

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
April 19, 2021**

PUBLIC HEARING FOR AN AREA VARIANCE

- 7 Rosewood Drive, Tax # 178.16-2-55, Applicant is requesting relief from Town Code §185- 121 (A) to erect a fence exceeding the height requirement of Town Code forward of the front wall of the home. This property is a corner lot and is zoned RN - Residential Neighborhood District.
- 38 Coddington Grove, Tax # 177.08-1-61, Applicant is requesting relief from Town Code §185- 113 B (1) (2) & (6) and 185-17 (L) for the construction of an oversized accessory structure (storage shed) located in the rear yard and encroaching into the rear setback. Property is a flag lot and is zoned RN - Residential Neighborhood District.
- 53 Sutton Point, Tax # 163.02-3-33, Applicant is requesting relief from Town Code § 185 -17 (B) (6) 185-17 (E) to place a standby electrical generator in the side yard and encroaching into the side yard setback. Property is zoned RN – Residential Neighborhood District
- 85 Coventry Ridge, Tax # 177.04-3-59, Applicant is requesting relief from Town Code §185- 113 B (1), (2) & (6) and the approved Coventry Ridge Subdivision plans for the construction of an oversized accessory structure (Pavilion) located in the rear yard and encroaching into the side setback. Property is zoned IZ – Incentive Zoning.
- 110 Canfield Rd, Tax # 191.01-1-3.1, Applicant is requesting relief from Town Code §185- 113 B (1) & (3); 185 - 119 (A) (1) and 185 – 121 (A) for the construction of an oversized accessory structure (Pergola), an In ground swimming pool with spa & equipment, a recreation court located forward of the rear wall of the home and to erect a fence exceeding the height requirement of Town Code forward of the front wall of the home. Property is zoned RRSP – Rural Residential South Pittsford.
- 145 Long Meadow Cir, Tax # 150.20-2-12.1, Applicant is requesting relief from Town Code §185- 113 (B) (1), (2) & (3) for the construction of an oversized, over height storage shed forward of the rear wall of the home. Property is zoned RN - Residential Neighborhood District.

How to view the meeting:

1. Zoom

- In your web browser, go to <https://townofpittsford.zoom.us/j/88255826653?pwd=c0lYRHNNci9obnZMc3JlSHA4RzZlQT09>
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 **882 5582 6653**. 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 15, 2021**

PRESENT

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

ALSO PRESENT

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

ABSENT

Mike Rose

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, March 15, 2021 at 7:00 P.M. local time. The meeting took place with Board members and applicants participating remotely using Zoom virtual meeting software.

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

The application 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

- 17 Black Wood Circle, Tax # 178.03-5-36, Applicant is requesting relief from Town Code §185-119 (A) (1) & §185-30 (G) to construct an in-ground swimming pool encroaching into the rear setback, to place the pool heater and filter equipment on the side of the home and to exceed the maximum impervious lot coverage of the lot. This property is zoned IZ - Incentive Zoning.

George Dounce opened the Public Hearing.

Jill Lennox and Scott Harter were present to discuss the application with the Board.

The application is requesting relief from Town Code in order to place a pool on their small lot which will encroach into the rear setback and place the pool equipment on the side of the home so the noise does not interfere with their backyard space. They are creating patio and walkway space which exceeds the maximum impervious lot coverage for that property.

This street is sparsely populated at the present time but the owner has shared their plan with Morrell Builders who are developing the area and the homeowner at #15 Black Wood Circle. Ms. Lennox indicated that the other houses do not line up with hers so they will be not looking directly into each other's backyards and they intend to place privacy plantings on both sides of the patio and pool area.

Public comment was heard from a participant identified by Mel. Questions were taken and answered by Town staff regarding the need for the placement of the pool at the requested location.

Barbara Servé moved to close the public hearing.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

DECISION FOR 15 BLACK WOOD CIRCLE – AREA VARIANCE

A resolution to grant an area variance to 15 Black Wood Circle was moved by Zoning Board of Appeals member Phil Castleberry, seconded by Board member James Pergolizzi, and voted upon by the Board members, as follows:

Michael Rose was	absent
Barbara Servé voted	aye
James Pergolizzi voted	aye
David Rowe voted	nay
Mary Ellen Spennacchio-Wagner voted	aye
George Dounce voted	aye
Phil Castleberry voted	aye

The Board, in granting the application, imposed the following specific conditions:

1. This variance is granted only for the Site map submitted to the Zoning Board of Appeals dated February 26, 2021.
2. All construction is to be completed by December 31, 2022.

REVIEW OF MEETING MINUTES OF FEBRUARY 15, 2021

Phil Castleberry moved to approve the minutes of February 15, 2021 as written.

Barbara Servé seconded.

All Ayes.

POINT PERSONS FOR APRIL 19, 2021 MEETING

723 Linden Avenue – Barb Servé

53 Sutton Point – Barb Servé

145 Long Meadow Circle – Phil Castleberry

110 Canfield Road – David Rowe

85 Coventry Ridge – Mary Ellen Spennacchio- Wagner

7 Rosewood Drive – George Dounce

38 Coddington Grove – Jim Pergolizzi

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 7:37 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly
Secretary to the Zoning Board of Appeals

DRAFT

Zoning Board of Appeals Referral Form Information

Property Address:

7 Rosewood Drive PITTSFORD, NY 14534

Property Owner:

Goetz, Scott J
7 Rosewood Dr
Pittsford, NY 14534

Applicant or Agent:

Goetz, Scott J
7 Rosewood Dr
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	55	Front Setback:	43	Front Setback:	12.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s): 185-17 (A) 1

Description Applicant is requesting relief from Town Code to erect a fence exceeding the height requirement of Town Code forward of the front wall of the home. This property is a corner lot and is zoned RN-Residential Neighborhood District.

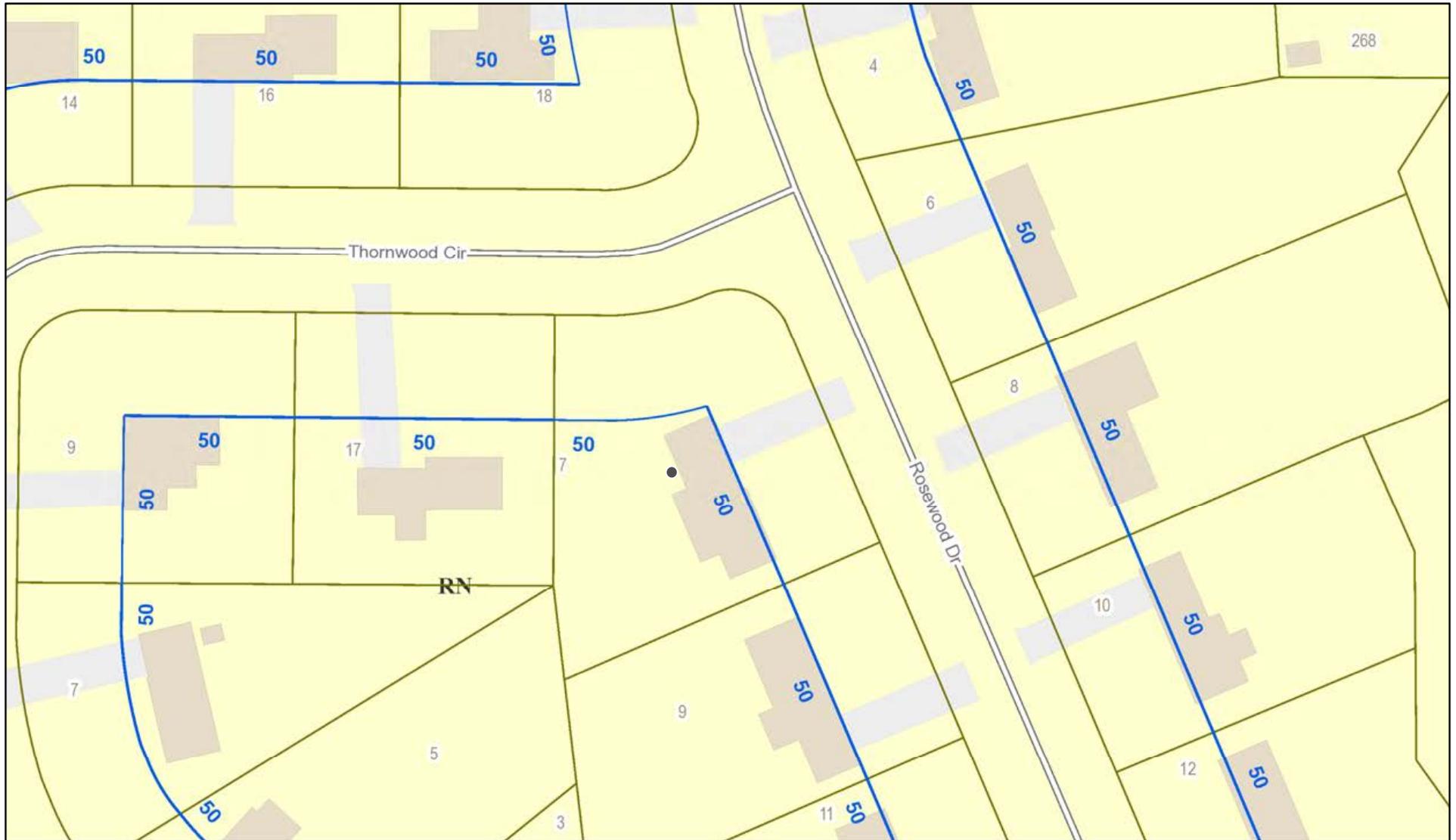
March 31, 2021



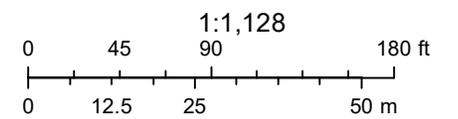
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning

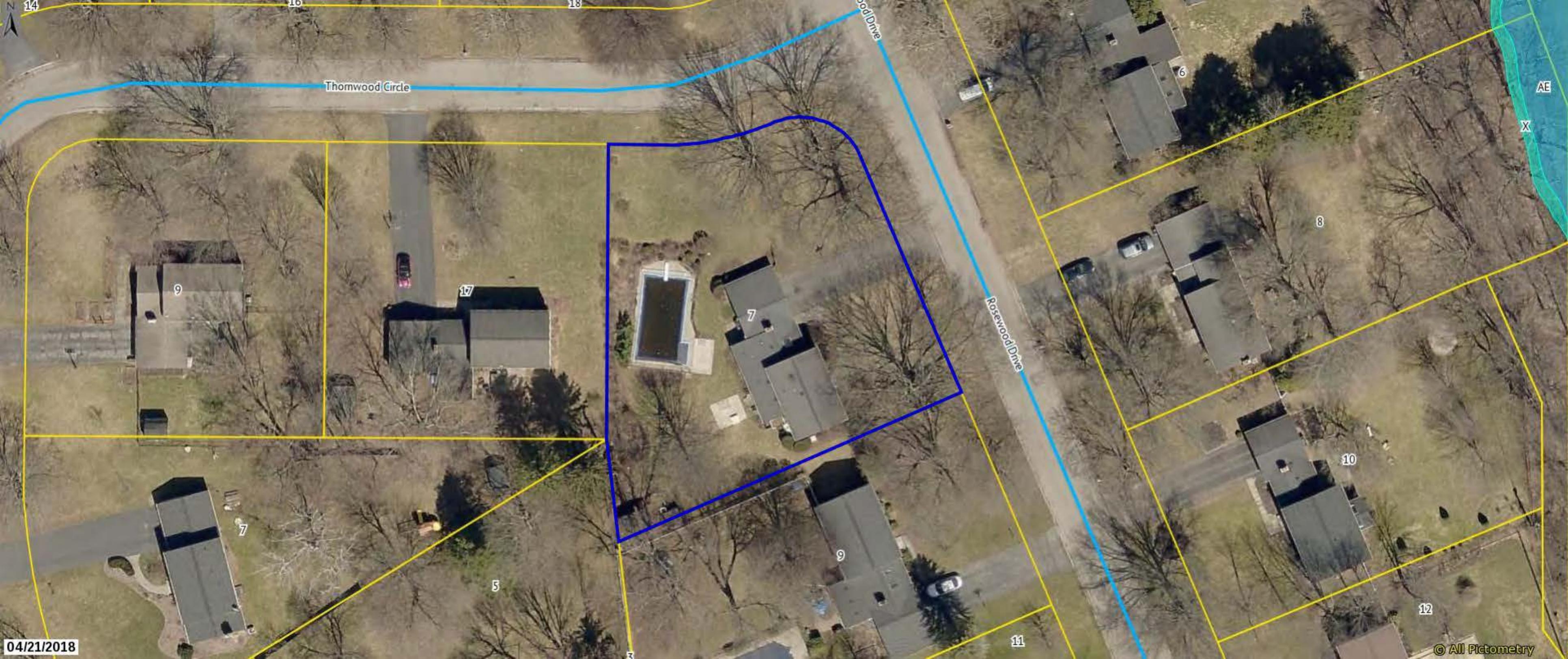


Printed March 24, 2021



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.



Thomwood Circle

God Drive

Rosewood Drive

9

17

7

6

8

7

5

9

10

12

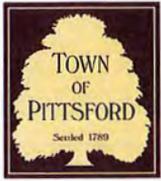
11

04/21/2018

© All Pictometry

AE

X



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: March 12, 2021 Hearing Date: April 19, 2021

Applicant: Scott J Goetz & R. Lenore Goetz

Address: 7 Rosewood Drive Pittsford, NY 14534

Phone: (585) 943-3422 E-Mail: sxotgets@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: 7 Rosewood Drive Pittsford NY Current Zoning: Residential

Tax Map Number: 178.160-02-055

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Installation of chain link fencing in the side yard in front of setback.

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

(Owner or Applicant Signature)

(Date)



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

TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:

(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

The request for the variance would be for installation of a four-foot black chain link fence approximately two to three feet in front of, and parallel to, an existing line of bushes and shrubs on the side yard of a corner property lot.

This fencing needs to be four feet high to enclose the backyard and existing inground pool.

The fence type would be see through and in normal character with the rest of the neighborhood.

Viewed from either Thornwood Circle or Rosewood Drive, it would appear to blend in with the rest of the 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:

The currently existing inground pool in backyard needs to be fully fenced and four feet high.

Due to the characteristics and the shape of the lot, to surround the pool and backyard, the fence would need to be placed in front of the setback on the Thornwood Circle side of the property.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested variance would be minimal, requiring the chain-link fence to be placed approximately nine feet in front of the current pool fence.

The type of fencing would not be a solid barrier or a privacy style in height.

The barrier type sought would be see through and would be placed just in front of a line of bushes.

The fencing would be unobtrusive as viewed from the road on Thornwood Circle. Viewed from the front of the house on Rosewood Drive, the fence would not seem out of place and would blend into the rest of the yard.

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

No environmental issues would be created.

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

5. Is the alleged difficulty self-created?

Yes, the difficulty is self-created, however the portion of the fence that would be in front of the set back is only one foot higher than the code of three feet, but the inground pool needs to be enclosed to a height of four feet.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

7 Rosewood Drive Fencing Project

(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)

March 12, 2021

(Dated)

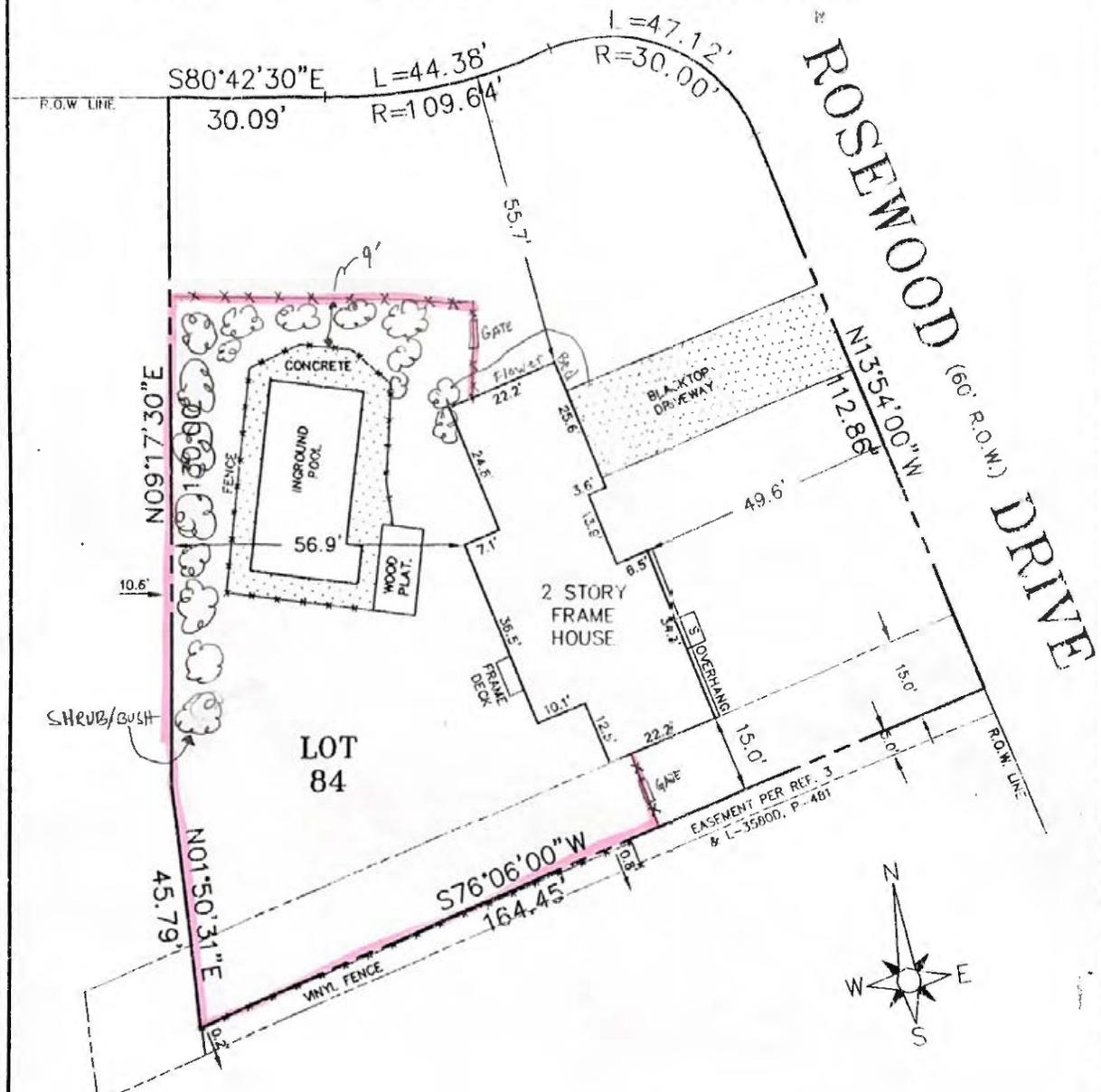
7 Roswood Drive

(Street Address)

Pittsford NY 14534

(City/Town, State, Zip Code)

THORNWOOD (60' R.O.W.) CIRCLE



NOTES:
TIES TAKEN TO FOUNDATION.

REFERENCES:

1. ABSTRACT OF TITLE NO. 276283 (FIRST AMERICAN 6--5-09).
 2. LIBER 9431 OF DEEDS, PAGE 217.
 3. LIBER 163 OF MAPS, PAGE 34.
 4. EASEMENT TO RGE & RTC PER L-3580D, P-372 (ALONG SIDE & REAR Ps).
 5. EASEMENT RO RGE PER L-3580D, P-371 (ALONG ROAD R.O.W.).
- RESTRICTIONS PER L-3325D, P-148.

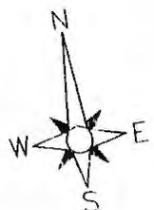
CERTIFICATION:

I hereby certify to: **SCOTT J. GOETZ & R. LENORE GOETZ**
FRANKLIN AMERICAN MORTGAGE CO., ITS SUCCESSORS AND OR ASSIGNS
WEBTITLE AGENCY
PHETERSON, STERN, et al.

that this map was made JUN. 8, 2009 from notes of an Instrument Survey completed JUN. 8, 2009 and from references listed hereon.

