

***ROCHESTER CITY
BOARD OF ZONING APPEALS***

CITY HALL
COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 24, 2021
6:00 P.M.

CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

**BOARD OF ZONING APPEALS MINUTES FOR:
December 16, 2020**

OLD BUSINESS:

NEW BUSINESS:
Mark Miles (#210016)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

ROCHESTER CITY BOARD OF ZONING APPEALS
December 16, 2020

ROCHESTER CITY
BOARD OF ZONING APPEALS

WEDNESDAY, DECEMBER 16, 2020

6:00 P.M.

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:
November 25, 2020

OLD BUSINESS:

NEW BUSINESS:
Good Oil Company (#200785)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

ROCHESTER CITY BOARD OF ZONING APPEALS
December 16, 2020

The Rochester City Board of Zoning Appeals met on Wednesday the 16th day of December 2020, at 6:00 P.M. Chairperson, Duane Border, called the meeting to order at 6:00 P.M. The following members were present: Teresa Houser, David Roe, Pam Fish and Duane Border. Also in attendance were: Executive Director, Casi Cowles; Attorney, Andy Perkins, and Administrative Secretary, Heather Redinger.

It is duly noted Rick O'Neill was absent.

IN RE: MEETING MINUTES

November 25, 2020

Duane Border asked the Board for any deletions, or corrections to be made to the November 25, 2020 minutes. David Roe moved to approve the November 25, 2020 Rochester City Board of Zoning Appeals minutes. Pam Fish seconded the motion. Motion carried as follows: Teresa Houser, David Roe, Pam Fish, and Duane Border being in favor and no one opposing.

IN RE: NEW BUSINESS

Good Oil Company (#200785)

Good Oil Company (#200785) is requesting development standard variance of 66 sf of additional signage, for the purpose of a new signage, located at 400 Main Street, Rochester, IN., within Historical Downtown (HD) district

In the HD district signage cannot exceed 100 sf. God Oil Company is rebranding and the new signage will be approximately 166 sf total. Therefore, a variance of an additional 66 sf of signage is being requested.

Duane asked if the petitioner had anything further to add.

They did not at this time.

Duane then asked for Board comments.

Being no further questions, Duane entertained a motion to open the public hearing. Pam Fish moved to open the public hearing. David Roe seconded the motion. Motion carried as follows: Teresa Houser, David Roe, Pam Fish, and Duane Border being in favor and no one opposing.

Duane asked if anyone would like to speak in favor or opposed the petition.

Being none, he then entertained a motion to close the public hearing. David Roe moved to close the public hearing. Pam Fish seconded the motion. Motion carried as follows: Teresa Houser, David Roe, Pam Fish, and Duane Border being in favor and no one opposing.

Duane asked for Board discussion.

Being no further questions or comments, Duane Border, entertained a motion regarding the petition. Pam Fish moved to approve Good Oil Company (#200785) is requesting development standard variance of 66 sf of additional signage, for the purpose of a new signage, located at 400 Main Street, Rochester, IN., within Historical Downtown (HD) district. David Roe seconded the motion.

The Board members then proceeded to fill out their Findings of Fact Forms.

ROCHESTER CITY BOARD OF ZONING APPEALS
December 16, 2020

Pam Fish	Yea
David Roe	Yea
Teresa Houser	Yea
Duane Border	Yea

Motion to approve, Good Oil Company (#200785) is requesting development standard variance of 66 sf of additional signage, for the purpose of a new signage, located at 400 Main Street, Rochester, IN., within Historical Downtown (HD) district. Passed with four votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR'S REPORT

Being no further business to come in front of the Board of Zoning Appeals, Duane Border, entertained a motion to adjourn the December 16, 2020 Rochester City Board of Zoning Appeals meeting. Pam Fish moved to adjourn the December 16, 2020 Rochester City Board of Zoning Appeals meeting at 6:15 P.M. David Roe seconded the motion. Motion carried as follows: Teresa Houser, David Roe, Pam Fish, and Duane Border being in favor and no one opposing.

