

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
AGENDA  
June 15, 2020**

**PUBLIC HEARING FOR AN AREA VARIANCE – NEW**

- 85 Knollwood Drive, Tax # 138.17-1-5, Applicant is requesting relief from Town Code §185- 113 (B) (6) (Side Setback) and §185 – 141 (F) (1) (Outdoor Illumination of Recreational courts) to allow the construction of an outdoor recreation court (Tennis Court). The tennis court is proposed to be located in the rear yard at approximately 14 feet from the right property line and will include 22' tall lights illuminating the play area. The size is proposed to be 60' x 120'. Property is zoned RN-Residential Neighborhood District.
- 32 Wexford Glen, Tax # 163.04-4-26, Applicant is requesting relief from Town Code §185- 113 B (1) & (2) for the construction of an oversized accessory structure (Pavilion) located in the rear yard. The structure is proposed to be approximately 224 Sq. Ft. and approximately 13'3" in height. Property is zoned RN-Residential Neighborhood District.
- 22 East Park Road, Tax # 151.17-3-13, Applicant is requesting relief from Town Code § 185 -17 (B) (1) for the construction of an addition with a front setback of approximately 40'. Town Code requires a 50' minimum front setback. Property is zoned RN – Residential Neighborhood District
- 78 Willard Road, Tax # 177.02-1-11, Applicant is requesting relief from Town Code §185- 113 B (1) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard. The structure is proposed to be approximately 364 Sq. Ft. Property is zoned AG – Agricultural District.
- 7 Duxbury Way, Tax # 151.11-1-19, Applicant is requesting relief from Town Code §185- 113 B (1) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard. The structure is proposed to be approximately 280 Sq. Ft. Property is zoned RN- Residential Neighborhood District.
- 105 Stuyvesant Road, Tax # 178.11-1-18, Applicant is requesting relief from Town Code §185- 113 B (6) for the construction of a garden shed located in the rear yard and encroaching into the side setback. The structure is proposed to be located approximately 4' from the right side setback and outside of the rear buffer zone. Property is zoned RN- Residential Neighborhood District.
- 393 Thornell Road, Tax # 178.04-1-59.1, Applicant is requesting relief from Town Code §185- 113 B (1) & (6) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard and encroaching into the left side setback. The structure is proposed to be approximately 192 Sq. Ft. with a right side setback of 5'. Property is zoned RN- Residential Neighborhood District.

**REVIEW OF MEETING MINUTES OF MARCH 16, 2020**

How to view the meeting:

1. Zoom

- In your web browser, go to <https://townofpittsford.zoom.us/j/83400356261?pwd=eGFKZWVESnM0djRxeKl6ajRSWmVwdz09>  
You will be connected to the meeting.

2. Telephone

- You can access the meeting by phone. Use any of the phone numbers below, then enter the meeting ID when prompted. The Meeting ID is 834 0035 6261. No password is necessary.

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

*draft*  
**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
MINUTES  
March 16, 2020**

**PRESENT**

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

**ALSO PRESENT**

Cathy Koshykar, Town Board Liaison; Mark Lenzi, Building Inspector; Robert Koegel, Town Attorney (teleconference); Susan Donnelly, Secretary to the Board

**ABSENT**

Mike Rose

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

**PUBLIC HEARING FOR AN AREA VARIANCE – NEW**

- 48 N Country Club Drive, Tax # 151.05-1-19, Applicant is requesting relief from Town Code §185-17 E to allow the construction of an addition. The addition is proposed to encroach into the side yard setback by approximately 2' where code requires a 10' side yard setback. Property zoned RN – Residential Neighborhood District

Jim Fahy of Fahy Design Associates was present to discuss the application with the Board.

Mr. Fahy described the project as an expansion of the garage with additional renovation to provide storage. He referenced the Board's "measuring stick" for variances as how the benefit of the project will outweigh the detriments. He stated that the new garage will pull parked vehicles out of view and help the drainage on the property.

The owners said they have met with the neighbors on their project. Mary Ellen Spennacchio-Wagner noted that the neighbor indicated that they were in favor of the plans.

Barb Serve noted that this garage is not in character with the neighborhood.

When questioned about the timeframe of construction, Mr. Fahy noted that the applicants are anxious to start the project and will also have to also appear for approval from the Design Review and Historic Preservation Board.

There was no public comment.

Barb Serve moved to close the Public Hearing and David Rowe seconded.

All Ayes.

- 619 Mendon Road, Tax # 178.03-2-8, Applicant is requesting relief from Town Code §185-113 B (1) & (2) for the construction of a Residential Storage Building of approximately 24 x 36 (864 Sq. Ft.) located in the rear yard. The oversized accessory structure will be constructed to a height of approximately 23'. Property is zoned RN – Residential Neighborhood District.

The homeowner, Kevin Ryan, was present.

Mr. Ryan described the project to the Board, an oversized accessory structure which will be constructed in a barn/carriage style. He indicated that the neighbors on the north side of his property are in favor of the project and that no houses on West Bloomfield Road will be able to see the structure.

He showed the Board samples of the material and a color rendering.

There was no public comment.

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

All Ayes.

- 900 Linden Avenue, Tax # 138.16-1-11.11 & 138.16-1-11.12, Applicant is requesting relief from Town Code §185- 50 (D) (1) & (2) for the construction of an open Recreational Vehicle Storage area with a front setback of 273' 7" from the road right away and a lot size of 1.53 acres. Town Code requires a 500' front setback from the road right of way and a minimum lot size of 10 acres for outside storage. Property is zoned Light Industrial.

Representatives from Mitchell Design Build were in attendance. The proposal is to utilize an existing asphalt parking lot for recreational vehicle storage. The area is well shielded with large growth trees and the NYS Department of Transportation is one of the bordering neighbors. The area will receive less daily use than before.

When asked about the time frame, it was indicated that the transition will be complete by fall. All vehicles on site will require licensing and registration.

David Rowe inquired about lapsed licensing and registration and it was indicated that this will be addressed in a Special Use permit from the Planning Board.

There was no public comment.

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

All Ayes.

## **DECISION FOR 48 N. COUNTRY CLUB ROAD – AREA VARIANCE**

A written Resolution to grant the area variance for 48 N. Country Club Road was moved by Mary Ellen Spennacchio-Wagner and seconded by George Dounce.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	Absent
Barbara Servé voted	Aye
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 5, 2020.
2. All construction is to be completed by December 31, 2022.
3. The application is subject to the approval of the Design Review and Historic Preservation Board.

**DECISION FOR 619 MENDON ROAD – AREA VARIANCE**

A written Resolution to grant the area variance for 619 Mendon Road was moved by George Dounce and seconded by Phil Castleberry.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	Absent
Barbara Servé voted	Aye
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 5, 2020.
2. All construction is to be completed by December 31, 2020.
3. The application is subject to the approval of the Design Review and Historic Preservation Board.

**DECISION FOR 900 LINDEN AVENUE – AREA VARIANCE**

A written Resolution to grant the area variance for 900 Linden Avenue was moved by George Dounce and seconded by Barbara Serve.

Chairman George Dounce called for a roll call vote.

Michael Rose voted	Absent
Barbara Servé voted	Aye
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 February 14, 2020.
2. All construction is to be completed by December 31, 2021.

**POINT PERSONS FOR APRIL 20, 2020 MEETING**

145 Kilbourn Road – Phil Castleberry

32 Wexford Glen – Barbara Serve

**REVIEW OF FEBRUARY 17, 2020 MINUTES**

George Dounce moved to approve the minutes of the February 17, 2020 meeting as written.  
All Ayes.

**MEETING ADJOURNMENT**

George Dounce moved to adjourn the meeting at 7:50 pm. All Ayes.

Respectfully submitted,

Susan Donnelly  
Secretary to the Zoning Board of Appeals

DRAFT

# Zoning Board of Appeals Referral Form Information

**Property Address:**

85 Knollwood Drive ROCHESTER, NY 14618

**Property Owner:**

Wegman, Nicole  
85 Knollwood Dr  
Rochester, NY 14618

**Applicant or Agent:**

Wegman, Nicole  
85 Knollwood Dr  
Rochester, NY 14618

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
Right Lot Line:	20	Right Lot Line:	14	Right Lot Line:	6.0
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):** 185-113 B (6) 185-114 F (1)

Description: Applicant is requesting relief from Town Code §185- 113 (B) (6) (Side Setback) and §185 – 141 (F) (1) (Outdoor Illumination of Recreational courts) to allow the construction of an outdoor recreation court (Tennis Court). The tennis court is proposed to be located in the rear yard at approximately 14 feet from the right property line and will include 22' tall lights illuminating the play area. The size is proposed to be 60' x 120'.

June 04, 2020



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Date

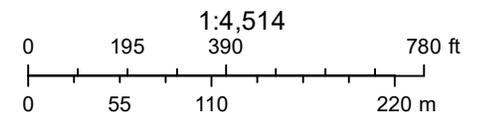
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning

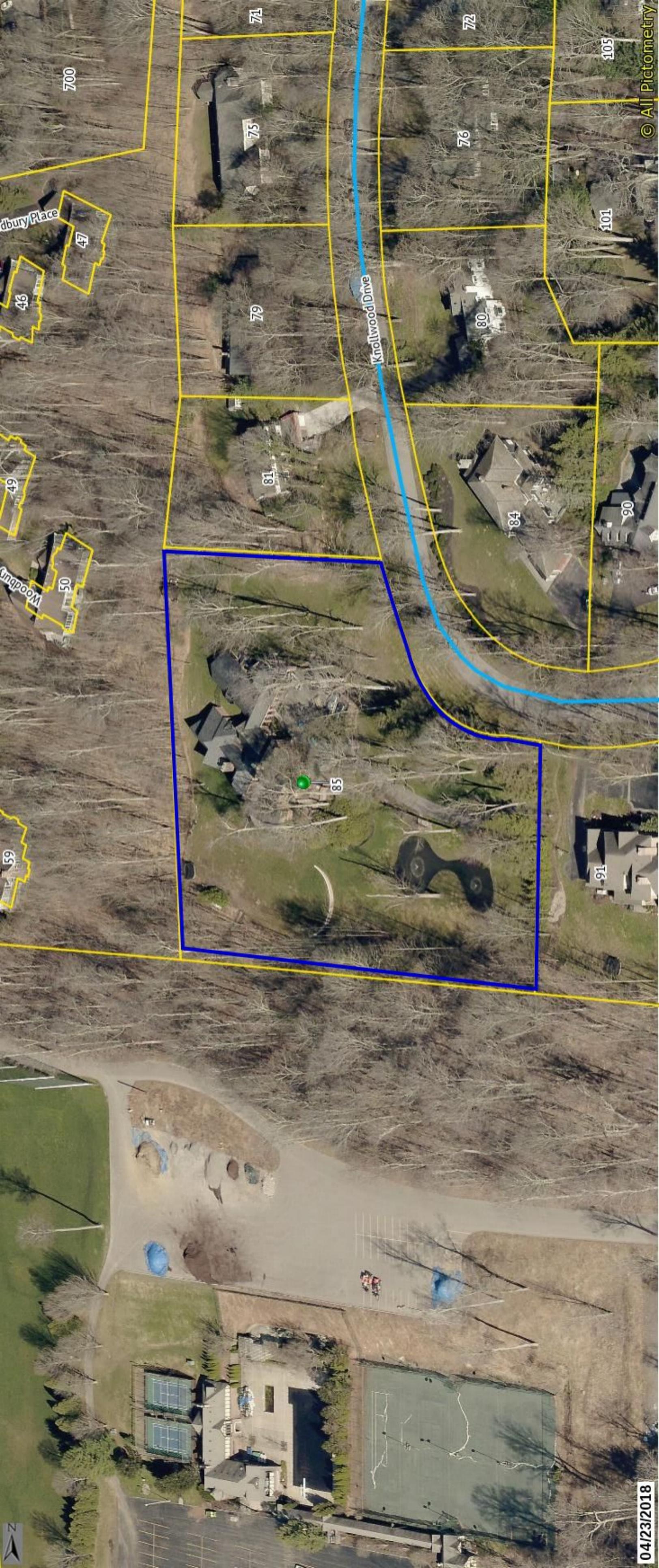


Printed June 2, 2020



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.

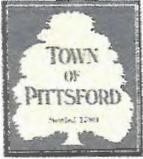


04/23/2018

© All Pictometry

Print Form

Reset Form



# TOWN OF PITTSFORD

## AREA VARIANCE APPLICATION FORM CHECK LIST

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

**CHECKLIST:** Please check your paperwork against the following list prior to submitting it to the Zoning Board of Appeals Secretary. These documents should be collated into packets no larger than 8 ½" by 11" in size so they are readily available.

- 1. Zoning Board of Appeals application form (pg. 5) **12 copies**
- 2. Authorization to make application (pg. 6) **12 copies (when applicable)**
- 3. Instrument survey map, **12 copies**
- 4. Scaled sketch, **12 copies**
- 5. Elevations, **12 copies**
- 6. Any other materials, such as photographs, maps, landscape plans, specifications, details, etc. which would further clarify the application, **12 copies**
- 7. Tests (written response to each) for granting area variances (pg. 7) **12 copies**
- 8. Disclosure Form E (pg. 8) **12 copies**
- 9. Check made out to "Town of Pittsford" for application fee.

**GIVEN TO APPLICANT:**

- Referral form
- Applicable Code Sections
- Application Packet

**RECEIVED FROM APPLICANT:**

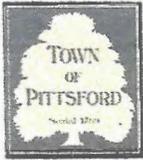
- 12 complete sets of application materials
- Fee Payment

Date of Public Hearing: \_\_\_\_\_

**NOTE: All application materials will be available for public review.**

Print Form

Reset Form



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

Submission Date: 4/18/2020 Hearing Date: \_\_\_\_\_

Applicant: Jason Wehle/Nicole Wegman

Address: 85 Knollwood Drive 14618

Phone: 585-737-1771 E-Mail: Jason.Wehle@Wegmans.com

Agent: Dan Hackett - Ted Collins Tree and Landscape

Address: 800 Victor- Mendon Road - Victor, New York 14564  
(if different than Applicant)

Phone: 585-314-8414 E-Mail: DHackett@TedCollinsT-L.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: 85 Knollwood Drive 14618 Current Zoning: RN

Tax Map Number: #138.17-01-05

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

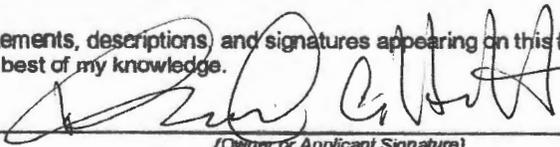
Installation of a 60'x 120' tennis court in the rear yard of 85 Knollwood with 8 dark-sky compliant lights

A Setback variance is requested as the court encroaches on the west property line by 6 feet. However, the entire area affected by set back of the court is 1% as 99% of the court will lay within the allowed setback

A variance is requested for the 8 lights shown on the plan for court illumination. Mitigating the lights will be transplanted arbor vitae, topography, and positioning.

**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)

April 17, 2020  
\_\_\_\_\_  
(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, Jason Wahlke, the owner of the property located at:  
85 Knollwood Dr Rochester 14618  
(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 \_\_\_\_\_

[Signature]  
(Signature of Owner)  
4.16.20  
(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 variance requested will not produce an undesirable change to the character of the neighborhood as: it is located in the rear yard, shielded by topography and is surrounded on the east, west, and south property borders by 25-foot mature conifer and deciduous trees.

The closest structure in Woodbury Estates is 194+/- feet away with a significant wood line between structures. The proximity to the east property line is 277+/- feet from the closest edge of the court

The proposed location of the tennis court is not viewable from Knollwood Drive

Any impact of light will be mitigated by transplanting large arbor vitae to supplement the existing foliage and limit the hours of operation for the lights

All of these isolating conditions make the impact to the neighborhood virtually nonexistent.

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

All other locations for this court would result in placing the court in significantly more visible locations, thereby requiring extensive additional site work and more difficult to screen.

Moving the court to the east would create structural damage to an existing brick retaining wall. The proposed location was determined after careful consideration of all the existing site features (trees, topography, retaining walls, and visibility) and determined to be the best possible location relative to site disruption and visibility.

### TESTS FOR GRANTING AREA VARIANCES (Continued)

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

In our opinion, the variance request is minimal given the courts' proximity to neighbors, the existence of a thick and mature tree line on the properties edge, the inability to see the court from Knollwood Drive and the overall lot coverage. Additionally limits to the time of operation will be consistent with existing town hours of operation limits on lighting.

The lot coverage is:

Total Site Area: 122,219 SF

Total Impervious/Built: 20,505 SF

Percent Build Out: 17%

Percent Build Out Allowable: 40%

It is our belief these facts bear out that the variance request is minimal

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 reason for no adverse effects or impact on the physical or environmental condition is the proposed project is isolated from the neighborhood. Please refer to the site map to see the tennis courts proximity to adjacent properties and Knollwood Drive.

Given the size of the parcel, that the plan utilizes the topography and existing plant structure for screening and their size, it's proximity to neighboring structures and Knollwood Drive we believe renders this site unique and therefore using this as a precedent for future Zoning Variances would make any future request very difficult to repeat the conditions upon which a variance was granted

- **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?

