

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
AGENDA  
June 17, 2019**

**PUBLIC HEARING FOR AN AREA VARIANCE**

- 1 Sassafras Lane, Tax # 179.09-1-11, Applicant is requesting a special permit pursuant to §148-9 C to allow the storage of a 30' long 10' 6" high recreational vehicle to be located on the side of the garage. The recreational vehicle is proposed to be stored at the property from April 30 to October 30. Property zoned RN – Residential Neighborhood District
- 160 Mill Road, Tax # 178.04-1-72, Applicant is requesting relief from Town Codes §185 – 121 A to construct a 6 foot tall fence forward of the front wall of the home on the north and south property lines. Town Code limits the height of fences to 3 feet when placed forward of the front of a home. This property is zoned RN- Residential Neighborhood.
- 1 Glencannon Trail, Tax # 164.07-2-7.1, Applicant is requesting relief from Town Code §185-17 I to locate an accessory structures (Hot tub) in the rear setback of the property at approximately 5 feet from the property line. Town Code requires a 20 foot rear setback. This Property is located on the corner of two streets and is zoned RN – Residential Neighborhood District
- 25 Harwood Lane, Tax # 138.19-1-3, Applicant is requesting relief from Town Code §185-113 B (1), (2) & (6) and §185 – 17 E to allow construction of an addition of approximately 500 ft<sup>2</sup> attached to an existing 400 ft<sup>2</sup> detached garage. The oversized accessory structure will be constructed to a height of approximately 14 feet at the front and approximately 20 feet at the rear. The addition will encroach into the side setback approximately 11 feet. Property is zoned RN – Residential Neighborhood District.
- 153 Mendon Center Road, Tax # 178.05-1-87, Applicant is requesting relief from Town Code §185-17 B (1); §185 – 113 B (3); §185 – 119 A (1) §185 – 121 A. to construct an in-ground swimming pool located forward of the rear wall of the home and forward of the building line. The pool filter and heater will be located forward of the rear wall of the home and the swimming pool area will be enclosed by a 4 foot high fence. The fence will be located forward of the front of the home. This property is zoned RN – Residential Neighborhood District.

**OTHER**

- Review and Approval of the May 20, 2019 Minutes

*draft*  
**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
MINUTES  
May 20, 2019**

**PRESENT**

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

**ALSO PRESENT**

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

**ABSENT**

Robert Koegel, Town Attorney

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

Mark Lenzi indicated that the application before the Board this evening is a 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**

- 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

George Dounce opened the Public Hearing.

The homeowner, Taylor Wold, was present.

Mr. Wold described the changes from his prior application which was approved in January of 2019. The plan now calls for the garage to be moved forward 6 ft. and will be balanced by a front porch. Mr. Wold indicated he has talked to his neighbor about the project. The prior side setback will still be required. He stated he would like to begin the project as soon as possible, weather permitting.

There was no public comment.

After further discussion amongst the Board members, Phil Castleberry moved to close the public hearing and Mike Rose seconded.

All Ayes.

## **DECISION FOR 255 WOODLAND ROAD – AREA VARIANCE**

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

Chairman George Dounce called for a roll call vote.

Michael Rose voted	aye
Barbara Servé voted	aye
Jaime Waldman voted	aye
David Rowe voted	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 and application submitted by the Applicant and dated April 12, 2019.
2. All construction is to be completed by 12/31/21.
3. This application is subject to the approval of the Design Review & Historic Preservation Board.

## **APPROVAL OF THE MEETING MINUTES OF APRIL 15, 2019**

George Dounce moved to accept the minutes of April 15, 2019 as written.

VOICE VOTE: Ayes – All

## **OTHER – Point Persons for June 17 meeting**

1 Sassafras Lane – RV Special Permit – Mike Rose

160 Mill Road – Barbara Servé

153 Mendon Center Road - Jaime Waldman

25 Harwood Drive - Mary Ellen Spennacchio-Wagner

1 Glencannon Trail – David Rowe

## **MEETING ADJOURNMENT**

George Dounce moved to adjourn the meeting at 7:35 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:**

1 Sassafras Lane PITTSFORD, NY 14534

**Property Owner:**

Hannie, Douglas D  
1 Sassafras Ln  
Pittsford, NY 14534

**Applicant or Agent:**

Hannie, Douglas D  
1 Sassafras Ln  
Pittsford, NY 14534

**Present Zoning of Property:** RN Residential Neighborhood  
Special Permit - Recreational Vehicle Storage

<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: 0	Size: 0	Size: 0.0

**Code Section(s):** 148-9

Description: Applicant is requesting a special permit pursuant to §148-9 C to allow the storage of a 30' long 10' 6" high recreational vehicle to be located on the side of the garage. The recreational vehicle is proposed to be stored at the property from April 30 to October 30.

June 05, 2019



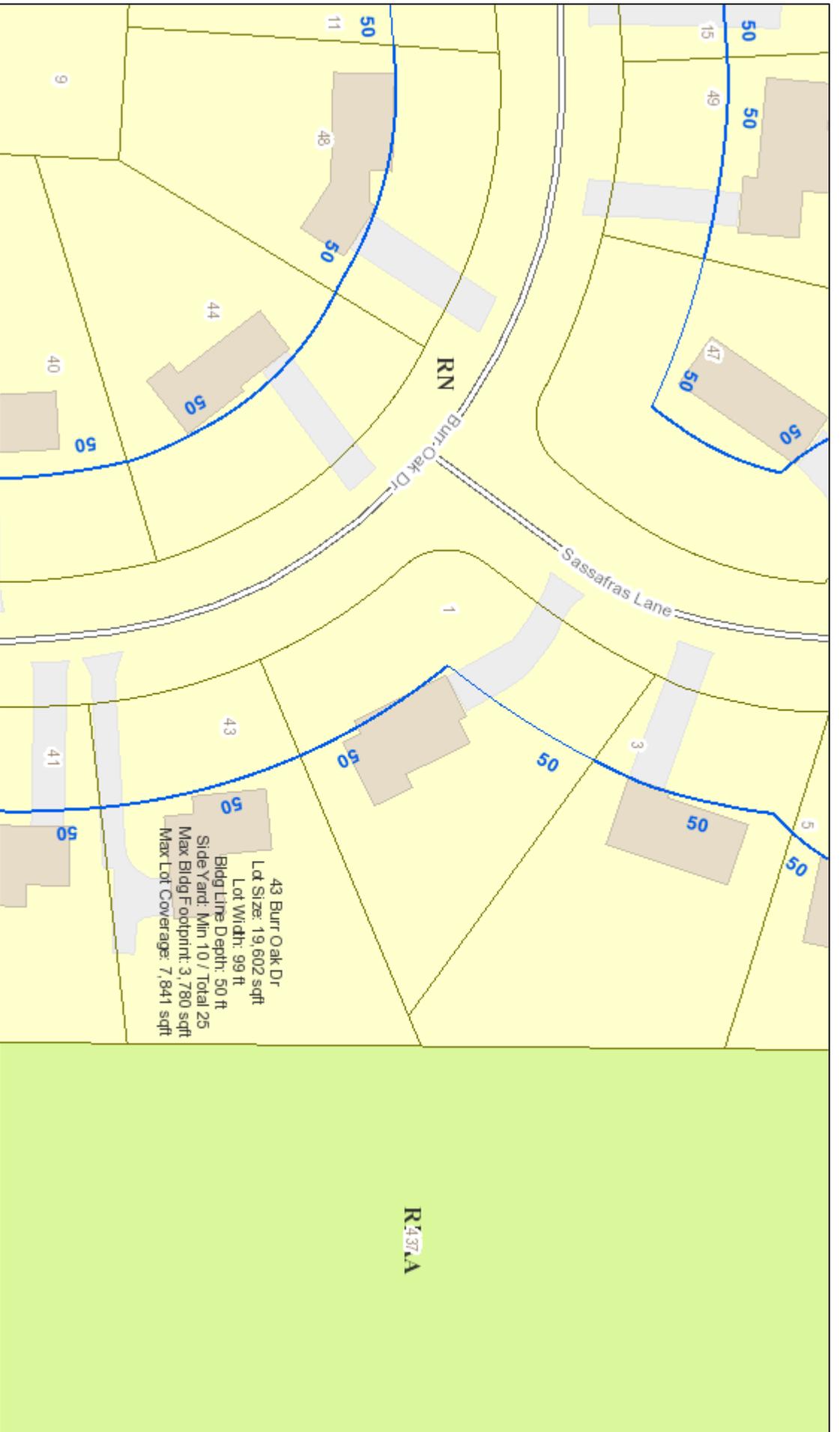
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Date

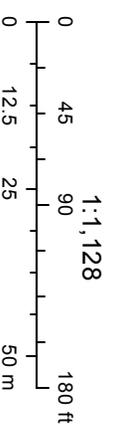
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning



Printed June 5, 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.



49

47

Burr Oak Drive

Sassafas Lane

Burr Oak Drive

44

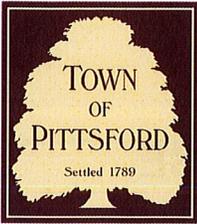
48

40

43

3

437



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

# TOWN OF PITTSFORD

## RECREATIONAL VEHICLE STORAGE SPECIAL PERMIT APPLICATION FORM

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

OWNER: DOUG HANNIE APPLICANT: \_\_\_\_\_  
 ADDRESS: 1 SASSAFRAS LANE ADDRESS: \_\_\_\_\_  
 CITY, ST. ZIP: PITTSFORD, NY 14534 CITY, ST. ZIP: \_\_\_\_\_  
 PHONE: 585-662-3266 PHONE: \_\_\_\_\_  
 FAX: \_\_\_\_\_ FAX: \_\_\_\_\_  
 E-MAIL: HANNIE.INSURANCE@gmail.com E-MAIL: \_\_\_\_\_

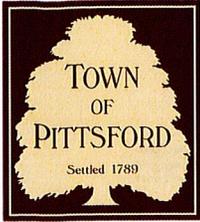
AGENT: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 CITY, ST. ZIP: \_\_\_\_\_  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_  
 E-MAIL: \_\_\_\_\_

### DESCRIPTION OF PROPERTY FOR WHICH SPECIAL PERMIT APPROVAL IS SOUGHT

Address: 1 SASSAFRAS LANE, PITTSFORD, NY 14534  
 Present zoning of the property: RESIDENTIAL  
 Tax parcel number: 179-090-01-011  
 Size of parcel in acres / square feet (specify): .49 ACRES  
 Distance and direction to nearest major intersection: 1/2 MILE, THURNELL + OAK LEAF  
 If this parcel is within 500' of a municipal boundary, please specify: NO

(Municipality)

RV. LENGTH 30'  
 HEIGHT 10'6"



# TOWN OF PITTSFORD

## RECREATIONAL VEHICLE STORAGE SPECIAL PERMIT APPLICATION FORM CHECK LIST

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

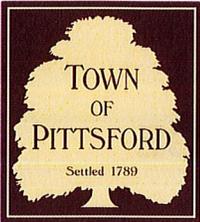
**CHECKLIST:** Please check your paperwork against the following list prior to submitting it to the Zoning Board of Appeals Secretary. These documents should be collated into packets no larger than 8 ½" by 11" in size so they are readily mailable.

- 1. Zoning Board of Appeals application form.
- 2. ~~Authorization to make application.~~
- 3. ~~Proof of contractual relationship.~~
- 4. Instrument survey map.
- 5. Sketch. *of RV (or pix) measurements*
- 6. Photographs. *of property in every direction of where RV will be parked.*
- 7. Registration.
- 8. Additional materials, such as maps, landscape plans, specifications, details, etc. which would further clarify the application.
- 9. Factors questionnaire.
- 10. Disclosure Form E.
- 11. Check made out to "Town of Pittsford" for application fee.

**RECEIVED FROM APPLICANT:**

- 1 complete set of application materials
- Fee Payment

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



# TOWN OF PITTSFORD

## FACTORS QUESTIONARE RECREATIONAL VEHICLE STORAGE SPECIAL PERMIT APPLICATION

1. Reasons why no undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the requested Special Permit.

THE RV WILL BE HIDDEN BEHIND THREE LARGE TREES AND A COUPLE BUSHES. THE REQUEST IS FOR APRIL 30 - OCTOBER 30 WHEN THE FOLIAGE IS PRESENT SO THE RV WILL BE MUCH LESS OBSERVABLE. WE CUT DOWN A 40' PINE TREE TO ALLOW THE RV TO BE MOVED ~~BE~~ OUTSIDE OF OBSERVABLE VISION, ~~AND~~ ~~BE~~

2. Reasons why the Special Permit is needed and there is no reasonable alternative to the proposed Recreational Vehicle storage location.

SPECIAL PERMIT IS REQUIRED BY TOWN OF PITTSFORD.

DURING THE SUMMER THE RV WILL BE USED MANY OF THE SUMMER DAYS AND WON'T BE PRESENT ON THE PROPERTY. WE STORE THE RV IN CANANDAIGUA DURING THE WINTER MONTHS, BUT WOULD LIKE TO HAVE ACCESS TO IT DURING THE SUMMER.

3. Proposed and/or existing fencing and/or vegetative screening.

CURRENTLY TREES AND BUSHES WILL SCREEN THE RV AND WE CUT DOWN ONE LARGE TREE TO MAKE ROOM FOR THE RV BEHIND THE HOUSE.

IF THE TOWN DEEMS IT NECESSARY WE WILL PLANT MORE TREES/BUSHES.

**NOTE: Please give detailed explanations for the above Factors that the Zoning Board of Appeals will consider when reviewing Recreational Vehicle storage Special Permit applications.**

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

(Project Name)

The undersigned, being the applicant to the Town of Pittsford Zoning Board of Appeals for a Special Permit for the storage of Recreational Vehicles, pursuant to the provisions of the Pittsford Municipal Code, 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

Address

DOUG HANNIBLÉ

1 SASSAFRAS LANE

PITTSFORD, NY 14534

*Doug Hanniblé*

Signature of Applicant

4/10/19

Dated

1 SASSAFRAS LANE

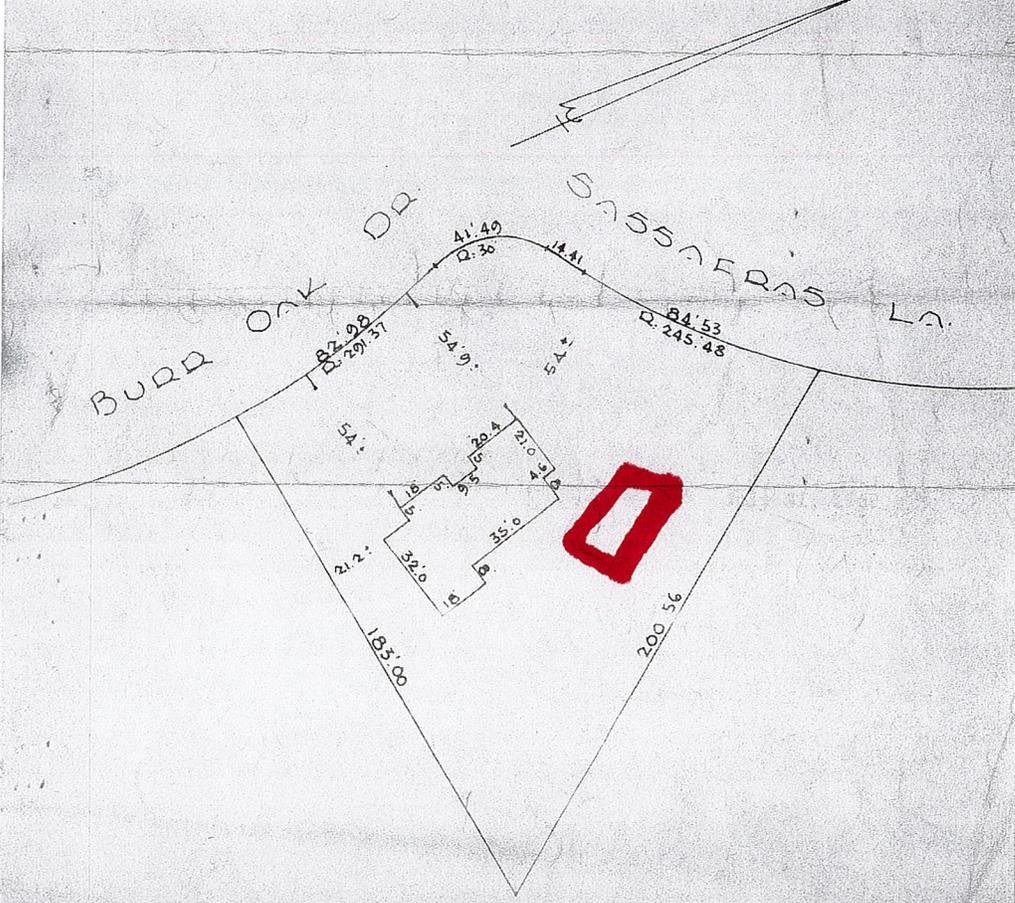
Street Address

PITTSFORD, NY 14534

City/Town, State, Zip Code

STANDARD TAPE LOCATION MAP

NAME \_\_\_\_\_  
 STREET BURR OAK DR CITY/TOWN PITTSFORD N.Y.  
 LOT NO. 156 SUBDIVISION MILL VALLEY EST.  
 REFERENCE DATA. LIBER \_\_\_\_\_ OF MAPS PAGE \_\_\_\_\_ LIBER \_\_\_\_\_ OF DEEDS. PAGE \_\_\_\_\_  
 SHOWING FR 2 STORY DWELLING; GARAGE (~~NOT~~) ATTACHED  
 DISTANCE AS SHOWN FROM ALL PROPERTY LINE ACTUALLY MEASURED.  
 MONUMENTS USED: YES NO  
 ALL BUILDINGS ON PREMISES AND ANY APPARENT ENCROACHMENT BY OR ON PREMISES ARE SHOWN  
 MAIN FRONT WALL IS (~~IS~~ NOT) ON APPARENT UNIFORM SET-BACK LINE.



