



TOWN OF DURHAM  
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Property Referenced:  
Tax Map 10, Lot 12-27

### ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by Peter Bielicki, Exeter, New Hampshire for an APPEAL OF ADMINISTRATIVE DECISION from a May 20, 2004, letter from Zoning Administrator, Thomas Johnson, regarding the size of an accessory apartment. The property involved is shown on Tax Map 10, Lot 12-27, is located at 39 Emerson Road, and is in the RA, Residence A Zoning District.

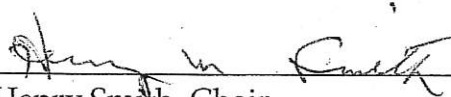
#### DECISION OF THE BOARD

After review of the pertinent sections of the Zoning Ordinance of the Town of Durham, and after full consideration of the evidence submitted by Peter Bielicki and testimony given at a Public Hearing on June 8, 2004, a motion was made and seconded:

*that the Zoning Board of Adjustment approve the petition submitted by Peter Bielicki, Exeter, New Hampshire for an APPEAL OF ADMINISTRATIVE DECISION from a May 20, 2004, letter from Zoning Administrator, Thomas Johnson, regarding the size of an accessory apartment.*

The motion PASSED on a vote of 4-0-1 and the petition for appeal of administrative decision was **granted** with the conditions that this dwelling be classified as a single family home with an accessory apartment and that there be no more than four unrelated occupants living in the entire dwelling.

June 10, 2004  
Date

  
Henry Smith, Chair  
Durham Zoning Board of Adjustment

**NOTE:** Please be advised that any person aggrieved by any order or decision of the Zoning Board of Adjustment may apply to Superior Court within thirty (30) days after the action complained of has been recorded. The appeal must set forth that such decision or order is illegal or unreasonable, in whole or in part, and specify the grounds upon which the decision is claimed to be illegal or unreasonable.

Also note that within a period of thirty (30) days after an initial decision has been made by the Zoning Board of Adjustment, any person affected by the decision has the right to appeal that decision. A motion for a second hearing must describe why it is necessary and why the original decision may be unlawful or unreasonable. The Board must decide to grant or deny the rehearing within thirty (30) days.

Any questions should be directed to Tom Johnson, Zoning Administrator/Code Enforcement Officer.