



**RINDGE BOARD OF ADJUSTMENT**  
**30 PAYSON HILL ROAD**  
**RINDGE NH 03461**  
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Meeting Date: October 23, 2012  
Decision Date: October 23, 2012  
Case Number 1048

## NOTICE OF DECISION

**Case # 1048: Michael J. Heil, 37 Maple Drive – MTC 341, Rindge, NH 03461, Map 2 / Lot 59: Application for a Variance from Rindge Zoning Ordinance Article V, Section B-2, to permit the building of an addition within the 50 foot setback (a 12X14 foot den / office).**

Sitting: Janet Goodrich (Chair), David Drouin (Vice Chair), Marcia Breckenridge, Bill Thomas, Joe Hill

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

IT IS CONSISTENT WITH THE CHARACTER OF THE NEIGHBORHOOD AND DOES NOT THREATEN PUBLIC HEALTH, SAFETY AND WELFARE.

Vote: (Y)      Unanimous                      N:

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

IT MAINTAINS THE CHARACTER OF THE NEIGHBORHOOD AND THERE IS NO PUBLIC GAIN BY DENYING IT THAT OUTWEIGHS THE LOSS TO THE INDIVIDUAL.

Vote: (Y)      Unanimous                      N:

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

IT PRESERVES THE VALUES AND CHARACTER OF THE NEIGHBORHOOD.

Vote: (Y) Unanimous N:

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

IT IS TOTALLY CONSISTENT WITH SURROUNDING PROPERTIES

Vote: (Y) Unanimous 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.**

Vote: (Y) Unanimous N:

THE UNIQUENESS OF THE MOBILE HOME COMMUNITY AS A WHOLE WARRANTS FLEXIBILITY. THE SPECIAL FEATURES ARE THAT THE SIZE OF THE MOBILE HOME COMMUNITY LOTS IS MUCH SMALLER THAN THE SIZE REQUIREMENTS OUTSIDE OF THE COMMUNITY.

**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:**

NOT APPLICABLE

Vote: (Y) Unanimous N:

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

IT WOULD BE A REASONABLE USE BECAUSE IT IS CONSISTENT TO THE NEIGHBORHOOD AND THERE IS NO REASONABLE ALTERNATIVE

Vote: (Y) Unanimous N:

**The Variance was granted because:**

Bill Thomas moved to grant a variance, Joe Hill seconded the motion. The vote is unanimous. **Vote: 5-0-0**

Respectfully submitted,  
Susan Hoyland, Clerk

  
Janet Goodrich, Chair

  
David Drouin, Vice Chairman