Scott J. Goetz

NOTE: Boundary corners should only be



REVISIONS:
TIES, REFS & EASEMENT 6-18-09

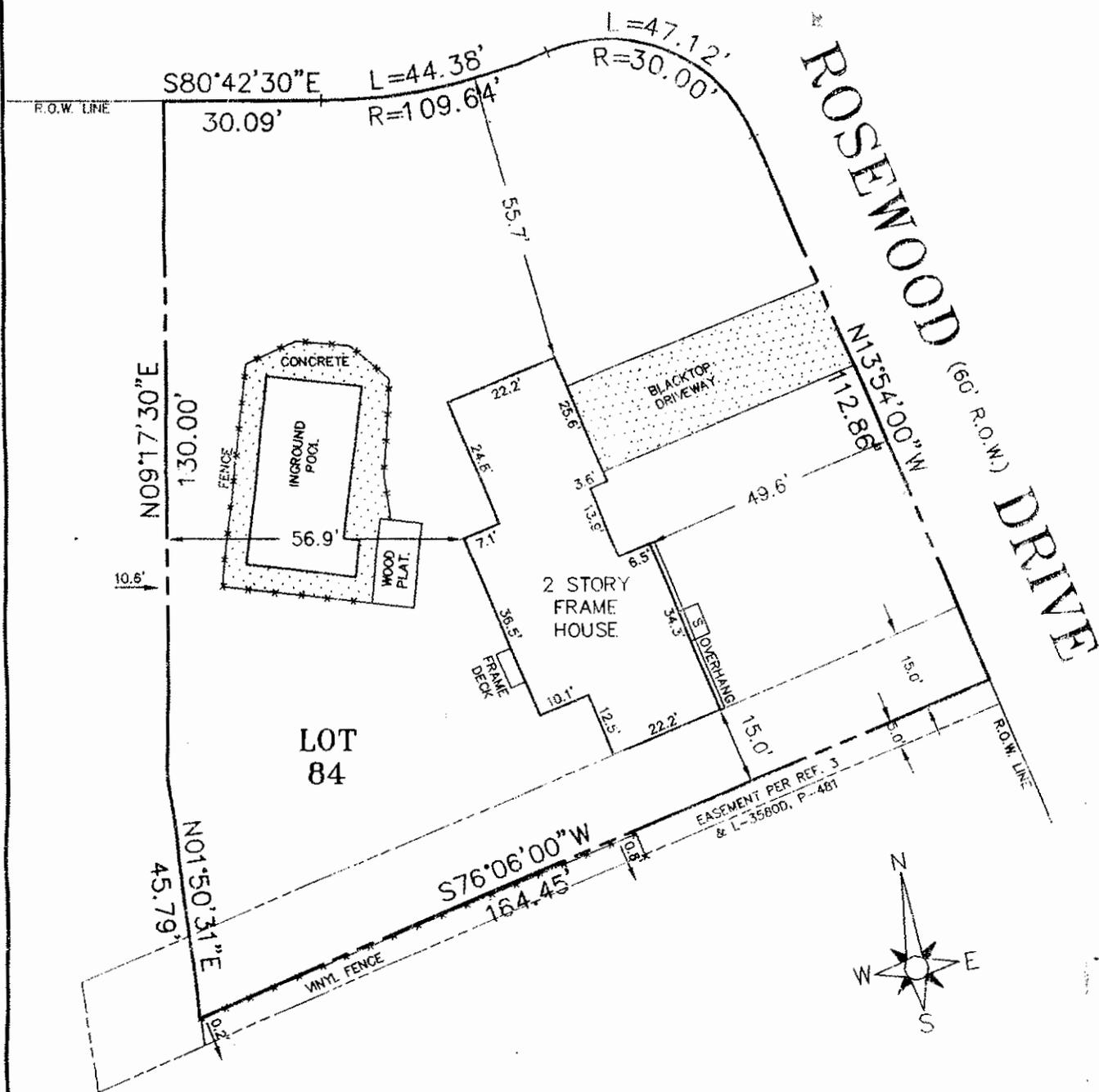








THORNWOOD (60' R.O.W.) CIRCLE



NOTES:

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 PHETERSON, STERN, et al.

that this map was made JUN. 8, 2009 from notes of an Instrument Survey completed JUN. 8, 2009 and from references listed hereon.

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

NOTE: Property corners should only be set by a licensed, registered land surveyor. Snow cover has impeded ability to locate ground features



REVISIONS:

TIES, REFS & EASEMENT 6-18-09

Tax Account No.
 178.160-02-055

"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. Landscaping features are not shown hereon, unless otherwise specified. ©

TITLE: **INSTRUMENT SURVEY MAP**
7 ROSEWOOD DRIVE
BEING LOT 84 OF THE WOODSTOCK
SUBDIVISION, SECTION 5, SITUATE IN THE
TOWN OF PITTSFORD, COUNTY OF MONROE,
STATE OF NEW YORK

B 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: JUN. 8, 2009
 FILE No. 090228JK
 OWNER: CLOEN TRUST
 SCALE: 1" = 30'

Zoning Board of Appeals Referral Form Information

Property Address:

38 Coddington Grove PITTSFORD, NY 14534

Property Owner:

Mesmer, David J
38 Coddington Grv
Pittsford, NY 14534

Applicant or Agent:

Mesmer, David J
38 Coddington Grv
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	60	Rear Setback:	18	Rear Setback:	42.0
Height:	12	Height:	13	Height:	-1.0
Size:	180	Size:	192	Size:	-12.0

Code Section(s): §185- 113 B (1) (2) & (6) and 185-17 (L)

Description: Applicant is requesting relief from Town Code for the construction of an oversized accessory structure (storage shed) located in the rear yard and encroaching into the rear setback. Property is a flag lot and is zoned RN- Residential Neighborhood District.

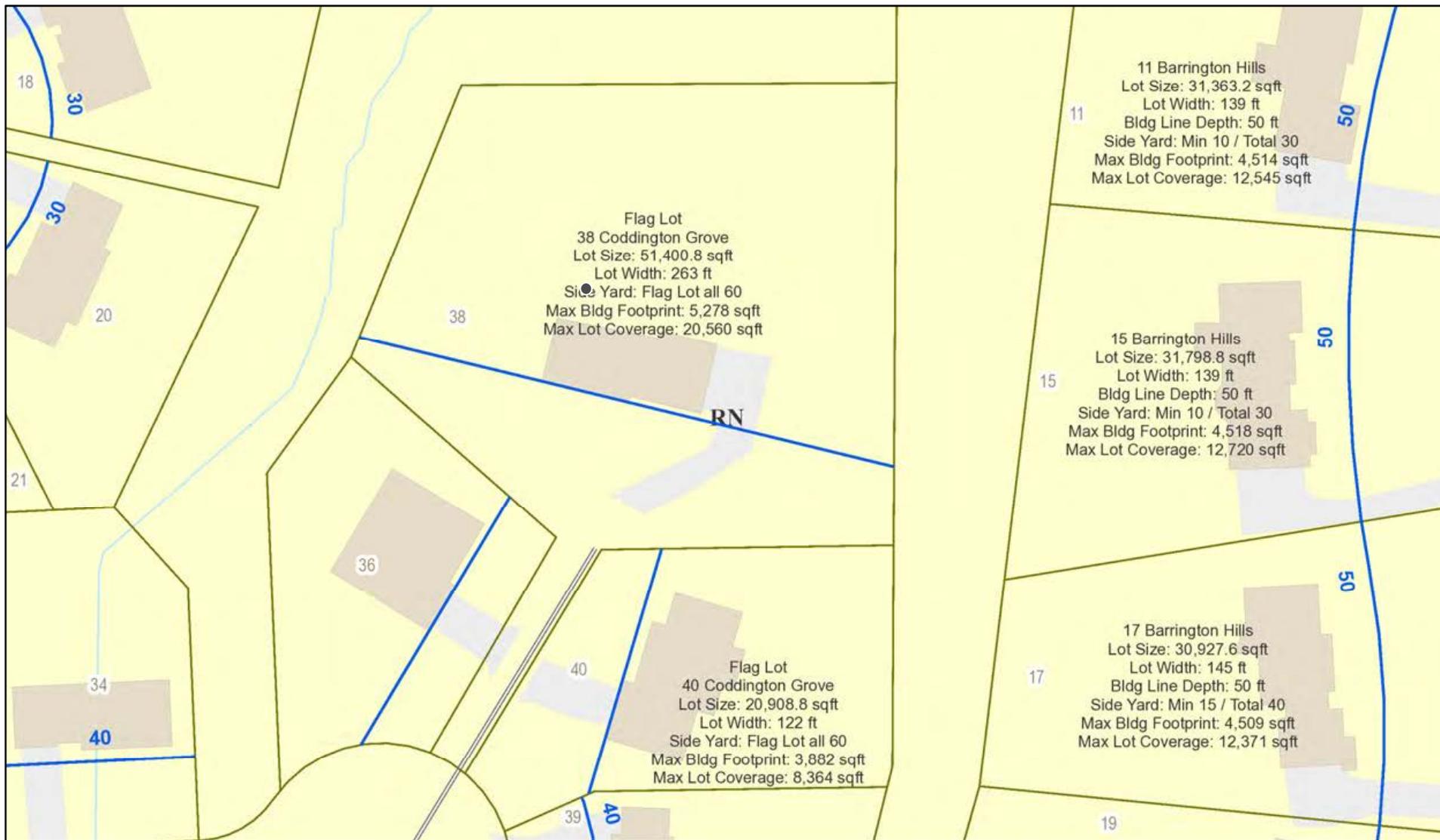
March 31, 2021



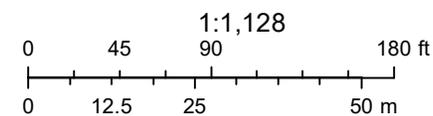
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning

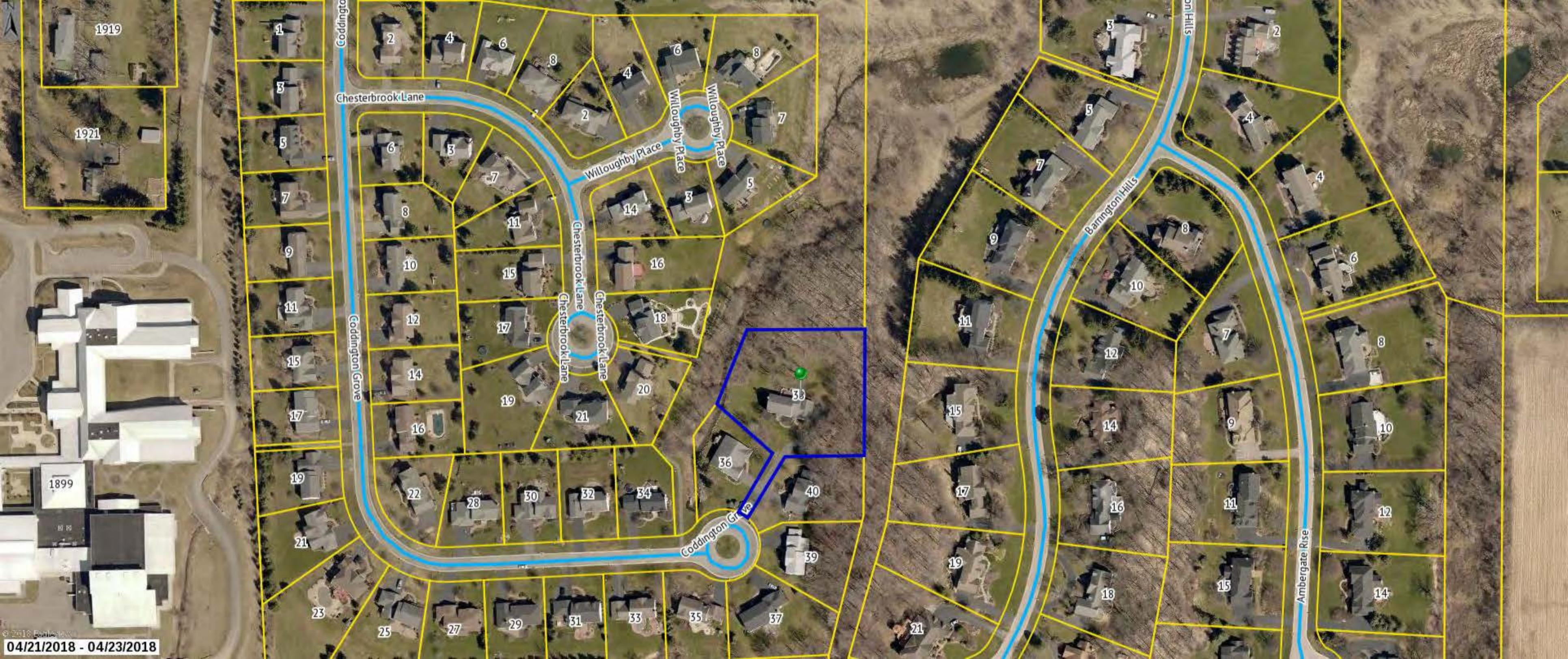


Printed March 31, 2021



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.



1919

1921

1899



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: _____ Hearing Date: _____

Applicant: David Mesmer

Address: 38 Coddington Grove

Phone: (585) 217-1132 E-Mail: dmesmer344@msn.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: 38 Coddington Grove Current Zoning: Residential

Tax Map Number: 264689 177.08-1-61

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

I would like to put a 12 x 16 shed in my back yard 18 feet from my property line.

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

(Owner or Applicant Signature)

(Date)



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

TESTS FOR GRANTING AREA VARIANCES

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall also consider the following:

(Please answer the following questions to the best of your knowledge)

1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:

I am on flag lot. My 2 nextdoor neighbors do not see my backyard. My backyard is surrounded by woods which block the view of anyone. I also plan on having painted in natural colors.

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

If I kept the required setback, the shed would be in the middle of my lawn.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The request is minimal since my neighbors or anyone can see it from their homes.

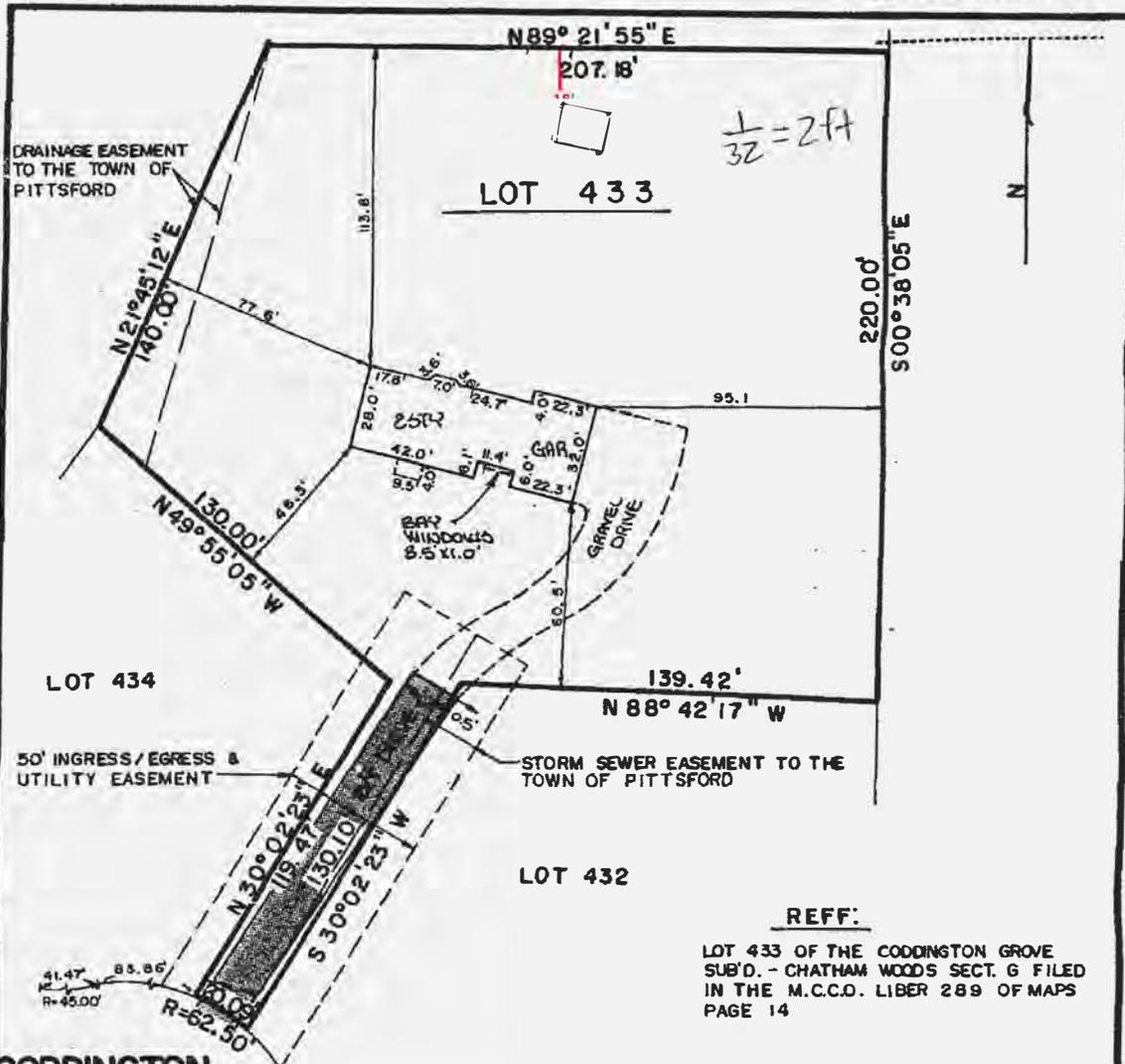
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

The variance will not affect the physical or environmental condition. No Live trees will be cut down. I will transfer a small evergreen tree to a different location. The shed will be placed on crushed stone which allow any drainage to pass under

- **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, I have 3 kids and a lot of "stuff" in the garage. We need to put a 3rd car in the garage.



CODDINGTON GROVE
(60' WIDE)

**MAP OF AN INSTRUMENT SURVEY OF:
LOT 433 OF THE CODDINGTON GROVE SUBDIVISION
CHATHAM WOODS SECTION "G"**

SITUATE IN:

TOWN OF PITTSFORD

MONROE COUNTY

NEW YORK

DATE: APRIL 28, 1997

UPDATE & CERTIFY 6-17-97

SCALE: 1" = 50'



D.J. Parrone & Associates, P.C.

Consulting Engineers - Lead Surveyors - Planners

400 Whitney Road P.O. Box C
Penfield, New York 14526

(716) 558-0200

FAX (716) 558-6752

ANY UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF ARTICLE 145, SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.

WE, D.J. PARRONE & ASSOCIATES, P.C., HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON APRIL 7, 1997.

IT IS FURTHER CERTIFIED TO: PHH MORTGAGE SERVICES CORP., ITS SUCCESSORS AND/OR ASSIGNS, THE TITLE INSURANCE COMPANY ISSUING THIS MORTGAGE; GALLO & IACOVADGELLO; PETER J. TUMMINELLI, ESQ.; AND DAVID J. MESMER AND AMY M. MESMER.

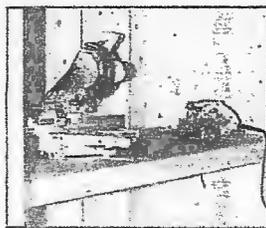
Dominic J. Parrone

DOMINIC J. PARRONE, P.E., L.S. LIC. NO. 29838
D.J. PARRONE & ASSOCIATES, P.C.



