

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
March 16, 2020**

PUBLIC HEARING FOR AN AREA VARIANCE – NEW

- 48 N Country Club Drive, Tax # 151.05-1-19, Applicant is requesting relief from Town Code §185-17 E to allow the construction of an addition. The addition is proposed to encroach into the side yard setback by approximately 2' where code requires a 10' side yard setback. Property zoned RN – Residential Neighborhood District
- 619 Mendon Road, Tax # 178.03-2-8, Applicant is requesting relief from Town Code §185-113 B (1) & (2) construction of a Residential Storage Building of approximately 24 x 36 (864 Sq. Ft.) located in the rear yard. The oversized accessory structure will be constructed to a height of approximately 23'. Property is zoned RN – Residential Neighborhood District.
- 900 Linden Avenue, Tax # 138.16-1-11.11 & 138.16-1-11.12, Applicant is requesting relief from Town Code §185- 50 (D) (1) & (2) for the construction of an open Recreational Vehicle Storage area with a front setback of 273' 7" from the road right away and a lot size of 1.53 acres. Town Code requires a 500' front setback from the road right of way and a minimum lot size of 10 acres for outside storage. Property is zoned Light Industrial.

REVIEW OF MEETING MINUTES OF FEBRUARY 17, 2020

draft
**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
February 17, 2019**

PRESENT

George Dounce, Chairperson; Mary Ellen Spennacchio-Wagner, Mike Rose, Barbara Servé

ALSO PRESENT

Mark Lenzi, Building Inspector

ABSENT

Phil Castleberry, David Rowe, Robert Koegel, Town Attorney; Susan Donnelly, Secretary to the Board

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

PUBLIC HEARING FOR AN AREA VARIANCE – NEW

- 40 Landsdowne Lane, Tax # 151.11-1-16. Applicant is requesting relief from Town Code §185 – 17 (B) (1) for the construction of an addition extending beyond the building line for a corner lot. The addition is proposed to be constructed with a 45 foot +/- front setback from Landsdowne Lane where code requires 70 feet. Property is zoned RN – Residential Neighborhood District.

Dan Mossien was present to discuss the application with the Board as the representative of the homeowner. Mr. Mossien explained they selected the location for the addition based on the limited space behind the home. Currently there is a swimming pool to the backyard.

Debora Hammert (Homeowner) explained the use of the addition. The addition will include a garage bay, dog shower and an expansion of interior living area.

The Board asked about the time frame of construction. Dan Mossien stated they hoped to be completed by fall of 2020.

Mrs. Hammert informed the board that the neighbors were informed and have not expressed any concerns.

George Dounce (Zoning Board Chairman) asked for Public Comments. Kevin Hurluy of 15 Landsdowne Lane informed the Board there are similar 3 car garages in the neighborhood.

There were no further public comments.

Mary Ellen Spennacchio-Wagner moved to close the Public Hearing Barbara Servé seconded.

All Ayes.

The Board briefly discussed the application.

DECISION FOR 40 LANDSDOWNE LANE – AREA VARIANCE

A written Resolution to grant the area variance for 40 Landsdowne Lane was moved by Mike Rose 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	Absent
David Rowe voted	Absent
Mary Ellen Spennacchio-Wagner voted	Aye
George Dounce voted	Aye
Phil Castleberry voted	Absent

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated February 6, 2020.
2. All construction is to be completed by December 31, 2021.
3. The application is subject to the approval of the Design Review and Historic Preservation Board.

POINT PERSONS FOR MARCH 16, 2020 MEETING

48 N. Country Club Drive - Mary Ellen Spennacchio-Wagner

900 Linden Avenue – Phil Castleberry

619 Mendon Road – George Dounce

OTHER

George Dounce announced the recent resignation of Jaime Waldman from the Board due to a job relocation.

REVIEW OF DECEMBER 16, 2019 MINUTES

George Dounce moved to approve the minutes of the December 16, 2019 meeting as written. Mike Rose seconded.

All Ayes.

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 7:21pm.

Respectfully submitted,

Mark Lenzi
Building Inspector

DRAFT

Zoning Board of Appeals Referral Form Information

Property Address:

48 North Country Club Drive ROCHESTER, NY 14618

Property Owner:

Peter & Joelle Roberti
48 N Country Club Dr
Rochester, NY 14618

Applicant or Agent:

Peter & Joelle Roberti
48 N Country Club Dr
Rochester, NY 14618

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:	10	Left Lot Line:	8.75	Left Lot Line:	1.25
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s): §185-17 E

Description: Applicant is requesting relief from Town Code to allow the construction of an addition. The addition is proposed to encroach into the side yard setback by approximately 2' where code requires a 10' side yard setback. Property zoned RN – Residential Neighborhood District

