

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
January 16, 2023
7:00 PM**

APPLICATION FOR AN AREA VARIANCE – RETURNING

- 108 Stoneleigh Court, Tax # 138.18-1-13, Applicant is requesting relief from Town Code §185-17 E. for an addition (garage) encroaching into and not meeting the total required side yard setbacks. This property is zoned Residential Neighborhood – (RN).

APPLICATION FOR AN AREA VARIANCE - NEW

- 8 Arbor Creek Drive, Tax # 192.12-2-2, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) for a proposed oversized and over height accessory structure,pavilion/storage space. This property is zoned Residential Neighborhood – (RN).

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
DECEMBER 19, 2022**

PRESENT

George Dounce, Chairperson; Barbara Servé, Vice Chair; James Pergolizzi, Phil Castleberry
Mary Ellen Spennacchio-Wagner, Jennifer Iacobucci, Tom Kidera

ALSO PRESENT

Kate Munzinger, Town Board liaison; Robert Koegel, Town Attorney; Bill Zink, Building
Inspector; Susan Donnelly, Secretary to the Board

ABSENT

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on
Monday, December 19, 2022, at 7:00 PM local time.

George Dounce, Chairperson called the regularly scheduled meeting of the Zoning Board of
Appeals to order.

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c)
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 - NEW

- 4000 East Avenue, Tax # 151.06-2-45, Applicant is requesting relief from Town Code §185-
225 A. to allow for the expansion of an existing non-conforming structure and Town Code
§185-113 B. (1) & (3) to allow for said expansion to create an oversized accessory
structure (garage) located forward of the rear wall of the main structure. Also, relief from
Town Code §185-121 A. for a fence/wall more than three feet in height in front of the front
setback. This property is zoned Residential Neighborhood – (RN).

George Dounce opened the public hearing.

Chuck Smith of Design Works Architecture was present to represent the homeowners.

Mr. Smith reviewed the project with the Board. He indicated that research has been done
on the existing structure and no significant historic value has been determined. The current
structure/guest house will be demolished.

The timeframe of the project will be to construct in the Spring of 2024 and will take
approximately 5-6 months to construct.

It was noted that an email from the most affected neighbor at 4 Pine Acres was received by
the Town and the homeowners of that residence are in favor of the project.

The driveway will remain to provide access to the new structure.

There was no public comment.

Mary Ellen Spennacchio-Wagner moved to close the public hearing.

Tom Kidera seconded.

All Ayes.

- 108 Stoneleigh Court, Tax # 138.18-1-13, Applicant is requesting relief from Town Code §185-17 E. for an addition (garage) encroaching into and not meeting the total required side yard setbacks. This property is zoned Residential Neighborhood – (RN).

George Dounce opened the public hearing.

A representative for the application was unavailable for this hearing.

Public comment was taken from Joy Getnick of 116 Stoneleigh Court. Ms. Getnick expressed concern regarding the closeness of the garage to her property line, the fact that the garage is angled towards her property and plans the applicant has for widening the driveway up to her property line. The Board inquired if the neighbor is open to landscaping buffering and Ms. Getnick indicated yes.

The Board discussed the guidelines if any for the turning radius of a driveway on properties and any restrictions on driveways being extended entirely to the property line. The Board requests direction from the Town on this. The Board also recommended that the neighbors have a discussion regarding proposed plans if possible.

George Dounce moved to hold the public hearing open.

Barbara Servé seconded.

All Ayes.

DECISION FOR 4000 EAST AVENUE – AREA VARIANCE

A written Resolution to grant the area variance for 4000 East Avenue was moved by Thomas Kidera and seconded by Board Member Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Abstain
Kidera	Aye
Dounce	Aye
Iacobucci	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 November 1, 2022.
2. All construction is to be completed by December 31, 2025.

