



TOWN OF DURHAM
8 NEWMARKET RD
DURHAM, NH 03824-2898

AUDREY CLINE
Zoning Administrator
Code Enforcement Officer
Health Officer

TEL: (603) 868-8064
acline@ci.durham.nh.us

Decision or Order of the Building Inspector/Code Enforcement Officer

175-12. Administrative Appeals.

Any person who believes that the Zoning Administrator has made an error in the interpretation or application of the provisions of this Ordinance, may appeal such determination to the Zoning Board of Adjustment as an administrative appeal under the provisions of Section 175-19. If the Board finds that the Zoning Administrator erred in his/her interpretation of the Ordinance, it shall modify or reverse the decision accordingly.

175.19. Powers and Duties

B. In exercising the above-mentioned powers, the Board may, in conformity with the provisions hereof, reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from and may make such order or decision as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken.

Applicant: GFAS REALTY LLC, 45 MAIN STREET, DURHAM, NH 03824

Date of order: July 24, 2023

Deadline for application for appeal: August 25, 2023

Decision or Order of the Building Inspector/Code Enforcement Officer:

Building Permit Application number 23-297, for property located at 39-41 Main Street, is DENIED as the proposal does not meet the requirements of the Durham Zoning Ordinances below:

ARTICLE II DEFINITIONS

175-7;

RESTAURANT – A commercial establishment open to the general public where food and beverage are prepared, served and consumed primarily within the principal building. Adequate seating shall be provided.

DECISION: Seating for consumption of food and beverage is an accessory use to a restaurant. There is no restaurant on this property, the seating proposed is integral and accessory to the primary use of restaurant which is on an adjacent parcel.

By Durham's Building Inspector/Code Enforcement Officer:



Audrey Cline CEO