B.C. REPROGRAPHICS, INC. 191232 N163997

Options



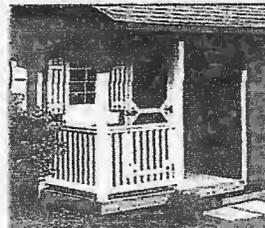
36" Workbench



16" Shelf



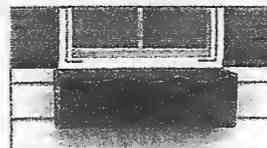
Loft



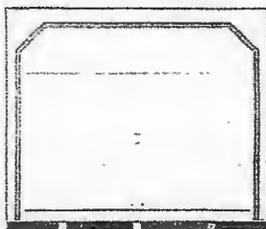
Porch



Flower Box



Vinyl Flower Box



Standard Overhead Door



Homestead Overhead Door



Homestead Overhead Door with Stockton Glass

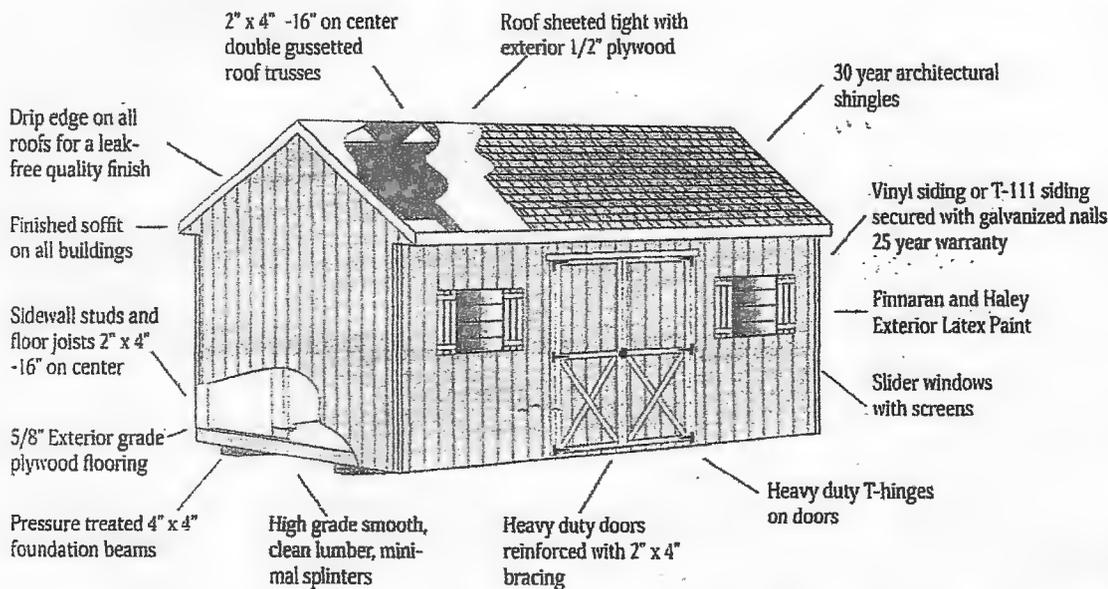


Deluxe Trim Package: 1" x 4" trim on doors, corners, and window trim



Ramp

Construction Details

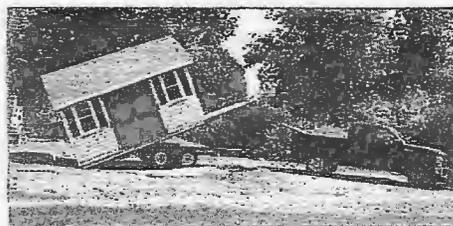
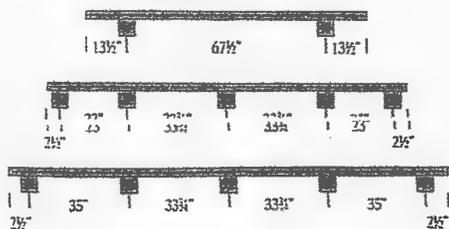


Collar ties are used on all buildings over 18' long.



Accurate machine cut rafters make a tight joint for maximum strength and precise construction.

Pressure Treated Skids



All buildings are fully assembled and delivered to your prepared site. Kits are available if your location is not accessible by truck and trailer.



Doors are reinforced with 2" x 4" bracing.



Double 2" x 4" top plate on all side walls over 18' long and A-Frames over 16' long.

AMISH OUTLET AND GIFT SHOP

3530 Union Street, N. Chili, NY 14514

Building site preparation policy and description

1. If the site where you wish your building to be placed is not relatively level and flat (4 inches or less over span) that it may be necessary for site preparation prior to building delivery.
2. Our goal is to provide a flat and level base with excellent drainage to place building.
3. Our procedure is to build a temporary frame on top of existing grade (ground) that is one foot larger all around than building to be delivered. We then fill this frame with #2 crushed stone.
4. Building is left on a flat and level surface with excellent drainage.
5. The cost for this service is not included in the building price. This cost is determined by the size of the building and the amount of stone necessary to provide a level surface.
6. We do not repair lawn damage from our equipment unless stated on original invoice. Extra charges apply.
7. It is important to choose a location in your yard that accommodates the door location of your leveled shed. If the back of your shed is on an uphill grade and we have to level the front to match the rear height than the doors will be too high to be fully functional. **IT IS YOUR RESPONSIBILITY TO FIND A LOCATION THAT IS SUITABLE FOR YOUR SHED.**
8. Our standard ramps are designed to function well if the shed floor is no more than 8 inches above the existing grade. Custom ramps are available at an additional cost based on size.









Zoning Board of Appeals Referral Form Information

Property Address:

53 Sutton PITTSFORD, NY 14534

Property Owner:

Schindler, Scott D
53 Sutton Pt
Pittsford, NY 14534

Applicant or Agent:

Schindler, Scott D
53 Sutton Pt
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	10	Right Lot Line:	8	Right Lot Line:	2.0
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):

Description: Applicant is requesting relief from Town Code § 185 -17 (B) (6) 185-17 (E) to place a standby electrical generator in the side yard and encroaching into the side yard setback. Property is zoned RN – Residential Neighborhood District

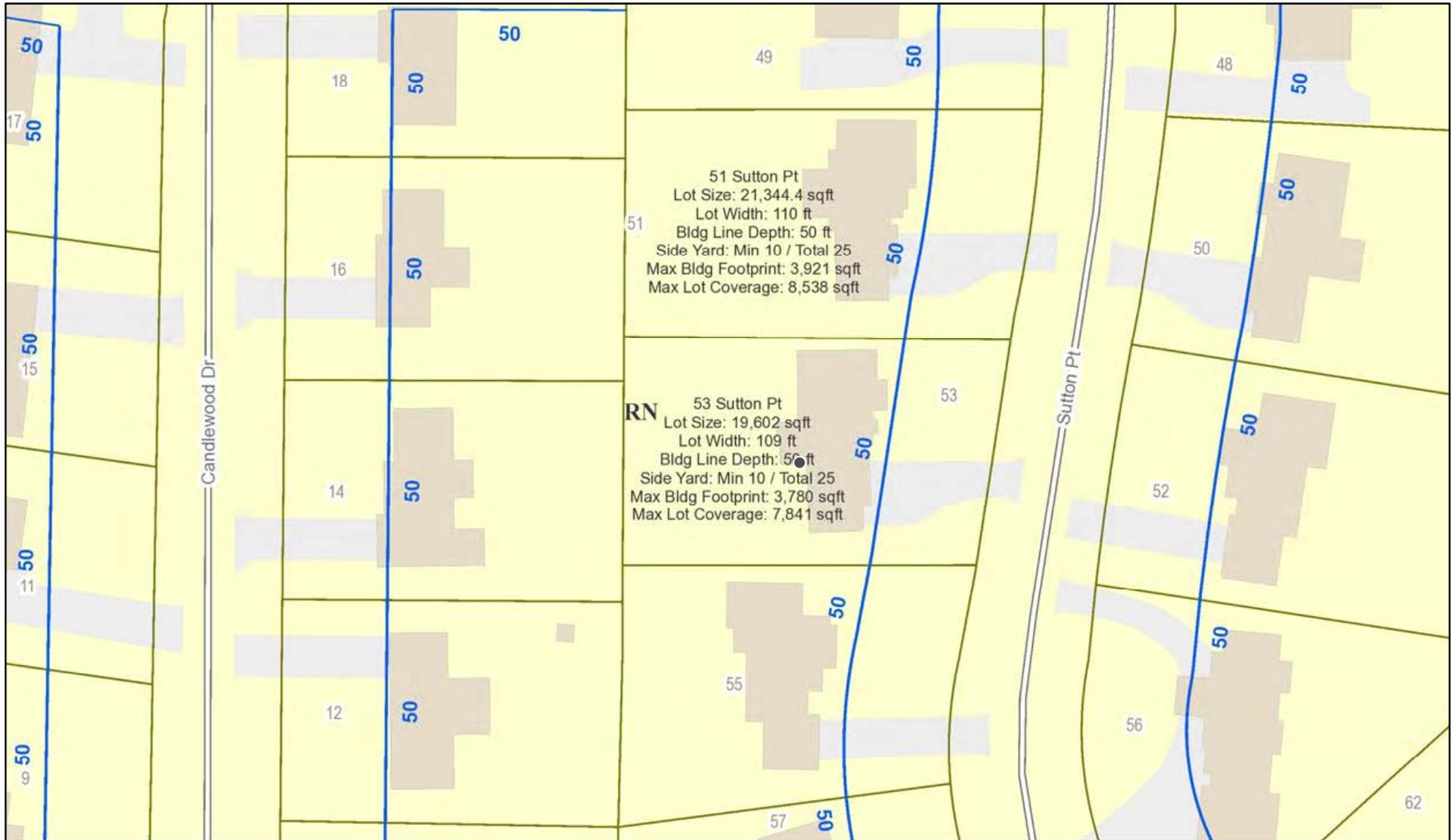
March 31, 2021



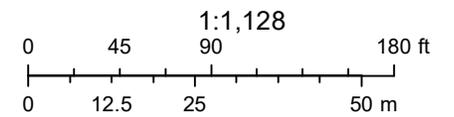
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning

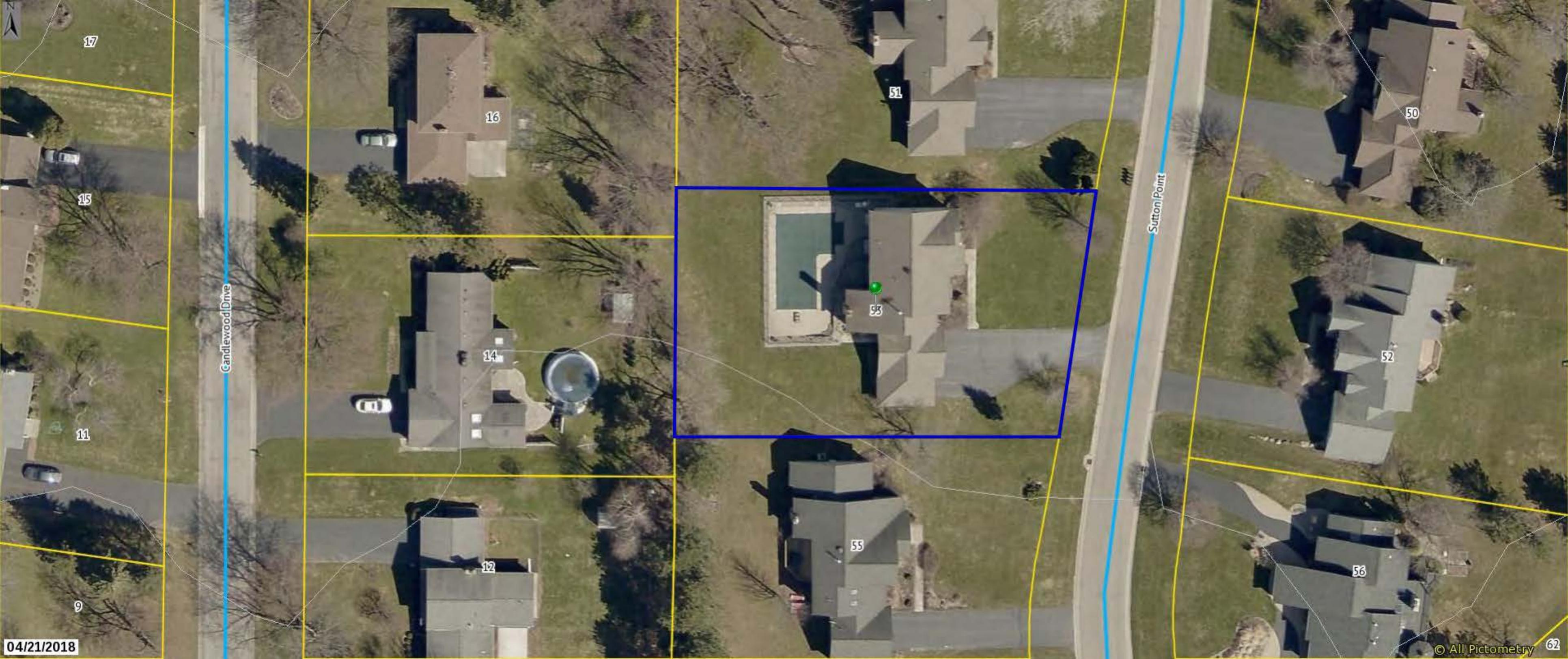


Printed March 29, 2021



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.



17

15

11

9

Candlewood Drive

16

14

12

51

55

Sutton Point

50

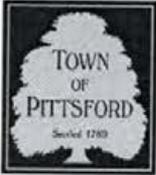
52

56

93

04/21/2018

© All Pictometry 62



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 3/11/2021 Hearing Date: 4/19/2021

Applicant: Ken Stavalone

Address: 1127 Corporate Drive East, Farmington, NY 14425

Phone: 585-370-1481 E-Mail: _____

Agent: Applicant.
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Scott Schindler
(if different than Applicant)

Address: 53 Sutton Point, Pittsford, NY 14534

Phone: 585-230-1001 E-Mail: schindler.sd@gmail.com

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

Property Location: 53 Sutton Point Current Zoning: Residential Neighborhood

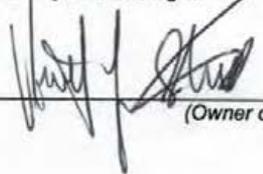
Tax Map Number: 163.02-3-33

Application For: Residential Commercial Other

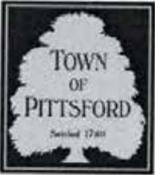
Please describe, in detail, the proposed project:

Install a 22kw Generac generator (model 7043-3) remaining at least 18" inches from structure and 5' feet from windows, doors, & vents.

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)

3/11/2021
(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, Scott Schindler, the owner of the property located at:
53 Sutton Point, Pittsford, NY 14534
(Street) (Town) (Zip)

Tax Parcel # 163.02-3-33 do hereby authorize
Home Power Systems to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of
installation of a 22kw Generac generator.


(Signature of Owner)
3/11/21
(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 requested variance for the installation of a 22kw Generac generator will have a minimal effect on neighboring homes. The proposed location of the generator is on the North side of the home where the closest neighbors garage will be facing the generator. This would be the best location to reduce the sound of the generator for the neighbors (when running). The generator will run once a week for 5 minutes at 65dB during normal exercise or during a power outage. The generator will also be hidden behind existing vegetation around the URD (underground residential distribution).

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 placement of the generator for this application is limited due to an existing underground pool and deck preventing the installation in the rear of the house. The proposed location of the generator would be the most optimal for reducing the generator sound in the neighborhood. It would also be the most cost effective location for the customer.

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 code requires the generator to meet the 10' feet side setback from property line and our proposed location is inches or about a foot from meeting code. It also would not meet the overall side setback for the property of 25' feet and would just be under the required setback.

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 proposed generator is relatively small and will not be noticeable. The generator will only be running once a week for five minutes and during outages.

- **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 underground pool and deck in the rear of the house limits the placement of the generator. The gas and electric meters are located on the same side (North) of the house as the proposed generator location and it makes sense to keep these items grouped together on one side of the house where they will be out of the way.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Scott Schindler

(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...

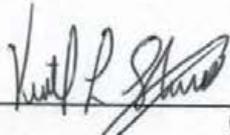
change of zoning special permit building permit permit amendment
 variance approval of a plat exemption from a plat or official map

...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)

3/11/2021

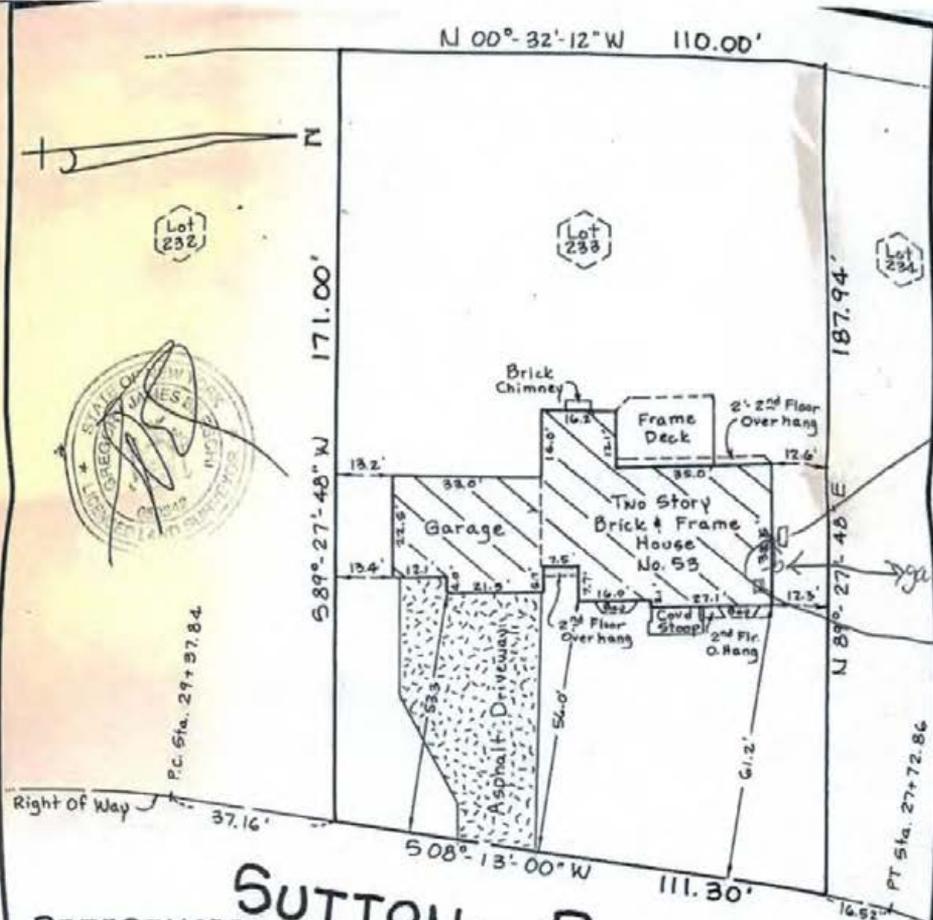
(Dated)

1127 Corporate Drive East

(Street Address)

Farmington, NY 14425

(City/Town, State, Zip Code)



REFERENCES:

1. Park Square Subdivision, Section 2, Phase 2
Liber 243 of Maps, Pg. 79
2. Easement To RG+E Corp And RT Corp (10' Wide Along R.O.W.)
Per Liber 7141 of Deeds, Pg. 104
3. Easement To GRC Per Liber 7149 of Deeds, Pg. 112
4. Liber 9402 of Deeds, Pg. 489
5. Abstract No. 129,886

CERTIFICATION:
I hereby certify to: **PENDANT MORTGAGE CORPORATION IT'S SUCCESSORS / ASSIGNS**
SPOTT D. SCHWINDLER / KATHLEEN R. SCHWINDLER
THE TITLE INSURANCE COMPANY INSURING THE
KAREN SMITH - CALANAN ETC
JANE B. HOPFINGER ETC.

that this map was made **JULY 14 2003**
from notes of an Instrument Survey
completed **JULY 11, 2003** and references
listed above:

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

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

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor 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 surveyor seal, shall be considered to be valid true copies."
"Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the New York State Association of Land Surveyors. Said certifications shall not only for the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed herein, and to the endgame of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."