ROCHESTER CITY BOARD OF ZONING APPEALS

ATTEST: _____
 Heather Redinger, Administrative Secretary

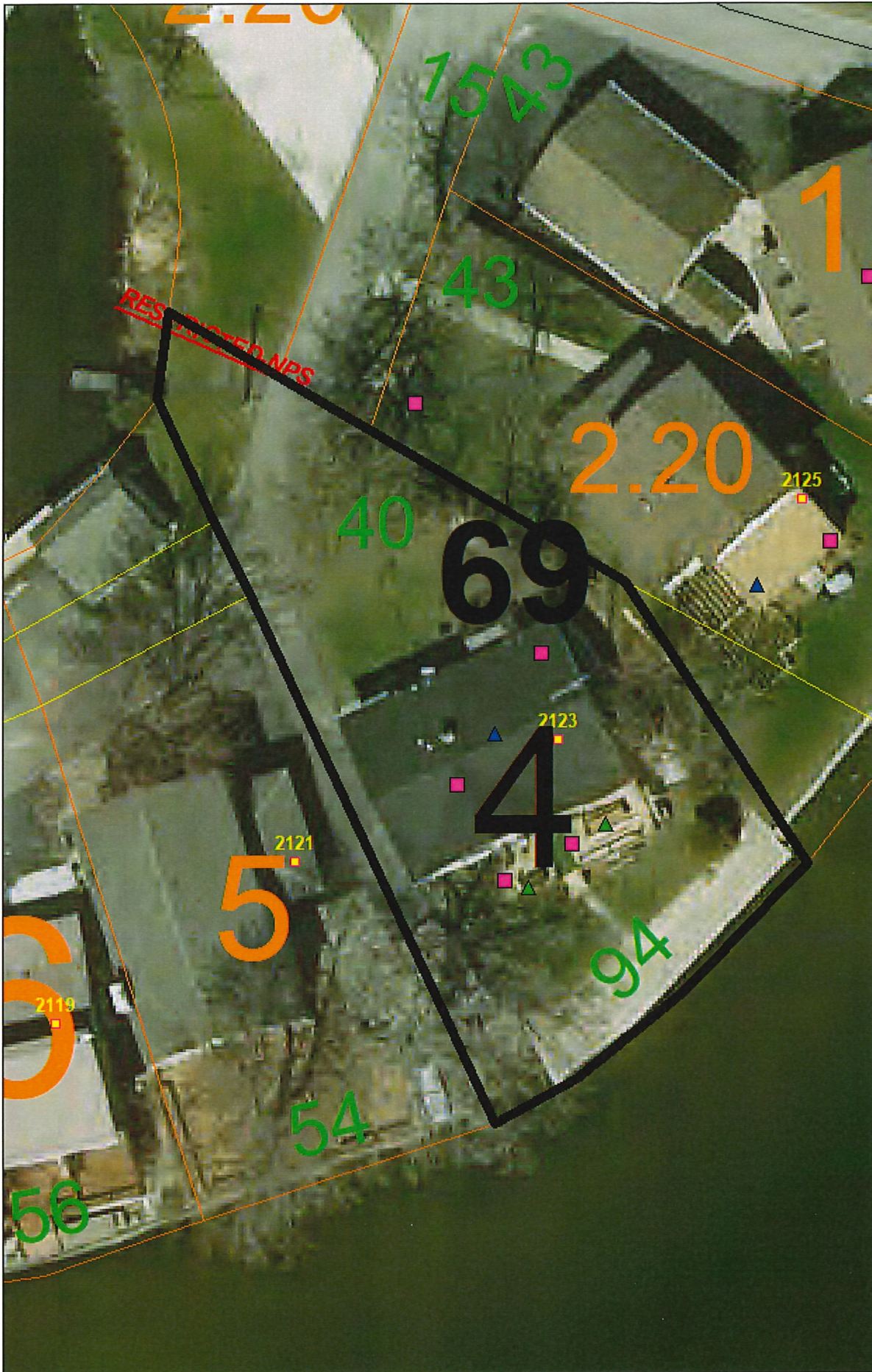
Docket #210016
Mark Miles
Development Standard Variance

Mark Miles (#210016) is requesting development standard variance of 2.5' off of the side yard setback, for the purpose of an addition, located at 2123 Poet's Drive Point, Rochester, IN., within Lake Residential (R3) district

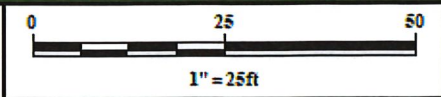
In the R3 district the side yard setback for a primary structure is 8'. Mr. Miles would like to construct an attached 2 car garage which would sit approximately 5.5' off of the side property line. Therefore, a variance of 2.5' off of the side yard is being requested.

