TOWN OF PITTSFORD ZONING BOARD OF APPEALS AGENDA JANUARY 17, 2022 7:00 PM

PUBLIC HEARINGS FOR AN AREA VARIANCE

- 14 Glenmore Circle, Tax # 163.04-1-9.31, Applicant is requesting relief from Town Code §185-119 A. (1) to place the pool filter and or heater equipment on the side of the home. This property is zoned Residential Neighborhood (RN).
- 15 Glendower Circle, Tax # 151.16-3-24, Applicant is requesting relief from Town Code §185 - 17 K. (2) for a proposed garden shed located less than both the required minimum side setbacks, property is a corner lot. This property is zoned RN-Residential Neighborhood.

TOWN OF PITTSFORD ZONING BOARD OF APPEALS MINUTES December 20, 2021

PRESENT

George Dounce, Chairperson; Barbara Servé, Vice Chair; Mary Ellen Spennacchio-Wagner, James Pergolizzi, Tom Kidera, David Rowe

ALSO PRESENT

Cathy Koshykar, Town Board Liaison; Robert Koegel, Town Attorney; Doug DeRue, Director of Planning and Zoning: Bill Zink, Building Inspector; Susan Donnelly, Secretary to the Board

ABSENT

Phil Castleberry

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, December 20, 2021 at 7:00 P.M. local time.

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 except for 736 Linden Avenue are Type II Actions under 6-NYCRR §617.5 (c) (16) and, therefore, are 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 HEARINGS FOR AN AREA VARIANCE

36 Meadow Cove Tax # 164.12-2-24, Applicant is requesting relief from Town Code §185-17 E. for a proposed garden shed located less than the required minimum side setback as well as the minimum total required setbacks. This property is zoned RN-Residential Neighborhood.

George Dounce opened the public hearing.

The homeowner, Cameron Kelly, was present.

Mr. Kelly described the need for additional storage space for his lawn and garden equipment. There will be a fence and vegetation between the most affected neighbor at 34 Meadow Cove Road so the visibility of the shed will be limited.

A letter of support from the neighbor at 34 Meadow Cove Road was submitted to the Town.

There was no further public comment.

Mary Ellen Spennacchio Wagner moved to close the public hearing.

Barb Servé seconded.

All Ayes.

25 Knollwood Drive Tax # 138.13-1-5, Applicant is requesting relief from Town Code §185 - 17 B. for a proposed roofed entry encroaching into the front setback. Property is zoned RN – Residential Neighborhood District.

George Dounce opened the public hearing.

This entire home is located in within the 70' setback making the variance necessary. Any renovations or additions to the property would require a variance for this home which is located on a long narrow lot.

The roofed entry and large front porch addition will not be a detriment to the neighborhood or be out of character.

There was no public comment.

Barb Servé moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

155 Sylvania Tax # 151.06-1-4, Applicant is requesting relief from Town Code §185 - 17 E. for a proposed addition located less than the required minimum side setback as well as the minimum total required setbacks. Also requesting relief from Town Code §185 -17 G. for exceeding the allowed maximum building footprint by 195 square feet. This property is zoned RN-Residential Neighborhood.

James Fahy was present to discuss this application with the Board.

The owner is proposing a major renovation to the home which includes in part the addition of a third bay to the garage and a cabana for the pool area. The setback variances are required to achieve this.

There is no neighborhood opposition.

George Dounce moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

736 Linden Ave Tax # 138.15-1-19.1 Applicant is requesting relief from Town Code §185 - 52 C. and §185 - 53 D. (1)(2) for the proposed building encroaching into the front setbacks as well as parking area less than 40 feet from the ROW and not located behind the front line of the building. Property is zoned LI-Light Industrial.

George Dounce opened the public hearing.

This application is an unlisted SEQR action. Doug DeRue indicated that this area is not a significant habitat. Robert Koegel also confirmed that he is comfortable with this determination as it will prove minimal or no environmental impact. Doug DeRue advised that a negative determination by the Board would be appropriate.

George Dounce moved to approve the approval of the short form EAF of SEQR as a negative determination as presented on December 20, 2021.

Jim Pergolizzi seconded.

The Board was polled individually.