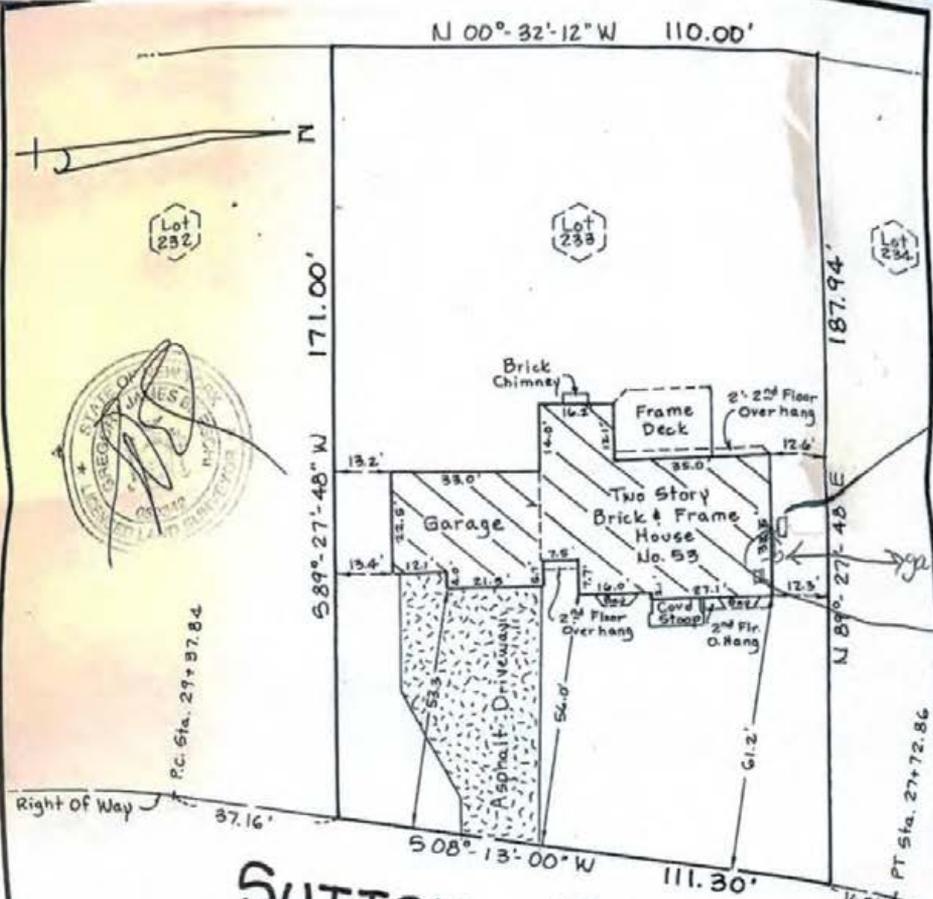
TITLE:
INSTRUMENT SURVEY MAP
No. 53 SUTTON POINT
Being **LOT 233** of the **PARK SQUARE SUBDIVISION, Sect. 2, Phase 2**
Town Of Pittsford, Monroe County, New York

CLIENT: **ZHI-WEI / HAI-WEN HUA**
c/o **FIX SANDERMAN, BROVITZ & GOLDMAN**
2 STATE STREET 14TH FLOOR
ROCHESTER NEW YORK 14614



GREGORY J. BILESCHI
LAND SURVEYOR
435 REYNOLDS ARCADE
ROCHESTER, NEW YORK 14614
(716) 454-6010 (phone)
(716) 454-6015 (fax)

SCALE: 1 in. = 30 Ft	FILE NO: ✓	TAX ACCOUNT No. 163.020-03-033	REDATE: JULY 14 2003	DATE: September 21, 2000
-------------------------	---------------	-----------------------------------	--------------------------------	------------------------------------



22 Kw generator
18" from structure
5' from any window
or opening.
Generator will
be approximately
8.4 ft from
property line.
Electric Panel

SUTTON POINT (60.0' R.O.W.)

REFERENCES:

1. Park Square Subdivision, Section 2, Phase 2
Liber 243 of Maps, Pg. 79
2. Easement To RG+E Corp And RT Corp (10' Wide Along R.O.W.)
Per Liber 7141 of Deeds, Pg. 104
3. Easement To GRC Per Liber 7149 of Deeds, Pg. 112
4. Liber 9402 of Deeds, Pg. 489
5. Abstract No. 129,886

CERTIFICATION:

I hereby certify to: **CENDANT MORTGAGE CORPORATION IT'S SUCCESSORS / AFFILIATES**
SCOTT D. SCHMIDLER / KATHLEEN R. SCHMIDLER
 THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE
KAREN SMITH, CAXLANAY ETQ
JANE B. HOPFINGER, ETQ.

that this map was made July 14, 2003
 from notes of an Instrument Survey
 completed July 11, 2003 and references
 listed above:

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

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

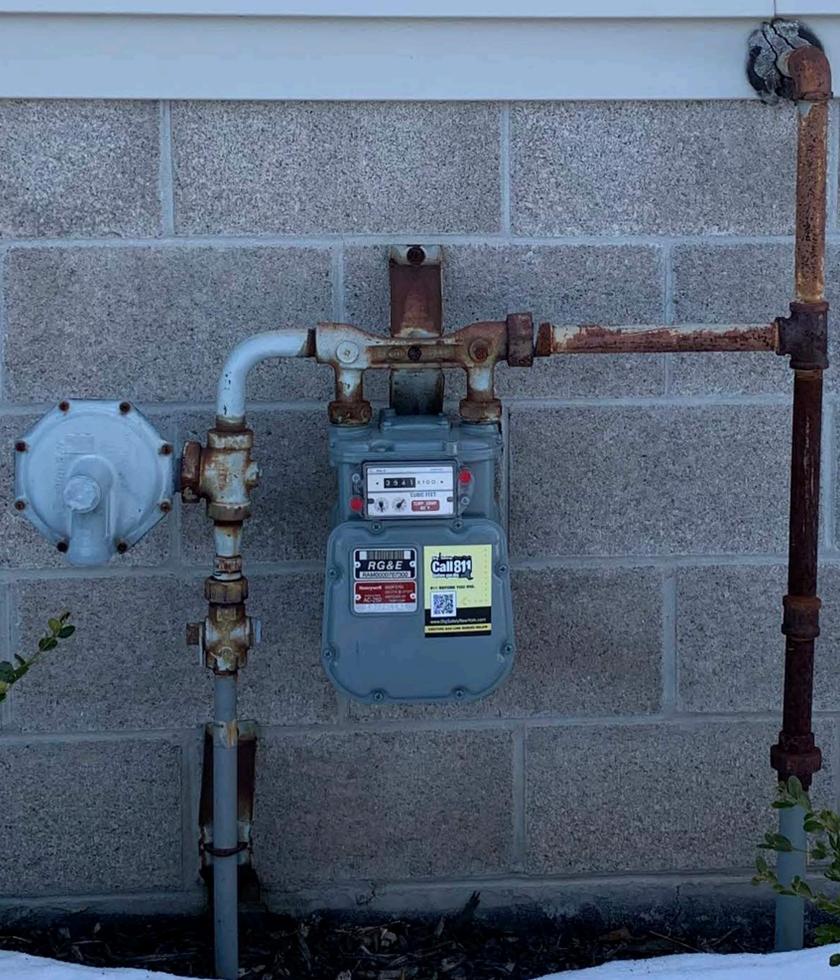
"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor seal is a violation of section 7209 Subsection 2, of the New York State Education Law." "Only copies from the original of this survey marked with an original land surveyor seal shall be considered to be valid true copies." "Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Land Surveyors. Said certifications shall run only for the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the engineer of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."

TITLE: **INSTRUMENT SURVEY MAP**
No. 53 SUTTON POINT
 Being **LOT 233** of The **PARK SQUARE SUBDIVISION**, Sect. 2, Phase 2
 Town of **Pittsford**, Monroe County, New York

CLIENT: **ZHI-WEI / HAN-WEN MA**
 c/o **FIX SANDERMAN, BROVITZ & GOLDMAN**
 2 STATE STREET, 14TH FLOOR
 ROCHESTER, NEW YORK 14614

GREGORY J. BILESCHI
 LAND SURVEYOR
 435 REYNOLDS ARCADE
 ROCHESTER, NEW YORK 14614
 (716) 454-6010 (phone)
 (716) 454-6015 (fax)

SCALE: 1 in. = 30 Ft	FILE NO. ✓	TAX ACCOUNT No. 163.020-03-033	REDATE: July 14, 2003	DATE: September 21, 2000
-------------------------	------------	-----------------------------------	--------------------------	-----------------------------







Zoning Board of Appeals Referral Form Information

Property Address:

85 Coventry Ridge PITTSFORD, NY 14534

Property Owner:

O'Keefe, Kevin
85 Coventry Rdg
Pittsford, NY 14534

Applicant or Agent:

O'Keefe, Kevin
85 Coventry Rdg
Pittsford, NY 14534

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

Town Code Requirement is: Proposed Conditions: Resulting in the Following Variance:

Right Lot Line:	10	Right Lot Line:	9	Right Lot Line:	1.0
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:	630	Size:	-450.0

Code Section(s):

Description: Applicant is requesting relief from Town Code §185- 113 B (1), (2) & (6) and the approved Coventry Ridge Subdivision plans for the construction of an oversized accessory structure (Pavilion) located in the rear yard and encroaching into the side setback. Property is zoned IZ – Incentive Zoning.

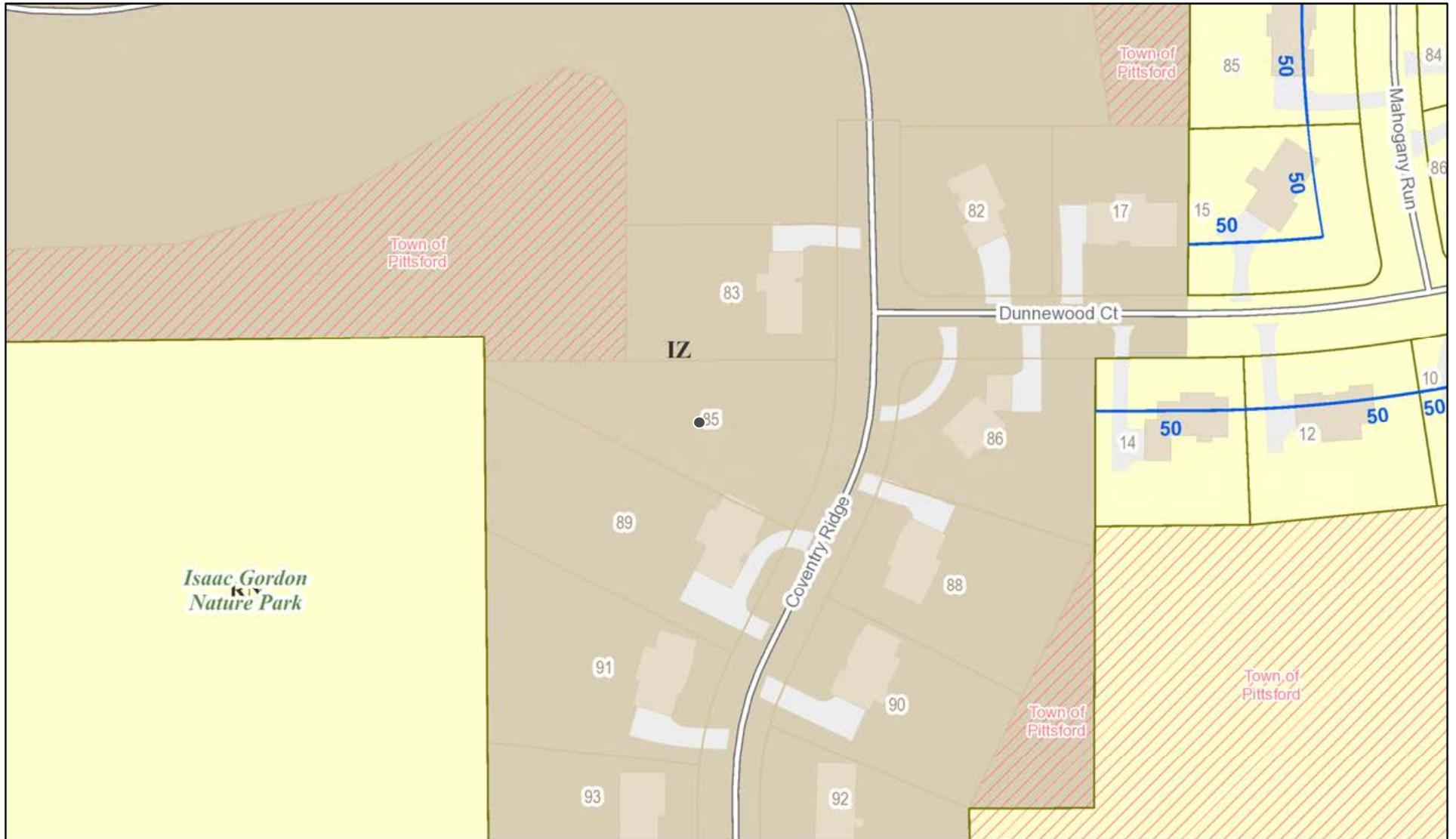
March 31, 2021



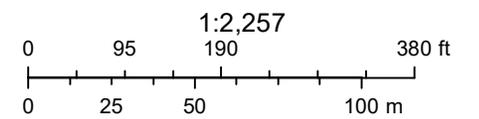
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning

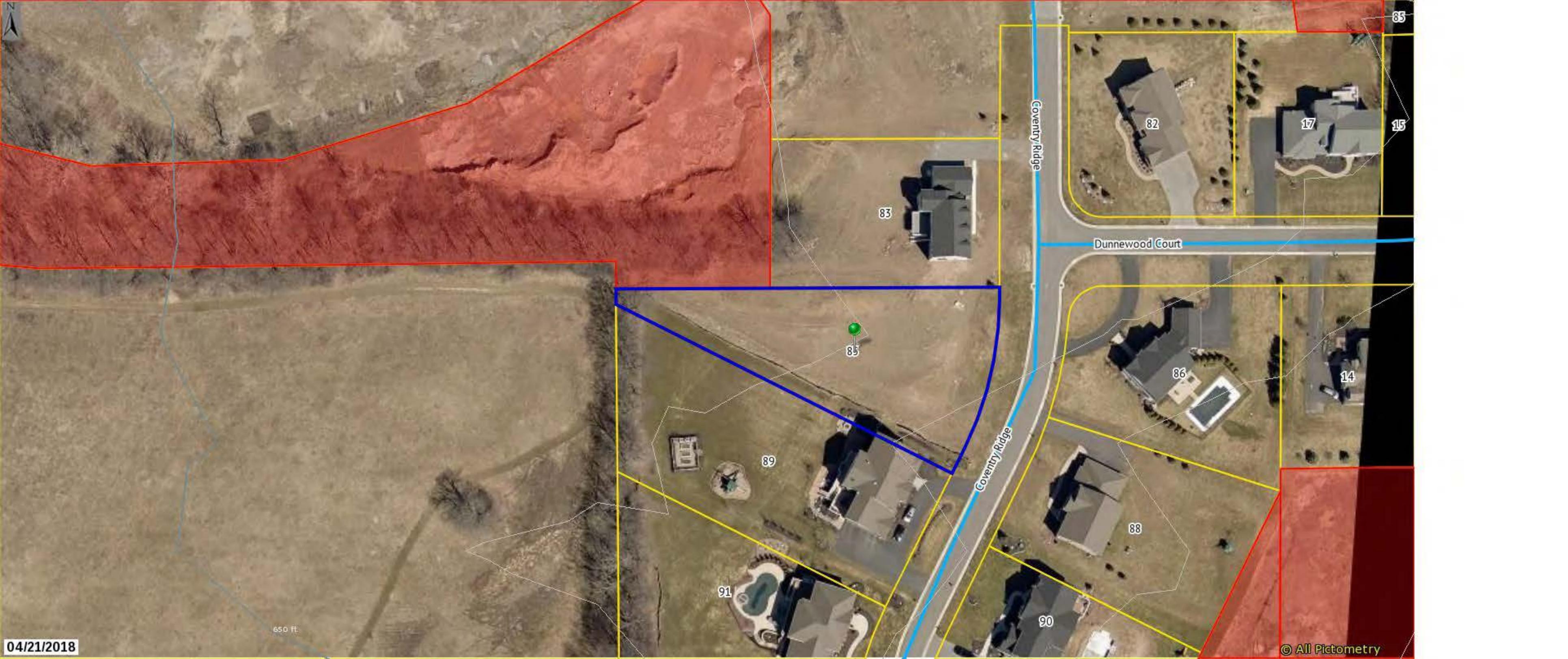


Printed March 31, 2021



Town of Pittsford GIS

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85

15

82

17

83

Dunnewood Court

85

86

14

89

Coventry Ridge

88

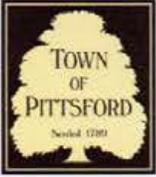
91

90

650 ft

04/21/2018

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TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: March 12, 2021 Hearing Date: April 19, 2021

Applicant: Somerset Patios & Concrete

Address: 74 Placid Place Rochester NY 14617

Phone: (585) 730-0902 E-Mail: somersetpatiosandconcrete@gmail.com

Agent: Mike Taccone
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Ailana O'Keefe
(if different than Applicant)

Address: 85 Coventry Rdg, Pittsford NY 14534

Phone: (315) 886-3299 E-Mail: _____

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

Property Location: _____ Current Zoning: R1

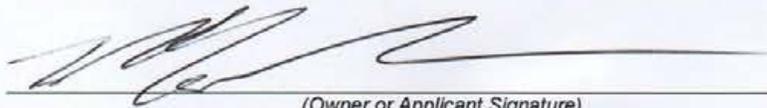
Tax Map Number: _____

Application For: Residential Commercial Other

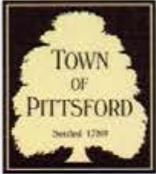
Please describe, in detail, the proposed project:

The customer would like us to build a pavilion in the back yard, 18'x35'. All sides will be open with one side having a wall for a T.V. The pavilion will be built over a new patio that will be installed. The roof structure will have shingles to match the house and the posts and beams will be finished with composite materials.

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)

3/10/21
(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, Aliana O'Keefe, the owner of the property located at:
85 Coventry Ridge Pittsford NY 14534
(Street) (Town) (Zip)

Tax Parcel # 177.04-3-58 do hereby authorize
Somerset Patio's and Concrete to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of _____
A pavilion in the back yard

Aliana O'Keefe
(Signature of Owner)
3/10/21
(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:

Due to the size and placement of the house, the pavilion will not look out of place or awkward. The rear of the house is also a walkout with the grade at the same level as the basement floor, so the pavilion will be barely visible from the road.

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 could potentially be built smaller, but that would defeat the purpose of having it. We would like to be able to use this area to entertain guests, and for our own private use.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

When looking at square footage and percentage the variance seems substantial, but being in a private location in the back yard the impact 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:

Patio's, decks, and pool areas are very common in the neighborhood.

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

5. Is the alleged difficulty self-created?

Yes the difficulty is self- created. The other options are to stay within the town guidelines or not building.







