



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

VARIANCE

Prior to seeking a variance, the property owner must have been denied a building permit by the Building Inspector or denied approval by the Planning Board.

Name of Applicant Emily Braile

Address: 6 Falls Way, Durham, NH 03824

Phone # _____ Email: _____

Owner of Property Concerned Robert and Dale Braile
(If same as above, write "Same")

Address: Same
(If same as above, write "Same")

Location of Property: 6 Falls Way
(Street & Number)

Tax Map & Lot number ~~X~~ 233-26



A Variance is requested from Article(s) 175 Section(s) 54 of the Zoning Ordinance to permit:

All applications must include a statement explaining how the applicant meets each of the five (5) statutory requirements for granting a variance, (A) through (E), which are found on page 2. The Zoning Board of Adjustment may consider the variance application incomplete if these five statements have not been addressed. In addition, all applications must be accompanied by adequate plans and exhibits.

Owner Authorization and Signature:



1. I/we do hereby authorize Emily Braile to file this application with the Zoning Board of Adjustment, to appear before the Board and to act on my/our behalf.
2. I/we do hereby authorize members of the Zoning Board of Adjustment and/or staff to enter upon the property on the afternoon prior to the Zoning Board meeting for purposes of reviewing this application.
3. To the best of my/our knowledge the information contained in this application is complete and accurate.

Owner's Signature(s): [Signature] Date: 4/1/26

Owner's Signature(s): Dale E Braile Date: 4/1/26

PRINTED NAME(S): Robert S. Braile Date: 4/1/26

PRINTED NAME(S): Dale E. Braile Date: 4/1/26

Responses to Criteria

1. The variance is not contrary to the public interest – The proposed use is a garage, which eight out of ten of the surrounding properties already have, with a small “in-laws” suite above for the owners to use as extra space.
2. The spirit of the ordinance is observed – The proposed addition does not alter the essential character of the neighborhood.
3. Substantial justice is done – The proposed addition causes no harm to the general public.
4. The value of surrounding properties are not diminished – The proposed addition will add value to the existing property, which may positively affect the neighborhood/surrounding properties, but is unlikely to negatively affect them.
5. Literal enforcement of the ordinance would result in unnecessary hardship – Because of where the house was built on the property and how the land slopes down quickly in the back, an affordable garage big enough to accommodate two cars must go over the building setback on the side of house we've chosen, and it would likely go over the building setback by much more on the other side. The owners are getting older and have a hard time shoveling their cars out of the snow in the winter, so a garage would make their living situation more accessible and sustainable. Similarly, because they are getting older, their daughter wants to be close by, so she would live in the studio above the garage. The proposed garage addition would provide a reasonable use to the owners without diminishing the integrity or character of the neighborhood.

Town of Durham



5/7/2026, 5:34:48 PM

Parcel mapping, using a variety of record information sources, completed by CAI Technologies, Nearmap, Map data © OpenStreetMap contributors,

The Town of Durham shall assume no liability for any errors

Boston and Maine Railroad

Abutter #7
Nature Conservancy

Abutter #2
8 Falls Way

Abutter #3
7 Constable Rd.