POINT PERSONS FOR JANUARY 16, 2023 MEETING

8 Arbor Creek Drive – Mary Ellen Spennacchio-Wagner

MINUTES AND ADJOURNMENT

Chairman George Dounce motioned to approve the minutes of November 21, 2022, with a correction.

All Ayes.

The meeting was adjourned at 7:50 pm.

Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals

DRAFT

Zoning Board of Appeals Referral Form Information

Property Address:
8 Arbor Creek ,

Property Owner:
Chip Sheffield

Applicant or Agent:
Chip Sheffield

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:		Right Lot Line:		Right Lot Line:	
Left Lot Line:		Left Lot Line:		Left Lot Line:	
Front Setback:		Front Setback:		Front Setback:	
Rear Setback:		Rear Setback:		Rear Setback:	
Height:	12'	Height:	15'	Height:	3.0'
Size:	180 SF	Size:	320 SF	Size:	140.0 SF

Code Section(s):

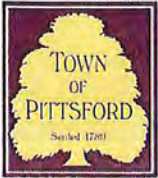
Description: Applicant is requesting relief from Town Code §185- 113 B. (1), (2) for a proposed oversized and over height accessory structure, pavilion/storage space. This property is zoned Residential Neighborhood – (RN).

December 19, 2022



Date

Bill Zink -



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: December 9, 2022 Hearing Date: January 12, 2023

Applicant: Chip Sheffield

Address: 8 Arbor Creek Drive

Phone: (585) 662-7339 E-Mail: cbsfaa@rit.edu

Agent: Mike Volpe

Address: 106 W. Main Street Honeoye Falls, NY 14472
(if different than Applicant)

Phone: (585) 582-1212 E-Mail: Mikev@joshlandscape.com

Property Owner: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

(If applicant is not the property owner please complete the Authorization to Make Application Form.)

Property Location: _____ Current Zoning: Residential Neighborhood

Tax Map Number: 192.12-2-2

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

To construct an accessory structure that serves as an enclosed storage space with dimensions of 10ft x 14ft with additional roof structure for covered patio space of 12ft x 15ft. Total area of accessory structure is 320 square feet.

Material finishes will match architectural character of main residence with use of vinyl siding, white composite trim white with wood grain for soffits and finish surface of posts and beams of structure.

Roof to be asphalt shingles to match main residence home.

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.

(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)

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:

We will be constructing a permanent structure with the same architectural character as the main residence on the property so that it fits the neighborhood style and looks and feels cohesive with the main residence.

2. Please explain the reasons why the benefit sought by the owner/applicant cannot be achieved by some method other than an area variance:

We would like to achieve space for seasonal storage like that of a shed while also gaining a covered patio space to enjoy that would be partially screened from other properties. Rather than request a variance for multiple accessory structures, a single combined structure would better fit the neighborhood and not be an intrusion on the site.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

We believe this is minimal due to the lack of visibility of the structure from the road and that it will be a more permanent high quality structure instead of a generic store bought shed that would not match the character of the home. The structure would also meet the side and rear setback requirements.

