## TOWN OF PITTSFORD ZONING BOARD OF APPEALS <br> AGENDA

August 17, 2020

## PUBLIC HEARING FOR AN AREA VARIANCE - NEW

- 31 Merryhill Lane, Tax \# 163.16-2-23, Applicant is requesting relief from Town Code §185-17 (B) (1) \& §185 119 (A) (1) to allow the placement of a pool filter and heater forward of the building line and forward of the rear wall of the home. Property is zoned RN - Residential Neighborhood District.
- 55 N Country Club Drive, Tax \# 151.05-1-25, Applicant is requesting relief from Town Code §185-17 (B) (1) to allow construction of an addition forward of the building line. Property is zoned RN - Residential Neighborhood District.
- 21 Wind Mill Road, Tax \# 178.07-1-48, Applicant is requesting relief from Town Codes $\S 185-17$ (B) (1) \& $\S 185-17(\mathrm{~K})(2)$ for the construction of an addition encroaching into the side setback and extending forward of the building line. This property is a corner lot and is zoned RN-Residential Neighborhood.
- 76 Knollwood Drive, Tax \# 138.17-1-8, Applicant is requesting relief from Town Codes $\S 185-17$ (B) (1) for the construction of an addition extending forward of the building line. This property is zoned RN-Residential Neighborhood.
- 16 Cedarwood Circle, Tax \# 178.11-2-26, Applicant is requesting relief from Town Code §185-17 (L) (1) \& $185-113(B)(6)$ to locate an accessory structure (standby generator) on the side of the home encroaching on the side setback of the property. This property is a flag lot and is zoned RN - Residential Neighborhood District
- 3765 East Avenue. Tax \# 138.18-2-15, Applicant is requesting relief from Town Code § 185-17 (E) to construct an addition encroaching into the side setback. This property is zoned RN - Residential Neighborhood District.


## REVIEW OF MEETING MINUTES OF JULY 20, 2020

ZBA Meeting Agenda
August 17, 2020
Page 2 of 2

How to view the meeting:

1. Zoom

- In your web browser, go to You will be connected to the meeting.
https://townofpittsford.zoom.us/i/88480025687?pwd=ZDlicHZXL2N1WmhFKy9DaGILWmMzQT09

2. Telephone

- You can access the meeting by phone. Use any of the phone numbers below, then enter the meeting ID when prompted. The Meeting ID is. 88480025687 No password is necessary.

| (929) 205-6099 | (312) 626-6799 |
| :--- | :--- |
| (253) 215-8782 | (301) 715-8592 |
| (346) 248-7799 | (669) $900-6833$ |

draft

## TOWN OF PITTSFORD ZONING BOARD OF APPEALS <br> MINUTES <br> July 20, 2020

## PRESENT

George Dounce, Chairperson; Mary Ellen Spennacchio-Wagner, Barbara Servé, Phil Castleberry, James Pergolizzi, David Rowe

## ALSO PRESENT

Mark Lenzi, Building Inspector; Robert Koegel, Town Attorney; Susan Donnelly, Secretary to the Board

## ABSENT

Mike Rose
Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, July 20 at 7:00 P.M. local time. The meeting took place with Board members and applicants participating remotely using Zoom virtual meeting software.

George Dounce, Chairperson, called the regularly scheduled meeting of the Zoning Board of Appeals to order at 7:00 pm.

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c) (7) or (12) \& (13) and, therefore, is not subject to Environmental Review under SEQRA. The applications are exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

## PUBLIC HEARING FOR AN AREA VARIANCE - RETURNING

- 85 Knollwood Drive, Tax \# 138.17-1-5, Applicant is requesting relief from Town Code §185-113 (B) (6) (Side Setback) and $\S 185-141$ (F) (1) (Outdoor Illumination of Recreational courts) to allow the construction of an outdoor recreation court (Tennis Court). The Applicant has submitted a letter to the Town of Pittsford to withdraw this application.

Mark Lenzi announced that the application for 85 Knollwood Drive has been withdrawn by the applicant in writing via email.

On this basis, Chairman George Dounce moved to close the Public Hearing.
Phil Castleberry seconded.
A poll was taken of the Board.
George Dounce voted aye
Mary Ellen Spennacchio-Wagner voted aye
Barbara Servé voted aye
Phil Castleberry voted aye
Jim Pergolizzi voted aye
David Rowe voted aye

## PUBLIC HEARING FOR AN AREA VARIANCE - NEW

- 1 Mendon Center Road, Tax \# 164.03-1-30.1, Applicant is requesting relief from Town Codes §185$113 \mathrm{~B}(3)$ for the construction of an accessory structure (Arbor) located forward of the rear wall of the home. This property is zoned RN-Residential Neighborhood.

The applicant Victoria Lehr was present via Zoom to discuss the application with the Board.
George Dounce opened the Public Hearing for 1 Mendon Center Road.
Ms. Lehr addressed the Board and expressed apology for unknowingly constructing the arbor which required a variance. She has talked to her neighbor and there is no concern. Peter Spinelli representing the neighboring Founder's Green homeowner's association expressed no opposition to the project.

There was no further public comment.
Barbara Servé moved to close the Public Hearing.
Jim Pergolizzi seconded.
George Dounce called for a roll call vote.
Dounce voted aye
Servé voted aye
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye

## DECISION FOR 1 MENDON CENTER ROAD - AREA VARIANCE

A written Resolution to grant the area variance for 1 Mendon Center Road was moved by Barbara Servé and seconded by Mary Ellen Spennacchio-Wagner.

Chairman George Dounce called for a roll call vote.
Dounce voted aye
Servé voted aye
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated July 8, 2020.
2. This application is subject to the approval of the Design Review and Historic Preservation Board.

- 15 Woodbury Place Tax \# 137.68-1-14.1, Applicant is requesting relief from Town Code §185-113 B (6) \& 185-17 I to locate an accessory structure (standby generator) encroaching on the rear setback of the property. This property is zoned RN - Residential Neighborhood District

George Dounce opened the Public Hearing.
Chris Pilosi of Pilosi Electric was present to represent the homeowner Carol Aroesty.
Phil Castleberry inquired about the timeline for installation of the unit. Mr. Pilosi indicated the generator would be ordered with in the next month.

Barb Serve stated that the proposed location of the generator is in a hidden, protected area and the Homeowner's Association has no objection.

There was no public comment.
Mary Ellen Spennacchio-Wagener moved to close the public hearing.
Barbara Servé seconded.
A poll was taken of the Board.
Dounce voted aye
Spennacchio-Wagner voted aye
Servé voted aye
Castleberry voted aye
Pergolizzi voted aye
Rowe voted aye

## DECISION FOR 15 WOODBURY PLACE - AREA VARIANCE

A written Resolution to grant the area variance for 15 Woodbury Place was moved by Phil Castleberry and seconded by Barb Serve.

Chairman George Dounce called for a roll call vote.
Dounce voted aye
Servé voted aye
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated June 5, 2020.
2. All construction is to be completed by December 31, 2021.