Mr. Miles has proposed plans to construct a 2 car garage, with a bonus room, bedroom and full bath, a new entry and an additional bedroom. The proposed garage is the only structure that will not meet the required setbacks.

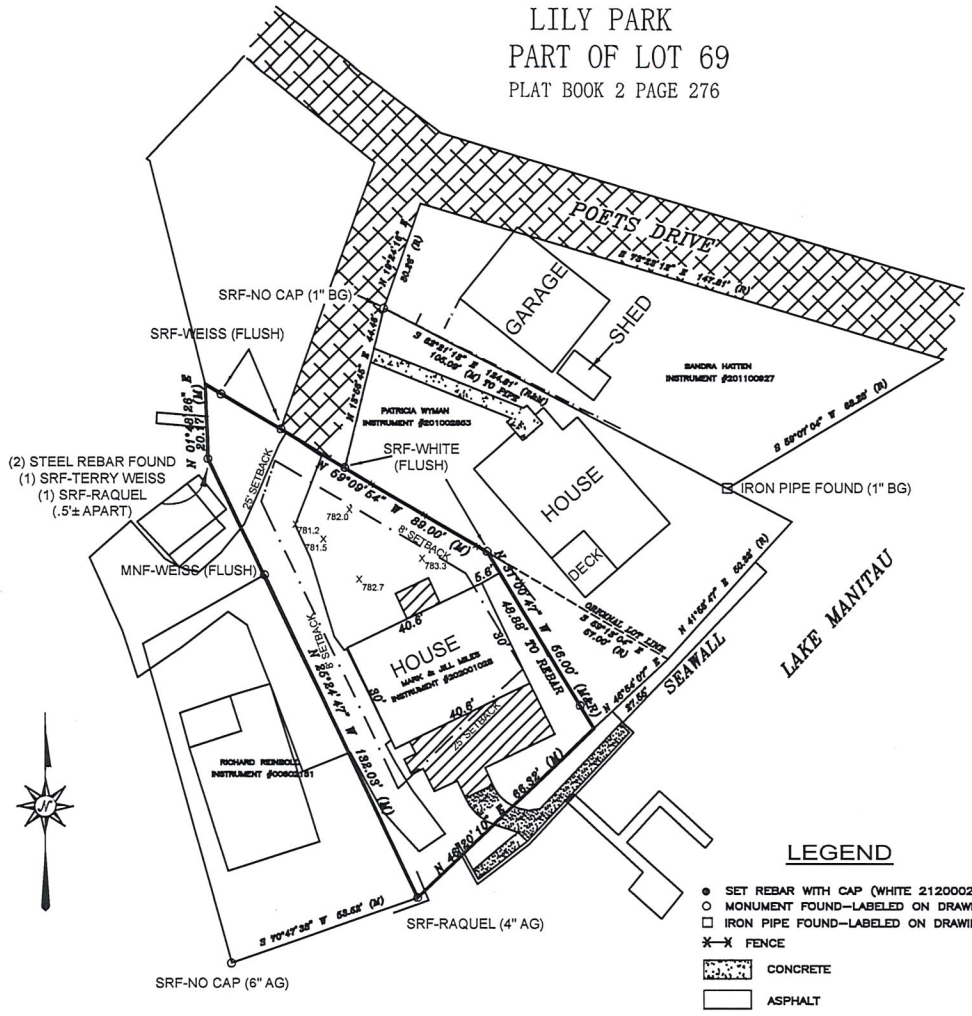
The request is for a development standard variance of 2.5' off of the side yard setback, for the purpose of an addition, located at 2123 Poet's Drive Point, Rochester, IN., within Lake Residential (R3) district.



- Parcels
 - City Town Boundary
 - New Buildings
 - Peacetree Village - St
 - Addresses
 - Permits - Primary
 - Permits - Accessory
 - Bldg Permits
-
- Parcels
 - Lots
 - Parcel History
 - Highways
 - Roads
 - Tippecanoe River
 - New Buildings
 - Permits - Comm
 - Bldg Permits



LILY PARK
PART OF LOT 69
PLAT BOOK 2 PAGE 276



PROPERTY ADDRESS: 2123 POETS DRIVE
ROCHESTER, INDIANA 46976
SURVEY REQUESTED BY : JILL MILES

LEGEND

- SET REBAR WITH CAP (WHITE 21200024)
- MONUMENT FOUND—LABELED ON DRAWING
- IRON PIPE FOUND—LABELED ON DRAWING
- ✕✕ FENCE
- ▨ CONCRETE
- ▭ ASPHALT

