RINDGE BOARD OF ADJUSTMENT
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Hearing Date: March 25, 2014
Decision Date: March 25, 2014
Case Number 1061

Notice of Decision

Case # 1061: Reuben Goddard, 343 US Route 202, Rindge, NH 03431, Tax Map 38 Lot 1: Application for a variance from Article VI, Section C of the Zoning Ordinance to permit a deck within the minimum setback to the rear of the property line.

Sitting: David Drouin, Marcia Breckenridge, Bill Thomas, Phil Stenersen and Forbes Farmer.

The Board found that:

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

it adheres to the spirit of the zoning ordinances.

Vote: 5-0-0

2. Granting the variance would do substantial justice because:

there is no gain to the public by denial.

Vote: 5-0-0

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

the rails to trails right of way/property is quite wide and there is a substantial distance between the actual travel way and the house. The needs of the rails to trails usage and the homeowner's usage can both be served.

Vote: 5-0-0

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

it is in keeping with the neighborhood.

Vote: 5-0-0

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 lot is wide and shallow and the ROW is very wide and close to the house.

Vote: 5-0-0

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

AND

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

of the special conditions being lot shape and size.

Vote: 5-0-0

MOTION: Phil Stenersen moved to grant the Variance because all five criteria have been met. Marcia Breckenridge seconded the motion. **Vote: 5-0-0**

The variance was granted as all five criteria were met

We incorporate by reference the approved minutes of the meeting of March 25, 2014

David Drouin, Chairman

Marcia Breckenridge, Vice Chair