

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
January 21, 2019**

PUBLIC HEARING FOR AN AREA VARIANCE

- 648 Mendon Road. Tax # 178.03-2-29.21, Applicant is requesting relief from Town Code(s) §185-113 (B) (1) & (2) to construct an oversized and over height accessory structure (Detached Garage) in the rear yard. The accessory structure is proposed to be approximately 15' in height and approximately 572 Sq. Ft. in size. Property is zoned RN – Residential Neighborhood District.
- 4 Sassafras Lane. Tax # 179.09-1-4. Applicant is requesting relief from Town Code(s) §185-17 (L) to construct a 1st and 2nd floor addition encroaching into the side setback. The additions are proposed to be located at approximately 50' from the west property line where code requires 60'. Property is zoned RN – Residential Neighborhood District
- 255 Woodland Road. Tax # 150.20-2-21. Applicant is requesting relief from Town Code(s) §185-17 (E) to construct a garage addition encroaching approximately 5 feet into the side setback. The required minimum side setback for this property is 10'. Property is zoned RN – Residential Neighborhood District

OTHER

- Review and Approval of the November 19, 2018 Minutes

draft
**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
November 19, 2018**

PRESENT

George Dounce, Chairperson; Jaime Waldman, Mary Ellen Spennacchio-Wagner, Barbara Servé, Phil Castleberry, Mike Rose

ALSO PRESENT

Stephanie Townsend, Town Board Liaison; Mark Lenzi, Building Inspector; Susan Donnelly, Secretary to the Board

ABSENT

David Rowe, Robert Koegel, Town Attorney

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

Mark Lenzi indicated that the applications before the Board this evening are Type II Actions under 6-NYCRR §617.5(c) (7) or (12) & (13) and, therefore, are not subject to Environmental Review under SEQRA. These 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 APPLICATIONS

- 370 Canfield Road, Tax # 191.04-2-4.2, Applicant is requesting relief from Town Code section § 185-113 (B) (1) & (2) to construct an oversized over height accessory structure (pool house). The proposed structure will be located in the rear yard in a similar location as the existing accessory structure. The existing structure is planned to be demolished prior to construction of the new structure. This property is zoned RRSP – Rural Residential South Pittsford.

The applicants, Leticia and Robert Fornataro, were present. Mr. Fornataro addressed the Board and shared a presentation on the proposed construction and its location in respect to the most affected neighbor's property. He discussed how he had made contact with the neighbors, Sharon and Leo Knauf at 643 Mendon Center Road to discuss the proposed pool house. Photographs of the site line of the existing pool house from the Knauf's side window and yard, were shown to the Board by Mr. Fornataro. In addition, Mark Lenzi, Building Inspector, presented pictures and documents from an email sent to the Board on November 9th. Mr. Fornataro explained how the area from the Knauf home to the Fornataro property slopes up (30 ft.) and is heavily wooded. The roof of the proposed pool house is designed to be at its lowest slope towards the Knauf's property. A four foot fence also separates the property line.

Mr. Fornataro also proposed that the new pool house could be relocated from the original proposal to be one foot closer and parallel to the pool to be farther away from the neighbor. He explained that the pool house could not be moved any further more than 4 foot to the south/southwest direction due to a septic tank on the property.

Vegetative screening was discussed. Presently there is a four foot fence and a wooded area between the properties. The Fornataro's propose to maintain the current vegetation on their property and researched the possibility of installing additional deer resistant vegetation on their property to screen the pool house. This installation will be a considerable cost to the applicant.

The Board inquired about the outdoor kitchen and whether this structure could ever be used as living space for a multi-family living situation. Mark Lenzi indicated that this is not a permissible use and if it did occur, it would be a code enforcement issue.

The Board also inquired about the color of the structure. Mr. Fornataro indicated they would like to match the color of the home.

Chairman Dounce asked for public comment.

Leo Knauf, neighbor to the Fornataro's at 643 Mendon Center Road discussed his concerns regarding the new pool house citing noise from the pool, lack of privacy for his property and the potential for this structure to become multi family. He provided the Board with a letter from a realtor which indicated that the privacy on his property is a selling point. He asked for additional deer resistant vegetative screening to be put in place between the pool house and his property. Mark Lenzi noted the Town has a noise ordinance from 11 pm to 7 am.

Leticia Fornataro noted that this structure had been approved by the Design Review and Historic Preservation Board.

Phil Castleberry moved to close the Public Hearing. Mike Rose seconded.

All Ayes.

PUBLIC HEARING FOR AN AREA VARIANCE

- 10 Cullens Run, Tax # 164.16-1-25, Applicant is requesting a special permit pursuant to Town Code § 148-9 (C) to allow the storage of a 35' long 12'6" high recreational vehicle to be located on the west side of the home next to the garage. This property is zoned RN – Residential Neighborhood.

The applicants, John and Diane Kirkebye, are requesting a special use permit to store their recreational vehicle year round on a pad of crushed stone next to their garage. There is an existing fence which provides screening. They indicate they will be away from home with the RV many times throughout the year.

Mr. Kirkebye indicated that the most affected neighbor has sent a letter of approval concerning this application. An email from the homeowner at 18 Cullens Run indicating support was also received.

There was no public comment.

Jaime Waldman moved to close the Public Hearing and Barbara Servé seconded.

All Ayes.

- 7 Coventry Ridge, Tax # 177.03-5-2, Applicant is requesting relief from the front setback requirement established by the Pittsford Planning Board for Coventry Ridge Section 2. Applicant proposes a 39.3 foot front setback where 40 feet is required. This property is zoned IZ - Incentive Zoning.

Greg Bell represented Spall Homes in this application. Mr. Bell discussed how a 0.7 ft. error was made on one corner of the home when his company was staking out the front stakes of the property as the street curves at the corner of this property. After the home was built and the property surveyed, the error was discovered. There is no resident across the street for this home.

There was no public comment and no comment from the Board.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing and Phil Castleberry seconded.

All Ayes.

DECISION FOR 370 CANFIELD ROAD – AREA VARIANCE

After discussion, the Board determined that the moving the structure 1 ft. farther from the property line of the most affected neighbor would be a compromise on behalf of the applicant. The Board did not feel that the expense of additional screening to the applicant was necessary to screen the structure from the neighbor, as it is practically unnoticeable even when leaves are off the trees.

A written Resolution to grant the area variance for 370 Canfield Road was moved by Jaime Waldman and seconded by Mike Rose.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	aye
Jaime Waldman voted	aye
David Rowe voted	absent
Mary Ellen Spennacchio-Wagner voted	aye
George Dounce voted	aye
Phil Castleberry 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 October 4, 2018 with the addition of condition #5 and by the documentation presented by the Applicant and Code Enforcement Officer at the November 19, 2018 Zoning Board Meeting.
2. The exterior color at the rear wall facing 643 Mendon Center Road will be in a dark brown color palette as chosen by the applicant and approved by the building inspector to blend in with the natural surroundings.
3. Current buffering vegetation on the Applicant's property between the pool house and the neighbor at 643 Mendon Center Road will be maintained.
4. All construction is to be completed by December 31, 2021.
5. Pool building will be moved one foot closer to the pool on the southwest corner.

DECISION FOR 10 CULLENS RUN – SPECIAL USE PERMIT

A written Resolution to grant the special use permit for 10 Cullens Run was moved by George Dounce and seconded by Mary Ellen Spennacchio-Wagner.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	aye
Jaime Waldman voted	aye
David Rowe voted	absent
Mary Ellen Spennacchio-Wagner voted	aye
George Dounce voted	aye
Phil Castleberry voted	aye

The approved Resolution contains the following Specific Conditions:

1. The special permit is granted to allow the storage of the existing recreational vehicle or one equal to or smaller, located on the west side of the home next to the garage and behind the existing 6' tall fence as described in the application dated October 3, 2018.
2. The existing fence or one of equal height and screening ability is to remain.

DECISION FOR 7 COVENTRY RIDGE – AREA VARIANCE

A written Resolution to grant the area variance for 7 Coventry Ridge was moved by Barbara Servé and seconded by Mike Rose.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	aye
Jaime Waldman voted	aye
David Rowe voted	absent
Mary Ellen Spennacchio-Wagner voted	aye
George Dounce voted	aye
Phil Castleberry 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 November 6, 2018.

APPROVAL OF THE MEETING MINUTES OF OCTOBER 15, 2018

George Dounce moved to accept the minutes of October 15, 2018 as written.

VOICE VOTE: Ayes – All

OTHER

There will be no December meeting due to lack of applications to review.

MEETING ADJOURNMENT

The meeting adjourned at 8:20 pm.

VOICE VOTE: Ayes – All

Respectfully submitted,

Susan Donnelly
Secretary to the Zoning Board of Appeals

Zoning Board of Appeals Referral Form Information

Property Address:

648 Mendon Road PITTSFORD, NY 14534

Property Owner:

Smeulders, Stephen B
648 Mendon Rd
Pittsford, NY 14534

Applicant or Agent:

Smeulders, Stephen B
648 Mendon 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:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	15	Height:	-3.0
Size:	180	Size:	572	Size:	-392.0

Code Section(s): 185-113 (B) (1) & (2)

Description: Applicant is requesting relief from Town Code(s) §185-113 (B) (1) & (2) to construct an oversized and over height accessory structure (Detached Garage) in the rear yard. The accessory structure is proposed to be approximately 15' in height and approximately 572 Sq. Ft. in size.

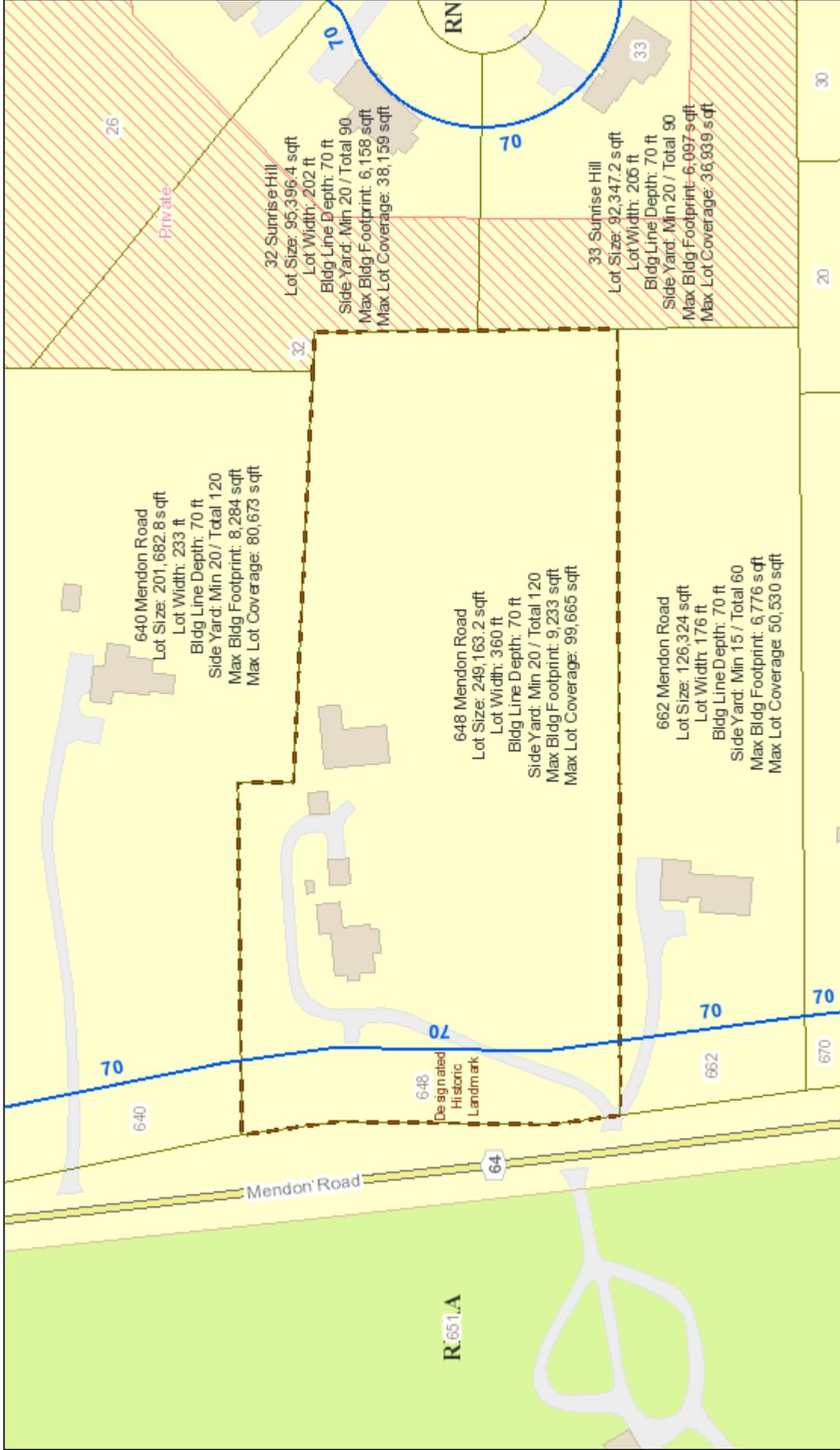
January 10, 2019



Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning



Printed January 10, 2019

Town of Pittsford GIS

The information depicted on this map is representational and should be used for general reference purposes only. No warranties, expressed or implied, are provided for the data or its use or interpretation.