Tom Kidera voted aye
Barb Servé voted aye
Jim Pergolizzi voted aye
David Rowe voted aye
Mary Ellen Spennacchio-Wagner voted aye
George Dounce voted aye
Phil Castleberry was absent

The requested variance is not causing an undesirable change in the area. This placement is consistent with other office buildings in the area. Existing mature trees will buffer the project from adjacent roadways. Despite the fact that the variances are substantial, they are mitigated by the wide right of way of Route 441 and Linden Avenue.

There was no public comment.

Dave Rowe moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

CONTINUED PUBLIC HEARING FOR AN AREA VARIANCE

18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Codes §185-113 B. (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

This hearing is open.

No representative was present to discuss this application with the Board and no new information has been provided. This hearing has been open for several months without new information or contact from the homeowners.

The Board moved to close this hearing without prejudice.

All Ayes.

DECISION FOR 36 MEADOW COVE ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 36 Meadow Cove Road was moved by Mary Ellen Spennacchio-Wagner and seconded by David Rowe.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry absent
Rowe aye
Kidera 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 October 15, 2021.
- 2. All construction is to be completed by December 31, 2023.

DECISION FOR 25 KNOLLWOOD DRIVE - AREA VARIANCE

A written Resolution to grant the area variance for 25 Knollwood Drive was moved by Barbara Servé and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry absent
Rowe aye
Kidera 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 October 14, 2021.
- 2. All construction is to be completed by December 31, 2023.

DECISION FOR 155 SYLVANIA ROAD - AREA VARIANCE

A written Resolution to grant the area variance for 155 Sylvania Road was moved by George Dounce and seconded by Barbara Servé.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry absent

Rowe aye Kidera aye

The approved Resolution contains the following Specific Conditions:

- 1. This variance is granted only for the Site map and application submitted to the Zoning Board of Appeals dated October 15, 2021.
- 2. All construction is to be completed by December 31, 2024.

DECISION FOR 736 LINDEN AVENUE – AREA VARIANCE

A written Resolution to grant the area variance for 736 Linden Avenue was moved by James Pergolizzi and seconded by George Dounce.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry absent
Rowe aye
Kidera 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 October 15, 2021, excepting site plan adjustments made by the Planning Board that do not materially increase the amount of the granted variances.
- 2. All construction is to be completed by December 31, 2024.

POINT PERSONS FOR JANUARY 17, 2021 MEETING

14 Glenmore Circle – George Dounce

15 Glendower Circle - Mary Ellen Spennacchio-Wagner

MEETING ADJOURNMENT/MINUTES APPROVAL

George Dounce moved to approve the minutes of the November 15th meeting as written.

All Ayes

The meeting was adjourned at 8:07 pm.

Respectfully submitted,

Susan K. Donnelly Secretary to the Zoning Board of Appeals 1/6/22, 1:50 PM Letter View

Zoning Board of Appeals Referral Form Information

Property Address:

14 Glenmore Circle PITTSFORD, NY 14534

Property Owner:

Coyles, Jonathan D 14 Glenmore Cir Pittsford, NY 14534

Applicant or Agent:

Coyles, Jonathan D 14 Glenmore Cir Pittsford, NY 14534

Present Zoning of Property: RN Residential Neighborhood

Area Variance - Residential and Non-Profit

Town Code Requirer	nent is:	Proposed Con	iditions:	Resulting in the F	ollowing Variance:
D: 1 (1 (1)	1.0	D: 1 (1 (1 :	400	D: 1 (1 (1)	0.0

Right Lot Line:	10	Right Lot Line:	10.8	Right Lot Line:	0.0
Left Lot Line:	5	Left Lot Line:	10.7	Left Lot Line:	0.0
Front Setback:	50	Front Setback:	50	Front Setback:	0.0
Rear Setback:	20	Rear Setback:	20	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s):

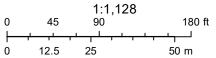
Description: Applicant is requesting relief from Town Code §185-119 A. (1) to place the pool filter and or heater equipment on the side of the home when code requires that it be placed behind the rear wall of the home. This property is zoned Residential Neighborhood

January 06, 2022	Doglas De New
Date	Doug DeRue - Director Planning Zoning Development

