

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
May 20, 2019**

PUBLIC HEARING FOR AN AREA VARIANCE

- 255 Woodland Road. Tax # 150.20-2-21. Applicant is requesting relief from Town Code(s) §185-17 (B) & (E) to construct a garage addition approximately 6' forward of the building line and encroaching approximately 5 feet into the side setback. The required minimum side setback for this property is 10' and the minimum front setback is 50'. Property is zoned RN – Residential Neighborhood District

OTHER

- Review and Approval of the April 15, 2019 Minutes

draft
**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
April 15, 2019**

PRESENT

George Dounce, Chairperson; Mary Ellen Spennacchio-Wagner, Phil Castleberry, Mike Rose, David Rowe

ALSO PRESENT

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

ABSENT

Barbara Servé, Jaime Waldman

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. This application is 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

- 3848 East Avenue, Tax # 138.18-2-51, Applicant is requesting relief from Town Codes section § 185-113 (B) (6) & 185-17 (E) to place a generator at 8 feet from the left (North) side setback were Town Code requires 15 feet. This property is zoned RN-Residential Neighborhood.

Chairman George Dounce opened the Public Hearing.

Ken Stavalone from Home Power Systems was present to discuss the application. Mr. Stavalone explained that the generator will fit in with the other utilities (2 air conditioners) and will be shielded from view by greenery. This unit will run at ½ the rpms so it will be quieter.

A letter of support was received from the most affected neighbor and there was no public comment.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing and David Rowe seconded.

All Ayes.

- 40 Arlington Drive, Tax # 164.08-1-41, Applicant is requesting relief from Town Codes §185-121 A to construct an 8 foot tall fence in the side and rear yard that borders interstate 490. Town code limits the maximum height of a fence to six feet. This property is zoned RN-Residential Neighborhood.

Chairman George Dounce opened the Public Hearing.

The homeowner, Marisa Feeley, was present.

The proposal is to extend an existing fence with a 154 ft. long pressure treated wood fence similar in design to block the view of Interstate 490 from the first floor of the home.

There was no public comment.

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

All Ayes.

- 7 Wayside Circle, Tax # 151.11-2-9, Applicant is requesting relief from Town Code §185 – 113 B (1) & (2) to construct a 20'W x 40'L x 13'H (800 sq. ft.) oversized and over height accessory structure (Pavilion) in the rear yard. The maximum size of an accessory structure is 180 sq. ft. and the maximum height is limited to 12 feet. This property is zoned RN – Residential Neighborhood.

Chairman George Dounce opened the Public Hearing.

The homeowner, Michael Romach, was present.

The applicant is requesting relief for the construction of an oversized and over height accessory structure. There will be a masonry fireplace with a stone veneer on the structure. The roof will be shingled to match the home. The chimney will match the chimney work on the home.

The property is lower than the surrounding properties. There is no intention to use the structure for wintertime storage in this structure.

The Town has received letters of support from the most affected neighbors at #5, 9 and 11 Wayside Circle and #11 Lochnavar Parkway.

There was no public comment.

David Rowe moved to close the Public Hearing and Mary Ellen Spennacchio-Wagner seconded.

All ayes.

- 44 Rosewood Drive, Tax # 178.20-2-26, Applicant is requesting relief from Town Code §185-113 (B) (3) to construct an in-ground pool in the side yard and forward of the rear wall of the home. Town Code requires all accessory structures to be placed behind the rear wall of the home. This property is located on the corner of two streets and is zoned RN – Residential Neighborhood.

Chairman George Dounce opened the Public Hearing.

John Napadano of Pettis Pools was present on behalf of the homeowners.

A discussion was held on the drainage necessary for this project. It was determined that a grading plan will need to be submitted to the Town as part of the permit process.

There will be a 6' vinyl privacy fence constructed.

Letters in support of the project have been received by the Town from the homeowners at #42 and 43 Rosewood Drive.

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

All ayes.

DECISION FOR 3848 EAST AVENUE – AREA VARIANCE

A written Resolution to grant the area variance for 3848 East Avenue was moved by Mary Ellen Spennacchio-Wagner and seconded by George Dounce.

