

Brad Cassetto and Molly Rucks

3335 Gap Hollow Rd
New Albany, IN 47150
(502) 551-9598
bradcassetto@gmail.com

June 13, 2024

Floyd County Department of Building & Development Services
2524 Corydon Pike Suite 203
New Albany, IN 47150

To Whom It May Concern,

We, Brad Cassetto and Molly Rucks, are writing to formally request a variance in the development standards to allow for the construction of a personal garage at our property located at 3335 Gap Hollow Rd, New Albany, IN 47150. Our request is for a reduction of the required front yard setback from 60 feet to 45 feet.

Justification for Variance Request

1. **Public Health, Safety, Morals, and General Welfare:** Approval of this variance will not be injurious to the public health, safety, morals, or general welfare of the community. The proposed garage will enhance the functionality and aesthetic appeal of our homestead, contributing to a safer, more sustainable, and harmonious built environment.
2. **Impact on Adjacent Properties:** The use and value of the properties adjacent to our homestead will not be adversely affected. The natural slope and vegetation of our land, along with the presence of a screen, minimize the visibility of the proposed garage. Moreover, the presence of water and sloping conditions have already necessitated similar adjustments to front yard setbacks on neighboring properties.
3. **Practical Difficulties:** The strict application of the zoning ordinance would present practical difficulties due to the sloping nature of our property and the presence of mature trees. These natural features restrict the available width for accommodating a two-car garage. Additionally, every extra foot of distance and elevation from the road increases the risk and maintenance challenges during wintery conditions.

We believe that our request aligns with the purpose of the variance ordinance, ensuring that no property, due to special circumstances, is deprived of privileges commonly enjoyed by other properties in the same vicinity and district.

Supporting Documents

- Completed Development Standards Variance Application
- Site plan drawn to scale
- Letter from the Floyd County Health Department
- Deed for the subject property

Thank you for considering our request. We are looking forward to discussing this matter further and are available to meet with the Building and Development Staff at your convenience. Please feel free to contact us at (502) 551-9598 or via email at bradcassetto@gmail.com.

Sincerely,

Handwritten signatures of Brad Cassetto and Molly Rucks.

Brad Cassetto and Molly Rucks

Enclosures: Development Standards Variance Application, Site Plan, Health Department Letter, Property Deed



Floyd County
Department of Building & Development Services
2524 Corydon Pike Suite 203
New Albany, IN 47150
Phone: (812) 981-7611
Fax: (812) 948-4744
Building@floydcounty.in.gov

Development Standards Variance Application

Please Note:

This Application is a document of public record. Any information disclosed on this application is available for review by the public. Incomplete applications will not be accepted. A pre-submission meeting with Building and Development Staff is strongly encouraged. Please contact the office at 812-981-7611 to schedule a meeting.

Variance: *A modification of the specific requirements of this ordinance granted by the Board in accordance with the terms of this ordinance for the purpose or assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and district.*

1. General Information:

Applicant:	
Applicant Address:	
Applicant Phone:	
Applicant Email:	

Applicant's Interest in Property:

Owner Option Holder Purchase Agreement Legal Representative Other

Owner(s) of Property: (complete this section if *owner* is different than applicant)

Owner Name:	
Owner Address:	
Owner Phone:	
Owner Email:	

Applicant's Representative:

Representative Name:	
Representative Address:	
Representative Phone:	
Representative Email:	

2. Site Information:

Parcel ID Number:	
Total Acreage:	
Address of Property/Location:	
Current Use of Property:	
Current Zoning District:	

3. Variance Request:

Detail the variance request:

4. Zoning Map Amendment Justification:

Indiana Code and the Floyd County Zoning Ordinance establish specific criteria that each must be meet in order for a development standards variance to be approved. Describe how the variance request meets each of the following criteria:

1. Approval of the variance will not be injurious to the public health, safety, morals, and general welfare of the community:

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property:

4. This variance (DOES /DOES NOT) involve a structure that is near an airstrip and regulated under Indiana Code 8-21-10.

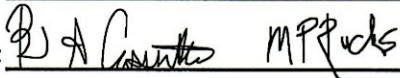
5. Required Documents:

- \$300.00 Filing Fee
- Deed for subject property
- Affidavit of Ownership (if applicable)
- Site plan drawn to scale, signed, and dated which clearly shows the entire layout of the property and all features relevant to the variance request.
- Letter from Floyd County Health Department indicating this variance will not negatively affect the operation of a septic system, if applicable
- Cover letter summarizing variance request.