- 25 Copper Woods, Tax \# 178.03-1-45, Applicant is requesting relief from Town Code §185-113 B (3), \& (6) and $\S 185-17 \mathrm{E}$ to allow construction of a shed located forward of the rear wall and encroaching into the side setback. Property is zoned RN - Residential Neighborhood District.

This application was withdrawn by the applicant in a request made in writing to the Town of Pittsford.

25 Parker Drive, Tax \# 164.10-2-67, Applicant is requesting relief from Town Code § 185-113 B (1) \& (2) and § 185-17 E to construct an addition encroaching into the side setback and for the construction of an over height and oversized accessory structure located in the rear yard. This property is zoned RN - Residential Neighborhood District.

The homeowners, Justin and Sheena Hamilton, were present to discuss this application with the Board. They referenced the need for additional storage space and a wood shop and room in the garage for their SUV and truck vehicles He indicated that the timeframe would be to do construction in the fall or spring.

George Dounce asked for public comment.
Lynn Early of 20 Parker Drive indicated that she is not affected by the changes and thinks it is a great idea for the homeowners to do this.

Margaret Donohue of 29 Parker Drive expressed her concerns on how the closeness of the garage addition will negatively affect her property as the expansion of the garage will back up to her property. She feels that this addition is also disproportionate to the sizes of other homes in the neighborhood.

Jim Pergolizzi asked the applicant if he would consider moving the garage and Mr. Hamilton indicated he does not wish to do so because it would decrease the size of the play area in the yard for his family.

David Rowe discussed potentially removing the man door and pulling the garage over but the opinion of the applicant was that this would not work with the house.

There was no further public comment.
Phil Castleberry moved to close the public hearing.
Barbara Servé seconded.
All Ayes.
The Board continued discussion. Barbara Servé and George Dounce agreed that they could appreciate the neighbor at 29 Parker Drive concerns. David Rowe felt he could sympathize with both the applicant needs and the neighbor's concerns. Mary Ellen Spennacchio-Wagner inquired as to what modification might be made to satisfy the applicant and appease the neighbor. Buffering vegetation was discussed but it was determined that it would still be too close to the neighbor and garage. Phil Castleberry noted that that the lot is deep, that the garage faces the neighbor's garage and the applicant has made a good effort to cooperate with the situation. Mark Lenzi noted that if the applicant were to put in a long garage to comply with code that it may creates more problems than it solves for the neighbor.

## DECISION FOR 25 PARKER DRIVE - AREA VARIANCE

A written Resolution to grant the area variance for an oversized accessory structure at 25 Parker Drive was moved by David Rowe and seconded by Mary Ellen Spennacchio-Wagner.

Chairman George Dounce called for a roll call vote.
Dounce voted aye
Servé voted aye
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated May 15 , 2020.
2. All construction is to be completed by December 31, 2022.
3. This structure is subject to the approval of the Design Review and Historic Preservation Board.

A written Resolution to grant the area variance for the addition of a two-car garage for 25 Parker Drive was moved by David Rowe and seconded by Phil Castleberry.

Chairman George Dounce called for a roll call vote.
Dounce voted nay
Servé voted nay
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted nay
The motion did not carry and the resolution for the two-car garage was not approved.

- 28 Butternut Drive, Tax \# 165.09-1-10, Applicant is requesting relief from Town Code §185-113 B (1)
\& (2) to allow construction of an over height and oversized accessory structure located in the rear yard. Property is zoned RN - Residential Neighborhood District.

The applicant John Hanson was present to discuss this application with the Board.
After review of the application, there was no further discussion from the Board.
There was no Public Comment.
Mr. Hanson indicated that no trees would be cleared for the project.
Jim Pergolizzi moved to close the Public Hearing.
Phil Castleberry seconded.
Chairman George Dounce called for a roll call vote.
Dounce voted aye
Servé voted aye
Pergolizzi voted aye

Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye

## DECISION FOR 28 BUTTERNUT DRIVE - AREA VARIANCE

A written Resolution to grant the area variance for 28 Butternut Drive was moved by George Dounce and seconded by Barbara Servé.

Chairman George Dounce called for a roll call vote.
Dounce voted aye
Servé voted aye
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated July 8, 2020.
2. All construction is to be completed by December 31, 2021.

- 44 Harper Drive, Tax \#178.07-1-28, Applicant is requesting relief from Town Code §185-113 B (3) to allow construction of a shed located forward of the rear wall of the home. The shed is proposed to be located in the side yard. Property is zoned RN - Residential Neighborhood District.

George Dounce open the Public Hearing.
No representative was present to discuss the application with the Board.
It was confirmed that this review is for a shed which already been placed on site.
There was no further Board discussion after a review of the submission materials and site visit.
There was no public comment.
David Rowe moved to close the Public Hearing.
George Dounce seconded.
A poll was taken of the Board.
Dounce voted aye
Spennacchio-Wagner voted aye
Servé voted aye
Castleberry voted aye
Pergolizzi voted aye
Rowe voted aye

## DECISION FOR 44 HARPER DRIVE - AREA VARIANCE

A written Resolution to grant the area variance for an oversized accessory structure at 25 Parker Drive was moved by David Rowe and seconded by Mary Ellen Spennacchio-Wagner.

Chairman George Dounce called for a roll call vote.
Dounce voted aye
Servé voted aye
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated May 29, 2020.

- 393 Thornell Road, Tax \# 178.04-1-59.1, Applicant is requesting relief from Town Code §185-113 B (1) \& (6) and §185-17 L for the construction of an oversized accessory structure (Storage Shed) located in side yard and encroaching into the side setback. The structure is proposed to be approximately 192 Sq. Ft. Property is zoned RN- Residential Neighborhood District.

The applicant, Steven Kleindienst, was present to discuss the application with the Board.
He indicated that the most affected neighbor has indicated they have no concerns about the project.
There was no Public Comment.
Barbara Servé moved to close the Public Hearing.
George Dounce seconded.
A poll was taken of the Board.
Dounce voted aye
Spennacchio-Wagner voted aye
Servé voted aye
Castleberry voted aye
Pergolizzi voted aye
Rowe voted aye

## DECISION FOR 393 THORNELL ROAD - AREA VARIANCE

A written Resolution to grant the area variance for 393 Thornell Road was moved by Mary Ellen Spennacchio-Wagner and seconded by Barbara Servé.

Chairman George Dounce called for a roll call vote.
Dounce voted aye
Servé voted aye
Pergolizzi voted aye
Spennacchio-Wagner voted aye
Castleberry voted aye
Rowe voted aye
The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated July 8, 2020.
2. All construction is to be completed by December 31, 2021.

- 40 Skylight Trail Tax \# 192.06-1-99, Applicant is requesting relief from Town Code §185-113 B (1) \& (2) for the construction of an oversized accessory structure (Community Garden Building) located in the Alpine Ridge Subdivision. Property is zoned RN- Residential Neighborhood District.