Chairman George Dounce called for a roll call vote.

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

The approved Resolution contains the following Specific Conditions:

1. The variance is granted only for the plans submitted and prepared by the Applicant dated March 12, 2019.
2. All construction is to be completed by December 31, 2020.

DECISION FOR 40 ARLINGTON DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 40 Arlington Drive 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	absent
Jaime Waldman voted	absent
David Rowe voted	abstain
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 March 18, 2019.
2. All construction is to be completed by December 31, 2020.

DECISION FOR 7 WAYSIDE CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 7 Wayside Circle was moved by David Rowe and seconded by George Dounce.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	absent
Jaime Waldman voted	absent
David Rowe voted	aye
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 April 2, 2019.
2. All construction is to be completed by December 31, 2021.
3. This application is subject to the approval of the Design Review & Historic Preservation Board which was granted on April 11, 2019.

DECISION FOR 44 ROSEWOOD DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 44 Rosewood Drive was moved by Michael Rose and seconded by David Rowe.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	absent
Jaime Waldman voted	absent
David Rowe voted	aye
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 March 15, 2019.
2. All construction is to be completed by December 31, 2020.

APPROVAL OF THE MEETING MINUTES OF MARCH 18, 2019

George Dounce moved to accept the minutes of March 18.

VOICE VOTE: Ayes – All

OTHER – Point Person for May 20 meeting

255 Woodland Road – David Rowe

MEETING ADJOURNMENT

The meeting adjourned at 7:45 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:

255 Woodland Road PITTSFORD, NY 14534

Property Owner:

Taylor Wold
255 Woodland Rd
Pittsford, NY 14534

Applicant or Agent:

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:	50	Front Setback:	44	Front Setback:	6.0
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 & 185-17 E

Description: Applicant is requesting relief from Town Code(s) §185-17 (B) & (E) to construct a garage addition approximately 6' forward of the building line and encroaching approximately 5 feet into the side setback. The required minimum side setback for this property is 10' and the minimum front setback is 50'.

Note: A previous approval was granted on January 21, 2019 for a side setback of 5'. The previous approval did not include the structure forward of the building line.