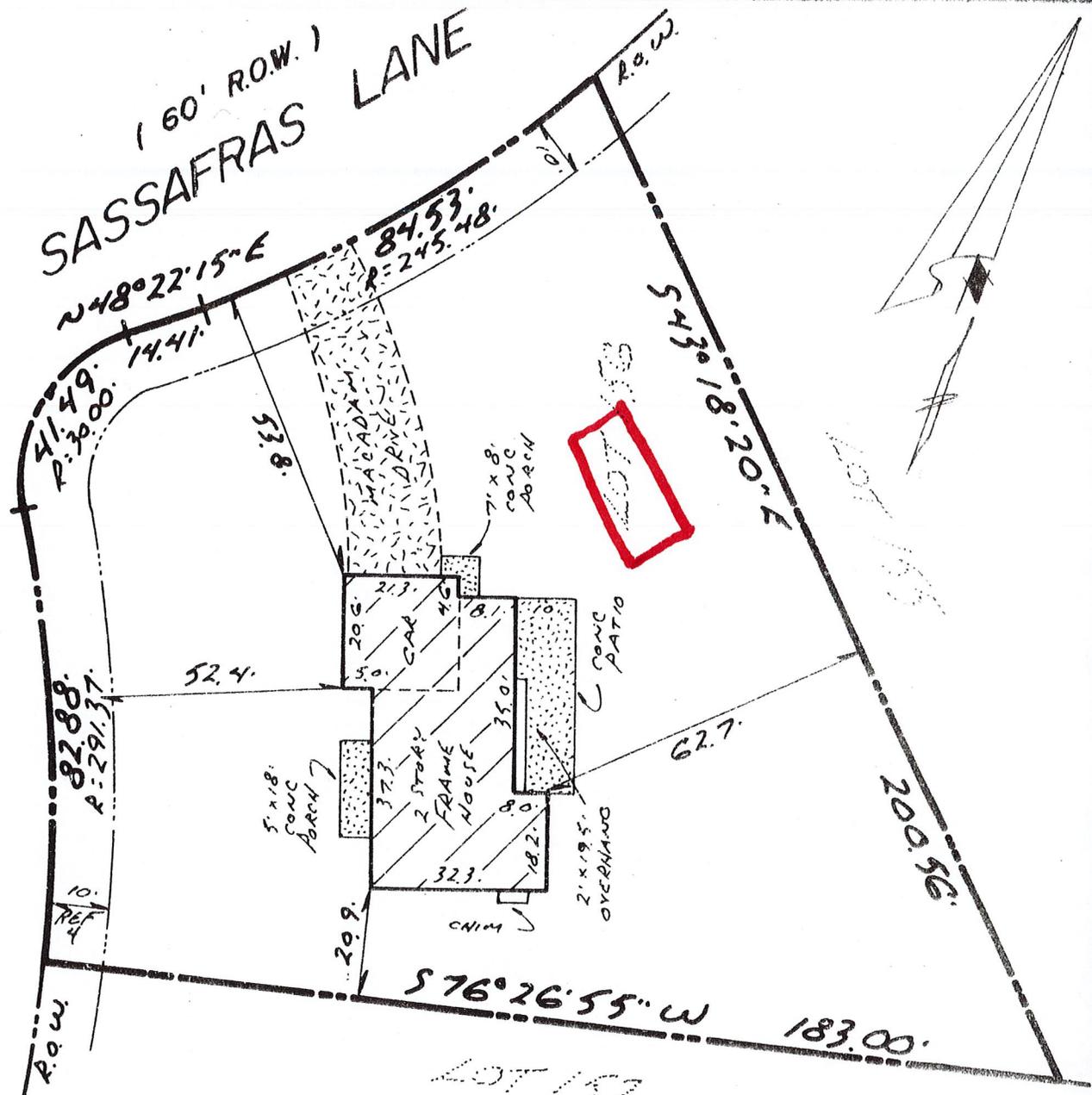
SCALE 1" = 40' DATE APRIL 18, 1960

REMARKS THIS INFORMATION IS FOR CHARLES DYE & SONS  
 THIS IS NOT AN INSTRUMENT SURVEY AND INFORMATION SHOWN SHOULD NOT BE USED  
 FOR BUILDING PURPOSES OR EXACT LOCATION OF PROPERTY LINES

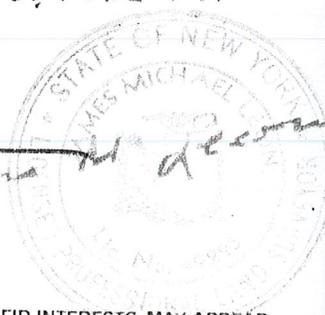
98 WEST MAIN STREET ROCHESTER N.Y. 14614 (716) 545-1363 DENLUCK, THOMAS, McGRAIL & ASSOCIATES SURVEYORS 82 1/2 MAIN STREET GENESEO, N.Y. 14454 (716) 243-2240

BURR OAK (60' R.O.W.) DRIVE

SASSAFRAS LANE  
(60' R.O.W.)



- REFERENCES:
- 1) ABSTRACT OF TITLE No. 66690 SEC. 6/156. (STEWART. 6/6/2013)
  - 2) LIBER 179 OF MAPS, PAGE 70 - MILL VALLEY ESTATES, SECT. 6
  - 3) LIBER 10535 OF DEEDS, PAGE 682
  - 4) EASEMENT TO R.G.F.E. R.T.C. LIBER 3950 OF DEEDS, PAGE 471



*James M. Leon*

**CERTIFICATION:**

I hereby certify to: **PITTSFORD FEDERAL CREDIT UNION, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR**  
 FRANK FERRIS, ESQ.  
 VASILE LAW GROUP, PLLC  
 TITLE INSURANCE COMPANY INSURING THE MORTGAGE  
 DOUGLAS D. HANNIE

that this map was made JUNE 21, 2013 from notes of an Instrument  
 Survey completed JUNE 20, 2013 and from references listed hereon.

*James M. Leon*  
 JAMES M. LEON, NYS # 49772

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











**DON'T PEEL STICKER FROM FRONT - SEE BACK!**

**Keep this document to show to the police and courts.**



HC127858



NY-638TR (2/18) NEW YORK STATE REGISTRATION DOCUMENT

G PAS  
HXM6671  
2019 JAYCO NONTRANSFERABLE  
H/WH WH 1FDXE4FS9JDC15348  
012766 G10 HC127867 JUN 28 2018  
Wt/Seats Fuel/Cyl TLH RCH640

BLOCH, SUSAN, HANNIE Expires 06/27/20  
HANNIE, DOUGLAS, D  
10 NEW ENGLAND DR 70.00  
ROCHESTER NY 14618

ANNUAL CHG  
NY FID (NCT, ADP, CIG)

HC127858 VOID IF ALTERED EXCEPT FOR ADDRESS 240.00



06/27/20

**20**

1FDX E4FS9JDC L5348  
201 JAYCO E/WH  
EXPIR 671 PAS 5 G





ENTEGRA

COURAGE

SOUTH CAROLINA

WEDNESDAY

# Zoning Board of Appeals Referral Form Information

**Property Address:**

160 Mill Road  
Pittsford NY, 14534

**Property Owner:**

Abraham, Stanley  
160 Mill Road  
Pittsford NY, 14534

**Applicant or Agent:**

NA

**Present Zoning of Property:** RN

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:	3	Height:	6	Height:	-3.0
Size:	0	Size:	0	Size:	0.0

**Code Section(s):** 185-121 A

Description: Applicant is requesting relief from Town Codes §185 – 121 A to construct a 6 foot tall fence forward of the front wall of the home on the north and south property lines. Town Code limits the height of fences to 3 feet when placed forward of the front of a home. This property is zoned RN-Residential Neighborhood.

June 04, 2019



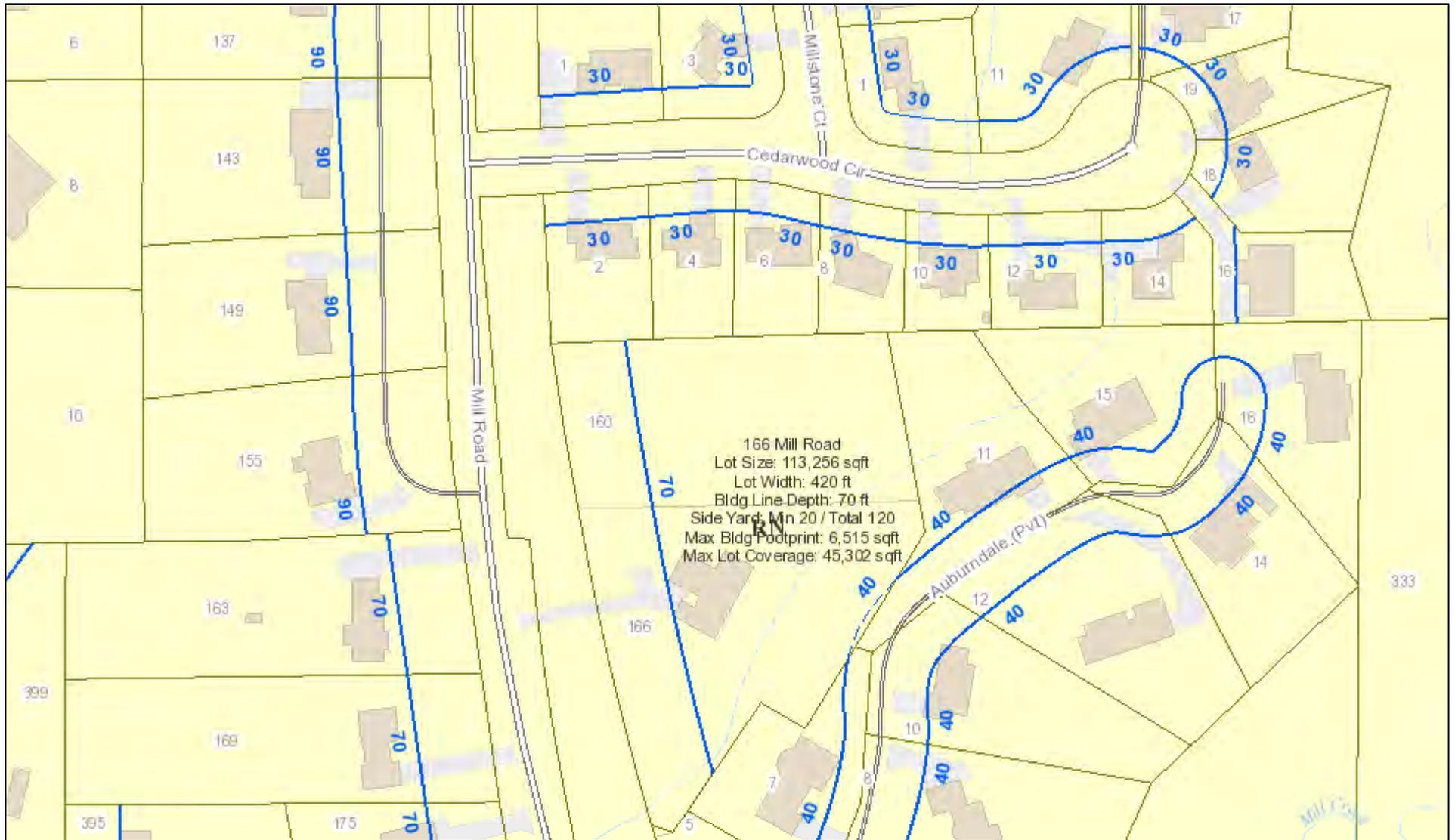
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Date

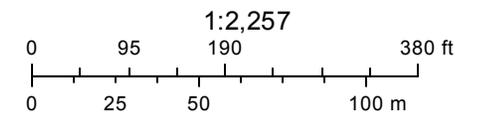
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning

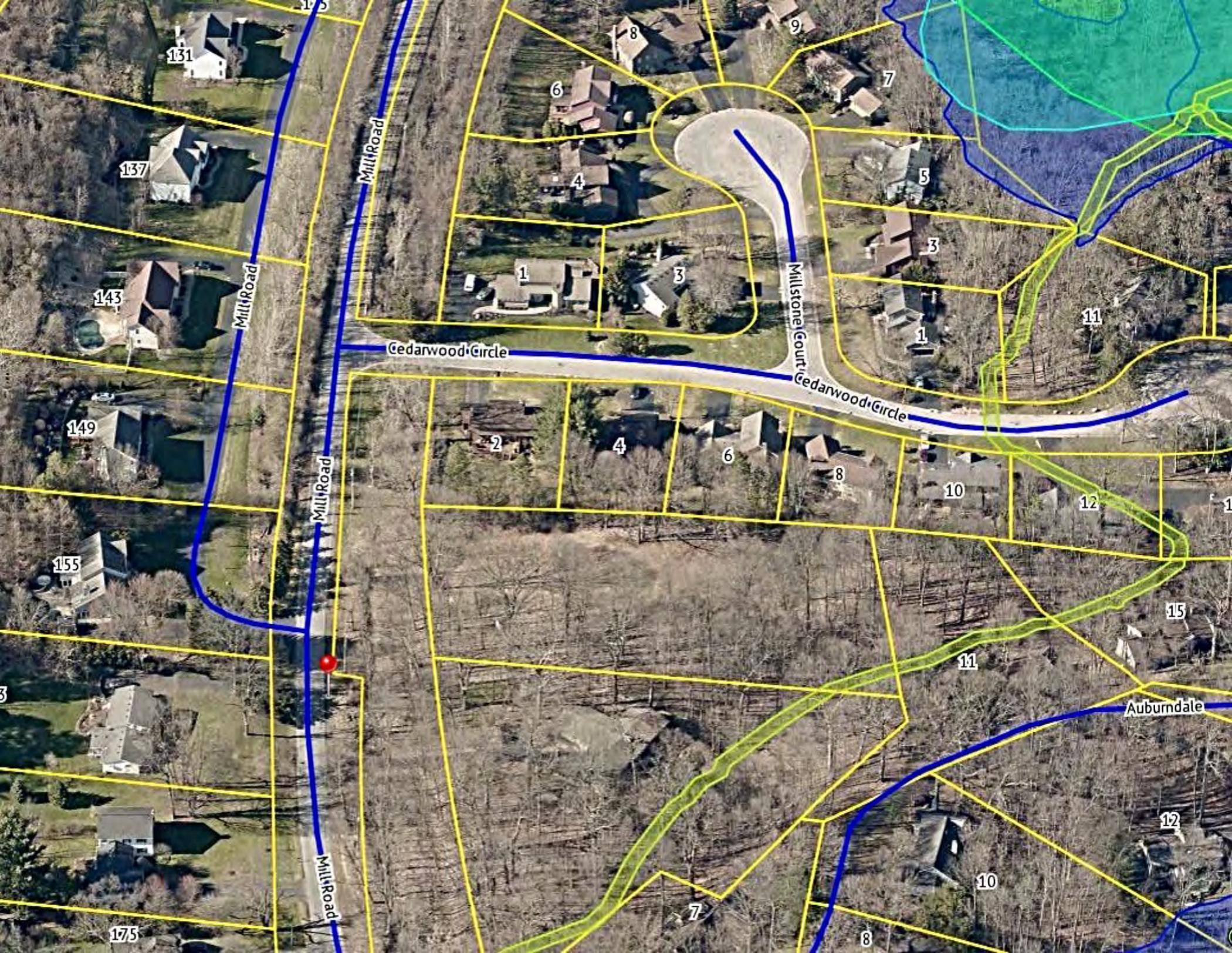


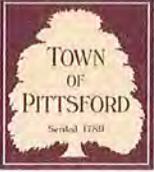
Printed June 4, 2019



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.





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

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

Applicant: Stanley Abraham

Address: 160 Mill Rd Pittsford, NY

Phone: (716) 697-8424 E-Mail: abraham.stanley@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: 160 Mill Rd Pittsford, NY 14534 Current Zoning: \_\_\_\_\_

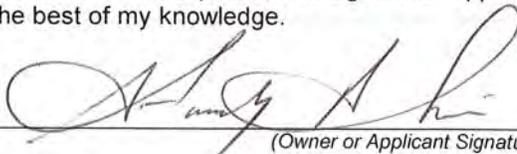
Tax Map Number: \_\_\_\_\_

Application For:  Residential  Commercial  Other

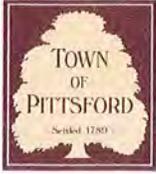
Please describe, in detail, the proposed project:

The proposed project is fencing along both sides and front of my property specifically as follows.  
6 foot high wood fence extending from both sides (rear of house) to the easement (trail, east to west in relation to the survey).  
3 foot high wood fence in the front of the property extending from north to south in relation to the survey.  
Further, the fence would be inside the property line south of the "rock" wall/fence.