RN Residential Neighborhood Zoning



Printed January 6, 2022



Town of Pittsford GIS





TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: December 17 2021 Hearing Date: January 17, 2022
Applicant: Jonathan and Jillian Coyles
Address: 14 Glenmore Circle, Pitsbord, NY 14534
Phone: 917-494-1256 E-Mail: jdcoyks @gmail.com
Agent: NA
(if different than Applicant)
Address: N/A
Phone: NA E-Mail: N/A
Property Owner: Same as Applicant
(if different than Applicant) Address: Same as Applicant
Phone: Same as Applicant E-Mail: Same as Applicant
(If applicant is not the property owner please complete the Authorization to Make Application Form.)
Property Location: 14 Glenmore Circle, Pitts Ed, NY 1454 Current Zoning: RN (Residential Neighborhood)
Tax Map Number: Parce ID: 163.04-1-93.1
Application For: 🛛 Residential 🔲 Commercial 🔲 Other
Please describe, in detail, the proposed project:
We have contracted with Northeastern Pools and Benon Enterprises to install an inground pool and stone paver patio, respectfully in our backyard. Due to the nature and placement of this project, as well as the set-back and angled location of our home in
relation to our cul-de-sac and our neighbors, we are requestine avariance to place
the pool equipment (i.e., filter and hentpump) on the side ofour home. As described herein,
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 he best of my knowledge.
(Owner or Applicant Signature) 2 17 2 (Date)



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)

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:

As shown in the attached photos, the location/position of our home - which is set back significantly fromour cul-de-sec and augled away from our neighborsas will as the strategic placement of trees and shrubbery will prevent any underirable impact on the character of our neighborhood and not create any detriment to rearry properties if this variant is granted and the two pieces of relatively small pool equipment are permitted to be placed on the side of our home. Other homes in our neighborhood upper there been granted a similar variance and have pool Pariport on he sides of their homes and no determent has been carried. In addition to the cover and shrubben placent, we are also will, to putup a bernier around the equiput if necessary to support the approval of the regulated variance.

Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method

2. other than an area variance:

Because of the location/position of our home, the design of our forthcoming pool and patio, and the location of our home's windows and utility Equipment, the only location that will be feasible for the pool equipment will be the side of our home. Anyother location will create safety concerns, aesthetic disriptions, and significant additional costs to the home owners.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested variance is minimal. It merely involves the placement of two (2) pieces of pool equipment (approximately 3 feethings) on the side of our home, as opposed to in our backgard. This variance will have no impact on our neighbors, our neighborhood, or the Town of Pittshed and will not impact the aesthetics or enjoyment of the surrounding areas in anyway.

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:

As shown in the attacked photos, and described in the preceding sections of this document, the unique nature of our property will prevent this pool equipment from being visible by our neighbors or our out-de-sac. Athersh the angle and setback nature of our home in combination with our trees and landscaping will provide significal coverage to ensure noadverse effects or impacts are created, similar to other homes in our neighborhod, we are will by to install addition barriers if requests.

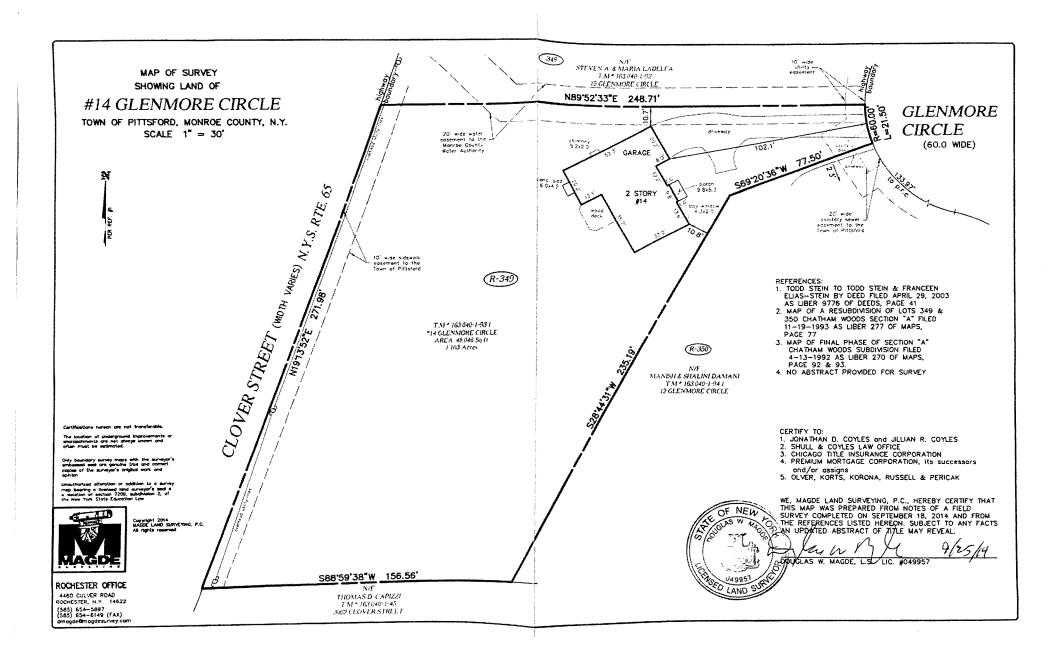
- NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;
- 5. Is the alleged difficulty self-created?