LEGAL DESCRIPTION— (INSTRUMENT #202001028)

A PART OF LOT NUMBER 69 LILY PARK, LAKE MANITAU, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT NORTH 75 DEGREES EAST 110 FEET FROM THE SOUTHWEST CORNER OF SAID LOT NO. 69, LILY PARK, LAKE MANITAU AT THE WATER'S EDGE OF SAID LAKE; THENCE NORTH 14 DEGREES WEST, 97 FEET THENCE NORTH 19 DEGREES EAST 40 FEET; THENCE SOUTH 65 DEGREES, 102 FEET TO THE WATER'S EDGE TO THE PLACE OF BEGINNING, WHICH IS 34 DEGREES WEST, 94 FEET FROM THE NORTHEAST CORNER OF THE TRACT HERIN DESCRIBED, AND BEING SITUATE IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 30 NORTH, RANGE 3 EAST, EXCEPT, BEGINNING AT THE SOUTHEAST CORNER OF THE DR. R. L. SPARKS PROPERTY IN LILY PARK ADDITION TO LAKE MANITAU, SAID POINT BEING AT THE WATER'S EDGE AS MEASURED SOUTHWESTERLY ALONG THE WATER'S EDGE FROM THE NORTHEAST CORNER OF LOT 69 IN LILY PARK; THENCE CONTINUING ALONG THE WATER'S EDGE SOUTH 38 DEGREES AND 5 MINUTES WEST 27.55 FEET; THENCE NORTH 36 DEGREES AND 5 MINUTES WEST 56 FEET; THENCE SOUTHEASTERLY 57 FEET TO THE PLACE OF BEGINNING, BEING A TRIANGULAR TRACT ADJACENT TO THE SOUTHEAST PORTION OF SAID SPARKS PROPERTY AS RECORDED IN DEED RECORD 85 AT PAGE 175 IN THE RECORDER'S OFFICE OF FULTON COUNTY, INDIANA.

ALSO,
A PARCEL OF LAND BEING PART OF LOT 60 OF LILY PARK, LAKE MANITAU, AS RECORDED IN PLAT BOOK 2, PAGE 276 IN THE OFFICE OF THE FULTON COUNTY RECORDER, AS LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 30 NORTH, RANGE 3 EAST, CITY OF ROCHESTER, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 10; THENCE NORTH 89 DEGREES 50 MINUTES 43 SECONDS EAST (BEARINGS ASSUMED) ON AND ALONG THE NORTH LINE OF SAID QUARTER, A DISTANCE OF 693.43 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 17 SECONDS EAST, TO A (FOUND 1/2 INCH REBAR), A DISTANCE OF 632.72 FEET, SAID POINT BEING THE MOST NORTHERLY CORNER OF A TRACT OF LAND AS DESCRIBED IN DEED RECORD, BOOK 123 PAGE 172 AND BEING THE POINT OF BEGINNING; THENCE SOUTH 35 DEGREES 58 MINUTES 44 SECONDS WEST ALONG THE WESTERLY LINE OF AFOREMENTIONED TRACT, TO THE INTERSECTION OF THE NORTHERLY LINE OF A TRACT OF LAND AS DESCRIBED IN DEED RECORD, INSTRUMENT NUMBER 0103351, A DISTANCE OF 36.39 FEET; THENCE NORTH 25 DEGREES 52 MINUTES 12 SECONDS WEST ALONG SAID NORTHERLY LINE, TO THE WATER'S EDGE OF LAKE MANITAU, A DISTANCE OF 39.14 FEET, SAID POINT BEING WITNESSED BY A FOUND 1/2 INCH REBAR, SOUTH 25 DEGREES 52 MINUTES 12 SECONDS EAST, A DISTANCE OF 4.14 FEET; THENCE NORTHERLY ALONG THE WATER'S EDGE, BEING A MEANDERING LINE OF 16 FEET, MORE OR LESS, SUBTENDED BY A CHORD BEARING NORTH 6 DEGREES 00 MINUTES 49 SECONDS EAST, A LENGTH OF 15.89 FEET, SAID POINT BEING WITNESSED BY A T 5/8 INCH REBAR SET SOUTH 59 DEGREES 37 MINUTES 07 SECONDS EAST, A DISTANCE OF 4.00 FEET; THENCE SOUTH 59 DEGREES 37 MINUTES 07 SECONDS EAST, TO THE POINT OF BEGINNING, A DISTANCE OF 42.65 FEET, CONTAINING 927 SQUARE FEET, MORE OR LESS.