Jeff Morrell of Morrell Builders was present to discuss the application with the Board.
Mr. Morrell described the oversized accessory structure will serve as a Community Center/Greenhouse for the Alpine Ridge Community which is currently being developed.
It would be a winterized building and will serve the entire community. Sidewalks will be installed to connect the building with the community. There will be no commercial parking lot. The location has been approved by the Planning Board.

The timeframe for the project is that the developer is looking to start as soon as possible pending approval from the Design Review and Historic Preservation Board and the issuance of a building permit.

There was no Public Comment.
David Rowe moved to close the Public Hearing
Mary Ellen Spennacchio-Wagner seconded.
George Dounce voted aye
Mary Ellen Spennacchio-Wagner voted aye
Barbara Servé voted aye
Phil Castleberry voted aye
Jim Pergolizzi voted aye
David Rowe voted aye

## DECISION FOR 40 SKYLIGHT TRAIL - AREA VARIANCE

A written Resolution to grant the area variance for 40 Skylight Trail was moved by David Rowe and seconded by Mary Ellen Spennacchio-Wagner.

Chairman George Dounce called for a roll call vote.
Barbara Servé voted aye
Mary Ellen Spennacchio-Wagner voted aye
George Dounce voted aye
Phil Castleberry voted aye
James Pergolizzi voted aye
David Rowe voted aye
The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated May 15, 2020.
2. All construction is to be completed by December 31, 2021.
3. The proposed Accessory Building (Community Garden) is subject to review and approval of Design Review \& Historic Preservation Board.

## OTHER

David Rowe announced that he will not be in attendance at the August 17, 2020 meeting.
Mark Lenzi relayed August $17^{\text {th }}$ meeting whether it will be in person or via Zoom is dependent on any announcement regarding public meetings from the Governor in response to the COVID-19 pandemic.

## POINT PERSONS FOR August 17, 2020 MEETING

## 55 N. Country Club Drive - Mary Ellen Spennacchio-Wagner

## 31 Merry Hill Drive - George Dounce

21 Wind Mill Road - Barb Servé
16 Cedarwood Circle - Phil Castleberry
76 Knollwood Drive - Jim Pergolizzi
3765 East Avenue - Phil Castleberry

## REVIEW OF THE JUNE 15, 2020 MINUTES

George Dounce moved to approve the minutes of the June 15, 2020 meeting as written.
George Dounce called for a roll call vote.
Phil Castleberry voted aye
George Dounce voted aye
Mary Ellen Spennacchio-Wagner voted aye
Barb Servé voted aye
James Pergolizzi voted aye
David Rowe voted aye

## MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 9:02 pm.
George Dounce called for a roll call vote.
Phil Castleberry voted aye
George Dounce voted aye
Mary Ellen Spennacchio-Wagner voted aye
Barb Servé voted aye
James Pergolizzi voted aye
David Rowe voted aye
Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals

## Zoning Board of Appeals <br> Referral Form Information

## Property Address:

31 Merryhill Lane PITTSFORD, NY 14534
Property Owner:
Mark and Megan Williams
31 Merryhill Ln
Pittsford, NY 14534

## Applicant or Agent:

Mark and Megan Williams
31 Merryhill Ln
Pittsford, NY 14534

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit
Town Code Requirement is: Proposed Conditions: Resulting in the Following Variance:

| Right Lot Line: | 0 | Right Lot Line: | 0 | Right Lot Line: | 0.0 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Left Lot Line: | 0 | Left Lot Line: | 0 | Left Lot Line: | 0.0 |
| Front Setback: | 70 | Front Setback: | 61 | Front Setback: | 9.0 |
| Rear Setback: | 0 | Rear Setback: | 0 | Rear Setback: | 0.0 |
| Height: | 0 | Height: | 0 | Height: | 0.0 |
| Size: | 0 | Size: | 0 | Size: | 0.0 |

Code Section(s): 185-119 A (1) \& 185-17 B (1)
Description: Applicant is requesting relief from Town Code to allow the placement of a pool filter and heater forward of the building line and forward of the rear wall of the home. Property is zoned RN Residential Neighborhood District.

August 07, 2020

RN Residential Neighborhood Zoning

Printed August 7, 2020
 TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
APPLICATION FOR AREA VARIANCE

Submission Date: June 18, 2020
Hearing Date: $\qquad$
Applicant: Mark \& Megan Williams
Address: 31 Merryhill Lane
Phone: (585) 978-9161
E-Mail: megabonwilliams@gmail.com; drmrwilliams@gmail.com

Agent: Andrew Murphy, RPK Design Group
(if different than Applicant)
Address: 350 East Ave. Rochester, NY 14604
Phone: (585) 683-5315 E-Mail: amurphy@rpkdesigngroup.com
Property Owner: Mark \& Megan Williams
(if different than Applicant)
Address: 31 Merryhill...same contact information as above
Phone: $\qquad$ E-Mail:
(If applicant is not the property owner please complete the Authorization to Make Application Form.)
Property Location: $\qquad$ Current Zoning: $\qquad$
Tax Map Number:
Tax Parcel \# 163. 16-2-23

Application For:
( Residential
$\square$ Commercial
$\square \quad$ Other

Please describe, in detail, the proposed project:
The installation of a $16^{\prime} \times 32^{\prime}$ in-ground pool in the applicant's rear yard, as per code. A variance is requested to install the pool's filter and heat pump in a location several feet into the 70' side yard setback off Stone Rd. The filter and heat pump would be located against the side of the house, as per plans attached. Visibility to this area on site is completely screened from Stone Rd, both by raised berming and a large evergreen tree stand.

SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.



# NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b). 

## TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:
(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

The requested variance will not produce an undesirable change in the character of the neighborhood, because the proposed improvement will not be visible from Stone Rd. nor to adjacent residences. The filter and heat pump would be located against the side of 31 Merryhill, as per plans attached. Visibility to this area on site is completely screened from Stone Rd, both by raised berming and a large evergreen tree stand. Visibility to this area from adjacent residences is screened by sloped landscapes and mixed vegetation. No detriment to nearby properties will be created from the operations of the installation nor from any visual impacts.
2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

With approval of the variance, placement of the pool filter and heat pump on the least visible side of the house would allow the rear yard to remain clear, with greater functionality, and with improved property value.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

The requested variance is very minimal. There have already been utilities (AC condenser unit for example) on the side of the house where the filter and heat pump is proposed. As would be the case with the filter/pump, that entire part of the house foundation is screened from off-site views, by means of landscape berming and evergreen trees.
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

Due to existing site conditions (evergreen trees and landscape berming between house and Stone Rd.), the requested variance will not have an adverse visual impact on the district. Based on the distance of the filter/pump from any adjacent properties or land use, no other adverse impacts will result either (noise levels, physical or environmental impacts, etc.)

- NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;

5. Is the alleged difficulty self-created?

The difficulty is a result of the proposed pool installation.