648 Mendon Rd
2017-Zillow

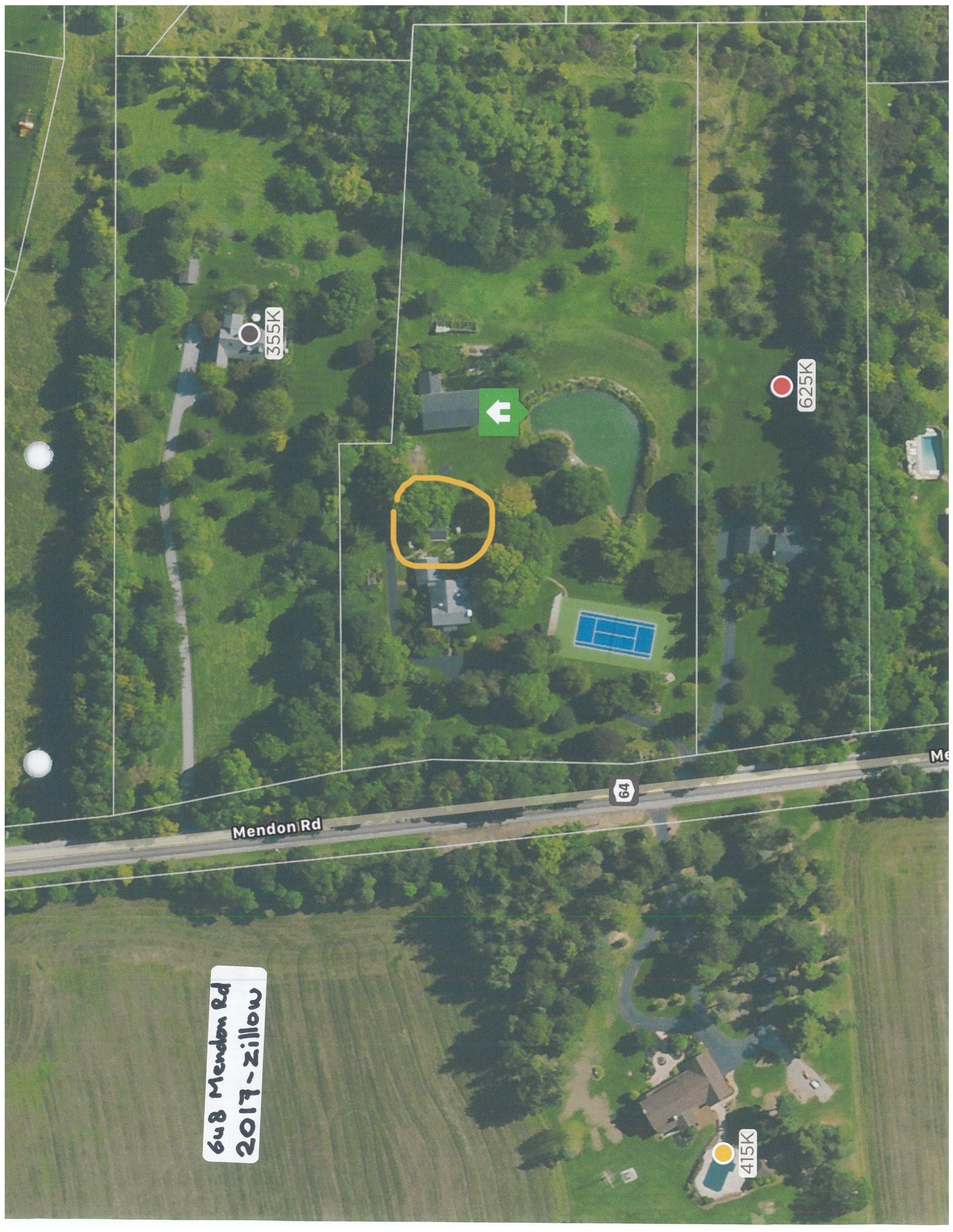
Mendon Rd

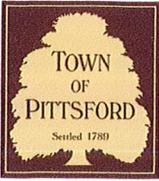
64

355K

625K

415K





TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: _____ Hearing Date: _____

Applicant: Stephen Smeulders

Address: 648 Mendon Rd., Pittsford, NY 14534

Phone: 585.278.3043 E-Mail: forcesailor@cs.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Self
(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: _____

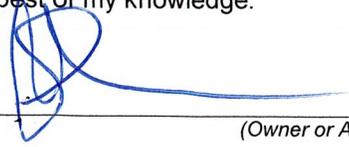
Tax Map Number: _____

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Demolish existing 18x21 garage.
Salvage as many of the large cross-section timbers as is possible.
Rebuild on same location 22x21 garage to resemble a horse stable.
Attach to framing salvaged large cross-section timbers on interior for esthetic purpose.

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)

11/17/2018

(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:

The location is sandwiched between the residential structure (to the West) and the large Barn (to the East).
There is also a single garage, sized for a truck, to the East.
There are many trees around and on the property that limits visibility.
There is much understory vegetation that limits visibility.

The dimension increase occurs in the North-South direction only. So area increase is not perceptible from directly North or South vantage points.

It is the opinion of the applicant, that the existing frame garage used to be a horse stable, that had the proposed profile. In order to provide cover to motor vehicles, the pronounced roof eave was framed in ("bump out").
The proposed design therefor restores the original pronounced roof eave that is characteristic of stables in the area.
Because it is a design restoration, it is not a detriment, but an improvement.

There are new features to the structure that evoke agricultural connections additionally.

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 current and proposed garage door height is too low to accommodate a truck. This is ok. There is the truck garage for that.
The existing garage is meant to house two sedan size vehicles side by side.
The current method involves parking vehicles flush with garage walls. (see photographs included with application)
Parking a vehicle in existing garage must be done precisely and is time consuming.
Entering and exiting a vehicle can cause door-to-frame contact and requires some measure of agility.
To address this deficit, the proposed garage is wider than the existing garage.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

It is minimal.

Applicant is advised that current 18' width, only allows 1' clearance between garage wall and 16' garage door, so it is not to code.

Applicant does not wish to rebuild 18' width that is not code.

Applicant is advised that 22' width is recommended minimum that allows for easy parking as well as easy entry and exit.

Proposed 22' width does not accommodate storage of "stuff" usually associated with garages. This is ok.

There is the truck garage and conceivably the barn for storing "stuff".

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 location is on top of a hill and is not located near runoff.

The height of the proposed structure is 3" less than the existing structure.

- **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 current width is not to code. The applicant has consulted with all the experienced contractors during the build of the truck garage during 2018. The consensus is the existing garage is already showing a lean and flexing of structural members. It will collapse, and will probably do so unexpectedly.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Smeulders 2 car Garage

(Project 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 special permit building permit permit amendment

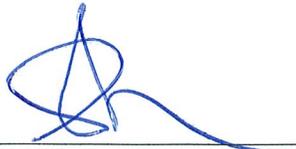
variance approval of a plat exemption from a plat or official map

...issued under the provisions of the Ordinances, Local Laws, Rule or 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)



(Signature of Applicant)

11/27/2018

(Dated)

648 Mendon Rd.

(Street Address)

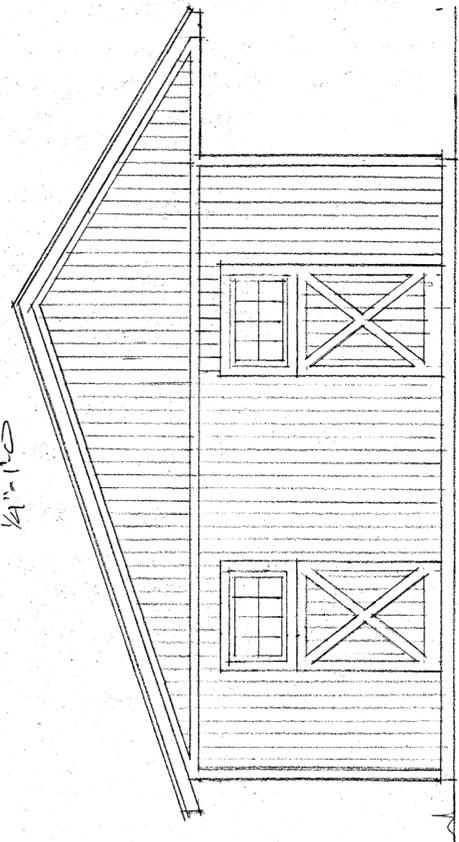
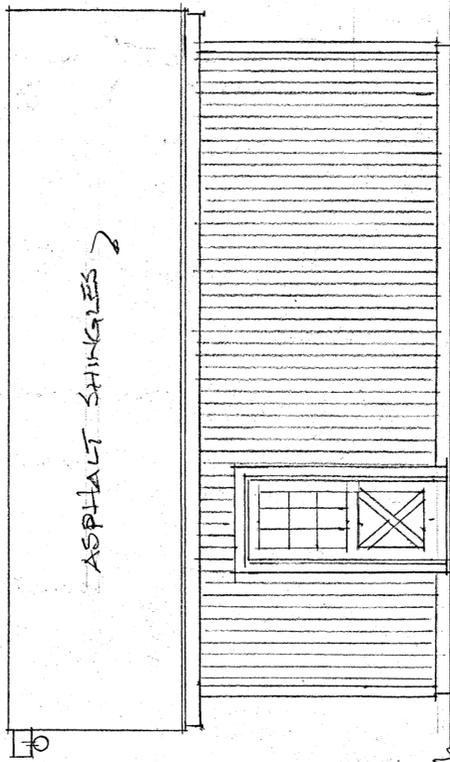
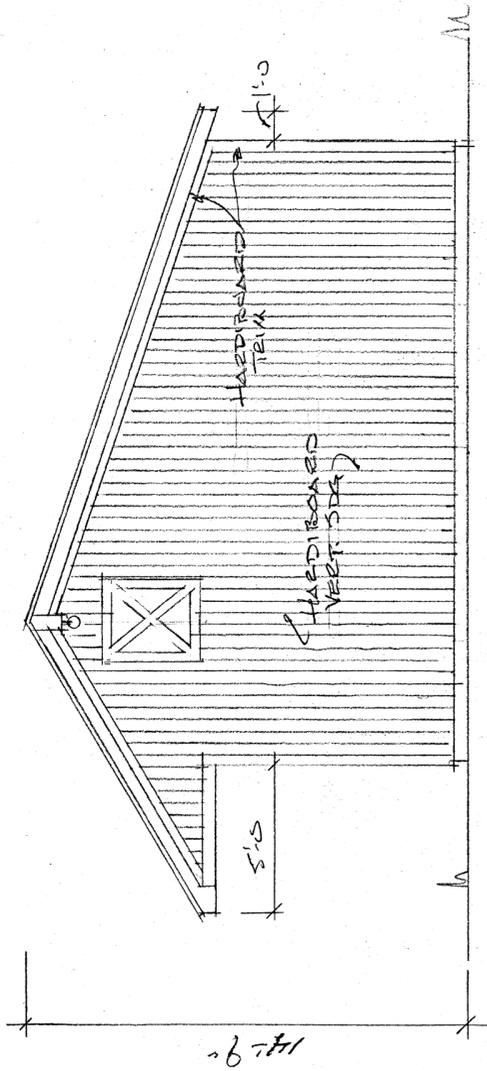
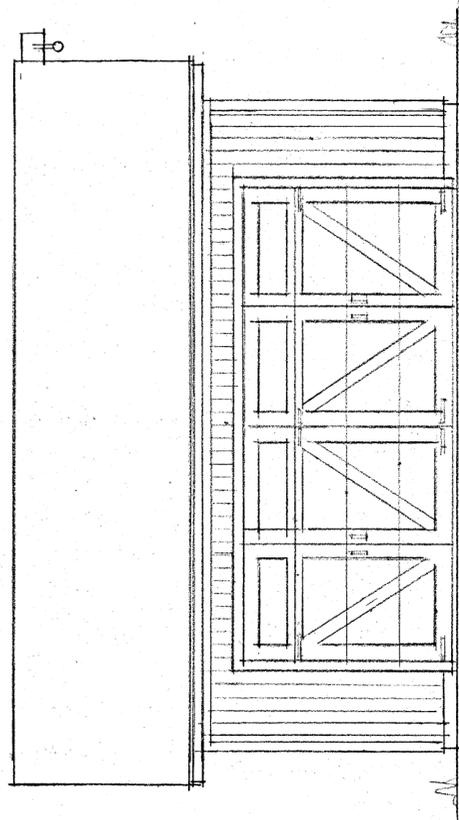
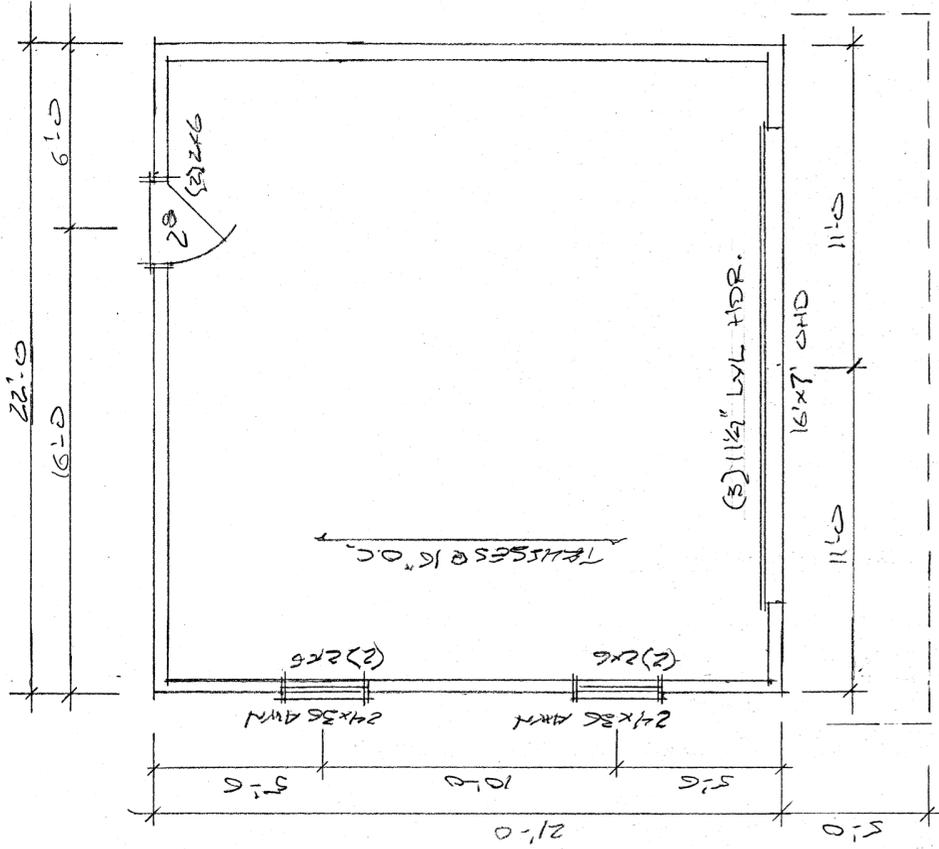
Pittsford, NY 14534

