

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

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by Kevin M. Baum, Hoefle, Phoenix, Gormley & Roberts PLLC, Portsmouth, New Hampshire, on behalf of Richmond Property Group Ltd., Indianapolis, Indiana, for an APPLICATION FOR VARIANCES from Article XIII, Section 175-62 and Article XXI, Section 175-111 of the Durham Zoning Ordinance to permit the construction of parking spaces within the Wetland Conservation Overlay District and within the front court of the property. The property involved is shown on Tax Map 2, Lot 12-12, is located at 18 Garrison Avenue, and is in the Central Business 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 Kevin M. Baum, Hoefle, Phoenix, Gormley and Roberts PLLC, and testimony given at a Public Hearing on March 17, 2020, a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by Kevin M. Baum, Hoefle, Phoenix, Gormley & Roberts PLLC, Portsmouth, New Hampshire, on behalf of Richmond Property Group Ltd., Indianapolis, Indiana, for an APPLICATION FOR VARIANCES from Article XIII, Section 175-62 and Article XXI, Section 175-111 of the Durham Zoning Ordinance to permit the construction of parking spaces within the Wetland Conservation Overlay District and within the front court of the property.

The motion PASSED on a vote of 5-0-0 and the application for variances was approved.

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.