

NOTICE OF DECISION - GRANTED

Zoning Board of Adjustment,
Town of Jackson NH

Case No: 2024-01

You are hereby notified that the application of Mr. Korthuis of 24 Deer Run for a variance from section 4.3.1.2 of the zoning ordinance concerning side setbacks from adjoining properties has been **GRANTED**, subject to the conditions listed below, by the affirmative vote of at least three members of the Zoning Board of Adjustment.

Findings of fact:

Summary of the facts of the case discussed at the above public hearing:

1. Granting of the variance is not contrary to the public interest. Note was made of the support of the immediate neighbors and reported lack of concern by the town for plowing and road maintenance.
2. The spirit of the ordinance is observed. Note was made of the support of the immediate neighbors and reported lack of concern by the town for plowing and road maintenance.
3. Granting the variance would do substantial justice, as the potential loss to the Mr. Korthuis if denied would not be outweighed by any discernable benefit to the general public and the immediate neighbors.
4. In view of the support of the immediate neighbors present at the hearing or those who submitted written, comments the board found that the value of the surrounding properties would not be diminished.
5. The Board found that there were special conditions of the property present that distinguished it from others in the area, specifically the small frontage compared with properties in the area, in combination with existing specific features of the property including the physical location of existing improvements on the property, most notably the water well.
6. The Board found that there was no fair and substantial relationship between the general public purpose of the ordinance and the specific application of it to Mr. Korthuis' property.
7. The Board found that the proposed construction of a garage was a reasonable one.

Conditions:

The Board did not impose any conditions to this variance.

Frank Benesh
Chairperson, Zoning Board of Adjustment
May 17, 2024

This approval shall be valid if exercised within 2 years from the date of final approval, and shall not expire within 6 months after the resolution of a planning application filed in reliance upon this decision, as per [RSA 674:33, IV](#).

Note: The selectmen, any party to the action, or any person directly affected has a right to appeal this decision. See New Hampshire Revised Statutes Annotated, [Chapter 677](#), available at (insert location where statutes can be reviewed). This notice has been placed on file and made available for public inspection in the records of the ZBA on (insert day and date). Copies of this notice have been distributed to the applicant, Planning Board, Board of Selectmen, Town Clerk, and Property Tax Assessor.