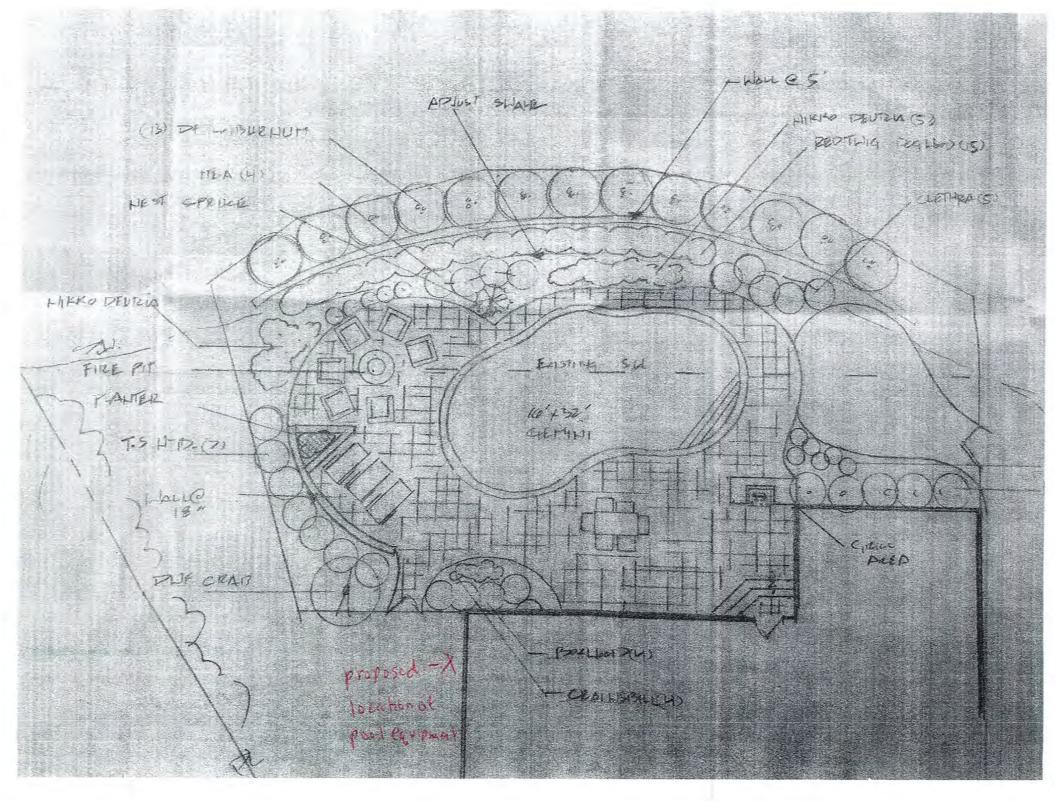
No, the difficulties described herein are not self-created. We did not brild our home, and because of the way our property was laid out and designed, We do not have any choice but to request this variance. A failure to approve this variance will, however, create significant difficultime for the property owner as well as safety concerns for the children of our home and our neighborhood.