While all variance requests can be viewed as self-created, this request has been thoughtfully approached to work with existing conditions and to minimize the impact on the neighbors and neighborhood.

In positioning the tennis court as we have, it does in fact require consideration of these variances. However, if the position of the court were placed so that variances were not required, the net result would be a more disrupted site with greater visibility from Knollwood Drive and closer to the Knollwood neighbor.

Print Form

Reset Form

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Wehle-Wegman 85 Knollwood Tennis Court

(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

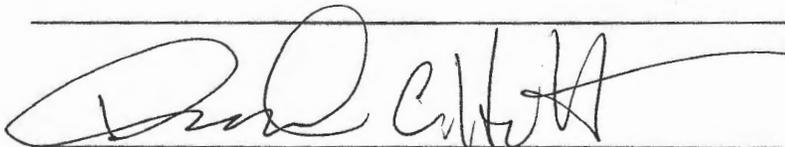
variance     approval of a plat     exemption from a plat or official map

...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)

Area 17, 2020

(Dated)

(Street Address)

(City/Town, State, Zip Code)

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

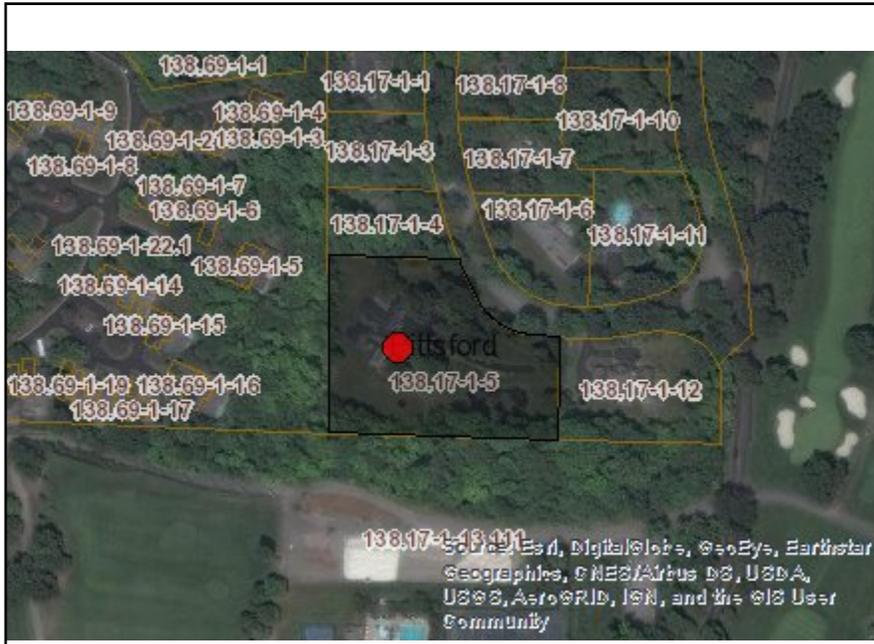
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5.     Urban           Rural (non-agriculture)           Industrial           Commercial           Residential (suburban)				
<input type="checkbox"/> Forest           Agriculture                           Aquatic           Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature: _____ Title: _____		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



# Zoning Board of Appeals Referral Form Information

**Property Address:**

32 Wexford Glen PITTSFORD, NY 14534

**Property Owner:**

Brian DeJoy  
32 Wexford Gln  
Pittsford, NY 14534

**Applicant or Agent:**

Brian DeJoy  
32 Wexford Gln  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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:	13.4	Height:	-1.4000000000000004
Size:	180	Size:	224	Size:	-44.0

**Code Section(s):** 185-113 B (2) 185-113 B (2)

Description: Applicant is requesting relief from Town Code §185- 113 B (1) & (2) for the construction of an oversized accessory structure (Pavilion) located in the rear yard. The structure is proposed to be approximately 224 Sq. Ft. and approximately 13'3" in height.

June 04, 2020



---

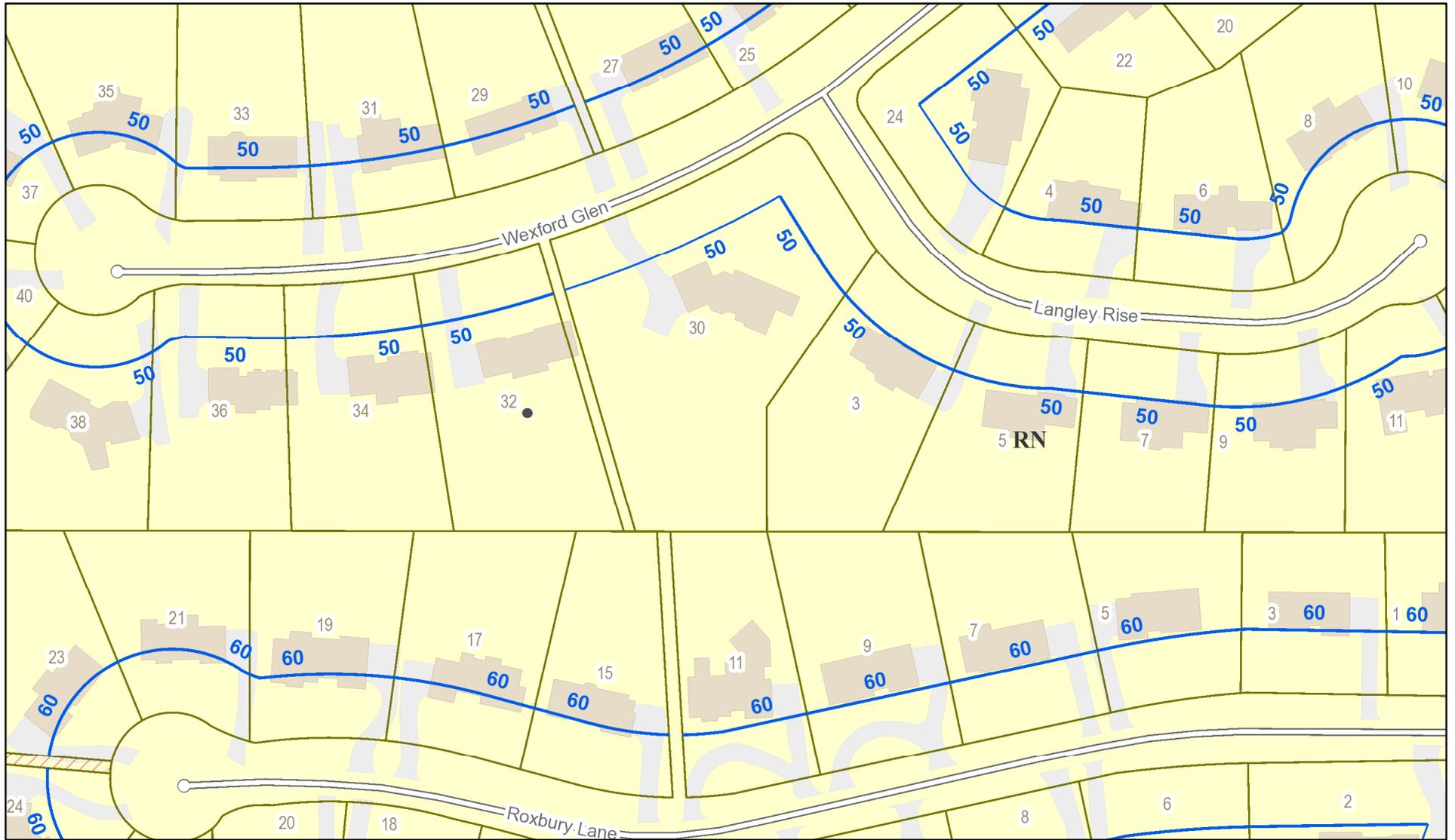
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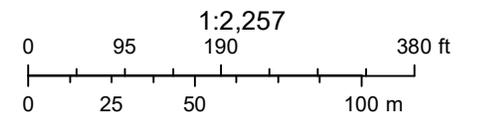
Mark Lenzi - Building Inspector CEO

File Name:  
Description:  
Added By:  
Date Added:

# RN Residential Neighborhood Zoning

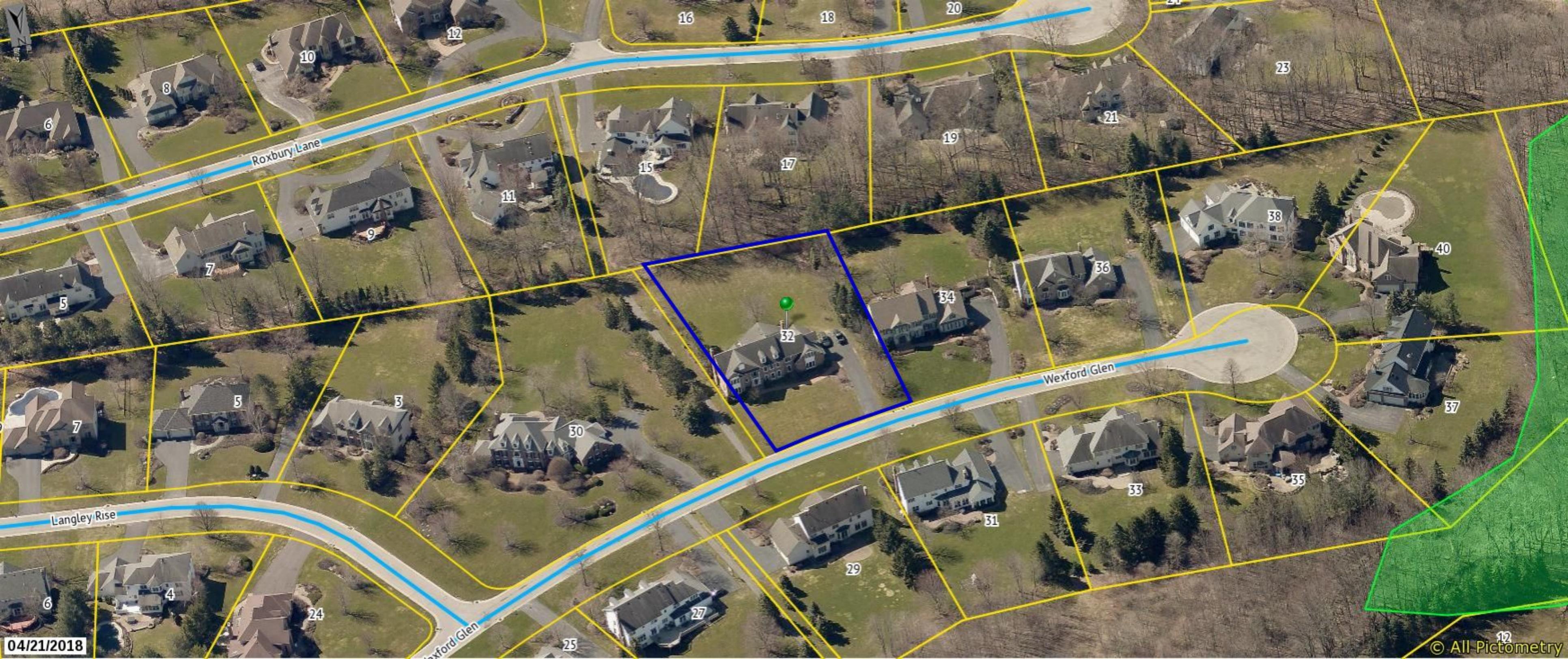


Printed June 2, 2020



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.



04/21/2018

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Print Form

Reset Form



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

Submission Date: 3-11-20 Hearing Date: 3-20-20

Applicant: Brian DeJoy

Address: 32 Wexford Glen Pittsford NY

Phone: 585-301-1585 E-Mail: brian.dejoy@ubs.com

Agent: Gil Vargas

Address: 16 Middlesborough Park 14514  
(if different than Applicant)

Phone: 585-709-1048 E-Mail: gilvconstruction@yahoo.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: 32 Wexford Glen Current Zoning: Residential

Tax Map Number: 163-040-04-026

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

The construction of an outdoor pavilion (14 ft x 16 ft) in the backyard of 32 Wexford Glen, Pittsford NY

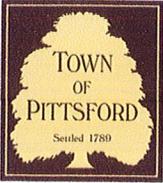
**SWORN STATEMENT:** As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

B. DeJoy  
(Owner or Applicant Signature)

3/9/2020  
(Date)

Print Form

Reset Form



# 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, \_\_\_\_\_, the owner of the property located at:

\_\_\_\_\_  
(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 \_\_\_\_\_

\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(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:

1. The pavilion that has been proposed is in keeping with the style of the home and neighborhood. It complements the landscape and does not impede the view or privacy of neighbors.
2. There is no detriment to nearby properties because the pavilion structure does not impede the view, nor does it impact neighboring landscape, nor does it affect the privacy of adjacent neighbors.

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 pavilion would serve as an outdoor gathering space for family, friends and likely neighborhood events. The size of the structure is necessary to accommodate dining and socialization areas. A smaller structure would not allow this accommodation.

### TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested area variance is minimal. The height exceeds a non-area variance by 1 ft, 3 inches. The square footage exceeds a non-area variance by 44 ft squared.

---

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 requested area variance for the pavilion will be in keeping with the style of the home. It will not impact the water table or erode the landscape surrounding the 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?

The alleged difficulty is, to a mild degree, self-created by only minimally exceeding the area variance. The design of the pavilion with these dimensions is pleasing to the eye and melds beautifully with the surroundings.

---

Print Form

Reset Form

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

\_\_\_\_\_  
(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)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

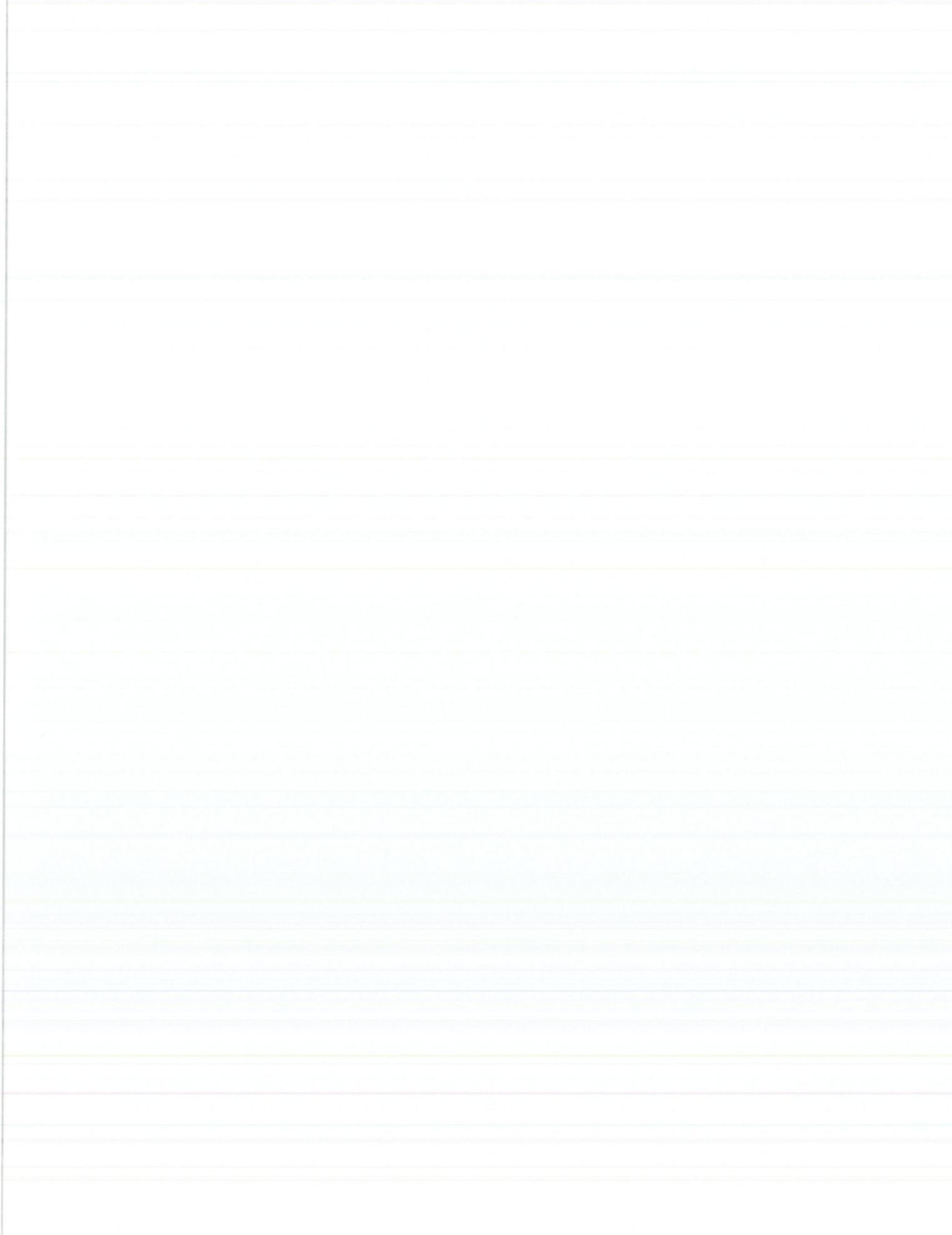
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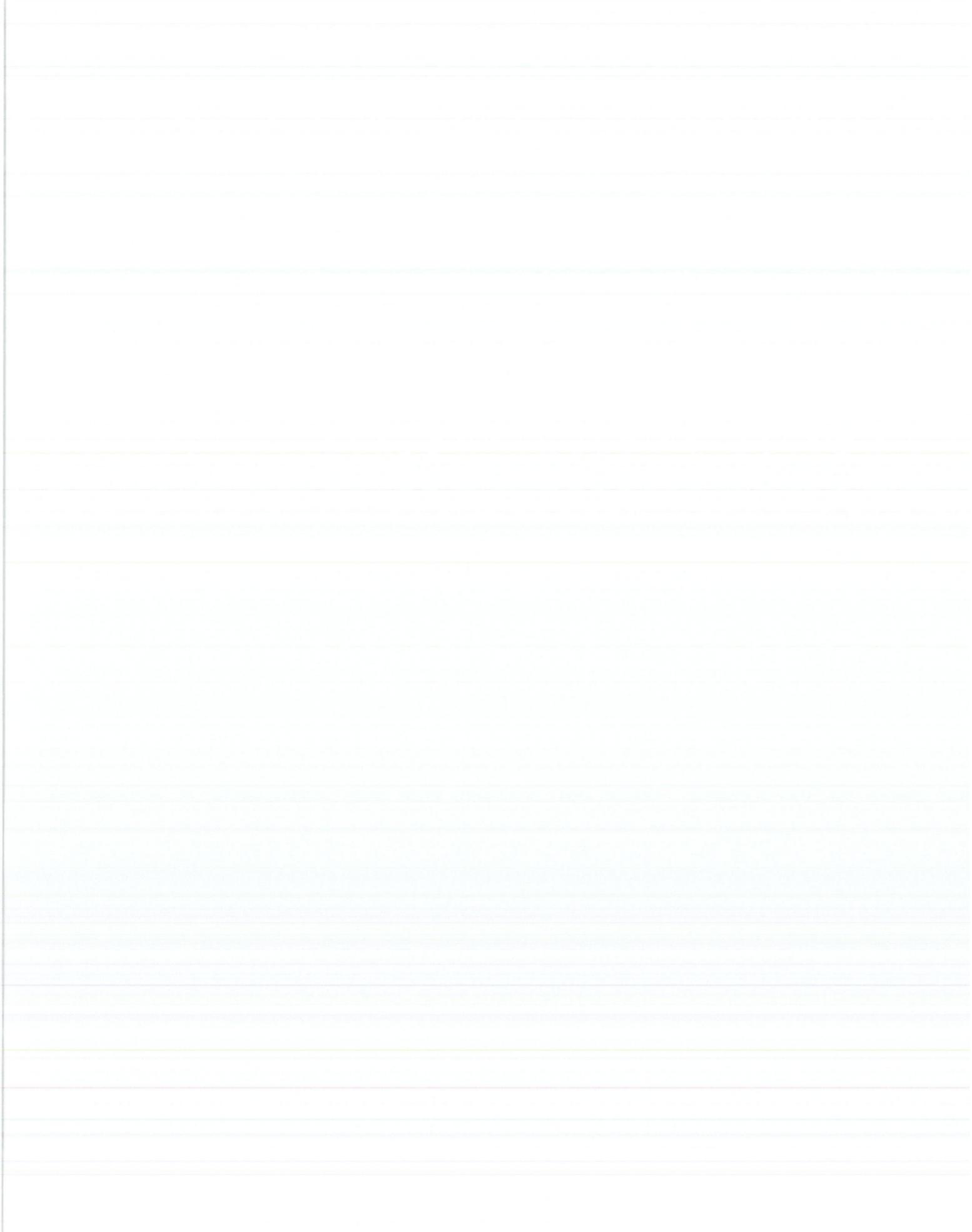
  