6. Signature:

The undersigned states that the above information is true and correct.

Name: Brad A Cassetto, Molly P Rucks

Signature: 

Date: 06/12/24

SUBSCRIBED AND SWORN BEFORE ME

THIS 23 DAY OF July, 2024.



NOTARY PUBLIC COUNTY OF JEFFERSON

MY COMMISSION EXPIRES 03/28/28



****State of Indiana****
****County of Floyd****

I/We, Brad A. Cassetto and Molly P. Rucks, hereby solemnly affirm and declare as follows:

1. ****Affiant Information****:

- ****Name****: Brad A. Cassetto
- ****Address****: 3335 Gap Hollow Rd, New Albany, IN 47150
- ****Name****: Molly P. Rucks
- ****Address****: 3335 Gap Hollow Rd, New Albany, IN 47150

2. ****Property Information****:

- ****Location****: 3335 Gap Hollow Rd, Floyd County, Indiana
- ****Parcel ID****: [22-05-02-000-040.000-007]

3. ****Statement of Liability****:

- We, Brad A. Cassetto and Molly P. Rucks, holders of the property located at 3335 Gap Hollow Rd, Floyd County, Indiana, do hereby hold the Floyd County Plan Commission, its agents, officers, and employees free from any claims of liability or damages that may arise from the granting of variances or approval of building permits concerning our building applications at the aforementioned property address.

4. ****Acknowledgment****:

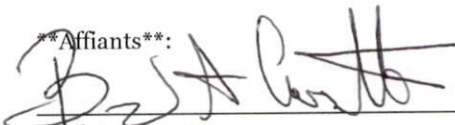
- We understand that the granting of such variances and building permits does not guarantee the suitability of the property for intended uses and does not exempt us from complying with any applicable laws, regulations, or codes. We acknowledge that we are fully responsible for ensuring compliance with all building and zoning requirements.

5. ****Release of Claims****:

- We expressly release and forever discharge the Floyd County Plan Commission, its agents, officers, and employees from any and all liability, claims, demands, actions, and causes of action whatsoever arising out of or related to any loss, damage, or injury, including death, that may be sustained by us or any property belonging to us, whether caused by the negligence of the releasees or otherwise, while pursuing or engaging in any activity of whatsoever kind or nature, pursuant to the granted variances and approved building permits.

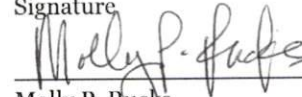
****Date****: July 22, 2024

****Affiants****:



Brad A. Cassetto

Signature



Molly P. Rucks

Signature

****Notarized by****:



[Notary's Name], Notary Public
State of Indiana, County of Floyd

****My Commission Expires****

May 18, 2024

****Notary Seal****





Floyd County
Department of Building & Development Services
 2524 Corydon Pike Suite 203
 New Albany, IN 47150
 Phone: (812) 981-7611
 Fax: (812) 948-4744
 Building@floydcounty.in.gov

**Homeowner's Location of Accessory Structure on
 Plot Diagram Affidavit**

I, Bred Cassetta & Molly Rucks, am submitting an alternate site location plan in lieu of a survey done by a licensed surveyor for the property located at 3335 Gap Hollow Rd in Floyd County, Indiana.

By signing this document I agree to place the structure in the location presented to staff. I understand that there may be errors in dimension and location, therefore, I accept all legal responsibility and consequences for violation of easements, zoning code, and drainage.

Signature: [Signature] Date: July 23, 2024

Permit # _____ X Molly Rucks 7/23/24

SUBSCRIBED AND SWORN BEFORE ME
 THIS 28th DAY OF July, 2024.

