

*Property Referenced:  
Tax Map 10, Lot 12-27*

**ZONING BOARD OF ADJUSTMENT**

*RE: PUBLIC HEARING on a petition submitted by Jeff Berlin, BPNE Property 2 LLC, Durham, New Hampshire, for an APPLICATION FOR APPEAL OF ADMINISTRATIVE DECISION from a February 25, 2021 letter of the Zoning Administrator Audrey Cline regarding the parking of a fifth car on the property without providing records acceptable to the Code Enforcement Office. The property involved is shown on Tax Map 10, Lot 12-27, is located at 39 Emerson Road, and is in the Residence A 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 Jeff Berlin and testimony given at a Public Hearing on April 13, 2021, a motion was made and seconded:

*that the Zoning Board of Adjustment deny petition submitted by Jeff Berlin, BPNE Property 2 LLC, Durham, New Hampshire, for an APPLICATION FOR APPEAL OF ADMINISTRATIVE DECISION from a February 25, 2021 letter of the Zoning Administrator Audrey Cline regarding the parking of a fifth car on the property without providing records acceptable to the Code Enforcement Office.*

The motion PASSED on a vote of 5-0-0 and the application for appeal of administrative decision was denied.

4/19/21  
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.