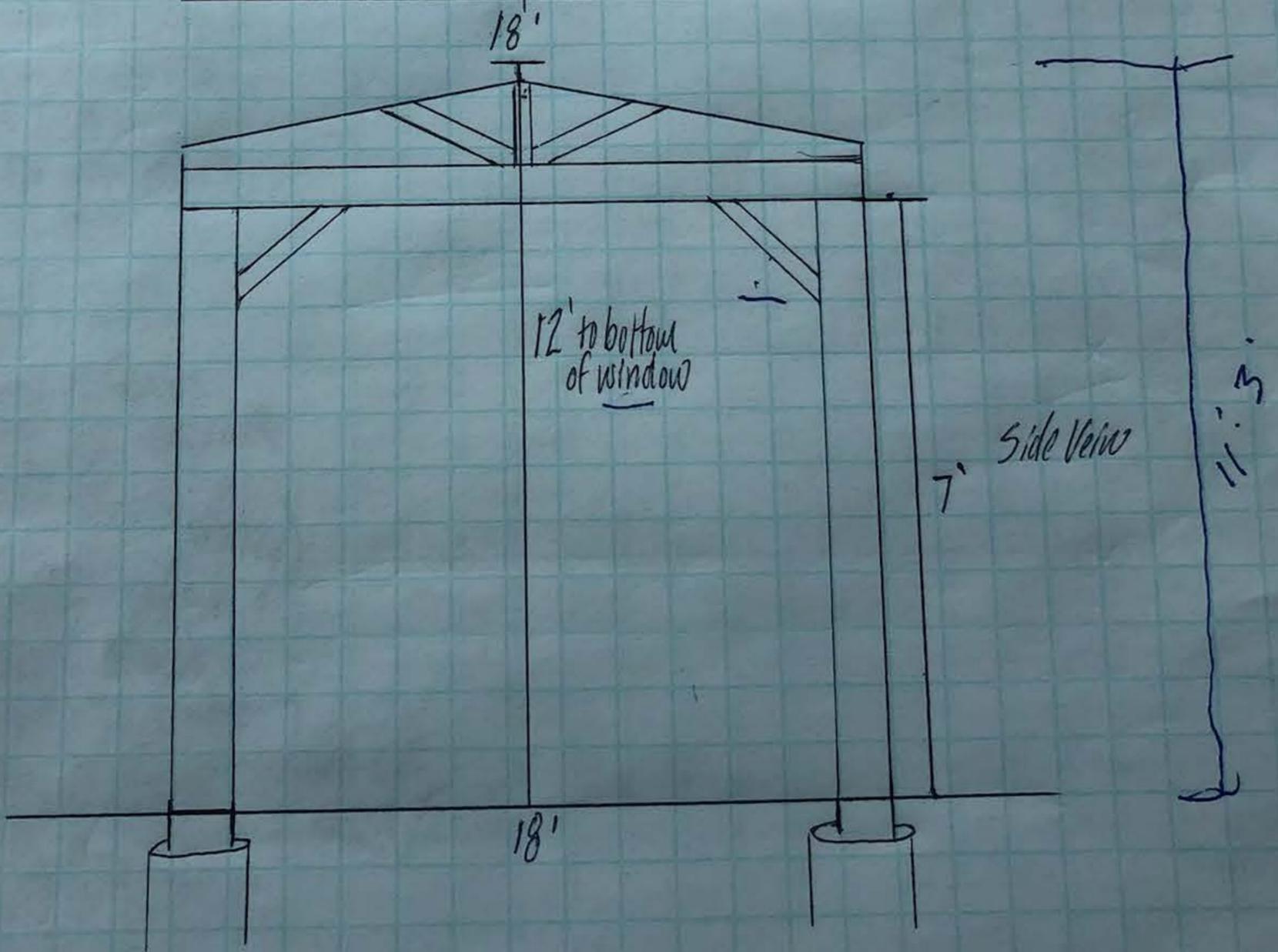
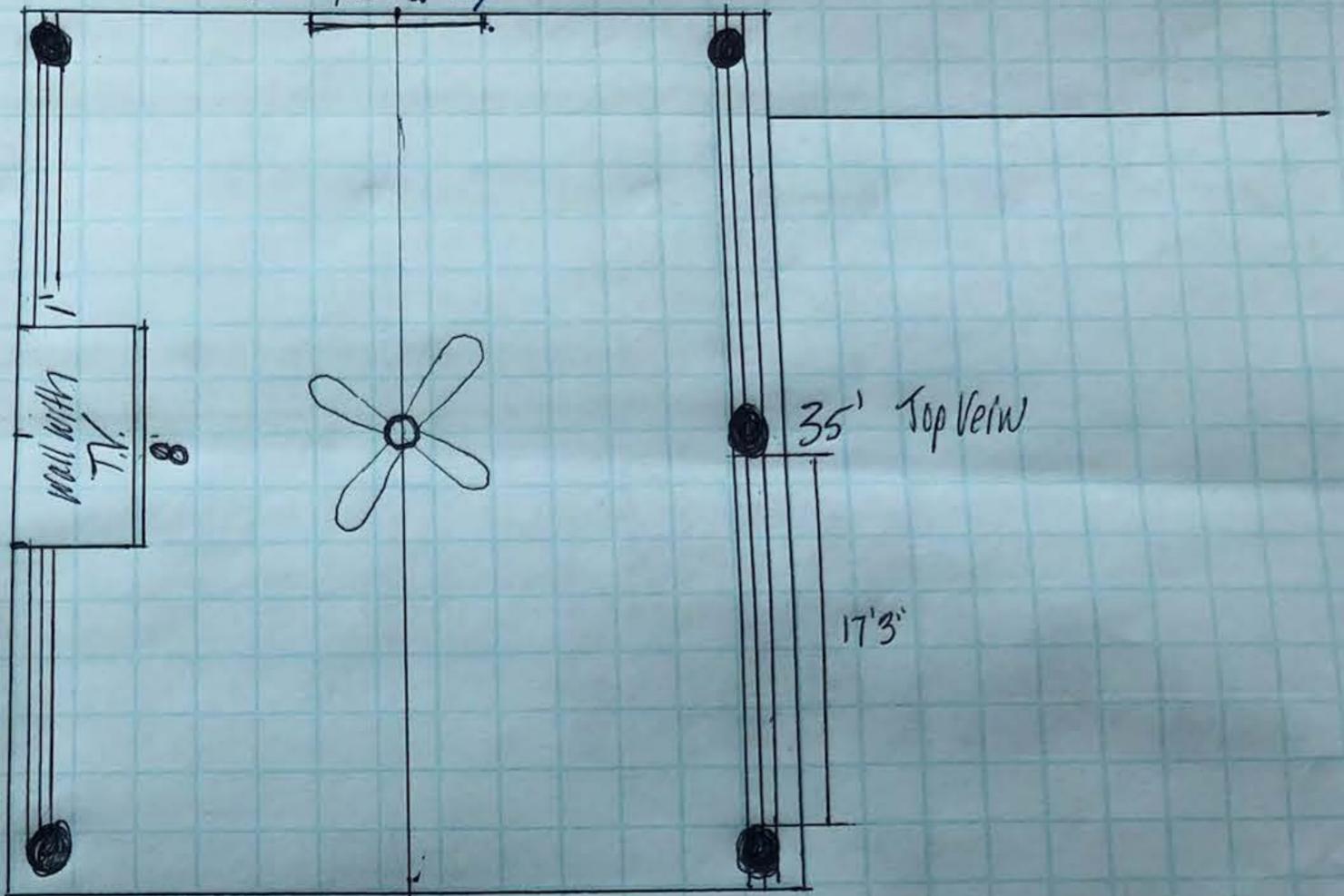






Somerset Patios
85 Coventry Ridge, Pittsford

HOUSE → EXIST. SLIDING DOOR.



T&G CEILING.

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 UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS PLAN IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 7209.
 COPYRIGHT © ALL RIGHTS RESERVED GREATER LIVING ARCHITECTURE P.C.



3033 BRIGHTON-HENRIETTA TOWNLINE RD
 ROCHESTER, NY 14623
 CALL: (585) 272-9170
 FAX: (585) 292-1262
 www.greatertliving.com

CONSULTANT:

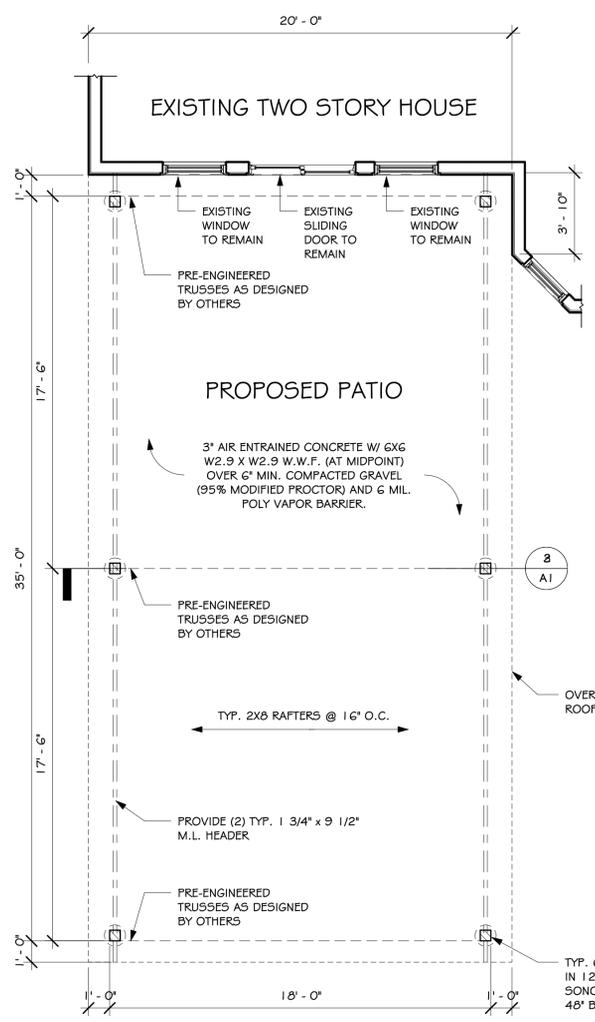
CLIENT/LOCATION:
 BRIAN ENGLER GAZEBO
 85 COVENTRY RIDGE,
 PITTSFORD

REVISIONS:

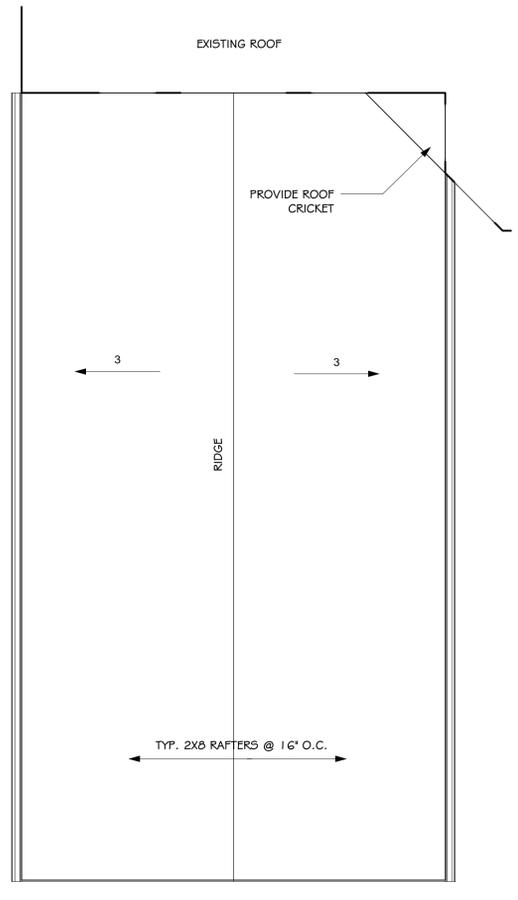
DATE	BY	DESCRIPTION

PROPOSED FLOOR PLANS

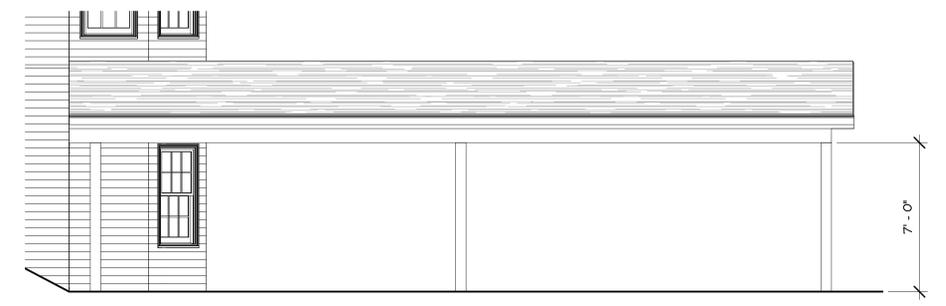
DRAWN: XW	DATE: 03/14/2021
PROJECT:	SHEET: A1



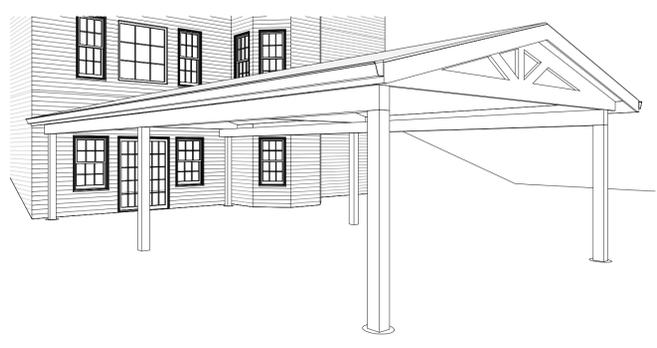
1 PROPOSED FLOOR PLAN
 1/4" = 1'-0"



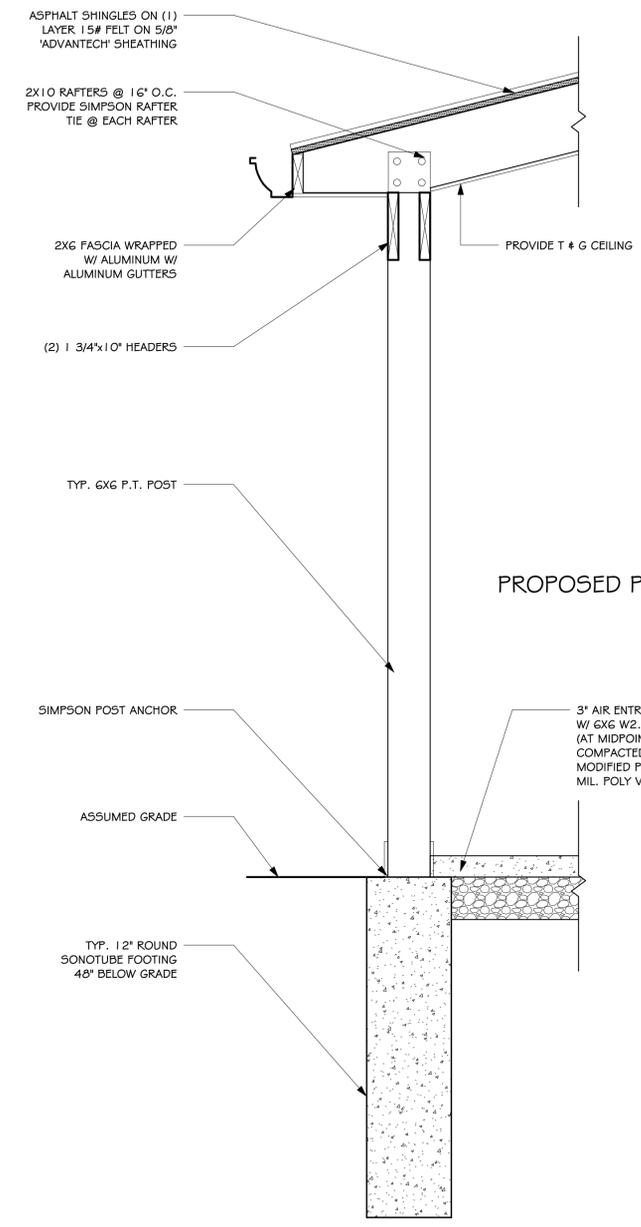
4 PROPOSED ROOF PLAN
 1/4" = 1'-0"



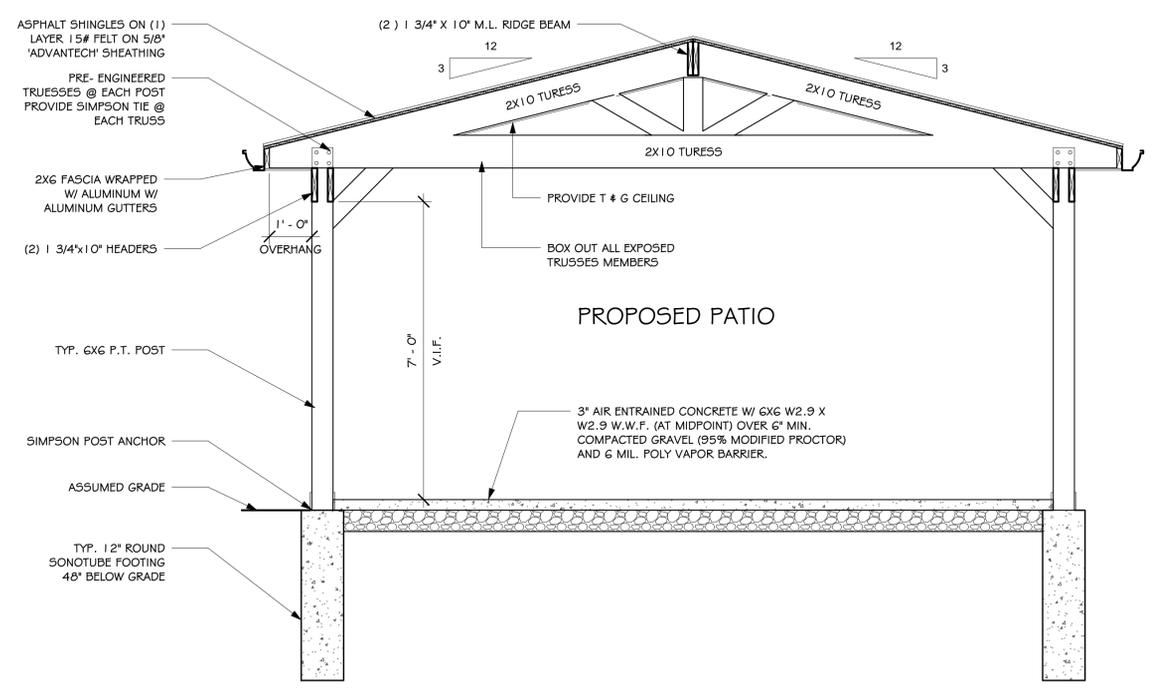
6 SIDE ELEVATION
 1/4" = 1'-0"



7 EXTERIOR VIEW @ BACK
 1/4" = 1'-0"



2 TYP. WALL SECTION
 1" = 1'-0"



3 CROSS SECTION
 1/2" = 1'-0"



5 BACK ELEVATION
 1/4" = 1'-0"

NOT FOR CONSTRUCTION

Zoning Board of Appeals Referral Form Information

Property Address:

110 Canfield Road PITTSFORD, NY 14534

Property Owner:

Taylor
110 Canfield Rd
Pittsford, NY 14534

Applicant or Agent:

Josh Lawn Care & Landscaping Co.
106 W. Main St.
Honeoye Falls, NY

Present Zoning of Property: RRSP Rural Residential South Pittsford
Area Variance - Residential and Non-Profit

Code Section(s): 185-113 (B) (1) 185-113 (B) (3) 185-119 (A) (1) 185-121 (A)

Description: Applicant is requesting relief from Town Code for the construction of an oversized accessory structure (Pergola) located forward of the rear wall. Code sections 185-113 (B) (1) & (3). Structure is proposed to be 400 Sf. located at the NW corner of the home.

In ground swimming pool with spa & equipment forward of the rear wall of the home. Code Sections 185 -113 (B) (3) & 185-119 (A). The pool will be located in front of the home at 259' east of the west property line and 134.3' south of the north property line. The spa will be integrated into the pool.

A fence exceeding the height requirement of Town Code forward of the front wall of the home. Code section 185-121 (A) (1). The fence is to be placed around the pool as a pool NYS code compliant pool barrier at 4 feet in height

A recreation court located forward of the rear wall of the home. Code section 185-113 (B) (3). The court will be 69' long by 30' wide located 57.6' north of the south property line and 271.4' east of the west property line.

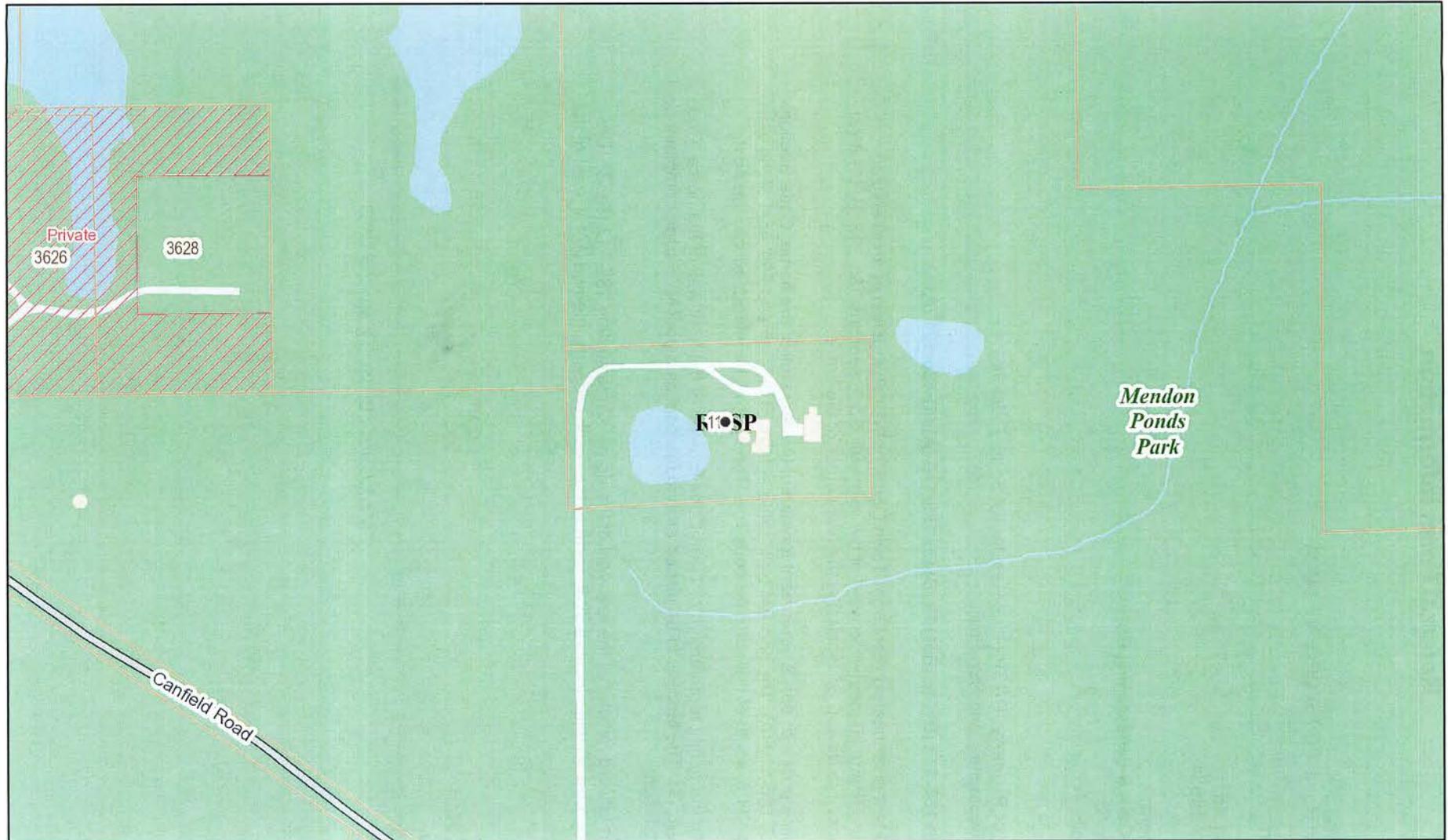
April 01, 2021



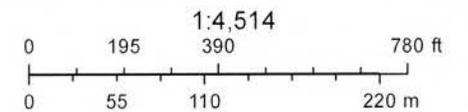
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning



Printed April 1, 2021

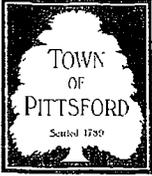


Town of Pittsford GIS

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



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04/21/2018 - 04/23/2018



TOWN OF PITTSFORD

GUIDELINES & APPLICATION FOR APPROVAL OF AN AREA VARIANCE

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

COMPLIANCE WITH THE FOLLOWING RULES WILL IN NO WAY GUARANTEE APPROVAL OF AN APPLICATION. It may even be necessary for the board to request additional information to make its decision.

