



TOWN OF DURHAM
ZONING BOARD OF ADJUSTMENT
8 NEWMARKET RD
DURHAM, NH 03824
PHONE: 603/868-8064
www.ci.durham.nh.us

SPECIAL EXCEPTION

Name of Applicant_____

Address:_____

Phone #_____ Email:_____

Owner of Property Concerned_____
(If same as above, write "Same")

Address:_____

(If same as above, write "Same")

Location of Property:_____

(Street & Number)

Tax Map & Lot Number_____

Description of proposed use showing justification for a Special Exception as specified in
the Zoning Ordinance: Article:_____Section:_____

EXPIRATION PERIOD FOR SPECIAL EXCEPTIONS:

Any Special Exceptions granted 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 special exception shall expire within 6 months after the resolution of a planning application filed in reliance upon the special exception.

Article XIII, Section 175-26

Special Exceptions

- A. *Criteria for the Granting of Special Exceptions.* The Zoning Board of Adjustment is authorized to grant a special exception in accordance with RSA 674:33 IV, as amended. The board shall grant a special exception if, and only if, it finds that all of the following general criteria, along with additional specific criteria for particular uses and activities given elsewhere, are met. The following are conditions of all special exceptions.
1. That the use will not be detrimental to the character or enjoyment of the neighborhood by reason of undue variation from the kind and nature of other uses in the vicinity or by reason of obvious and adverse violation of the character or appearance of the neighborhood.
 2. That the use will not be injurious or noxious and thus detrimental to the neighborhood by reason of any of the causes stated in Part B. Zoning Districts (See Table of Contents) of this chapter.
 3. That the use will not be contrary to the public health, safety or welfare by reason of undue traffic congestion or hazards, undue risk to life or property, unsanitary or unhealthful emissions or waste disposal, excessive noise, or comparable adverse causes, impacts, or conditions.