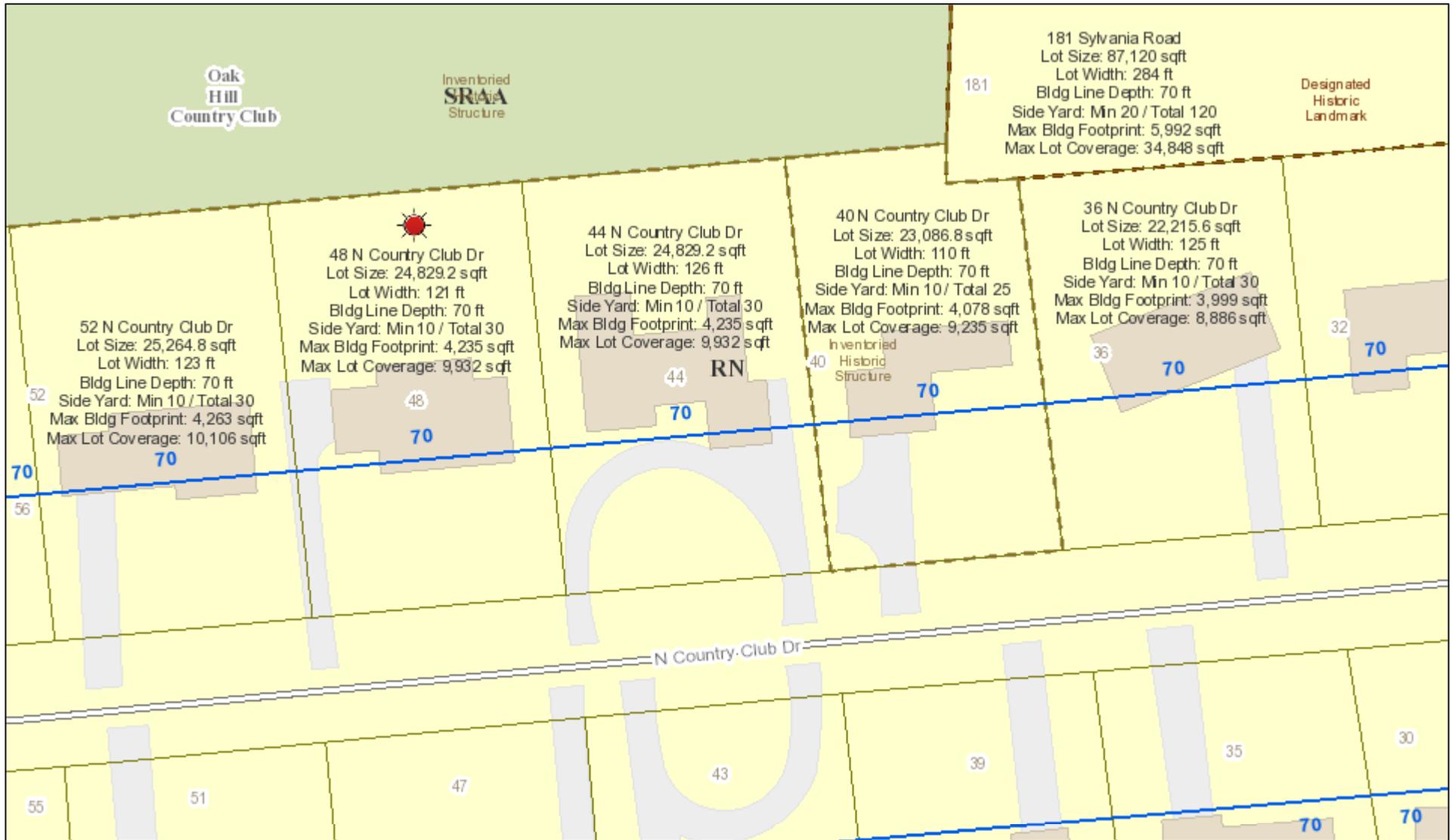
March 05, 2020



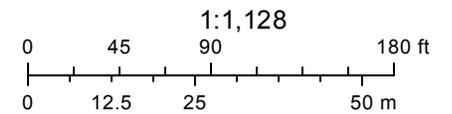
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning

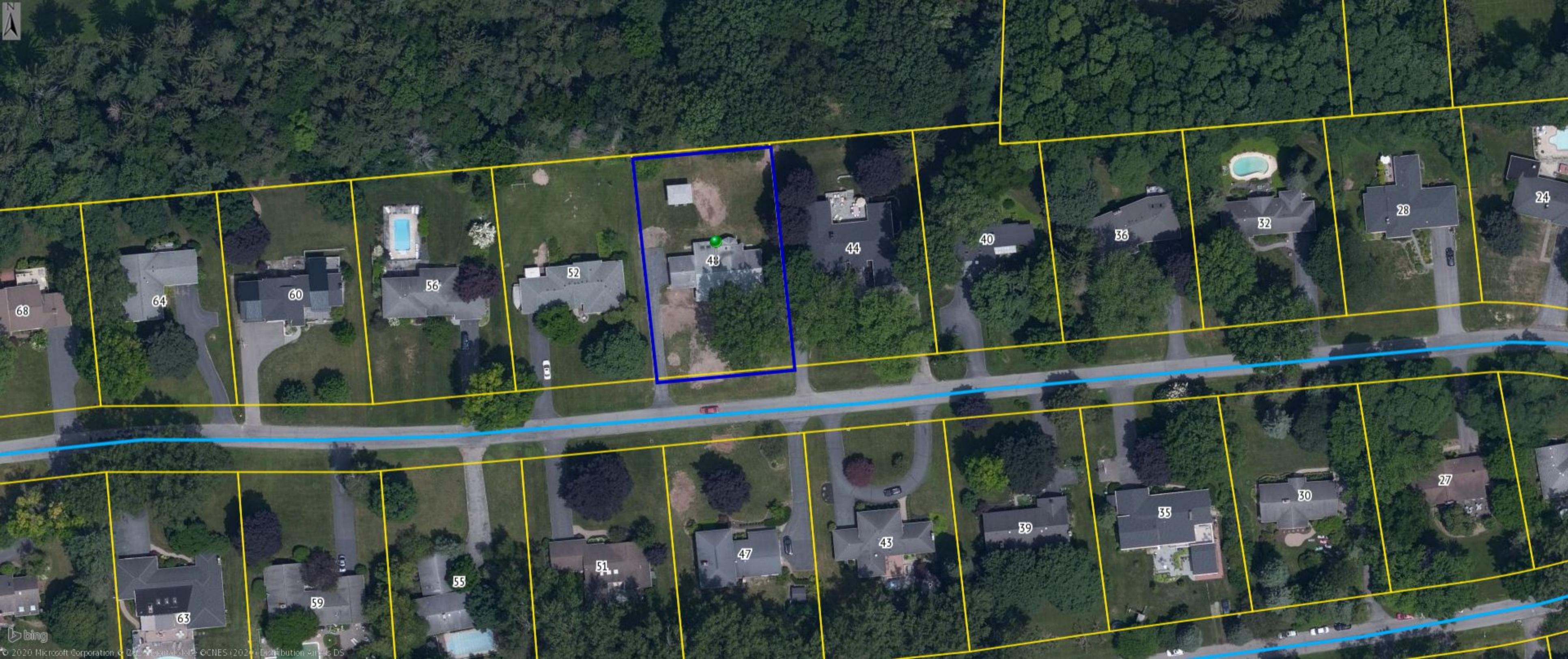


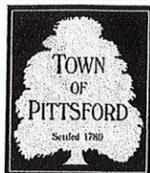
Printed March 5, 2020



Town of Pittsford GIS

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





TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 2/5/20 Hearing Date: 3/16/20

Applicant: Peter & Joelle Roberti

Address: 48 N. Country Club Drive Pittsford, NY

Phone: _____ E-Mail: _____

Agent: James Fahy - James Fahy Design Associates
(if different than Applicant)

Address: 2024 W. Henrietta Road Ste. 3k. Rochester, NY 14623

Phone: 585.272.1650 E-Mail: jrfahy@jamesfahy.com

Property Owner: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: peter.roberti@adrianyules.com

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

Property Location: 48 N. Country Club Dr. Current Zoning: RN

Tax Map Number: 151.05-1-19

Application For: Residential Commercial Other

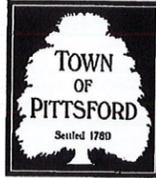
Please describe, in detail, the proposed project:

Addition-Renovation to the existing single family residence. Additions will include expansion of garage and conversion from two car end load to three-car front load garage; a covered front entry porch and the expansion of a rear dining area. Considerable interior renovation to the floor plan layout is planned.

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)

2/19/20
(Date)



**TOWN OF PITTSFORD
AREA VARIANCE
AUTHORIZATION TO
MAKE APPLICATION**

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

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

I, Peter Roberti, the owner of the property located at:
48 N. Country Club Drive, Pittsford 14534
(Street) (Town) (Zip)