Abutter #6
Nature-Conservancy

Abutter #4
5 Falls Way

Abutter #5
3 Falls Way

Abutter #1
4 Falls Way

Property Line

Set Back Line

New Addition Proposed

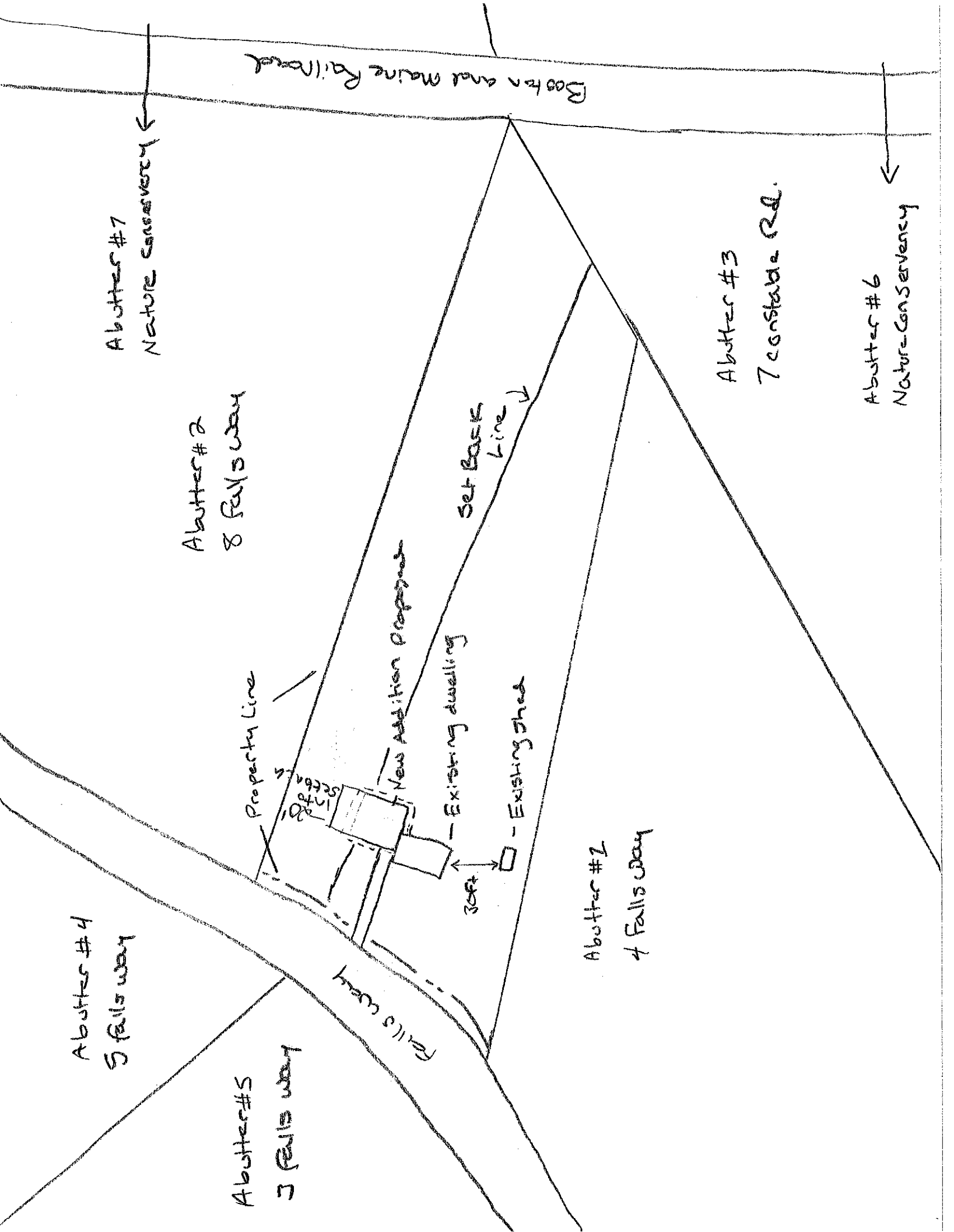