SURVEYOR'S REPORT

THE PURPOSE OF THIS SURVEY WAS TO ESTABLISH THE PROPERTY LINES OF THE PART OF LOT 69 OWNED BY JILL MILES. THE PLAT OF LILY PARK IS VERY VAGUE AND HARD TO READ DUE TO THE QUALITY OF THE RECORDING OF SAID PLAT. THE PLAT DOESN'T SHOW ANY BEARINGS AND IT APPEARS NO ORIGINAL MONUMENTS WERE SET. SEVERAL SURVEYS PERFORMED BY TERRY WEISS (R.E. DAAKE), AS WELL AS THE LEGAL DESCRIPTION WERE USED TO ESTABLISH THE BOUNDARY LINES OF THE TILES PROPERTY. THEY ARE AS FOLLOWS: JOB NAME-JOHN SPARKS, INSTRUMENT #20080081159; JOB NAME-JACK LITTLER, INSTRUMENT #20080081157; AND JOB NAME-COBLEBS, INSTRUMENT #9802663. A SURVEY WAS ALSO DONE ON THE PROPERTY TO THE NORTH (JOB #160103). MONUMENTS WERE FOUND AT ALL THE CORNERS AND ARE SHOWN ON THE PLAT. A WOODEN FENCE RUNS ALONG THE LINE NORTH LINE, THEN JOGS SOUTH EAST. THAT PART OF THE FENCE IS AFTER THE JOG IS ABOUT 4.3 FEET FROM THE PROPERTY LINE. THE ASPHALT JOINT BETWEEN THE TWO PROPERTIES (WEST SIDE) IS ABOUT 1-1.5' EAST OF THE WEST LINE.

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 30 OF THE INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:
 A) VARIANCES IN THE REFERENCE MONUMENTS;
 B) DISCREPANCIES IN RECORD DESCRIPTIONS AND PLATS;
 C) INCONSISTENCIES IN LINES OF OCCUPATION;
 D) RANDOM ERRORS IN MEASUREMENTS OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A SUBURBAN (0.07 FEET PLUS 50 PARTS PER MILLION) SURVEY. THIS SURVEY IS A RETRACEMENT SURVEY OF A TRACT OF LAND LOCATED IN PART OF LOT 69 IN THE LILY PARK PLAT, IN ROCHESTER TOWNSHIP, FULTON COUNTY, INDIANA. DISCREPANCIES IN MEASUREMENTS ARE SHOWN AS MEASURED (M) AND RECORDED (R) ON THE DRAWING. AS A RESULT OF THE ABOVE OBSERVATIONS, IT IS MY OPINION THAT THE UNCERTAINTIES IN THE LOCATION OF THE LINES AND CORNERS ON THIS SURVEY ARE AS FOLLOWS:
 DUE TO VARIANCES IN THE REFERENCE MONUMENTS: ±0.5'
 DUE TO DISCREPANCIES IN THE RECORD DESCRIPTION: AS SHOWN
 DUE TO INCONSISTENCIES IN THE LINES OF OCCUPATION: AS SHOWN IN REPORT. (FENCES SHOWN), ASPHALT JOINT.

BASIS OF BEARINGS IS TAKEN FROM THE NORTH LINE OF THE WYMAN PROPERTY AS S 62 DEGREES 21 MINUTES 13 SECONDS EAST, WITH ALL OTHER BEARINGS HEREIN CONTAINED RELATIVE.

I, SETH A. WHITE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

SETH WHITE

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF INDIANA AND THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE WITHIN PLAT REPRESENTS A SURVEY MADE UNDER MY SUPERVISION SEPTEMBER 14, 2020 IN ACCORDANCE WITH IAC 865.1-1-12. I DO NOT CERTIFY TO THE DETERMINATION OF OWNERSHIP, COMPLIANCE WITH THE BUILDING AND ZONING RESTRICTIONS OR SUITABILITY OF THE TRACT FOR ANY PARTICULAR PURPOSE. I HAVE REVIEWED ALL FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.