**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)*

5-15-19  
\_\_\_\_\_  
*(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, \_\_\_\_\_, the owner of the property located at:

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

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

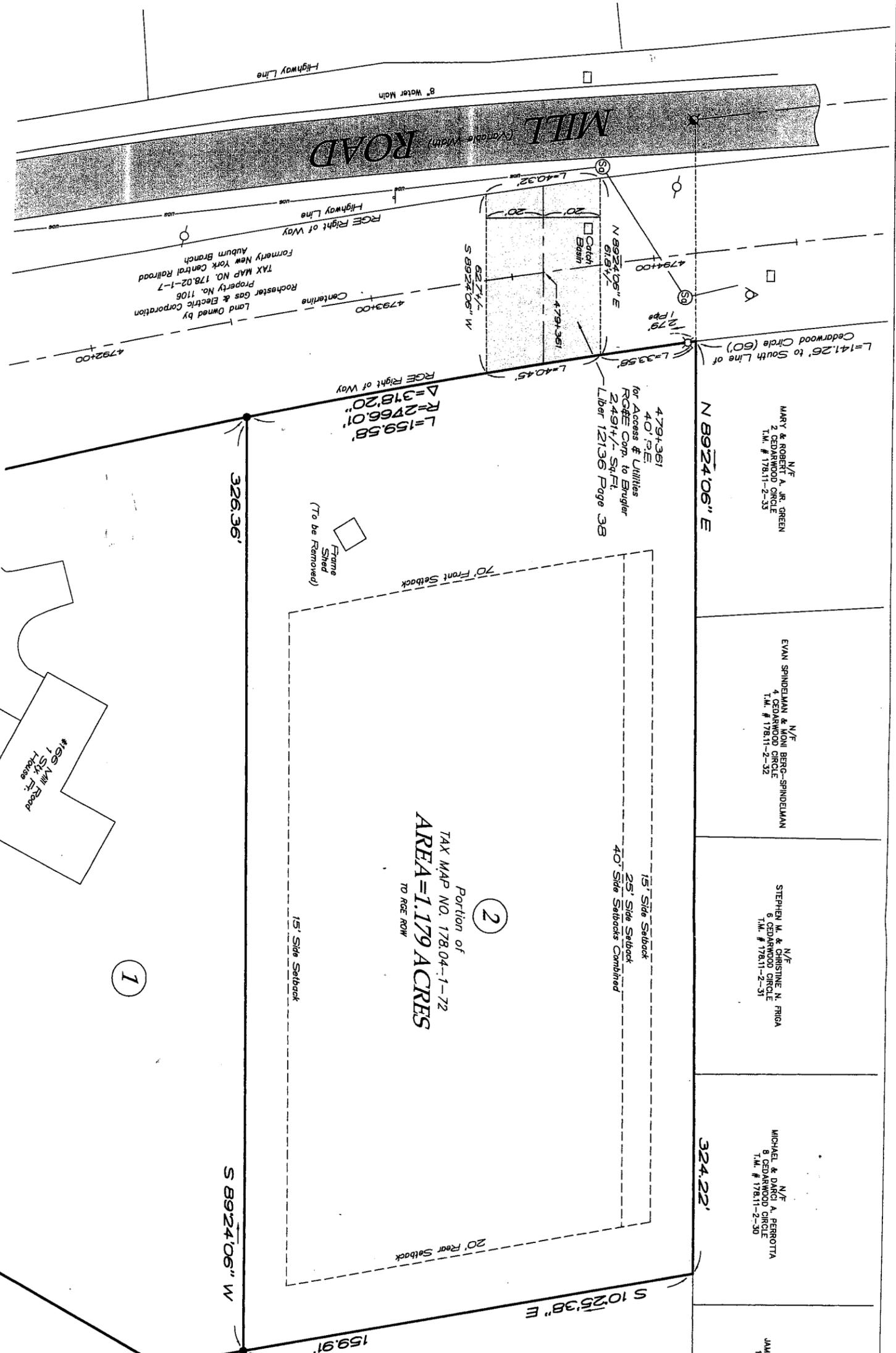
\_\_\_\_\_  
(Zip)

Tax Parcel # \_\_\_\_\_ do hereby authorize

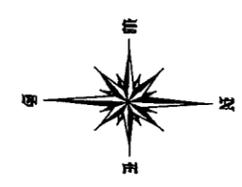
\_\_\_\_\_ to make application to the  
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of \_\_\_\_\_

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

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



- LEGEND:**
- ✕ - DENOTES EXISTING RR SPIKE
  - ✕ - DENOTES EXISTING IRON PIN
  - ✕ - DENOTES EXISTING IRON PIPE
  - - DENOTES IRON PIN SET
  - ⊙ - DENOTES UTILITY POLE



**CERTIFICATE:**

WE, KOCHER SURVEYING, P.C. HEREBY CERTIFY THAT THIS PLAN WAS PREPARED ON JANUARY 17, 2019 FROM THE NOTES OF AN INSTRUMENT SURVEY COMPLETED ON APRIL 27, 2017 IN ACCORDANCE WITH REFERENCE MATERIAL LISTED HEREON.

SIGNED: *Paul E. Kocher*  
 PAUL E. KOCHER - LS - LICENSE NO. 496886

CERTIFIED TO:

1. STANLEY ABRAHIM
2. NATASHA ABRAHIM
3. D'AUORIZIO LAW OFFICES, PLLC
4. CHICAGO TITLE INSURANCE COMPANY

Revised March 5, 2019 Add Certs./Ref. Abstract/Ref. Filed Map

Drawn By:	PEK
Chkd By:	TDW
Scale:	1" = 40'
Date:	1-17-19
Prof. No.:	N17-008-2
PLAN OF LAND OWNED BY <b>MERCER L. BRUGLER</b> BEING LOT 2 OF THE BRUGLER SUBDIVISION BEING PART OF TOWN LOT 9, TOWNSHIP 12, RANGE 5 PHELPS & GORHAM PURCHASE SITUATE IN THE TOWN OF PITTSFORD MONROE COUNTY NEW YORK <b>Kocher Surveying, P.C.</b> 116 WEST MILLER STREET NEWARK, NEW YORK 14513 716 771 0000	

**REFERENCES:**

- DEED: KAY U. BRUGLER TO MERCER L. BRUGLER, AS TRUSTEE OF THE KAY UTZ BRUGLER TRUST U/A DATED NOVEMBER 16, 2010 RECORDED ON JANUARY 28, 2011 IN THE M.C.C.O. IN LIBER 10965 OF DEEDS AT PAGE 28
- ABSTRACT: STEWART TITLE INSURANCE COMPANY ABSTRACT NO. 187115/LOT 2 LAST DATED FEBRUARY 22, 2019
- MAP: "RIGHT OF WAY AND TRACK MAPS, NEW YORK CENTRAL RAILROAD" DATED JUNE 30, 1917 REVISED DECEMBER 31, 1955 V88/89 & V88/90
- MAP: "ROCHESTER GAS AND ELECTRIC CORP. PROPERTY NO. 1106-FORMER NEW YORK CENTRAL RAILROAD - AUBURN BRANCH" V88/89L & V88/90
- MAP: "BROOKSIDE MEADOWS, SECTION 2" PREPARED BY SEAR BROWN ASSOCIATES, P.C. DATED JANUARY 1978 PROJECT NO. 1308.02-03 FILED IN THE M.C.C.O. IN LIBER 207 OF MAPS AT PAGE 55
- MAP: "AUBURNDALE-PLAT MAP" PREPARED BY SEAR BROWN ASSOCIATES, P.C. DATED NOVEMBER 1978 PROJECT NO. 2262.-01 FILED IN THE M.C.C.O. IN LIBER 211 OF MAPS AT PAGE 50
- MAP: SURVEY PREPARED BY ROBERT L. OWEN AND EDWARD H. BARG, L.S. DATED JUNE 13, 1978
- MAP: "BRUGLER SUBDIVISION" PREPARED BY KOCHER SURVEYING, P.C. DATED APRIL 30, 2017 (REVISED DECEMBER 5, 2018) PROJECT NO. N17-008 FILED IN THE M.C.C.O. IN LIBER 357 OF MAPS AT PAGE 97



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# 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 do not see or believe this variance would have any impact in the character of the neighborhood. This is a stand alone wooded lot and not in a subdivision, a wooden fence would truly accentuate the property and add additional character to the surrounding neighborhood. Furthermore, the property north/west has an existing fence that does not detract from the neighborhood. Additionally, if the four (4) property located on the north side of the property were to install a rear fence it would essentially be the same as my request.

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

I do not believe this request is achievable by other methods, specifically because some of the trees on the north and south side of the property are dead and needs to be removed. The removal of these trees would deteriorate the privacy of the surrounding neighbors and me.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

This is a minimal to medium request and would have minimal impact on the surrounding neighbors.

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:

I do not see any adverse impact in the installation of the requested fence, further, as previously mentioned the fence would only enhance the neighborhood and preserve the privacy of all the neighbors. Additionally, the propose fence to the north side of the property would be setback inside the "rock wall", essentially providing an additional buffer for the surrounding neighbors.

- **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?

This is self created, however, a mutual agreement between the town of Pittsford and I was agreed upon to reopen the trail. The opening of the trail would impede on my privacy and is the reason for my request.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

160 Mill Road Pittsford, NY 14534

(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)

5-15-19

(Dated)

160 Mill Rd

(Street Address)

PITTSFORD NY 14534

(City/Town, State, Zip Code)





# Zoning Board of Appeals Referral Form Information

**Property Address:**

1 Glencannon Trail PITTSFORD, NY 14534

**Property Owner:**

Selinger, Evan M  
1 Glencannon Trail (Pvt)  
Pittsford, NY 14534

**Applicant or Agent:**

Selinger, Evan M  
1 Glencannon Trail (Pvt)  
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:	20	Rear Setback:	5	Rear Setback:	15.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

**Code Section(s):** 185-17 I

**Description:** Applicant is requesting relief from Town Code §185-17 I to locate an accessory structures (Hot tub) in the rear setback of the property at approximately 5 feet from the property line. Town Code requires a 20 foot rear setback. This Property is located on the corner of two streets and is zoned RN – Residential Neighborhood District

June 04, 2019



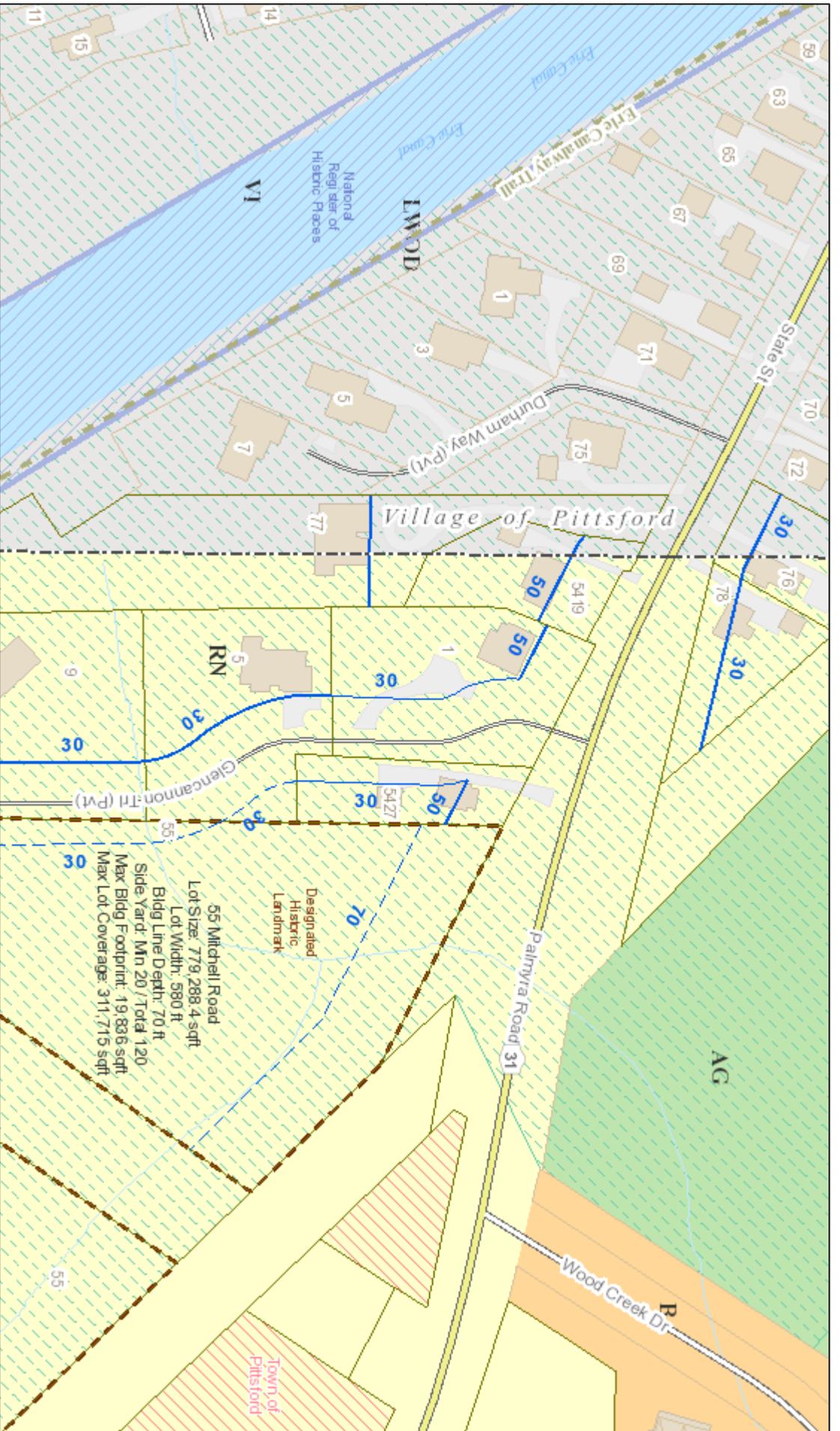
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Date

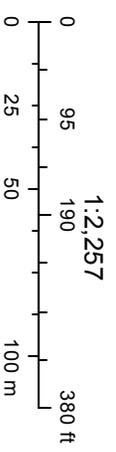
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning

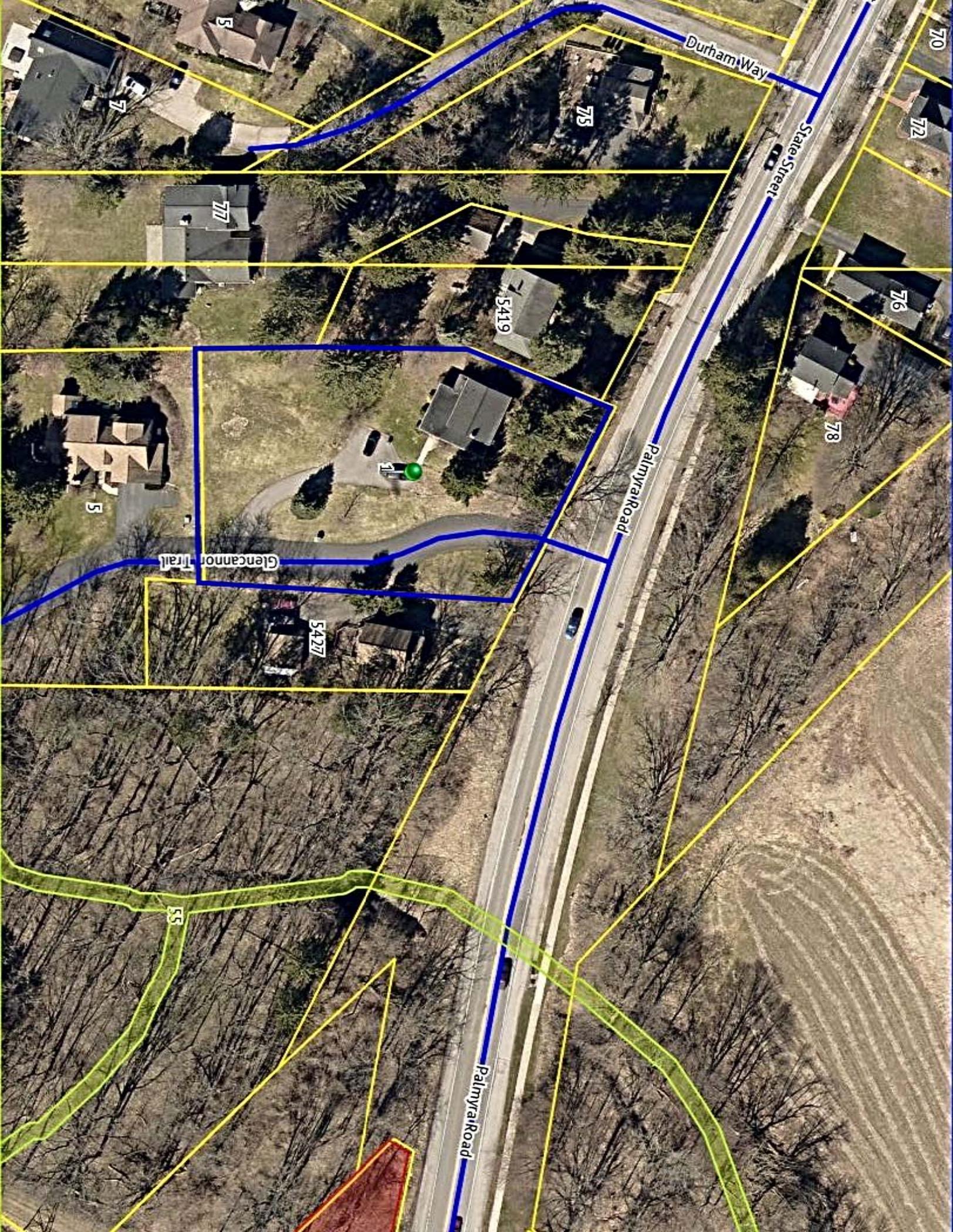


Printed June 4, 2019



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.