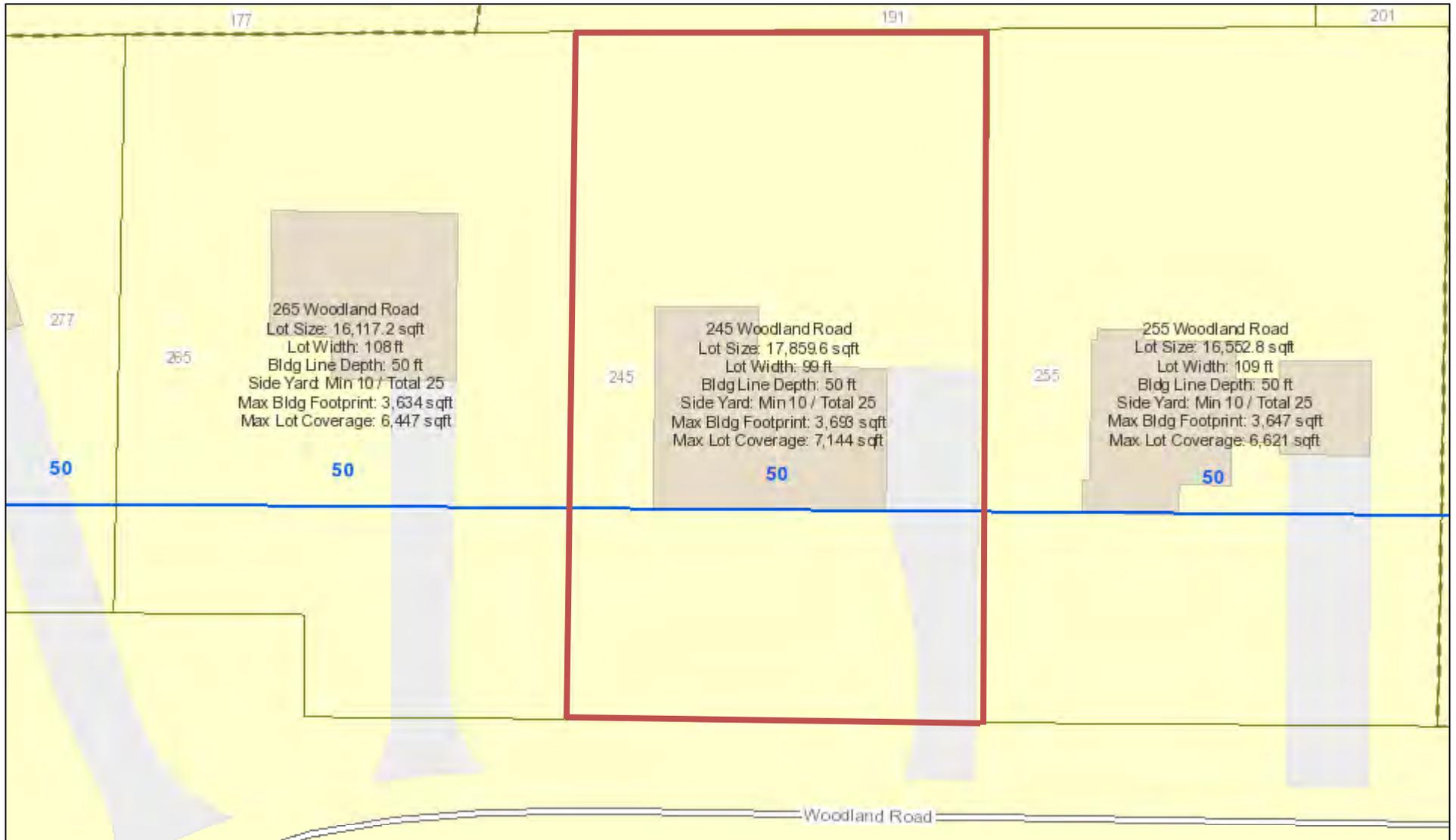
May 07, 2019



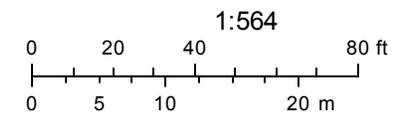
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning

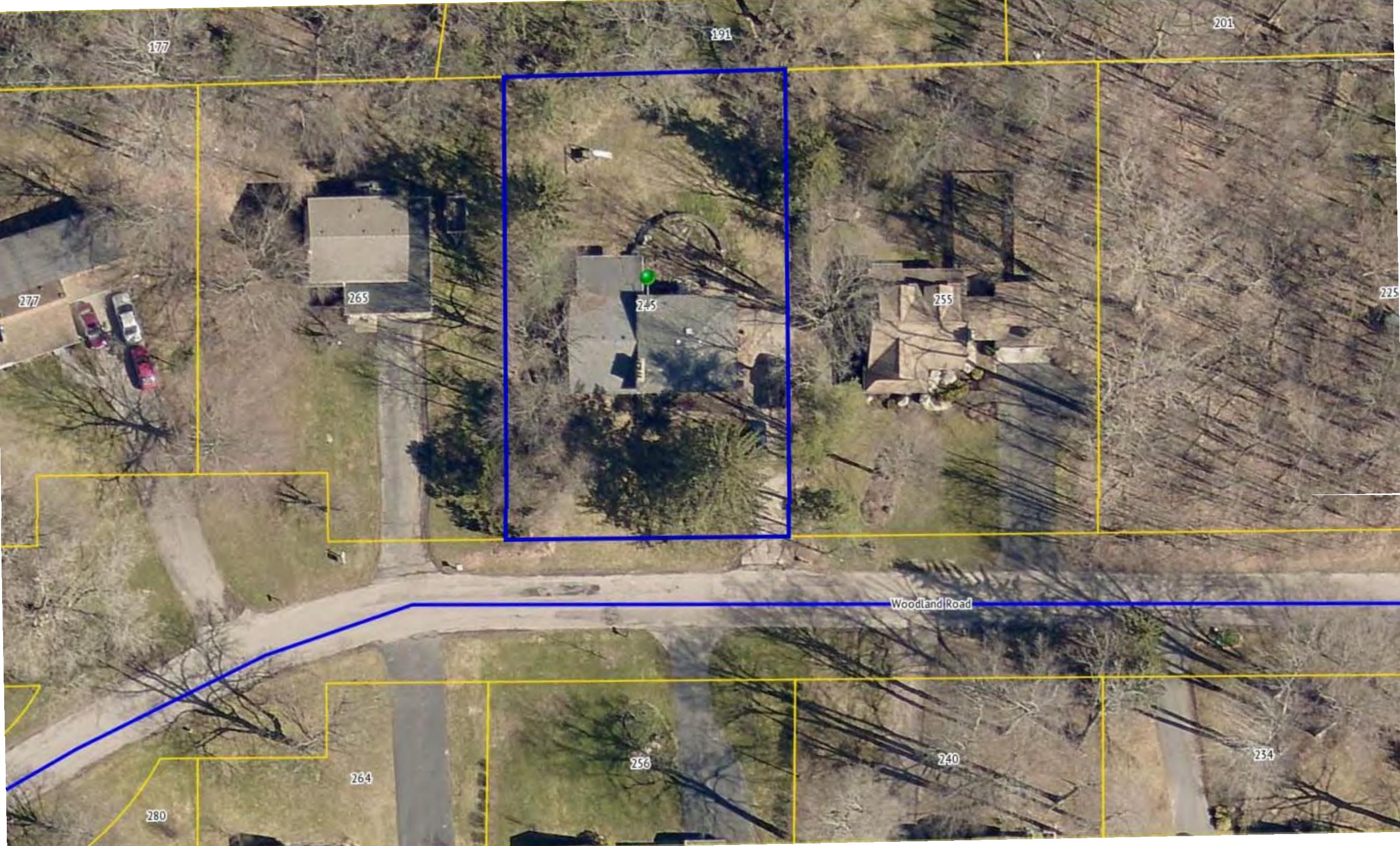


Printed March 7, 2019



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.



