

**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  Date 6-30-20

TAX LOT NUMBER: R-14/Lot 10

Name of applicant Andrew & Heather Kramp

Address 63 Ridge Road Intervale, NH 03845

Owner Same  
(if same as applicant write, same)

Location of property 92 Thorn Hill Road  
(street, number, sub-division)

Acres 9.57 Acres \_\_\_\_\_ or Sq. Ft. 416,681

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 4.3.1.3 Frontage of the zoning ordinance to permit: \_\_\_\_\_  
A Two-Lot Subdivision

**Facts supporting this request:**

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

Granting this variance would allow for the reasonable & positive use of the property, which is a benefit to both the landowner and the Town as a whole. Jackson, like many Towns in area is struggling with a shortage of housing therefore granting this variance will allow for the creation of a new, quality house lot.

2. The **spirit of the ordinance** is observed because:

The purpose of frontage requirements is, in part, to help maintain the character of the Town. Outside of the Village District, the intent of the ordinance, in this respect, is to prohibit overdevelopment of parcels which would result in situations contrary to, and detracting from, the particular personality of Jackson as a whole. This subdivision would create a new house lot which fully complies with all Jackson Zoning Regulations and would not create any appreciable visual impact since the lot would be accessed via an existing driveway and no new

curbcut would be required. \_\_\_\_\_

---

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

This is a +/- 9.5 acre parcel with one house on it. The proposed subdivision would create one new house lot, which would be over two acres in size. The idea of creating one new, high quality house lot from a relatively large parent lot is an absolutely reasonable use of one's land and truthfully may be seen as a beneficial action for the Town of Jackson as a whole.

4. For the following reasons, the **values of the surrounding properties** will not be diminished: \_\_\_\_\_ As mentioned above, the Subdivision as proposed would create a new house lot in a location which is both physically separated from the existing house on the subject parcel (see Plan) and also visually blocked from travelers on Thorn Hill Road. There are no obvious reasons why this should negatively affect the property values of any neighboring lots.

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:

As mentioned above, the purpose of this aspect of the Ordinance is to help maintain the character and nature of the area and the Town as a whole. If this property met the frontage requirements there would be no reasons why it would be approved. The existing frontage does not meet the current requirements but, certainly, the spirit of the Ordinance is kept with and the resulting new house lot would only be of benefit to the Town as a whole.

b. The proposed use is a reasonable one because:

The proposed use is reasonable, on it's face, because the subdivision meets or exceeds all other Jackson Zoning and Subdivision Regulations other than the frontage matter which is the purpose of the Application. The creation of a new 2+ acre house lot from an existing 9+ acre parcel is both reasonable and beneficial.

\*\*\*\*\*

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

Is any Use or Structure currently Non-Conforming? YES \_\_\_\_\_ NO X

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 X 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.

Both the Applicant and Agent have agreed that application to the State for a project which had a significant hurdle to overcome at the Town level would not be a useful expenditure of time or money until such time as the project had a reasonable chance of approval at the Town level. It is the opinion of the Agent that all State requirements are or can readily be met. The Town of Jackson generally has stricter requirements regarding lot sizing and density than the Town of Jackson. This project went before the Jackson Planning Board in June. The Subdivision was rejected due to the lack of required frontage. The impression we received from the Planning Board was that, if the frontage issue was taken care of, that there were no other obvious reasons why this project would not be approved.

**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.