

# APPLICATION FOR A VARIANCE

Do not write in this space.

Case No. \_\_\_\_\_

Date Filed \_\_\_\_\_

(signed - ZBA)

To: Zoning Board of Adjustment,

Town of Jackson

Name of Applicant ROBERT VAILLANCOURT 603-383-9828

Address PO Box 667 Glen NH 03838

Owner SAME  
(if same as applicant, write "same")

Location of Property 10 TYROLEAN DR JACKSON NH 03838  
(street, number, sub-division and lot number)

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

## Application for a Variance

A variance is requested from article \_\_\_\_\_ section 4.3.1, 2 of the zoning ordinance to permit SET BACK 25 FT.

Facts in support of granting the variance:

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

THIS BOUNDARY IS 250 FT FROM A PUBLIC WAY. THIS GRANTING WOULD NOT AFFECT ANY PUBLIC INTEREST.

2. If the variance were granted, the spirit of the ordinance would be observed because:

THE GRANTING WOULD RESULT IN A FIXED STRUCTURE.

3. Granting the variance would do substantial justice because:

GRANTING THE VARIANCE WOULD ALLOW THE CONSTRUCTION OF A PROPERTY VALUE IMPROVEMENT, AN IMPROVEMENT IN ACCESS TO THE DWELLING, AND IMPROVEMENT TO THE OVERALL PROPERTY AND BUILDING APPEARANCE.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

IF GRANTED THE SAID PROPERTY VALUE WOULD INCREASE. THIS WOULD NOT REDUCE THE NEIGHBOR'S VALUE OF PROPERTY.

5. Unnecessary Hardship

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

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

NOW THAT I AM AWARE OF 250 FEET FROM CLOSEST PUBLIC ACCESS

- and -


ii. The proposed use is a reasonable one because:

WOULD NOT AFFECT ANY PUBLIC UNNECESSARY HANDSHIP

b. Explain how, if the criteria in subparagraph (a) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

THE CONSTRUCTION OF THE GARAGE WOULD ALLOW ALL SEASON, ENCLOSED ACCESS TO THE HOUSE FROM THE VEHICLES. ALSO PROVIDE STORAGE INSIDE FOR LAWN AND OTHER EQUIPMENT.

Applicant

  
(Signature)

Date

9-30-22

Mr Peter Bailey

PO Box 129

Jackson NH 03846

MAP  
V 10

LOT  
303

Mr. James Progin

PO Box 85

Jackson NH 03846

MAP  
R 14

LOT  
29

Mr Bruce Diehl

PO Box 1476

Glen NH 03838

MAP  
V 10

LOT  
233

Mr Robert Vaillancourt

PO Box 667

Glen NH 03838

MAP  
V 10

LOT  
302

[MY LOT.]

MR JIM PROGIN  
PO Box 85

JACKSON NH 03846

MAP  
V 10

LOT  
234

[NOT SURE IF  
THIS IS AN  
ABUTTER]

Mr Peter Bailey

PO Box 129

Jackson NH 03846

MR PETER BAILEY

PO BOX 129

JACKSON NH, 03846

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PO Box 667

Glen NH 03838

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PO BOX 85

JACKSON NH 03846

MR. BRUCE DIEHL

PO BOX 1476

GLEN NH 03838

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GLEN NH 03838



# TOWN OF JACKSON

## OFFICE OF THE SELECTMEN

September 13, 2022

Robert Vaillancourt  
PO Box 667  
10 Tyrolean Drive  
Glen, M.H. 03838

RE: Building Permit Denial Map V10/ Lot 302

Dear Robert,

I recently received and reviewed a building permit application submitted for the construction of 41' X 28' garage with an 8' X 22' mudroom located at 10 Tyrolean Drive.

I am denying your building permit according to the zoning rules in the Town of Jackson Zoning Ordinance, Section 4.3.1.2 Setbacks:

***4.3.1.2 Setbacks (amended 3/8/2005, 3/10/2015, 3/8/2016)***

***No building, structure, porch, or portion thereof shall be located on a lot nearer any lot line, year-round stream or body of water than the minimum setback set forth below:***

- 1) From the center line of the traveled way of any public or Private Road: Fifty (50) feet.***
- 2) From any abutter property line, or sideline of any public or private road that does not provide access to the lot: Twenty Five (25) feet.***
- 3) From the near bank of any year-round stream or body of water: Fifty (50) feet.***

Please review the Zoning Ordinance at:

<https://www.jackson-nh.org/board-adjustment/pages/zoning-ordinance>

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 decision, the application to the Zoning Board of Adjustment must be submitted within thirty days of this notice of denial.

