



TOWN OF JACKSON

OFFICE OF THE SELECTMEN

April 3, 2013

Mr. John Terry
142 Lawndale Road
Mansfield MA 02048

Mr. Terry,

I recently received and reviewed a building permit application submitted by you for the renovation of, and second floor addition to, your single family home located at map R18 lot 45, 32 Francis Ave.

Your building permit application has been denied. Based upon the submitted site plan your proposed second story addition appears to encroach into the setbacks established by the Town of Jackson's Zoning Ordinance. This building is currently a nonconforming structure, adding the proposed second story would make the building 'more nonconforming'; see Jackson Zoning Ordinance 2.2.3

2.2.3 A Non-Conforming Structure or Building may be moved, enlarged, altered, restored or replaced within the boundaries of the lot it occupied at the time this ordinance took effect, providing that the change does not make the structure more non-conforming in any way. By way of example and not limitation, "more non-conforming in any way" means that a structure or building positioned within a proscribed Setback (Sections 4.3.1.2 and 4.3.2.3) may not be altered in such a way that the structure or building extends for a greater width, a further depth, nor to a greater height, which would have the effect of increasing the volume of the structure or building within the proscribed Setback area. Similarly, a structure or building that exceeds the permissible Building Height (Section 4.1.3) may not be altered in such a way that the structure or building extends to a greater height, nor may the volume of the structure or building exceeding

the Height limit be increased. Further, if altering the pitch or configuration of the roof increases the volume of the structure or building within the proscribed Setback area, it shall be permitted where:

- i) the change is dictated by considerations of safety, snow disposal or building code requirements, and*
- ii) the change does not result in an increase in the interior floor space within the structure or building. (amended 3/12/2001, 3/14/2006, and 3/9/2010)*

In issuing the denial of a Building Permit this presents you with the opportunity to apply to, and seek relief through an application to, the Zoning Board of Adjustment.

If you decide to appeal my administrative decision the appeal to the ZBA must be submitted within thirty (30) days of this notice of denial.

You can contact Frank Benesh, the Chair of the Zoning Board of Adjustment through the Town Offices.

PO Box 268
Jackson NH 03846

He would be the person to obtain an application to that Board.

Respectively,



Andrew C. Chalmers
Building Inspector
Town of Jackson