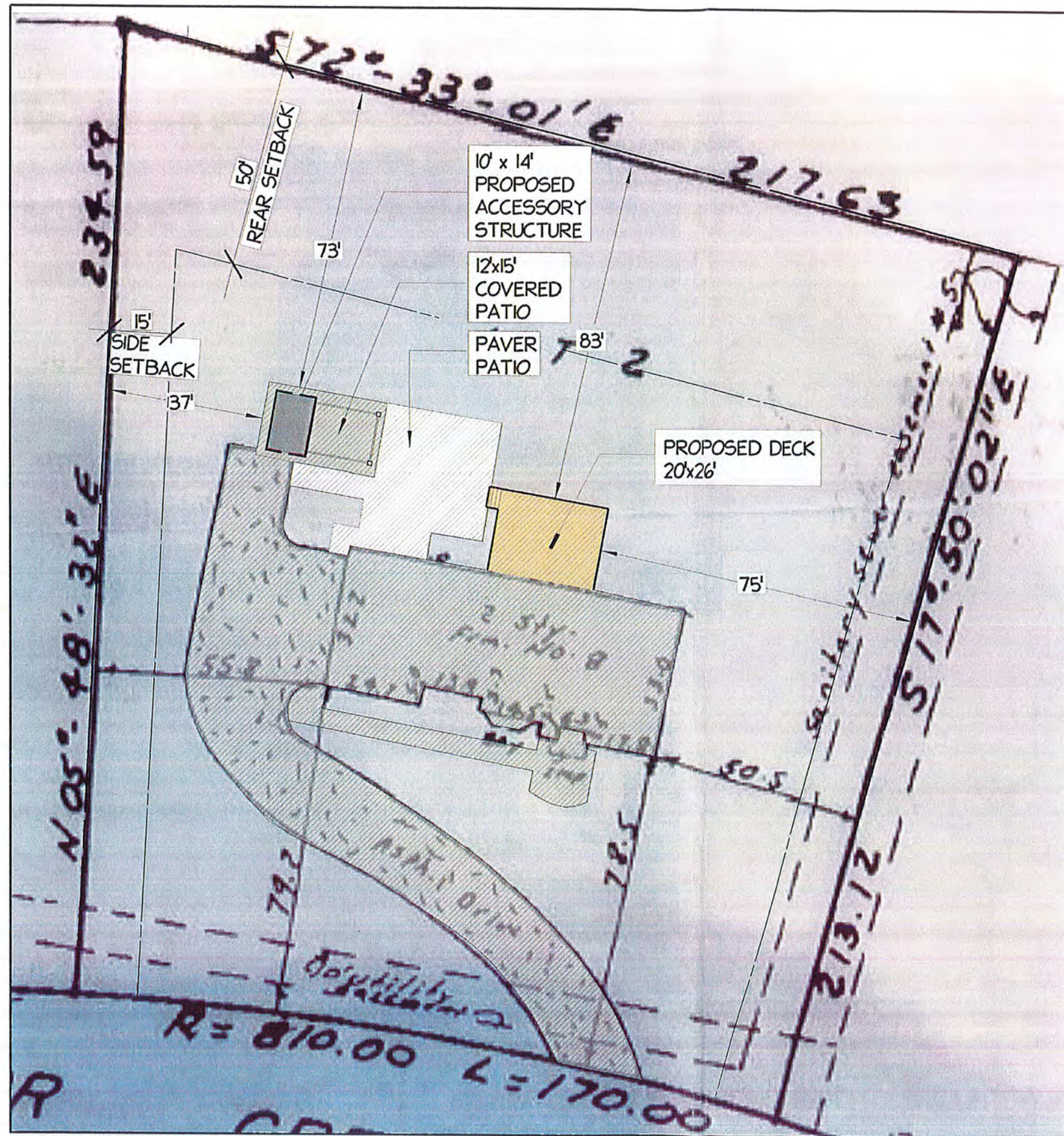
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

Due to the character of the proposed structure matching the main residence and being located accordingly for the side and rear setbacks, we believe it will not have adverse effect or impact.

- **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, so that the property could be better utilized for personal enjoyment throughout the changing seasons while also being able to store items in an enclosed space that feels cohesive with the main residence.