Please contact James Gleason, Chair of the Zoning Board of Adjustment, at 617-710-9268. He would be the person to obtain an application to that Board.

Thank you,

Kevin Bennett  
Jackson Building Inspector



010758

RECEIVED  
CARROLL COUNTY REGISTRY

2001 JUL 23 PM 4:20

Lillian A Brooks  
REGISTER OF DEEDS

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF REVENUE ADMINISTRATION  
REAL ESTATE TRANSFER TAX  
THOUSAND 5 HUNDRED AND 75 DOLLARS  
07/23/2001 478941 \$ \*\*\*1575.08  
VOID IF ALTERED

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT WE, DAVID OTIS and JOY OTIS, husband and wife, both of 300 Second Avenue Southeast (P.O. Box 77), St. Petersburg, Pinellas County, Commonwealth of Florida 33701, for consideration paid, grant to **ROBERT F. VAILLANCOURT**, having a mailing address of P.O. Box 667, Glen, Town of Bartlett, Carroll County, State of New Hampshire 03838, with **WARRANTY** covenants,

A certain tract or parcel of land, with the buildings thereon, consisting of 2.01 acres shown as **LOT #1** on a plan entitled "Thorne Mountain, a Development for Tyrolean Ski Area Corporation, Jackson, New Hampshire", by White Mountain Survey Company, dated August 11, 1983, being more particularly bounded and described as follows:

Beginning at an iron pin in the easterly line of Vista Way and at the northwesterly corner of land now or formerly of Peter Bailey; thence North 34 degrees 01' 21" East along said Vista Way a distance of 265.80 feet to an iron pin; thence North 23 degrees 20' 39" East a distance of 23.52 feet to an iron pin in the corner of land now or formerly of Bissell; thence South 64 degrees 25' 13" East along said Bissell land a distance of 110.00 feet to an iron pin at corner of land now or formerly of Tyrolean Ski Area Corporation; thence South 07 degrees 51' 58" East a distance of 231.43 feet to an iron pin; thence South 60 degrees 18' 00" East a distance of 38.00 feet to a point; thence South 28 degrees 09' 00" West a distance of 246.00 feet to a point in the northeasterly corner of land now or formerly of Peter Bailey; thence South 37 degrees 16' 00" West on land of Bailey 340.00 feet to the iron pin which is the point of beginning. Containing 2.01 acres, more or less.

**EXCEPTING AND RESERVING** to Tyrolean Ski Area Corporation, its successors and assigns, an easement over the above-described premises as shown on said plan for ingress and egress to Lot #234, now owned by Stigum northerly of the above-described parcel; and to Lot #235 which is the "garage lot", so-called.

**ALSO EXCEPTING AND RESERVING** to Tyrolean Ski Area Corporation, its successors and assigns, an easement fifty (50) feet in width as shown on the above-described plan for ingress and egress for all purposes from Vista Way to other land of Tyrolean Ski Area Corporation located southeasterly of the above-described premises.

BK 1942 PG 011

WARRANTY DEED, cont'd.

**ALSO EXCEPTING AND RESERVING** to Tyrolean Ski Area Corporation, its successors and assigns, easements to maintain the water lines crossing the above-described premises for purposes of providing water to Lots #2, #3 and #4 as shown on the plan entitled "Tyrolean Ski Area, Proposed Subdivision", by Thaddeus Thorne-Surveys, Inc., dated March 22, 1978, **SUBJECT TO** the rights of the owners of the aforementioned lots to enter on to the property for purposes of installing and maintaining the water system and such piping and other equipment as may be necessary for this purpose.

**EXCEPTING AND RESERVING** to Tyrolean Ski Area Corporation, its successors and assigns, an easement over the southwesterly corner of the aforementioned property for purposes of ingress and egress to the property of Peter Bailey over the driveway as it now exists.

Meaning and intending to convey the same premises conveyed to David Otis and Joy Otis by Warranty Deed of the Tyrolean Ski Area Corporation, dated September 8, 1983, recorded in the Carroll County Records, Book 925, Page 344.