177

191

201

277

265

245

255

225

Woodland Road

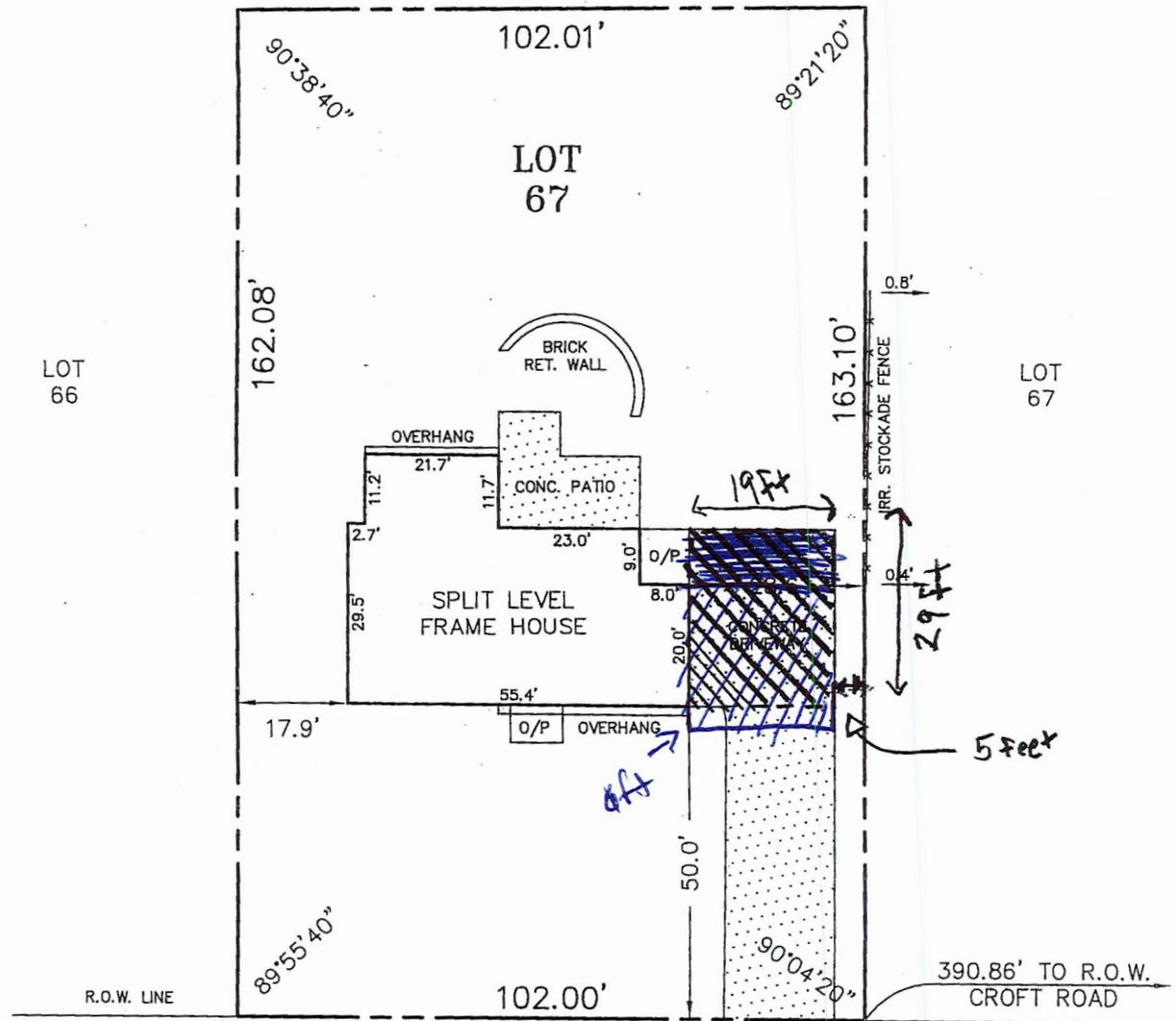
264

256

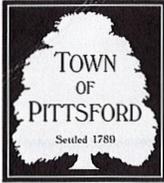
240

234

280



REFERENCES.



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 4/12/19 Hearing Date: _____

Applicant: M. 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

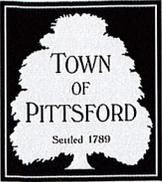
Please describe, in detail, the proposed project:

attached 2 car front load garage (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.

M. Taylor Wold
(Owner or Applicant Signature)

(Date)



TOWN OF PITTSFORD

AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

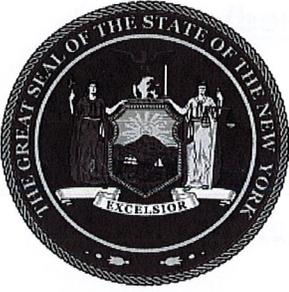
Zoning Board of Appeals – 11 S. Main Street – Pittsford, 14534 – 248-6260

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

I, M. Taylor Wajda, the owner of the property located at:
255 Woodland Rd Pittsford 14534
(Street) (Town) (Zip)

Tax Parcel # _____ do hereby authorize
_____ to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of _____

M. Taylor Wajda
(Signature of Owner)
4/12/19
(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:

I feel the requested variance will not be a detriment because it is a somewhat minor change and will not be ~~obvious~~ obvious from the street. The change to the existing home will create a dramatic improvement in the curb appeal of the property and hopefully the neighborhood as well.

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 modification is essential in carrying out the vision of the architect. (Elevation drawings included)

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

I would describe it as minimal as it will ~~not be~~ not be obvious ~~and~~ from the street, ~~it is~~ ~~not~~ ~~obvious~~

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 change will allow the roof systems to be tied together and improve drainage with improved gutter system.