## Disclosure Form E

STATE OF NEW YORK

In the Matter of

## Williams Residence at 31 Merryhill Lane

(Project Name)
The undersigned, being the applicant(s) to the...
$\square$ Town Board $\square$ Zoning Board of Appeals $\square$ Planning Board $\square$ Architectural Review Board
... of the Town of Pittsford, for a...
$\square$ change of zoning $\square$ special permit $\square$ building permit $\square$ permit $\square$ amendment
$\square$ variance $\quad \square$ approval of a plat $\square$ exemption from a plat or official map
...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

## Name(s)

Address(es)
$\qquad$
$\qquad$
$\qquad$
$\qquad$


31 Merryhill Lane
(Street Address)
Pittsford, NY, 14534
(City/Town, State, Zip Code)

## TOWN OF PITTSFORD <br> AREA VARIANCE <br> AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals - 11 S. Main Street - Pittsford, 14534-248-6260

If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.

I, Mark Williams , the owner of the property located at: 31 Merryhill Lane, Pittsford, 14534

## Andrew Murphy, RPK Design Group

 to make application to theTown of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of $\qquad$ variance to install the pool's filter and heat pump in a location several feet into the 70 ' side yard setback off Stone Rd.










## GET THE MOST OUT OF YOUR POOL HEATING INVESTMENT!

- High performance titanium heat exchanger (Patented ThermoLink in T90, T115 and T135)
- Microprocessor controlled defrost cycle allows operation down to mid to low $40 \mathrm{~s}^{\circ} \mathrm{F}$
- Lockable, flip-out control panel protected against sun and weather
- Built-in drain pan for condensate management
- Impact resistant, rust and fade proof cabinet
- Quieter than conventional heat pumps

|  |  | T55 | T75 | T90 | T115 | T135 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| BTUs <br> (water temp/ambient air/ relative humidity) | 80/80/80 | 52,000 | 74,000 | 96,000 | 112,000 | 132,000 |
|  | 80/80/63 | 50,000 | 70,000 | 90,000 | 106,000 | 125,000 |
|  | 80/50/63 | 33,000 | 49,000 | 65,000 | 74,000 | 84,000 |
| C.O.P. <br> Coefficient of Performance (water temp/ambient air/ relative humidity) | 80/80/80 | 6.0 | 5.6 | 6.0 | 5.6 | 5.7 |
|  | 80/80/63 | 5.8 | 5.4 | 5.8 | 5.4 | 5.6 |
|  | 80/50/63 | 4.0 | 4.0 | 4.2 | 4.0 | 4.0 |
| Refrigerant |  | R410A | R410A | R410A | R410A | R410A |
| Heat Exchanger |  | Tube in Tube | Tube in Tube | ThermoLink ${ }^{\text {® }}$ | ThermoLink ${ }^{\circledR}$ | ThermoLink ${ }^{\text {® }}$ |
| Electrical | kW Input | 2.7 | 3.9 | 4.7 | 5.9 | 6.8 |
|  | Voltage/Hz/Phase | 208-230/60/1 | 208-230/60/1 | 208-230/60/1 | 208-230/60/1 | 208-230/60/1 |
|  | Min. Circuit Ampacity | 22.6 | 31.4 | 40.2 | 38.2 | 43.3 |
|  | Max. Fuse Size | 30 | 50 | 60 | 60 | 60 |
| Over Temperature Alarm Kit available: part number STK0221 for single phase, STK0222 for three phase. Strongly recommended for all spa applications. |  |  |  |  |  |  |
| Water Flow | Min./Max. (gpm) | 20/45 | 20/45 | 30/70 | 30/70 | 30/70 |
| A Heater Bypass Kit is required when flow rates exceed the maximum |  |  |  |  |  |  |
| Physical | Weight (lbs) | 180 | 200 | 255 | 259 | 287 |
|  | Length $\times$ Width $\times$ Height (in) | $34^{\prime \prime} \times 34^{\prime \prime} \times 28^{\prime \prime}$ | $34^{\prime \prime} \times 34^{\prime \prime} \times 28^{\prime \prime}$ | $34^{\prime \prime} \times 34^{\prime \prime} \times 39^{\prime \prime}$ | $34^{\prime \prime} \times 34^{\prime \prime} \times 39^{\prime \prime}$ | $34^{\prime \prime} \times 34^{\prime \prime} \times 39^{\prime \prime}$ |
| Shipping | Weight (lbs) | 220 | 240 | 305 | 309 | 337 |
|  | Length $\times$ Width $\times$ Height (in) | $38^{\prime \prime} \times 36^{\prime \prime} \times 33^{\prime \prime}$ | $38^{\prime \prime} \times 36^{\prime \prime} \times 33^{\prime \prime}$ | $38^{\prime \prime} \times 36^{\prime \prime} \times 43^{\prime \prime}$ | $38^{\prime \prime} \times 36 " \times 43^{\prime \prime}$ | $38^{\prime \prime} \times 36^{\prime \prime} \times 43^{\prime \prime}$ |

Rated in accordance with AHRI standard 1160 water temp/ambient air/relative humidity Specifications subject to change

## AquaCal ${ }^{\text {² }}$ Producing quality heat pumps since 1981

## AQUAGAL

7II MADE IN USA $A_{\star}^{*}+\star$

$\overline{\text { Intertek }}$

## Pool Pilot ${ }^{\circledR}$ Digital

## Benefits：

－never buy chlorine again • environmentally friendly
－simple to use
－automatic cell cleaning
－no more red eyes
－no more damaged hair
－no more itchy skin
－no more vacation worries
－no more faded swimwear
－energy efficient
－soft，silky feeling water

## 5RLT＝2月明 PPFI <br> H5： $78^{\circ} \mathrm{F}$



## Features：

－Extra bright Vacuum Fluorescent Display（VFD）
－Optional relay provides time clock control of pool pump and freeze protection
－More purifier output than any other unit－Up to 2.62 lbs．per day－ $49.5 \mathrm{~g} / \mathrm{h}$
－Microprocessor technology
－Patented temperature compensation
－ 24 \＆ 72 hour boost cycles
－Front panel quick reference guide
－Operates at all salt levels $-2,000-35,000 \mathrm{ppm}-2$ to $35 \mathrm{~g} / \mathrm{L}$
－Operates at water temperature up to $104^{\circ} \mathrm{F} / 40^{\circ} \mathrm{C}$
－Soft reverse cell cleaning
－Choice of 4 cells to suit pool size
－Patented bypass manifold
－Controlled flow rate for optimum chlorine production
－Easy installation and service
－Upgrade easily to the CoPilot® Ozonator to get the convenience of salt chlorination with the power of ozone

| Part\＃ | Description | Maximum Pool Size |
| :--- | :--- | :--- |
| DIG－220 | Digital Power Supply $110 / 220 \mathrm{~V}$ |  |
| PPM1 | Manifold with PPC1 Cell | 40,000 gallons $/ 151 \mathrm{~m}^{3}$ |
| PPM3 | Manifold with PPC3 Cell | 50,000 gallons $/ 189 \mathrm{~m}^{3}$ |
| PPM4 | Manifold with PPC4 Cell | 60,000 gallons $/ 227 \mathrm{~m}^{3}$ |
| PPM5 | Manifold with PPC5 Cell | 80,000 gallons $/ 303 \mathrm{~m}^{3}$ |