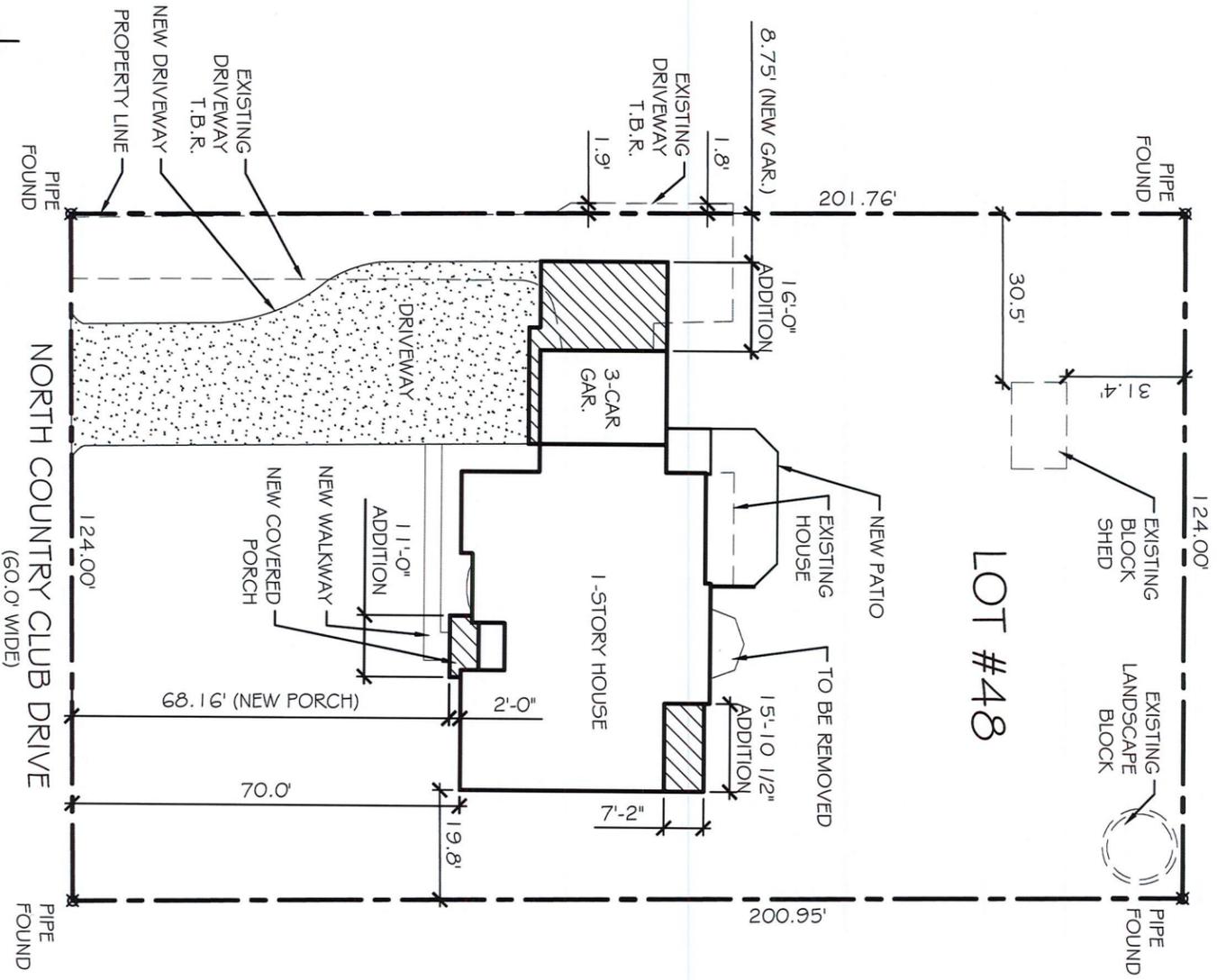
Tax Parcel # 151.05-1-19 do hereby authorize
James Fahy of James Fahy Design Associates to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of
an area variance for side yard setback and total side setback.

Peter A. Roberti

(Signature of Owner)

2/4/2020

(Date)

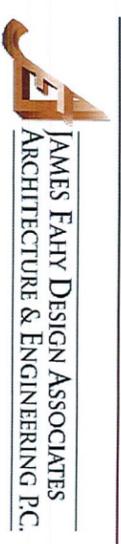


SCALE: 1" = 30'-0"

COUNTRY CLUB ESTATES, SECTION 2

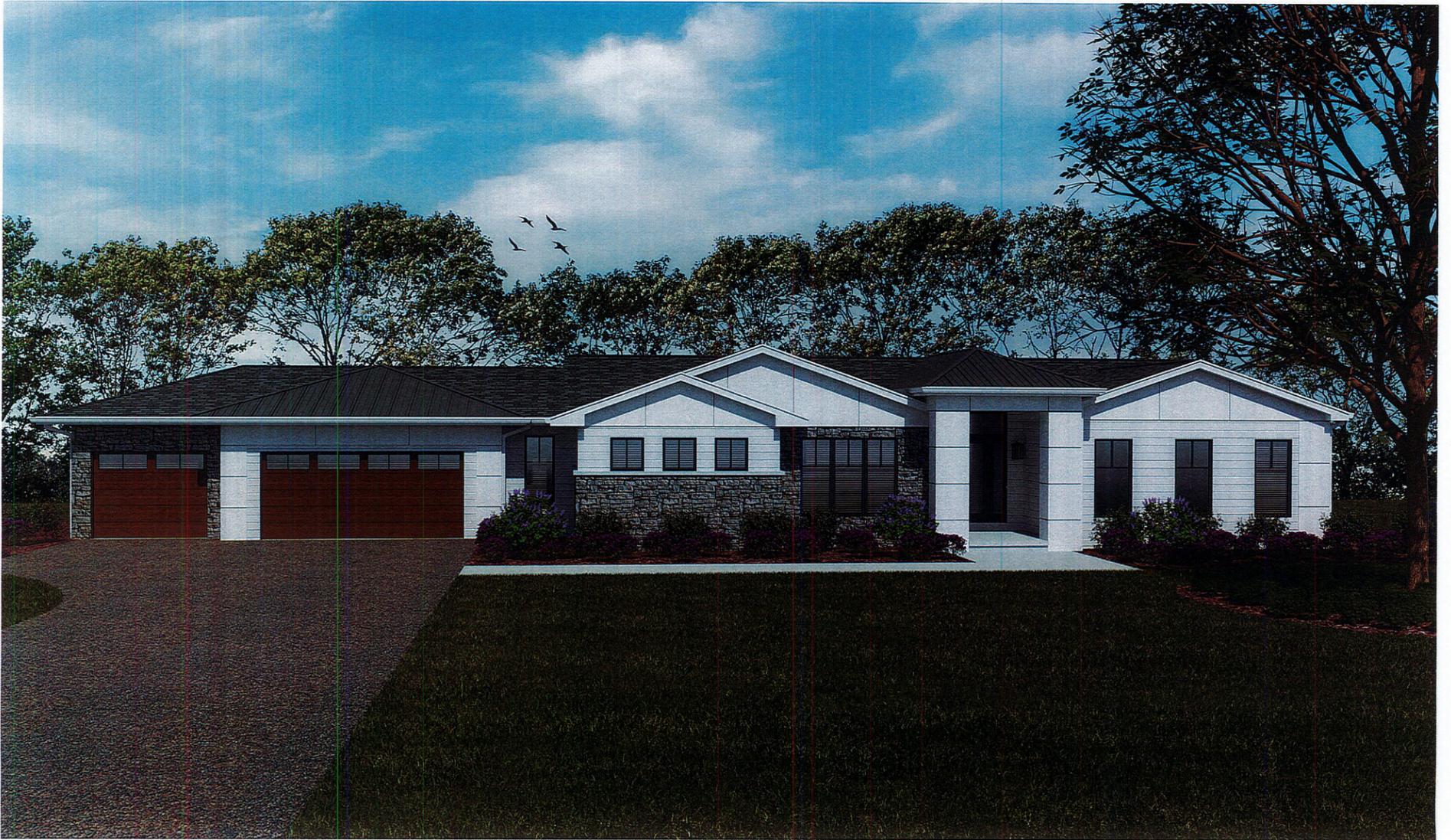
TOWN OF PITTSFORD, MONROE COUNTRY, NEW YORK
 RENOVATION / A19-047 / FEB. 4, 2020
 REF. MAP: ONEILL-RODAK LAND SURVEYING ASSOCIATES, P.C.
 PROJECT NO. 2019-0325
 DATE: APR. 2, 2019

A MODERN APPROACH TO TIMELESS ARCHITECTURAL DESIGN



JAMES FAHY DESIGN ASSOCIATES
 ARCHITECTURE & ENGINEERING P.C.