(Signature of Applicant)

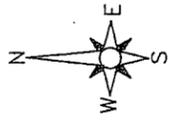
32 Wexford Glen  
(Street Address)

Pittsford, N.Y. 14534  
(City/Town, State, Zip Code)

3/9/2020  
(Dated)







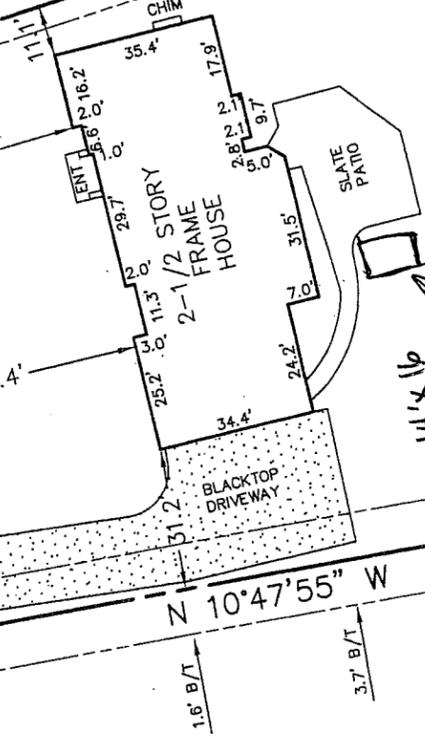
# WEXFORD (60' R.O.W.) GLEN

10' WIDE EASEMENT  
PER REFERENCE 3

163.43' TO P.C.  
STA. 19+65.68  
L=123.21'  
R=970.00'

S 18°21'32" E 290.04'  
10' WIDE PUBLIC ACCESS WAY

LOT 391



LOT 392

STORM SEWER EASEMENT  
PER REFERENCE 3

S 88°51'18" W 163.35'

LOT 393

N 10°47'55" W 252.31'

- REFERENCES:
- 1.) ABSTRACT OF TITLE NOT PROVIDED.
  - 2.) LIBER 8711 OF DEEDS, PAGE 478.
  - 3.) LIBER 277 OF MAPS, PAGE 35.

### CERTIFICATION:

I hereby certify to:  
 BRIAN J. DEJOY AND HEATHER J. DEJOY  
 GREARY LAW GROUP, P.C.  
 FIRST AMERICAN TITLE INSURANCE COMPANY  
 LAW OFFICE OF MICHAEL TULCHINER

UBS BANK USA, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR

that this map was made MARCH 08, 2018 from notes of an Instrument Survey completed FEB 28, 2018 and from references listed hereon.

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

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

TITLE:

### INSTRUMENT SURVEY MAP

32 WEXFORD GLEN  
 BEING LOT 392 OF THE CHATHAM WOODS  
 SUBDIVISION, SECTION K, SITUATE IN  
 THE TOWN OF PITTSFORD, COUNTY OF  
 MONROE, STATE OF NEW YORK



Tax Account No.  
 163.040-04-026

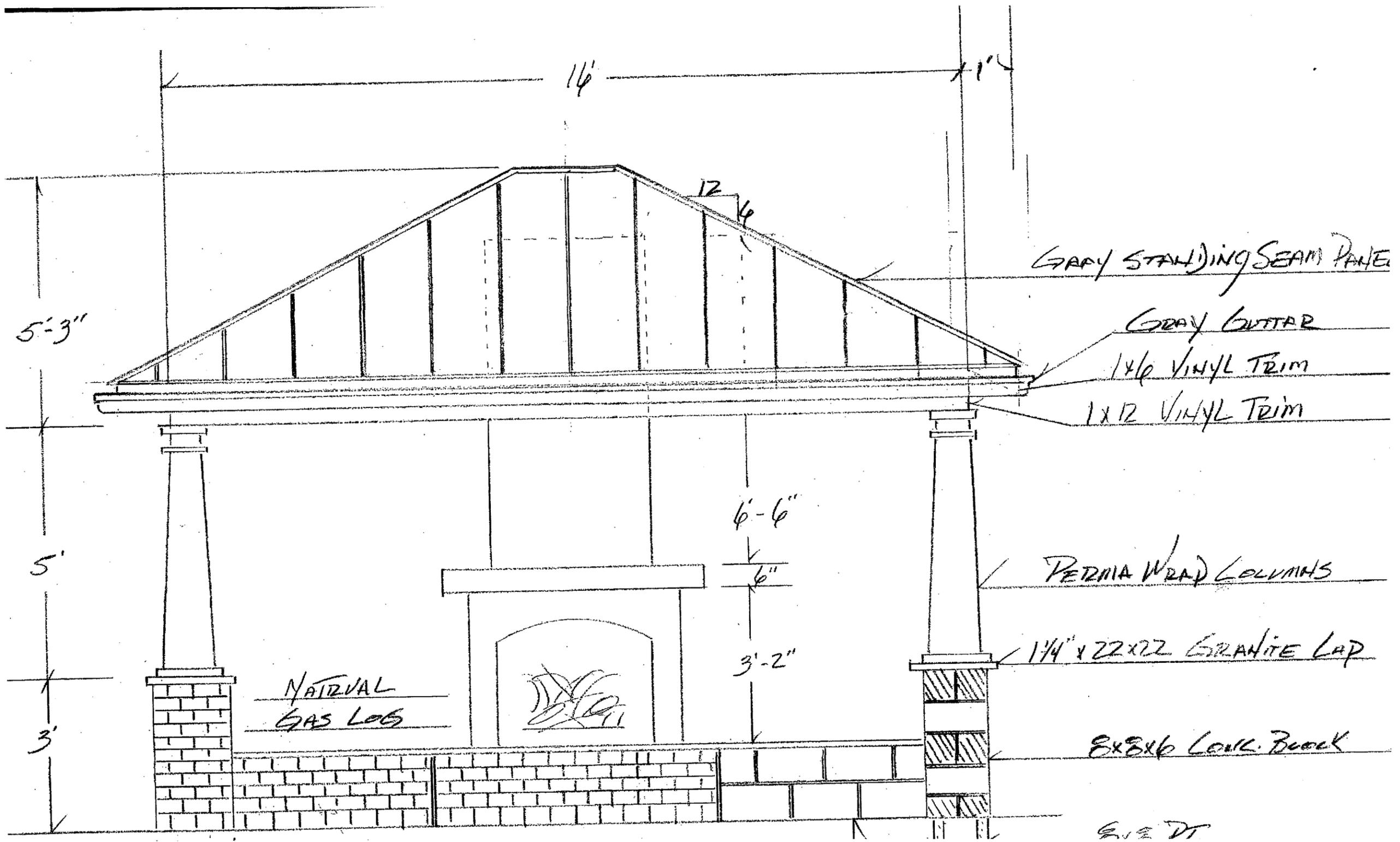
"Unauthorized alteration or addition to a survey map bearing a licensed land surveyors seal is a violation of section 7209 Subdivision 2, of the New York State Education Law. "Only copies from the original of this survey marked with an original land surveyors seal shall be considered to be valid true copies." Certifications shall run only for the person for whom the survey is prepared, and on behalf of the title company insuring the fee, the governmental agency and lending institution listed hereon, and to the assignees of 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 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. Location of features are not shown hereon, unless otherwise specified. ©



BILESCHI LAND  
 SURVEYING  
 435 REYNOLDS ARCADE  
 ROCHESTER, NEW YORK 14614  
 (585) 454-6010 (phone)  
 (585) 454-6015 (fax)

JAMES M. LEONI, L.S. OF CONSULT

DATE: MARCH 08, 2018  
 FILE No. 180026GB  
 OWNER: WITZEL  
 SCALE: 1" = 40'



14'

11'

12'

5'-3"

5'

3'

6'-6"

6"

3'-2"

GRAY STANDING SEAM PANELS

GRAY GUTTER

1x6 VINYL TRIM

1x12 VINYL TRIM

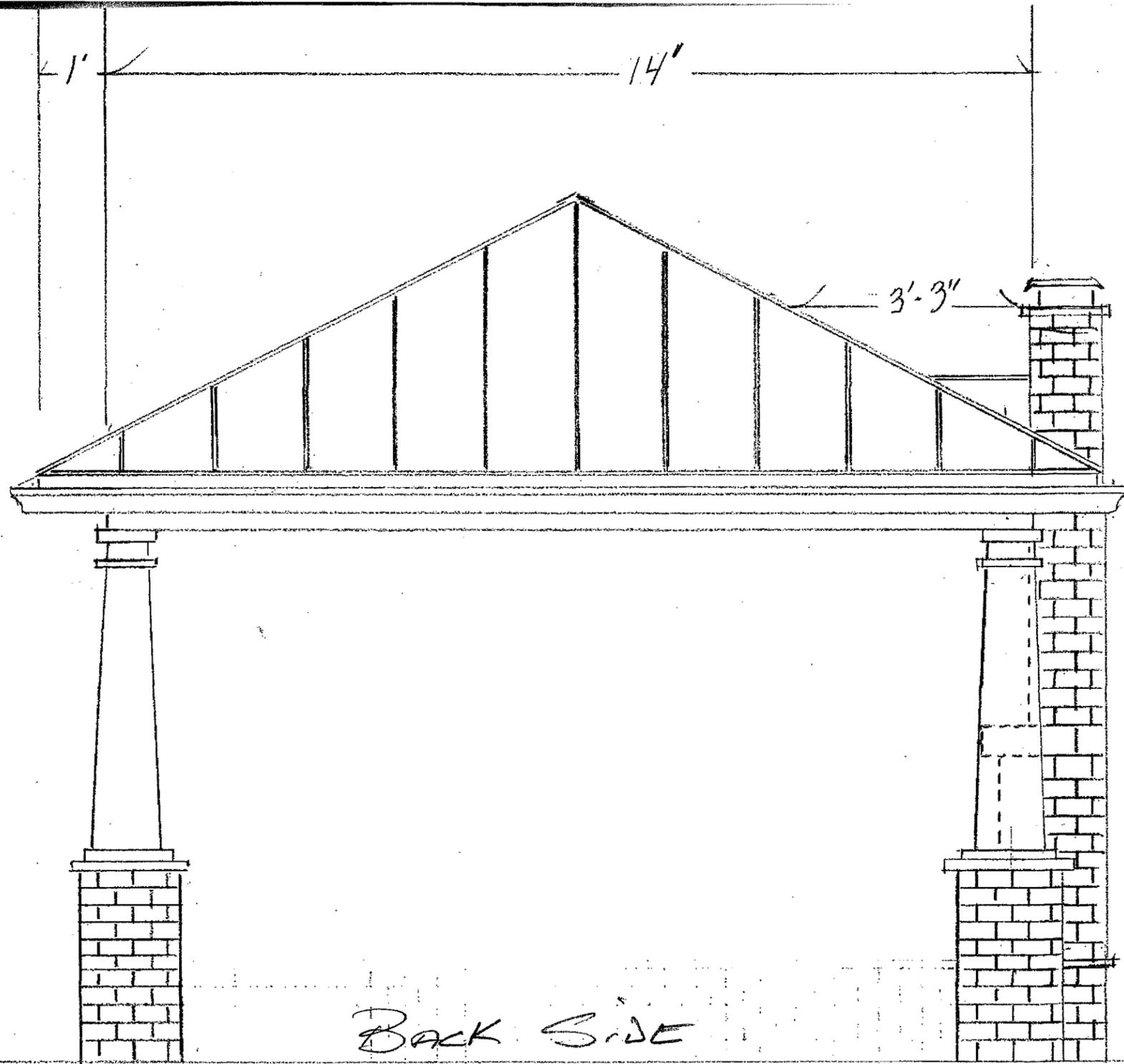
PERMA WRAP COLUMNS

1 1/4" x 22 x 22 GRANITE CAP

8x8x6 CORL. BRICK

NATURAL GAS LOG

EVE DT



Back Side

# Zoning Board of Appeals Referral Form Information

**Property Address:**

22 East Park Road PITTSFORD, NY 14534

**Property Owner:**

Wolf, Bruno  
22 East Park Rd  
Pittsford, NY 14534

**Applicant or Agent:**

Wolf, Bruno

22 East Park Rd  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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:	50	Front Setback:	40	Front Setback:	50.0
Rear Setback:	0	Rear Setback:		Rear Setback:	
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

**Code Section(s):** 185-17 (B) (1)

Description: Applicant is requesting relief from Town Code § 185 -17 (B) (1) for the construction of an addition with a front setback of approximately 40'. Town Code requires a 50' minimum front setback.