Protected by U．S．patents 5，985，155，5，993，669 and 6，096，202．

- Certified to ASTM F2208
- Can be used for Aboveground and Inground Pools up to $20^{\prime} \times 40^{\prime}$
- Additional Alarm may be used for Larger Pools
- I Remote can be used with Multiple Alarms
- Battery Powered
- Magnetic Key for Activating/Resetting
- Automatically Resets Within 3 Minutes of Leaving the Pool
- In-Home Remote Siren

UNIT WEIGHT: 8 lbs
UNIT BOX SIZE: $22^{\prime \prime} \times 13^{\prime \prime} \times 12^{\prime \prime}$
UNITS/PALLEE: 30
MINIMUM ORDER: 1 Unit

## AS'IM F2208

- Poolside Siren $85+\mathrm{db}$ @10 ff
- Includes Deck Mounting Bracket and Remote Receiver
- Ensy to install
- Low battery indicator
- lyr warranty
- Bilingual Installation/Operation Manual
- Bilingual 4-Color Box


The Poolfye PE23 is an Advanced immersion alarm that reads surface and subsurface waves to protect against unauthorized pool entry. It uses a sophisticated program to analyze the disturbance, and alarms in appropriate circumstances, remaining silenf in avoiding false alarms.

micro

- Accent lighting for water features, steps and shelves
- Available in color and white
- Energy efficient (2 Watt, 12VAC)


## treo ${ }^{\text {TM }}$

- Lighting for pools, spas and water features
- Available in color and white
- Energy efficient (5 Watt, 12VAC)
- Field replaceable lamp


Carefree Sand Filters are designed and equipped to offer the ideal combination of trouble-free operation and crystal clear, sparkling water.

## Features:

- Large sand filter bodies for extra-long filtering cycles and heavy-duty capacity
- Fine-spray internal diffuser for even water distribution
- 7-position, thread-on, top mount, $11 / 2^{\prime \prime}$ FPT Multi-Port Valve
- $11 / 2^{\prime \prime}$ drain port provides easy removal of sand.
- "Start/Service" Dial on stainless steel pressure gauge
- Designed for fast, easy operation and maximum efficiency

© 2012 Waterway Plastics


## Zoning Board of Appeals Referral Form Information

```
Property Address:
    5 5 \text { North Country Club Drive ROCHESTER, NY } 1 4 6 1 8
Property Owner:
    Fuss, William A
    55 N Country Club Dr
    Rochester, NY }1461
Applicant or Agent:
    Aaron Wolfe
    34 Emerald Hill Cr.
    Fairport, NY }1445
```

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit
Town Code Requirement is: Proposed Conditions: Resulting in the Following Variance:

| Right Lot Line: | 0 | Right Lot Line: | 0 | Right Lot Line: | 0.0 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Left Lot Line: | 0 | Left Lot Line: | 0 | Left Lot Line: | 0.0 |
| Front Setback: | 70 | Front Setback: | 55 | Front Setback: | 15.0 |
| Rear Setback: | 0 | Rear Setback: | 0 | Rear Setback: | 0.0 |
| Height: | 0 | Height: | 0 | Height: | 0.0 |
| Size: | 0 | Size: | 0 | Size: | 0.0 |

Code Section(s): 185-17 B (1)
Description: Applicant is requesting relief from Town Code $\S 185-17(B)(1)$ to allow construction of an addition forward of the building line. Property is zoned RN - Residential Neighborhood District.

August 07, 2020


RN Residential Neighborhood Zoning



TOWN OF PITTSFORD ${ }^{\text {NI }} 122000$ ZONING BOARD OF APPEALS PITTSFORD APPLICATION FOR AREA VARIANCE

Submission Date: $\qquad$ Hearing Date: $\qquad$
Applicant: Aaron Wolfe DBA wolfe construction
Address: 34 Emerald Hill arcle Fair port NY 14450
Phone: 5857504508 EMail: Aaron Wolf builders @ Email.
Agent: $\qquad$
Address: $\qquad$
Phone: $\qquad$ EMail: $\qquad$

(If applicant is not the property owner please complete the Authorization to Make Application Form.)
Property Location: $\qquad$ 55 N Country club $d r$ Current Zoning: $\qquad$
Tax Map Number: $\qquad$

Application For:
R ResidentialCommercialOther

Please describe, in detail, the proposed project:
Addition of $12^{\prime} \times 28^{\prime}$ One car garage

SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.



TOWN OF PITTSFORD
AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals - 11 S. Main Street - Pittsford, 14534-248-6260

If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.


Tax Parcel \# 55 . Country club AARON WOLFE do hereby authorize

Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purposes) of $\qquad$ variance for addition



NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

TESTS FOR GRANTING AREA VARIANCES
In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:
(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:
Project will enhance neighborhood, Does not interfere with space or view of neighbor properties.
2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

No other
practical

for garage
and
Storage space

TESTS FOR GRANTING AREA VARIANCES (Continued)
3. Please explain whether the requested area variance is minimal or substantial:

4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

No
wet lands
or other sensitive enviornmeny

- NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;

5. Is the alleged difficulty self-created?

In the Matter of

$$
55 \text { N. Country clan garage addition }
$$

The undersigned, being the applicants) to the...Town Board Zoning Board of AppealsPlanning BoardArchitectural Review Board ... of the Town of Pittsford, for a...change of zoningspecial permitbuilding permit $\square$ permitamendment
varianceapproval of a plat exemption from a plat or official map
.. issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:
$\qquad$
$\qquad$
$\qquad$
$\qquad$





## Zoning Board of Appeals Referral Form Information

## Property Address:

21 Wind Mill Road PITTSFORD, NY 14534
Property Owner:
Johnson, Stephen
21 Wind Mill Rd
Pittsford, NY 14534

## Applicant or Agent:

Johnson, Stephen
21 Wind Mill Rd
Pittsford, NY 14534

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit
Town Code Requirement is: Proposed Conditions: Resulting in the Following Variance:

| Right Lot Line: | 0 | Right Lot Line: | 0 | Right Lot Line: | 0.0 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Left Lot Line: |  | Left Lot Line: | 0 | Left Lot Line: | 0.0 |
| Front Setback: | 50 | Front Setback: | 40 | Front Setback: | 10.0 |
| Rear Setback: | 20 | Rear Setback: | 10 | Rear Setback: | 10.0 |
| Height: | 0 | Height: | 0 | Height: | 0.0 |
| Size: | 0 | Size: | 0 | Size: | 0.0 |

Code Section(s): 185-17 B (1) \& 185-17 K (2)
Description: Applicant is requesting relief from Town Codes for the construction of an addition encroaching into the side setback and extending forward of the building line. This property is a corner lot and is zoned RN-Residential Neighborhood

