

APPLICATION FOR A VARIANCE

BOARD OF ADJUSTMENT
PO Box 268, Jackson, N.H. 03846

01/2010

Do not write in space below:

Case No. _____ Date Filed _____

ZBA Signature _____ Public Hearing _____

Decision _____

Applicant Signature Robert Ruppel Date NOV. 21, 2012

TAX LOT NUMBER: MAP V07 LOT 123

Name of applicant ROBERT RUPPEL

Address PO BOX 118, JACKSON, NH 03846-0118

Owner SAME
(if same as applicant write, same)

Location of property 35 N. HAMPSHIRE RIDGE ROAD
(street, number, sub-division)

Acres 1.4 or Sq. Ft. _____

NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on separate pages if the space provided is inadequate.

A variance is requested from section 4.3.1.2(1) of the zoning ordinance to permit:
A GARAGE TO BE CONSTRUCTED LESS THAN 50 FEET FROM THE STREET. IT WOULD BE APPROXIMATELY 35 FEET FROM THE STREET

Facts supporting this request:

1. Granting the variance would not be contrary to the public interest:
THIS BUILDING WILL NOT ALTER THE NATURE OF THE NEIGHBORHOOD. IT WILL NOT BE VISIBLE FROM NEIGHBORING PROPERTIES AND WILL BE BELOW THE GRADE OF THE STREET WHERE THE STREET IS CLOSEST.

2. The spirit of the ordinance is observed because:
THE BUILDING IS BELOW THE GRADE OF THE STREET AND NOT BE VISIBLE FROM PASSING TRAFFIC. ACCESS TO THE GARAGE IS OVER 150 FEET FROM THE STREET AND POSES NO HEALTH OR SAFETY HAZARD.

3. Granting the variance would do **substantial justice** because:

THE NEIGHBORING PROPERTIES MOSTLY HAVE GARAGES AND THIS PROPERTY SHOULD BE ABLE TO BUILD IN A LOCATION THAT IS OPTIMAL FOR THE APPLICANT AND THE NEIGHBORS

4. For the following reasons, the values of the surrounding properties will not be diminished:

THE ADDITION OF A GARAGE WILL ENHANCE THE LOOK AND VALUE OF THIS PROPERTY, WHICH WILL ENHANCE THE VALUES OF THE SURROUNDING PROPERTIES

5. Owing to the special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in **unnecessary hardship** because:

a. no fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property because:

THE LOT HAS MORE THAN 500 FEET OF FRONTAGE ON THE STREET WHICH CREATES UNNECESSARY HARDSHIP IN PLACEMENT OF THE GARAGE MORE THAN 50 FEET FROM STREET. NEIGHBORS HAVE LESS THAN HALF THE FRONTAGE. PLACEMENT OF THE GARAGE CLOSE TO THE HOUSE IS IMPORTANT BECAUSE WE ARE RETIRED AND AGING.

b. The proposed use is a reasonable one because:

AS WE GET OLDER, BEING ABLE TO SHELTER A VEHICLE IN CLOSE PROXIMITY TO THE HOUSE IS IMAGERATIVE. THE SHAPE AND SCOPE OF THE LOT DOES NOT OFFER OTHER SOLUTIONS. THE PROPOSED GARAGE IS NOT VISIBLE TO AND PROVIDES NO HAZARDS TO NEIGHBORS.

The following additional information must be completed regarding the property in question:

Is any Use or Structure currently Non-Conforming? YES ___ NO

If yes, explain in detail:

Does the property in question including all existing or proposed building, signs, driveways, and septic systems meet Jackson Zoning Ordinance requirements and applicable state regulations? YES NO ___

If no, explain in detail:

ADDITIONAL INFORMATION: Summarize below any information from preliminary discussions with any state agency personnel in regard to the case. In addition, attach copies of any correspondence from state agencies, or Jackson officials and boards pertaining to the property.

Attach all pertinent document and correspondence.

IMPORTANT NOTICE : Board of Adjustment By-Laws state that information from the applicant and/or his representatives must be provided to the Board no less than 7 calendar days prior to the date of the public hearing.

CONDITIONS AS PART OF AN APPROVAL: The Board of Adjustment is authorized to place conditions on a variance and failure to comply with those conditions may be a violation. If conditions are included as part of an approval, they must be recorded with or on the plat.