

**Property Referenced:
Tax Map 4, Lots 49-0**

ZONING BOARD OF ADJUSTMENT

RE: PUBLIC HEARING on a petition submitted by Tropic Star Development LLC, Hampton, New Hampshire on behalf of Cumberland Farms Inc, Framingham, Massachusetts for an APPLICATION FOR VARIANCES from Article XII, Sections 175-54 and 175-55(B); and Article XXI, Sections 175-111(G)(5), 175-113 and 175-116(A) of the Zoning Ordinance to allow for 12 parking spaces for a commercial property where 16 spaces would be required, to allow less than 5% of the parking and driveway are to be landscaped, to allow parking in the rear yard, and to allow an ADA parking aisle within the front yard and a refuse container within the side and rear yards. The property involved is shown on Tax Map 4, Lot 49-0 is located at 3 Dover Road, and is in the Courthouse 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 Tropic Star Development LLC and testimony given at a Public Hearing on June 10, 2014 a motion was made and seconded:

that the Zoning Board of Adjustment approve a petition submitted by Tropic Star Development LLC, Hampton, New Hampshire on behalf of Cumberland Farms Inc, Framingham, Massachusetts for an APPLICATION FOR VARIANCES from Article XII, Sections 175-54 and 175-55(B); and Article XXI, Sections 175-111(G)(5), 175-113 and 175-116(A) of the Zoning Ordinance to allow for 12 parking spaces for a commercial property where 16 spaces would be required, to allow less than 5% of the parking and driveway are to be landscaped, to allow parking in the rear yard, and to allow an ADA parking aisle within the front yard and a refuse container within the side and rear yards.

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

Date

Sean Starkey, 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.