• **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;*

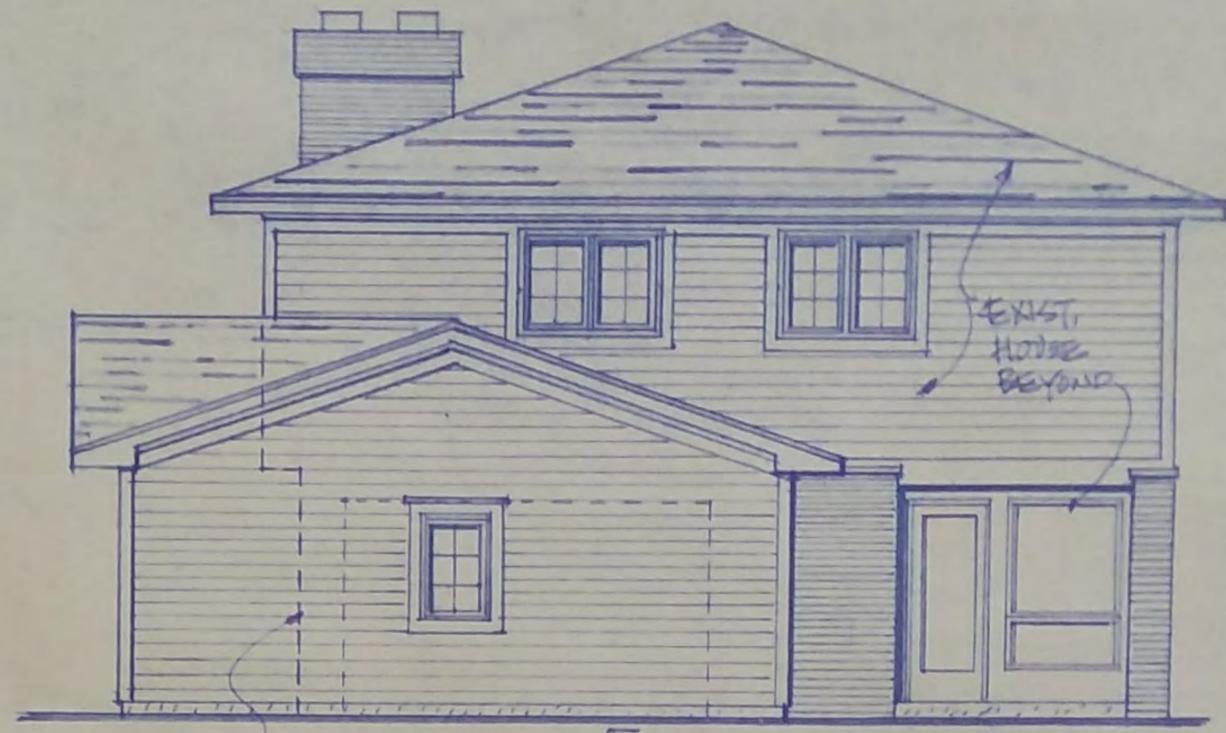
5. Is the alleged difficulty self-created?

It could be argued both ways, However ~~and~~ a safe, secure and beautiful home is not self-created

