



**BUILDING, ZONING & LICENSING SERVICES**  
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**ZONING BOARD OF ADJUSTMENT  
NOTICE OF DECISION  
Case No 2015-24**

October 15, 2015


**2015-24** Application by Colene Arnold for a Variance to allow a twenty-four hour residential rehabilitative facility for pregnant women with substance use disorder and their children. This request is according to the City's Zoning Ordinance, Article 42.22, section (c) (9), to permit the residential facility of more than (6) six residents to use the said property of 42,253 square feet.

**Location:** 326 Rochester Hill Rd.  
Map 255 Lot 23, Agricultural Zone

The Variance was GRANTED for the following reasons: The variance will not be contrary to the public interest because: It will not compromise the provision of adequate light and air. The spirit of the ordinance is observed because: It will not negatively impact health and the general welfare. If Granted, the benefit to this individual applicant, outweighs any harm to the community as a whole. The value of surrounding properties will not be diminished because: It will or will not generate levels of noise, light, activity or traffic that are significantly different from that which currently exists.

Mr. Gates moved to grant the variance with the following stipulations: no more than eight (8) residences in house with a residence being defined as a human being more than twelve (12) months of age. Mr. Goldstein seconded the motion.

The motion passed by a count of three to two by the five voting members.

  
Mr. Ralph Torr - Chair  
Rochester Zoning Board of Adjustment

**It is the applicant's responsibility to obtain any applicable permits from local, state, and federal agencies. Contact the Department of Building, Zoning and Licensing Services at 332-3508 ext. 1, to apply for any necessary permits and certificates. Any work completed within the thirty (30) day appeal period, explained below, is at your risk.**

**Note:** Any person affected has a right to appeal this decision. A request for a rehearing is the first step of an appeal. The request must be submitted to the Department of Building, Zoning and Licensing within **thirty (30) days** (calendar days starting the day after the decision is made). If a rehearing is not granted, the next step is to appeal to Superior Court within thirty (30) days. If a rehearing is granted, it is the responsibility of the original applicant to present the case to the Zoning Board, with the same obligations and following the same procedure used when the case was first heard.

cc: Colene Arnold