June 04, 2020



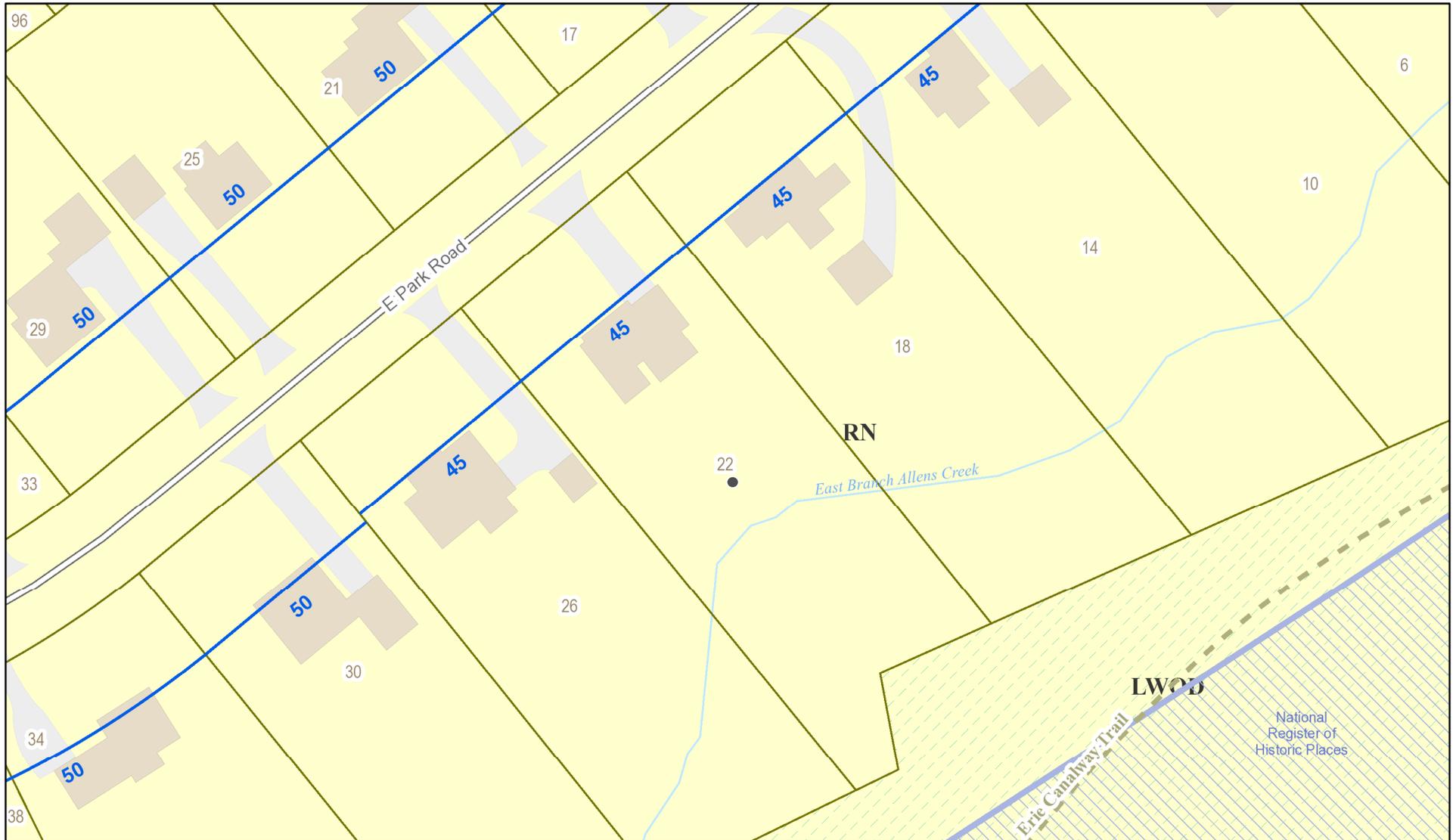
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Date

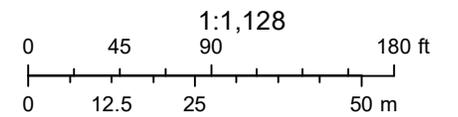
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning



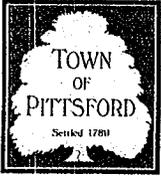
Printed June 2, 2020



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.





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

Submission Date: 4.29.20 Hearing Date: \_\_\_\_\_

Applicant: BRUNO & LAURA WOLF

Address: 22 EAST PARK RD. PITTSFORD, N.Y. 14534

Phone: (585) 381-0432 E-Mail: BRUNO\_WOLF@HOTMAIL.COM

Agent: \_\_\_\_\_  
(if different than Applicant)

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: \_\_\_\_\_  
(if different than Applicant)

Address: 22

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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

Property Location: 22 EAST PARK RD. Current Zoning: RESIDENTIAL

Tax Map Number: \_\_\_\_\_

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

AN ADDITION TO EXISTING RESIDENCE TO ADD KITCHEN SPACE FORWARD OF FRONT OF HOUSE

(ORIGINAL VARIANCE FOR ADDITIONS TO EXISTING RESIDENCE GRANTED AT THE NOVEMBER 18, 2019 MEETING)

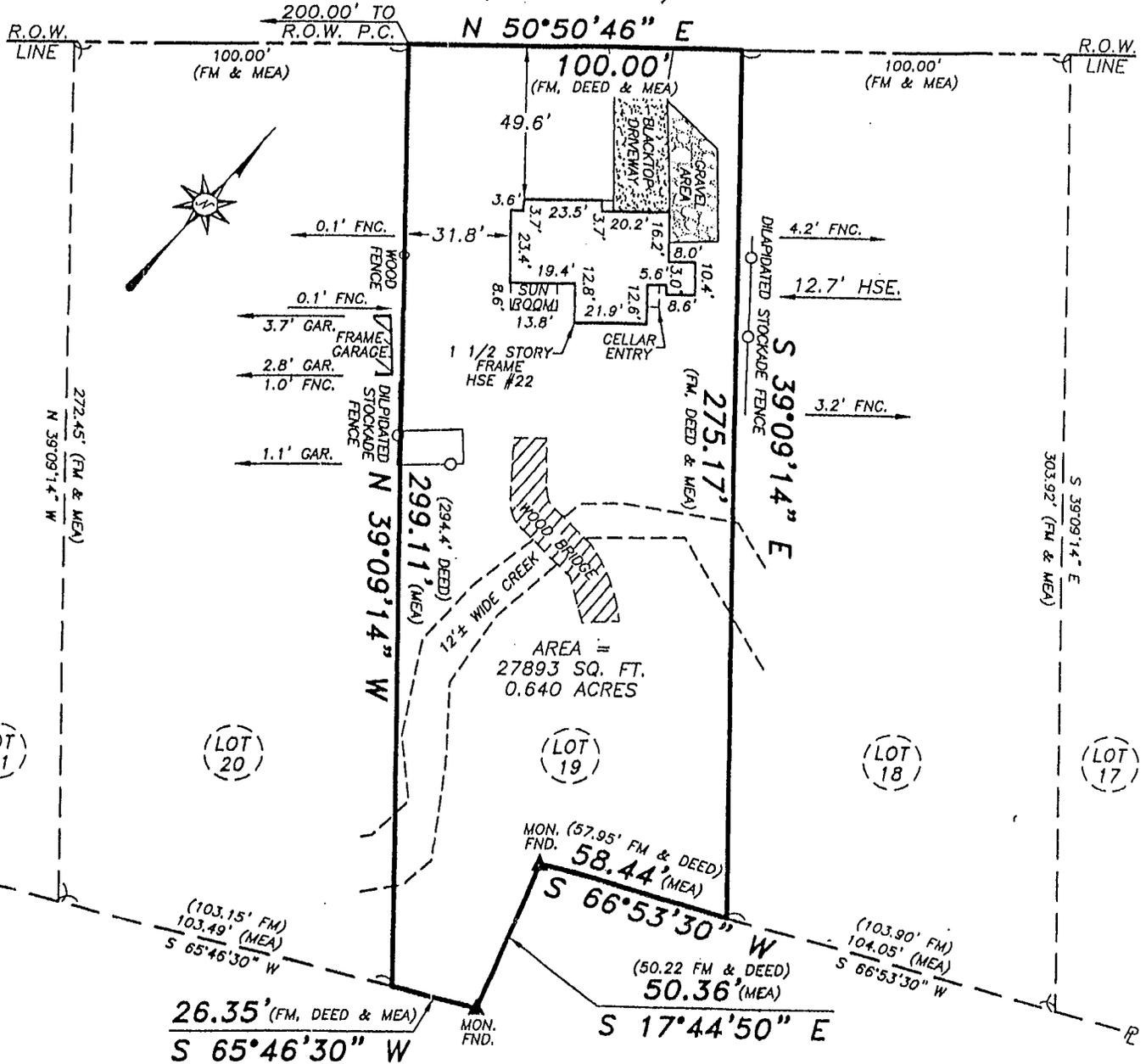
**SWORN STATEMENT:** As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

Bruno Wolf  
(Owner or Applicant Signature)

4.29.20  
(Date)

SCALE 1"=50'

# EAST PARK ROAD (50' WIDE R.O.W.)



### CERTIFICATION:

I, ANDREW M. HODGE, HEREBY CERTIFY TO:

- BRUNO WOLF
- JP MORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS
- STEWART TITLE INSURANCE COMPANY
- DOLLINGER ASSOCIATES, P.C.
- WOODS OVIATT GILMAN LLP

THAT THIS MAP WAS MADE APRIL 19, 2012 FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 3, 2012 AND REFERENCES LISTED HEREON.

### REFERENCES:

- 1.) CASE "A-27" OF MAPS.
- 2.) LIBER 4131 OF DEEDS, PAGE 572.
- 3.) ABSTRACT OF TITLE No. 370988 (FIRST AMERICAN).
- 4.) EASEMENT TO R.G.&E. & R.T.C. PER LIBER 1455 OF DEEDS, PAGE 595. (ALONG SIDE & REAR PROPERTY LINES)

*(Signature)*  
 N.Y.S.R.L.S. No. 50819 DATE

NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

TITLE:

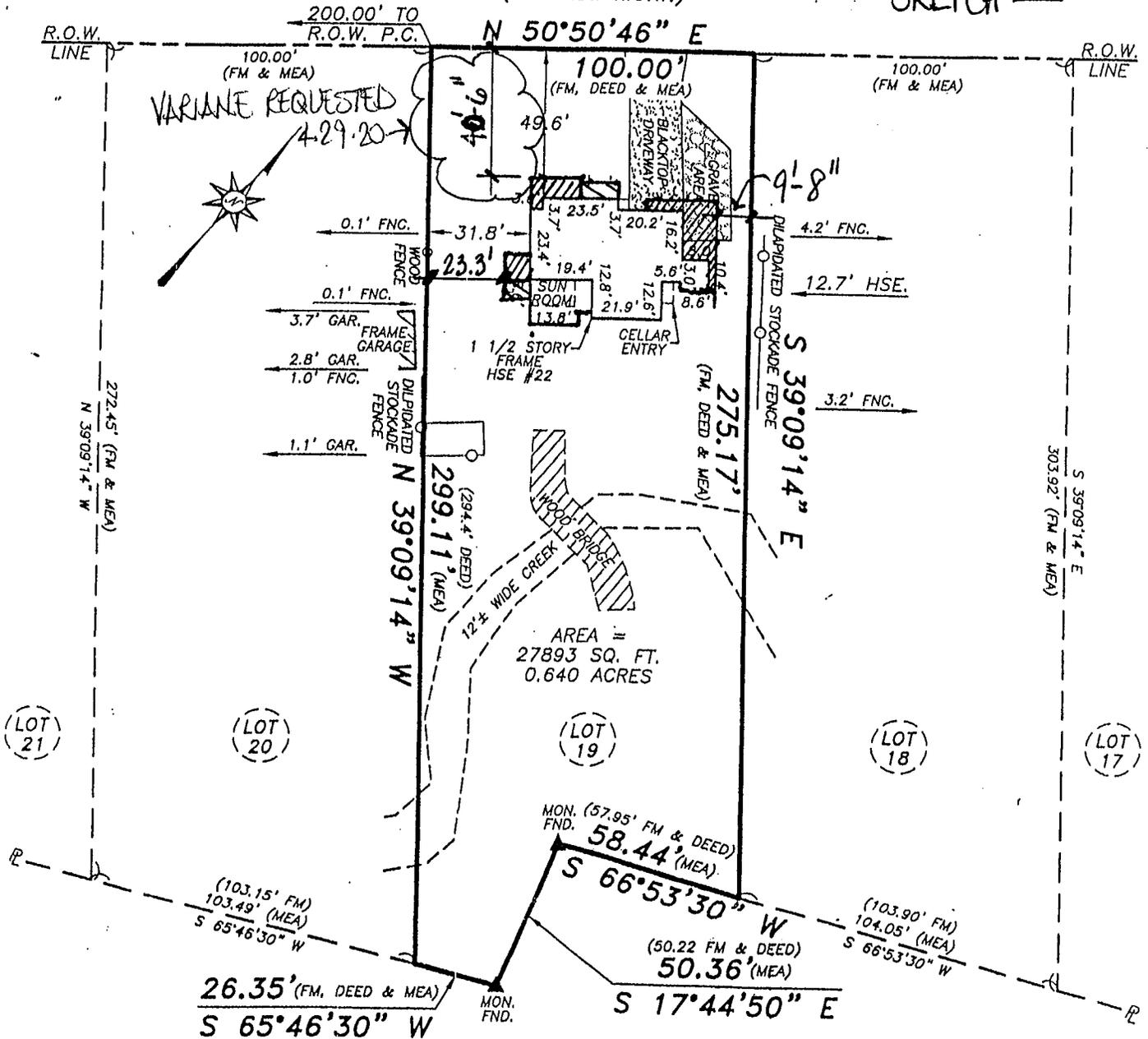
## INSTRUMENT SURVEY MAP

### 22 EAST PARK ROAD

BEING LOT 19 OF THE SCHOEN & SNEAD SUBDIVISION

EAST PARK ROAD  
(50' WIDE R.O.W.)

— SKETCH —



**CERTIFICATION:**

I, ANDREW M. HODGE, HEREBY CERTIFY TO:

- BRUNO WOLF
- JP MORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS
- STEWART TITLE INSURANCE COMPANY
- DOLLINGER ASSOCIATES, P.C.
- WOODS OVIATT OILMAN, LLP

THAT THIS MAP WAS MADE APRIL 19, 2012 FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 3, 2012 AND REFERENCES LISTED HEREON.

**REFERENCES:**

- 1.) CASE "A-27" OF MAPS.
- 2.) LIBER 4131 OF DEEDS, PAGE 572.
- 3.) ABSTRACT OF TITLE No. 370988 (FIRST AMERICAN).
- 4.) EASEMENT TO R.G.&E. & R.T.C. PER LIBER 1455 OF DEEDS, PAGE 595. (ALONG SIDE & REAR PROPERTY LINES)

N.Y.S.R.L.S. No. 50618 DATE

NOTE: PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD.

TITLE:

**INSTRUMENT SURVEY MAP**

22 EAST PARK ROAD  
BEING LOT No. 19 OF THE SCHOEN & SNEAD SUBDIVISION





# 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:

ORIGINAL VARIANCES GRANTED 11/18/19 FOR ADDITIONS CURRENTLY UNDER CONSTRUCTION.

WE ARE ASKING FOR AN ADDITIONAL 2' TO THE FRONT VARIANCE TO BE ABLE TO HAVE THE PREFERRED KITCHEN LAYOUT AS WAS DESIGNED BY THE KITCHEN DESIGNER.

THERE IS HEAVY VEGETATION ON BOTH SIDES OF THE PROPERTY SO THE ADDITIONAL 2' WILL NOT IMPACT THE NEIGHBORS' VIEW OF THE STREET ON EITHER SIDE.

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 FINAL KITCHEN LAYOUT WITH THE KITCHEN DESIGNER & OWNERS NEEDS AN ADDITIONAL 2' TO ACCOMMODATE THIS DESIGN. THE FLOOR PLAN HAS A DINING SPACE & GREAT ROOM SPACE BEYOND THE KITCHEN WHICH WOULD NEED TO BECOME SMALLER IF THE VARIANCE IS NOT GRANTED.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

THE REQUESTED VARIANCE IS MINIMAL.

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 ADDITION PROPOSED IS KEEPING THE STYLE OF THE HOME PLEASING WITH THE OTHER SURROUNDING PROPERTIES OF VARIOUS STYLES.

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

5. Is the alleged difficulty self-created?

THE ADDITIONAL SPACE FOR THE KITCHEN ADDITION REQUESTED WOULD GIVE THE OWNERS THEIR PREFERRED LAYOUT AND ADD TREMENDOUS VALUE TO THIS & SURROUNDING PROPERTIES AS THIS HOME IS IMPROVED. THIS IS NOT SELF-CREATED.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

BRUNO & LAURA WOLF

(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>

Bruno Wolf

(Signature of Applicant)

4.29.20

(Dated)

22 EAST PARK RD.

(Street Address)

PITTSFORD, N.Y. 14534

(City/Town, State, Zip Code)

# Zoning Board of Appeals Referral Form Information

**Property Address:**

78 Willard Road PITTSFORD, NY 14534

**Property Owner:**

Chadwick Phillips  
78 Willard Rd  
Pittsford, NY 14534

**Applicant or Agent:**

Chadwick Phillips  
78 Willard Rd  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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:	0	Height:	0	Height:	0.0
Size:	180	Size:	364	Size:	-184.0

**Code Section(s):** 185-113 B (1)

Description: Applicant is requesting relief from Town Code §185- 113 B (1) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard. The structure is proposed to be approximately 364 Sq. Ft.