Durham Way

State Street

Palmyra Road

Glencannon Trail

Palmyra Road

70

72

75

76

77

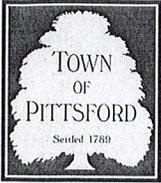
78

5419

5427

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55



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



Submission Date: May 13, 2019 Hearing Date: June 17, 2019

Applicant: Evan Selinger

Address: 1 Glen Cannon Trail

Phone: (585) 729-3687 E-Mail: eselinger@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: 1 Glen Cannon Trail Pittsford, NY Current Zoning: Single family

Tax Map Number: 164.07-2-7.1

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

We would like to purchase a hot tub (approximately 76' x 76') and have it installed on the side of our yard at 5' from the property line. The area of the yard that it would be placed is completely fenced in so that no neighbors will be able to see it.

**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.

Evan Selinger  
*(Owner or Applicant Signature)*

5/14/2019  
*(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 area that we would like to use in our yard to put the hot tub in is completely fenced in and not visible to any neighbors (except the neighbors immediately to our left if they are in the upper level of their house looking out the side window).

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

We have an unusual lot where most of it is hilly and unusable. The only areas on our property that are flat are the proposed fenced in area and a side portion of our yard that has the septic tank below so that won't work as a usable space either. There isn't any part of the property that we could install the hot tub that would meet code.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

This is a substantial variance. However, there aren't any other suitable locations on the lot to place the hot tub that meet code. The place we selected has the additional benefit of being fully fenced for privacy and on a flat surface.

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 variance will not have an adverse effect on the physical or environmental condition in the neighborhood or zoning district because the hot tub will be self contained within a fully fenced area.

- **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 difficulty is not self-created, but rather a limitation of how the house sits on the property as such. Very little of our property is flat which limits the options we have with respect to having a hot tub installed.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Selinger hot tub - 1 Glen Cannon Trail

(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**

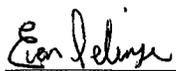
...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this 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)

N/A



(Signature of Applicant)

May 13, 2019

(Dated)

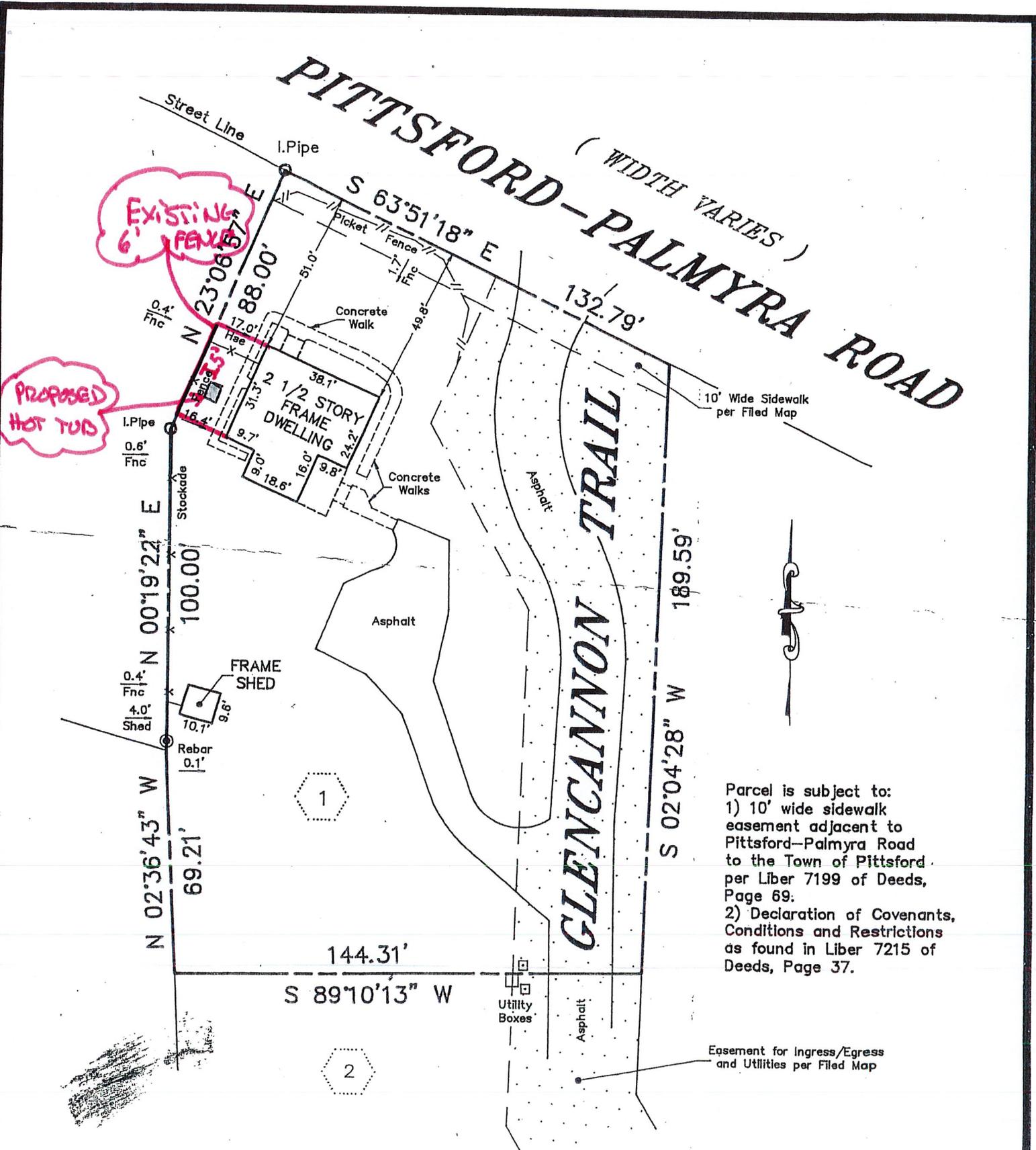
1 Glen Cannon Trail Pittsford NY 14534

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)

# PITTSFORD-PALMYRA ROAD (WIDTH VARIES)

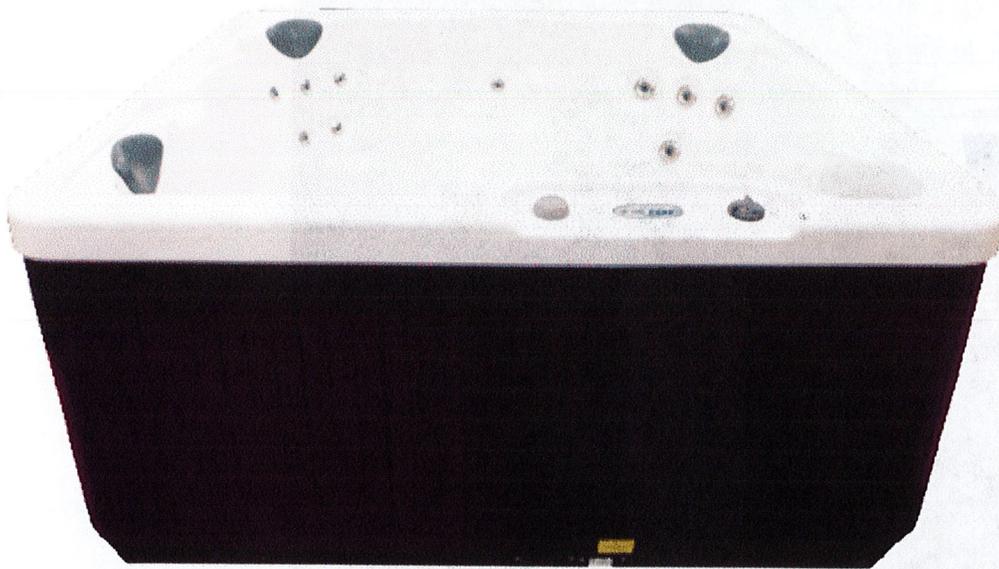


Parcel is subject to:

- 1) 10' wide sidewalk easement adjacent to Pittsford-Palmyra Road to the Town of Pittsford per Liber 7199 of Deeds, Page 69.
- 2) Declaration of Covenants, Conditions and Restrictions as found in Liber 7215 of Deeds, Page 37.

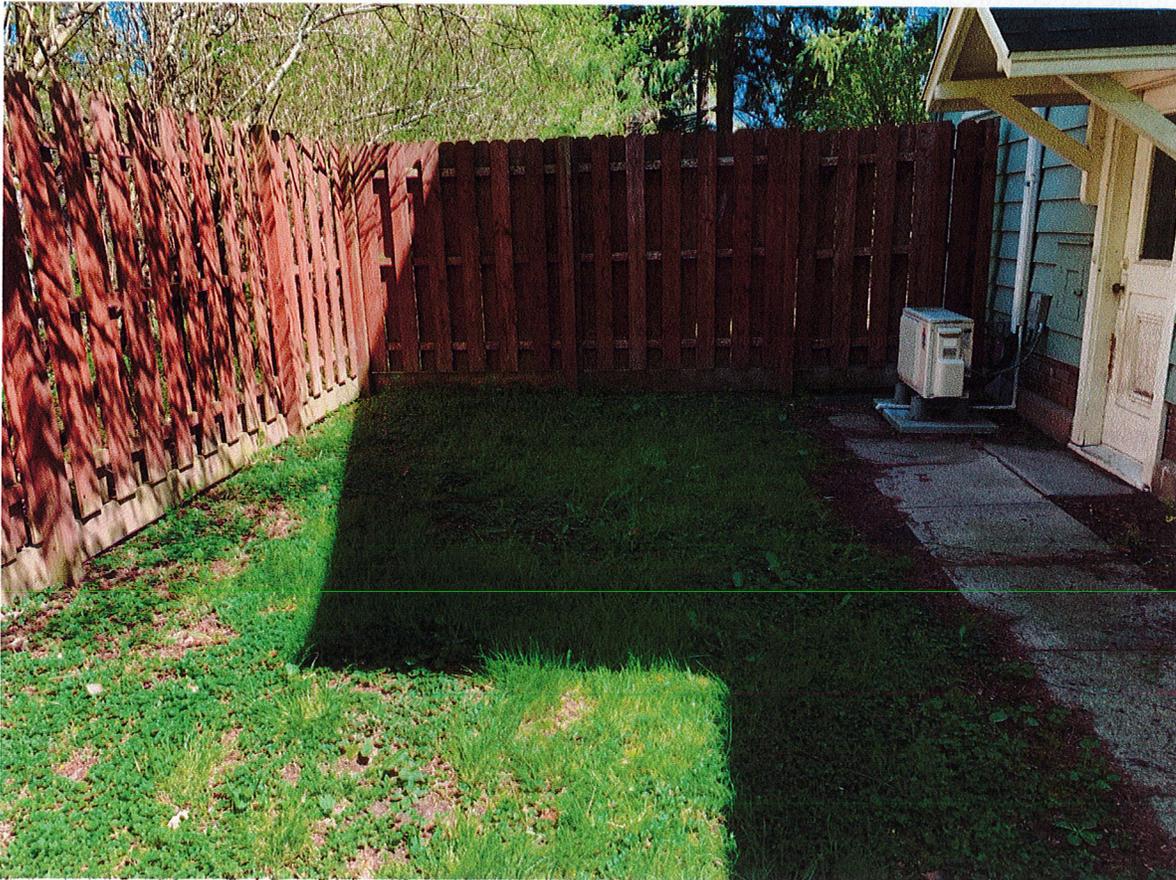
Easement for Ingress/Egress and Utilities per Filed Map

I hereby certify to the parties listed hereunder that this map was made using the reference material listed hereon and the notes of an instrument survey, performed in accordance with the current standards of the New York State Association of Professional Land Surveyors.

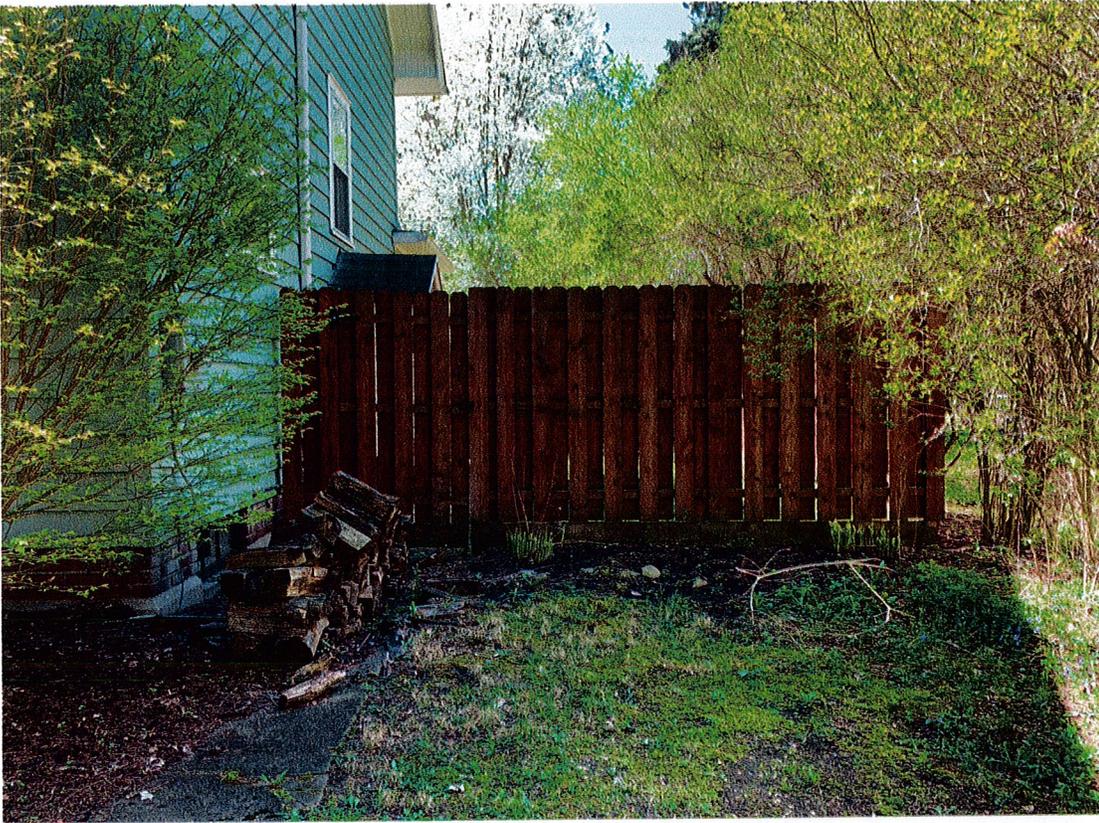


Picture of hot tub we intend to purchase if still available.

Size 76"x76"x34"



View from inside the fenced area where we wish to place hot tub



View immediately outside fenced area



View from just outside picket fence on Rt. 31 side of property



View at Rt. 31 street level



View from window above area where we would like to put hot tub

# Zoning Board of Appeals Referral Form Information

**Property Address:**

25 Harwood Lane EAST ROCHESTER, NY 14445

**Property Owner:**

Gauntlett, Kenneth W  
25 Harwood Ln  
East Rochester, NY 14445

**Applicant or Agent:**

Ronald Samsel  
243 Florendin Dr.  
Henrietta, NY 14468

**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:	9	Right Lot Line:	11.0
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:	14	Height:	-2.0
Size:	180	Size:	920	Size:	-740.0

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

Description: Applicant is requesting relief from Town Code §185-113 B (1), (2) & (6) and §185 – 17 E to allow construction of an addition of approximately 500 ft<sup>2</sup> attached to an existing 400 ft<sup>2</sup> detached garage. The oversized accessory structure will be constructed to a height of approximately 14 feet at the front and approximately 20 feet at the rear. The addition will encroach into the side setback approximately 11 feet.