- Existing dwelling

- Existing shed

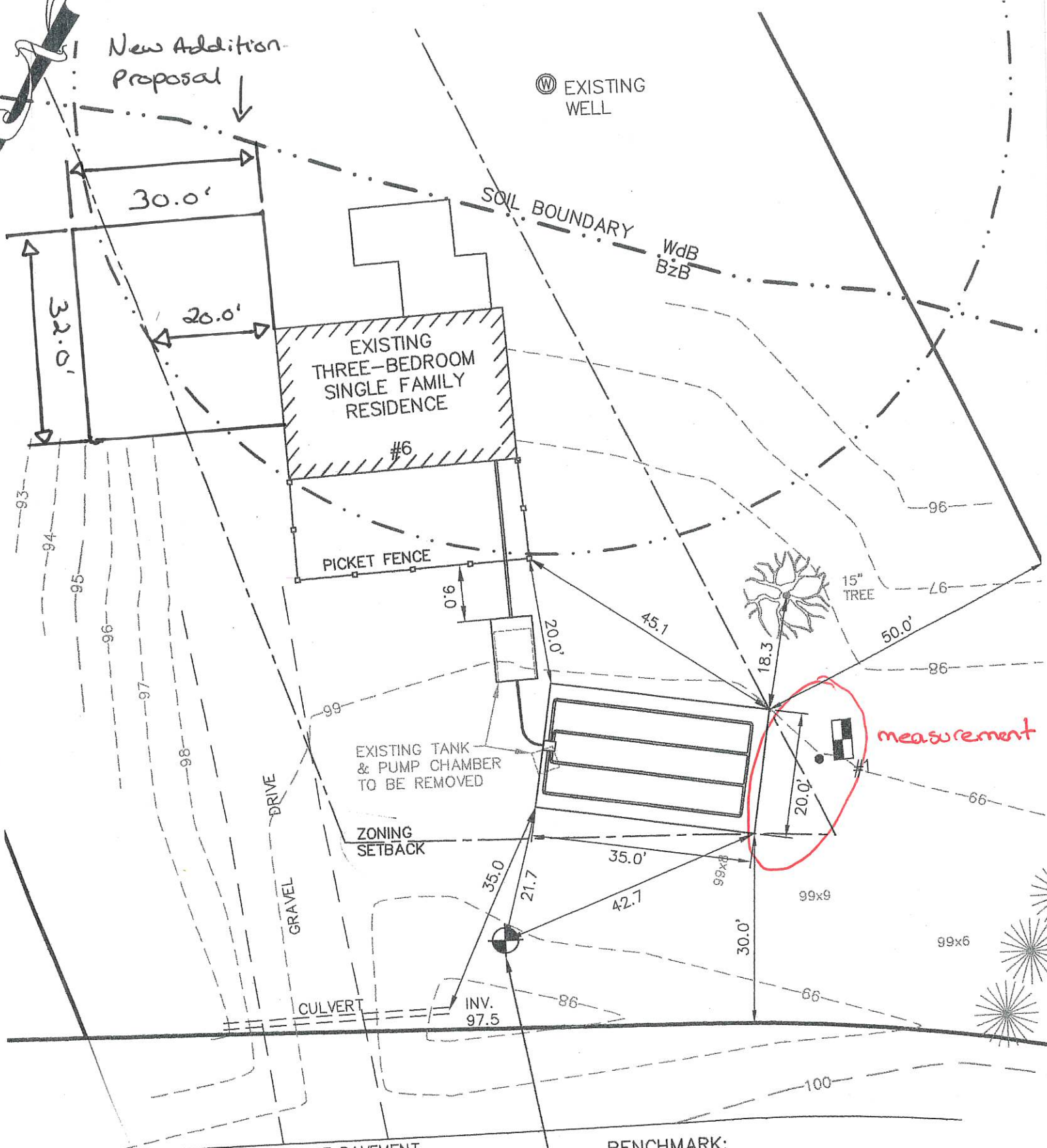
30' 0"

30' 0"

Falls Way



PROPOSED SYSTEM. ALL EXISTING SYSTEM COMPONENTS ENCOUNTERED TO BE REMOVED AND DISPOSED OF PROPERLY.

