



**RINDGE BOARD OF ADJUSTMENT**  
**30 PAYSON HILL ROAD**  
**RINDGE NH 03461**  
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**www.town.rindge.nh.us**

Hearing Date: July 28, 2015  
Decision Date: July 28, 2015  
Case Number 1079

**Notice of Decision**

**Case # 1079: Larry & Elmi Olin & Scott & Ina Hakala, Atlantic Dr, Rindge, NH 03461, Map 7, Lot 84-1, for a Variance from Article V, Section B-2 of the Rindge Zoning Ordinance to allow the construction of a residential building as near as 25' to the right-of-way of Atlantic Drive.**

Sitting on this case were: David Drouin, Marcia Breckenridge, Janet Goodrich, Rick Sirvint, Joe Hill.

The Board found that:

**DECISION TREE FOR A VARIANCE**

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

It does not alter the character of the neighborhood and does not threaten health, safety and welfare.

Vote: 4-1-0 Joe Hill voted No.

2. Granting the variance would do substantial justice because:

The gain to the Town is outweighed by the loss to the property owner

Vote: 5-0-0

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 town and there is no threat to health, safety and welfare

Vote: 5-0-0

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

It would not diminish property values.

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.

Those special features are the loss of front setback due to encroachment of the road and very shallow but wide shape of this building lot compared to neighboring lots.

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

Vote: 5-0-0

AND

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

It has been known as a building lot. The intention, prior to encroachment, was as a building lot.

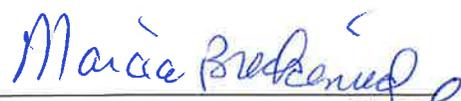
Vote: 5-0-0

MOTION: Rick Sirvint 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 July 28, 2015**

  
David Drouin, Chairman

  
Marcia Breckenridge, Vice Chair