2024 w. henrietta rd. | suite 3k | rochester, ny 14623
 tel (585) 272.1650 | fax (585) 272.1008
 info@jamesfahy.com | www.jamesfahy.com



Roberti Residence
48 North Country Club Drive
Rochester, NY

Front Elevation

 **James Fahy Design Associates**
Architecture & Engineering P.C.
Rochester, NY



SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



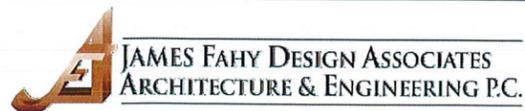
EAST ELEVATION

SCALE: 1/16" = 1'-0"

ROBERTI RESIDENCE

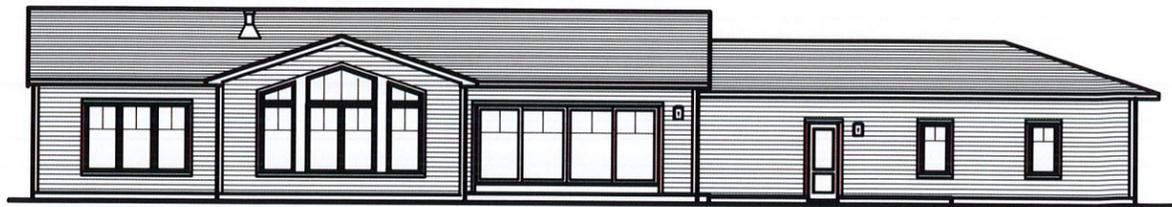
48 NORTH COUNTRY CLUB DRIVE
PITTSFORD, NEW YORK

A MODERN APPROACH TO TIMELESS ARCHITECTURAL DESIGN



JAMES FAHY DESIGN ASSOCIATES
ARCHITECTURE & ENGINEERING P.C.

2024 w. henrietta rd. | suite 3k | rochester, ny 14623
tel (585) 272.1650 | fax (585) 272.1008
info@jamesfahy.com | www.jamesfahy.com



NORTH ELEVATION

SCALE: 1/16" = 1'-0"



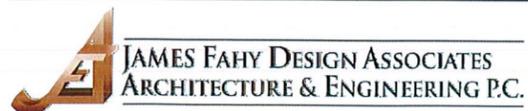
WEST ELEVATION

SCALE: 1/16" = 1'-0"

ROBERTI RESIDENCE

48 NORTH COUNTRY CLUB DRIVE
PITTSFORD, NEW YORK

A MODERN APPROACH TO TIMELESS ARCHITECTURAL DESIGN



JAMES FAHY DESIGN ASSOCIATES
ARCHITECTURE & ENGINEERING P.C.

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info@jamesfahy.com | www.jamesfahy.com

TESTS FOR GRANTING AREA VARIANCES

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 garage expansion and conversion from an end load to a front load garage will improve the existing side yard aesthetics for the property and improve views from the west neighboring property. The current garage is an undersized two-car garage that includes a stairwell to the basement that projects into the garage parking area. There is only clear floor space for the parking of one car. Additionally, the current driveway extends over the west side property line to provide a turning radius for a car to enter the garage.

The expansion will allow the removal of pavement extending to the property line and provide covered parking that will promote less congested views from the neighboring property. The removal of pavement along the west property line will allow the planting of grass to better control surface runoff between the properties. The proposed variance will therefore be an improvement to the property and its impact on the west side neighboring property and the neighborhood as a whole.

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

The current two-car end load garage is undersized and is located too close to the neighboring property to properly accommodate maneuvering of vehicle ingress and egress to the garage. There is no feasible way to accommodate the owner's covered parking needs without expansion of the garage to the west and repositioning to a front load garage. Therefore, it is believed that the benefit sought could not be achieved by any other method other than the area variance requested.

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

The three-car garage proposed is modest in size and is a common amenity of the more recent renovations within the neighborhood. The side yard setback variance requested is believed to be the minimum necessary to accommodate the covered parking and storage needs of 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:*

The proposed garage expansion and conversion to a front-loading condition will allow significant improvement to the grading and drainage conditions between our property and the neighbor to the west. Additionally, there will be significant improvement to the view shed from the west side neighbor and aesthetic improvement to the presentation of the residence from the street. The scale and massing of the home following renovation is still within character of the adjacent properties, neighborhood and zoning district.

5. *Is the alleged difficulty self-created?*

Although the alleged difficulty in solving our covered parking needs may be considered self-created, it reflects a reasonable solution to the problem. Existing conditions including the current footprint location on-site had a considerable influence on the need for the requested variance.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Roberti Residence - 48 N. Country Club Drive
(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)

2024 W. Henrietta Rd. Ste. 3k

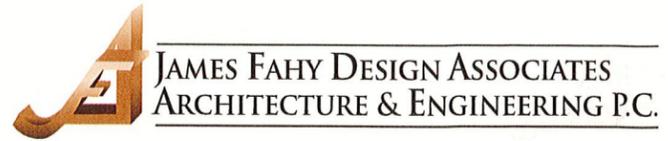
(Street Address)

Rochester, NY 14623

(City/Town, State, Zip Code)

1/16/20

(Dated)



JAMES FAHY DESIGN ASSOCIATES
ARCHITECTURE & ENGINEERING P.C.

February 5, 2020

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

Attention: Mr. George Dounce, Chairman
and Fellow Zoning Board Members

Re: Letter of Intent
Area Variance Application
48 N. Country Club Drive
Pittsford, New York

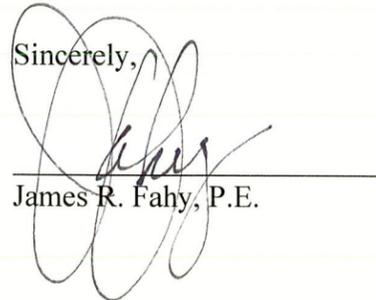
Dear Mr. Dounce and Fellow Zoning Board Members,

We are herewith submitting an application to the Zoning Board of Appeal (ZBA) in request of an area variance necessary in the construction of a proposed garage addition at the reference address.

The project will include an addition to the existing garage footprint for the conversion of an existing two-car end load garage to a three-car front load garage that requires your approval of an area variance. We are seeking relief from the Town of Pittsford zoning requirements for minimum side yard setback and minimum total side setback as summarized in Section 185-17 Table I of 10-feet and 30-feet, respectively. Our proposed west side (left) property setback will be 8.75-feet and our total combined side yard setback will be 28.55-feet.

I look forward to discussing our plans with the Zoning Board at your meeting on March 16, 2020.