LOT COVERAGE PLAN	
TOTAL LOT SIZE:	43,281 SF
IMPERVIOUS COVER:	9,384 SF
	21.68% IMP. COVER



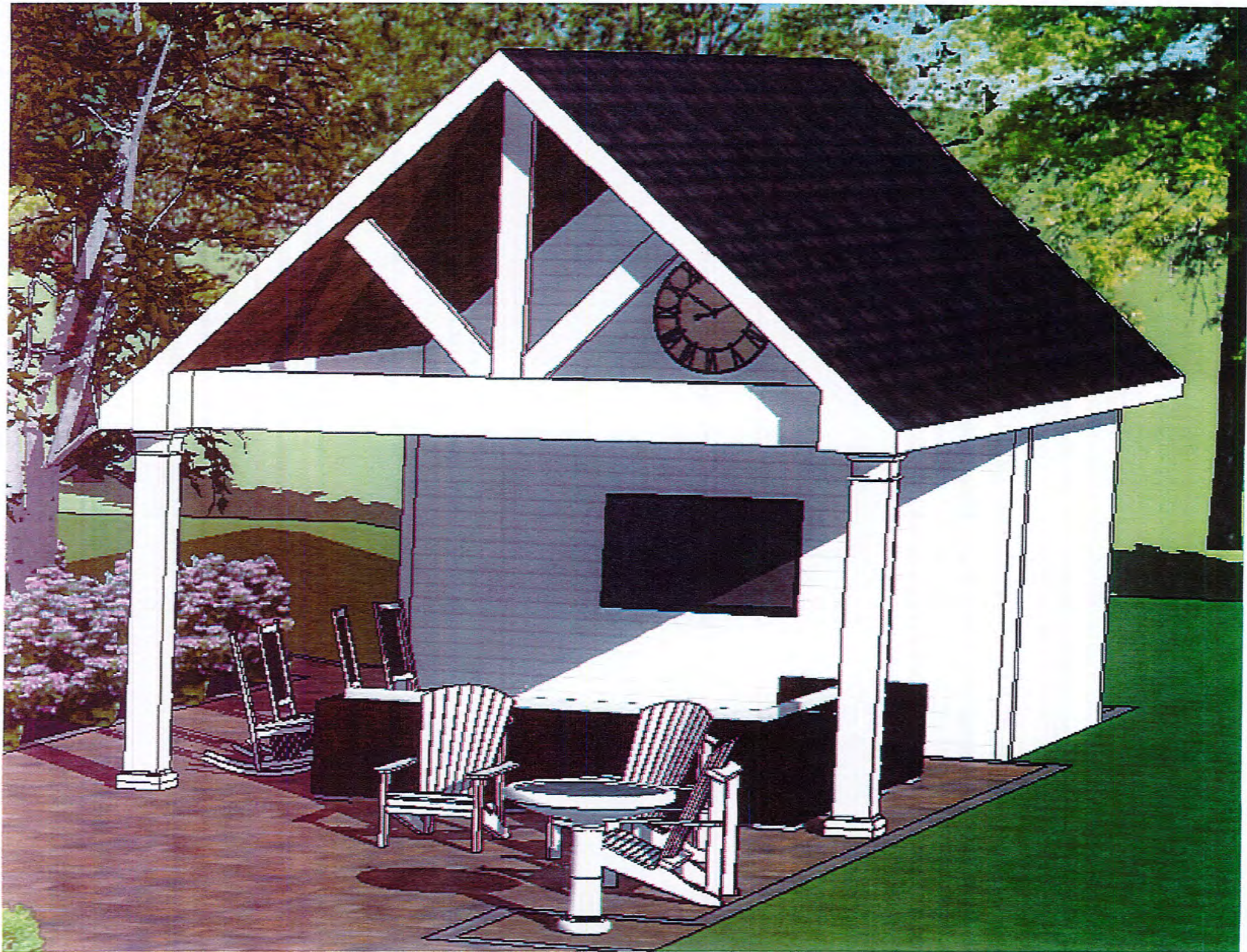
JOSH LANDSCAPE CO.
 106 WEST MAIN STREET
 HONEOYE FALLS, NY
 OFFICE: 585.582.1212
 WWW.JOSHLANDSCAPE.COM