August 07, 2020


## Date

Mark Lenzi - Building Inspector CEO
RN Residential Neighborhood Zoning



## TOWN OF PITTSFORD <br> ZONING BOARD OF APPEALS

 application for aria varianceSubmission Date: $\qquad$ Hearing Date:


Applicant: Stephen \& Kathi Johnson
Address:

## 21 Wind Mill Rd.

Phone: $\qquad$ EMail: geosteve@ymail.com

Agent: $\qquad$
(if different than Applicant)
Address: $\qquad$
Phone: $\qquad$ E-Mail: $\qquad$
Property Owner:
(if different than Applicant)
Address: $\qquad$
Phone: $\qquad$ E-Mail:
(If applicant is not the property owner please complete the Authorization to Make Application Form.)
Property Location: 21 Wind Mill Rd. Current Zoning: residential 178.07-1-48

## Application For: $\square$ Residential $\square$ Commercial $\square$ Other

Please describe, in detail, the proposed project:
We would like to build a single room addition and a deck onto the first story of the south side of our house which faces Harper Drive. We have worked with a local architect to achieve a design that blends well with the existing architecture of the home. The primary use of the room will be for a home office. It will serve a secondary purpose as a guest bedroom when needed.

The corner of the room addition nearest Harper Drive will be 40 feet from the property line. The setback on this side of the house is 50 feet. The corner of the deck nearest the neighbor at 4 Harper Drive will be 10 feet from the rear property line. The setback on this side of the house is 20 feet. This property line is shared with our neighbor at 4 Harper Drive.

SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.


## TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:
(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:
1) The requested variance will allow us to add a 4th bedroom to the home and will increase the square footage by approximately 160 square feet. Both of these will increase value to the house which will benefit the other homes in the vicinity.
2) We have worked with a local architect to ensure that the addition will match the aesthetic of the existing home so that the finished project will blend in seamlessly with the character of the home and neighborhood.
3) There are currently 3 large bushes on the side of the house where the addition is proposed. The footprint of the room addition is only 5 feet closer to the road than the footprint of the existing bushes (see attached photo). The new footprint of the home will be little different than the existing footprint of the home and bushes. As a result, we feel that it won't seem like the house is much closer to the road than it currently is.
4) There is a row of large Forsythia bushes on the property line that is shared with the neighbor at 4 Harper Drive (see attached photo). This is the closest neighbor to the proposed addition. The bushes will block the neighbor's view of the addition almost completely from their front yard. Also, the neighbor's garage is on the side of the house closest to the property line. The living areas of the house are on the far side of the garage. As such, our addition will not be visible from inside of the neighbor's home. Our addition will not be visible from their back yard due to a fence behind the Forsythia bushes.
2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:
1) The only 2 locations where the room addition and deck could be constructed within the setbacks are behind the garage and on the north side of the garage facing away from the house. As such, the only access to the new room and deck would be through the garage. This design does not make sense from an architectural or functional perspective. We feel strongly that this design would make the project appear as an ill-planned afterthought.
2) The second floor of our $11 / 2$ story house does not have a footprint to accommodate an additional room.
3) We believe the proposed plan puts the room addition and deck in the best location to preserve the curb appeal of the house.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

1)The footprint of the proposed room addition is only slightly larger than the footprint of the existing large shrubbery.
2)The proposed room addition and deck will not impinge on the views of the neighborhood by our closest neighbor at 4 Harper Drive.
3) It will not affect sightlines for motorists driving through the adjacent intersection of Wind Mill Rd. and Harper Drive.
4) A vast majority of the homes in the neighborhood have decks, including corner lots with decks visible from the street.
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:
1) We believe the proposed design will blend fluidly with architecture of the existing home and neighborhood therefore increasing the curb appeal of the home and that part of the neighborhood.
2) No mature trees will need to be cut down or compromised in order to complete the proposed project.
3)There are numerous homes in the neighborhood that extend beyond their 50 foot front setbacks without adversely affecting the aesthetics of the neighborhood.

- NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;

5. Is the alleged difficulty self-created?

No, for the following reasons:

1) We have not made any prior alterations to the house or property that are now requiring us to seek a variance for this proposed project.
2) The location of the house on the property affords very limited options to build an addition within the existing setbacks.

## Disclosure Form E

STATE OF NEW YORK

## In the Matter of

## 21 Wind Mill Rd.

(Project Name)
The undersigned, being the applicants) to the...
$\square$ Town Board $\square$ Zoning Board of Appeals $\square$ Planning Board $\square$ Architectural Review Board
...of the Town of Pittsford, for a...

| $\square$ | change of zoning | $\square$ | special permit | $\square$ | building permit $\quad \square$ | permit $\quad \square$ | amendment |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| $\square$ | variance $\quad \square$ | approval of a plat | $\square$ | exemption from a plat or official map |  |  |  |

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section $\S 809$ of the General Municipal Law of the State of New York attached to this certificate.

1 do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name (s)
Addresses)
$\qquad$
$\qquad$
$\qquad$
$\qquad$




[^0]
$x:+$ $\qquad$



Front of house from Wind Mill Rd.


Side of house facing Harper Drive.


South side of house (site of proposed addition and deck).


View of Harper Dr. and setback line from proposed deck.

## Other corner lots in/near our neighborhood that are built beyond setback lines:





## Zoning Board of Appeals Referral Form Information

## Property Address:

76 Knollwood Drive ROCHESTER, NY 14618
Property Owner:
Odenbach, G. Dustin
76 Knollwood Dr
Rochester, NY 14618

## Applicant or Agent:

Odenbach, G. Dustin
76 Knollwood Dr
Rochester, NY 14618

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit
Town Code Requirement is: Proposed Conditions: Resulting in the Following Variance:

| Right Lot Line: | 0 | Right Lot Line: | 0 | Right Lot Line: | 0.0 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Left Lot Line: | 0 | Left Lot Line: | 0 | Left Lot Line: | 0.0 |
| Front Setback: | 70 | Front Setback: | 65 | Front Setback: | 5.0 |
| Rear Setback: | 0 | Rear Setback: |  | Rear Setback: | 0.0 |
| Height: | 0 | Height: | 0 | Height: | 0.0 |
| Size: | 0 | Size: | 0 | Size: | 0.0 |

Code Section(s): 185-17 B (1)
Description: Applicant is requesting relief from Town Codes $\S 185-17(B)(1)$ for the construction of an addition extending forward of the building line. This property is zoned RN-Residential Neighborhood.