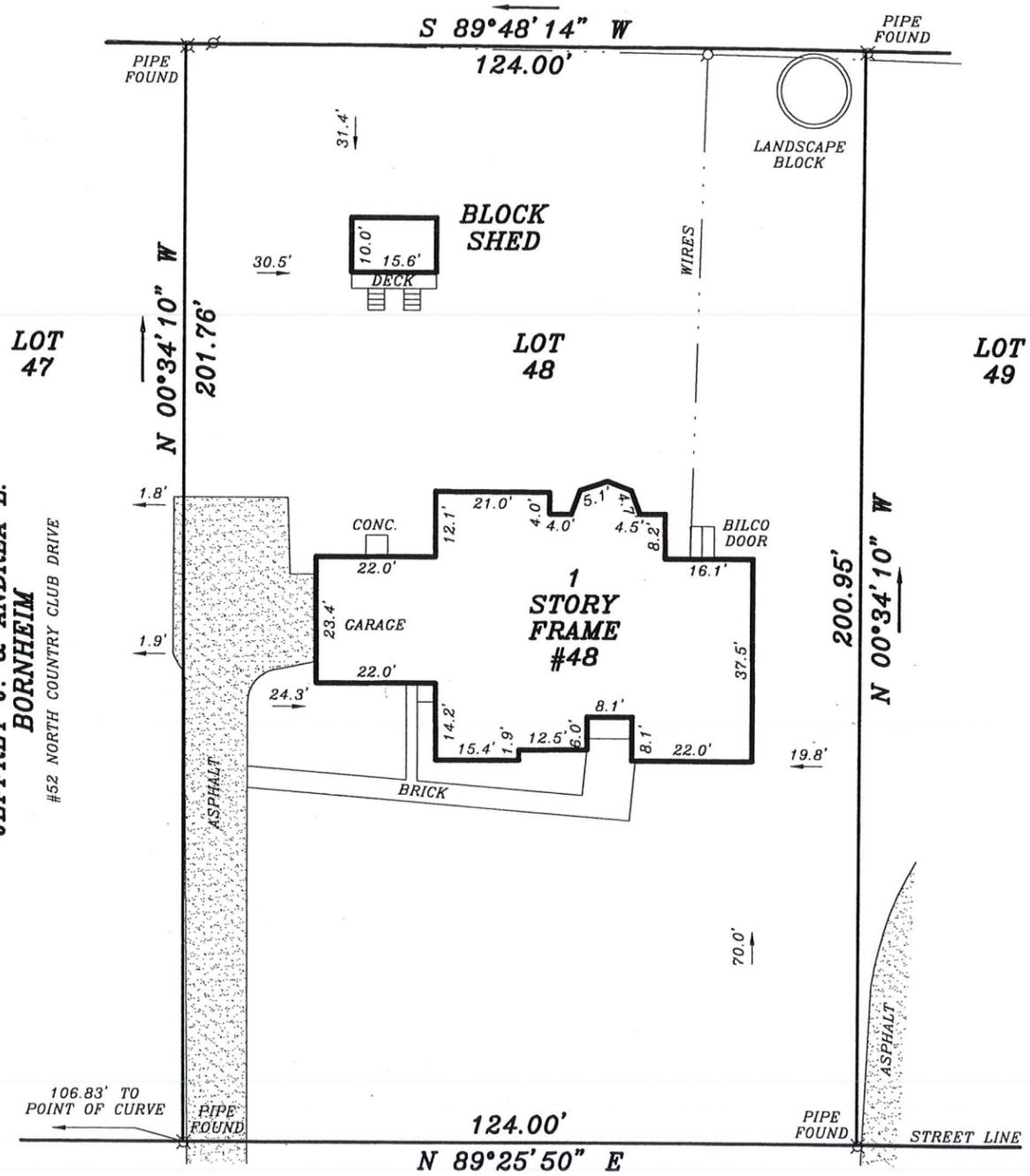
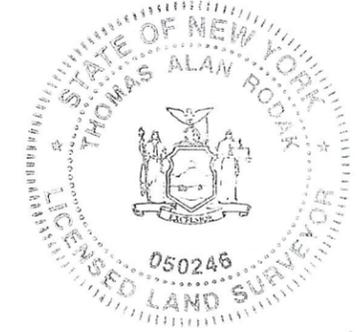
Sincerely,



James R. Fahy, P.E.

A MODERN APPROACH TO TIMELESS ARCHITECTURAL DESIGN

2024 w. henrietta rd. | suite 3k | rochester, ny 14623
tel (585) 272.1650 | fax (585) 272.1008
info@jamesfahy.com | www.jamesfahy.com



REFERENCES:

STEWART TITLE INSURANCE COMPANY #139355 DATED MARCH 6, 2019
 LIBER 5534 OF DEEDS, PAGE 226
 LIBER 121 OF MAPS, PAGE 61

NOTES:

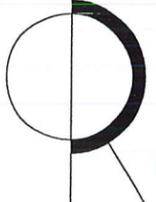
PARCEL TAX ID #151.05-1-19

WE, O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO STIFEL BANK & TRUST, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTEREST MAY APPEAR; M&A TITLE AGENCY, LLC; LAW OFFICE OF AARON I. KATSMAN; JOELLE N. ROBERTI AND MARCHIONI & ASSOCIATES THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED MARCH 29, 2019.

Thomas A. Rodak
 THOMAS A. RODAK, P.L.S. #050246

NORTH COUNTRY CLUB DRIVE
 (60' WIDE)

"Unauthorized alteration of, or addition to, this survey map is a violation of section 7209 of the New York State Education Law"
 Copies of this survey map not bearing the land surveyor's inked or embossed seal shall not be considered to be a valid true copy.
 "Guarantees or certifications indicated hereon shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution.
 Guarantees or certifications are not transferable to the institutions or subsequent owners"

 <p>O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C.</p> <p>LAND SURVEYORS - PLANNERS BOUNDARY CONSULTANTS FEMA ELEVATION CERTIFICATES ALTA/NSPS SURVEYS</p>	MAP OF A SURVEY LOT 48 COUNTRY CLUB ESTATES, SECTION 2 TOWN OF PITTSFORD MONROE COUNTY, NEW YORK		
	CLIENT HARRIS BEACH PLLC		
5 SOUTH FITZHUGH STREET ROCHESTER, NY 14614 PHONE (585) 325-7520 FAX (585) 325-1708 e-mail surveyors@oneillrodak.com	SCALE 1" = 30'	DATE 04/02/2019	PROJECT NO. 2019-0325

Zoning Board of Appeals Referral Form Information

Property Address:

619 Mendon Road PITTSFORD, NY 14534

Property Owner:

Ryan, Kevin C
619 Mendon Rd
Pittsford, NY 14534

Applicant or Agent:

Ryan, Kevin C
619 Mendon Rd
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	22.5'	Height:	10.5'
Size:	180	Size:	864	Size:	-684.0

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

Description: Applicant is requesting relief from Town Code §185-113 B (1) & (2) construction of a Residential Storage Building of approximately 24 x 36 (864 Sq. Ft.) located in the rear yard. The oversized accessory structure will be constructed to a height of approximately 23'.

