

## 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 Michael R. Garcia Date 6/24/2015TAX LOT NUMBER: Map 105 LOT IName of applicant Michael R. GarciaAddress 119A MUGGETT Hill Rd. Charlton Ma. 01507Owner Same  
(if same as applicant write, same) HillLocation of property 34 WHITNEY LOOP R.R.  
(street, number, sub-division)Acres 0.40 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 of the zoning ordinance to permit:

Building a deck within the 50' set back from  
road

## Facts supporting this request:

1. Granting the variance would not be contrary to the public interest:

The deck will be within the foot print of the Existing House. There  
are no neighbors in front, next to or behind the  
Home.

2. The spirit of the ordinance is observed because:

Much of the existing home is already within the 50'  
set back. The deck does not get closer to the setback  
than the house already is.

3. Granting the variance would do substantial justice because:

*It would allow an exit from the back door to the outside and to grade. There was a deck there before. It was about 6x6.*

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

*This deck is not Big (8x12) a deck is needed on the rear of the home for exit to outside. It does not already encroach on any other property.*

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:

b. The proposed use is a reasonable one because:

*There needs to be an exit from the rear of the home to grade. The home needs a place for grill & temp. storage of trash to go to dump.*

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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 existing home is within the 50' setback*

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:

*Home is within the 50' setback*

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**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.

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**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.