



RINDGE BOARD OF ADJUSTMENT
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Hearing Date: November 27, 2012
Decision Date: November 27, 2012
Case Number 1050

Notice of Decision

Case # 1050: Ben and Lois Walen, 174 Red Gate Lane, Rindge, NH 03461, Map 34, Lot 6, for a Variance from Article IV, Section B-2 of the Rindge Zoning Ordinance to construct a handicap ramp within the 50 foot setback from the edge of the right of way.

Sitting: Dave Drouin (Vice Chair), Marcia Breckenridge, Phil Stenersen, Bill Thomas, and Joe Hill.

The Board found that:

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

it maintains the character of the neighborhood and promotes public health, safety and welfare.

Vote: (Y) (All) N

2. Granting the variance would do substantial justice because:

there is nothing to be gained by the public by denying safe access to one's own home.

Vote: (Y) (All) N

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

the spirit and intent of the Rindge Zoning ordinance is to protect health, safety and welfare and preserves the value of the town.

Vote: (Y) (All) N

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

property value does not drop because of handicap access.

Vote: (Y) (All) N

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

The special conditions of this particular lot distinguish it from the lots across the road and literal enforcement would exclude the possibility of a handicap ramp.

Vote: (Y) (All) N

5a. 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:

There is no connection between the setback and handicap access

Vote: (Y) (All) N

5b. the proposed use would be a reasonable one because:

It is reasonable because it promotes safety and welfare. It would be a hardship to deny access to their home

Vote: (Y) (All) N

The variance was granted because it met all five criteria.

Vote: (Y) (All) N

Respectfully submitted,

Susan Hoyland, Clerk



Janet Goodrich, Chairman



David Drouin, Vice Chairman