NOTARY PUBLIC Juanetta Patton
 COUNTY Jesseperson
 MY COMMISSION EXPIRES May 18, 2027



JUL 12 2018



8 0 2 5 6 7 3
Tx:4011433

201810869

FLOYD CO. IN RECORDER
TODD N. SCANNELL
07/12/2018 11:31 AM
Pages: 3

1803377

Send Tax Statements to Grantee's Mailing Address:

Brad Cassetto and Molly P. Rucks

3335 Gap Hollow Rd

New Albany, IN 47150-9118

State ID# 22-05-02-000-005 0C0-007

22-05-02-000-040.000-007

WARRANTY DEED

THIS INDENTURE WITNESSETH, that **Michael L. Thomas and Myron W. Thomas and Tiana Leigh Bruce**, (hereinafter referred to as "Grantor"), of Floyd County, Indiana

CONVEYS AND WARRANTS

unto **Brad Cassetto and Molly P. Rucks, husband and wife**, (hereinafter referred to as "Grantee"), of Floyd County, Indiana, for and in consideration in the amount of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, the following described property located in Floyd County, Indiana, to wit:

The property is generally known as:

3335 Gap Hollow Rd, New Albany, IN, 47150-9118

The property is being more particularly described, to-wit:

See Exhibit A attached hereto and made a part hereof.

Subject to any and all restrictions, easements and covenants of public record.

TO HAVE AND TO HOLD, the same unto said grantees in fee simple.

This conveyance is made free and clear of all liens and encumbrances, except restrictions and easements of record, and the Fall 2017 payable in 2018 real estate taxes, and all taxes due thereafter, which the grantee hereby assumes and agrees to pay from and after the date of this Deed.

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

JUL 12 2018


AUDITOR FLOYD CO. IND.



Site Plan 3335 GAP HOLLOW RD

- A. 15' x 65' Existing manufactured home with 20 x 34' sunroom addition
- B. 24' x 40' Proposed Garage
- C. 24' x 40' Proposed Workshop
- D. 12' x 24' Proposed Workshop
- E. 12' x 32' Proposed Shed