June 05, 2019



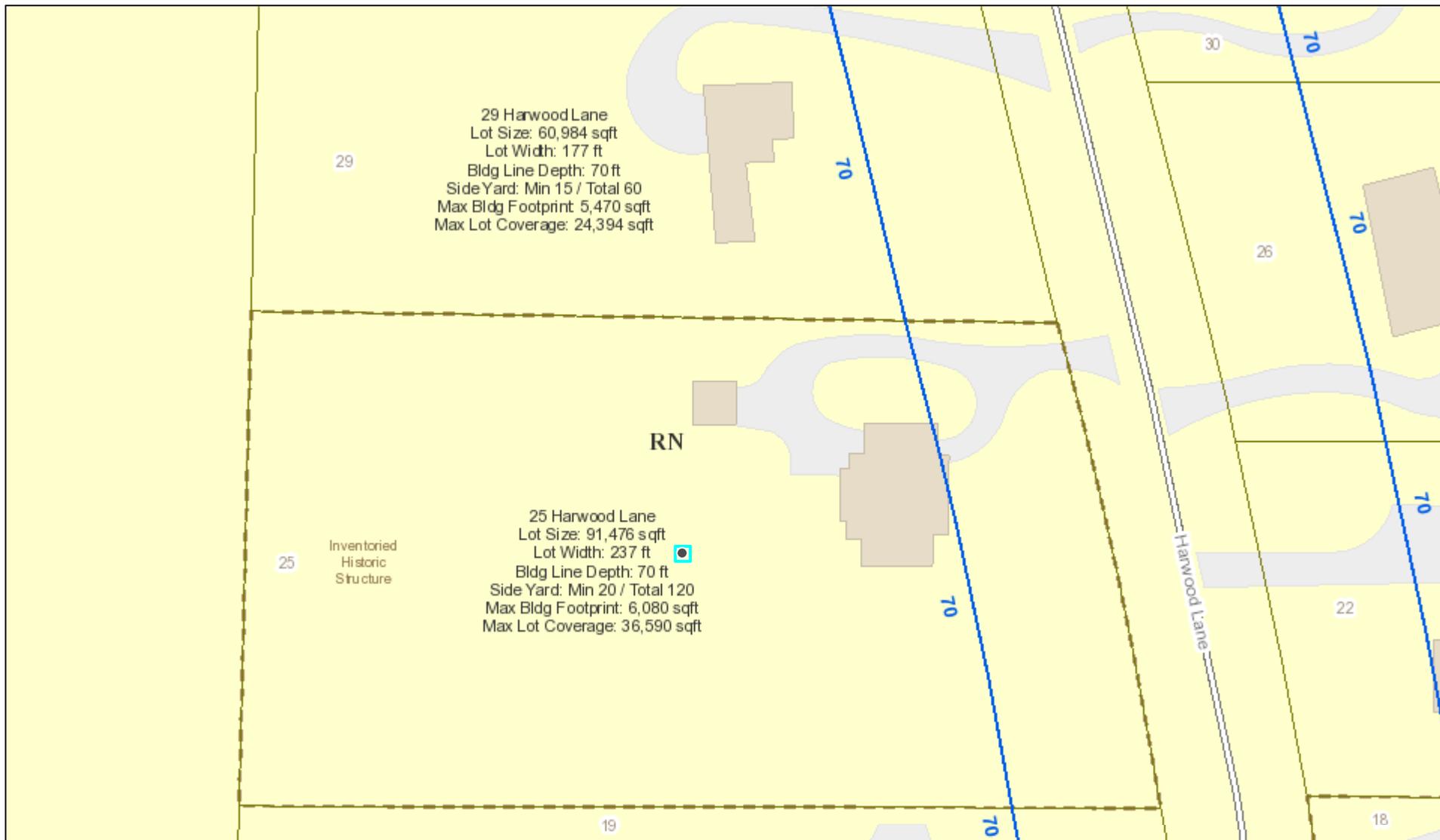
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Date

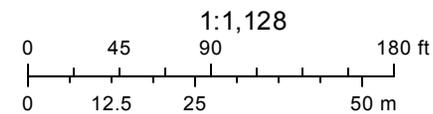
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning

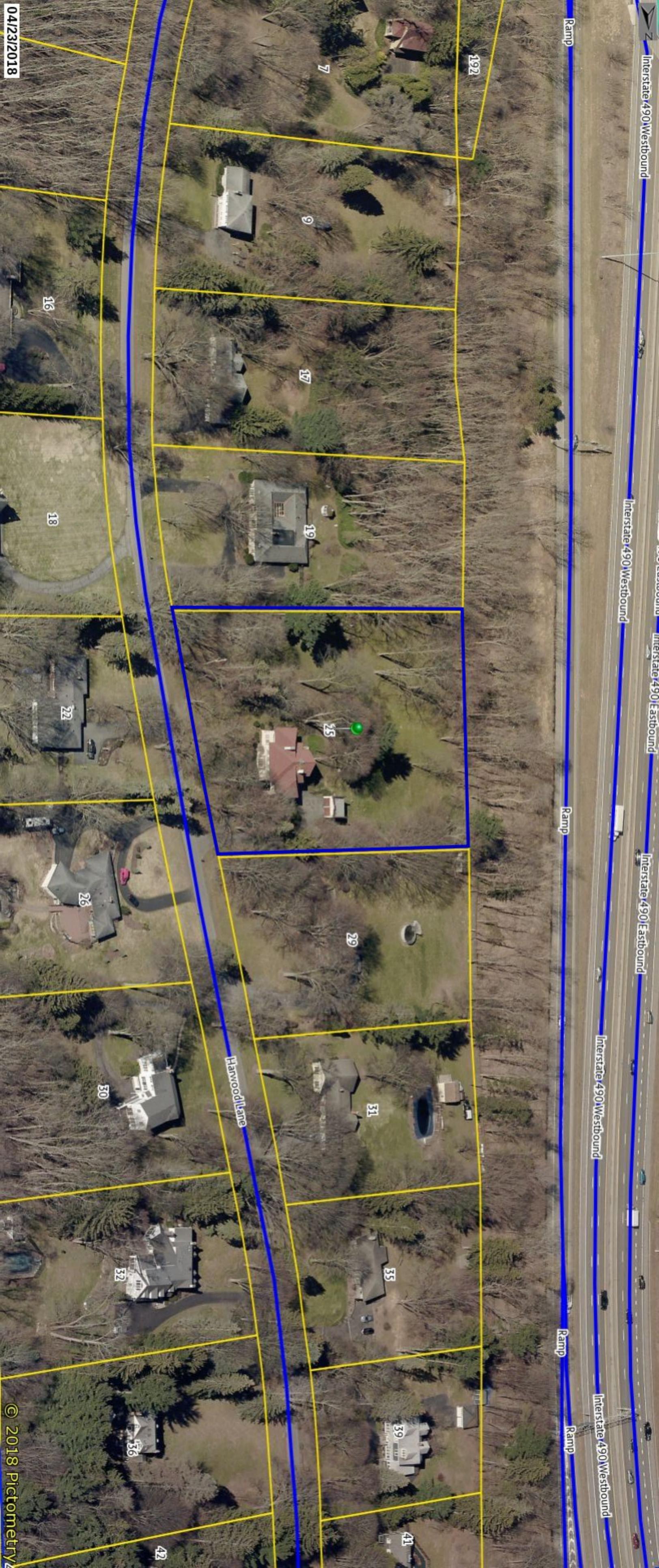


Printed June 5, 2019



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.



Interstate 490 Westbound

Interstate 490 Westbound

Interstate 490 Eastbound

Interstate 490 Eastbound

Interstate 490 Westbound

Interstate 490 Westbound

Ramp

Ramp

Ramp

Ramp

Harwood Lane

192

7

9

17

19

16

18

22

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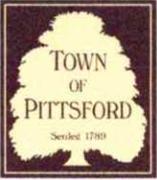
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04/23/2018

© 2018 Pictometry



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

Submission Date: May 17, 2019 Hearing Date: June 17, 2019

Applicant: Ronald A. Samsel, P.E.

Address: 43 Florendin Drive, Henrietta NY 14467

Phone: (585) 334-5549 E-Mail: ronsamsel@gmail.com

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

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

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

Property Owner: Kenneth Gauntlett  
*(if different than Applicant)*

Address: 25 Harwood Lane, E. Rochester NY 14445

Phone: (585) 586-0539 E-Mail: \_\_\_\_\_

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

Property Location: 25 Harwood Lane Current Zoning: \_\_\_\_\_

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

Application For:       Residential       Commercial       Other

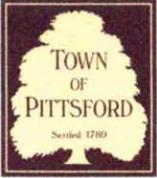
Please describe, in detail, the proposed project:

24'-8" x 20'-0" x 20'-0" +/- two story garage addition to existing two story 20'-0" x 20'-0" x 20'0" +/- garage. Garage is at grade with approximately 7'-0" high basement area. (Hence 2 story.) Existing garage and new garage are intended to have access at upper and lower existing grade elevations

**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 17, 2019  
*(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, Kenneth Gauntlett (585) 586-0539, the owner of the property located at:  
25 Harwood Lane E. Rochester, NY 14445  
(Street) (Town) (Zip)

Tax Parcel # \_\_\_\_\_ do hereby authorize  
Ronald A. Samsel, P.E. to make application to the  
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of \_\_\_\_\_  
residential garage addition 24'-8" x 20'-0" x 20'-0" +/- to existing residential garage 20'-0" x 20'-0" x 20'-0" +/-

Kenneth Gauntlett  
(Signature of Owner)  
5/17/2019  
(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:

There are (3) requested variances:

- North property line setback from the required 20'-0" to 9'-0" +/-
- Annex building size from the allowed 180 sq.ft. to 815 +/- sq.ft. (including existing 400 sq.ft.garage)
- Height variance from 12'-0" to 13'-10" +/-

Property Line Setback Variance:

The site will be regraded and a grassy swale added to insure the surface runoff will be properly diverted onto the owners property. There is a significant amount of existing trees and vegetation which will greatly reduce any visable addition.

Annex Building Size Variance:

The addition requires approximately 413 +/- square feet of standard garage size to the existing 400 square feet which is inadequate for proper use.

Height Variance:

This is necessary to conform to the existing structure.

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

Property Line Setback Variance:

Sufficient area does not exist on the south side of the existing garage.

Annex Building Size Variance:

The structure is a standard (2) stall garage size.

Height Variance:

The height requirement is required to conform to the existing structure.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

**Property Line Setback Variance:**

The setback variance is substantial. It will require approximately 26 +/- of the existing 35'-0" +/- property line set back.

**Annex Building Size Variance:**

The building variance is substantial, however, the size is required for a standard 2 stall garage.

**Height Variance:**

The height variance is minimal, however, it is required to maintain the integrity of the existing structure.

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 are (3) requested variances:

- North property line setback from the required 20'-0" to 9'-0" +/-
- Annex building size from the allowed 180 sq.ft. to 815 sq.ft. (including existing 400 sq.ft. garage)
- Height variance from 12'-0" to 13'-0" +/-

**Property Line Setback Variance:**

The site will be regraded and a grassy swale added to insure the surface runoff will be properly diverted onto the owners property. There is a significant amount of existing trees and vegetation which will greatly reduce any visable addition.

**Annex Building Size Variance:**

The addition requires approximately 413 +/- square feet of standard garage size to the existing 400 square feet which is inadequate for proper use.

**Height Variance:**

This is necessary to conform to the existing structure.

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

5. Is the alleged difficulty self-created?

**Property Line Setback Variance:**

The property line setback is self-created, however, it is necessary for a standard (2) stall garage.

**Annex Building Size Variance:**

The annex building size is self-created, however, it is necessary for a standard (2) stall garage.

**Height Variance:**

The height is not self-created but is necessary to compliment the existing historic garage structure.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

25 Harwood Lane, E. Rochester, NY "Garage Addition"

*(Project Name)*

The undersigned, being the applicant(s) to the...

Town Board     Zoning Board of Appeals     Planning Board     Architectural Review Board

...of the Town of Pittsford, for a...

change of zoning     special permit     building permit     permit     amendment

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

...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)

Address(es)

  
*(Signature of Applicant)*

May 17, 2017

*(Dated)*

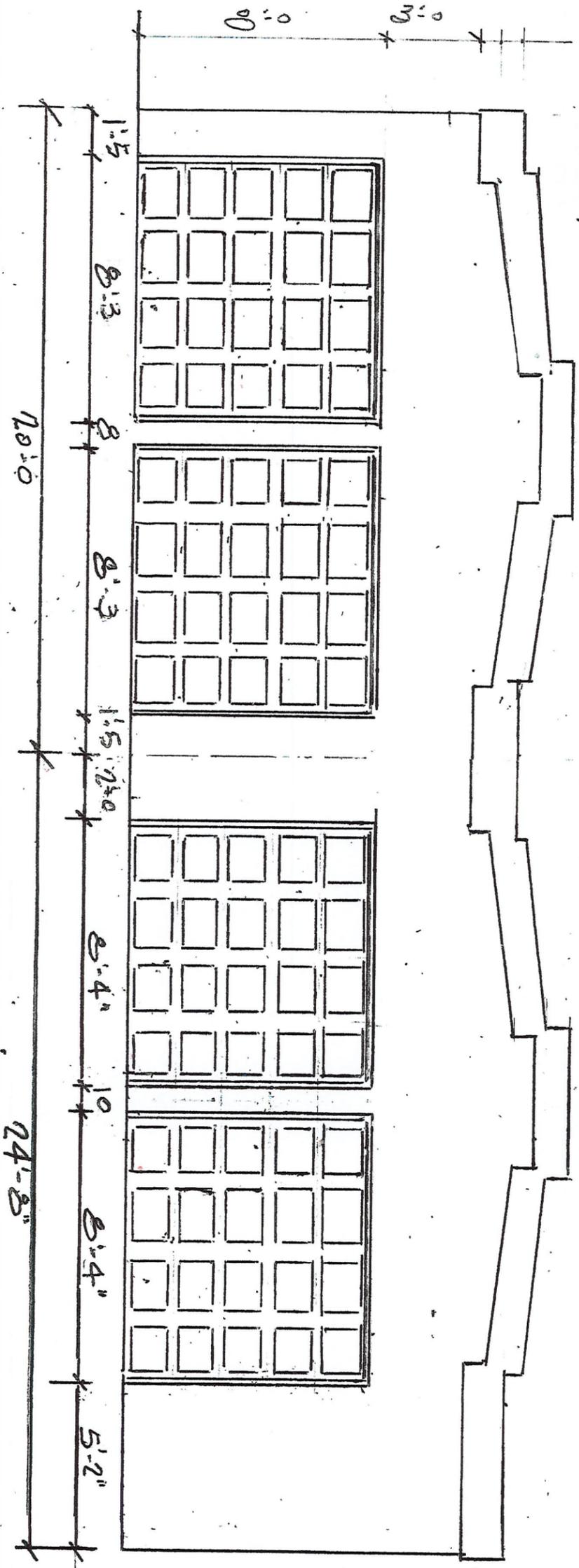
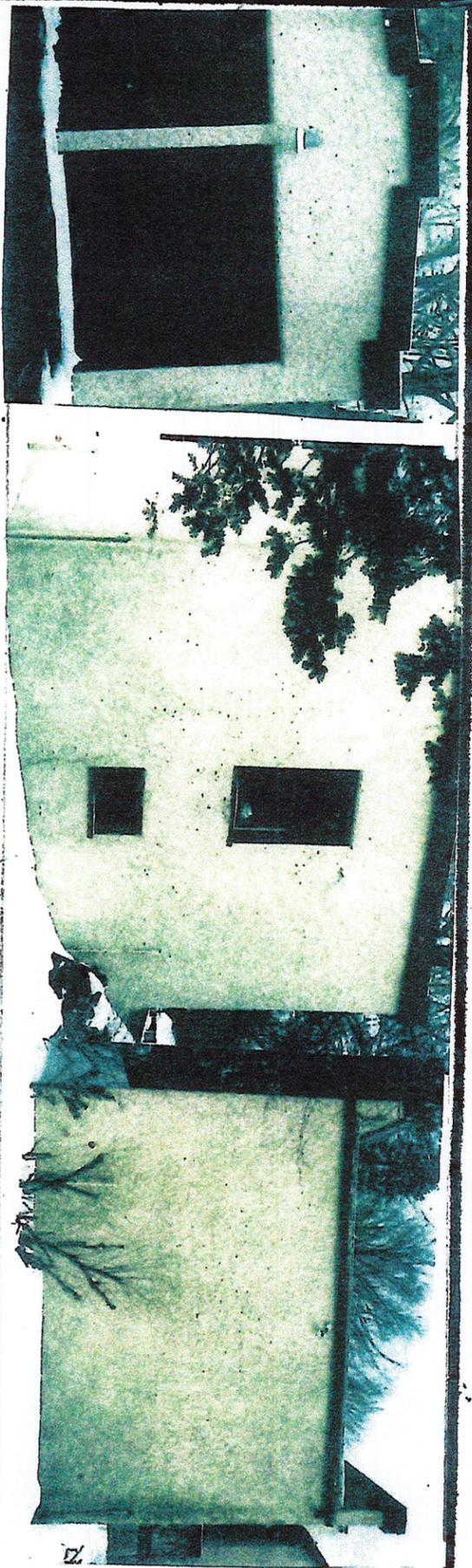
43 Florendin Drive