June 04, 2020



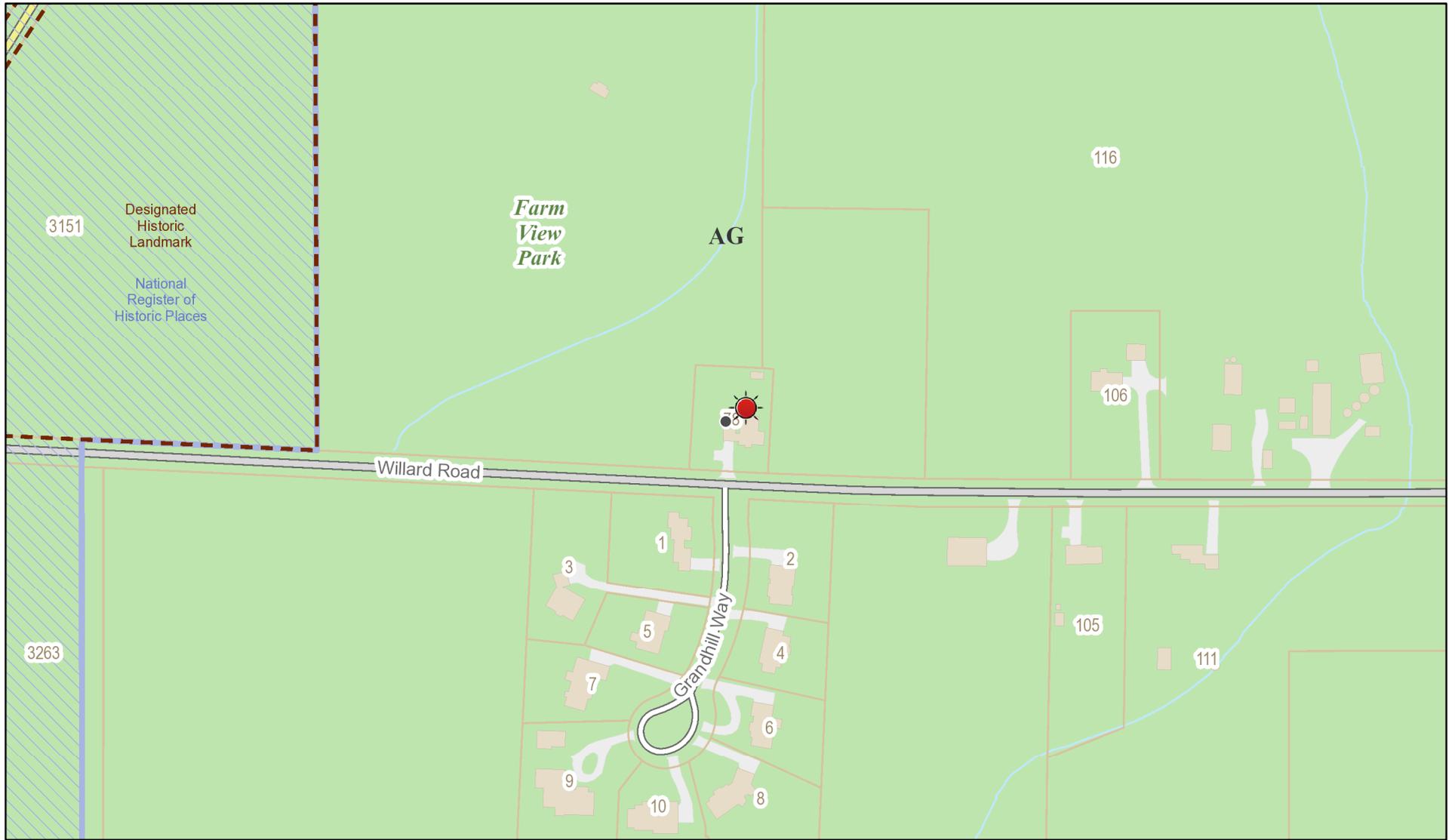
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Date

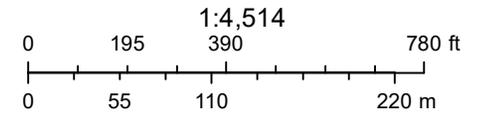
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning

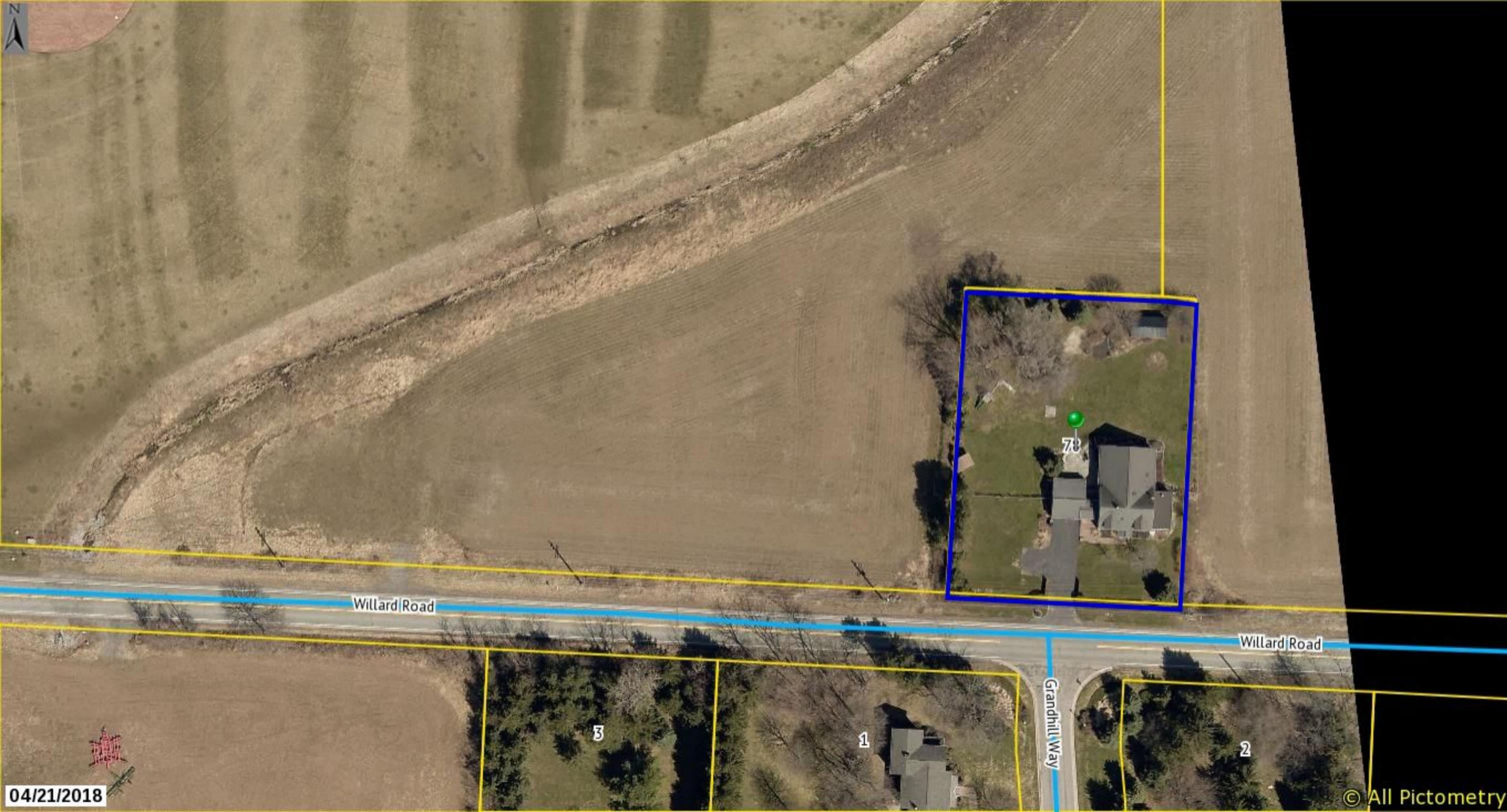


Printed June 2, 2020



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.



Willard Road

Willard Road

Grandhill Way

78

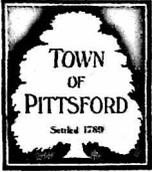
1

2

3

04/21/2018

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

Submission Date: 4-2-2020 Hearing Date: \_\_\_\_\_

Applicant: Chadwick Phillips

Address: 78 Willard Rd Pittsford NY 14534

Phone: (585) 233-1881 E-Mail: chadwick.phillips585@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: 78 Willard Rd Current Zoning: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

Replace old (80+ years) deteriorating shed with a new shed in the same location. The current shed is 12.1'x23.3' and the new shed would be 14'x26'. Would prefer to extend the new square footage towards the perimeter of the property, still well within setbacks.

**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)

4-2-2020  
(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 property is surrounded by farmland with no close neighbors and the location of the shed has multiple trees and shrubs obscuring it's view as well. A rebuilt shed would improve the current appearance and the increase in size would be unnoticeable.

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

Limited storage space and adding some extra square footage to the new shed would be very helpful in that regard.

**TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

Minimal. The new shed footprint would take up a small amount of space within an area that is unused and not seen from the road or closest neighbor.

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 new shed will keep within the existing character of the property and the surrounding farmland and will essentially be a newer version of the existing shed. It will have the same traditional style as the current one.

• **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?

Due to the current condition of the 80+ year existing shed, replacement makes much better sense than attempting to fix it. I enjoy maintaining this property myself and have found that it requires the owning of a significant amount of lawn and garden equipment. In order to prevent future outgrowing of current shed dimensions a little extra space would be very helpful. Our family plans to live and enjoy this home for many years to come.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

78 Willard Shed Replacement

(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)

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(Signature of Applicant)

4-2-2020

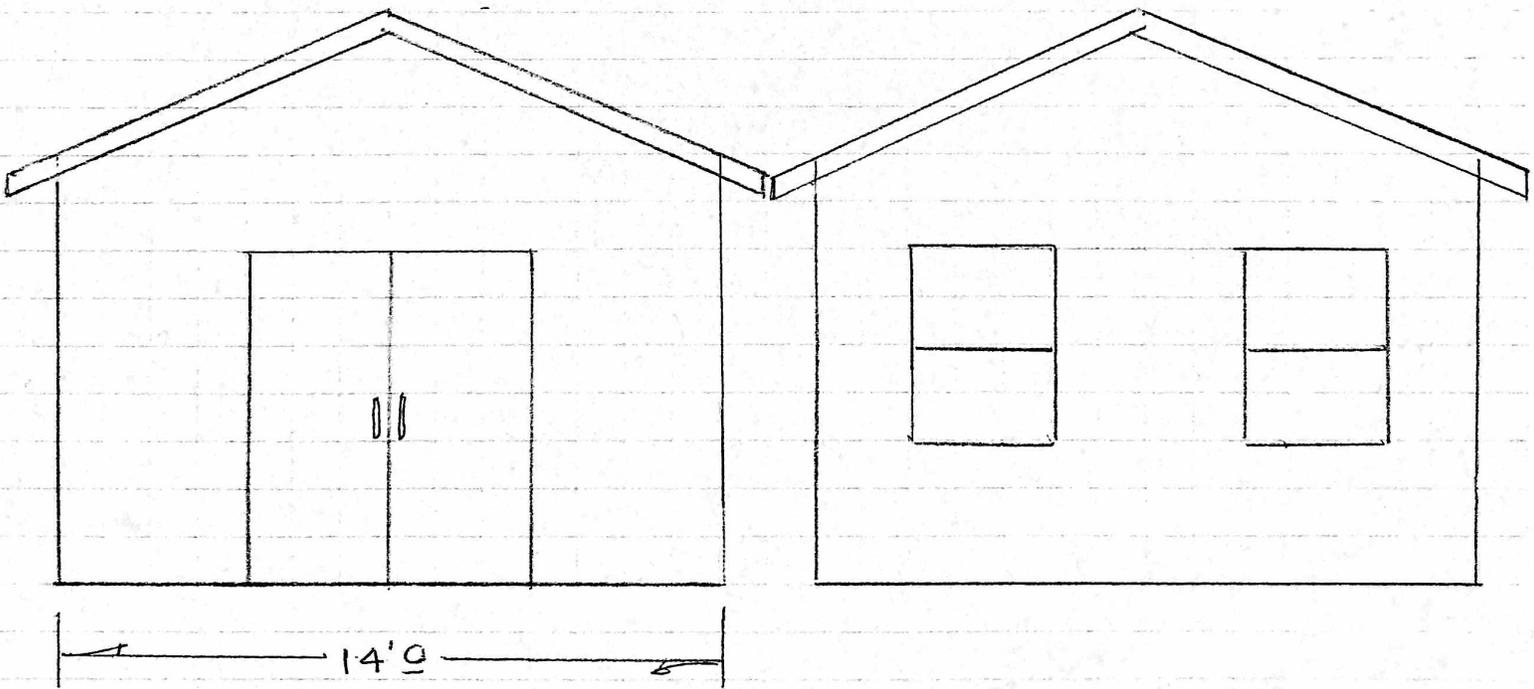
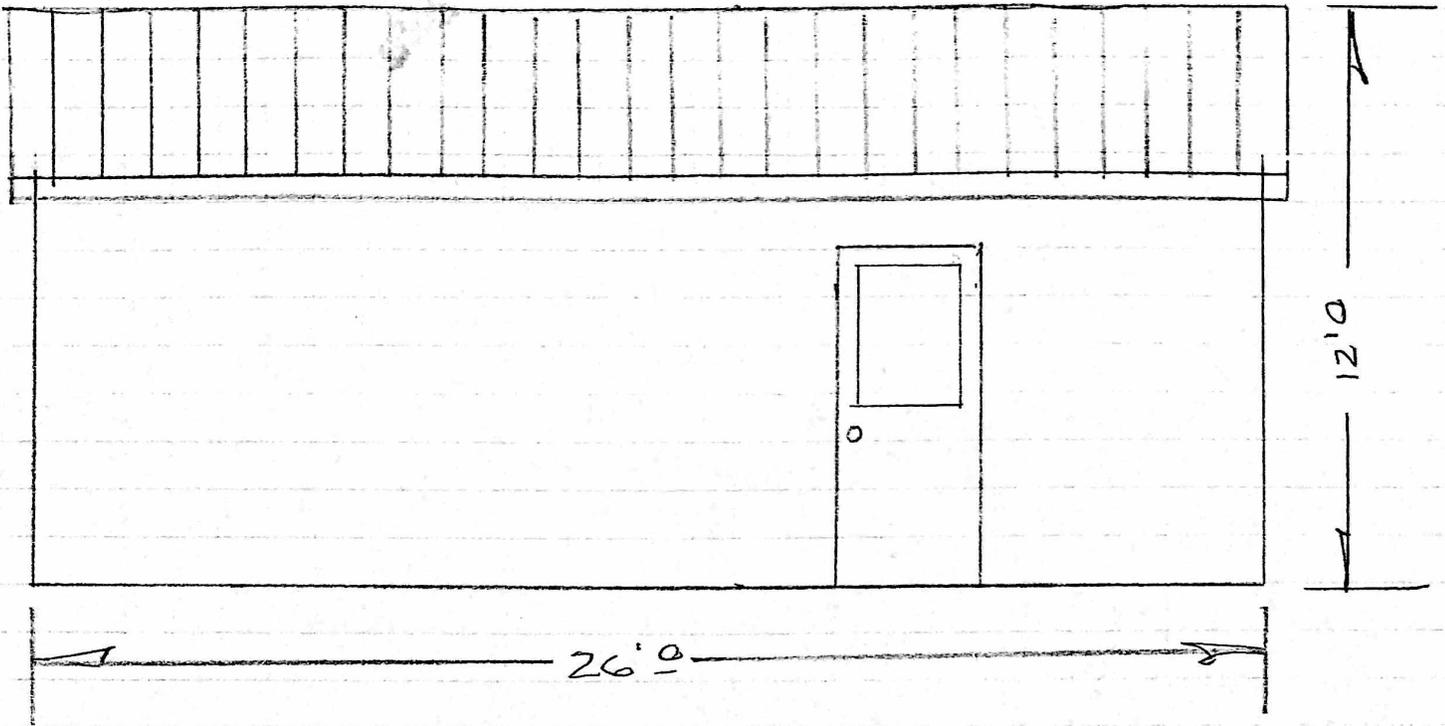
(Dated)