August 07, 2020


RN Residential Neighborhood Zoning



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE 

Submission Date: July 13, 2020
Hearing Date: $\qquad$
Applicant:
Sara Odenbach
Address: 76 Knollwood Drive
Phone: (585) 752-2018 E-Mail: saraodenbach@gmail.com
Agent: n/a
(if different than Applicant)
Address: $\qquad$
Phone: $\qquad$ E-Mail: $\qquad$
Property Owner: Same as applicant
(if different than Applicant)
Address: $\qquad$
Phone: $\qquad$ E-Mail: $\qquad$
(If applicant is not the property owner please complete the Authorization to Make Application Form.) Property Location: 76 Knollwood Drive

Current Zoning:
RN
Tax Map Number: 138.17-1-8

Application For: $\quad \square$ Residential $\square$ Commercial $\square$ Other

Please describe, in detail, the proposed project:
To accommodate our growing family, we would like to expand our garage space. The proposed project will entail an approximate $6^{\prime} 8^{\prime \prime}$ garage addition with a storage area. The proposed garage addition will project into the front setback about $2^{\prime \prime} 8^{\prime \prime}$ on the left side of garage and about $3^{\prime \prime} 7^{\prime \prime}$ on the right sight of the garage. The proposed storage area on the right side of the garage will not have any impact on the side setback line. We need this the extra garage space for a bigger car (growing family) and storage space for kid/shed items.


# NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b). 

## TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:
(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

Granting a variance to allow a reduction in the front yard setback requirement will not undesirably change the character of the neighborhood or cause a detriment to nearby properties. Our Property is located in the RN District and is located in a neighborhood of single-family residences, some of which are not in compliance with the required front yard setback. Additionally, numerous homes in the neighborhood have attached garages that are front facing in the same manner as our proposed project. The requested 2.8-3.7 foot variance is reasonable and will not undesirably change the character of the neighborhood. Furthermore, the east side of the Property will meet the 15 foot minimum setback requirement and the west side of the Property will remain unchanged. Accordingly, the proposed variance imposes no undesirable change in the character of the neighborhood and does not produce a detriment to nearby properties.
2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

There are no feasible alternatives to the requested variance. We have explored the possibility of constructing the proposed garage in a manner that would allow it to fall within the 70 feet front setback and 15 feet side yard setback requirement, but due to the configuration of the single family residence on the Property such an arrangement would not be possible. We are in need of more storage and more garage space for our growing family and there there is no other feasible alternative.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

The variance is not substantial when viewed in the proper context. We are requesting a $2^{\prime \prime} 8^{\prime \prime}-3^{\prime} 7^{\prime \prime}$ variance into the 70 ' front setback which is minimal and reasonable. The Property is located in the RN District and is surrounded by a number of residential homes, each with varying front yard setback combinations. As previously stated, some of the homes in the neighborhood are not in compliance with the required front yard setback. Accordingly, the requested variance will not create a substantial impact.
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

The granting of the requested relief will not adversely impact the physical or environmental conditions in the neighborhood. The existing landscaping on the front and east side of the Property will be minimally disturbed due to the granting of this variance, and will be restored once the proposed project is completed. Additionally, a reduction in the front setback will not have an adverse impact on drainage. The drainage on the Property will continue to be contained on the Property and will flow in the pattern that currently exists. Therefore, there will be no adverse effect on the physical or environmental conditions in the neighborhood.

- NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;

5. Is the alleged difficulty self-created?

Although self-created, the hardship results from the conditions that are specific to the Property. In this case, the "difficulty" arises out of the orientation of the existing single-family residence on the lot. Such single-family residence was constructed in the 1950's and does not contain adequate storage or garage space. We wish to increase the storage and garage capacity on the Property to accommodate our growing family. Attached garages, such as our proposed project, are permitted in the RN District. Therefore, the difficulty is a result of the configuration of the existing single-family residence even though it is self created.

# Disclosure Form E 

## STATE OF NEW YORK

In the Matter of
(Project Name)
The undersigned, being the applicant(s) to the...
$\square$ Town Board $\square$ Zoning Board of Appeals $\square$ Planning Board $\square$ Architectural Review Board ... of the Town of Pittsford, for a...

| $\square$ | change of zoning | $\square$ | special permit | $\square$ | building permit | $\square$ | permit $\quad \square$ |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| $\square$ | variance $\quad \square$ | approval of a plat | $\square$ | exemption from a plat or official map |  |  |  |

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section $\S 809$ of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any ather municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)
Address(es)

| DRAWING INDEXX |
| :--- |
| $\frac{1}{2}$ |
| 2 |



BASIC DESIGN GRITERIA


| PUPPARO / ODENBACH RESIDENGE |
| :---: |
| 76 KNOLLWOOD DRIVE |
| PITTSFORD, NEW YORK |

GENERAL NOTES:



 voundex


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 , 2.














FRONT ELEVATION/ EXISTING


LEFT SIDE ELEVATION/ EXISTING




FRONT ELEVATION/ PROPOSED






## Zoning Board of Appeals <br> Referral Form Information

## Property Address:

16 Cedarwood Circle PITTSFORD, NY 14534

## Property Owner:

Brian Williamson
16 Cedarwood Cir
Pittsford, NY 14534

## Applicant or Agent:

Home Power Systems

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit

## Town Code Requirement is: Proposed Conditions: Resulting in the Following Variance:

| Right Lot Line: | 0 | Right Lot Line: | 0 | Right Lot Line: |
| :--- | :--- | :--- | :--- | :--- |
| Left Lot Line: | 60 | Left Lot Line: | 5 | Left Lot Line: |
| Front Setback: | 0 | Front Setback: | 0 | Front Setback: |
| Rear Setback: | 0 | Rear Setback: | 0 | Rear Setback: |
| Height: | 0 | Height: | 0 | 55.0 |
| Size: | 0 | Size: | 0 | Size: |

Code Section(s): 185-113 B (6) 185-17 L (1)
Description: Applicant is requesting relief from Town Code §185-17(L) (1) \& 185 - 113 (B) (6) to locate an accessory structure (standby generator) on the side of the home encroaching on the side setback of the property. This property is a flag lot and is zoned RN - Residential Neighborhood District

Date
RN Residential Neighborhood Zoning

Printed August 7, 2020

$$
\begin{aligned}
& \underset{50 \mathrm{~m}}{180 \mathrm{ft}} \\
& 1: 1,128 \\
& \text { 8- }
\end{aligned}
$$



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE
Submission Date: $07 / 17 / 2020$ Hearing Date: $08 / 17 / 70 \% 0$
Applicant: Home Power Systems
Address: 1127 Corporate Drive East, Frumington N' 19425
Phone: $\qquad$ E-Mail: Imattice@ hamepowersystems.net
Agent: $\qquad$
(if different than Applicant)
Address: $\qquad$
Phone: $\qquad$ E-Mail: $\qquad$
Property Owner: Brim n Williamson
(if different than Applicant)
Address: 16 Cedar wood Circle, Pittsford Ni. 14534
Phone: (9M1) 582 - 2996
EMail: bwilliamson 13(1) phoo.com
(If applicant is not the property owner please complete the Authorization to Make Application Form.)
Property Location: 16 Cedurweod Circle $\qquad$ Current Zoning: Residential $\qquad$
Tax Map Number: $\qquad$

Application For:
(1) ResidentialCommercial
$\square$ Other

Please describe, in detail, the proposed project:
Install 22 kW General generator 5 ft . from structures and 5 ft . from any windows, doors, and vents (Openings).

SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.


TOWN OF PITTSFORD
AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals - 11 S. Main Street - Pittsford, 14534-248-6260

If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.


Tax Parcel \# $\qquad$ do hereby authorize Home Power Systems to make application to the Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purposes) of $\qquad$ installation of a stand-by generator.


## CERTIFICATION:

1. ANDREW M. HODGE, HEREBY CERTIFY TO:
-PATRICK TIMINERI \& LYNN TIMINERI
-JOHN BERNACKI, ESQ.
-THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE
-DOLLINGER \& ASSOCIATES, P.C.
-PREMIUM MORTGAGE CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS

THAT THIS MAP WAS MADE OCT. 20, 2009
FROM NOTTESDFANGNSTRUMENT SURVEY
COMPLETED OGK'19, 2009
AND REFERENCES LUSED HEREON.

REFERENCES:
1.) LIBER 207 OF MAPS, PAGE 55.
2.) LIBER 9398 OF DEEDS, PAGE 123.
3.) ABSTRACT OF TITLE NOT PROVIDED.


NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

TESTS FOR GRANTING AREA VARIANCES
In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:
(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:
The requested various for the installation of a 22 kW Generac generator will have a very minimal effect on neighboring homes. The proposed location of the generator is on the northenst'side of the nome where the closest neighbors garage will be facing the generator. The generator exhaust will be facing the rear of the hove projecting most of the noise that way. It will ron one a weak for 5 minutes at $65 d B$ during roomol exercise.
2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

There is no possible way to meet the code requirements for the flag lot. It can not meet the sixty feet code requirement, and it is the most cost effective location for the customer.

TESTS FOR GRANTING AREA VARIANCES (Continued)
3. Please explain whether the requested area variance is minimal or substantial:

Minimal, the code requires 60 ft setbacks from all property lives, Due to the lot design this code repuinmunt can not be met.
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:
The proposed generator is relatively small and will not be noticeable. The generator will only be running once a week for five minutes and doing outages.

- NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;

5. Is the alleged difficulty self-created?

The gas i electric meters are located on the same side (Northeast) of the house as the proposed generator location and it makes suse to kep these items grouped together on one side of the house where they will be out of the way.

## Disclosure Form E

In the Matter of
Brim williamson
(Project Name)
The undersigned, being the applicants) to the...
$\square$ Town Board $\quad$ 园 Zoning Board of Appeals $\quad \square$ Planning Board $\quad \square$ Architectural Review Board ...of the Town of Pittsford, for a...

| $\square$ | change of zoning | $\square$ | special permit | $\square$ | building permit $\quad \square$ | permit $\quad \square$ | amendment |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| $\square$ | variance $\quad \square$ | approval of a plat | $\square$ | exemption from a plat or official map |  |  |  |

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section $\S 809$ of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Names) $\quad$ Addresses)

$\qquad$

## Zoning Board of Appeals Referral Form Information

## Property Address:

3765 East Avenue ROCHESTER, NY 14618

## Property Owner:

Spencer/Palmer Group, LLC
PO Box 452
Mendon, NY 14506

## Applicant or Agent:

Spencer/Palmer Group, LLC
PO Box 452
Mendon, NY 14506

Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit

| Town Code Requirement is: |  | Proposed Conditions: |  | Resulting in the Following Variance: |
| :--- | :--- | :--- | :--- | :--- |
| Right Lot Line: | 10 | Right Lot Line: | 6 | Right Lot Line: |
| Left Lot Line: | 0 | Left Lot Line: | 0 | Left Lot Line: |
| Front Setback: | 0 | Front Setback: | 0 | Front Setback: |
| Rear Setback: | 0 | Rear Setback: | 0 | Rear Setback: |
| Height: | 0 | Height: | 0 | Height: |
| Size: | 0 | Size: | 0 | Size: |

Code Section(s): 185-17 E

Description: Applicant is requesting relief from Town Code to construct an addition encroaching into the side setback. This property is zoned RN - Residential Neighborhood District.

August 07, 2020

RN Residential Neighborhood Zoning


Town of Pittsford GIS
The information depicted o
used for general reference
implied, are provided for the


# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE 

Submission Date: July 17, 2020
Hearing Date: August 17, 2020
Applicant:
Glenn Paynter \& Joseph O'Donnell, AIA NCARB (Greater Living Architecture)
Address: 3765 East Avenue, Pittsford, NY 14534
Phone: (585) 272-9170 E-Mail: joe@greaterliving.com
Agent:
(if different than Applicant)
Address: $\qquad$
Phone: $\qquad$ E-Mail: $\qquad$
Property Owner:
(if different than Applicant)
Address: $\qquad$
Phone: $\qquad$ EMail:
(If applicant is not the property owner please complete the Authorization to Make Application Form.)
Property Location: $\qquad$ Current Zoning: $\qquad$
Tax Map Number: $\qquad$
Application For: $\square$ Residential $\square$ Commercial $\square$ Other

Please describe, in detail, the proposed project:

SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.



## NEW YORK STATE STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b-3(b).

## TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:
(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

The requested variance will not produce an undesirable change in the neighborhood because the proposed design is in accordance with the significant elements and characteristics of the surrounding houses. The new design enhancing the existing house by adding a new front porch and dormer over the garage.
By the granting of this variance, there will be no objectionable changes produces in the character of the neighborhood, or a detriment nearby properties.
2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

The need of space for storage is key in any residence, the existing house is an slab-on-grade foundation where you will not find the extra space that a basement provides.
The proposed design expands the house to the right in order to create more space that could be used as storage and provide the owner with a bigger garage for vehicles and lawn equipment, etc.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

3. Please explain whether the requested area variance is minimal or substantial:

The house is set back 15 ft on each side now. Required set back is 10 ft , we are proposing to reduce the north side setback to 6 ft . This maintain plenty of space between the adjacent property. It may appear to be substantial when you consider only the north but over all it is not substantial.
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

The proposed residential structure will not produce any noise, obnoxious orders or contribute in any negative way to the environmental and physical conditions of the neighborhood.

- NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;

5. Is the alleged difficulty self-created?

As most variances are in fact self-created the requested variances not significant enough to override the other standards.

## Disclosure Form E

In the Matter of

## Paynter Residence

(Project Name)
The undersigned, being the applicant(s) to the...
$\square$ Town Board $\square$ Zoning Board of Appeals $\square$ Planning Board $\square$ Architectural Review Board
... of the Town of Pittsford, for a...
$\square$ change of zoning $\quad \square$ special permit $\square$ building permit $\square$ permit $\square$ amendment
$\square$ variance $\quad \square$ approval of a plat $\quad \square$ exemption from a plat or official map
...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)
Address(es)




CLIENT：GLENN PAYNTER
DATE：
$07-17-20$

drawing list
SHEET NAME

盖意童








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