



TOWN OF DURHAM
ZONING BOARD OF ADJUSTMENT
 8 NEWMARKET RD
 DURHAM, NH 03824
 PHONE: 603/868-8064
 www.ci.durham.nh.us

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 Town of Durham

JUN 18 2019

Planning, Assessing
 and Zoning

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 Pd. 6/18
 Check #
 1038

VARIANCE

Prior to seeking a variance, the property owner must have been denied a building permit by the Building Inspector or denied an approval by the Planning Board.

Name of Applicant Ackerman & Schieb Rev. Living Trust

Address: 13 Morgan Way Durham, NH 03824

Phone # 603-397-5738 Email: akkerart1@yahoo.com

Owner of Property Concerned same
 (If same as above, write "Same")

Address: same
 (If same as above, write "Same")

Location of Property: 13 Morgan Way
 (Street & Number)

Tax Map & Lot number 11-23-15

A Variance is requested from Article(s) 175 Section(s) 54 of the Zoning Ordinance to permit:

A small addition & screened-in porch

Please see attached documents

All applications must include a statement explaining how the applicant meets each of the five (5) statutory requirements for granting a variance, (A) through (E), which are found on page 2. The Zoning Board of Adjustment may consider the variance application incomplete if these five statements have not been addressed. In addition all applications must be accompanied by adequate plans and exhibits.

Request for Variance –Ackerman & Schieb

- A. The small additions will add to the value of the house, be consistent with other homes in the immediate area, thereby increasing the property values of the neighborhood. The additions will be built to complement the architecture of our existing home, blend in with the natural surroundings and will do no harm to or be contrary to the public interest.

- B. The small additions will maintain a significant buffer between our home and our neighbor's home to the east of us, with many trees and natural landscaping remaining in place. The scenic and natural environment will be preserved, as will a significant amount of open space. There will be no negative impact on water quality. The spirit of the Residence Coastal District will be observed.

- C. The variance will allow for a small bump-out eating area that will enhance our living space and open up the box-like quality of our house. It will provide an attached, screened-in porch that many of the houses in our neighborhood already have. Many of the houses in our neighborhood are significantly larger than ours, and this small addition will bring our home more in line with other homes nearby. Our small addition will cause no harm to the general public, and is consistent with neighboring homes and properties that have add-ons and porches that compliment the original, main structure.

- D. A small addition to our home will only increase the value of our house and surrounding properties. The house to the east of our property is a fair distance away, with numerous trees acting as a visual buffer between our homes. Our neighbor's house is not even visible through the trees. The values of surrounding properties will be enhanced by these small improvements to our home, as the square footage of our house is brought closer to most of our neighbors' larger homes.

- E. The placement of our house on the extreme eastern side of our property, puts us at a disadvantage in our desire to make some small home improvements. When our house was constructed in this location in 1976 the house to our east was not yet in existence. In addition, at that time the zoning laws were apparently different than at the present time.

Our property is on a slope from front to back, with a steep grade directly behind our home. For this reason, attempting to build an addition in the rear of the house would require significant foundation work to bring it to the level of the first floor. Building off the back, would put the structure closer to the septic system. An addition at the back would also darken the interior rooms, which have mostly limited, northern light.

On the west side of our home, the driveway slopes steeply down and our garage is under our first floor, preventing an addition on this side. These topographical features result in the east side of our house being the best option for a small addition, since the grade differential is more gradual there. It is the only logical place for a small bump out to slightly expand our current eating area, and to add a small screened-in porch.

Therefore, we believe that being unable to add these small additions due to the construction of our home on the extreme side of our lot would result in an unnecessary hardship to us. Building out on the east is the only viable option for this small expansion. Our immediate neighbors to the east have no objections to this small addition. Granting this variance would result in our house being more consistent with most homes in our neighborhood, and would increase property values for us and for our neighbors, while maintaining the spirit of the zoning ordinance.




6-17-2019