*(Street Address)*

Henrietta NY 14467

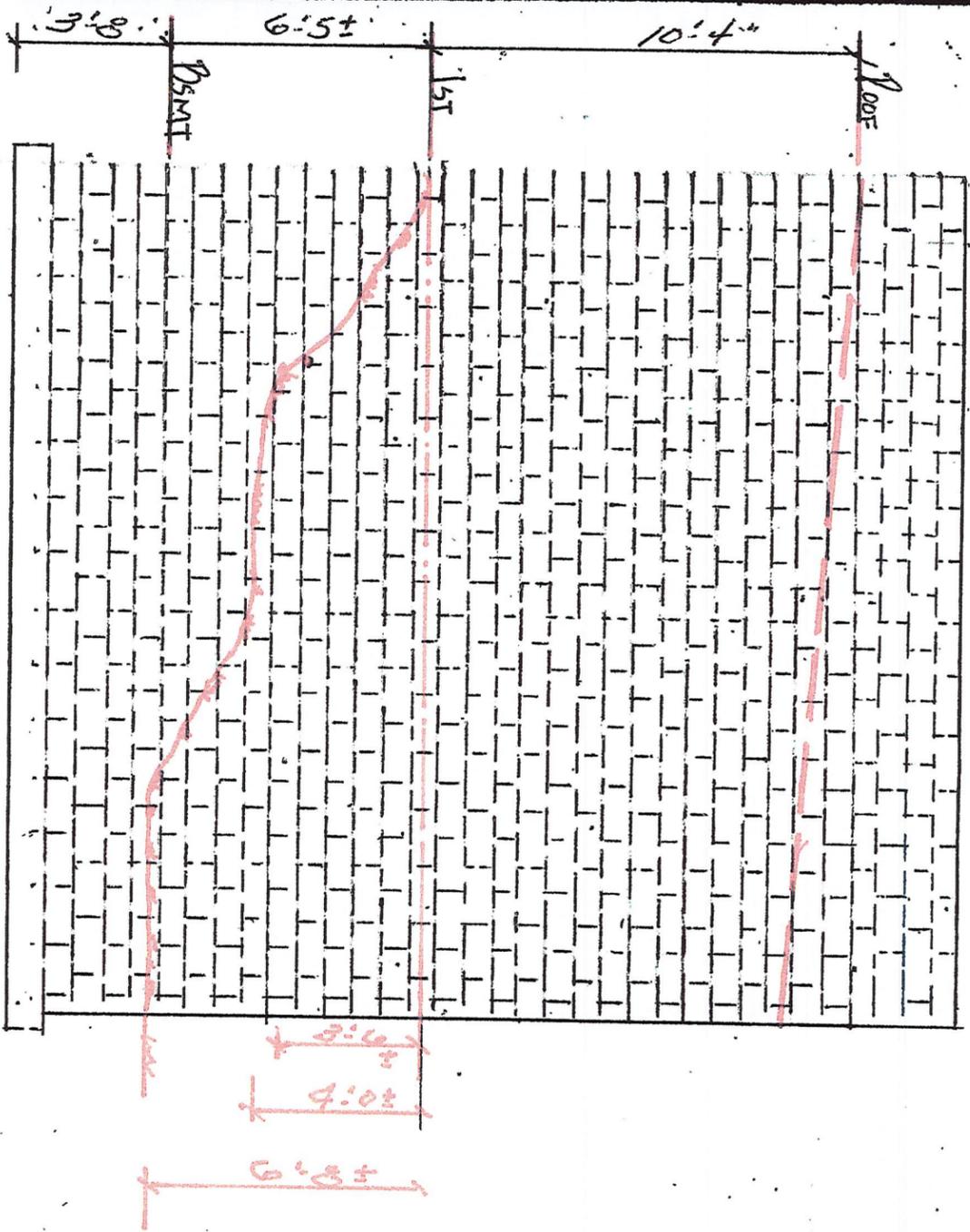
*(City/Town, State, Zip Code)*



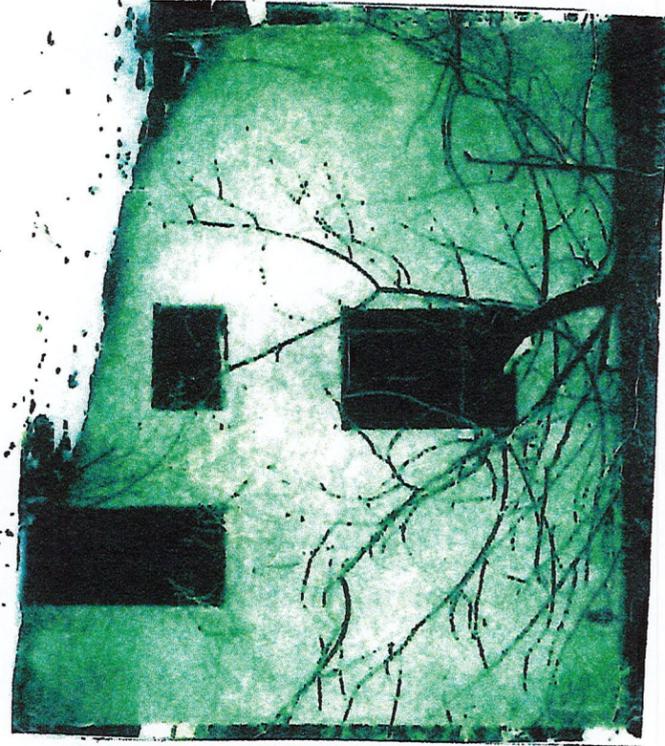


PROPOSED EAST ELEVATION  
 1/4" = 1'-0"

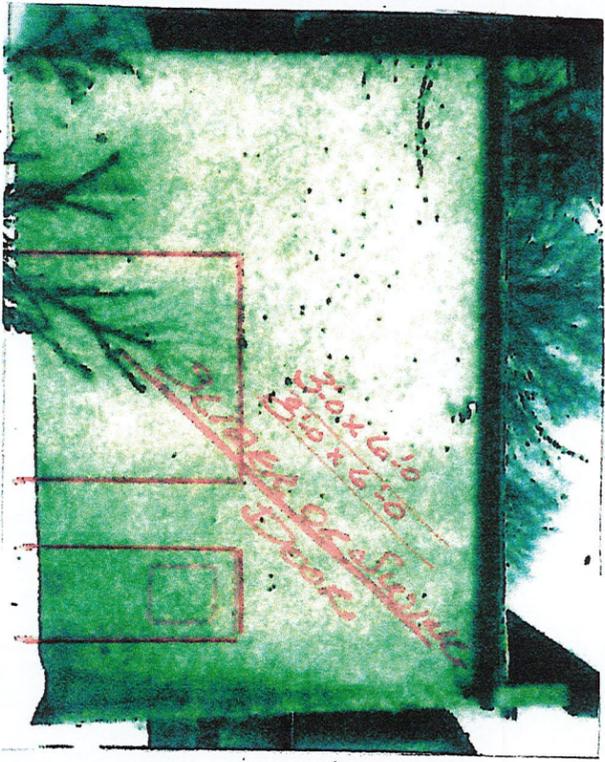
<b>RAS</b>	
Ronald A. Santoli, P.E. STRUCTURAL ENGINEERING 63 Riverdale Dr. Phone: (516) 334-5549 Fax: (516) 334-5549 Email: rasantoli@gmail.com	
Drawing Title: <b>PROPOSED EAST ELEVATION</b>	
Project: <b>25 HARWOOD LANE          E. ROCKESTEAD, NY</b>	
Date: <b>5-1-19</b>	Scale: <b>1/4"</b>
Drawing No.: <b>A-1</b>	



North Elevation  
1/4" = 1'-0"



East North Elevation



<b>RAS</b>	
Ronald A. Seward, P.E. STRUCTURAL ENGINEERING	
43 Riverchase Dr. Hempstead, NY 11547 Phone: (516) 594-6549 Fax: (516) 594-6549 Email: raseward@optonline.net	Project Title: <b>North Elevations</b>
5-1-19	Scale: As Shown
35 HAWOOD LANE E. CHESTER, N.Y.	
Drawing No.: A-2	



**GENERAL NOTES**

GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND CONDITIONS PRIOR TO CONSTRUCTION. NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.

ALL FOUNDATIONS SHALL BEAR ON CLEAN, UNDISTURBED SOIL OR COMPACTED FILL, FREE OF ORGANIC MATERIALS AND AT A MINIMUM OF 4'-0" BELOW FINISHED GRADE. MINIMUM ALLOWABLE SOIL BEARING CAPACITY SHALL BE 2,500 PSF.

SLAB ON METAL DECK

ALTERNATE 1: 4" NORMAL WEIGHT CONCRETE ON 22 GAGE, GALVANIZED METAL DECK.

$f'_c = 4,000$  PSI

5% TO 8% ENTRAINED AIR

4x4 4/4 WWF AND #4 AT 12" O.C.

PROVIDE "KUR-N-SEAL" OR EQUAL IMMEDIATELY AFTER SLAB IS FINISHED. (LIGHT BROOM FINISH)

SLAB ON GRADE

ALTERNATE 2: 4" THICK SLAB ON GRADE

6" COMPACTED GRAVEL

$f'_c = 4,000$  PSI

MAXIMUM SLUMP 4"

5% TO 8% ENTRAINED AIR

6 X 6 10/10 WWF IN UPPER THIRD OF SLAB

6 MIL POLY VAPOR BARRIER

PROVIDE "KUR-N-SEAL" OR EQUAL IMMEDIATELY AFTER SLAB IS FINISHED. (LIGHT BROOM FINISH)

SAW CUT SLAB WITHIN 24 HOURS OF PLACEMENT.

FOUNDATION CONCRETE:  $f'_c = 3,000$  PSI NORMAL WEIGHT

3% ENTRAINED AIR

MAXIMUM SLUMP 5"

REINFORCEMENT: REBAR ASTM A615 GRADE 60.

WWF ASTM A185 GRADE 70

MASONRY: ALL CONCRETE MASONRY UNITS SHALL BE ASTM C90 NORMAL WEIGHT.

9 GAGE ; TRUSS TYPE HORIZONTAL REINFORCEMENT IN ALTERNATE COURSES.

MORTAR SHALL BE TYPE M OR S

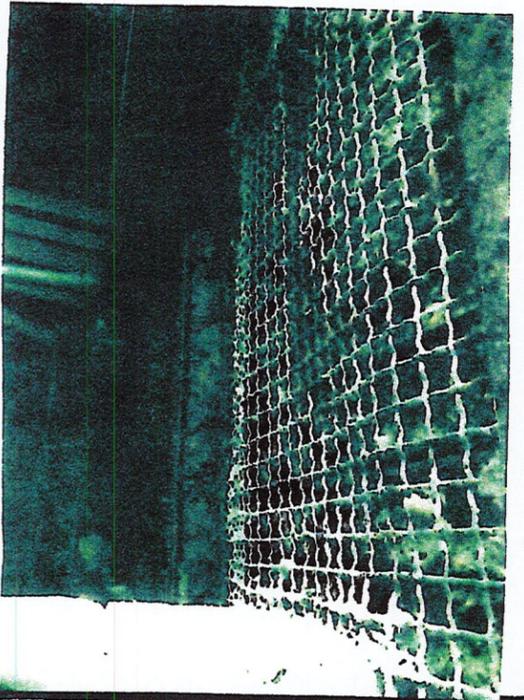
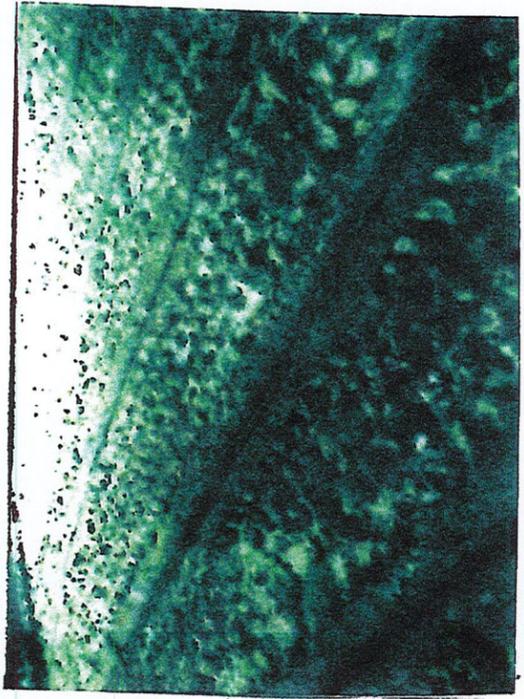
STRUCTURAL STEEL SHALL BE A MINIMUM OF AISC  $f'_c$  36 KSI

ALL BOLTS SHALL BE 305 MINIMUM  
LL WELDS E60XX

LUMBER: ALL LUMBER SHALL BE HEM-FIR OR SPRUCE PINE FIR #2 OR BETTER.

LUMBER EXPOSED TO EARTH OR WEATHER SHALL BE PRESSURE TREATED;

NAILS SCREWS AND BOLTS SHALL BE DOUBLE HOT DIPPED GALVANIZED OR ZINC COATED.



**RAS**

**Ronald A. Sennel, P.E.**

**STRUCTURAL ENGINEERING**

45 Riverchase Dr. Huntsville, TN 38867

Phone: (615) 334-5529 Fax: (615) 334-5529 Email: rasennel@raseng.com

Project: *Galilee Homes / First Slab*

2 S Harwood Lane

E. Rochester, N.Y.

Date: 5-1-19 Scale: A.S.

**Southeast Side - Between Patio and Existing Garage**  
**Photos 1 – 3**

1.)



**Patio**

2.)



**South Area Between Patio & Garage**

3.)



**Southeast - Near Patio**

**North Side – Elevations and Existing Vegetation  
Photos 4 – 9**

4.)



**East Elevation**

5.)



**Looking West – New Proposed Garage**

5A.)



**Looking West – New Proposed Garage**

6.)



**North Elevation**

7.)



**North Property Line**

8.)



**Northeast Property Line**

9.)



**Northeast Property Line**

## **Underside of Existing First Floor**



**Underside of Existing Deck**



**Underside of Existing Deck**



**Underside of Existing Deck**

# Zoning Board of Appeals Referral Form Information

**Property Address:**

153 Mendon Center Road PITTSFORD, NY 14534

**Property Owner:**

Lilly, Brian W  
153 Mendon Center Rd  
Pittsford, NY 14534

**Applicant or Agent:**

Lilly, Brian W  
153 Mendon Center 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:	0	Front Setback:		Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	3	Height:	4	Height:	-1.0
Size:	0	Size:	0	Size:	0.0

**Code Section(s):** 185-17 B 185-113 B 185-119 A 1

Description: Applicant is requesting relief from Town Code §185-17 B (1); §185 – 113 B (3); §185 – 119 A (1) §185 – 121 A. to construct an in-ground swimming pool located forward of the rear wall of the home and forward of the building line. The pool filter and heater will be located forward of the rear wall of the home and the swimming pool area will be enclosed by a 4 foot high fence. The fence will be located forward of the front of the home.

