



**TOWN OF DURHAM**  
8 NEWMARKET RD  
DURHAM, NH 03824-2898

**AUDREY CLINE**  
Zoning Administrator  
Code Enforcement Officer  
Health Officer

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acline@ci.durham.nh.us

**Decision or Order of the Building Inspector/Code Enforcement Officer**

*175-12. Administrative Appeals.*

*Any person who believes that the Zoning Administrator has made an error in the interpretation or application of the provisions of this Ordinance, may appeal such determination to the Zoning Board of Adjustment as an administrative appeal under the provisions of Section 175-19. If the Board finds that the Zoning Administrator erred in his/her interpretation of the Ordinance, it shall modify or reverse the decision accordingly.*

*175.19. Powers and Duties*

*B. In exercising the above-mentioned powers, the Board may, in conformity with the provisions hereof, reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from and may make such order or decision as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken.*

**Applicant:** Benjamin Segil, 26 Colony Cove Road, Durham NH 03824

**Date of order:** April 26, 2026

**Deadline for application for appeal:** May 5, 2025

**Decision or Order of the Building Inspector/Code Enforcement Officer:**

Building Permit Application number 26-00107, for property located at 26 Colony Cove Road, Durham; Map & Lot 217/11, is DENIED as the proposal does not meet the requirements of the Durham Zoning Ordinance below:

**ARTICLE XII.1 USE AND DIMENSIONAL STANDARDS 175-54.**

Table of Dimensions.

Minimum setback from each side property line 50'

**ARTICLE XIV SHORELAND PROTECTION OVERLAY DISTRICT**

175-74. Dimensional Requirements.

All land, buildings, and structures to be used, erected, altered, enlarged, or moved within the SPOD shall be in accordance with the dimensional standards of the underlying zoning district except as modified and required by this section.

A. Shoreland Setback of Buildings and Structures

Any new building or structure or any enlargement or modification of an existing building or structure shall be set back from the reference line of the waterbody as follows:

1. Great and Little Bays 125 feet

ARTICLE IX NONCONFORMANCE

175-30. Nonconforming Structures and Buildings.

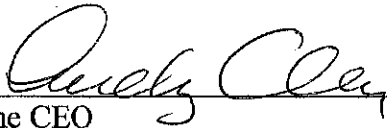
D. Requirements for Nonconforming Buildings and Structures in the WCOD and SPOD.

3. The construction of attached additions or other expansions to nonconforming 1- and 2family dwellings shall be permitted within the Wetland Conservation Overlay District and Shoreland Protection Overlay District provided that:

c. The building footprint existing prior to the date on which this Article was enacted shall not be cumulatively increased by more than 15 percent.

d. The habitable floor area existing prior to the date on which this Article was enacted shall not be cumulatively increased by more than 30 percent.

By Durham's Building Inspector/Code Enforcement Officer:



Audrey Cline CEO