REGISTERED LAND SURVEYOR
SIGNATURE *Seth White*
SETH A. WHITE
IND. REG. NO. 21200024

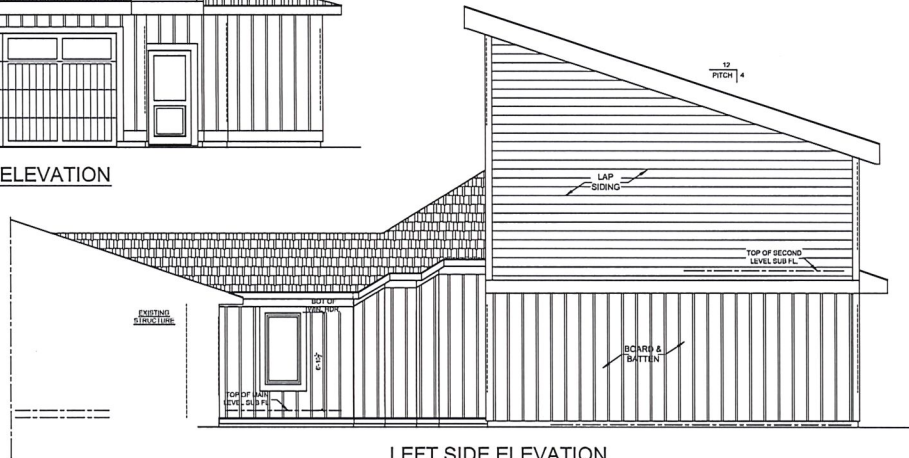


SETH WHITE SURVEYING, LLC
7801 SOUTH 1000 WEST,
KEWANNA, INDIANA 46939
PHONE: (574) 817-0511
SETH A. WHITE P.L.S.

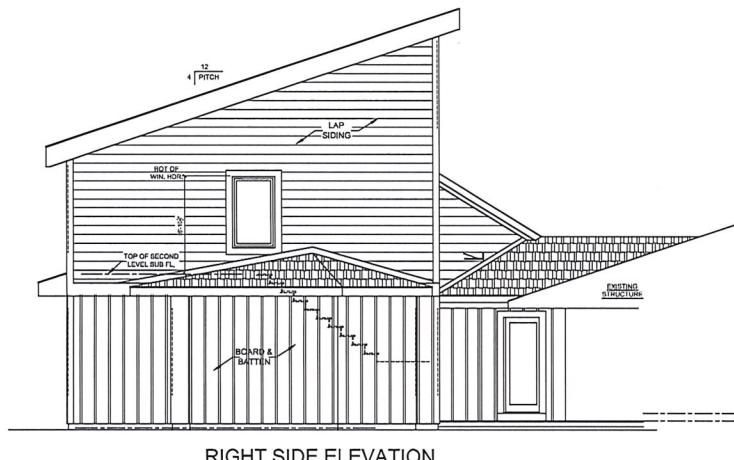
DATE: SEPTEMBER 14, 2020
PROJECT NUMBER: 200905
AUTHORIZED BY: SETH WHITE
DRAFTING BY: SETH WHITE
SCALE: 1" = 40'
SHEET 1 OF 1



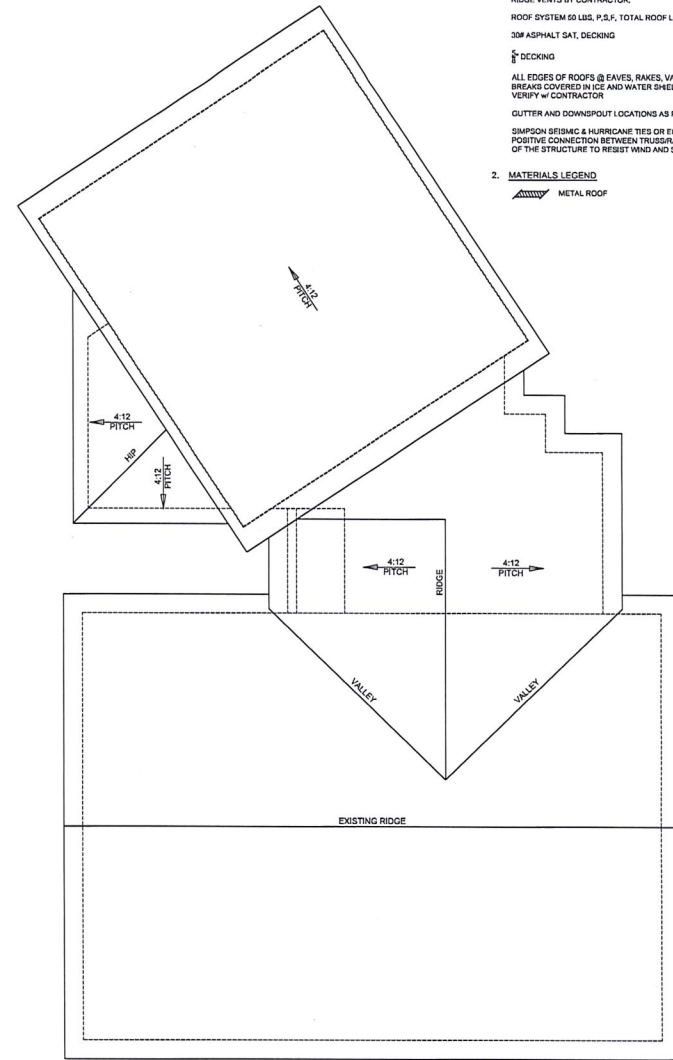
FRONT ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