The Zoning Board of Appeals meets on the third Monday of each month at 7:00 P.M. local time at the Pittsford Town Hall, 11 South Main Street, Pittsford, New York. The Board adopts a schedule of meetings each year, which is available upon request.

The burden of proof for all applications is on the applicant, who should be prepared at the time of the public hearing to describe the application, state the necessity for the application, and show compliance with the applicable tests for approval (see attached sheets applicable specifically to area variance). The applicant, or the applicant's duly authorized agent, must appear at all public hearings held on the application. Failure to appear may result in automatic denial.

The requirements set out in this packet for the applications to the Zoning Board of Appeals are not to be considered all-inclusive. Depending on the nature and scope of a particular application, it is the prerogative of the Building Inspector, the Zoning Board secretary or the Zoning Board of Appeals to request more information of the applicant.

A complete package of application materials must be filed with the secretary of the Zoning Board of Appeals of the Town of Pittsford on or before the submission deadline for the required hearing date of the application. A schedule of public hearing dates, including submission deadlines, is available from the Zoning Board of Appeals secretary. An application to the Zoning Board of Appeals will not be accepted until all required materials have been deemed to be complete and accurate. The Board has adopted a policy of accepting only the first four (4) complete applications submitted for any one agenda. **All application materials will be available for public review.**

Approximately ten (10) days prior to the public hearing, the Town will post a sign in a conspicuous location on the subject property. This sign should be maintained on the property until it is removed by the Town.

The Zoning Board of Appeals is made up of community volunteers. All members are expected to visit the project site at their convenience. **If you have any visitation restrictions such as times/dates etc., please notify the Building Department so specific arrangements can be made.**

REQUIREMENTS FOR ALL APPLICATIONS

A complete application consists of the following forms and documentation. Except where otherwise specified, **twelve (12) copies** of each form/item of documentation should be collated into packets no larger than 8½" by 11".

1. The one page application form (pg. 5) filled out completely and accurately, typed or printed. **[12 copies]**
2. Referral Form – The Town Building Inspector must be shown the herein-described instrument survey and/or plans for any proposed changes to the site, or for any proposed changes to the use on the site. He/she will make a determination as to what variances you need to apply for and provide you with a referral form indicating the current zoning of the subject property and what type of application is relevant, once the application is submitted. The Zoning Officer will complete this form after an applicant has submitted an application. **[12 copies]**
3. Authorization to make application – When the applicant is not the owner of the subject property, the Authorization to Make Application form (pg. 6) must be completed and signed by the owner and included as part of the application. **[12 copies]**

4. A current Instrument Survey of the subject property – A signed and/or sealed INSTRUMENT SURVEY MAP, prepared by a professional engineer or licensed land surveyor, accurately depicting the CURRENT status of the subject property, and the setbacks of all such existing structures, i.e., the closest distance between the nearest property line and the structural wall closest to that property line. **[One (1) stamped original and Eleven (11) copies]**

- **NOTE:** In a situation where average lot width at the required front setback, or percentage of impervious surface coverage, or the size of a structure is a possible issue, that information should be clearly indicated on the instrument survey.

All instrument surveys shall include the following information for the subject property:

- a. Front, side and rear property lines with lengths indicated
 - b. ALL structures
 - c. Front, side and rear setbacks of all structures
 - d. Easements
 - e. Driveways
 - f. Any abutting roads and the name(s) of such road(s)
 - g. North arrow and scale
 - h. Distance of structural wall on most affected abutting property from common property line.
- **NOTE:** The Building Inspector may waive the requirement of an instrument survey, by so writing on the referral form.
5. A sketch, drawn to scale and signed, showing any proposed new structure or addition to an existing structure, showing setbacks. This is best accomplished by having a licensed land surveyor add this information to an instrument survey. When deemed acceptable by the Building Inspector, an applicant may alter an instrument survey to show a proposed addition to an existing structure. Such altered survey must be labeled “SKETCH” in large letters to indicate it has been altered, and additions must be accurately drawn to scale. **[12 copies]**
 6. Architectural elevations – If the variance requested concerns a new structure or an addition to an existing structure, architectural elevations, with scale indicated, are required. The height of the structure as defined in the Town Zoning Ordinance, i.e., “...the vertical distance as measured from the average elevation of the proposed finished grade at the front of a building or of a structure to the highest point of the building or the structure, which highest point shall include, but not be limited to, the highest or topmost point of the roof together with all towers, elevator penthouses, signs, tanks, elevator or stair bulkheads, mechanical equipment, light poles and light standards, except for poles or standards of a public utility company,” must be clearly shown on the elevation. **[12 copies]**
 7. Any other materials, such as photographs, maps, landscape plans, specifications, details, etc. which would further clarify the application. **[12 copies]**
 8. Tests for Granting Area Variances as listed on page 3. Prepare response form (pg. 7) as completely as possible. **[12 copies]**
 9. Disclosure Form E (pg. 8) in compliance with Section §809 of the General Municipal Law. (pg. 9) **[12 copies]**
 10. Submission of the appropriate application fee, in accordance with the current fee schedule. (pg. 11) This fee covers the cost of the legal ad, which appears in the BRIGHTON-PITTSFORD POST, and part of the administrative costs involved. The check should be made payable to the “TOWN OF PITTSFORD”.

The Town of Pittsford zoning staff will be responsible for contacting property owners through a mailing describing the requested application and informing them of the hearing date and time. The applicant is **strongly advised** to also communicate with adjacent property owners who might be affected by the granting of the variance or special permit. Public comment on an application will not in itself be the basis of a decision, but may factor into the board’s decision process.



NEW YORK STATE

STANDARDS FOR THE GRANTING OF AREA VARIANCES TOWN LAW SECTION § 267-b.

§ 267-b. Permitted action by board of appeals.

Power to Grant Area Variances

3. Area variances.
 - a. The zoning board of appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.

Tests for Granting Area Variances

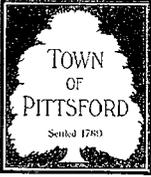
- b. In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:
 1. whether an 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 area variance;
 2. whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
 3. whether the requested area variance is substantial;
 4. whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
and
 5. whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

Minimum Variance Necessary

- c. The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Power to Impose Conditions

4. Imposition of conditions. The board of appeals shall, in the granting of both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance or local law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.



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:

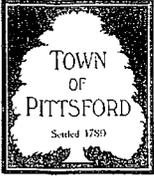
- Referral form
- Applicable Code Sections
- Application Packet

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.



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 3/12/21 Hearing Date: APRIL 2021

Applicant: JOSH LANDSCAPE CO.

Address: 106 W. MAIN ST HONEYE FALLS, NY

Phone: 585-982-1212 E-Mail: ANNH@JOSHLANDSCAPE.COM

Agent: ANN G. HILDRESEN
(if different than Applicant)

Address: _____

Phone: 730-2342 E-Mail: ANNH@JOSHLANDSCAPE.COM

Property Owner: JEREMY & SARAH TAYLOR
(if different than Applicant)

Address: 110 CANFIELD RD. PITTSFORD, NY

Phone: Sarah 662-3803 E-Mail: SARAHGTAYLOR@ME.COM

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

Property Location: 110 CANFIELD RD PITTSFORD Current Zoning: _____

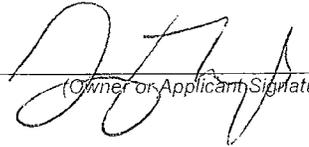
Tax Map Number: _____

Application For: Residential Commercial Other

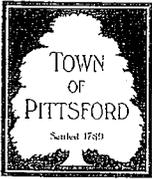
Please describe, in detail, the proposed project:

POREH AND POOL OUTDOOR LIVING, FENCE, AND PADDLE COURT.

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)

3/12/2021
(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
3/12/2021
(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:

THESE ARE NO NEIGHBORS WITHIN 1000 FT OR MORE.

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

DRIVEWAY ON 2 SIDES, SEPTICON 3RD. ONLY SIDE AVAILABLE

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

IT IS MINIMAL AS IT AFFECTS NO ONE OTHER THAN THE OWNER.

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:

NOT VISIBLE FROM ANY NEIGHBOR OR ROAD.

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

5. Is the alleged difficulty self-created?

YES, IN THAT THE AVAILABLE DEVELOPABLE SIDE OF THE HOUSE IS CONSIDERED THE FRONT BY THE TOWN OF PITTSFORD. IT IS NOT THE SAME SIDE AS THE FRONT DOOR TO THE HOUSE.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

TAYLOR POOL AREA AND PADDLE 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)

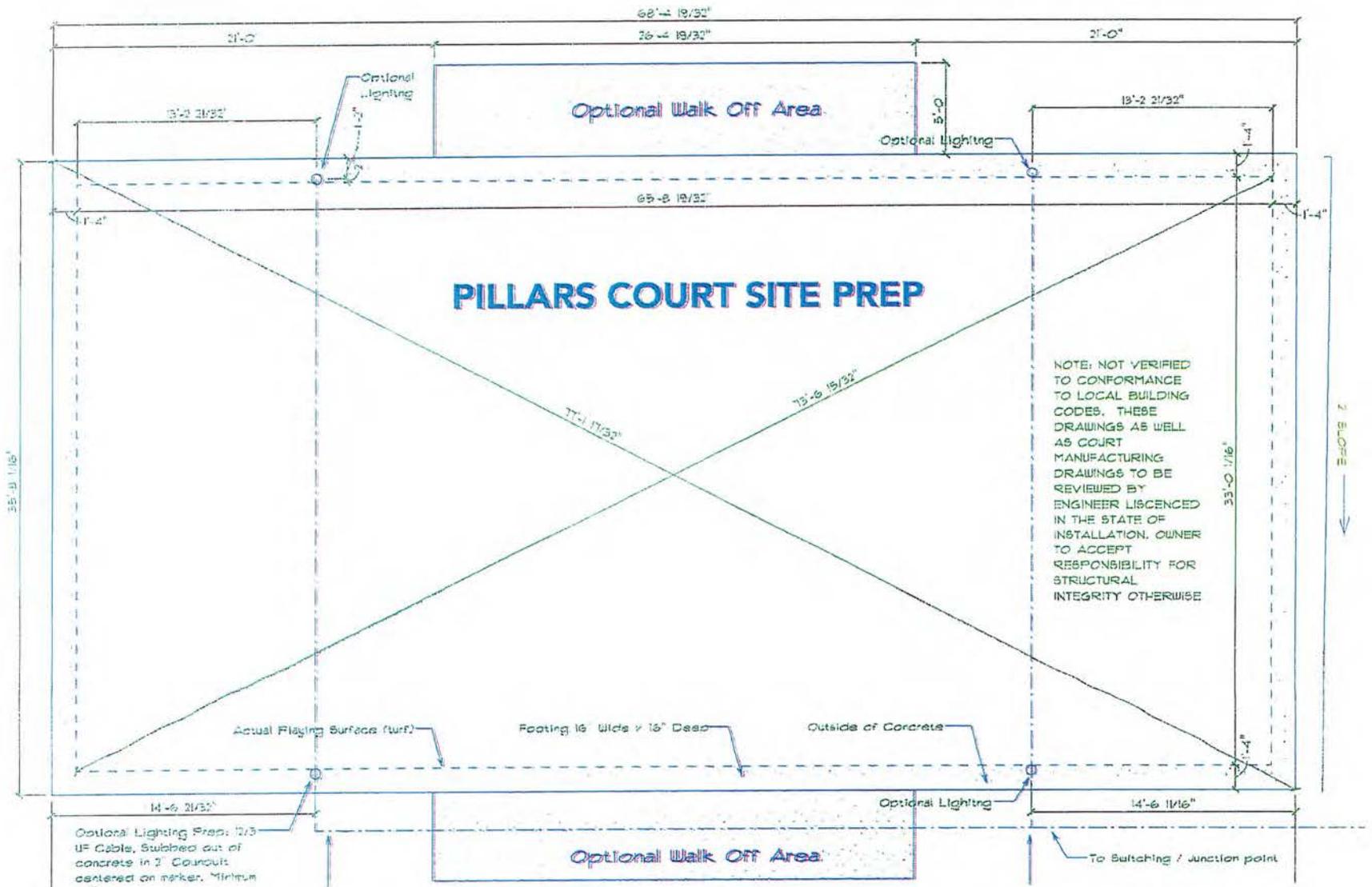
Address(es)

Amy Harrison
(Signature of Applicant)

3/12/21
(Dated)

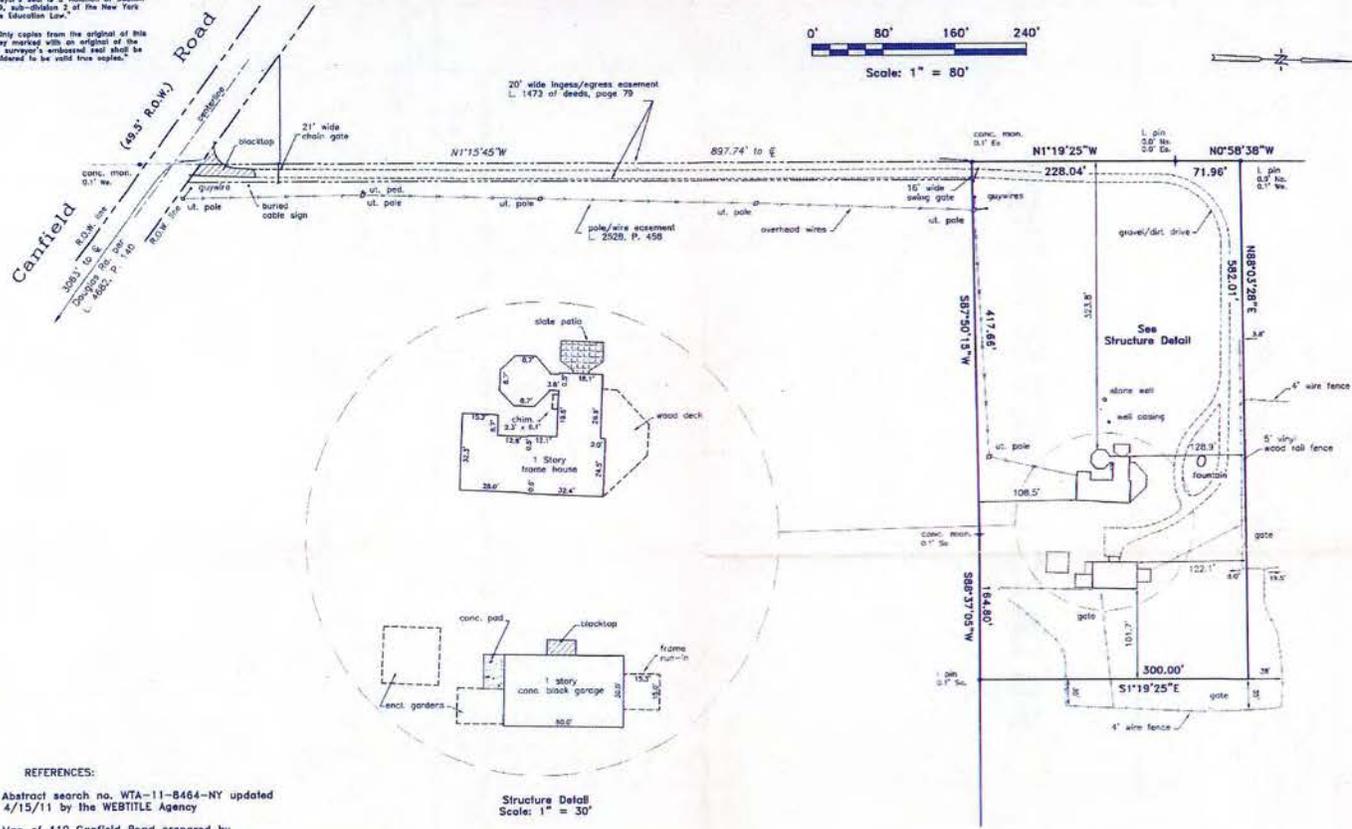
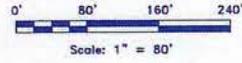
106 W. MAIN ST
(Street Address)

HONEOYE FALLS, NY 14472
(City/Town, State, Zip Code)



"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 2205, sub-section 2, of the New York State Education Law."

"Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid true copies."



- REFERENCES:
- * Abstract search no. WTA-11-8464-NY updated 4/15/11 by the WEBTITLE Agency
 - * Map of 110 Canfield Road prepared by La Rue Associates, P.C. dated February 1, 1987; project no. 191..010-01-003.

- This map is certified to:
- * Genesee Regional Bank, its successors and/or assigns.
 - * New Jersey Title Insurance Company
 - * Parker Weld, Esq.
 - * Lisa A. Nellens, Esq.
 - * Jeremy Taylor and Sarah Taylor

Revised 4/25/11 (corner labels)
 Revised 4/28/11 (the distance, lot dimensions)

I certify this map was made April 25, 2011 from notes of an instrument survey completed on April 25, 2011.