June 05, 2019



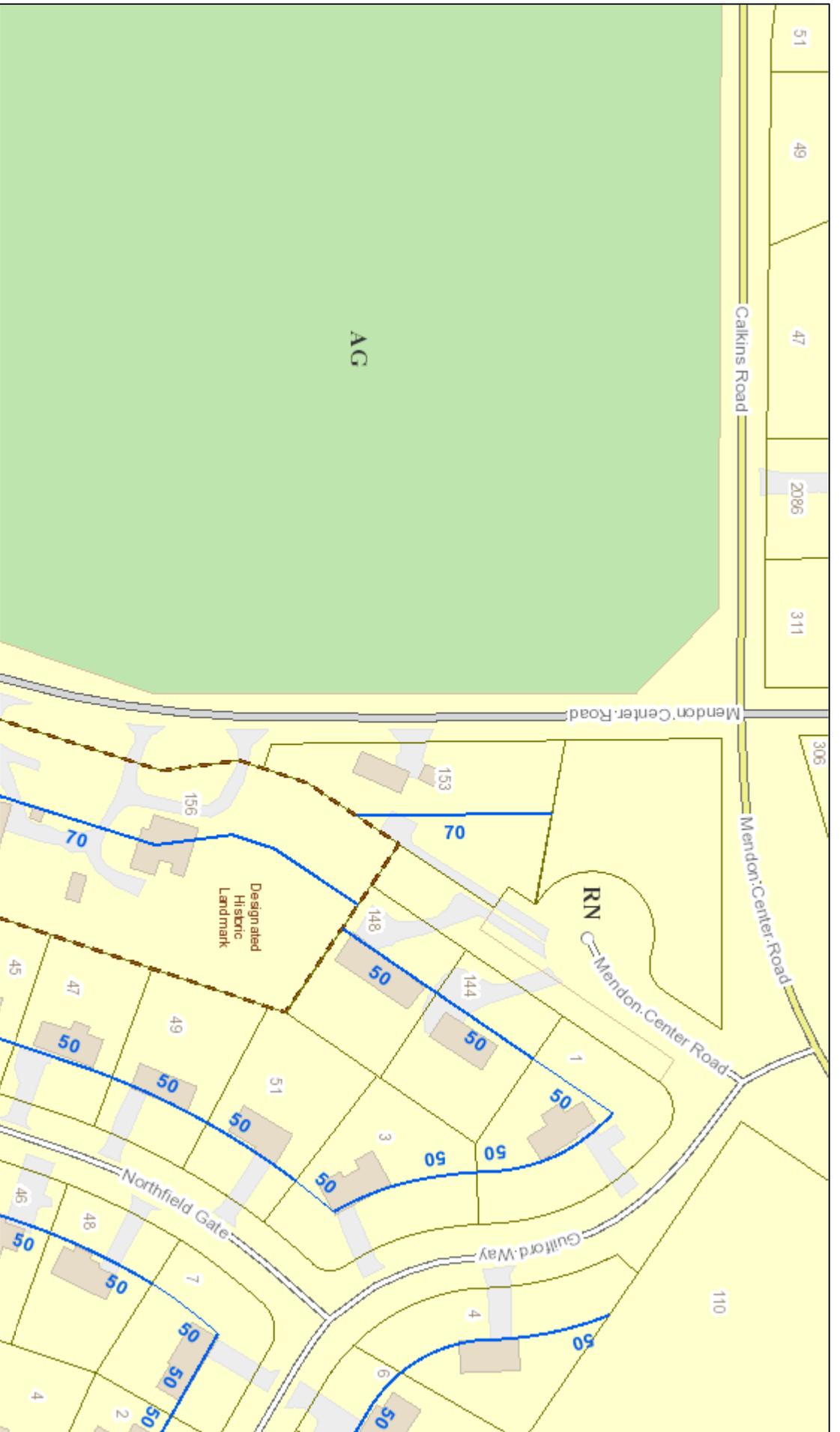
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Date

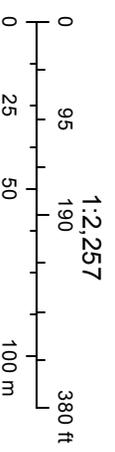
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Mark Lenzi - Building Inspector CEO

# RN Residential Neighborhood Zoning



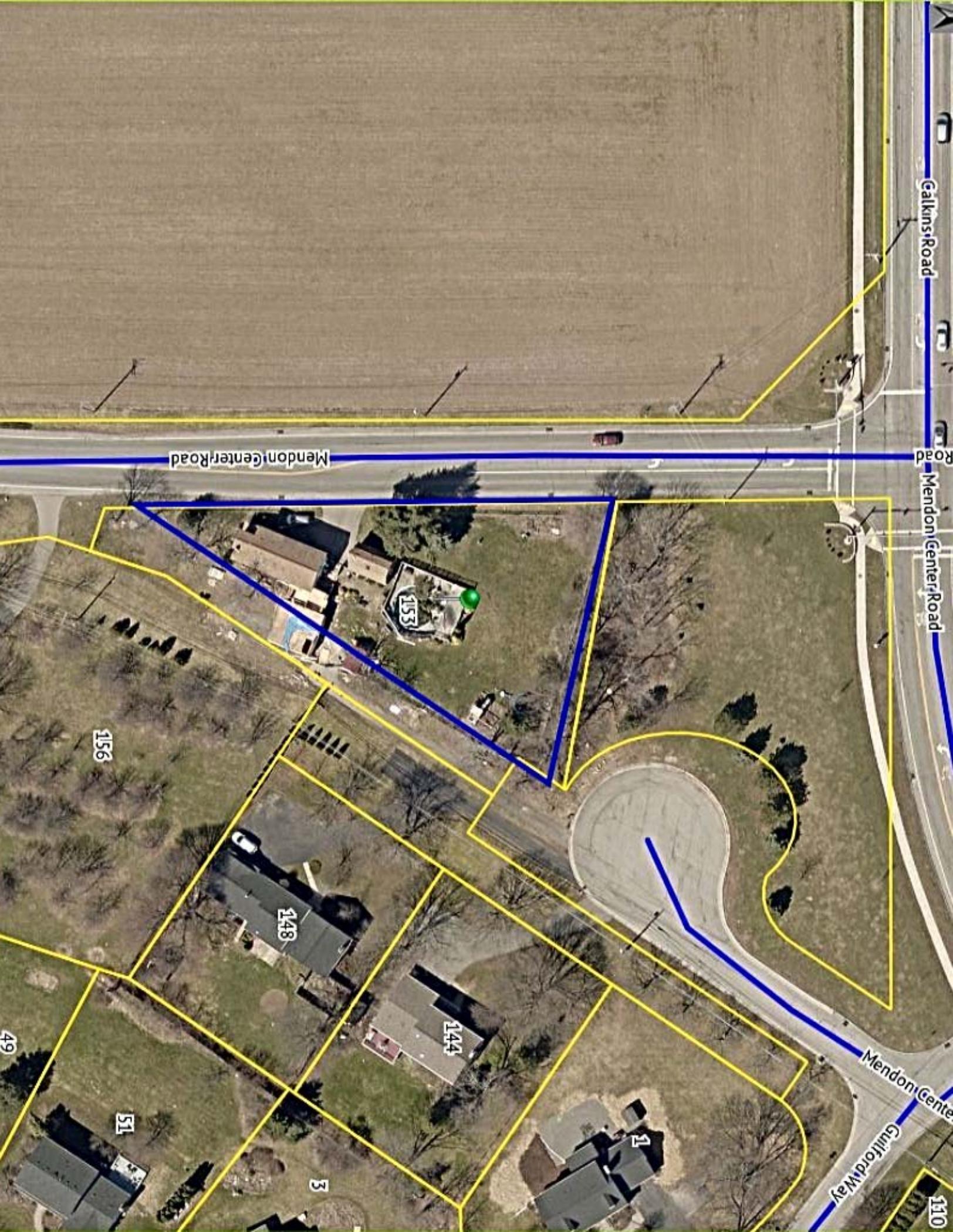
Printed June 5, 2019



1:2,257

Town of Pittsford GIS

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



Galkins Road

Mendon Center Road

Mendon Center Road

Mendon Center Road

Guilford Way

110

1156

148

144

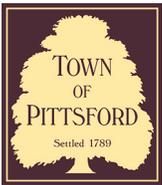
1

51

3

1153

49



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

Submission Date: May 13, 2019 Hearing Date: June 17, 2019

Applicant: Lauren Lilly

Address: 153 Mendon Center Road

Phone: 313-0327 E-Mail: maudeflower@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: 153 Mendon Rd Current Zoning: \_\_\_\_\_

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

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

We are applying for a permit and variance for an in-ground pool and four foot fence on the former location of an above ground pool and deck that we recently demolished due to wind damage. The in-ground pool will occupy the footprint of the original pool and will not require additional space in the yard. The pool area will be enclosed by a fence that meets NYS requirements and the pool will be fitted with a pool alarm. The pool will not be visible from the road due to the addition of landscaping, arborvitae and native shrubs after the pool is completed.

**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.

Lauren K. Hall \_\_\_\_\_  
*(Owner or Applicant Signature)*

16 May 2019 \_\_\_\_\_  
*(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 proposed fenced-in swimming pool will be an improvement since it is replacing an above ground pool and deck put in by the previous owner that was not in compliance with local ordinances. The proposed pool will meet all local and state ordinances and will also contribute to the value of the property by removing an eyesore and adding considerable visual appeal to the property with professional landscaping and a natural-looking water feature. The fencing will prevent potential accidents and the pool will be shielded from the road and other properties with landscaping, reducing its potential as an "attractive hazard." Since a pool was located on this site for years, the switch to an in-ground pool would certainly not add complexity or difficulty to anyone in the neighborhood, particularly since it would not be visible from any of the adjacent properties, all of which are at some distance from our yard.

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

Due to the unique location of our property and the location of the septic tank that wraps around the entire east side of the yard, there is no other area on the property where a pool could be located. Since a pool was already located in this part of the yard for years, we hope the request for a variance will be granted since we removed a dangerous eyesore (former pool and deck) along the way.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested variance is minimal because it is simply replacing an existing pool/deck structure and does not change the footprint. The fence that will be installed follows the existing footprint of the deck and because it is lower to the ground than the previous deck will be less visible from any other properties, including the closest road (Mendon Center to the west).

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 pool is replacing an existing pool, so there would be no adverse effect or impact. Moreover, the goal of replacing the artificial above ground pool with a natural swimming pool and native landscaping is to improve the environment of the property, attract native birds and insects, and improve the aesthetics of the lot, which has traditionally not been very attractive due to lack of landscaping and poorly built structures. The pool installer will be planting a variety of ornamental native aquatic species that will improve the environmental condition of the property. Additional landscaping between the pool fence and the backyard fence will help improve drainage to the road and create visual interest along the roadside while improving privacy for the property owners.

- **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. Previous owner built pool and deck without a permit and we are asking permission to build a pool in compliance with local and state regulations.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Pool and pool fencing at 153 Mendon Center Road

*(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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*Laura K. Hall*

*Brona Hall*

*(Signature of Applicant)*

16 May 2019

*(Dated)*

153 Mendon Center Rd.

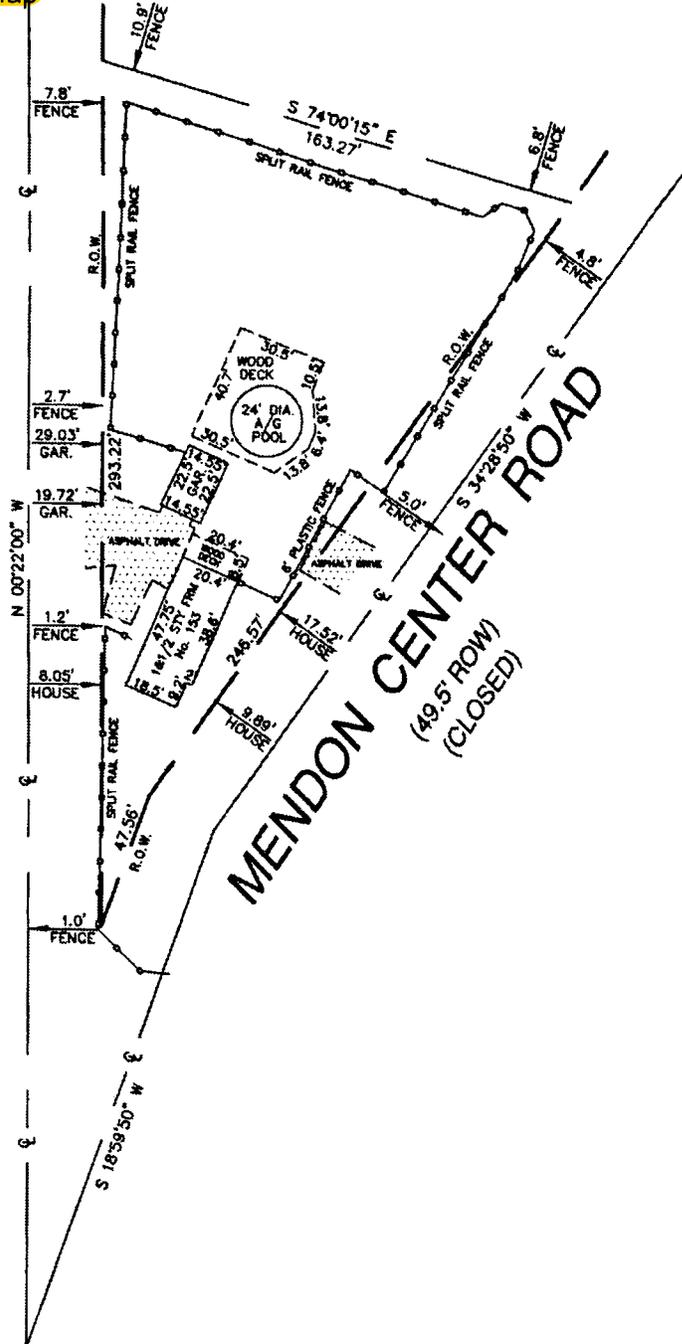
*(Street Address)*

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



TOBEY ROAD  
(49.5' ROW)

MENDON CENTER ROAD  
(49.5' ROW)  
(CLOSED)



**REFERENCES:**

1. ABSTRACT PROVIDED BY FRONTIER ABSTRACT AND RESEARCH SERVICES, INC. SEARCH No. 511670, DATED JUNE 18, 2014
2. DEED; LIBER 10796, PAGE 343

**CERTIFICATION:**

I, ROBERT S. BANNERMAN, HEREBY CERTIFY TO; BRIAN W. LILLY, LAUREN K. LILLY, USAA FEDERAL SAVINGS BANK, ITS SUCCESSORS AND/OR ASSIGNS, CONSOLIDATED LENDERS SERVICES, LLC, THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE, AND ALBERT S. KUSAK, ESQ., THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED UNDER MY DIRECTION ON 09/18/09. THIS PROPERTY WAS FIELD INSPECTED ON 07/23/2014 WITH NO CHANGES FOUND.

*Robert S. Bannerman*  
 ROBERT S. BANNERMAN L.S. 050507      DATE 7-23-14

REVISED 07/23/2014



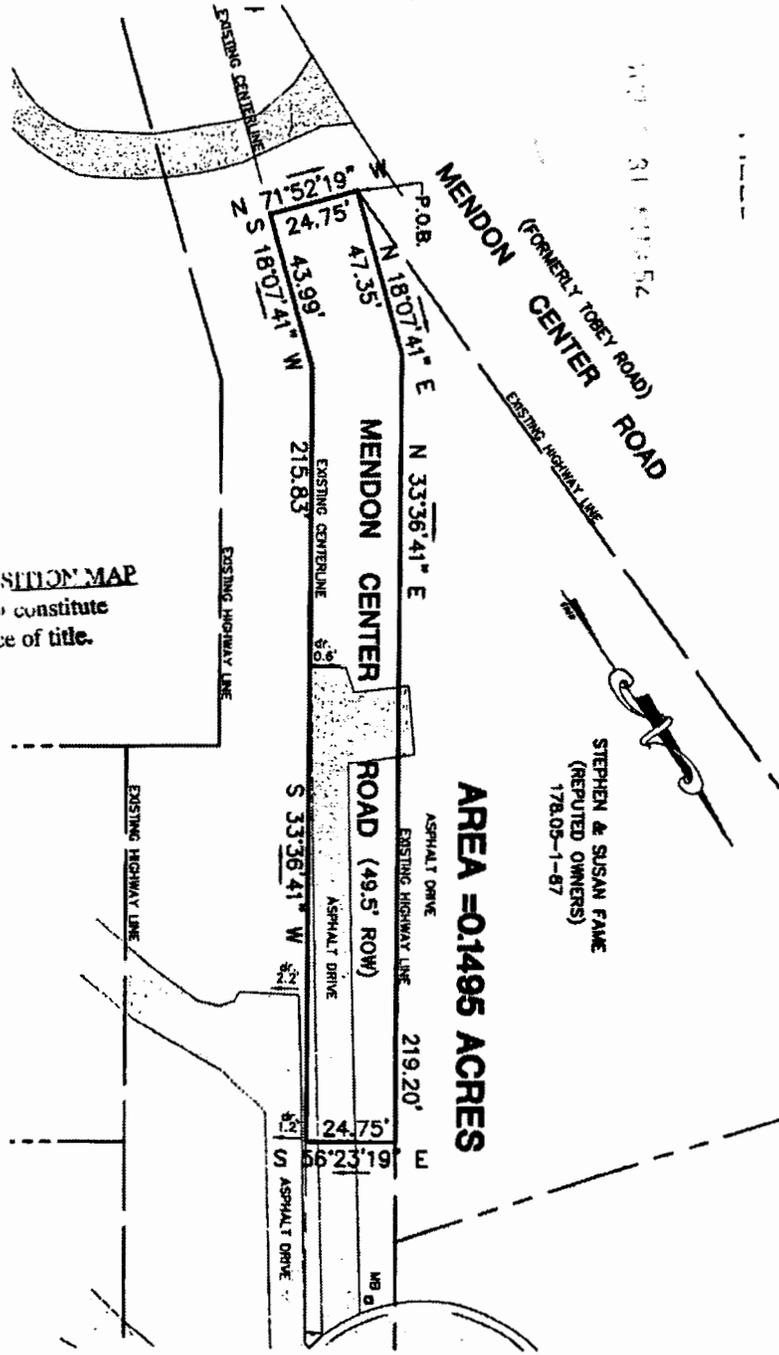
<b>TITLE:</b> INSTRUMENT SURVEY MAP		<b>PROJECT SURVEYOR:</b> R.S.B.	
<b>PROJECT:</b> 153 MENDON CENTER ROAD LOT 14, TOWNSHIP 12, RANGE 5, PHELPS AND GORHAM PURCHASE TOWN OF PITTSFORD, COUNTY OF MONROE, STATE OF NEW YORK		<b>DRAFTED BY:</b> R.S.B.	
187 WIDGER ROAD, SPENCERPORT, NEW YORK 14559-9744 (585)293-2986 RBANNERMAN@ROCHESTER.PR.COM		<b>CHECKED BY:</b> R.J.P.	
UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A SURVEY MAP BEARING THE SEAL OF A LICENSED LAND SURVEYOR IS A VIOLATION OF ARTICLE 145, SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW		<b>SCALE:</b> 1" = 50'	
		<b>DATE:</b> 09/19/09	

MAP 49 ABANDON  
PAR. 1

DEED: Liber 9375 Deeds, Page 136  
MAP: SEE MAP BY MRB GROUP, P.C. ENTITLED:  
"TOBEY/MENDON CENTER/CALKINS ROADS  
INTERSECTION IMPROVEMENT" PROJECT NO. 135059,  
DATED 3/9/01

REFERENCE

**MONROE COUNTY ACQUISITION MAP**  
The filing of this map does not constitute  
an appropriation or conveyance of title.



