved is shown on Tax Map 11, Lot 31-26, is located at 19 Riverview 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 Christopher & Elizabeth Phillips and testimony given at a Public Hearing on May 14, 2019, a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by Christopher & Elizabeth Phillips, Durham, New Hampshire for an APPLICATION FOR VARIANCE from Article XII.1, Section 175-54, of the Durham Zoning Ordinance to construct a barn within the sideyard setback with the conditions set forth on Exhibit 1 by MJS Engineering that the rear of the barn be no closer than 30 feet to the property line and the front of the barn be no closer than 40 feet to the property line, and that all recommendations from the MJS Engineering report on drainage be adopted.

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