SHEFFIELD
 8 ARBOR CREEK DR.
 PITTSFORD NY

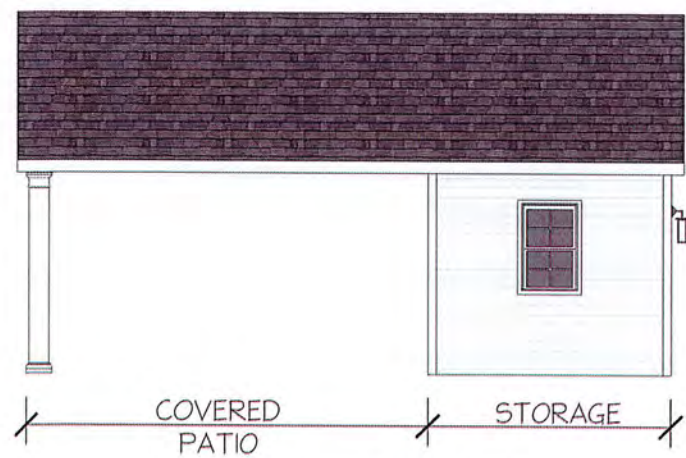
CLIENT: _____
 SCALE: 1" = 30'
 ISSUE DATE: 12/07/2022
 DRAWN BY: DEC
 CHECKED BY: MV

**SETBACK
 &
 LOT COVERAGE**

DRAWING NAME: _____

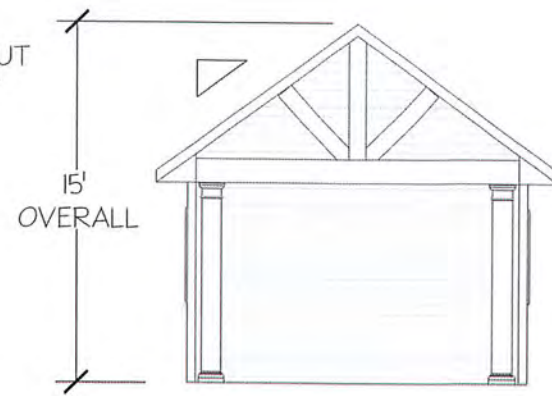






SOUTH ELEVATION
SCALE: 1/8" = 1'-00"

NOTE: NORTH ELEVATION
MIRRORS SOUTH.



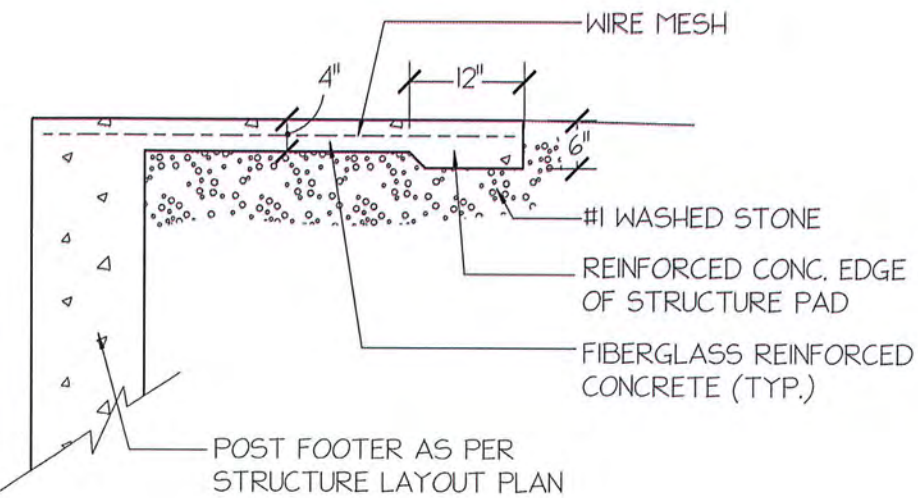
WEST ELEVATION
SCALE: 1/8" = 1'-00"