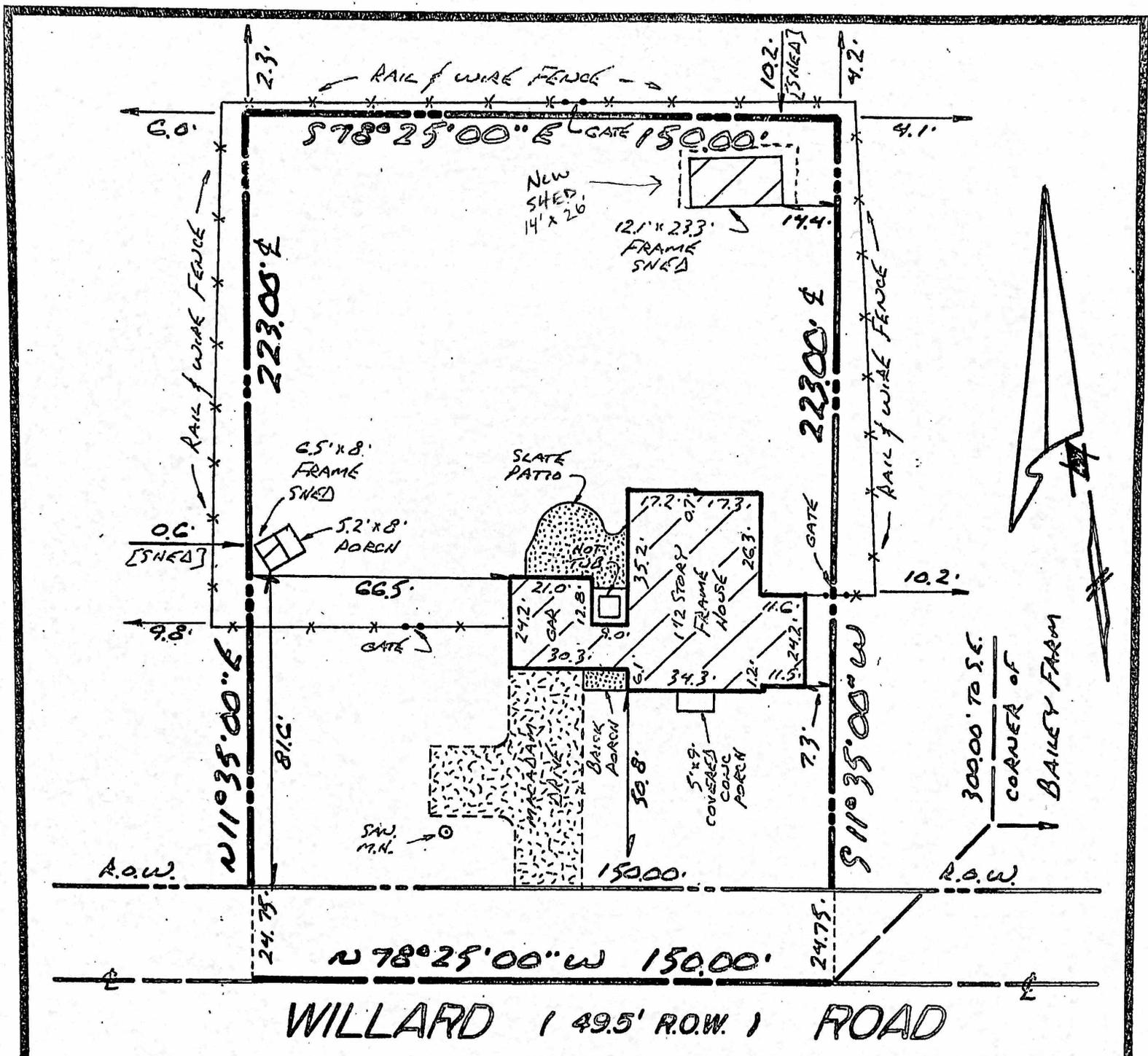
78 Willard Rd

(Street Address)

Pittsford NY 14534

(City/Town, State, Zip Code)













# Zoning Board of Appeals Referral Form Information

**Property Address:**

7 Duxbury Way ROCHESTER, NY 14618

**Property Owner:**

Mooney, Ryan M  
7 Duxbury Way  
Rochester, NY 14618

**Applicant or Agent:**

Mooney, Ryan M  
7 Duxbury Way  
Rochester, NY 14618

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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:	0	Height:	0	Height:	0.0
Size:	180	Size:	280	Size:	-100.0

**Code Section(s):** 185-113 B (1) & (6)

Description: Applicant is requesting relief from Town Code §185- 113 B (1) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard. The structure is proposed to be approximately 280 Sq. Ft.

June 04, 2020



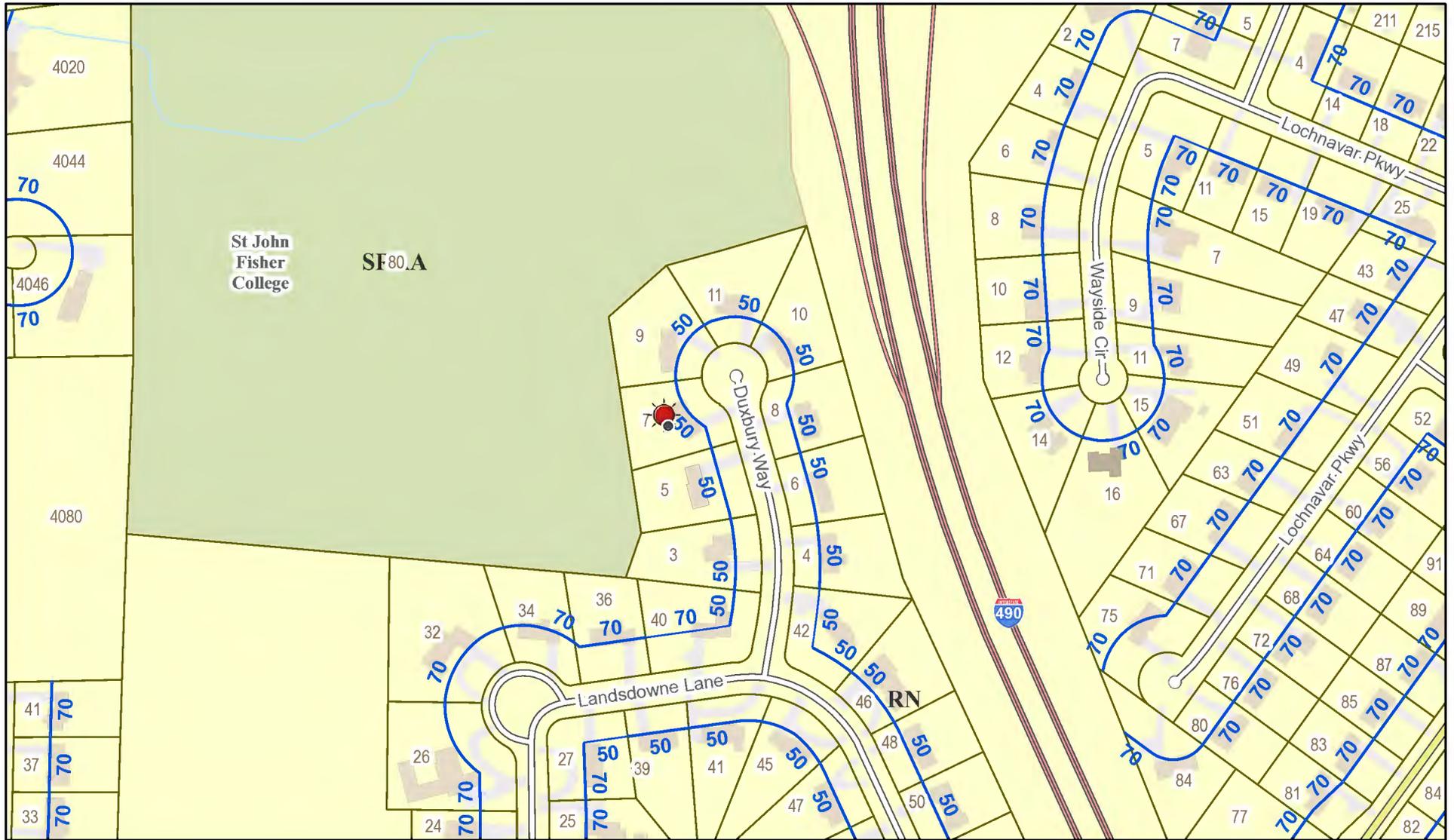
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Date

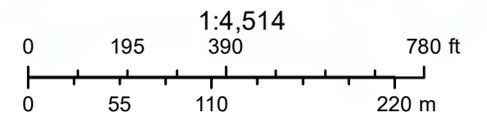
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning

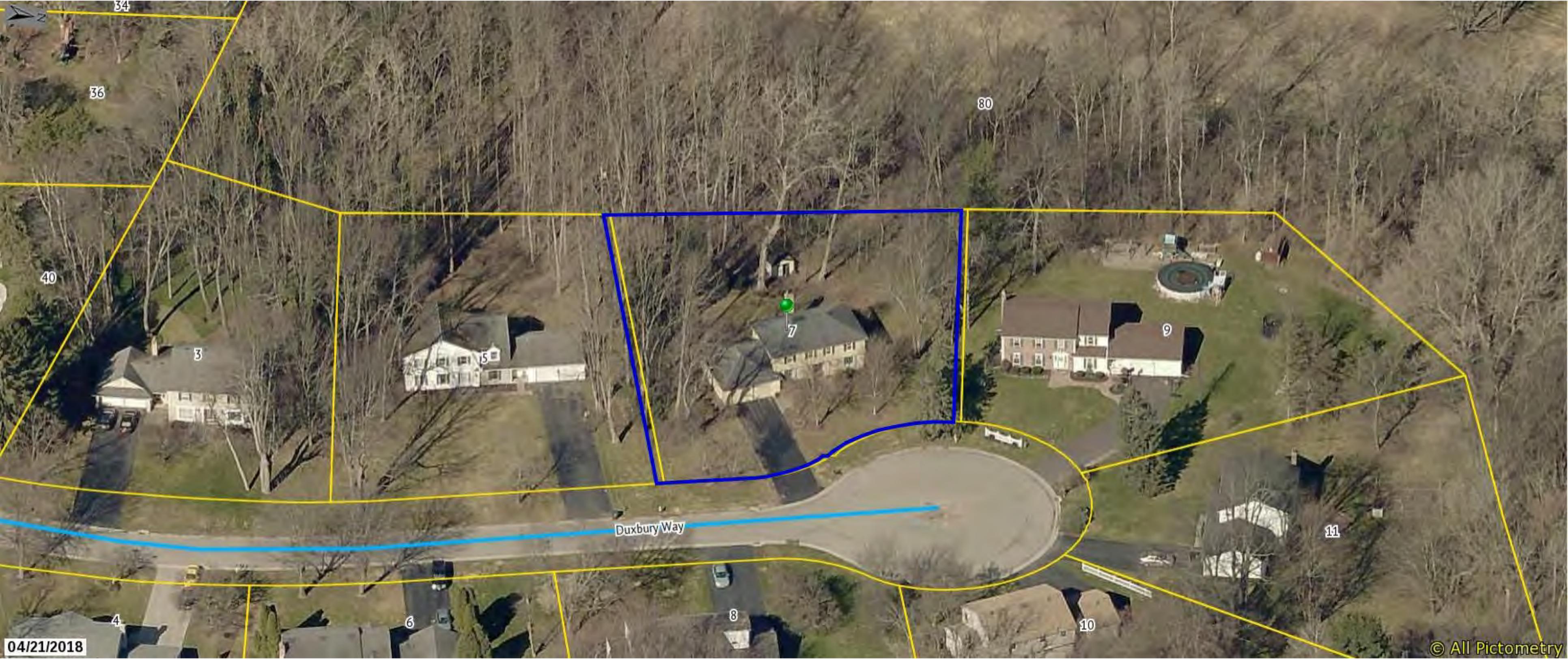


Printed June 2, 2020



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.



36

80

40

3

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Duxbury Way

4

6

8

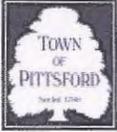
10

04/21/2018

© All Pictometry

Print Form

Reset Form



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

Submission Date: April 30, 2020 Hearing Date: \_\_\_\_\_

Applicant: Ryan Mooney \_\_\_\_\_

Address: 7 Duxbury Way Rochester NY 14618 \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Application For:  Residential  Commercial  Other

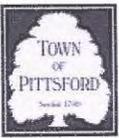
Please describe, in detail, the proposed project:

Convert shed from 8x10 to 14x20

**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)

4/30/20  
(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, Ryan Mooney, the owner of the property located at:

7 Duxbury Way Rochester NY 14618

(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 \_\_\_\_\_

*Ryan Mooney*

(Signature of Owner)

4/30/20

(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 current shed is located in a heavily wooded area in my backyard that is not visible by neighbors or the street. The current size is 8x10. I wish to simply increase the size of the shed in the same spot to 14x20. The shed will remain in a heavily wooded area that is not visible by neighbors or the street.

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 square footage of the shed does not allow me to store my necessary home and garden items such as patio furniture, garden tools, mower etc. The new shed will allow proper storage for all these items.

**TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

minimal, simply adding size to current shed

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:

There is zero adverse effects to neighborhood/zoning district as the shed is not visible

● **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

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

\_\_\_\_\_  
(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)

Ryan Mooney

7 Duxbury Way

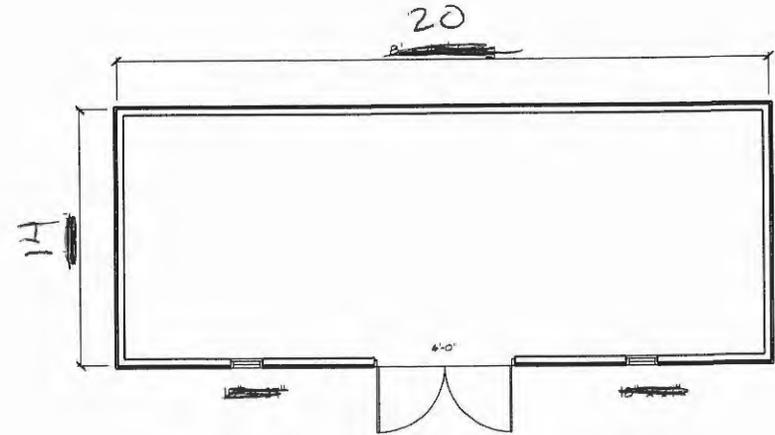
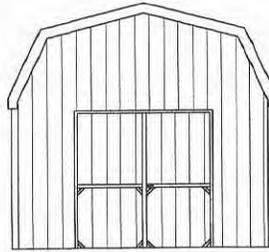
\_\_\_\_\_  
(Signature of Applicant)

4/30/20  
(Dated)

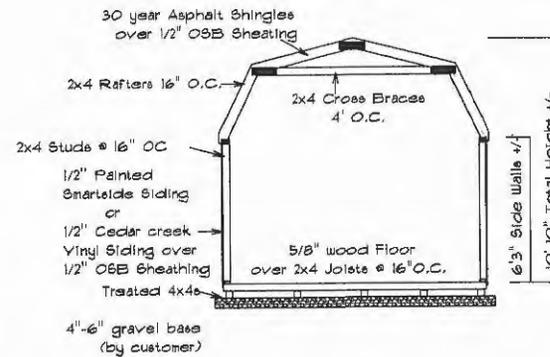
7 Duxbury Way  
(Street Address)

Rochester NY 14618  
(City/Town, State, Zip Code)

NOTE:  
BUILDING DESIGNED  
TO BE FREESTANDING.



For:  
  
Hywall Shed

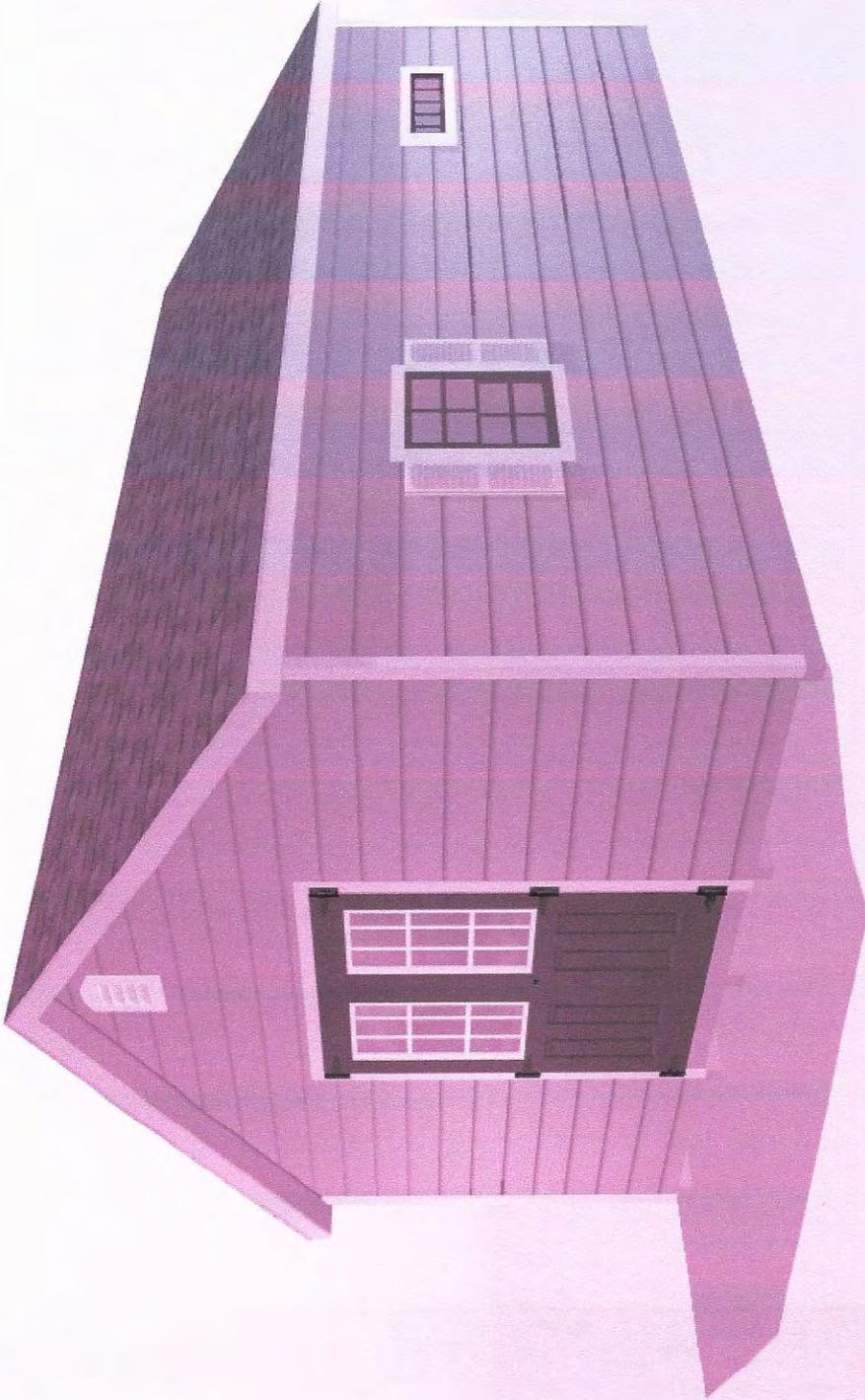


- Notes:
1. Snow Load - 50 psf
  2. Wind Load - 100 mph
  3. Weathering - Severe
  4. Termites - Moderate to Heavy
  5. Decay - Slight to Moderate
  6. Flood Hazard/See Local Flood Maps