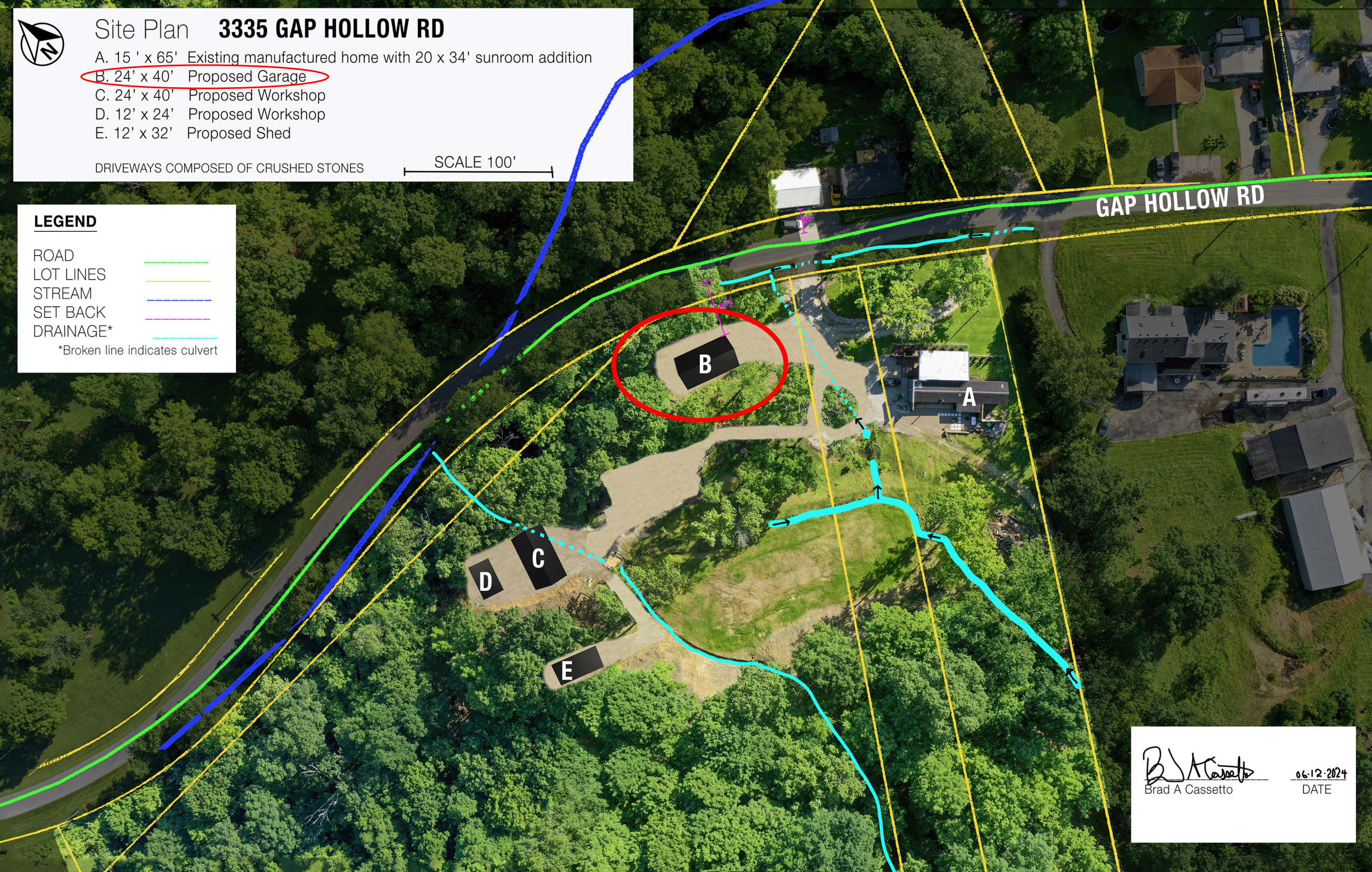
DRIVEWAYS COMPOSED OF CRUSHED STONES

SCALE 100'

LEGEND

- ROAD ---
- LOT LINES ---
- STREAM ---
- SET BACK ---
- DRAINAGE* ---

*Broken line indicates culvert



Brad A Cassetto
 Brad A Cassetto 06.12.2024
 DATE

FLOYD COUNTY HEALTH DEPARTMENT

1917 Bono Road
New Albany, Indiana 47150-4607
Website: www.floydcounty.in.gov

Telephone (812) 948-4726
Fax (812) 948-2208

SITE APPROVAL PERMIT FOR CONSTRUCTION
OF
OUTBUILDINGS, ADDITIONS and/or
INSTALLATION OF SWIMMING POOLS
GEOHERMAL HEAT SYSTEM
UNDERGROUND UTILITY CONNECTION and/or
UNDERGROUND LAWN SPRINKLER SYSTEM

RECEIPT NO: 21613

PERMIT NO.: SA-42-24

Date Issued: 06/3/2024

Permit is void the last day of the thirty-sixth (36th) month following the month of permit issuance.

ISSUED TO: Brad Cassetto

PROPERTY OWNER: Brad Cassetto

ADDRESS: 3335
House Number

Gap Hollow Dr
Street/Road/Drive

New Albany
City/Town

Indiana
State

47150
Zip Code

CONTRACTOR/INSTALLER:

SITE APPROVAL FOR: 24' x 40' Garage, 40' x 50' Workshop
& 12' x 32' Shed

ISSUED BY: Anthony Lieber

NOTES: Protect area of septic and during all phases of
construction. Septic located by homeowner.







**ANY CHANGE TO THE LOCATION OR INSTALLATION OF DESIGN WITHOUT PRIOR APPROVAL
FROM THE FLOYD COUNTY HEALTH DEPARTMENT WILL VOID THIS PERMIT**

The Yardstick by which we measure our prosperity is the health and happiness of our people.

05-28-24

3335 Gap Hollow Rd
New Albany IN 47150



-  - existing septic system
-  - Proposed Garage 24x40
-  - Proposed Workshop 40x50
-  - Proposed Shed

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