(City/Town, State, Zip Code)

SMEILDEES GARAGE
 648 KENDON ROAD
 PITTSFORD

11.26.18

MARK P. MULLER
 ARCHITECT
 3509 Tait Road
 Bloomfield, NY 14469
 Tel 657-6905



INSTRUMENT LOC

SHOWING THE LANDS

ROBERT S. AND KATHLE

(LIBER 8020 OF DEEDS,
BEING

#648 MENDO

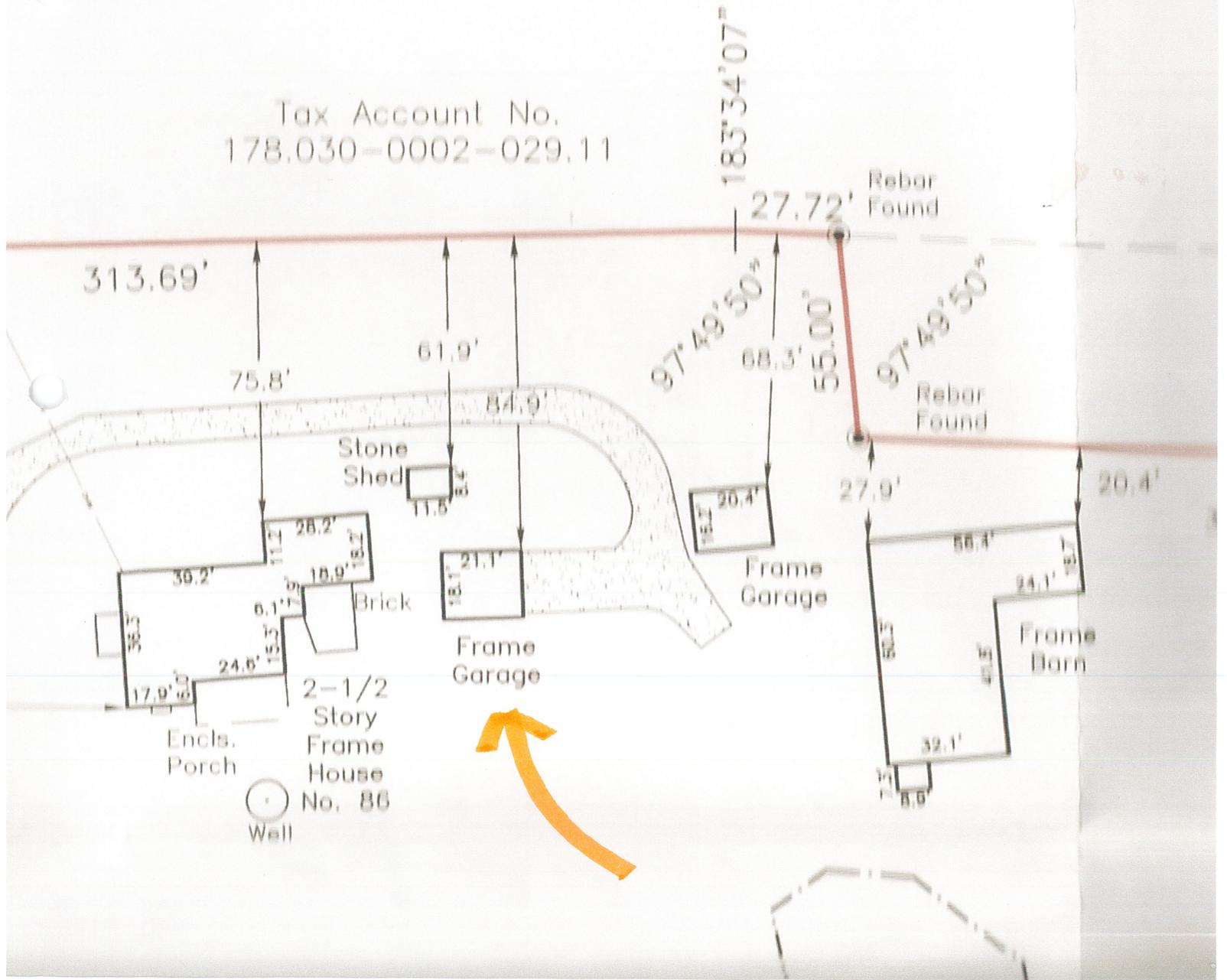
~SITUATE IN:~

PART OF LOT 6, TOWNSHIP
TOWN OF PITTSFORD, COUNTY OF MONI

SCALE: 1" = 50' DATED: 00'

REVISED NOVEMBER 2

Tax Account No.
178.030-0002-029.11





Garage for truck, to the East of proposal
Hardieboard, garage door, faux hay door, hay lifter

Current sedan/compact car garage

- Mini right door is flush with right wall
- Jeep left door is flush with left wall
- Insufficient clearance to open Mini right door or Jeep left door

- Garage door is not functional
- minimal clearance with top of Jeep and garage door





Turnkey solution found online.
Modular Pine Board & Batten Horse Stable

Note side doors

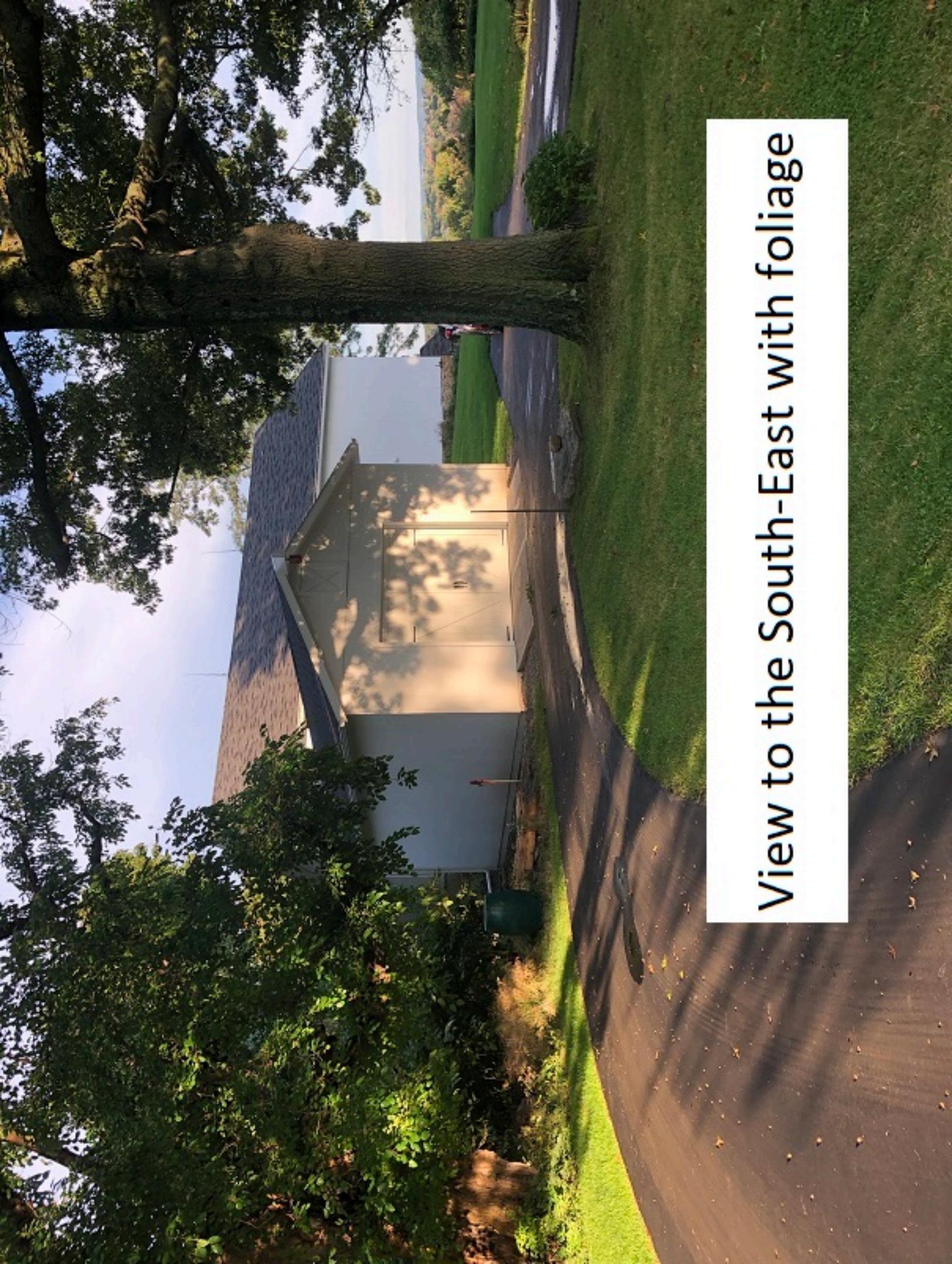
EquiCenter, Inc.
3247 Rush Mendon Rd.
Honeoye Falls, NY