- Note: Specifications:
1. 2 x 4 - SPF - Spruce, Pine, Fir  
Stud Grade No. 2
  2. Siding - 1/2" Smart Panel or Vinyl
  3. Occupancy Classification - Utility (Storage)



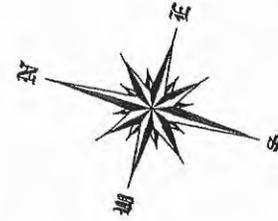
Section Detail with Concrete, built on site



14 X 20

"UNAUTHORIZED ALTERATIO  
BEARING A LICENSED LAN  
SECTION 7209, SUB-DIVIS

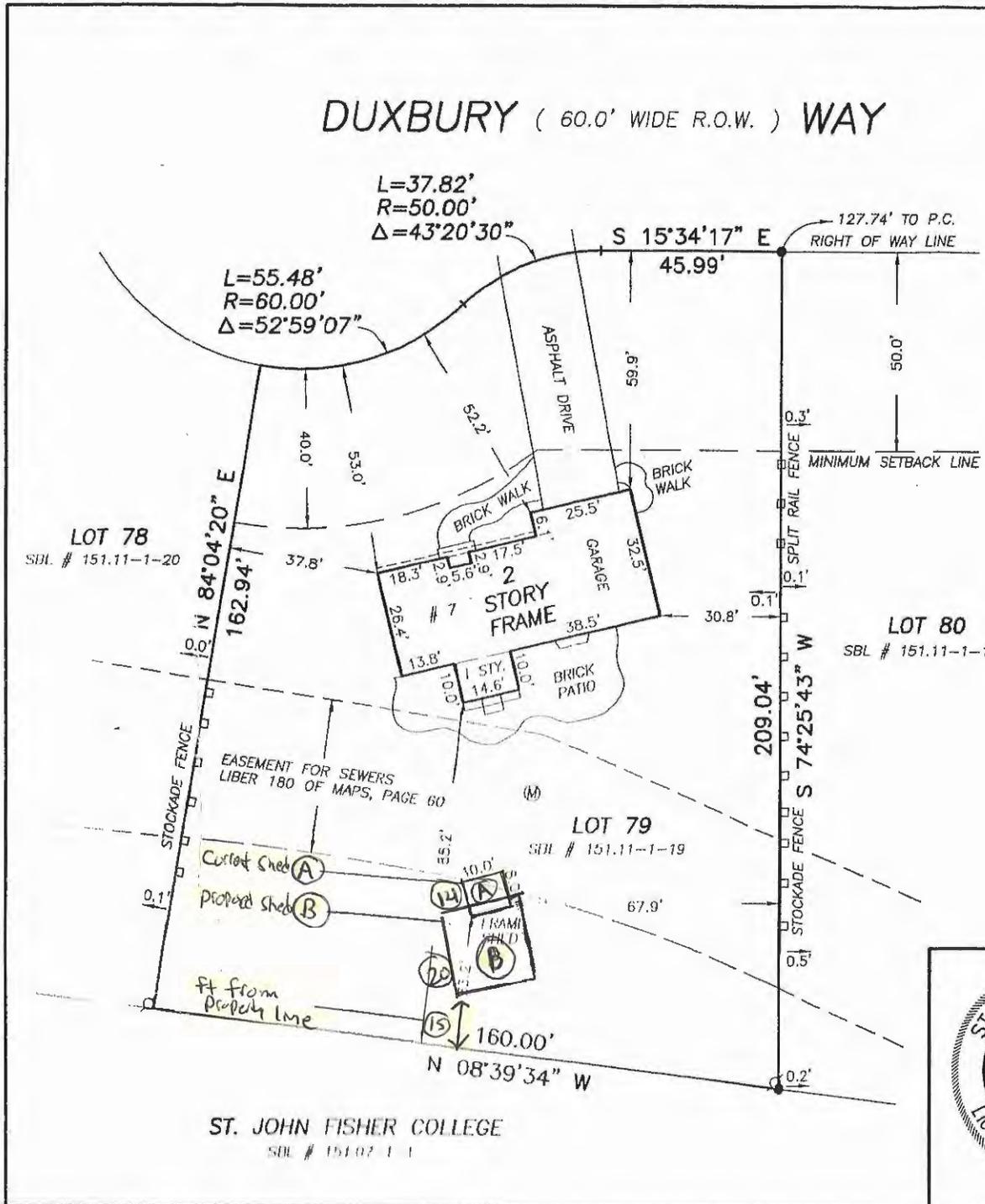
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**LEGEND**

- DENOTES: IRON PIN FOL
- Ⓜ DENOTES: MANHOLE
- ⊗ DENOTES: UTILITY POLE

# DUXBURY ( 60.0' WIDE R.O.W. ) WAY



**REFERENCES:**

- 1) FOUR CORNERS ABSTRACT CORPORATION, ABSTRAC
- 2) LIBER 10175 OF DEEDS, PAGE 344
- 3) LIBER 180 OF MAPS, PAGE 60

**NOTES:**

- 1) PARCEL SUBJECT TO AN EASEMENT GRANTED TO AND ROCHESTER TELEPHONE CORPORATION FOR I AS SET FORTH IN LIBER 3976 OF DEEDS, PAGE .
- 2) REFERENCE IS MADE TO AN EASEMENT GRANTED FOR GAS MAINS THROUGH, ALONG, AND ACROSS LIBER 3976 OF DEEDS, PAGE 293

**CERTIFICATIONS:**

- I HEREBY CERTIFY TO:
- 1) PITTSFORD FEDERAL CREDIT UNION, ISAOA
  - 2) THE TITLE COMPANY INSURING THE MORTGAGE
  - 3) WEINER, LAWRENCE & FERRIS
  - 4) RYAN M. MOONEY
  - 5) JOHN J. CONSIDINE, JR., ESQ.
- THAT THIS MAP WAS PREPARED FROM THE NOTES OF COMPLETED AUGUST 23, 2008 AND REFERENCES SIK

*James C. Colton*  
 JAMES C. COLTON, P.L.S. #050150



**MAP C**

EAST AVENUE  
 101  
 COUNTY OF MONTGOMERY

**COLTON LAND SURVEY**  
 108 NUNDA BLVD.  
 ROCHESTER, NY, 14610  
 PHONE (585)244-2395 FAX (585)244-2396

ST. JOHN FISHER COLLEGE  
 SBL # 151.07.1.1

# Zoning Board of Appeals Referral Form Information

**Property Address:**

105 Stuyvesant Road PITTSFORD, NY 14534

**Property Owner:**

Beel, John A  
105 Stuyvesant Rd  
Pittsford, NY 14534

**Applicant or Agent:**

Beel, John A  
105 Stuyvesant Rd  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
Right Lot Line:	10	Right Lot Line:	4	Right Lot Line:	6.0
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):** 185-113 B (6)

Description: Applicant is requesting relief from Town Code §185- 113 B (6) for the construction of a garden shed located in the rear yard and encroaching into the side setback. The structure is proposed to be located approximately 4' from the right side setback and outside of the rear buffer zone.

June 04, 2020



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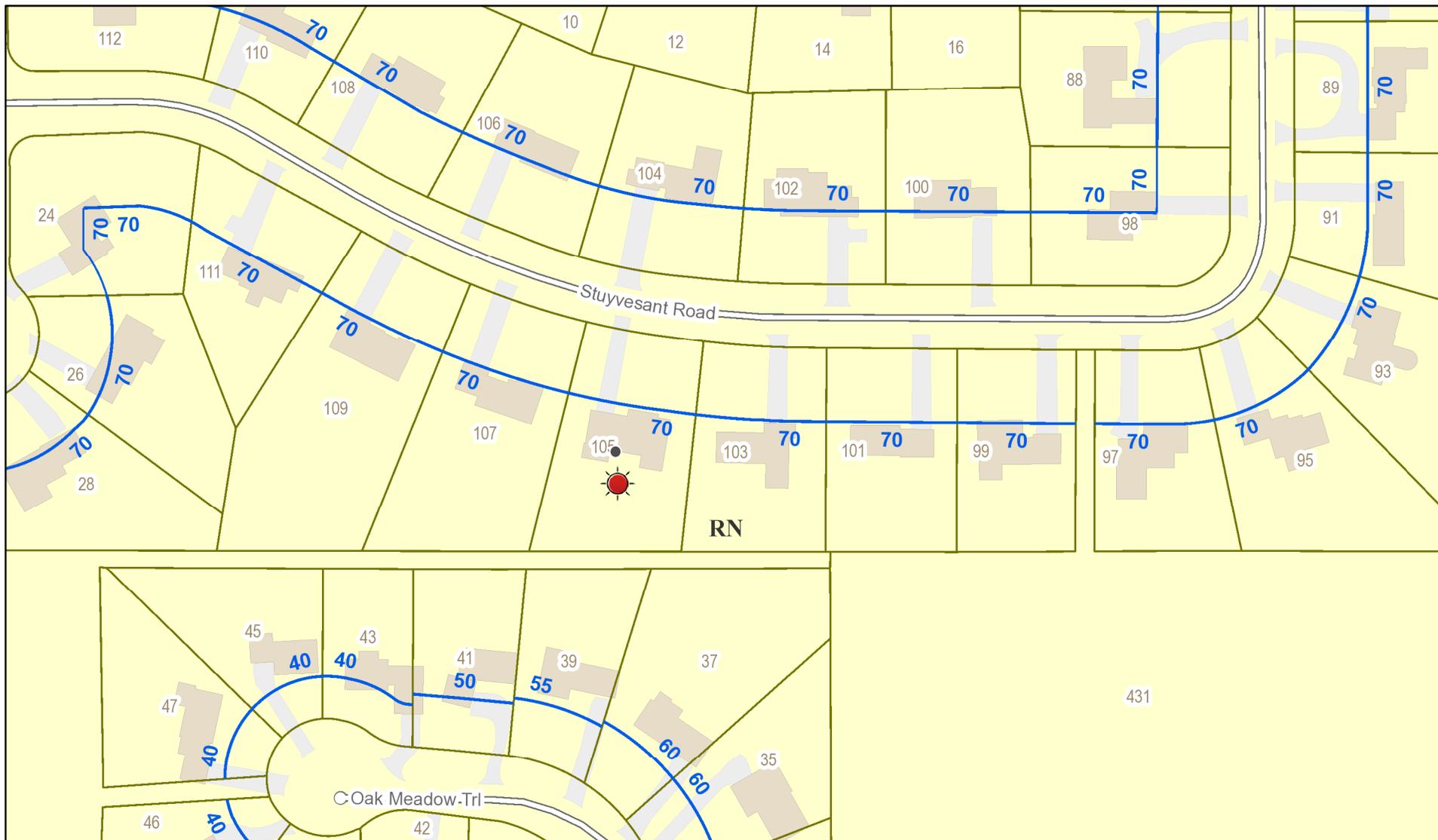
Date

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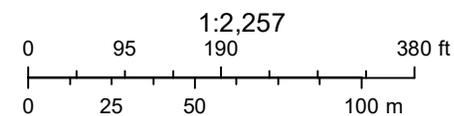
Mark Lenzi - Building Inspector CEO

File Name:  
Description:  
Added By:  
Date Added:

# RN Residential Neighborhood Zoning

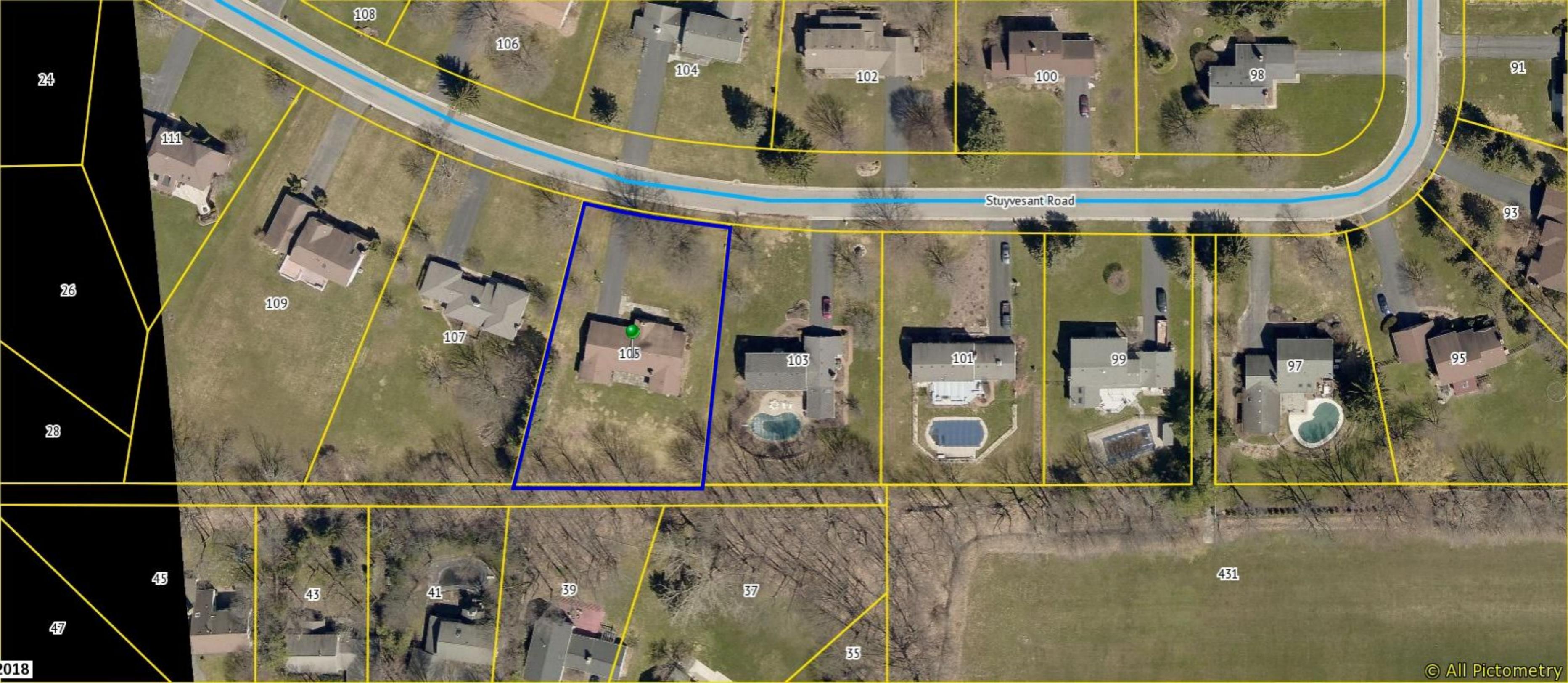


Printed June 2, 2020



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.



24

108

106

104

102

100

98

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111

Stuyvesant Road

93

26

109

107

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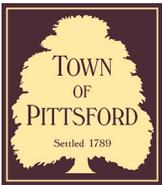
431

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47

04/21/2018

© All Pictometry



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

Submission Date: \_\_\_\_\_ Hearing Date: June 15

Applicant: John and Robin Beel

Address: 105 Stuyvesant Rd

Phone: 880-1227 E-Mail: mrbdoremi@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: Charter Oaks Neighborhood Current Zoning: Residential

Tax Map Number: 178.11-1-18

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

We would like to erect a Lifetime shed in the Rear Yard area, 4 feet from the West property line. Placing the shed in the Rear Buffer is not an option. The back section of the property is wooded. The section directly in front of that is low and wet for a large part of the year.  
We are requesting that the shed be allowed 4 feet from the property line because the standard 10 feet would leave dead space behind the shed while pushing the shed toward the center of the yard. The shed would be just behind the line of the rear wall of the house. The shed dimensions would be 14'8" (w) x 7'8" (d) x 8' (h)

**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)*

May 14, 2020

*(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 color scheme of the shed is brown and tan, matching the color scheme of our home.
- The neighbors directly to the West have a large tree directly across from where the shed would be. When the tree has leaves, it would completely block their view of the shed from their back yard and back windows. The view of the shed from some of their side windows would also be obscured. The tree would also block the view from all the other houses and yards to the West.

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

- Placing the shed in the Rear Buffer is not an option. The back section of the property is wooded. The section directly in front of that is low and wet for a large part of the year.
- If the shed is placed the standard 10 feet, there would be a dead space behind the shed while obstructing usable space near the center of the yard.
- The shed should be placed on the West side of the property so that it is on the opposite from the drainage easement, and also for proximity to the garage and planned vegetable garden.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The variance achieves substational justice due to several unique factors about our property. First, most of the rear buffer section of the yard is wooded. Secondly, our yard is the lowest property on our block. There is a small drainage channel just in front of the wooded area, and the area in front of that is wet for a majority of the year. Lastly, there is a sewer and drainage easment running down one side of the property, limiting the options for use.