ROOF PLAN

SCALE: 1/4"=1'-0"

CONSTRUCTION LEGEND

1. GENERAL NOTES

- RIDGE VENTS BY CONTRACTOR.
- ROOF SYSTEM 50 LBS. P.S.F. TOTAL ROOF LOAD.
- 30# ASPHALT SAT. DECKING
- DECKING
- ALL EDGES OF ROOFS @ EAVES, RAKES, VALLEYS, HPS AND BREAKS COVERED IN CEILING AND WATER SHIELD MATERIAL OR EQUAL. VERIFY w/ CONTRACTOR
- CUTTER AND DOWNSPOUT LOCATIONS AS PER CONTRACTOR
- SIMPSON SEISMIC & HURRICANE TIES OR EQUAL TO PROVIDE A POSITIVE CONNECTION BETWEEN TRUSS/RAFTERS AND THE WALL OF THE STRUCTURE TO RESIST WIND AND SEISMIC FORCES

2. MATERIALS LEGEND

- METAL ROOF

NOT FOR CONSTRUCTION
PRELIMINARY CONSTRUCTION
DRAWINGS ONLY
NOT TO BE USED FOR STRUCTURAL PURPOSES

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Drawing is preliminary and subject to change without notice. It is not intended to be used for construction purposes. All dimensions and materials are subject to change without notice. H. G. McCullough Designers, Inc. is not responsible for any errors or omissions in this drawing.

Designer: Mark & Jill Miles
 Date: 08/14/19

H. G. McCullough Designers, Inc.
 Evansville, IN 47710
 Email: design@hgmccullough.com
 www.hgmccullough.com

Designer: H. G. McCullough Designers, Inc.
 Sheet Number: 00

Fulton County Plan Commission
123 E 9th St.
Rochester Ind. .
46975

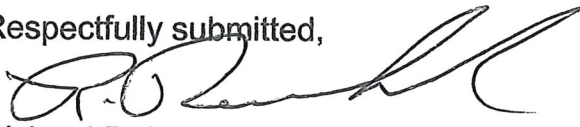
Richard Reinbold
Tammy Valiquet
2121 Poets Dr
Rochester Ind
46975

1-23-21

Docket # BZA 210016

To Whom it may Concern,
Writing to express of our support for Mr. Miles variance request related to side yard set
back.

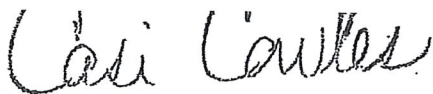
Respectfully submitted,



Richard Reinbold
Tammy Valiquet
Tammy Valiquet

708-774-4873

c/c: Mr. Miles



Fulton County Plan Director

PUBLISH: Rochester Sentinel

**AREA PLAN COMMISSION OFFICE
2020 YEAR END REPORT**

Total Permits Issued in 2020: 806

Building/Electrical Permits: 434
Location Improvement Permits: 372
Electrical Registrations: 60
Plumbing Registrations: 17

Total Permits Issued in 2019: 684

Building/Electrical Permits: 134
Location Improvement Permits: 353
Electrical Registrations: 56
Plumbing Registrations: 19