Stable Profile





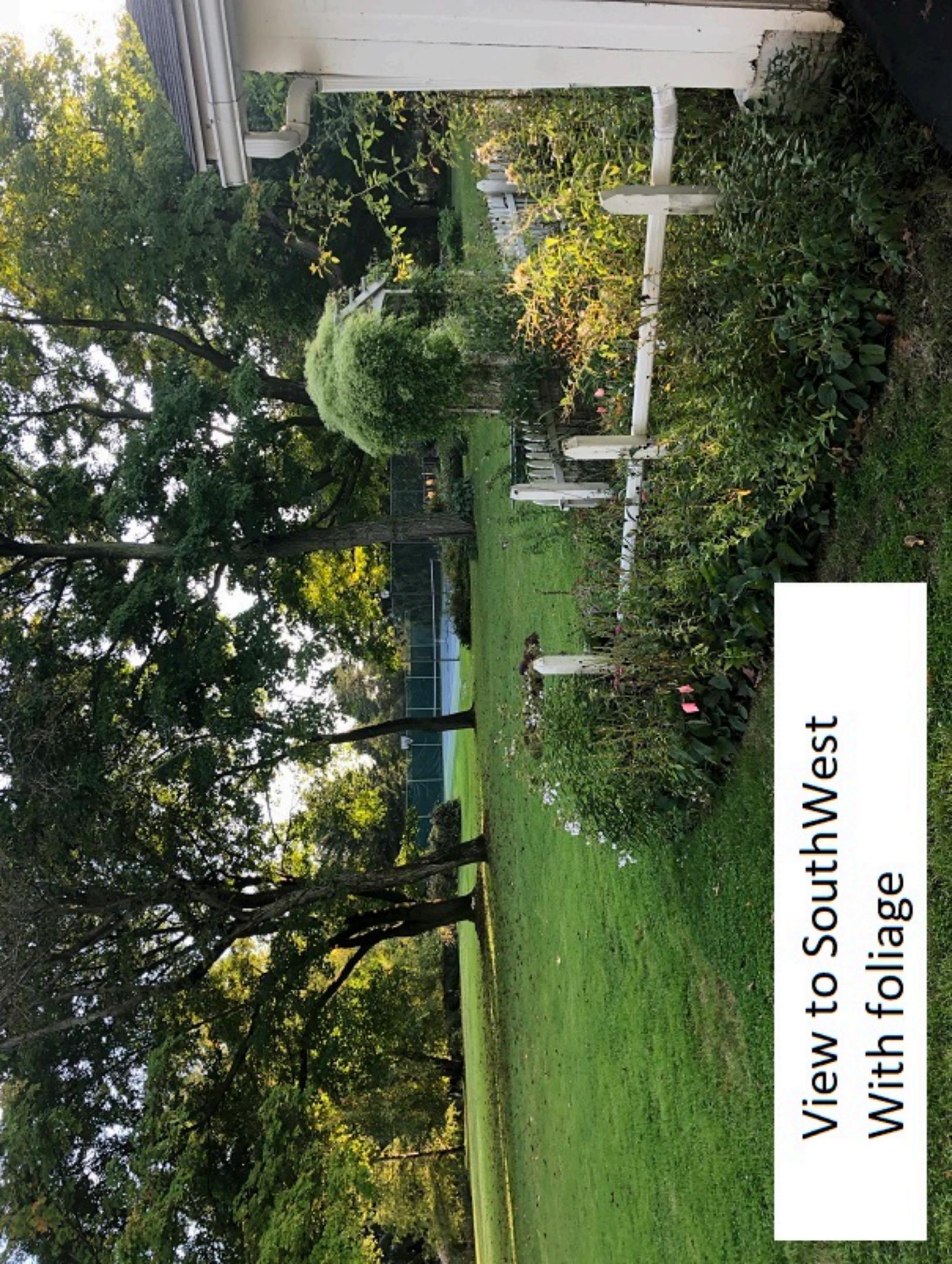
View to the East with foliage



View to the South-East with foliage



View to North-West
With foliage



View to SouthWest
With foliage

Zoning Board of Appeals Referral Form Information

Property Address:

4 Sassafras Lane PITTSFORD, NY 14534

Property Owner:

Roland, Duane D
4 Sassafras Ln
Pittsford, NY 14534

Applicant or Agent:

Roland, Duane D
4 Sassafras 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:	60	Left Lot Line:	50	Left Lot Line:	10.0
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): 185-17 (L)

Description: Applicant is requesting relief from Town Code to construct a 1st and 2nd floor addition encroaching into the side setback. The additions are proposed to be located at approximately 50' from the west property line where code requires 60'.

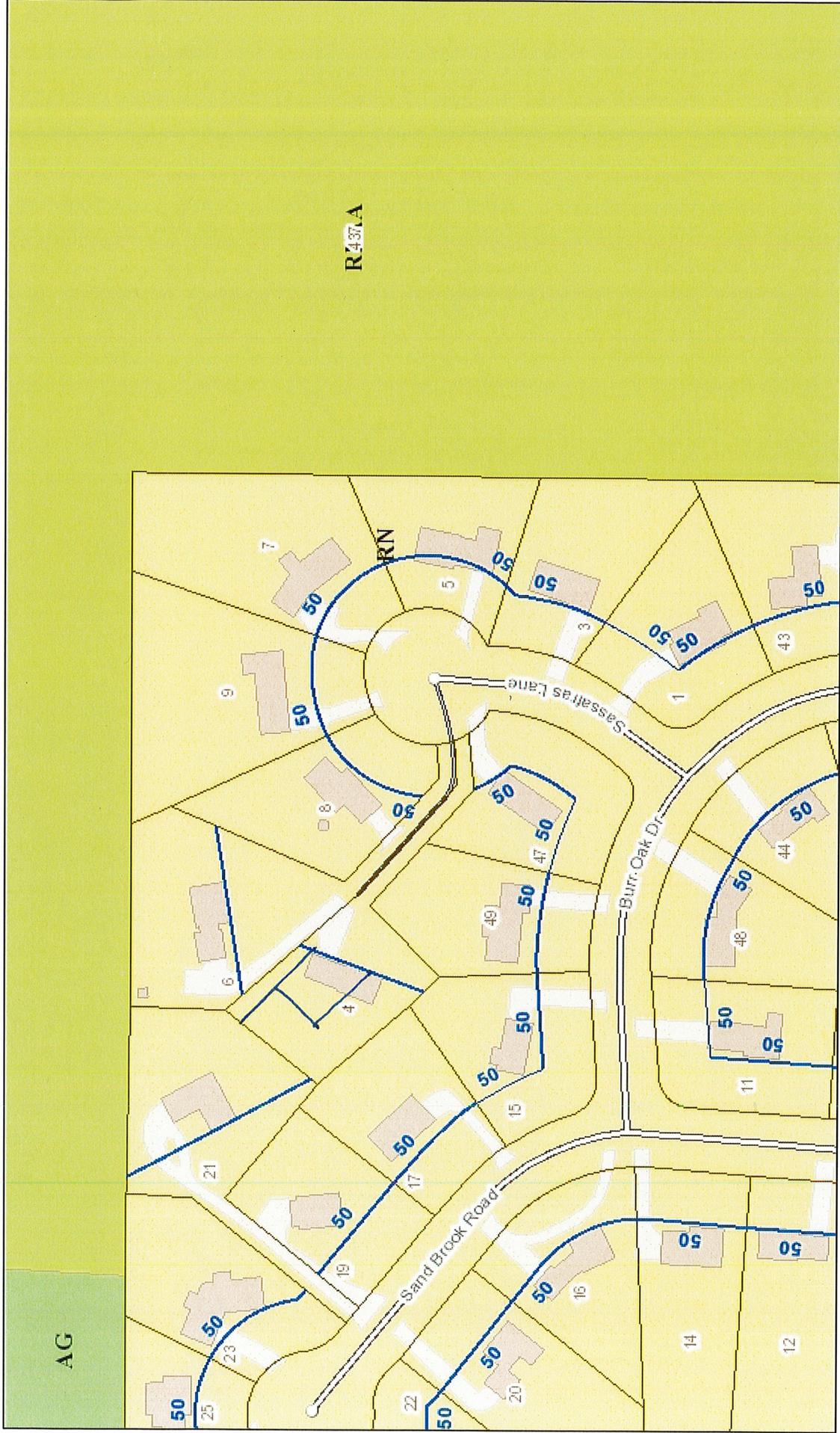
January 10, 2019



Date

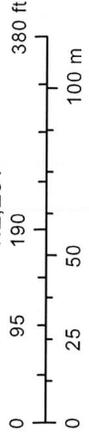
Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning



Printed December 7, 2018

1:2,257



Town of Pittsford GIS

The information depicted on this map is representational and should be used for general reference purposes only. No warranties, expressed or implied, are provided for the data or its use or interpretation.



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17

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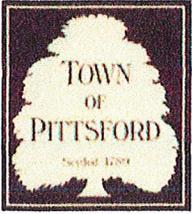
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8



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

Submission date: 12/14/18 Hearing Date: 01/21/19

Applicant: DAVID A. WALDAREK

Address: 1128 OHSTROM PARK WEBSTER NY. 14580

Phone: 585-329-5123 E-Mail: WALDAREKDESIGN@gmail.com

Agent: (if different than Applicant) _____

Address: _____

Phone: _____ E-Mail: _____

Property Owner (if different than Applicant): DIVANE AND MELISSA ROLAND

Address: 4 SASSA FRAS LANE

Phone: 585-737-8551 E-Mail: mroland7@yahoo.com

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

Property Location _____ Current Zoning: _____

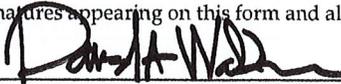
Tax Map Number: 179.090-01-004

Application For: Residential Commercial Other

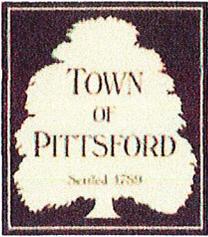
Please describe, in detail, the proposed project (Include dimensions and distances):

CONSTRUCTION OF A PROPOSED MUD/LAUNDRY RM 11.0' x 9.0' ON THE FIRST FLOOR AND CONSTRUCTION OF A PROPOSED 14' x 17' MASTER BEDROOM/BATH OVER THE FIRST FLOOR LIVING RM.

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)

12/7/18
(Date)



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.

I, MELISSA ROLAND, the owner of the property located at:

4 SASSAFRAS LA. PITTSFORD NY. 14534
(Street) (Town) (Zip)

Tax Parcel # 179.090-01-004 do hereby authorize

DAVID A. WALDAREK RA to make application to the

Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford NY 14534

for the purpose(s) of OBTAINING AN AREA VARIANCE

Melissa Roland
Signature of Owner

12/7/18
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:

A. THE PART OF THE PROPOSED ADDITION WHICH IS IN VIOLATION IS VERY SMALL ($\pm 9'$), IS AT THE REAR OF THE HOUSE AND CANNOT BE SEEN FROM THE FRONT.

B. THE PROPOSED ADDITIONS FOLLOW THE EXISTING LINES AND MATERIALS OF THE EXISTING HOUSE AND CHARACTER OF THE NEIGHBORHOOD.

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

A. THE PROPOSED ROOMS CANNOT FUNCTION IN ANY OTHER LOCATION.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

A. THE REQUESTED VARIANCE IS MINIMAL IN SIZE, THE FIRST FLOOR PROPOSED LAUNDRY/MUD RM OF 11.0' x 9.0' IS JUST BIG ENOUGH TO HOUSE A WASHER AND DRYER WITH SOME STORAGE CABINETS. THE SECOND FLOOR MASTER BED/BATH IS AN AVERAGE SIZE SUITE THAT IS BEING BUILT OVER THE EXISTING HOUSE FOOTPRINT. ONLY A SMALL PORTION OF THESE ROOMS VIOLATE THE ORDINANCE

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:

A. THE SIZE OF THE AREA BEING BUILT IS MINIMAL
B. THE ROOF LINES TIE IN TO THE EXISTING

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?