Disclosure Form E

STATE	OF	NEW	YORK
COUNT	Y C	F MC	NROE

COUNTY OF MONROE			ТО	WN OF PITTSFORD			
	In the	Matter of					
Coyles' p	ool equipment	Variance ct Name)					
The undersigned, being the applicant	(s) to the						
☐ Town Board ☑ Zoning Board of Appeals ☐ Planning Board ☐ Architectural Review Board							
of the Town of Pittsford, for a							
☐ change of zoning ☐ spe	ecial permit	building permit	☐ permit	☐ amendment			
☐ variance ☐ approval	l of a plat	exemption from a	plat or official n	nap			
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 office any other municipality of which the To said Board as to this application, exce	wil of milistord is a ba	IT Who is interested in	Monroe or of the the favorable ex	Town of Pittsford or of cercise of discretion by			
Name(s)			Ado	dress(es)			
Jonathan D. Coy	, les		14 Glenmare	- Cirile Pottsfed NY 14574			
Jillian R. Coy	İlçı		146lenmo	Circle, P. H. Shid, NY 14574			
^	Applicant) ore Circle dress) NY 14534 el Zip Code)		2 17	Z \ Dated)			





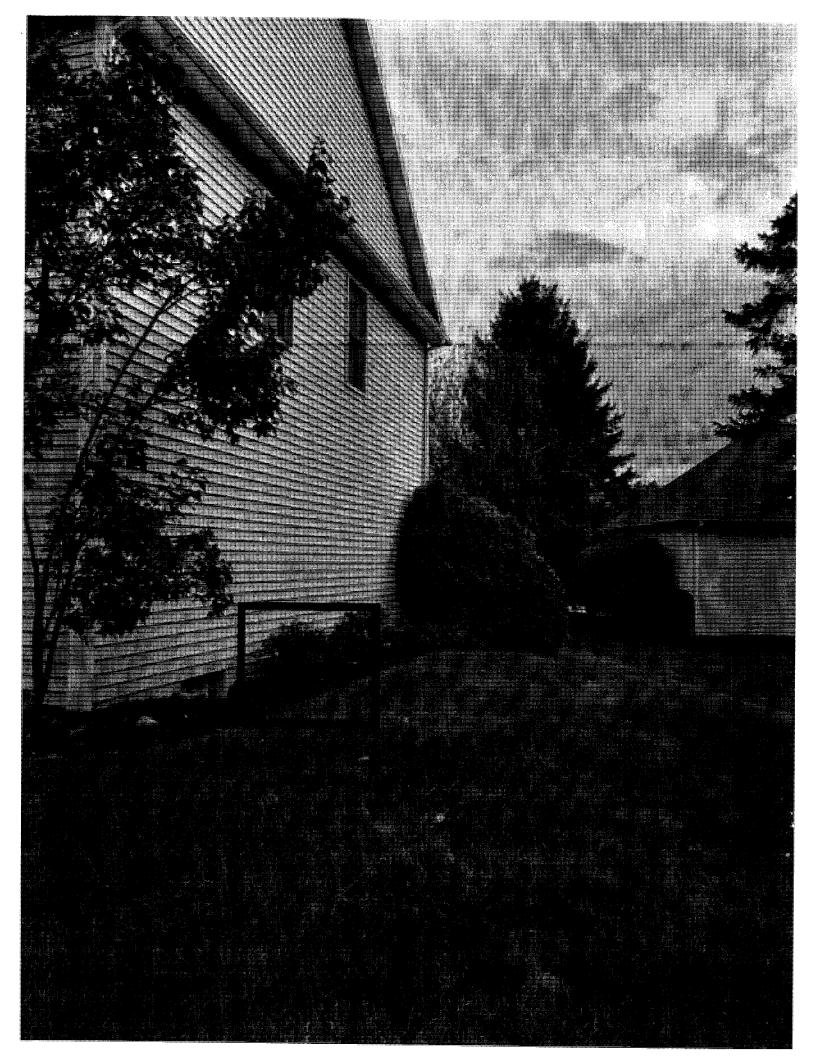


As shown from both angles below, our home is set far back away from the road, and the side of our home (i.e., proposed location of the pool equipment) is not visible and blocked by trees and shrubbery.