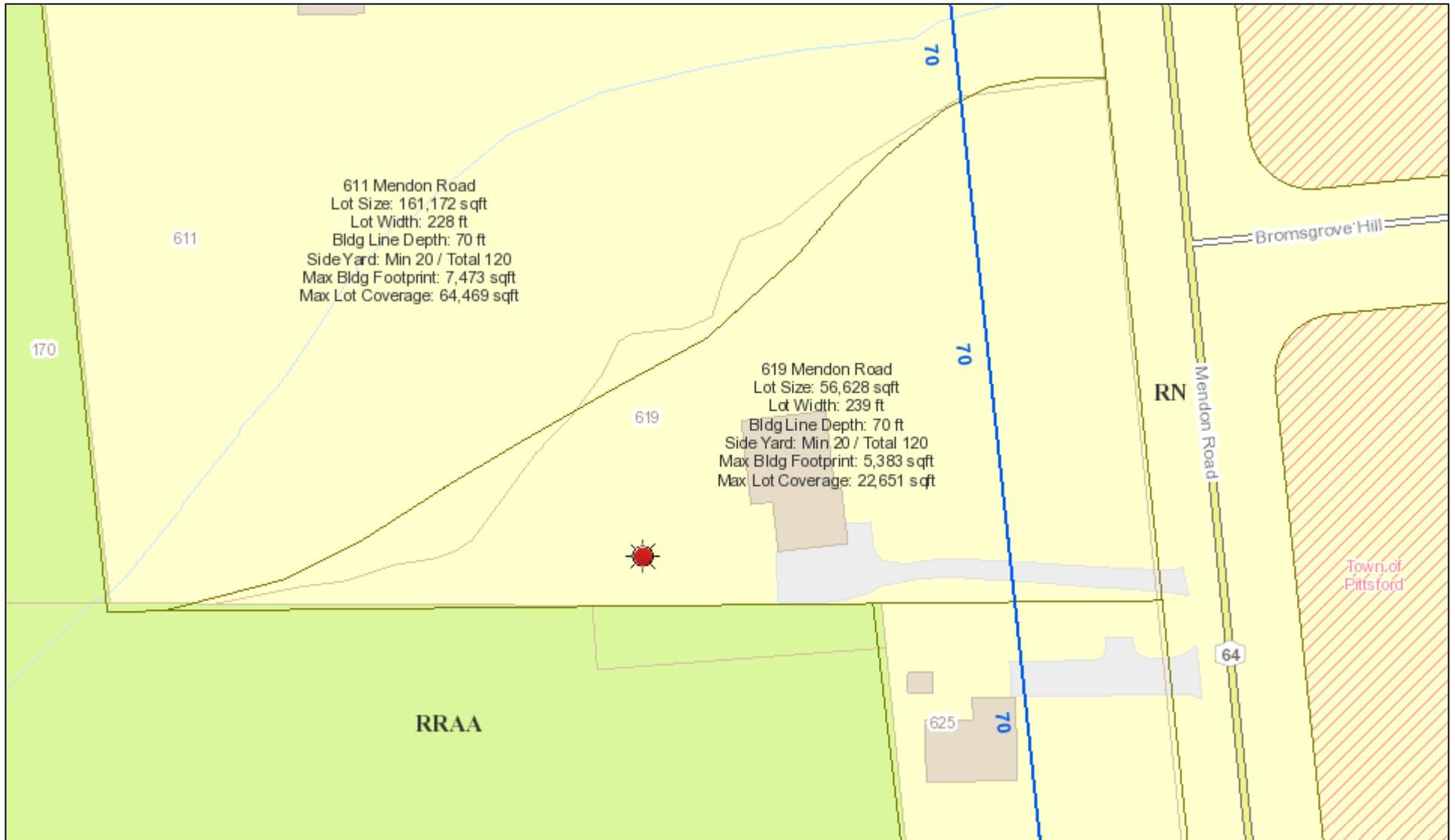
March 05, 2020



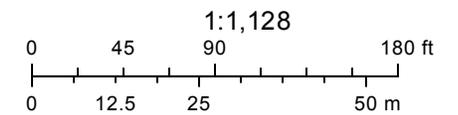
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning

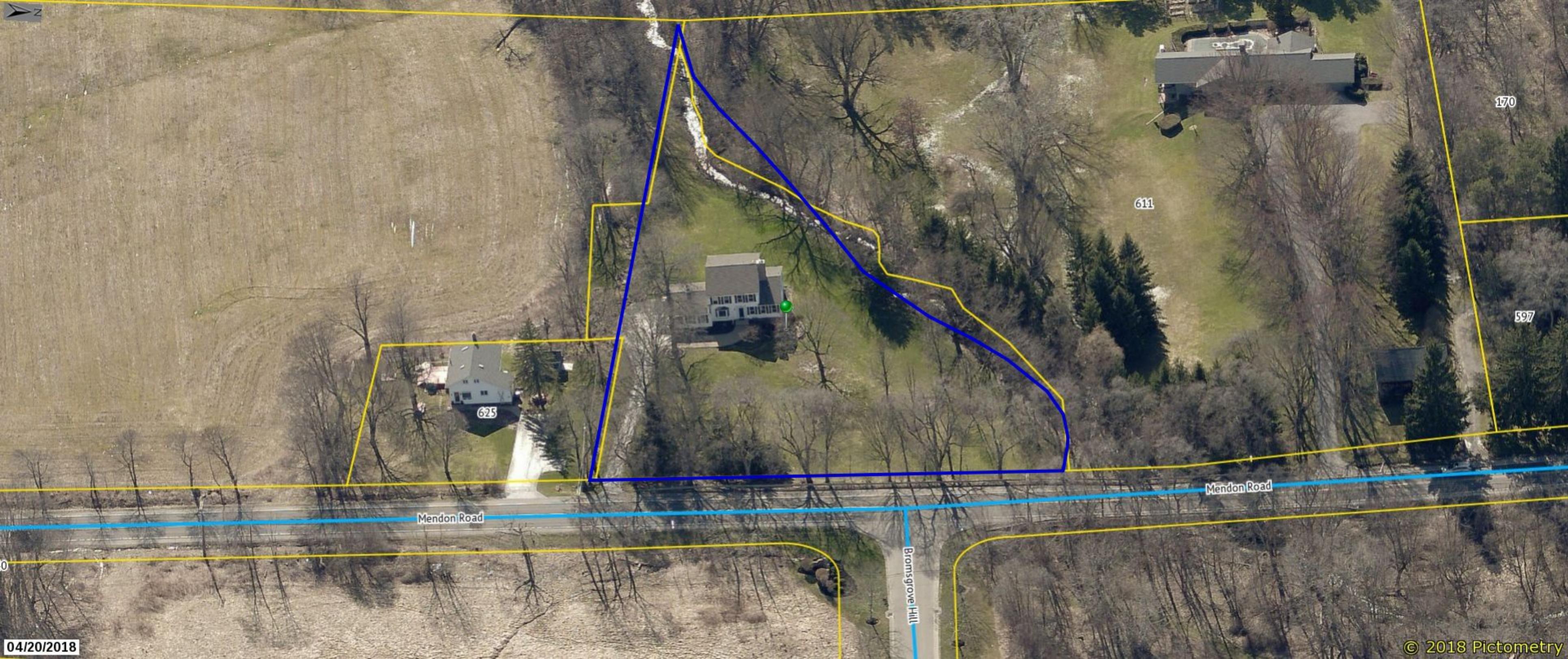


Printed March 6, 2020



Town of Pittsford GIS

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



Mendon Road

Mendon Road

Bromsgrove Hill

625

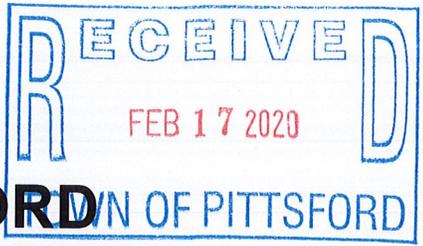
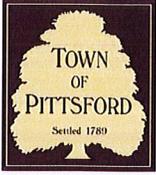
611

170

597

04/20/2018

© 2018 Pictometry



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 2/14/2020 Hearing Date: 3/16/2020

Applicant: Kevin C. Ryan

Address: 619 Mendon Road, Pittsford NY 14534

Phone: (585) 732-3330 E-Mail: KevinRyan22@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: 619 Mendon Road Current Zoning: RN

Tax Map Number: 178.03-2-8

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Construct a 24'x36' workshop building on property behind current house and slightly to the south. Building to have 6' open porch on north side. Building will be used as a woodworking and metalworking shop. Building to have wood siding and a standing seam metal roof. Front (facing Mendon Road) side to have 2 windows and custom built wood entry doors with glass for aesthetic reasons.