A. NO. THE FAMILY OF FOUR NEEDS MORE SPACE.
B. BECAUSE OF THE FLAG LOT SIDE SETBACK REQUIREMENT, MOST OF THE EXISTING HOUSE ITSELF IS AN EXISTING NON CONFORMING USE.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

ROLAND (HOUSE) ADDITION

(Project 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 special permit building permit 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 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)

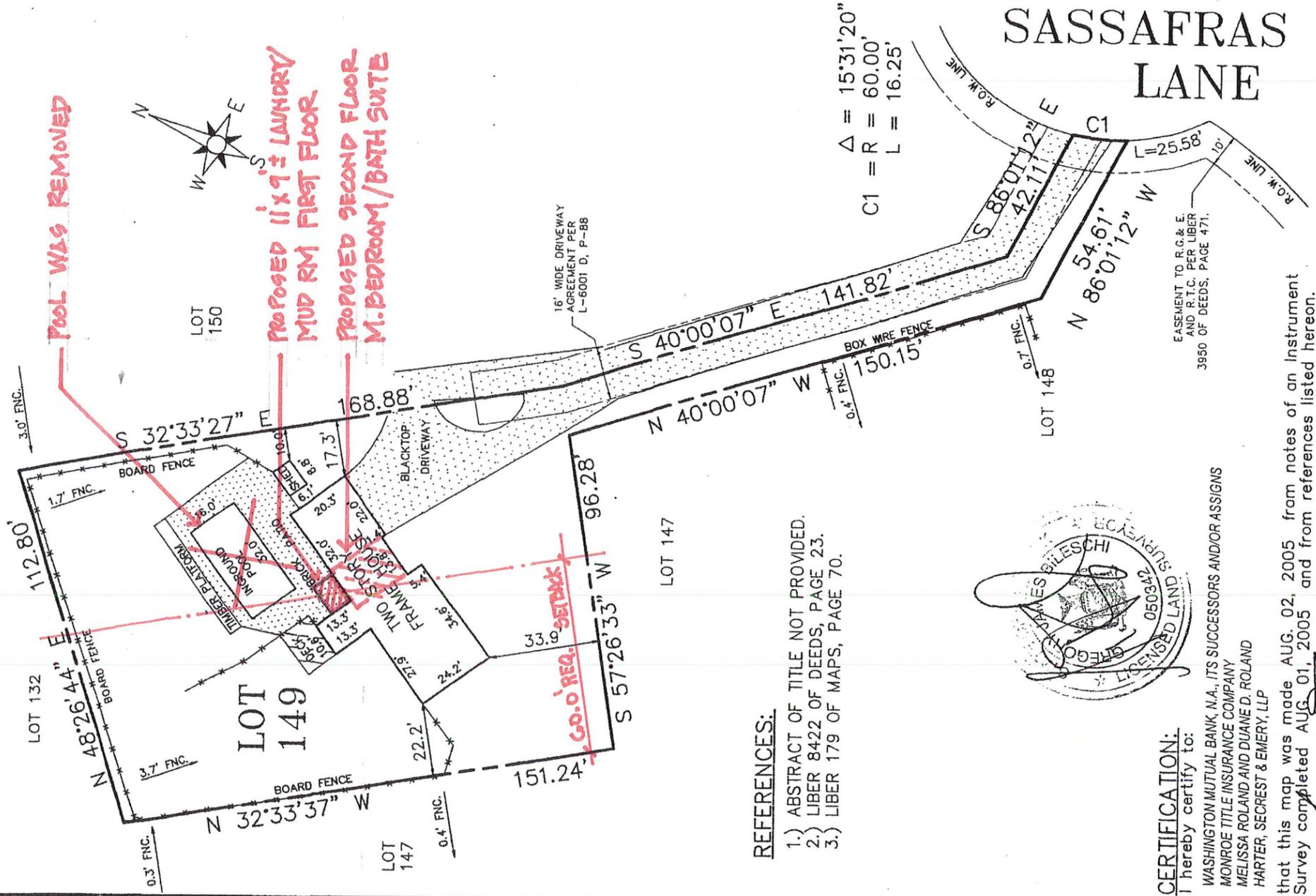
<u>Name(s)</u>	<u>Address(es)</u>


Signature of Applicant

12/07/18
Dated

1128 OULSTROM PK.
Street Address

WEBSTER NY. 14580
City/Town, State, Zip Code



POOL WAS REMOVED

PROPOSED 11x9 1/2 LAUNDRY
MUD RM FIRST FLOOR

PROPOSED SECOND FLOOR
M. BEDROOM/BATH SUITE

60.0' REQ. SETBACK

$$\Delta = 15'31''20''$$

$$C1 = R = 60.00'$$

$$L = 16.25'$$

REFERENCES:

- 1.) ABSTRACT OF TITLE NOT PROVIDED.
- 2.) LIBER 8422 OF DEEDS, PAGE 23.
- 3.) LIBER 179 OF MAPS, PAGE 70.



CERTIFICATION:

I hereby certify to:

WASHINGTON MUTUAL BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS
 MONROE TITLE INSURANCE COMPANY
 MELISSA ROLAND AND DUANE D. ROLAND
 HARTER, SECRET & EMERY, LLP

that this map was made AUG. 02, 2005 from notes of an instrument Survey completed AUG. 01, 2005 and from references listed hereon.

GREGORY J. BILESCHI, N.Y.S.L.S. # 50342

NOTE: Property corners should only be set by a licensed, registered land surveyor.

TITLE:

INSTRUMENT SURVEY MAP
4 SASSAFRAS LANE
BEING LOT 149 OF THE MILL VALLEY
ESTATES SUBDIVISION, SECTION 6,
SITUATE IN THE TOWN OF PITTSFORD,
COUNTY OF MONROE, STATE OF NEW YORK

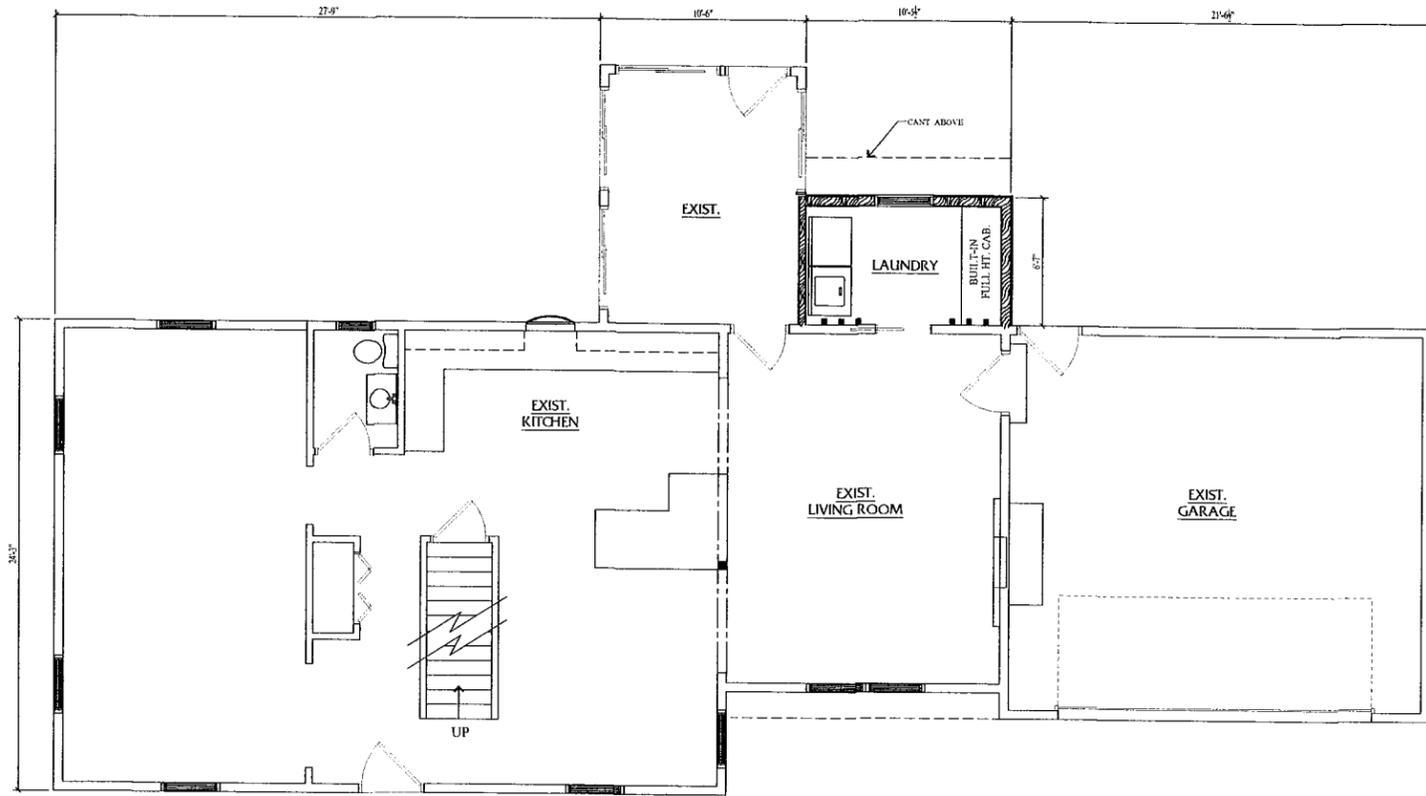
Tax Account No.
179.090-01-004

Unauthorized alteration or addition to a survey map bearing a licensed land surveyors seal is a violation of section 7209 Subdivision 2, of the New York State Education Law. "Only copies from the original of this survey marked with an original land-surveyors seal shall be considered to be valid true copies." Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Land Surveyors. Said certifications shall run only for the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees or the lending institution. Certifications are not transferable to additional institutions or subsequent owners. This map is subject to any easements and/or encumbrances that an updated abstract of title may show. The word "certify" or "certification" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee expressed or implied. Location of subterranean improvements and those which are covered may be approximate or not shown hereon. Landscaping features are not shown hereon, unless otherwise specified.

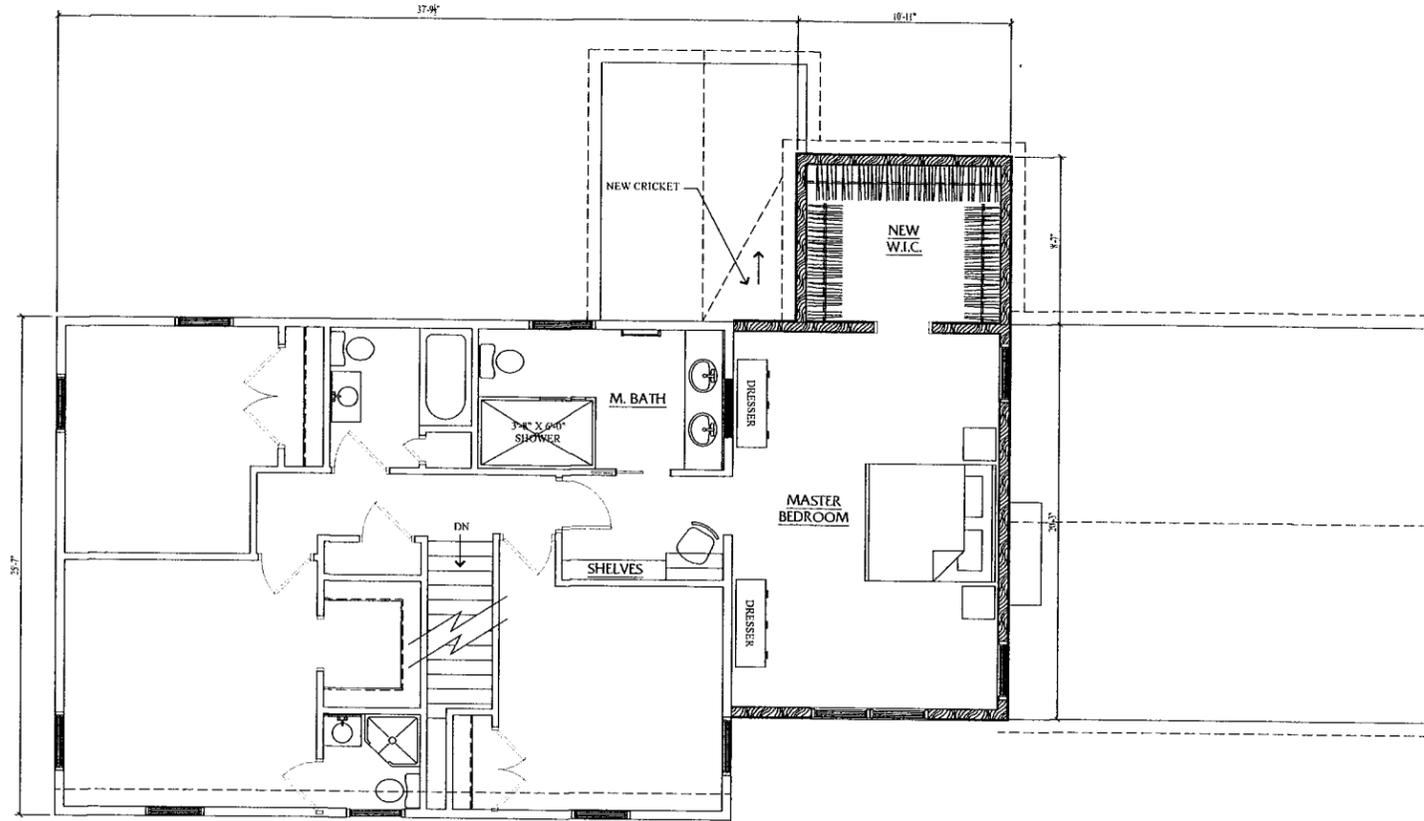


GREGORY J. BILESCHI
LAND SURVEYOR
 435 REYNOLDS ARCADE
 ROCHESTER, NEW YORK 14614
 (585) 454-6010 (phone)
 (585) 454-6015 (fax)

