



RINDGE BOARD OF ADJUSTMENT

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RINDGE, NH 03461

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Hearing Date: 03-27-2012
Decision Date: 03-27-2012
Case Number: 1038

Notice of Decision

You are hereby notified of the Decision in the case of: John Heikkanen / Case #1038:

John Heikkanen, 707 Old New Ipswich Road, Rindge, NH 03461, Map 7 Lot 91, for a Variance from Article V, Section B-1 of the Rindge Zoning Ordinance which requires 250 feet of frontage for a lot with a building.

Sitting on this case:

Regular members: Marcia Breckenridge, Dave Drouin (Vice Chair), Janet Goodrich (Chair), Bill Thomas, and Phil Stenersen.

A variance can be granted only if an applicant satisfies all five variance criteria. The Board found that:

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

It doesn't alter the essential character of the neighborhood or impact the density of the neighborhood (which consists of narrow frontages), or threaten the public health, safety, or welfare.

Vote: Unanimous

2. Granting the variance would do substantial justice because:

The proposed variance would not diminish property values, and no loss to the individual caused by denying the variance would be outweighed by a gain to the general public.

Vote: Unanimous

3. The variance would be consistent with the spirit and intent of the Rindge Zoning Ordinance because:

It does not detract from health, safety or welfare and it preserves the character of the Town.

Vote: Unanimous

4. Granting the variance would not diminish surrounding property values because:

It is consistent with the character of the neighborhood.

Vote: Unanimous

5. **Special conditions do exist on the property that distinguish it from other properties in the area, such that literal enforcement of the ordinance results in unnecessary hardship.**

The unique special condition is that the depth and width of the lot allow a second home that will not be seen from the road and granting the variance for the new lot will not therefore alter the character of the neighborhood.

Vote: Unanimous

- a. **No fair and substantial relationship exists between the general purposes of the Zoning Ordinance provision(s) and the specific application of the provision(s) to the property because:**

It does not detract from health, safety or welfare and it preserves the character of the Town.

Vote: Unanimous

- b. **The proposed use would be a reasonable one because:**

The property owner cannot pursue a reasonable use of the property if strict enforcement of the ordinance is pursued. A variance is necessary to reconcile the minimum frontage required by the ordinance that is too low and is imposing an unnecessary hardship.

Vote: Unanimous

Variance Granted because:

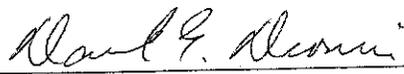
The five criteria have been met.

Vote: Unanimous

Respectfully submitted:

Joseph C. Hill MD, Alternate
Linda Stonehill, Clerk


Janet Goodrich
Chairman


David Drouin
Vice Chairman