



**TOWN OF DURHAM
ZONING BOARD OF ADJUSTMENT**
8 NEWMARKET RD
DURHAM, NH 03824
PHONE: 603/868-8064
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Town of Durham

APR - 6 2021

Planning, Assessing
and Zoning

4/1/21

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 Chase Family Security Trust

Address: Susan M. Chase, trustee 7 Holly Ln. Cohasset MA

Phone # 781-710-2530 Email: tacking@Bmail.com 02025

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

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

Location of Property: 271 Durham Pt Rd.
(Street & Number)

Tax Map & Lot number tax map # 20, Lot 16-1

A Variance is requested from Article(s) 175-59 Section(s) A, 2, D of the Zoning Ordinance to permit:

the construction of a 14' x 16' 1st floor bedroom containing 248 sq. ft on the west side of existing non conforming w/d dwelling

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.

APPLICATION FOR VARIANCE

3/30/21

Applicant: Chase Family Security Trust, Susan M. Chase, Trustee

Attachment in accordance with Ordinance, Paragraph #2, Application for Variance

“Statutory Requirements for the Granting of a Variance”

“A” The variance request will not be contrary to the public interest. This proposed construction is to be carried out in an area of the existing lawn. The work will not affect the public access to the existing common drive or entry to the existing home. Guest, Town Officials, medical and police protections access will be unchanged with the proposed construction.

“B” The spirit of the “WCOD” (paragraph 175.58 A thru F) is fully protected in that the proposed 248 sq. ft. addition is to be located solely in the pre-existing lawn area as shown on the attached plan. Finish grade of the addition is 10.73 feet and 43.95 feet away from the stream channel.

“C” Substantial justice will be received when this home, originally constructed in 1989 and added to in 2004, is improved by replacing the existing bedroom (pre-existing as a non-conforming use), with a modern appropriate size room with an attached, handicap accessible bath that will serve the needs of the senior beneficiaries of the Trust.

“D” This property, one of five adjacent properties of which three have been constructed new or substantially renovated and added to, is dated by today’s modern standards. The proposed new master bedroom with an updated attached bath will actually increase not only the value of the property, but support the values of the others within our five lot, twenty acre complex.

“E” the literal enforcement of the ordinance, with respect to the 100 foot wetland buffer would create an “unnecessary Hardship” in that a proper usable first floor bedroom for senior use could not be constructed within the existing nonconforming dwelling without major renovations with loss of use of the home while under construction.

Again, the minor intrusion in only the existing lawn will support the intended value of the ordinance.