JOSEPH A. ADDANTE
ARCHITECT

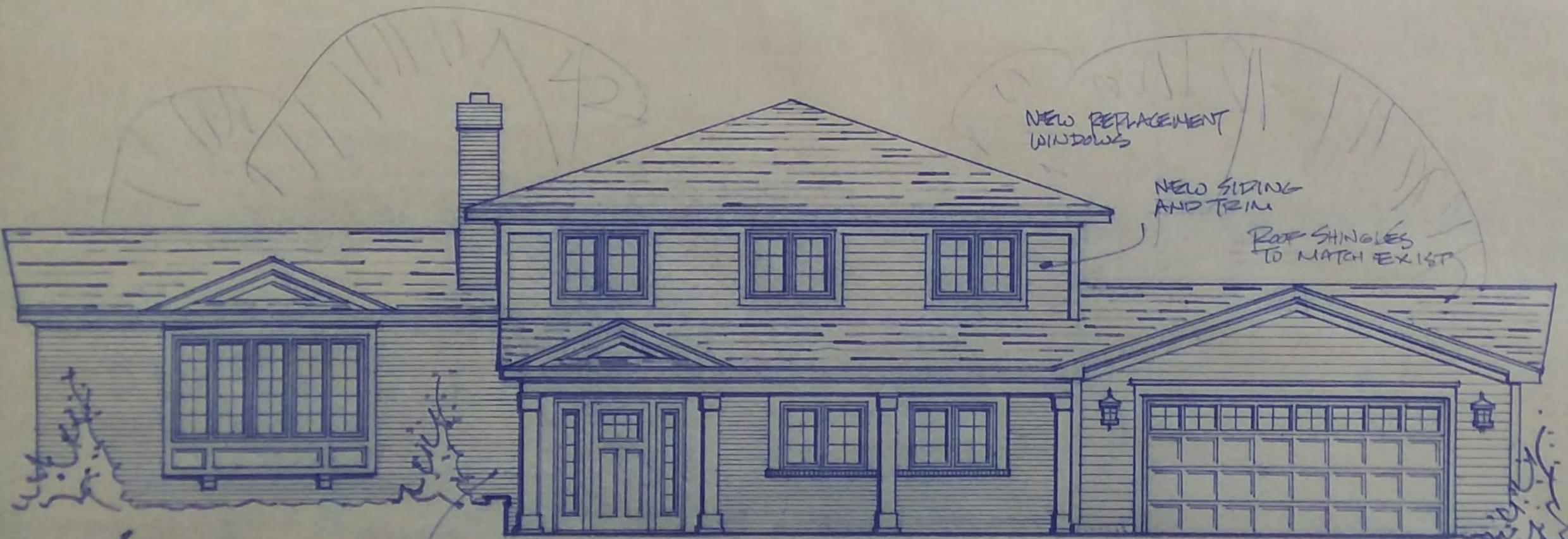


113 S. Main Street
Fairport, New York 14450
(585) 223-6636



EXIST. HOUSE WAY BEYOND
GARAGE ADDITION

PROPOSED EAST (SIDE) ELEVATION
1/4" = 1'-0"



NEW TRIM AND
GABLE PEDIMENT
ROOF (BOW
WINDOW UNIT)

EXIST.
BRICK

NEW
DOOR

NEW PORCH AND
GARAGE ADDITION

DRAW ROOF
OVERHANG
OPTIONAL

PROPOSED SOUTH (FRONT) ELEVATION
1/4" = 1'-0"

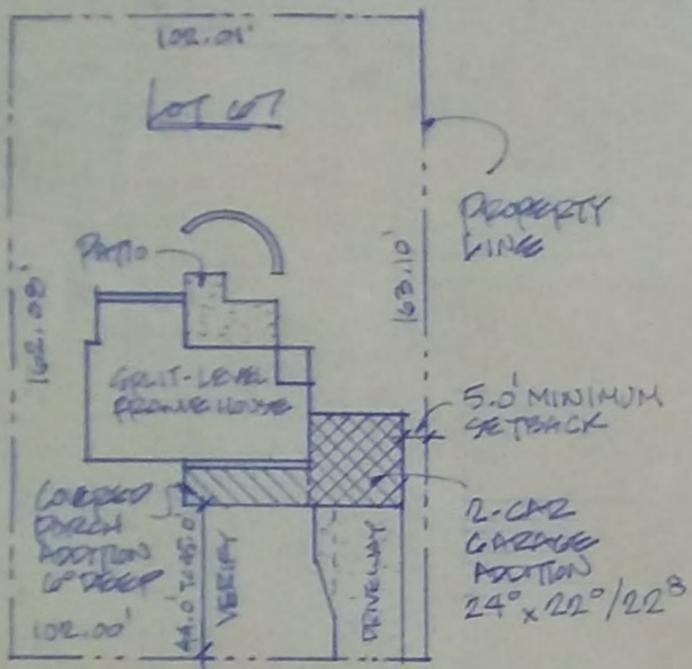
2-CAR GARAGE & COVERED FRONT PORCH ADDITIONS