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 catch basin is on the opposite side of the property, in the back.

- **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.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Beel Shed

*(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)*

May 14, 2020

*(Dated)*

105 Stuyvesant Rd

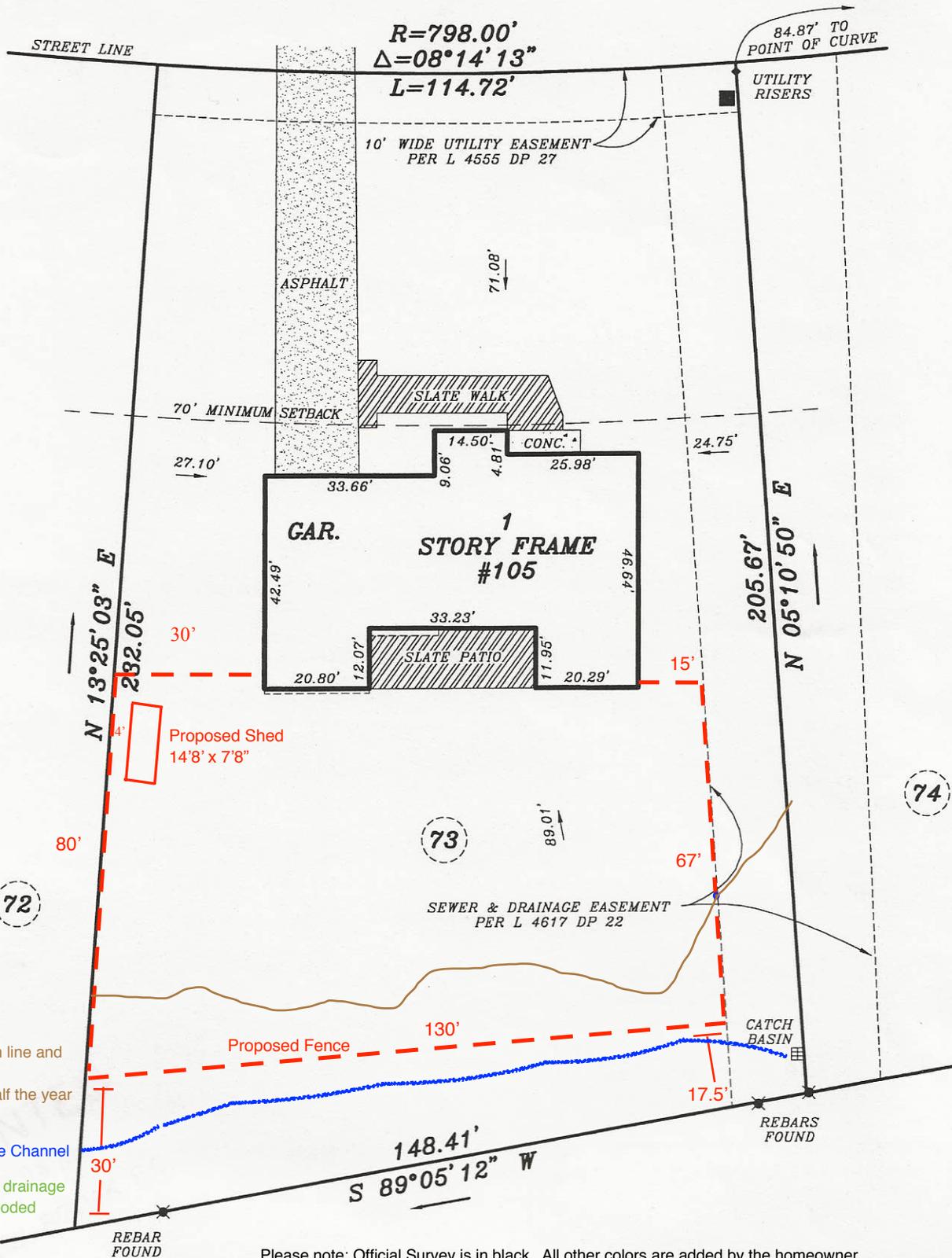
*(Street Address)*

Pittsford, NY 14534

*(City/Town, State, Zip Code)*

# STUYVESANT (60' WIDE)

# ROAD



Area between brown line and drainage channel - wet for more than half the year

Drainage Channel

Area south of drainage channel is wooded

Please note: Official Survey is in black. All other colors are added by the homeowner. scale 1" = 30'

# Zoning Board of Appeals Referral Form Information

**Property Address:**

393 Thornell Road PITTSFORD, NY 14534

**Property Owner:**

Kleindienst, Steven J  
393 Thornell Rd  
Pittsford, NY 14534

**Applicant or Agent:**

Kleindienst, Steven J  
393 Thornell Rd  
Pittsford, NY 14534

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

<b>Town Code Requirement is:</b>		<b>Proposed Conditions:</b>		<b>Resulting in the Following Variance:</b>	
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:	180	Size:	192	Size:	-12.0

**Code Section(s):** 185-113 B (1) & (6)

Description: Applicant is requesting relief from Town Code §185- 113 B (1) & (6) for the construction of an oversized accessory structure (Storage Shed) located in the rear yard and encroaching into the left side setback. The structure is proposed to be approximately 192 Sq. Ft. with a right side setback of 5'.

June 04, 2020



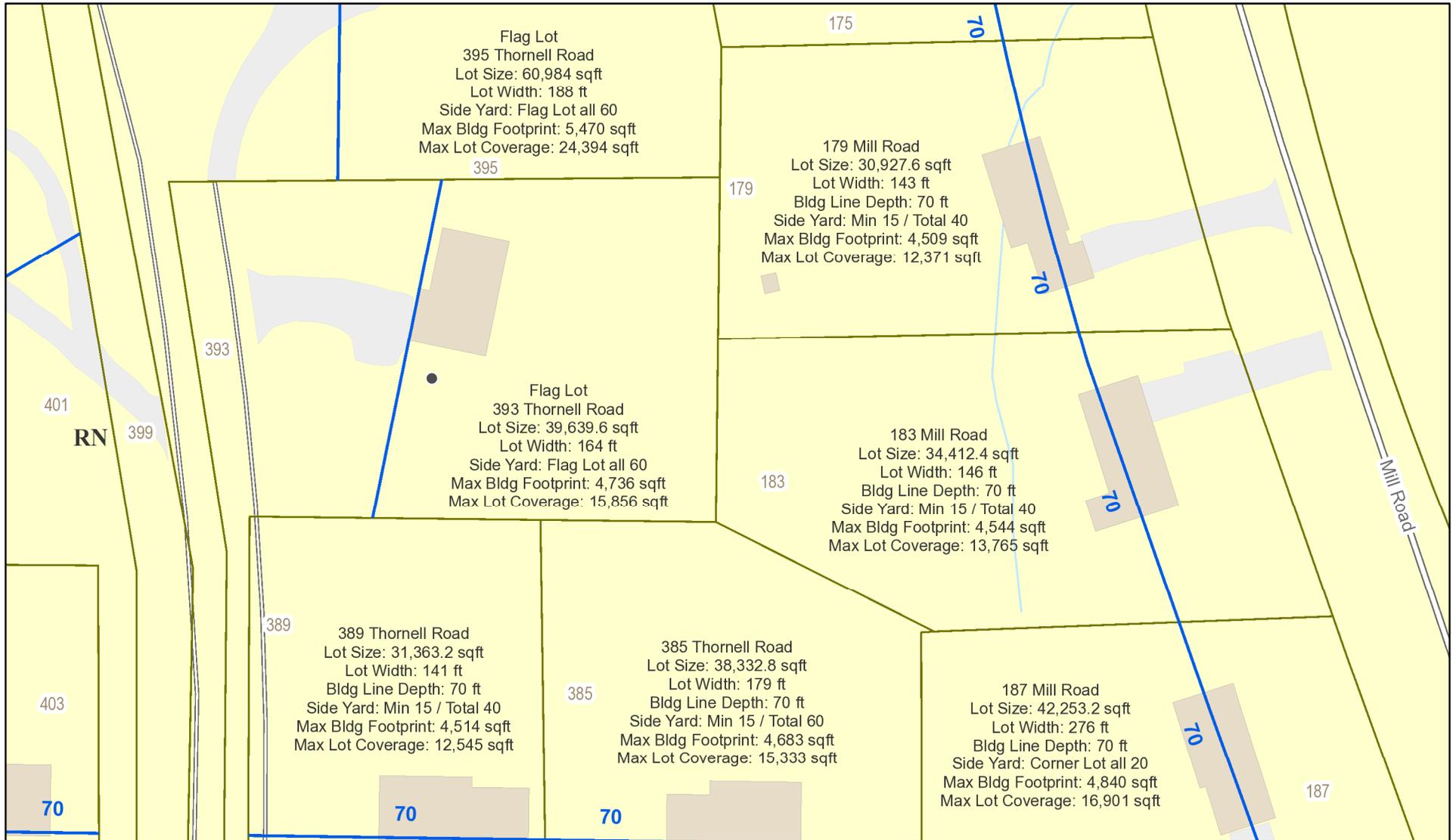
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Date

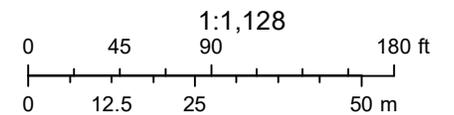
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning



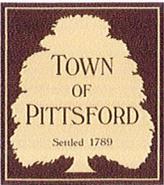
Printed June 2, 2020



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.





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

Submission Date: 4/24/2020 Hearing Date: \_\_\_\_\_

Applicant: STEVEN KLEINDIENST

Address: 393 THORNELL RD

Phone: 585-662-9745 E-Mail: SKLEINDI393@GMAIL

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: 393 THORNELL RD Current Zoning: RESIDENTIAL

Tax Map Number: 178.04-1-59.1

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

I would like to build a 12' x 16' FOOT UTILITY SHED IN THE REAR LEFT (North/EAST) CORNER OF THE LOT.

**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.

[Signature]  
(Owner or Applicant Signature)

4/24/2020  
(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 HAVE AN ALMOST SQUARE LOT WITH NATURAL BOUNDARIES GIVING PRIVACY. THE UTILITY SHED WILL HOUSE A UTILITY TRAILER AND PATIO FURNITURE WHICH CURRENTLY NEED TO BE TARPED WHEN NOT IN USE IN THE SAME LOCATION. THE SHED WILL ADD TO PROPERTY APPEARANCE AND ORGANIZATION

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 PROPERTY IS A FLAG LOT REQUIRING 60' SET BACKS. THIS WOULD FORCE THE LOCATION OF AN OUTBUILDING INTO AN UNNATURAL LOCATION ON THE PROPERTY. CURRENT APPLICATION FOR VARIANCE WILL FIT BUILDING 5-10' OFF PROPERTY LINE INTO A NATURAL LOCATION.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

MINIMAL - THE LOT IS LARGE ENOUGH TO FIT A SHED. THE LOCATION WILL HAVE MINIMAL VISUAL IMPACT ON NEIGHBORS, SEVERAL OF WHICH ALSO HAVE SHEDS

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 STRUCTURE WILL BE LOCATED IN AN AREA ALREADY CLEAR OF TREES; BUSHES. IT WILL ALSO BE USED TO STORE YARD/OUTDOOR EQUIPMENT MORE SECURELY; AESTHETICALLY PLEASINGLY

- **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?

I FEEL THIS WILL BE AN ENHANCEMENT / INVESTMENT INTO THE NEIGHBORHOODS. NOT A DIFFICULTY

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

UTILITY SHED - 393 THORNELL RD  
(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]  
(Signature of Applicant)

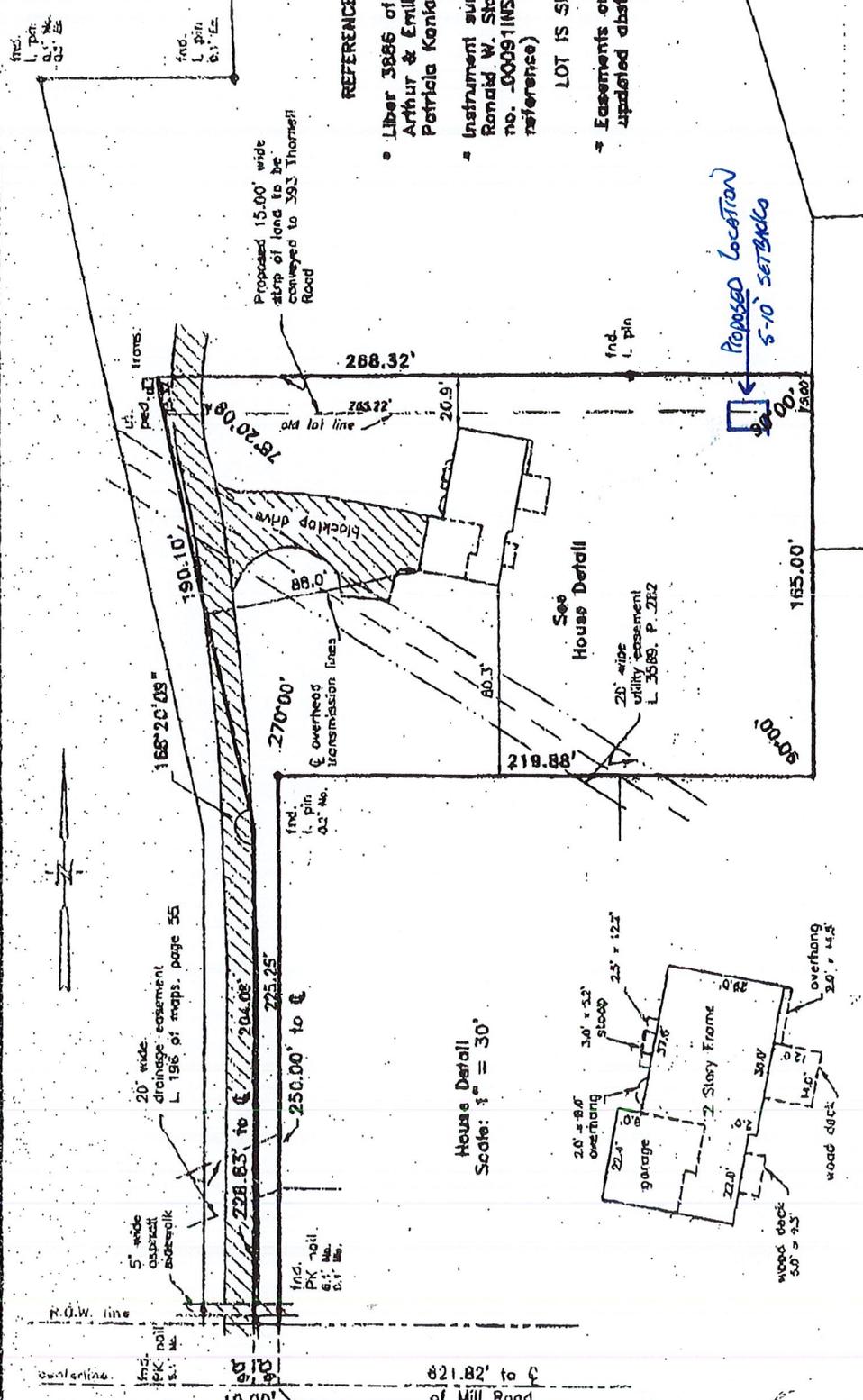
4/24/2020  
(Dated)

393 THORNELL RD  
(Street Address)

PITTSFORD, NY 14534  
(City/Town, State, Zip Code)

"Miscellaneous" character or address:  
 a survey made bearing & distance from  
 survey made by C. Madison of South  
 7200' sub-division 2 of the New York  
 State Education Land.

"They shall have the right of way  
 of 15.00' wide strip of land to be  
 conveyed to 393 Thornell  
 Road."



**REFERENCES:**

- Liber 3886 of deeds, page 280; Arthur & Emily Heath to Kenneth & Patricia Konko.
- Instrument survey map prepared by Ronald W. Staub dated 6/13/01; job no. 000911MS. (angle and distance reference)

LOT IS SUBJECT TO:

- Easements or encumbrances an updated abstract may show.

**INSTRUMENT LOCATION MAP**

393 Thornell Road

Situated in Lot 9, Township 12, Range 5  
 Town of Pittsford, Monroe County  
 New York State

EDWIN A. SUMMERS  
 Land Surveyor  
 L.S. No. 49446

43 Parkwood Lane  
 Pittsford, N.Y. 14526  
 (716) 586-1450

Scale: 1" = 50'

March 7, 2002

I certify this map was made  
 March 7, 2002 from notes of an  
 instrument survey completed on  
 March 7, 2002.

*Edwin A. Summers*

Edwin A. Summers  
 Land Surveyor No. 49446

This map is certified to:

- Flagstar Bank, its successors and/or assigns,
- Alexander Law Offices
- Christopher Kom
- Betty Kom
- March & Wise, P.C.
- First American Title Insurance Company.

Revised 3/1/02 (easements, north, set, line)

Thornell Road  
 (County Rte. 33)  
 (49.5' R.O.W.)