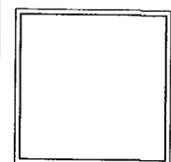
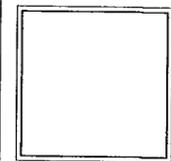
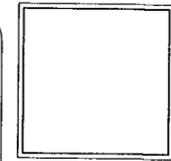
DATE: AUG. 02, 2005
 FILE No. 050436GB
 OWNER: FORBES
 SCALE: 1" = 40'



 **MAIN LEVEL PLAN**
SCALE: 1/4" = 1'-0"



 **UPPER LEVEL PLAN**
SCALE: 1/4" = 1'-0"



DAVID A. WALDAREK, R.A., AIA
 EMAIL: waldarekdesign@gmail.com phone: 863.309.5123

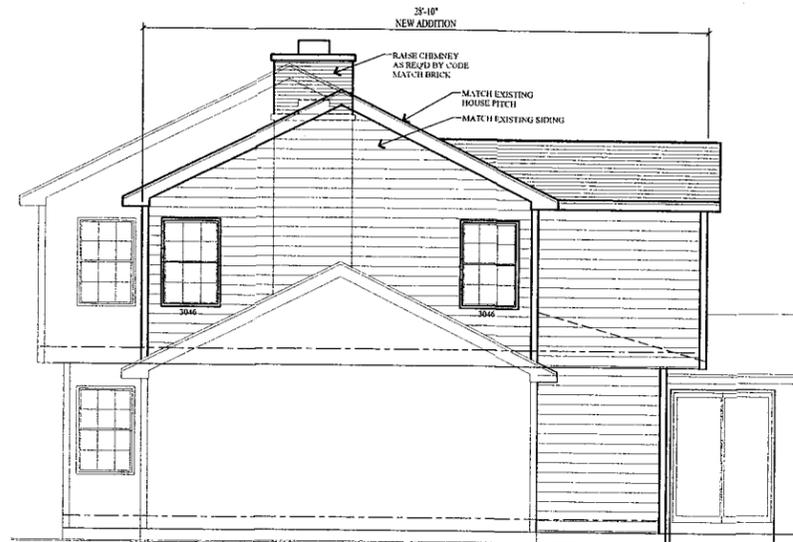
PROJECT: ROLAND ADDITION	
CLIENT: DUANE & MELISSA ROLAND	DATE: 12/05/18
LOCATION: 4 SASSAFRAS LN, PITTSFORD, NY 14534	DRAWN BY: KT
DATE: 12/05/18	RECORD BY: DW
SCALE: AS SHOWN	JOB NO.:

NO.	REVISIONS:

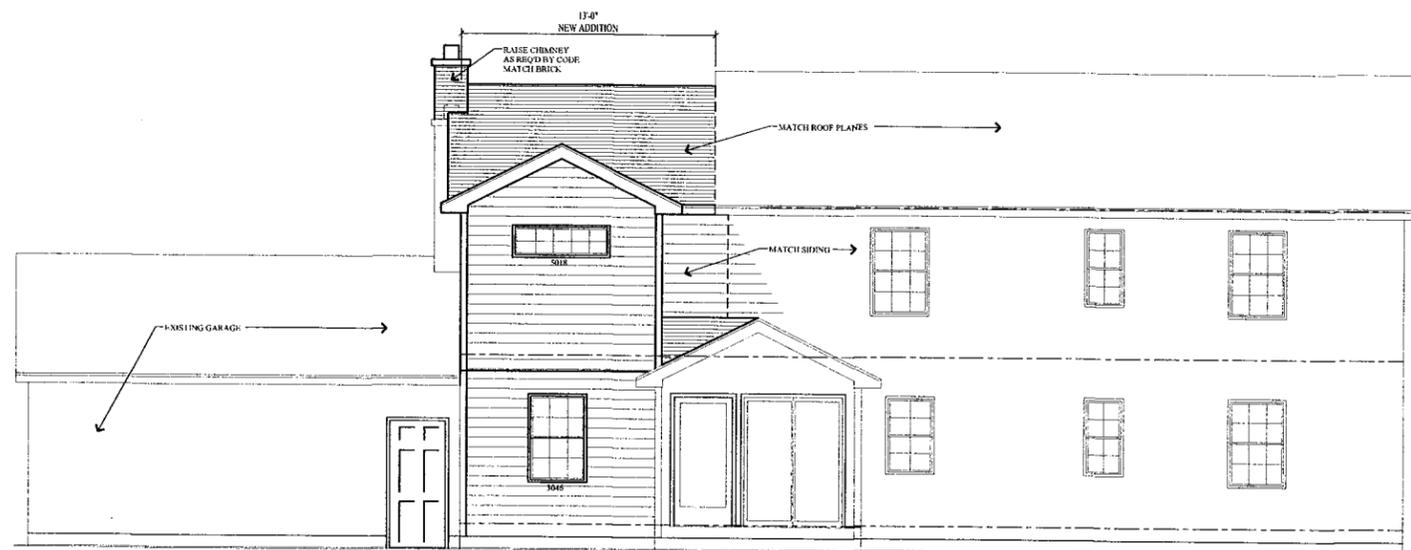
SHEET **A1** OF **5**



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



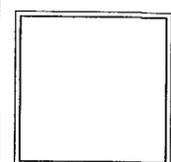
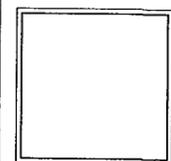
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



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



EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"



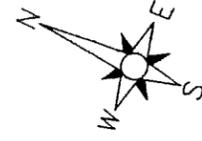
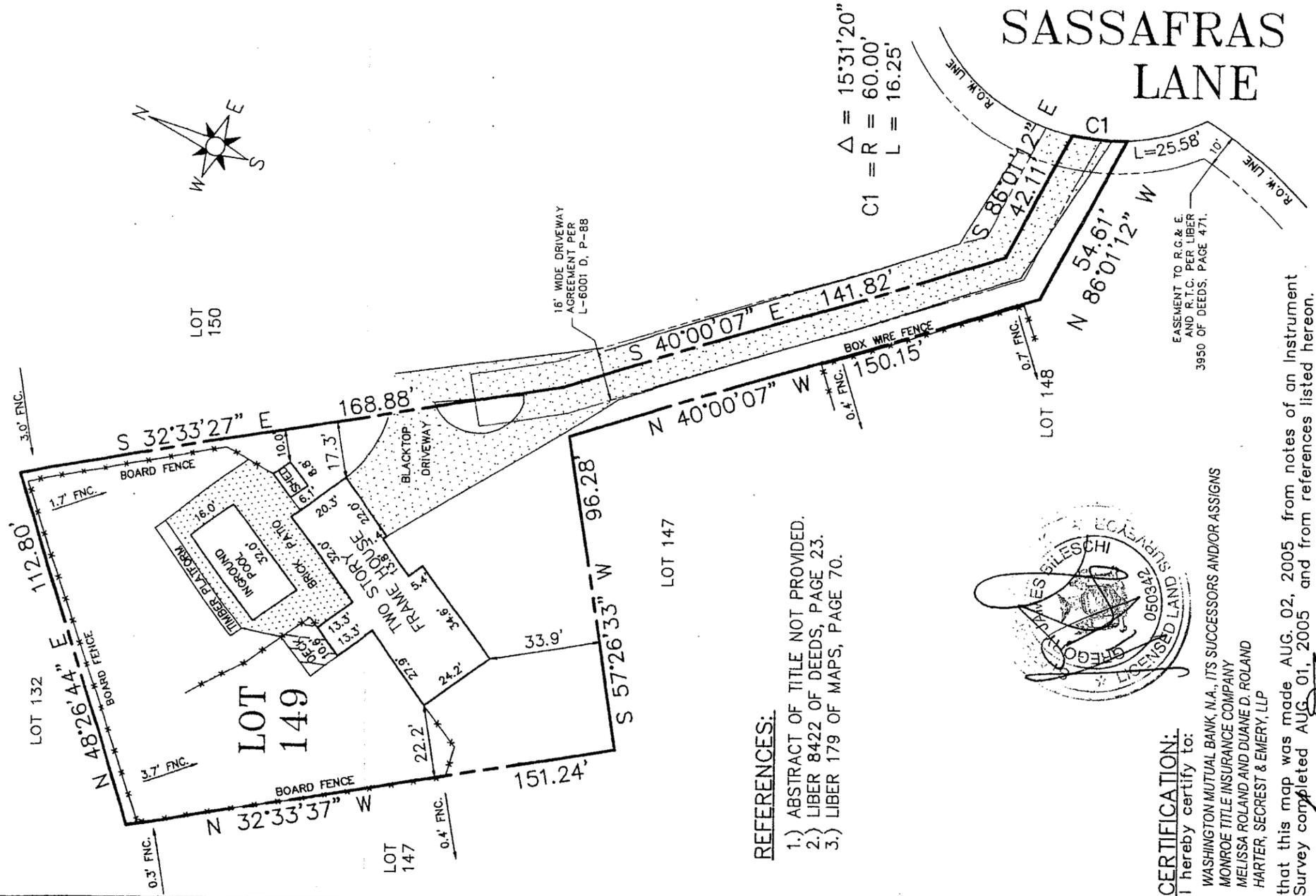
DAVID A. WALDAREK, R.A., AIA
 EMAIL: waldarekda@gmail.com
 PHONE: 860.320.5123

PROJECT: **ROLAND ADDITION**
 CLIENT: **DUANE & MELISSA ROLAND**
 LOCATION: 4 SASSAPARAS LN, PITTSFORD, NY 14534
 DATE: 12/05/18
 DRAWN BY: KT
 CHECKED BY: DW

REVISIONS:	NO.	DESCRIPTION

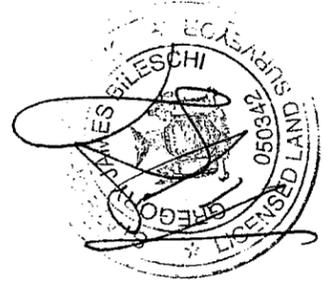
SHEET **A2**

OF **5**



REFERENCES:

- 1.) ABSTRACT OF TITLE NOT PROVIDED.
- 2.) LIBER 8422 OF DEEDS, PAGE 23.
- 3.) LIBER 179 OF MAPS, PAGE 70.



CERTIFICATION:

I hereby certify to:
 WASHINGTON MUTUAL BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS
 MONROE TITLE INSURANCE COMPANY
 MELISSA ROLAND AND DUANE D. ROLAND
 HARTER, SECRET & EMERY, LLP

that this map was made AUG. 02, 2005 from notes of an Instrument Survey completed AUG. 01, 2005 and from references listed hereon.