A large wall of arborvitae also create a barrier between the proposed location of the pool equipment and our neighbor's yard





1/6/22, 1:51 PM Letter View

Zoning Board of Appeals Referral Form Information

Property Addres	S	
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15 Glendower Circle PITTSFORD, NY 14534

Property Owner:

Kunz, Marcus M and Christina Cozan 15 Glendower Cir Pittsford, NY 14534

Applicant or Agent:

Kunz, Marcus M and Christina Cozan 15 Glendower Cir Pittsford, NY 14534

Present Zoning of Property: RN Residential Neighborhood

Area Variance - Residential and Non-Profit

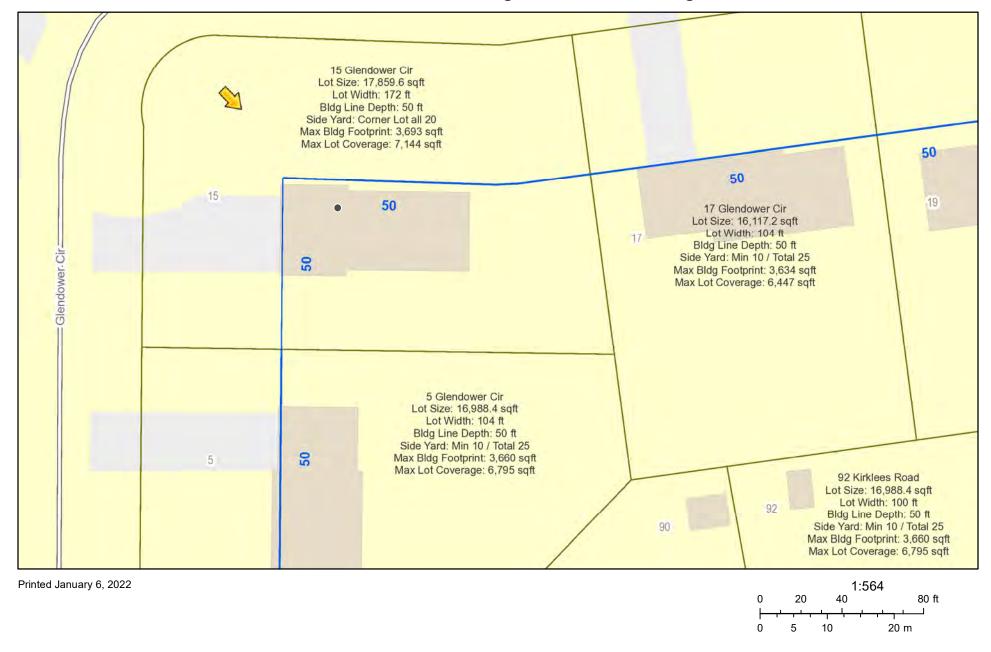
Town Code Requirement	is:	Proposed Conditions	s:	Resulting in the Following Va	ıriance:
Right Lot Line:	4	Right Lot Line:	1	Right Lot Line:	3
Left Lot Line:	4	Left Lot Line:	1	Left Lot Line:	3
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s):

Description: Applicant is requesting relief from Town Code §185 - 17 K. (2) and 185-113 B. 6 for a proposed garden shed located less than both the required minimum side setbacks, property is a corner lot. This property is zoned RN-Residential Neighborhood. The request is for a 1 foot setback on both side lot lines where a "garden shed" could be located 4 feet from the property lines.

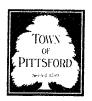
January 06, 2022	Doglan De Than		
Date	Doug DeRue - Director Planning Zoning Development		

RN Residential Neighborhood Zoning



Town of Pittsford GIS





TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: December 20, 2021	Hearing Date:
Applicant: Christina Cozan & Markus Kunz	
Address: 15 Glendower Circle	
Phone: (585) 612-1162	Christian Co. C. I. II
Agent:	
Address:	t than Applicant)
Phone:	······································
Property Owner: (if different	than Applicant)
Address:Phone:	□ Mail:
(if applicant is not the property owner places are	E-Mail:
	mplete the Authorization to Make Application Form.)
	Current Zoning:
Tax Map Number:	
Application For: 🛛 Residential 🗌	Commercial
Please describe, in detail, the proposed project:	
Build 10ft x 12ft x 11ft (WxLxH) garden shed. The oot from the East property lines.	shed would be roughly 1 foot from the back and 1
SWORN STATEMENT: As applicant or legal agent for the a statements, descriptions, and signatures appearing on this fine best of my knowledge.	above described property, I do hereby swear that all form and all accompanying materials are true and accurate to
(Owner or Applicant Signature)	(Date)



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)

 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 shed will located in an area of our property that is shielded from view of our neighbors. The rear of our lot has a fence and the particular corner where we would like the shed is wooded (on the neighbor's side). The east side of our lot has a newly installed (by neighbor) fence. The shed will also have trees in front of it.