**DAVID OTIS and JOY OTIS**, husband and wife, hereby release all rights of homestead and all other interests therein.

WITNESS our hands this 16<sup>th</sup> day of July, 2001.

WITNESS:

Katharine L. Perry  
Katharine L. Perry

David Otis  
DAVID OTIS  
Joy M. Otis  
JOY OTIS

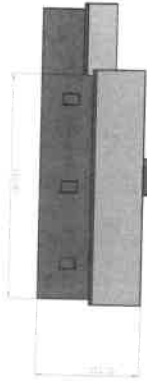
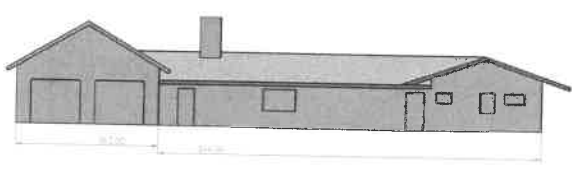
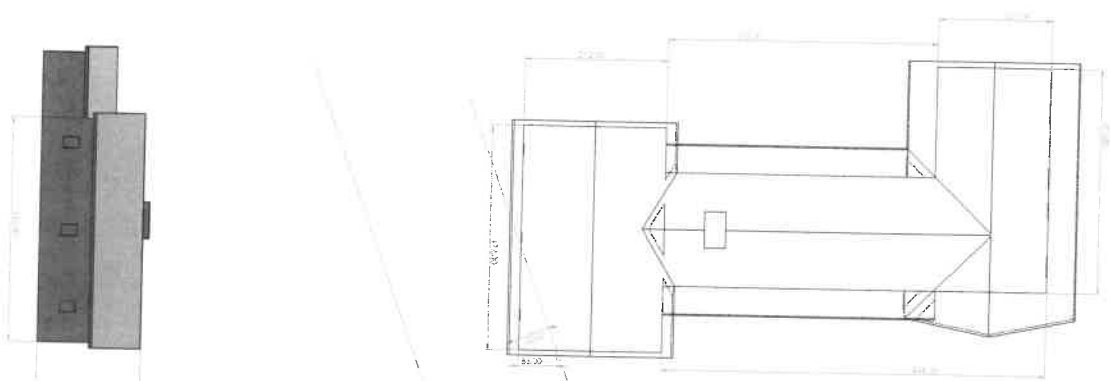
STATE OF NEW HAMPSHIRE  
CARROLL, SS.

July 16, 2001.

**DAVID OTIS and JOY OTIS** both personally appeared and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, Katharine L. Perry [SEAL]  
Katharine L. Perry  
(PRINT NAME) - NOTARY PUBLIC