Tax Account No.
 179.090-01-004

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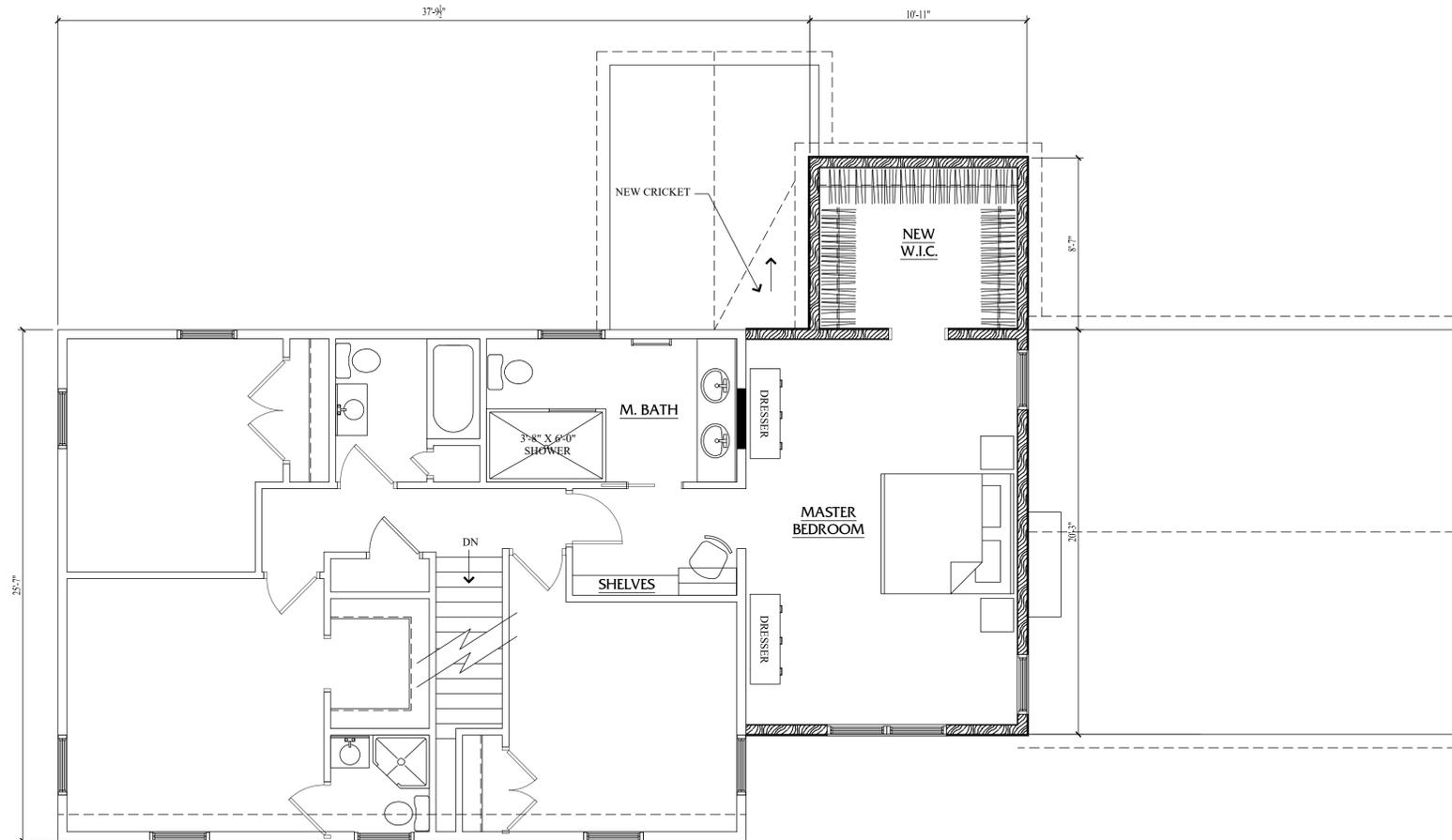
INSTRUMENT SURVEY MAP
4 SASSAFRAS LANE
BEING LOT 149 OF THE MILL VALLEY
ESTATES SUBDIVISION, SECTION 6,
SITUATE IN THE TOWN OF PITTSFORD,
COUNTY OF MONROE, STATE OF NEW YORK

	GREGORY J. BILESCHI LAND SURVEYOR 435 REYNOLDS ARCADE ROCHESTER, NEW YORK 14614 (585) 454-6010 (phone) (585) 454-6015 (fax)	DATE: AUG. 02, 2005 FILE No. 050436GB OWNER: FORBES SCALE: 1" = 40'
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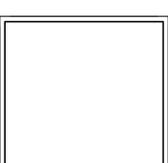
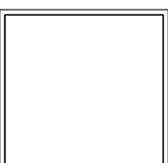
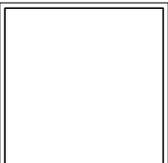
GREGORY J. BILESCHI, N.Y.S.L.S. # 50342
NOTE: Property corners should only be set by a licensed, registered land surveyor.



 **MAIN LEVEL PLAN**
SCALE: 1/4" = 1'-0"



 **UPPER LEVEL PLAN**
SCALE: 1/4" = 1'-0"



DAVID A. WALDAREK, R.A., AIA
phone: 866.329.5723
EMAIL: waldredesign@gmail.com

PROJECT:	ROLAND ADDITION
CLIENT:	DUANE & MELISSA ROLAND
LOCATION:	4 SASSAFRAS LN, PITTSFORD, NY 14534
DATE:	12/05/18
DRAWN BY:	KT
CHECKED BY:	DN
JOB NO.:	

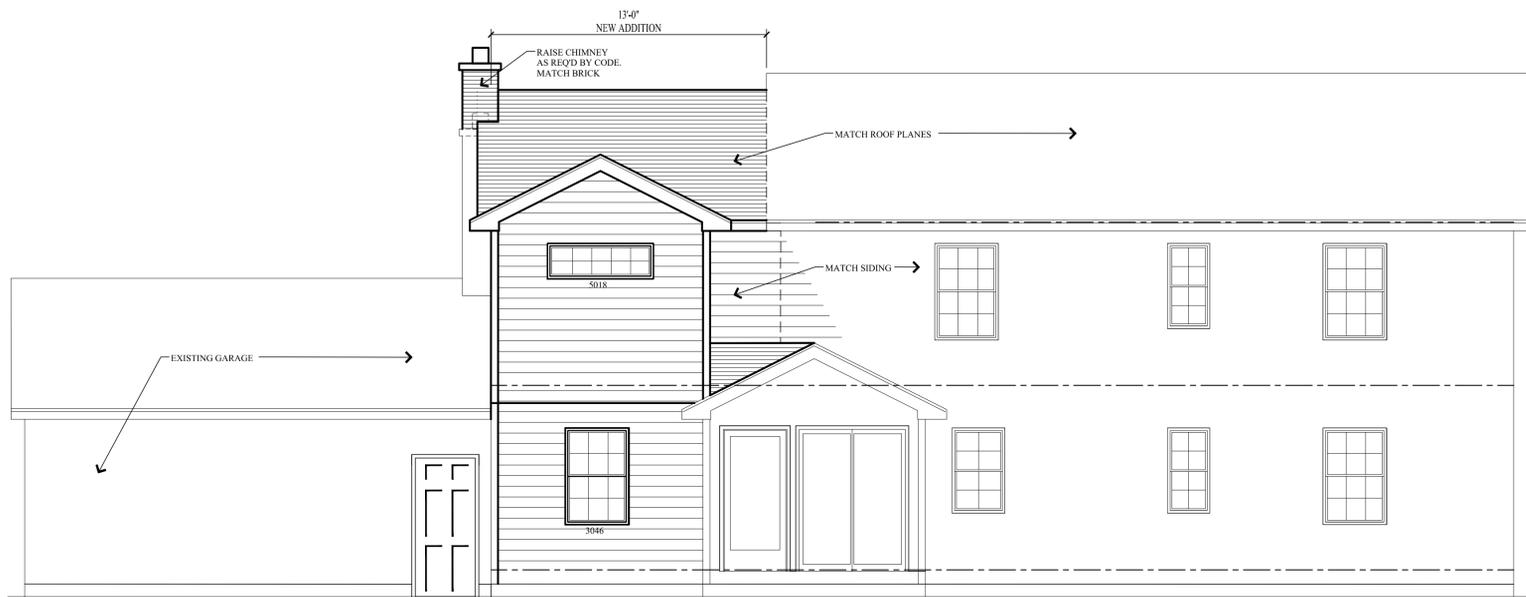
DATE	REVISIONS:	DESCRIPTION:

SHEET
A1

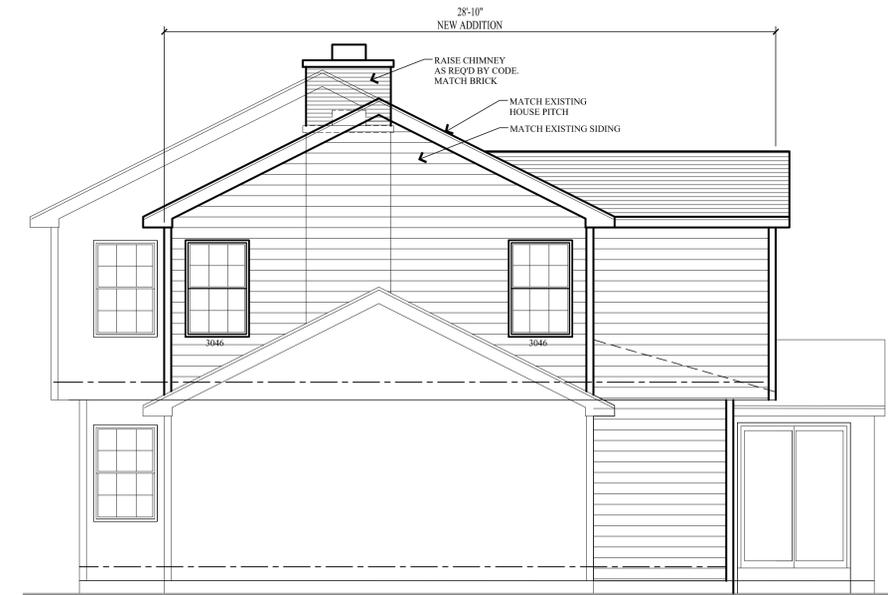
OF
5



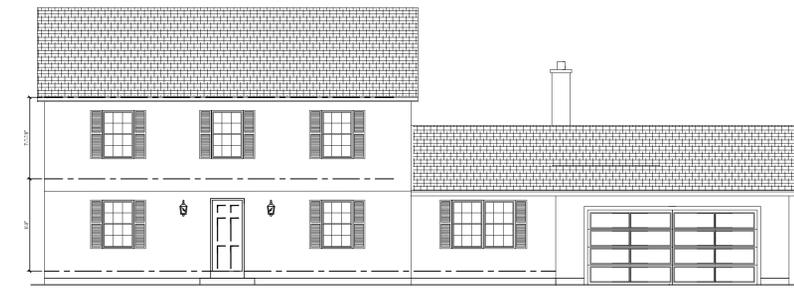
EAST ELEVATION
SCALE: 1/4" = 1'-0"



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



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



EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"



DAVID A. WALDAREK, R.A., AIA
phone: 866.329.5723
EMAIL: waldarekdesign@gmail.com

PROJECT:	ROLAND ADDITION		
CLIENT:	DUANE & MELISSA ROLAND		
LOCATION:	4 SASSAFRAS LN, PITTSFORD, NY 14534		
DATE:	DRAWN BY:	CHECKED BY:	JOB NO.:
12/05/18	KT	DN	

REVISIONS:	DESCRIPTION:

SHEET
A2

OF
5







Zoning Board of Appeals Referral Form Information

Property Address:

255 Woodland Road PITTSFORD, NY 14534

Property Owner:

Michael Taylor Wold
255 Woodland Rd
Pittsford, NY 14534

Applicant or Agent:

Michael Taylor Wold
255 Woodland 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:	10	Right Lot Line:	5	Right Lot Line:	5.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
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): 185-17 E

Description: Applicant is requesting relief from Town Code to construct a garage addition encroaching approximately 5 feet into the side setback. The required minimum side setback for this property is 10'.

Note: I have attached a document stating a variance was granted for a garage addition with a 4' side setback. We have no records of this variance other than this letter. Due to the limited information regarding the approval and the amount of time that has passed we made the decision that it is appropriate to submit a new application for approval.