Edwin A. Summerhays
 Edwin A. Summerhays
 Land Surveyor No. 49446

MAP SHOWING
110 Canfield Road
 Situated in Lot 42, Township 12, Range 5
 Town of Pittsford, Monroe County
 New York State

April 25, 2011

EDWIN A. SUMMERHAYS
 LAND SURVEYOR

2909 BROWN CROFT, BLVD., SUITE 209
 ROCHESTER, NEW YORK 14625
 (585) 586-1450

Scale: 1" = 80'

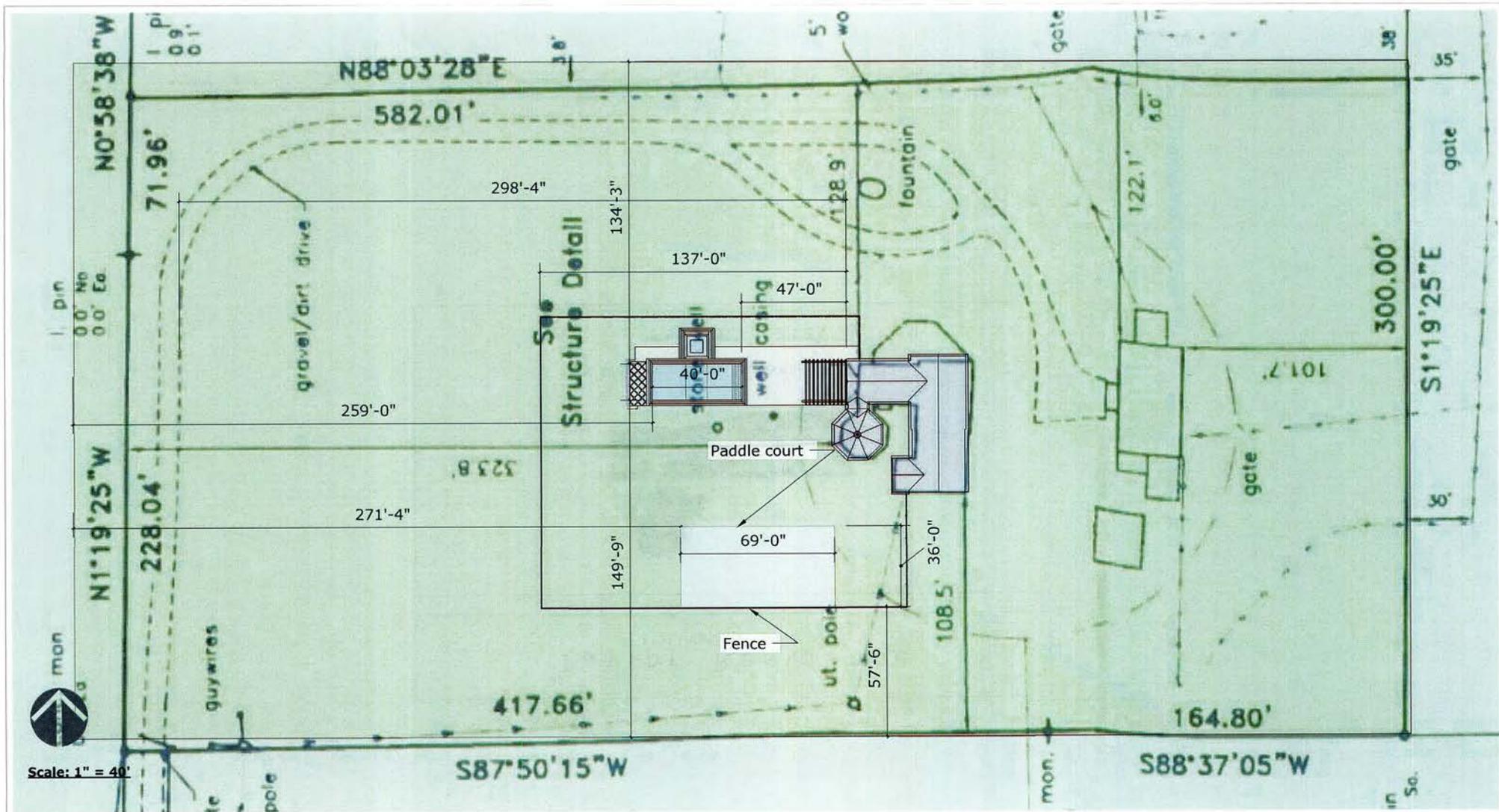
Taylor Residence

110 Canfield Rd, Pittsford, NY



106 West Main St. Honeoye Falls, NY 14472

585-582-1212



This is a sketch for variance approval





Notes:





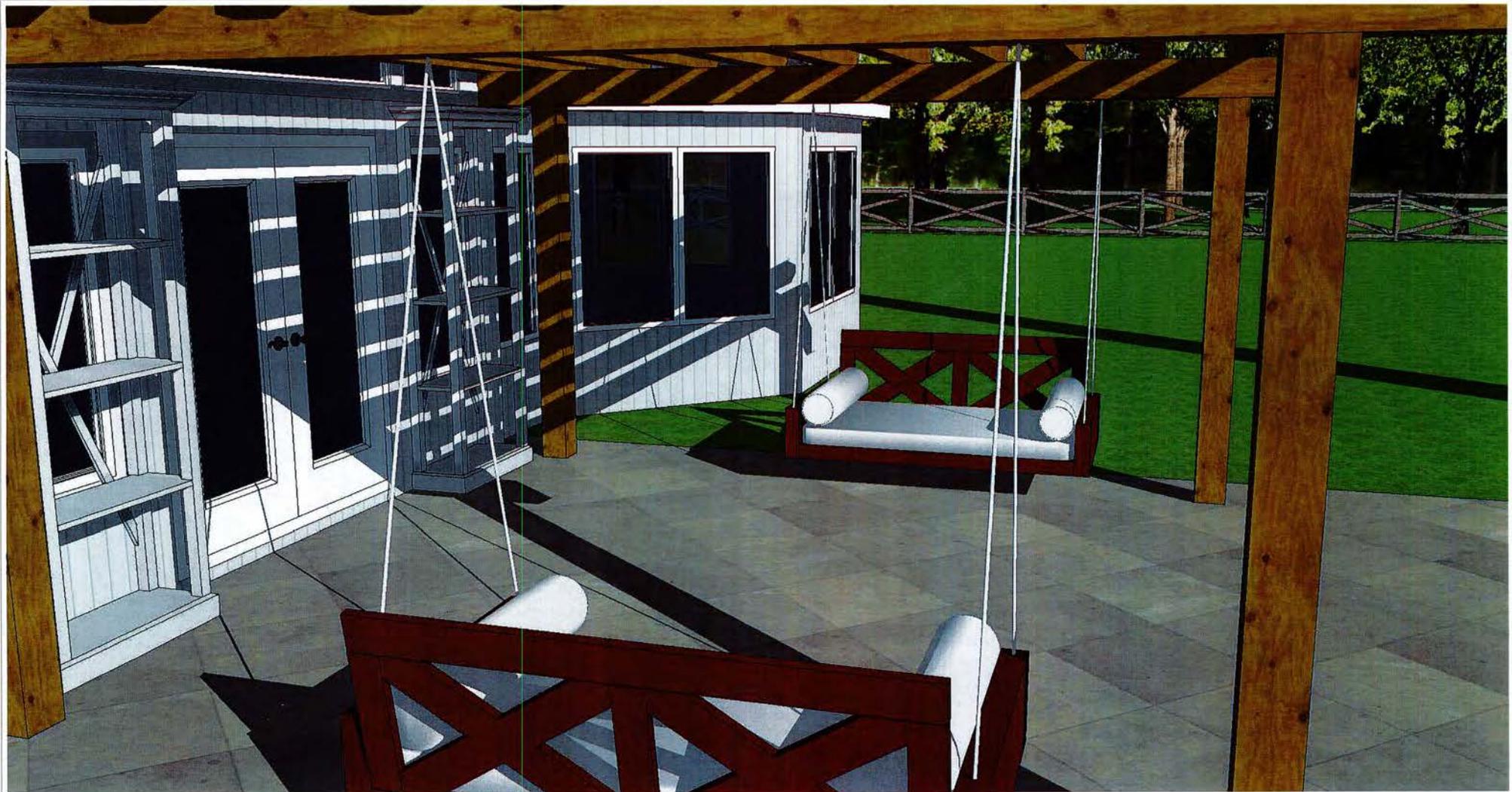
Notes:





Notes:





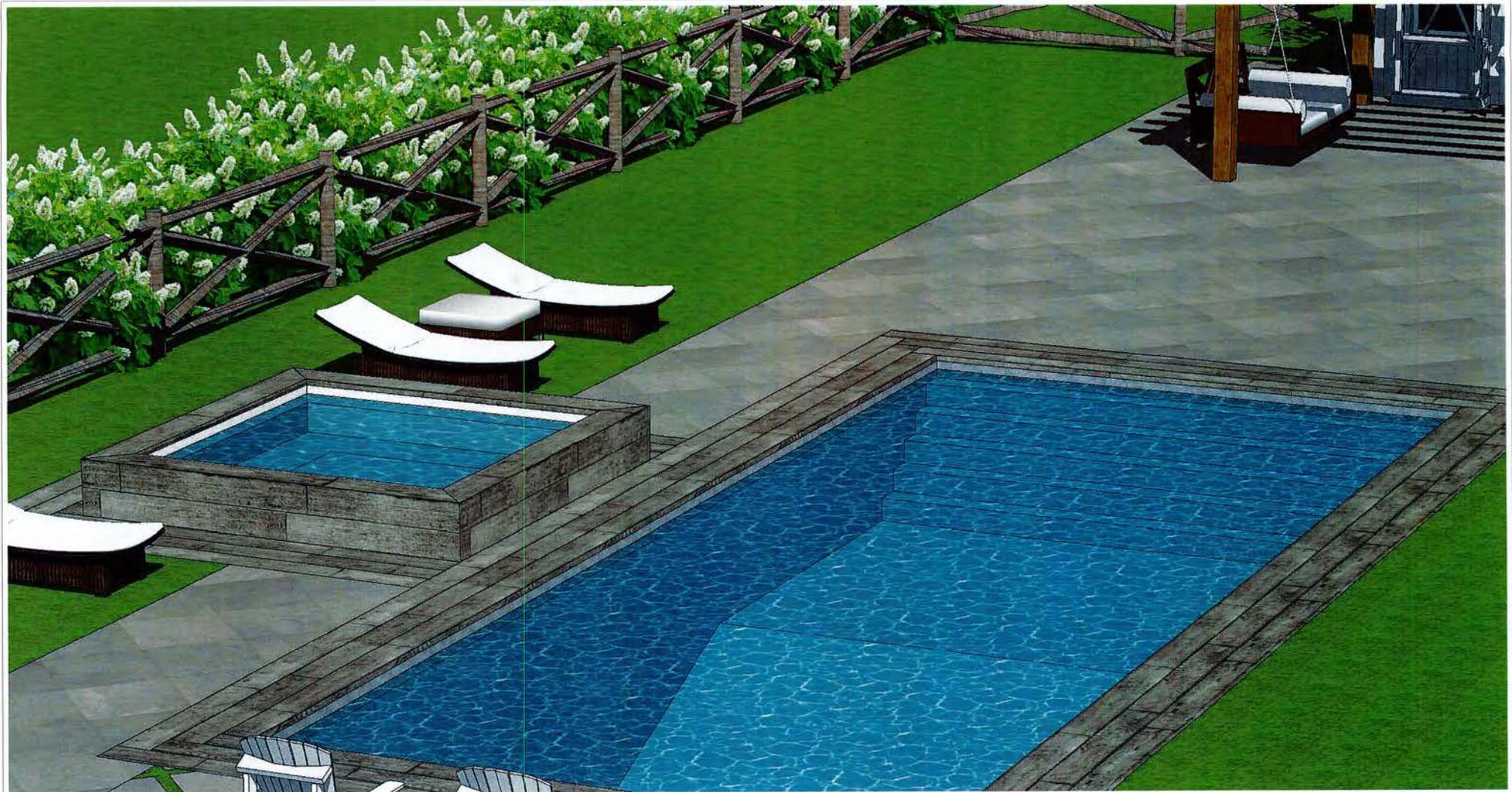
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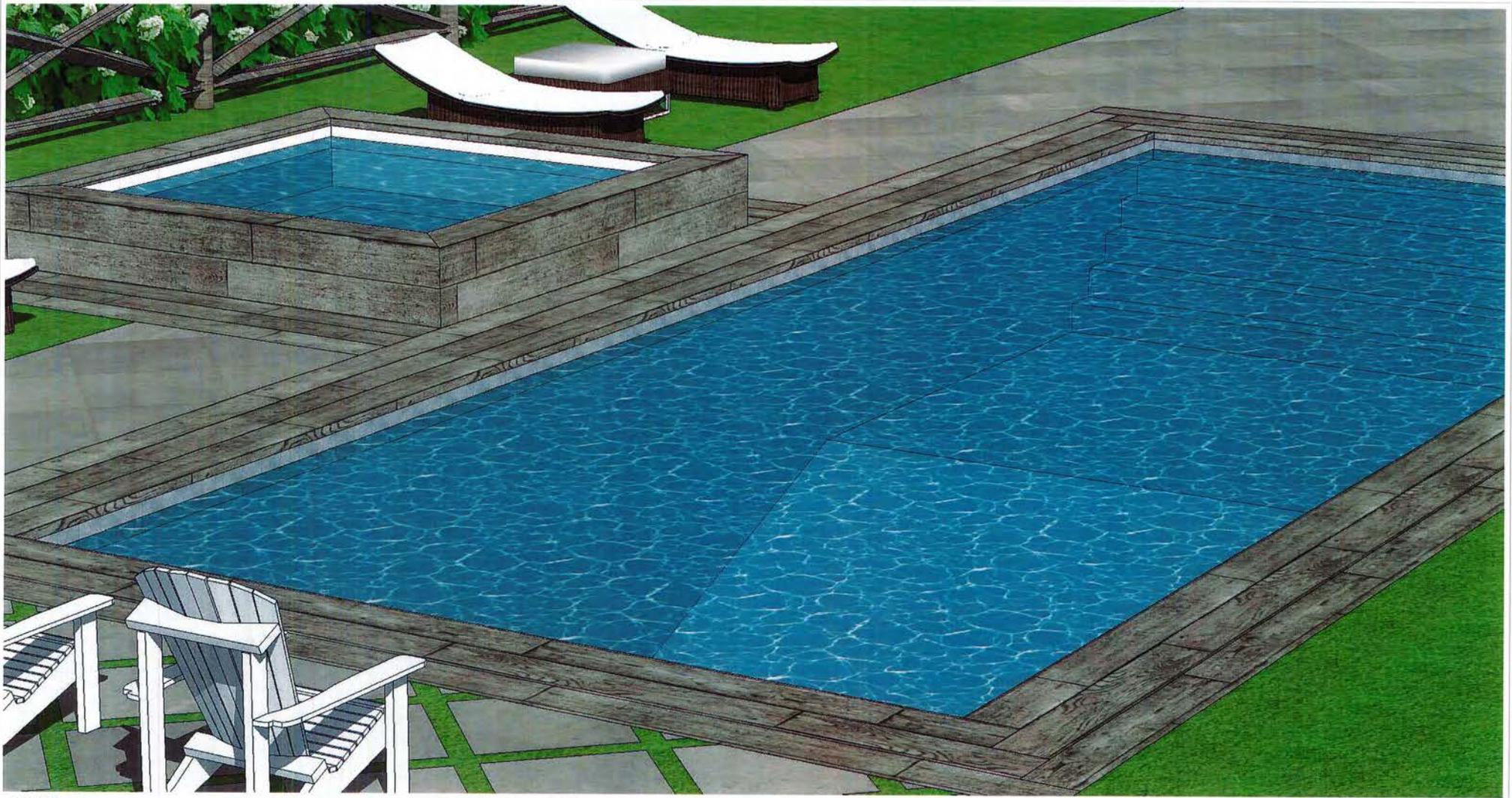
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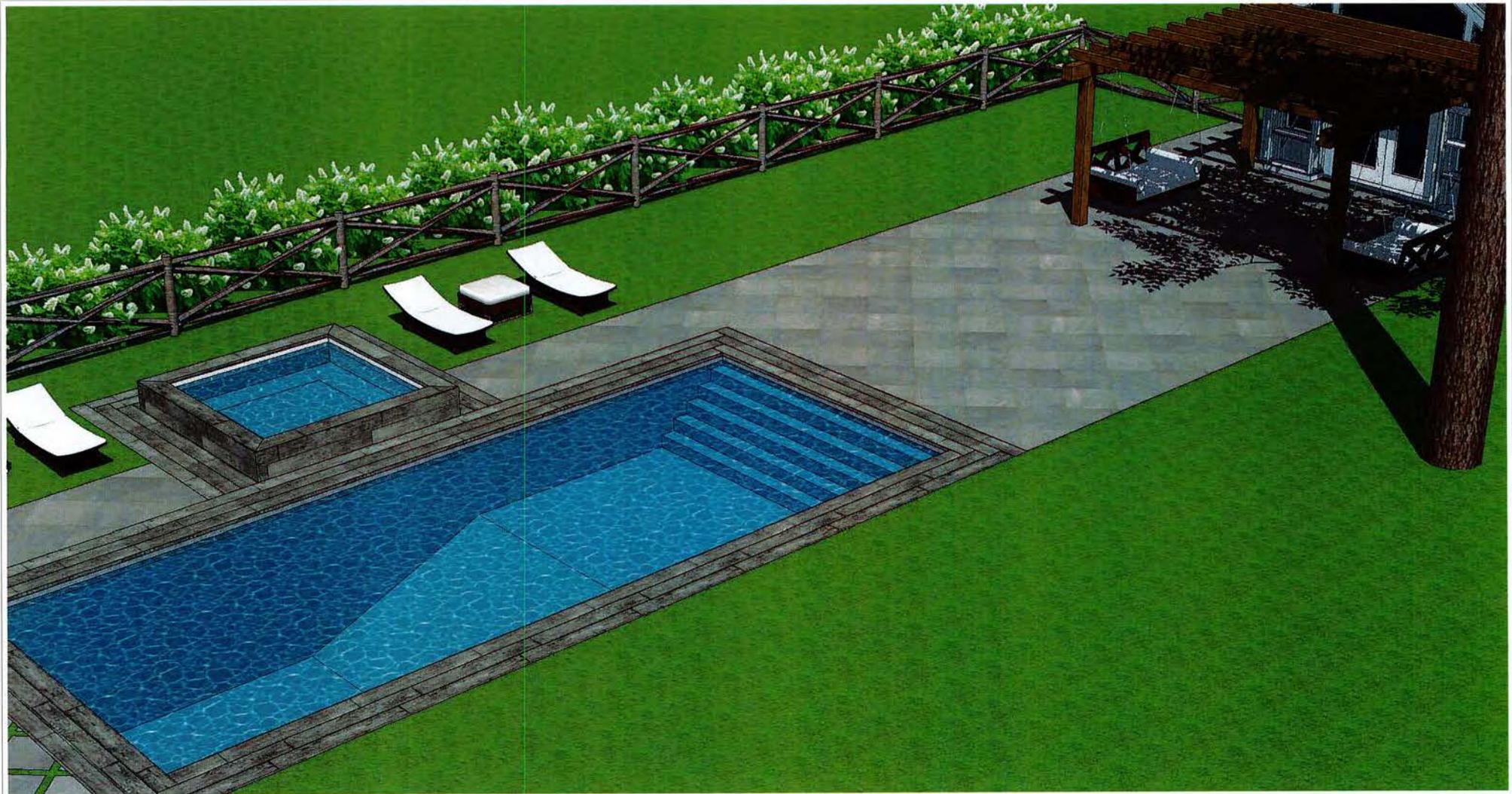
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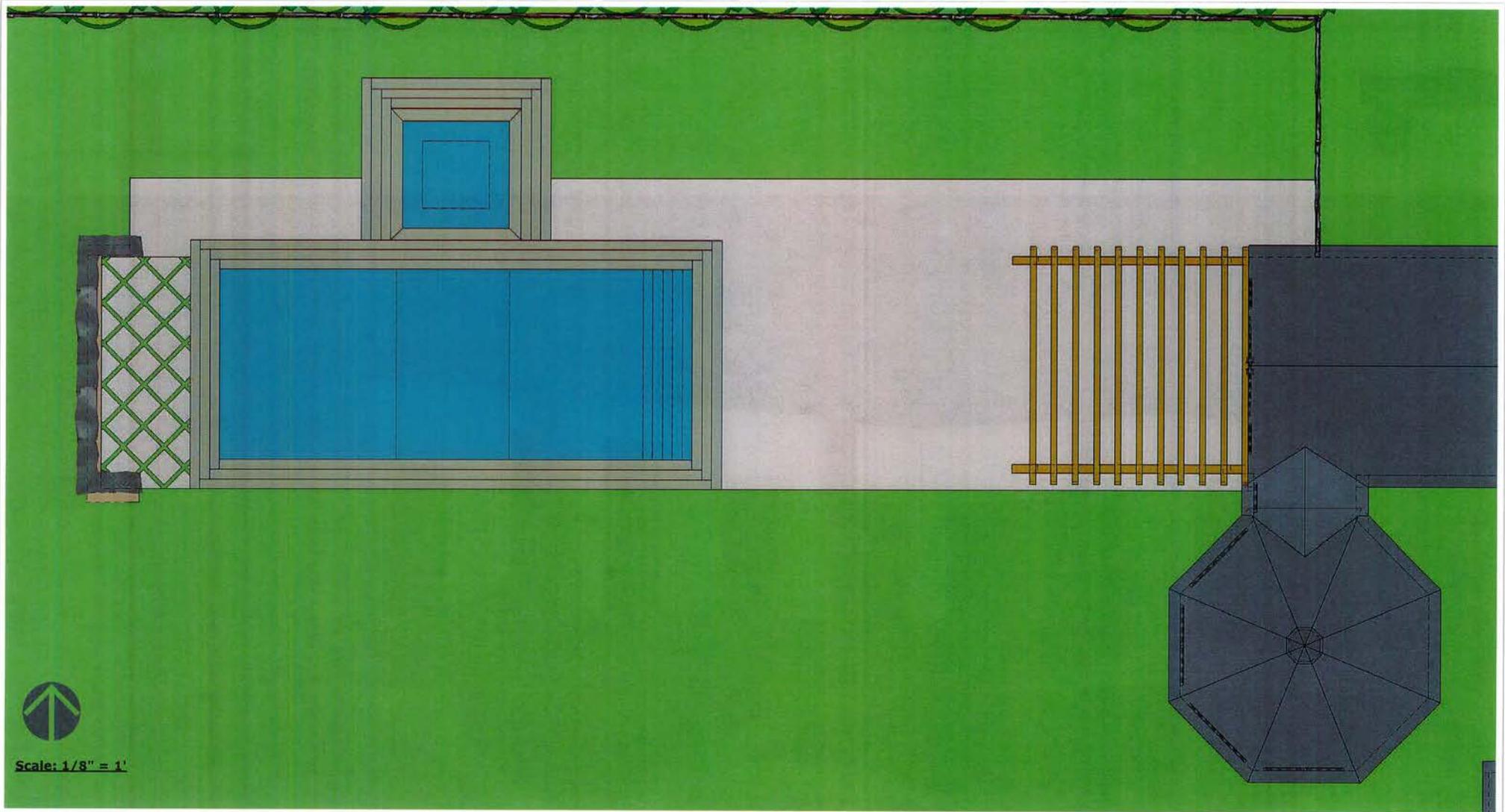
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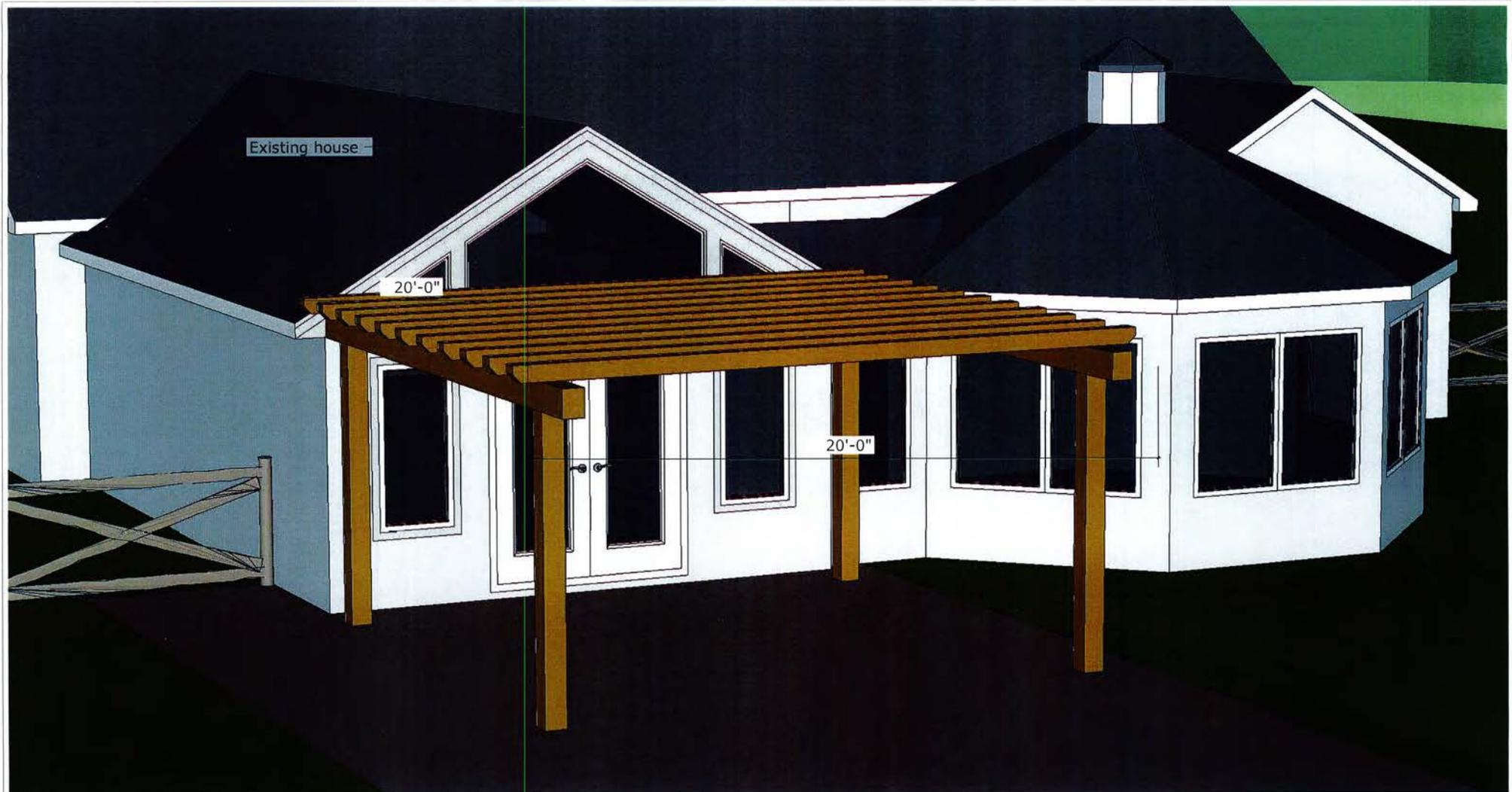
Notes:





Scale: 1/8" = 1'





Notes:

This is a sketch for variance approval



Zoning Board of Appeals Referral Form Information

Property Address:

145 Long Meadow Circle PITTSFORD, NY 14534

Property Owner:

Fliss, Michael C
145 Long Meadow Cir
Pittsford, NY 14534

Applicant or Agent:

Fliss, Michael C
145 Long Meadow Cir
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	17	Height:	-5.0
Size:	180	Size:	384	Size:	-204.0

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

Description: Applicant is requesting relief from Town Code §185- 113 (B) (1), (2) & (3) for the construction of an oversized, over height storage shed forward of the rear wall of the home. Property is zoned RN- Residential Neighborhood District.

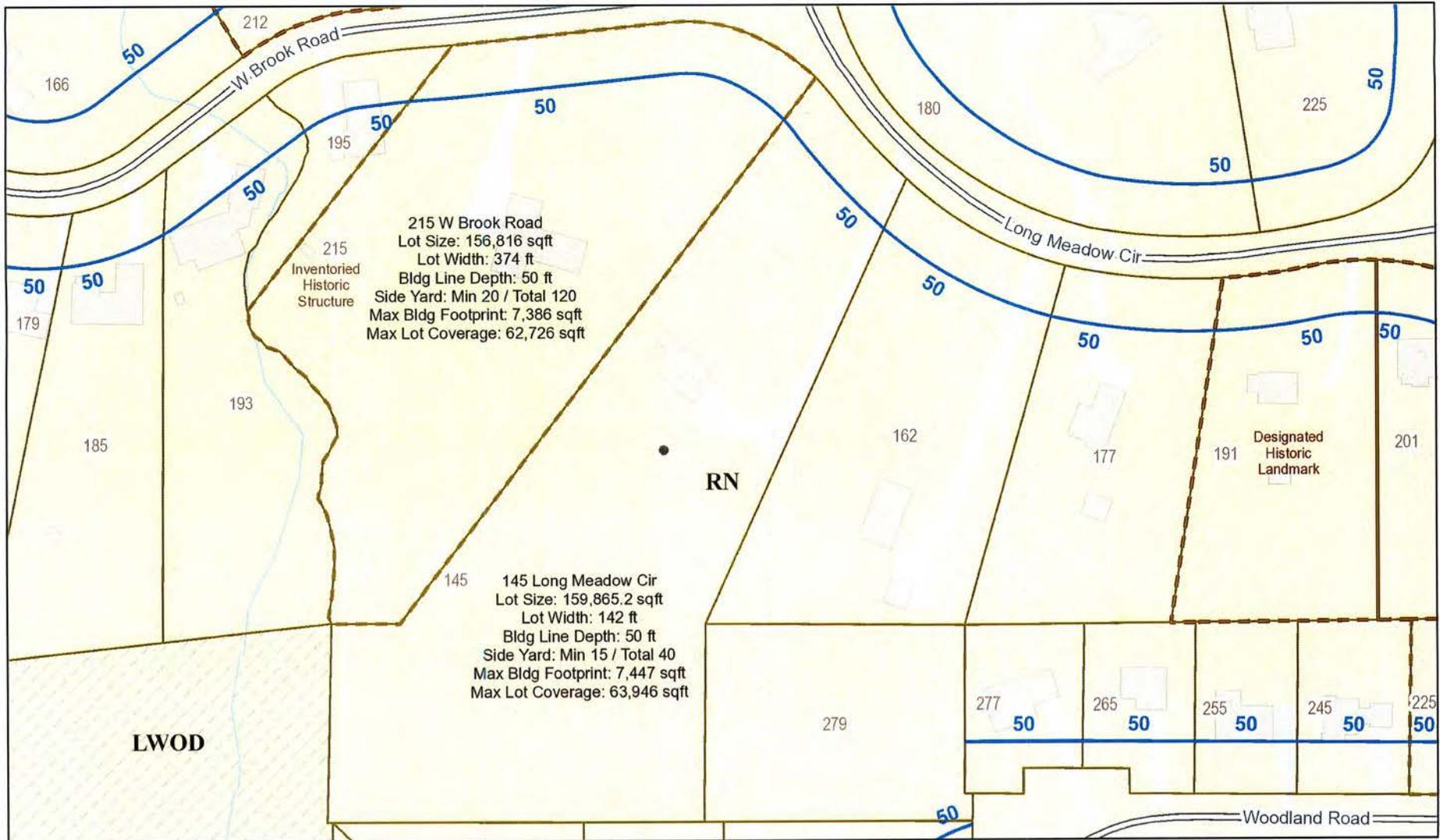
April 01, 2021

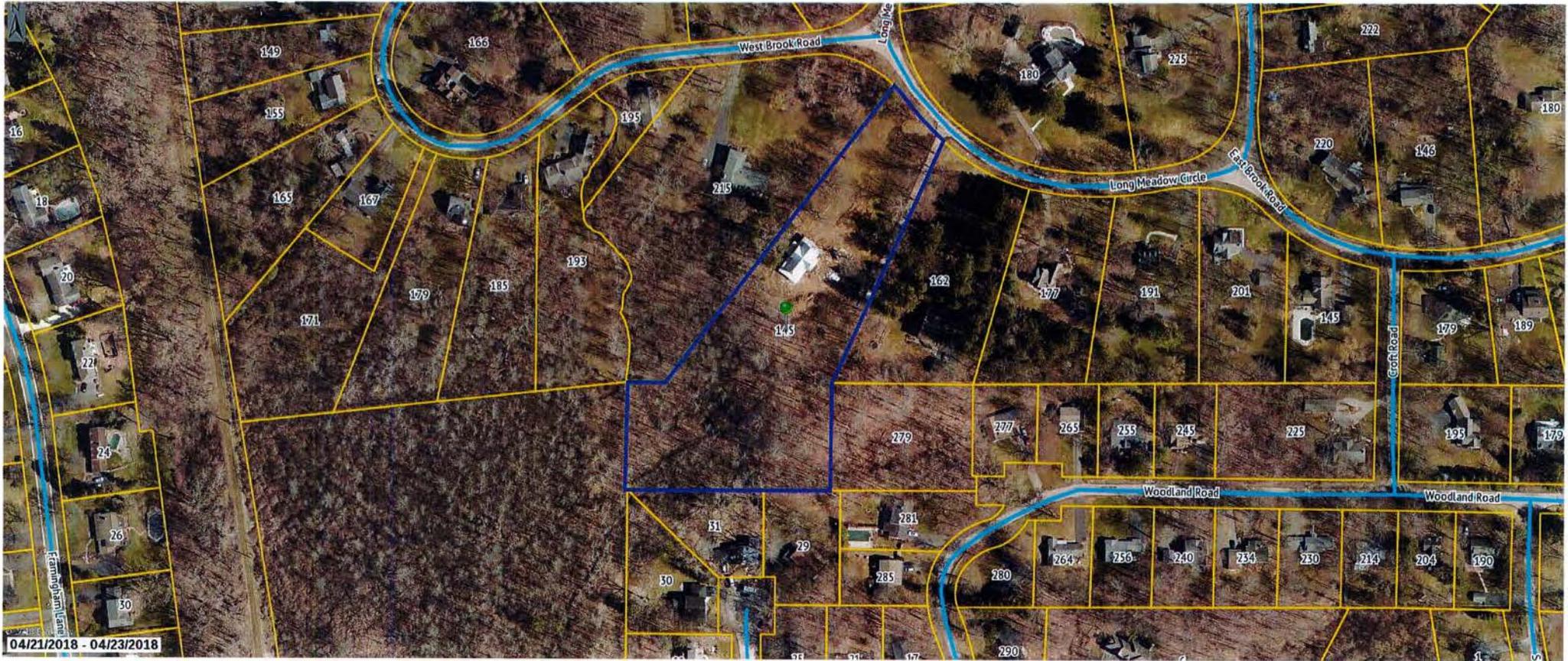


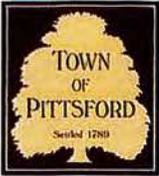
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning







TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 3-12-21 Hearing Date: _____

Applicant: Michael & Danielle Fliss

Address: 145 Long meadow Circle

Phone: 585 943 2900/585 739 4000 E-Mail: daniellefliss@rochesterrr.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Fliss
(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: Pittsford Current Zoning: Residential

Tax Map Number: 150.20-2-12.1

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

To Build a 16'x24' storage shed at top of driveway to left of garage where stone gravel is located on the survey map. It has been stone paved. This shed will sit back midway from top corner of the garage.

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)

3-12-21
(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 variance for shed is not an undesirable change in neighborhood because several and almost all homes have detached garages and sheds that are very visible from road. Our property is very large and we are set back a large distance from road. Neighbors are okay with garage and okay with storage shed. This will be esthetically pleasing and fit the style of our home and garage. It will blend into the landscape up on the hill just fine.

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

Flat part of lawn is taken up by pool. Minimal flat lawn is left and we would like to keep for children to play. Many parts of our lawn are sloped, heavily treed, and access for pool equipment, lawn equipment would be difficult in other areas.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

This request is minimal as it is only 384 sq. ft and necessary to store our lawn equipment, trailer, gator, ^{pool} and other equipment we have. We have 3.67 acres and plenty room on side of garage and this area creates easy access to all items stored necessary to maintain our large yard. We need storage to move things ~~off the driveway~~ and long driveway.

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:

This shed will not have an adverse effect on neighborhood due to it's location and design. It is also a reasonable size and there is not another storage shed on the property now. Many homes have detached garages and visible sheds in the neighborhood. It will also allow us to store items left outside in our driveway that are an eyesore.

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

5. Is the alleged difficulty self-created?

Yes this is self created because we have a pool behind our garage that takes up a large portion of our yard, our yard is sloped in several areas in the back and we also have a lot of trees we would like to keep. Location of shed is best for access to for our lawn equipment, snow plow, gator etc. Any areas flat we would like to keep for our children to play. We are a family of 6.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

145 Long Meadow Circle / Fliss
(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)

Janice Fliss
(Signature of Applicant)

3-12-21

(Dated)

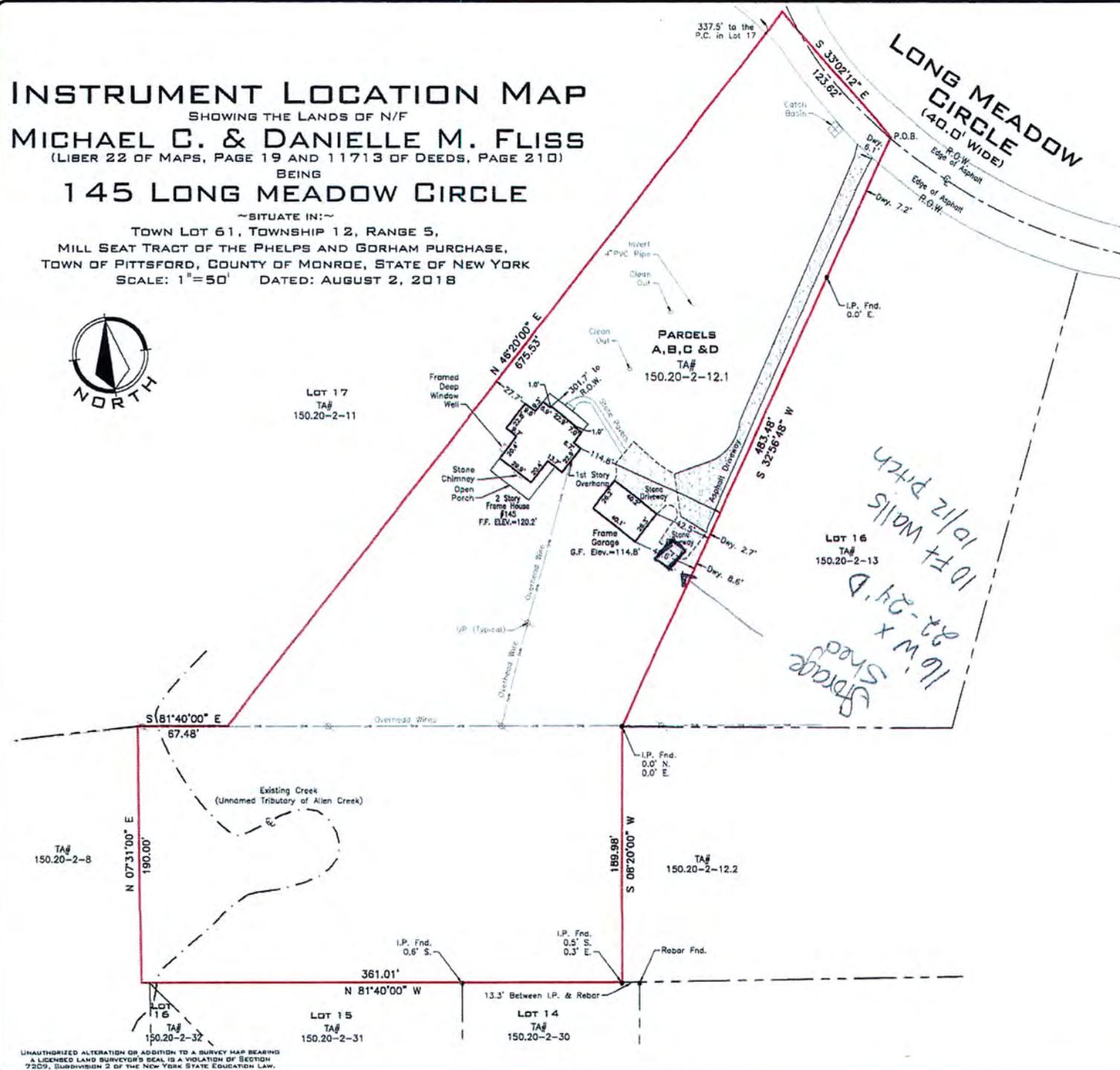
145 Long Meadow Circle
(Street Address)

Pittsford ny 14534
(City/Town, State, Zip Code)

INSTRUMENT LOCATION MAP

SHOWING THE LANDS OF N/F
MICHAEL C. & DANIELLE M. FLISS
 (LIBER 22 OF MAPS, PAGE 19 AND 11713 OF DEEDS, PAGE 210)
 BEING
145 LONG MEADOW CIRCLE

~SITUATE IN:~
 TOWN LOT 61, TOWNSHIP 12, RANGE 5,
 MILL SEAT TRACT OF THE PHELPS AND GORHAM PURCHASE,
 TOWN OF PITTSFORD, COUNTY OF MONROE, STATE OF NEW YORK
 SCALE: 1"=50' DATED: AUGUST 2, 2018



CERTIFIED TO:
 MICHAEL C. & DANIELLE M. FLISS

REFERENCES:
 TAX ACCOUNT NUMBER: 150.20-2-12.1
 NO ABSTRACT OF TITLE PROVIDED.
 LIBER 22 OF MAPS, PAGE 19
 LIBER 11713 OF DEEDS, PAGE 210
 RELEASE OF RESTRICTIONS
 LIBER 2411 OF DEEDS, PAGE 146
 MODIFICATION OF RESTRICTIONS
 LIBER 2504 OF DEEDS, PAGE 48
 LIBER 2816 OF DEEDS, PAGE 169

NOTE:
 FLOOD PLAINS AND WETLANDS, IF ANY, ARE
 NOT REFLECTED ON THIS MAP.



LANDTECH
 SURVEYING & PLANNING P.L.L.C.
 710 LATTA ROAD • ROCHESTER, NY • 14612
 PHONE (585) 442-9902 • FAX (585) 225-4819
 PROJECT NUMBER: 16130

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING
 A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION
 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.





