

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 [Signature] Date April 10, 2013

TAX LOT NUMBER: R-18 Lot 45

Name of applicant John Terry

Address 142 Lawndale Rd, Mansfield, MA 02048

Owner SAME
(if same as applicant write, same)

Location of property # 32 FRANCIS AVE
(street, number, sub-division)

Acres .46 or Sq. Ft. 20,038.0

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 4.3.1.2/3 of the zoning ordinance to permit:
An existing structure to have an addition built above, this would increase the volume in height. The structure as built falls within the 50 foot set back from road, approx. 45'

Facts supporting this request:

1. Granting the variance would not be contrary to the public interest:
This addition would not disrupt or alter the other neighbors views. This existing structure is well below the road on a dead end. Where the structure is below grade, or bottom of a hill the height of new addition would only bring it even with road.

2. The spirit of the ordinance is observed because:
The structure now is below street or road level. There are no existing structures to the left of structure or front. There is one neighboring structure to the right. That structure is well right and higher up on grade. The addition will not block any existing views or create any hazards to the area.

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

It would upgrade and make it compatible to the other existing Neighboring structures. It would increase value to other Neighbors! More importantly it simply improves Living Conditions inside the structure. This addition increases bedroom size, and bathroom size

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

This addition forces the exterior improvements, New siding and New Roof. This helps beautifies the property and increases value to the Neighbor hood.

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 existing layout of the interior of the structure creates a hardship. The 2 bedrooms are 7' x 7' and the bathroom is in a closet. This addition is important to create livable space both reasonable bedroom and bathroom size, this hardship also could increase construction cost. By keeping the addition in the set back, it minimizes extra construction.

b. The proposed use is a reasonable one because:

This is reasonable because we are not changing footprint to move further into the set back, we are going up and it is beneficial for living conditions, it will still remain a 2 bedroom, but it will allow us to actually put normal furniture in the bedrooms, and have a operating bathroom. It forces improvements

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:

The structure is Non Conforming, the building was built back in the early 1900's. The building was constructed I believe before the ordinances were in effect. The structure has about a five corner that falls in the set back, the addition would make more non conforming because we would be going up, the same 5 foot corner would still be in the set back

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.

I made contact prior to purchasing the property to Bldg inspector Chalmers and town engineer Burr Phillips. This was to insure me that I could bring the existing conditions up to par by making reasonable improvements. An Engineer delineated the land and told me 2 proposed Area for septic, this replaces the 55 gal drum in the ground. This is another positive improvement. I have changed a 60 amp fire hazard to an up graded 100 amp circuit panel by code. Another positive improvement. I have documents to show you the improved living conditions. This goes from foundation and beam improvements to the addition upstairs.

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.