



TOWN OF DURHAM
8 NEWMARKET RD
DURHAM, NH 03824
(603) 868-8064
www.ci.durham.nh.us

*Property Referenced:
Tax Map 108, Lot 16*

ZONING BOARD OF ADJUSTMENT

RE: CONTINUED PUBLIC MEETING on a petition submitted by Frank Silva & Graham Camire, Durham, New Hampshire for an **APPLICATION FOR VARIANCE** from Article II Definitions Section 175-7 of the Durham Zoning Ordinance to allow seating on an adjacent lot as an accessory use to their principal restaurant. The property involved is shown on Tax Map 108, Lot 16, is located at 39-41 Main Street, and is in the Central Business 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 Frank Silva & Graham Camire and testimony given at a Public Hearing on August 22, 2023, a motion was made and seconded:

that the Zoning Board of Adjustment DISMISS the petition as submitted by Frank Silva & Graham Camire, Durham, New Hampshire for APPLICATION FOR VARIANCE from Article II Definitions Section 175-7 of the Durham Zoning Ordinance to allow seating on an adjacent lot as an accessory use to their principal restaurant. The Zoning Board dismisses the case due to the fact that seating is a primary use within the Zone.

The motion PASSED on a vote of 5-0-0 and the application for a Variance was dismissed.

8/25/23
Date



Micah Warnock, Chair
Durham Zoning Board of Adjustment

NOTE: Any person affected by this decision has the right to appeal against 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