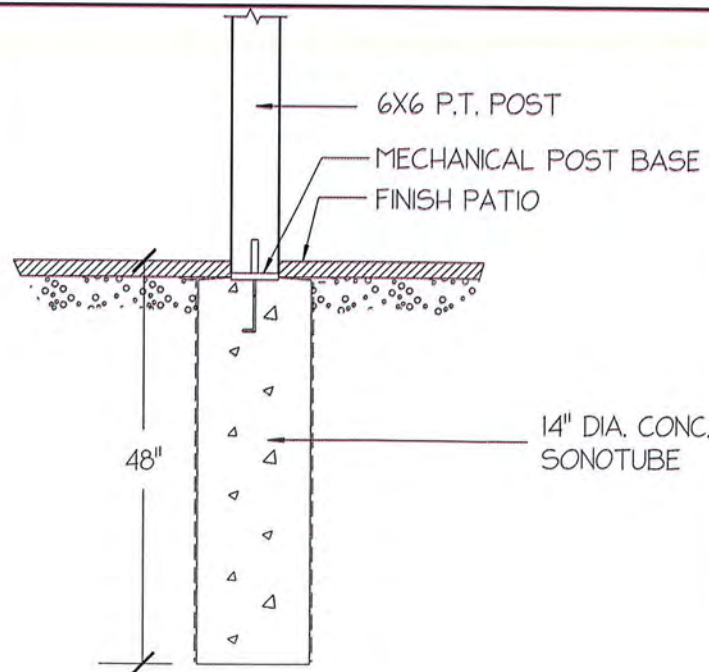
EAST ELEVATION
SCALE: 1/8" = 1'-00"

— SIDING TO MATCH
PRIMARY RESIDENCE

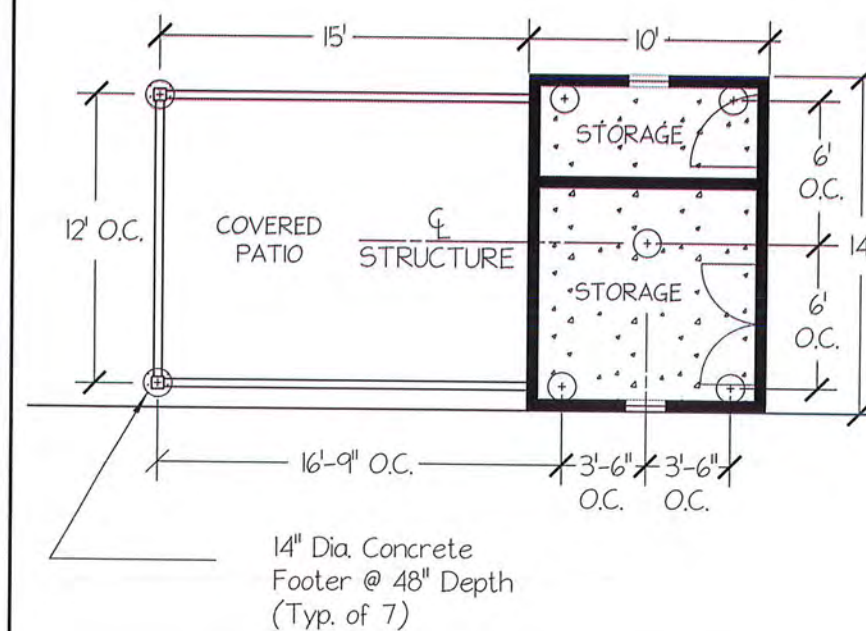
— EX. GRADE DOOR (S)
TO MATCH SIMILAR
STYLE OF MAIN
RESIDENCE.



SLAB FOOTER DETAIL
SCALE: 1/2" = 1'-00"



POST FOOTER DETAIL
SCALE: 1/2" = 1'-00"



STRUCTURE LAYOUT PLAN
SCALE: 1/8" = 1'-00"

CLIENT: _____
SCALE: AS SHOWN
ISSUE DATE: 12/16/2022
DRAWN BY: DBC
CHECKED BY: MV

NORTH: _____

STRUCTURE PLAN

DRAWING NAME: _____



DRAINAGE & UTILITY PLAN