My commission expires: 7/05/06

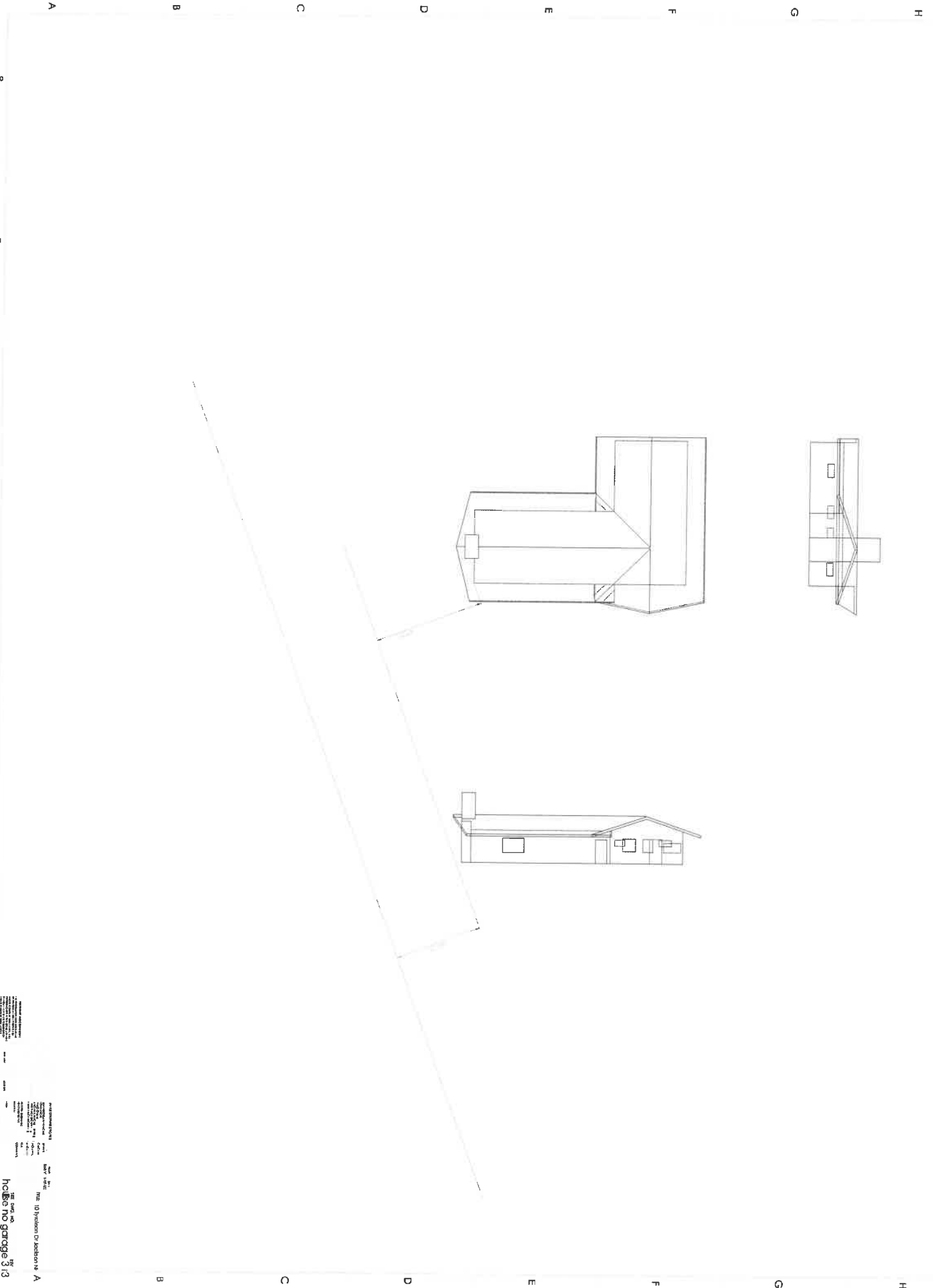
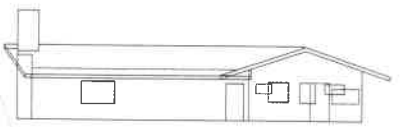
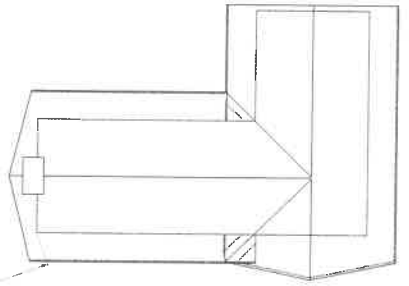
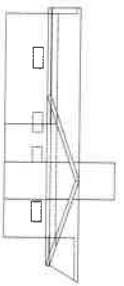


THE J. D. YOUNG CO.  
 ARCHITECTS  
 100 N. 10th St.  
 Minneapolis, Minn.  
 SCALE 1/4" = 1'-0"  
 SHEET 1 OF 1









Project: 10/10/2018  
Client: 10/10/2018  
Architect: 10/10/2018  
Title: 10/10/2018  
Scale: 10/10/2018  
Date: 10/10/2018  
Author: 10/10/2018  
Reviewer: 10/10/2018  
Project: 10/10/2018  
Client: 10/10/2018  
Architect: 10/10/2018  
Title: 10/10/2018  
Scale: 10/10/2018  
Date: 10/10/2018  
Author: 10/10/2018  
Reviewer: 10/10/2018

147  
4332 Ac S

SECTION 28, T14N, R14E

219'

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MAP R14

MAP R30

MAP R14



Robert F Vaillancourt  
PO Box 667  
Glen, NH 03888

9-30-22  
DATE

4777  
54-70114

PAY TO THE  
ORDER OF

TOWN OF JACUION

\$ 75.00

SEVENTY FIVE 00/100

DOLLARS

Security features  
included  
Details on back

TD BANK, N.A.

JACUION BOARD OF  
FOR DISBURSEMENT

*[Signature]*

Main Street Traditional Blue