- 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. Given that this is a corner lot as well as the orientation of our house on the lot, this is really the only location on the property the shed can be located without it being right outside one of the kitchen windows or by ripping out one of our flower beds.
- 2. We recently insulated and dry walled the garage so there is no longer loft storage space.
- 3. Moving some items from the basement and garage into the shed will free up space in the garage and make it possible to make a playroom in the basement for the kids (which will help Markus and I keep our sanity when we are working and the kids' friends come over).

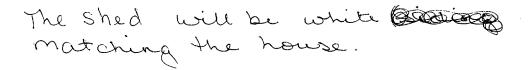
TESTS FOR GRANTING AREA VARIANCES (Continued)

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

We believe the variances are minimal as both the rear and east property lines are in direct view of our neighbors on either property line.

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 shed we have selected is a nice looking shed. It is shielded from the neighbors' view by trees (rear) and a fence (east).



- 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?

Yes. We love our neighbors and our neighborhood, but our family has grown as has our need for additional space. The shed will allow us to create additional space so our home can flow in a more appropriate way.

Disclosure Form E

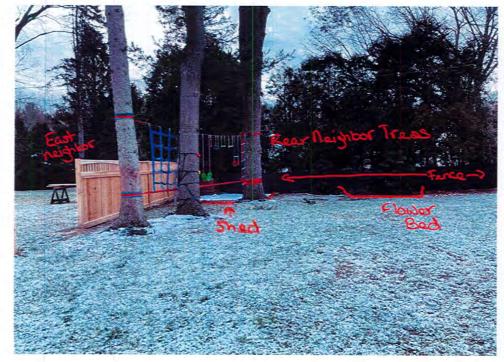
STATE OF NEW YORK COUNTY OF MONROE

TOWN OF PITTSFORD

COUNTY OF MOTIVOE	TOVIN OF PITTSFORD				
In the Matter of					
Cozan-Kunz Shed Variances					
(Project Name)					
The undersigned, being the applicant(s) to the					
☐ Town Board ☐ Zoning Board of Appeals ☐ Planning	ng Board				
of the Town of Pittsford, for a					
☐ change of zoning ☐ special permit ☐ building pe	ermit 🛮 permit 🔲 amendment				
✓ variance □ approval of a plat □ exemption	from a plat or official map				
issued under the provisions of the Ordinances, Local Laws, Rule or Re ordinances regulations of the Town of Pittsford, do hereby certify that I has General Municipal Law of the State of New York attached to this certifica	ave read the provisions of Section \$809 of the				
I do further certify that there is no officer of the State of New York, the Co any other municipality of which the Town of Pittsford is a part who is inter said Board as to this application, except for those named below:	ounty of Monroe or of the Town of Pittsford or of rested in the favorable exercise of discretion by				
Name(s)	Address(es)				
hour and he was	December 10, 2021				
(Signature of Applicant) (Dated) 15 Glendower Circle					
(Street Address) Pittsford, NY 14534					
(City/Town, State, Zip Code)					















"Only title surveys bearing the makers embossed should be relied upon since other than embossedcopies may contain unauthorized and undetectable

I HEREBY CERTIFY TO THE PARTIES CISTED HEREON THAT THIS MAP WAS MADE ON SEPT. 11,1998. FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON SEPT. 10,1998.

amer M. Leoni

"Unauthorized alteration or addition to a survey m bearing a licensed land surveyor's seal is a violatic of section 7209, sub-division 2, of the New York State Education Law."

CERTIFIED TO:

LNORWEST MORTGAGE OF NEWLY ITS SUCCESSORS AND/OR NEWLY 2. THE TITLE INSCRIMMOE COMPR INSURING THE MORTER SE 3DENNIC E. AND VARDA N. MAN

APENDINEEEE PENDINEE

5.