AREA = 0.1495 ACRES

STEPHEN & SUSAN FAME  
(REPUTED OWNERS)  
178.05-1-87

WE, KOCHER SURVEYING, P.C., hereby certify that this plan was prepared on March 17, 2004 from the notes of an instrument survey completed on March 2, 2004 in accordance with reference material listed herein.

Signed: *Stephen M. Landgrebe*  
Stephen M. Landgrebe LS Lic No. 50180

CERTIFICATION

**DRAWING ALTERATION**  
THE FOLLOWING IS AN EXCERPT FROM THE NEW YORK EDUCATION LAW ARTICLE 148 SECTION 7808 AND APPLIES TO THIS DRAWING:  
IT IS A VIOLATION OF THIS LAW FOR ANY PERSON UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR TO ALTER AN ITEM IN ANY WAY IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED. THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION."

**PLAN OF SURPLUS RIGHT OF WAY OF MENDON CENTER ROAD**  
To be Conveyed by  
**COUNTY OF MONROE**  
To  
**STEPHEN & SUSAN FAME**  
Being part of  
Town Lot 14, Township 12, Range 5  
Phelps & Gorham Purchase  
Situate in the  
Town of Pittsford County of Monroe New York

Scale: 1" = 40'  
Date: March 17, 2004  
Project: N04-038-5

**Kocher Surveying, P.C.**  
Formerly the Surveying Division of MRB | group  
116 West Miller Street Newark, N.Y. 14513  
Phone 315-331-2800 Fax 315-331-2445

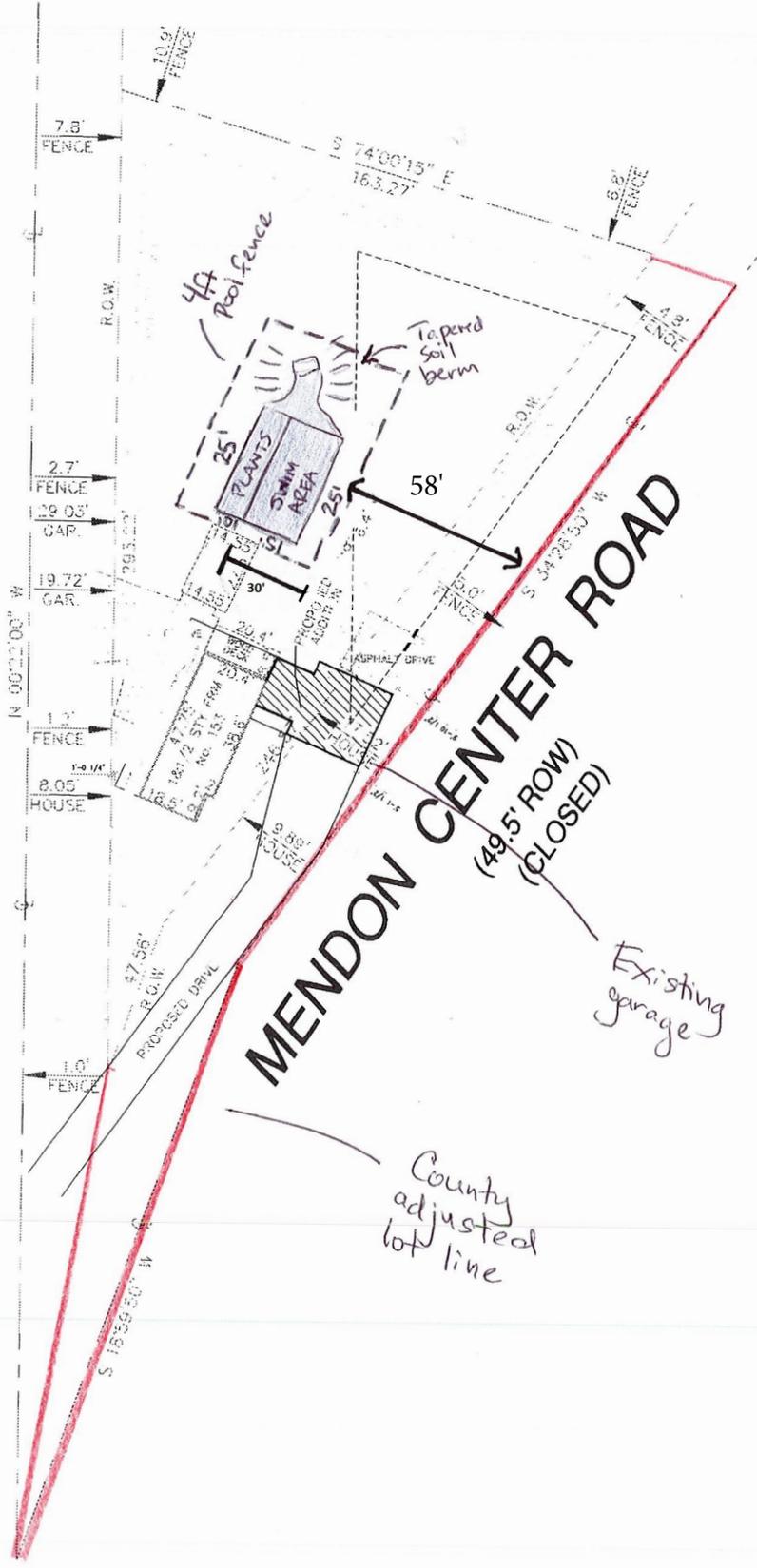


**Enclosure G: Proposed Site Plan**

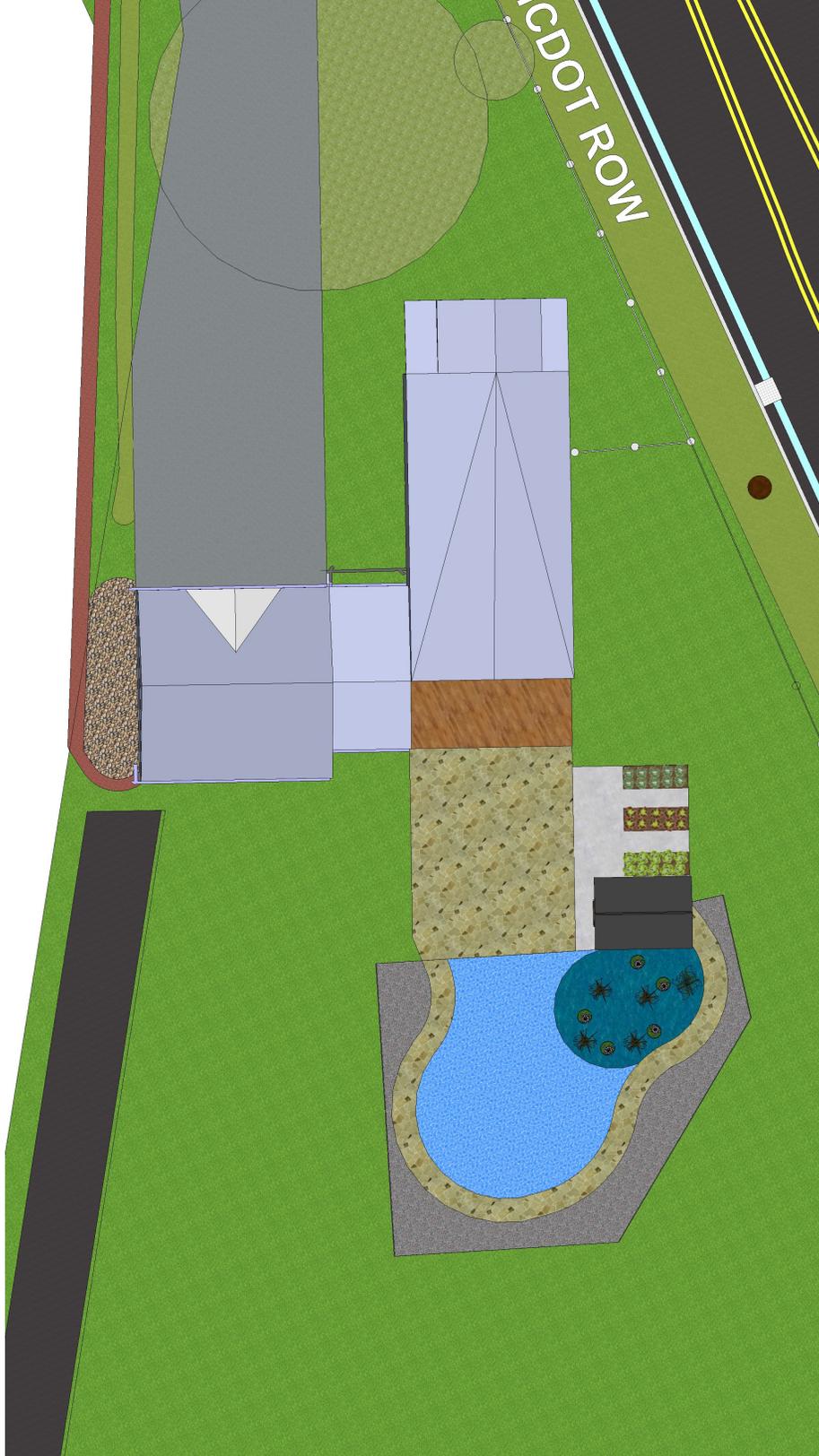
**TOBEY ROAD**  
(49.5' ROW)

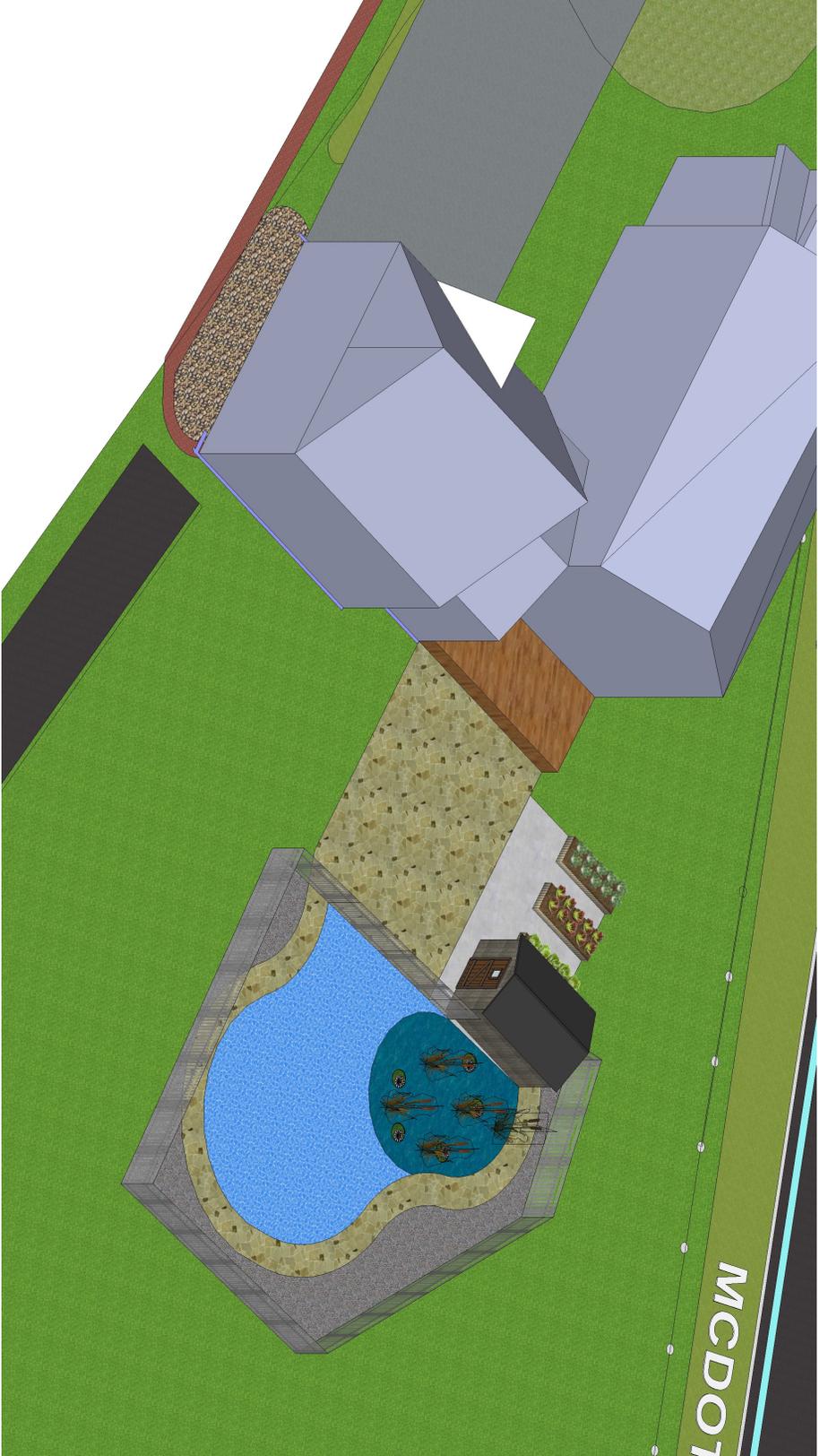
(49.5' ROW)

**MENDON CENTER ROAD**  
(49.5' ROW)  
(CLOSED)



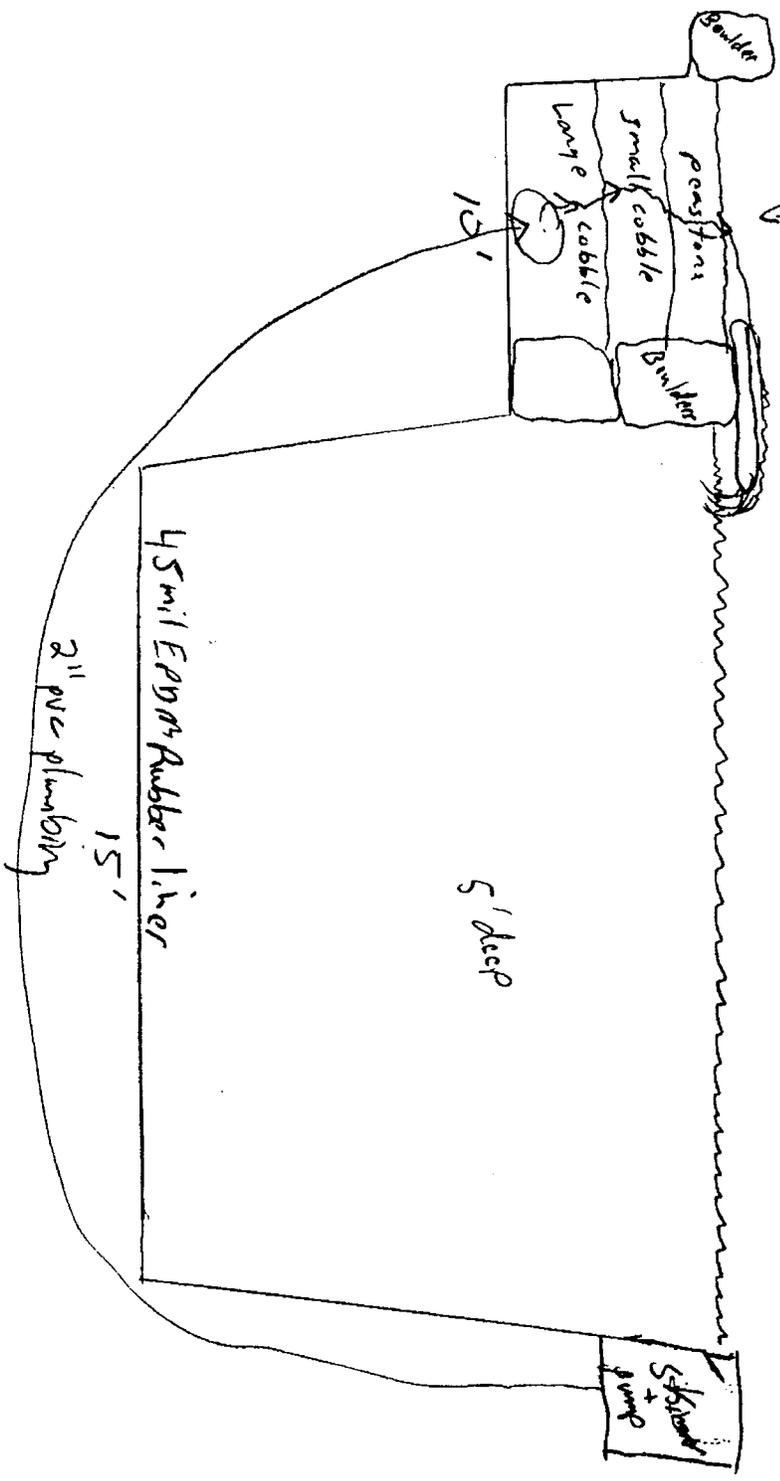
**PRELIMINARY**  
**NOT FOR CONSTRUCTION**





bag area

Flow up from pump



Lilly  
'boy + pool'  
cross section

Lilly Natural swim pool

Large Natural stone defines edge to naturalize the straight lines

Tapered soil berm

waterfalls/dive stones