W O L D R E S I D E N C E
255 WOODLAND ROAD • PITTSFORD, NEW YORK

CONCEPT
DESIGN

PROJECT:
1880
DATE:
3/10/19

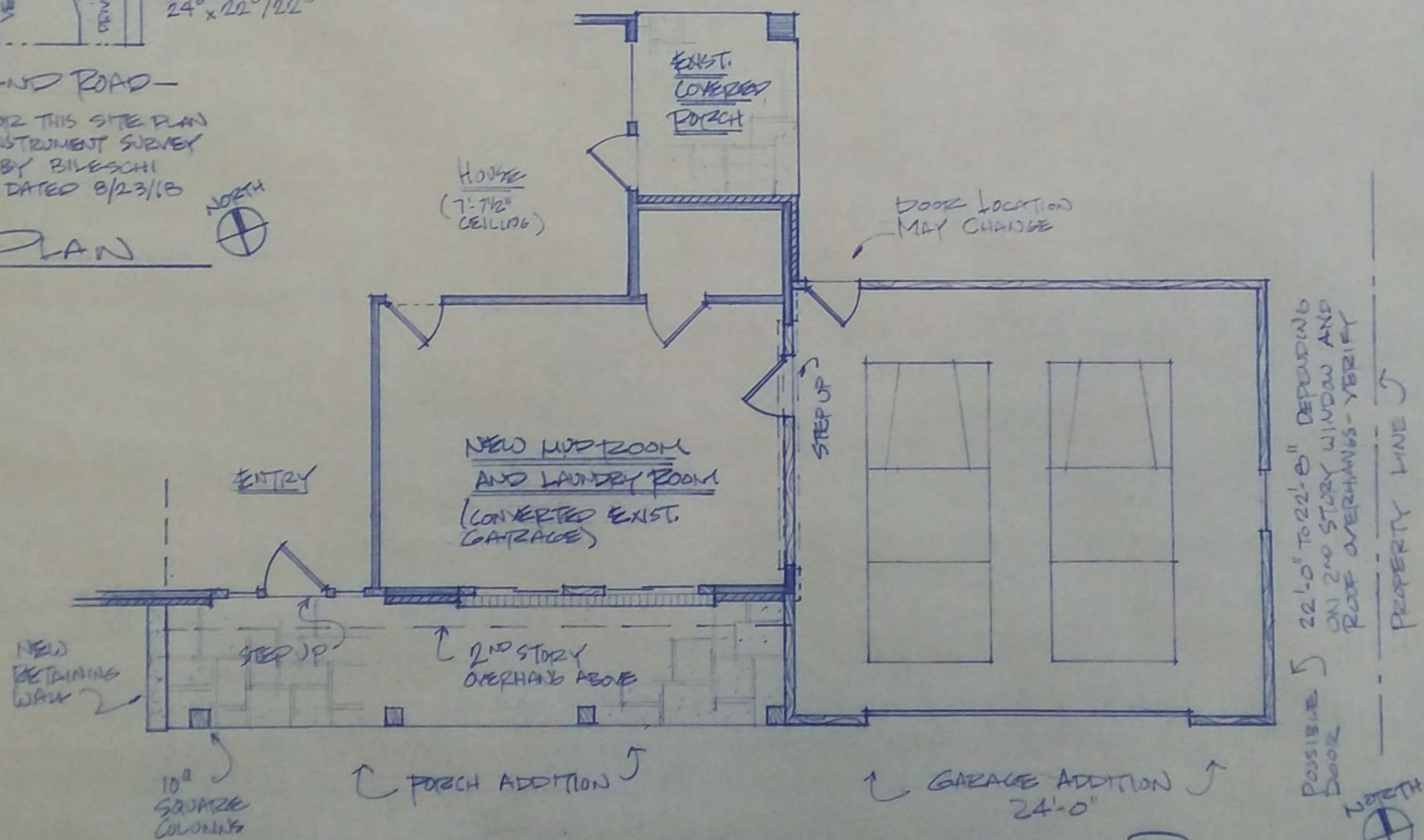
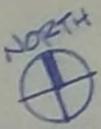
SHEET:
2 of 2



- WOODLAND ROAD -

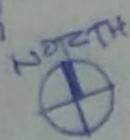
INFORMATION FOR THIS SITE PLAN
TAKEN FROM INSTRUMENT SURVEY
MAP COMPLETED BY BILESCHI
LAND SURVEYING, DATED 8/23/18

SITE PLAN



PARTIAL FIRST FLOOR PLAN

1/4" = 1'-0"



2-CAR GARAGE & COVERED FRONT PORCH ADDITIONS

WOODLAND RESIDENCE
135 WOODLAND ROAD - PITTSFORD, NEW YORK

CONCEPT DESIGN

PROJECT: 1880
DATE: 3.6.19

SHEET: 1 OF 2