



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

RECEIVED  
 Town of Durham  
 JUN 16 2020  
 Planning, Assessing  
 and Zoning

**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.**

#370 Pd.  
 6116  
 Check #  
 4900

Name of Applicant MATTHEW LAKE

Address: 266 NEWMARKET RD

Phone # 516 633 1295 Email: MATTLAKE@GMAIL.COM

Owner of Property Concerned SAME

(If same as above, write "Same")

Address: SAME

(If same as above, write "Same")

Location of Property: 266 NEWMARKET RD

(Street & Number)

Tax Map & Lot number 18 4-2

A Variance is requested from Article(s) 175-59.A Section(s) \_\_\_\_\_ of the Zoning Ordinance to permit:

Add an attached garage to existing home.

**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.**

## **Statutory Requirements**

**1) Granting the variance would not be contrary to the public interest because:**

Constructing an attached 2-car garage will have no effect on the rights, health or finances of the public, as it is intended only for personal use.

**2) If the variance is granted, the spirit of the ordinance would be observed because:**

The wetlands would remain in their current state. There would be no site work or earth disturbance in the wetland area which is 78 feet away.

**3) Granting a variance would do substantial justice because:**

As of the year 2000, 80% of homes have garages, the majority are attached garages.

**4) If the variance were granted, the values of the surrounding properties would not be diminished because:**

According to Realtor.com, an attached 2-car garage increases a property's value and makes the home more desirable for resale. Improving the property will help to raise or maintain neighboring property values.

**5) Unnecessary Hardship**

Due to the location of the existing structure, the construction of the attached garage addition is not practical performed in another area. The hardship results from conditions that are peculiar to the property such as;

- The Lamprey River behind the home
- Wetlands on the side of the home
- Septic in front of the home
- Existing well head in the driveway

In addition, as senior citizens living in New England, winters can be challenging and having an attached garage will provide safer access to vehicles without having to traverse an icy driveway.