2020 Permits Issued

<p><u>Henry Twp~111</u> Building/Electrical Permits 57 Location Improvement Permits 54 3-New Dwellings</p>	<p><u>Town of Akron~42</u> Building/ Electrical Permits 26 Location Improvement Permits 16 -New Dwellings</p>
<p><u>Rochester Twp~457</u> Building/ Electrical Permits 267 Location Improvement Permits 192 27-New Dwellings</p>	<p><u>City of Rochester ~309</u> Building/ Electrical Permits 193 Location Improvement Permits 116 5-New Dwellings</p>
<p><u>Liberty Twp ~67</u> Building/ Electrical Permits 36 Location Improvement Permits 31 1-New Dwellings</p>	<p><u>Town of Fulton~ 13</u> Building/ Electrical Permits 9 Location Improvement Permits 4 0-NewDwellings</p>
<p><u>Union Twp~52</u> Building/ Electrical Permits 20 Location Improvement Permits 32 0-New Dwellings</p>	<p><u>Town of Kewanna~14</u> Building/ Electrical Permits 4 Location Improvement Permits 10 0-New Dwellings</p>
<p><u>Aubbeenaubbe Twp ~ 30</u> Building/ Electrical Permits 15 Location Improvement Permits 15 2- New Dwellings</p>	<p><u>Richland Twp~28</u> Building/ Electrical Permits 13 Location Improvement Permits 15 1-New Dwellings</p>
<p><u>Newcastle Twp ~41</u> Building/ Electrical Permits 18 Location Improvement Permits 23 3-New Dwellings</p>	<p><u>Wayne Twp~20</u> Building/ Electrical Permits 8 Location Improvement Permits 12 1-New Dwellings</p>

Total Splits Approved~49

1~ Aubbeenaubbe Twp
5~Henry Twp
5~Liberty Twp
5~Newcastle Twp

5~Richland Twp
14~Rochester Twp
7~Union Twp
7~Wayne Twp

Plan Commission Petitions: 3

TRC: 5

BZA Petitions: 27

- Development Standard Variances~22
 - 12 City of Rochester
 - 9 Fulton County
 - 1 Akron
 - 0 Fulton/Kewanna

- Special Exceptions~5
 - 0 City of Rochester
 - 4 Fulton County
 - 0 Akron
 - 1 Fulton/Kewanna

2020

Total Plan Commission & Building Fees Collected	\$62,500.78
Location Improvement Permits, Petition Applications and copies	\$25,830.70
Fines	\$4,731.00
Fulton County Building Permit Fees	\$20,312.80
City Building Permit Fees and Registration Fees	\$11,626.28

2019

Total Plan Commission & Building Fees Collected	\$49,563.03
Location Improvement Permits, Petition Applications and copies	\$28,460.88
Fines	\$1,107.00
Fulton County Building Permit Fees	\$5,915.00
City Building Fees and Registration Fees	\$14,080.15



Fee Summary Paid Totals

01/01/2021 - 01/31/2021

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
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Group: 1001.03201.000.0036

A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$750.80	10
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.03201.000.0036	\$203.00	10
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.03201.000.0036	\$240.00	6
A-2. County, Akron, & Town of Fulton Commercial - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$160.00	2
A-2. County, Akron, & Town of Fulton Commercial - Permit Fee		1001.03201.000.0036	\$28.85	2
			\$1,382.65	30

Group Total: 5

Group: 1001.03203.000.0036

B. City of Rochester Residential Permit Fee		1001.03203.000.0036	\$53.47	4
B-1. City of Rochester	Enter Number of Inspections	1001.03203.000.0036	\$101.80	4

Residential- Inspection Fee				
			\$155.27	8

Group Total: 2**Group: 1001.07101.000.0036**

BZA. Development Standard Variance		1001.07101.000.0036	\$175.00	1
PC. City of Rochester Residential Primary Plat	Enter number of lots.	1001.07101.000.0036	\$525.00	1
PC. Residential Secondary Plat - All Jurisdictions		1001.07101.000.0036	\$100.00	1
ZO. LIP		1001.07101.000.0036	\$750.00	15
ZO. LIP - Early Bird Fee	Enter Standard Permit Fee Amount	1001.07101.000.0036	\$469.98	1
ZO. LIP - Early Bird Fee Calculation		1001.07101.000.0036	\$0.02	1
ZO. Signs	Enter Square Feet	1001.07101.000.0036	\$199.50	3
			\$2,219.50	23

Group Total: 7

			\$3,757.42	61
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Total Records: 14**2/17/2021****Page: 1 of 1**