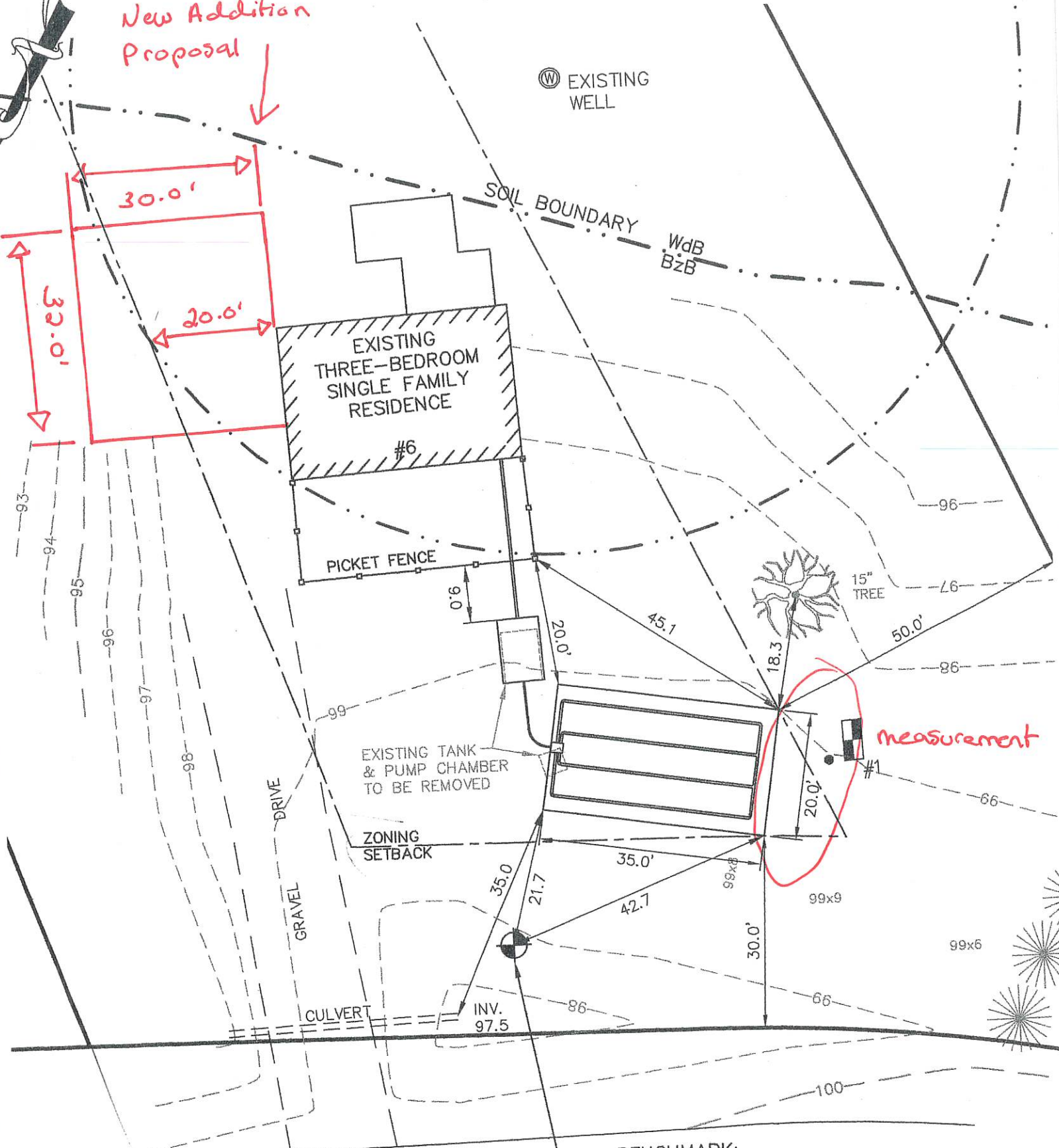


SITE PLAN
SCALE: 1"=20'

BENCHMARK:
NAIL UP 1' IN 3-BOLES TREE
ELEVATION 100.00'

PROPOSED SYSTEM. ALL EXISTING SYSTEM COMPONENTS ENCOUNTERED TO BE REMOVED AND DISPOSED OF PROPERLY.

New Addition Proposal



SITE PLAN

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BENCHMARK:
NAIL UP 1' IN 3-BOLES TREE
ELEVATION 100.00'