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] 2/17/20
(Owner or Applicant Signature) *(Date)*

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

619 Mendon Road Pittsford Ny
(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)

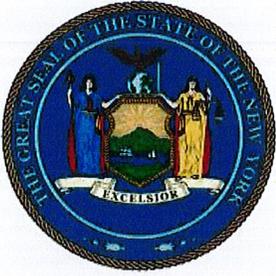
N/A


(Signature of Applicant)

2/17/20
(Dated)

(Street Address)

(City/Town, State, Zip Code)



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

TESTS FOR GRANTING AREA VARIANCES

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

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

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

I feel that the proposed building will increase the character of the surrounding neighborhood and area. In designing this building we have gone to great lengths to ensure that this building is aesthetically pleasing, appropriate in design and scale, and fitting to the more rural feeling on the southern end of town. The building will look like a classic carriage house/barn once complete and will nicely complement our colonial house as well as the neighboring 1860's school house. Set far back off the road on our approximately 1.5 acre lot the building will not look out of scale compared to the houses nearby nor the lot size.

In planning for this building we have looked at other buildings around town that seem to fit the architecture and period feel we are aiming to achieve. Some buildings we looked at included: Pittsford Farms Dairy, the former Lusk farm barn (Mendon Ctr & Stone), and various other barns and carriage houses in town.

This building will have wooden siding and a standing seam metal roof along with custom wood front doors (facing Mendon Road). It should be quite fitting and attractive when viewed from any angle.

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

Unfortunately the allowable square footage in the current town code would not allow for a building of a structure large enough to function as needed for woodworking and metalworking. We have looked at all options and found that this is the smallest building that will function as desired and still be aesthetically pleasing and proportionally correct.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested area variance is for 864 square feet of total building. While this is larger than the allowable area it is not oversized in the least when looked at in comparison to neighboring structures and the size of the lot. We looked at other examples in the area to ensure this was not out of proportion including the following locations:

100 Van Voorhis Road, a 0.8 Acre lot that has a approx 50'x30' buliding on it

728 Mendon Road. A similarly sized 1.5 acre lot that has a approx 48'x36' metal building on it.

Overall we feel that this building will compliment the area well and not be an eyesore in the slightest, contrarily we think it will fit in and be attractive.

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:

As stated above, I believe the building will create a physical enhancement to the area, while still leaving plenty of open space, trees, lawn, and plantings. The environmental impact will be very minimal as we will be diligent during construction as to not damage any surrounding land. Further, the building has been very efficiently designed and should not cause any environmental issues in the 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;**

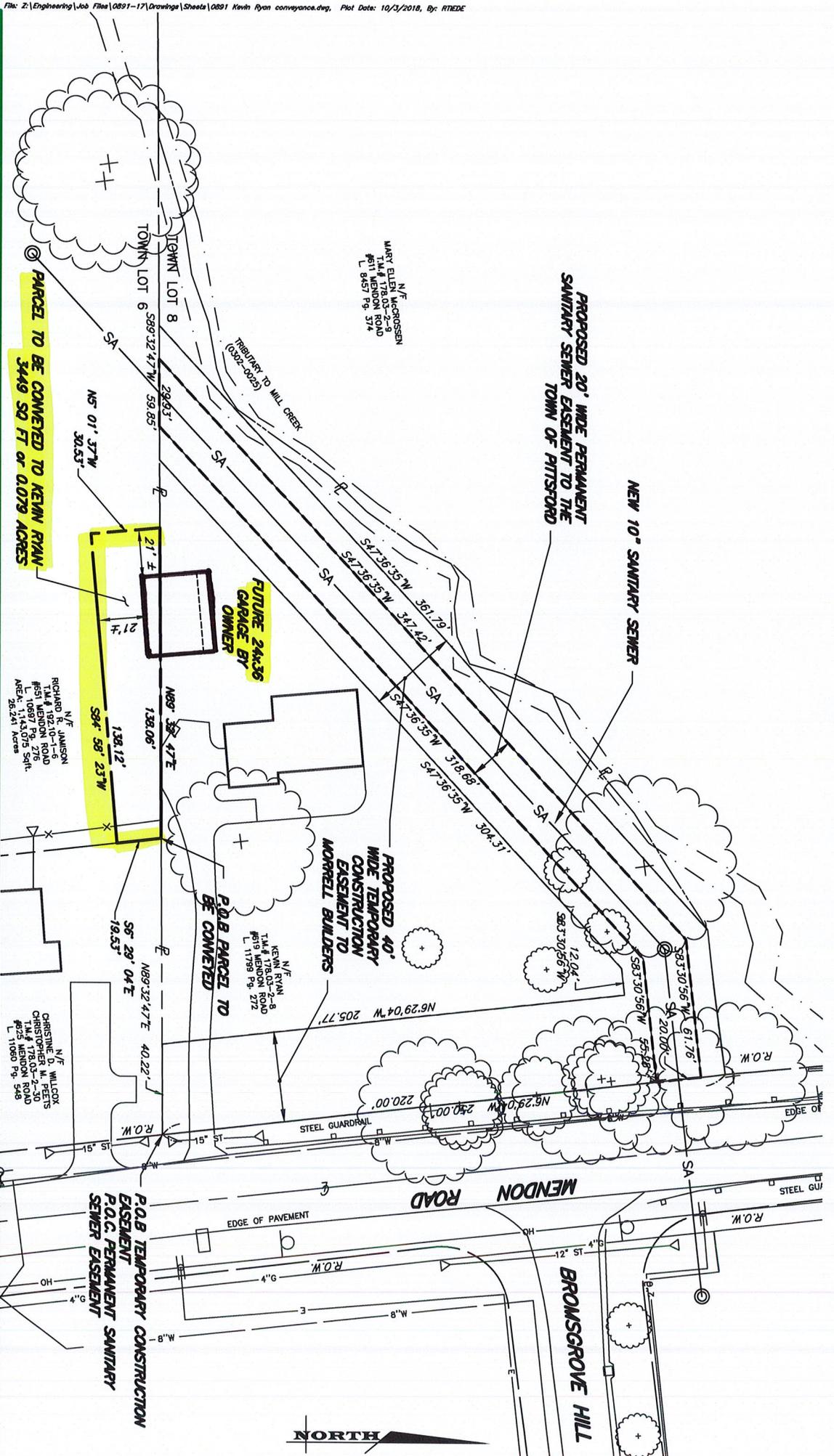
5. Is the alleged difficulty self-created?

