



TOWN OF DURHAM
15 NEWMARKET ROAD
DURHAM, NH 03824-2898

THOMAS F. JOHNSON

Zoning Administrator
Code Enforcement Officer
Health Officer

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July 15, 2011

Douglas Bencks
7 York Dr.
Durham, NH 03824

Dear Douglas Bencks,

Enclosed you will find a copy of the Zoning Board of Adjustment's decision that was rendered July 12, 2011, at the Zoning Board of Adjustment meeting. The application for variance regarding the construction of a free standing sign was approved. If you or any abutters wish to appeal this decision, the deadline to file an application of appeal with the Zoning Board of Adjustment is within thirty calendar days beginning July 12, 2011. According to RSA 677:3, a motion for rehearing "shall set forth fully every ground upon which it is claimed that the decision or order complained of is unlawful or unreasonable." The Zoning Board of Adjustment has thirty (30) calendar days to either grant or deny the application for rehearing once it has been filed in the office of Planning and Zoning at the Durham Town Hall.

If you have any questions, please call me at 868-8064.

Sincerely,

Thomas F. Johnson
Zoning Administrator/CEO

Enclosures (1)

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cc. Durham Public Library
Todd Selig, Town Administrator



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ZONING BOARD OF ADJUSTMENT

*Property Referenced:
Tax Map 2, Lot 7-1*

RE: PUBLIC HEARING on a petition submitted by Douglas Bencks, Durham, New Hampshire on behalf of the Durham Public Library, Durham, New Hampshire for an APPLICATION FOR VARIANCES from Article II, Section 175-7 and Article XXIII, Section 175-129(A) of the Durham Zoning Ordinance to permit the construction of a 22 square foot free-standing sign in the public right-of-way. The property involved is shown on Tax Map 2, Lot 7-1, is located at 49 Madbury Road and is in the 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 Douglas Bencks and testimony given at a Public Hearing on July 12, 2011, a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by Douglas Bencks, Durham, New Hampshire on behalf of the Durham Public Library, Durham, New Hampshire for an APPLICATION FOR VARIANCES from Article II, Section 175-7 and Article XXIII, Section 175-129(A) of the Durham Zoning Ordinance to permit the construction of a 22 square foot free-standing sign in the public right-of-way with the recommendation that they consider removing the names of the architect and the construction company, and thereby emphasize the size of the website.

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

7/18/11
Date

Ruth Davis
Ruth Davis, Vice Chair
Durham Zoning Board of Adjustment

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

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