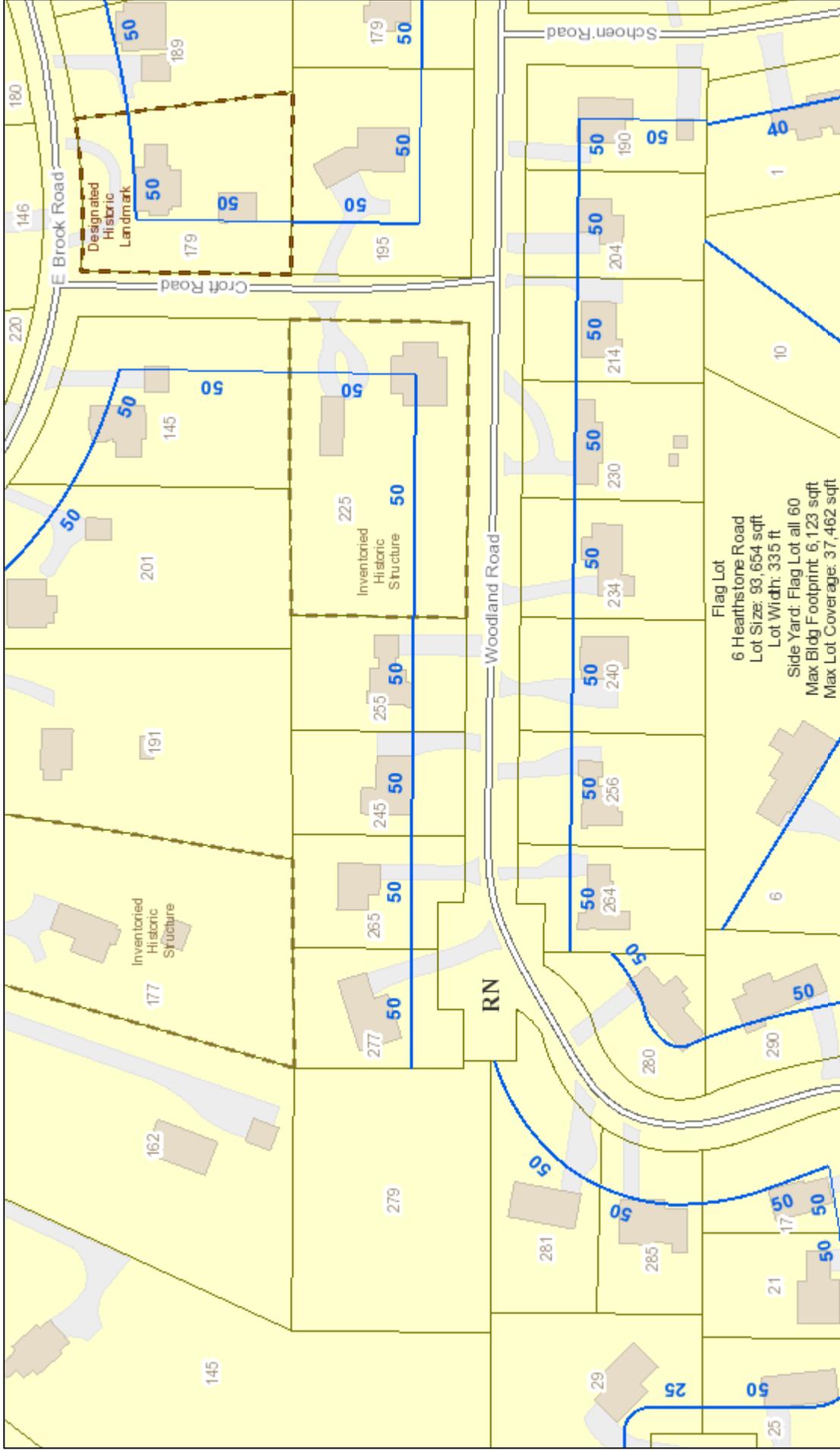
January 10, 2019



Date

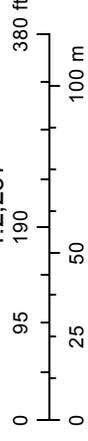
Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning



Printed January 10, 2019

1:2,257



Town of Pittsford GIS

The information depicted on this map is representational and should be used for general reference purposes only. No warranties, expressed or implied, are provided for the data or its use or interpretation.

162

177

191

201

143

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255

225

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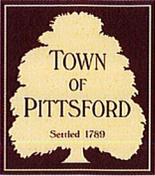
230

Woodland Road

04/21/2018

© 2018 Pictometry





TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 12/12/18 Hearing Date: JAN 21, 2019

Applicant: Michael Taylor Wold

Address: 255 Woodland Rd

Phone: 585 831-0468 E-Mail: Taylorwold@gmail.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

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

Tax Map Number: 150.20-2-21

Application For: Residential Commercial Other

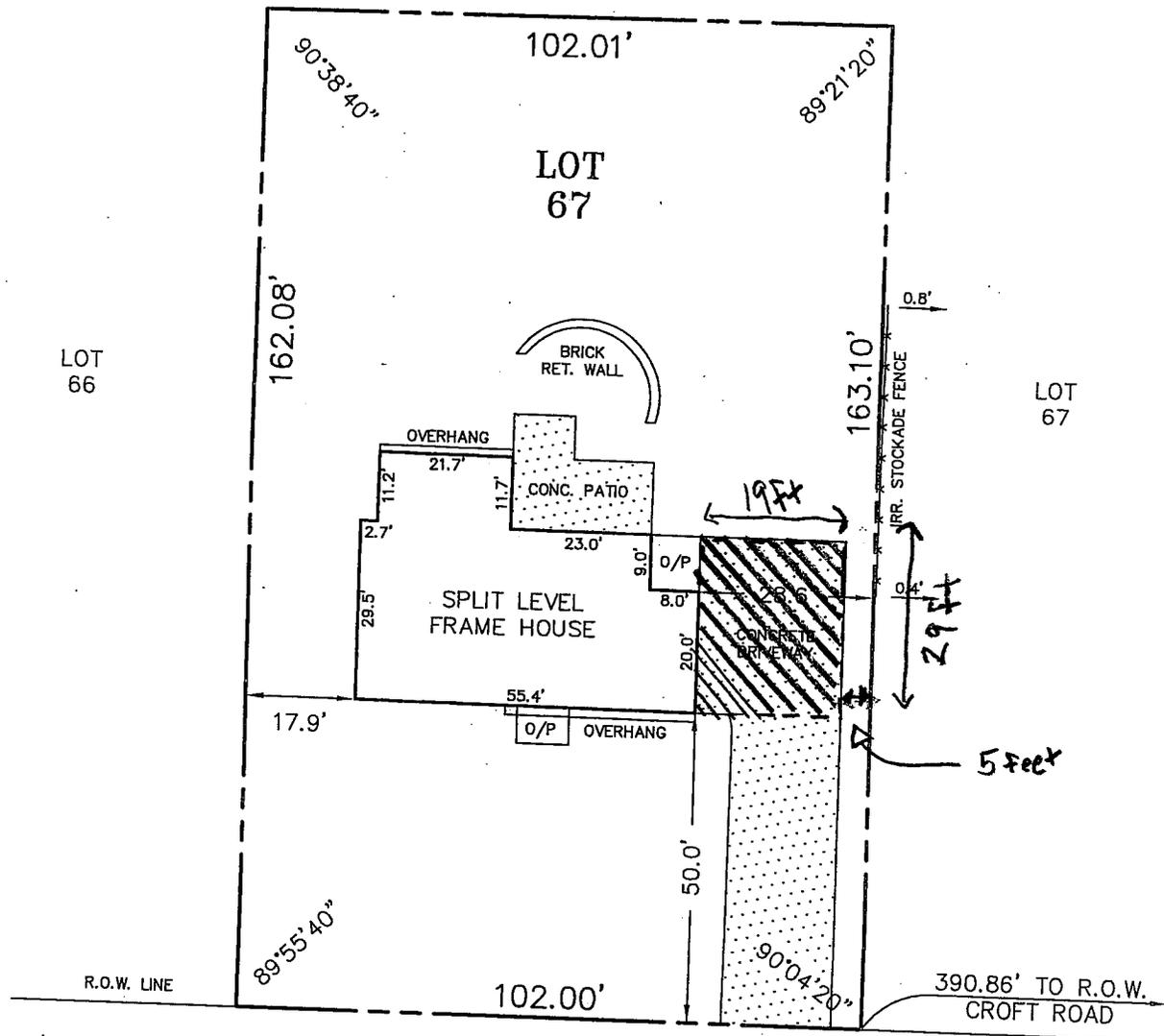
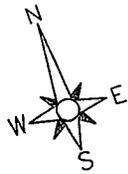
Please describe, in detail, the proposed project:

Attached Two CAR Front load garage. Garage would be located on East side of current structure

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)

12/12/18
(Date)



WOODLAND (50' R.O.W.) ROAD

REFERENCES:

1. ABSTRACT OF TITLE NO. 1

Variance was previously approved
Wait

have to turn in to it
Safety Security



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

Trees help with
Part of project
to improve
house
increase property
value

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:

at the existing ratio
Narrow lot

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

See #1

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 hazardous materials
No negative impact to drainage

• **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

Test for granting area variances.

1. Please explain why you feel the required 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 granting of this area variance.

I feel that the requested variance will not be a detriment to neighborhood or nearby properties primarily because I have spoken to my neighbor directly to the East of my property and he is not opposed to the construction of a two car front loading garage. The garage will also help increase the curb appeal of the property as well as its value.

Additionally, the trees that line both sides of the property (please see attached photos) provide quite a nice buffer between both neighboring properties.

By adding a front loading garage the property would help the property be better a match for the neighborhood, as the vast majority the surrounding neighbors homes feature a front loading attached garage.

In the Long Meadow neighborhood there have been car break-ins in the recent past and by parking both cars in the new garage it would serve as a deterrent to thieves and aid in reducing nuisance crime in the neighborhood.

Also, there is additional safety created from the ease of being able to pull directly into a front loading garage. The ability to enter the house from the garage decreases the risk of slip and fall during the colder time of year and is a safety boost for my wife and child.

Furthermore, this property was granted a variance in the past to create a front loading garage. This variance was approved to build to 4 feet from the property line. Unfortunately, the construction did not occur.

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

The two major issues is that is a narrow lot and and there is a very nice large concrete patio in the rear of the home.

3. Please explain whether the requested area variance in a minimal or substantial.

For arguments sake, I will consider it a substantial variance. However, based on the arguments presented in section 1 I believe it will be excellent addition to property and neighborhood. The subject property has clearly been neglected for the better part of 25 years and the addition of the front loading garage is an essential element of the renovation. Unfortunately, the property has been an eyesore in the neighborhood for far too long and I am doing my best to rectify the issue and the garage is truly a key component of the solution.

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.

Primarily drainage will not be impacted and if there is any effect drainage will be improved by the gutter system that will help direct water away from the structure and towards the most ideal area possible. Additionally, no hazardous materials will be used in construction and no hazardous material need to be removed before construction can commence.

5. The Is the alleged difficulty self-created.

I believe that need for a safe and secure location to park vehicles is not self-created. I also believe that need to park vehicles in a place that is sheltered from the harsh weather of the region is not self-created, but are real and legitimate concerns.

Subject Property: 255 Woodland





245 Woodland



265 Woodland



Home directly across from subject property



Home 2 doors West of subject











Organized 1796

Town of Pittsford

MONROE COUNTY

11 SOUTH MAIN STREET, PITTSFORD, N.Y. 14534

PHONE 586-2320

B O A R D O F A P P E A L S

Meeting Date April 20, 1987

Diane & Gregory Kannel _____

255 Woodland Road _____

Pittsford, New York 14534 _____

Please be advised that your application before the Board of Appeals of the Town of Pittsford, regarding the following proposal:

for an area variance to allow construction of a garage that would result in a 4' side setback on east side of house at 255 Woodland Road, was granted.

It will now be necessary to apply for a building permit for the proposed construction. However, if this construction is in excess of \$10,000, you will be required to obtain approval from the Architectural Review Board prior to issuance of a building permit. Please call 586-6505 to make sure that either the Building Inspector or the Deputy is in so that you may discuss this with them.

DATED: April 21, 1987

Linda Haas

TOWN OF PITTSFORD

Linda Haas, Board of Appeals Secretary