



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

Property Referenced:
Tax Map 107, Lot 67

ZONING BOARD OF ADJUSTMENT

RE: **PUBLIC HEARING** on a petition submitted by *Qiaoyan Yu, Durham, New Hampshire*, for an **APPLICATION FOR VARIANCE** in accordance with Article 175-109 B (7) Accessory Building for Single-Family Use, of the Durham Zoning Ordinance. The building shall be set back at least ten (10) feet from any property line. The property involved is shown on Tax Map 107, Lot 67, located at 15 Cowell Drive and is in the Residence A 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 Qiaoyan Yu and testimony given at a Public Hearing on June 11, 2024, a motion was made and seconded:

that the Zoning Board of Adjustment DENY the petition as submitted by Qiaoyan Yu, Durham, New Hampshire, for an APPLICATION FOR VARIANCE in accordance with Article 175-109 B (7) Accessory Building for Single-Family Use, of the Durham Zoning Ordinance. The building shall be set back at least ten (10) feet from any property line.

The motion PASSED on a vote of 3-0-0 and the application for variance was denied.

Reasons / Facts Supporting the Denial: 1. The Board felt that the applicant did not successfully prove that hardship would be caused if a setback less than currently permitted by the Durham Zoning Ordinance were granted. 2. The Board felt that if permitted, this could have a negative effect on surrounding property evaluations.

6/21/2024

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 Office