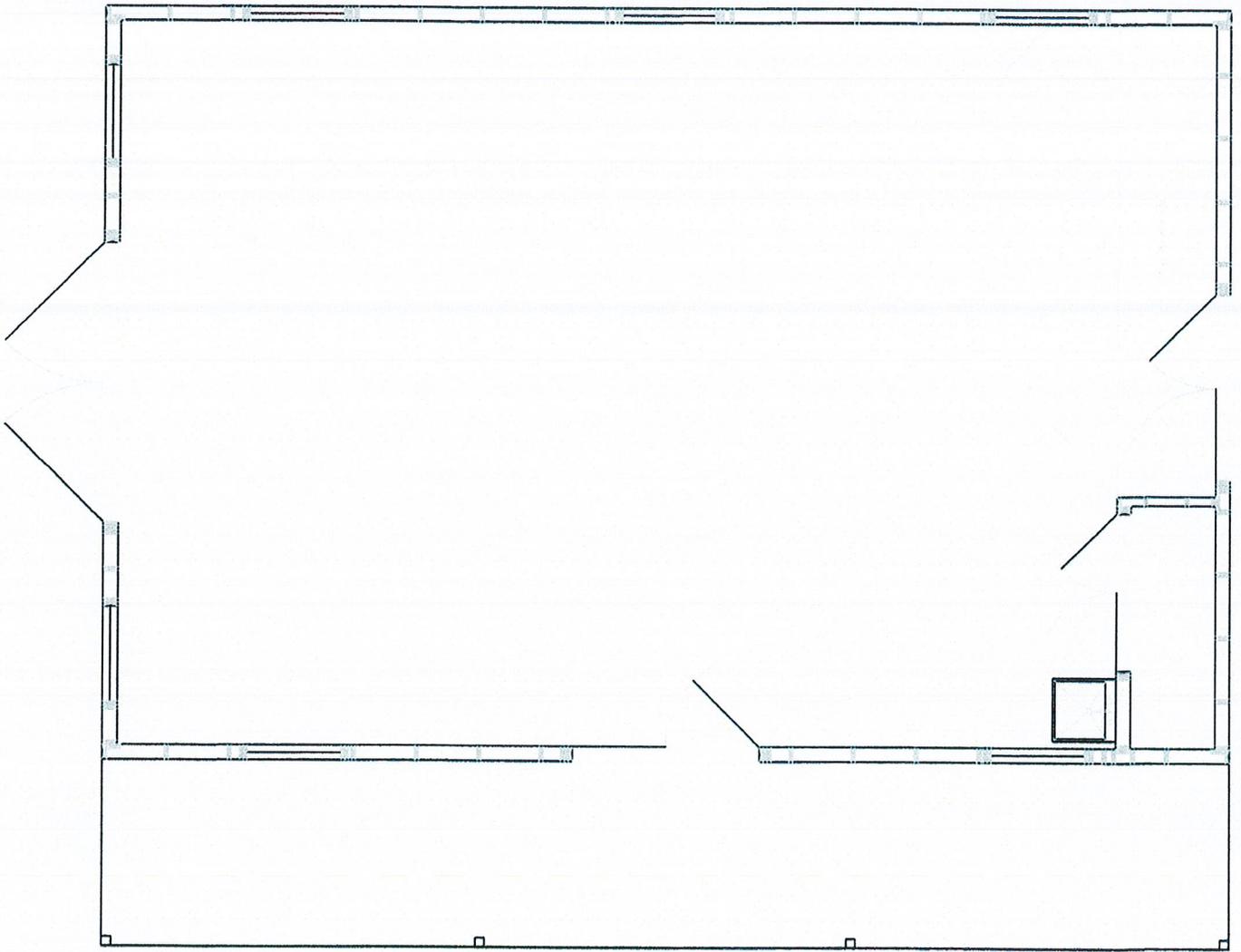
The need for a variance is self created in the respect that I want to build a workshop structure, however I do not believe that there is a way to build a suitable structure without a variance as the allowed square footage would be far too small to support adequate workspace.

**EASEMENT & LAND CONVEYANCES
KEVIN RYAN PROPERTY**

No. 619 MENDON ROAD

TOWN OF PITTSFORD MONROE COUNTY NEW YORK





Floor plan

Main Roof Assembly (top to bottom)

- Snap-lock standing seam metal roofing
- Vented Ridge
- High temp ice and water shield (two courses @ eaves)
- Synthetic underlayment
- 5/8 T&G Plywood
- 15" Raised Heel Scissors Trusses @ 2'o.c.
- 1-1/2" Vent baffles
- R48 13-1/2" Cellulose (or Fiberglass)
- 3/4" x 29ga White Steel Liner

Soffits and Overhangs

- 5/8" x 3-1/8" DF Beadboard
- (2) 3/4" Screened Vent Slots
- Azek Fascia Boards
- 6" Galvanized Half-round Gutters
- 4" Round Galvanized Downspouts

Wall Assembly (exterior to interior)

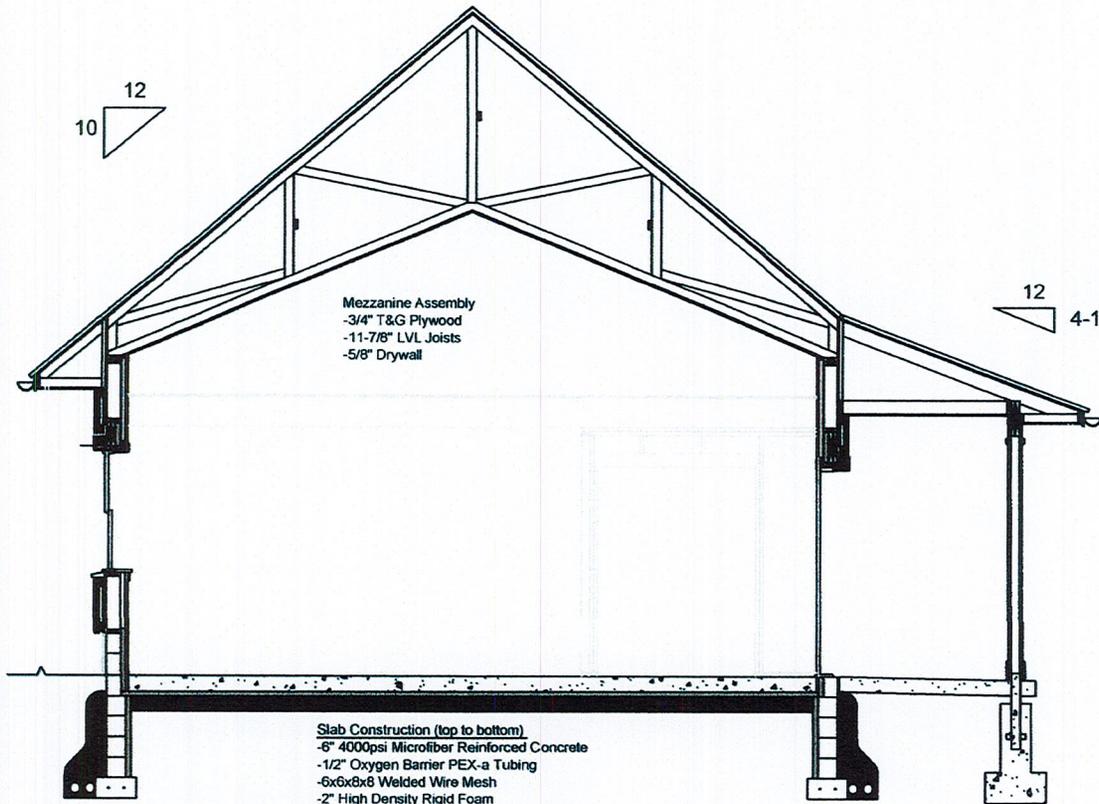
- Eastern white pine board and batten siding
- 2x4 Horizontal nailers
- 1x3 Vertical rain screen wall furring
- Cor-a-vent rain screen closure @ wall bottom
- 7/16" Zip System OSB sheathing
- 2x6 Wall Studs @ 2'o.c.
- 2" Rigid Foam Strips/Face of Studs (thermal break)
- R25 Fiberglass Insulation
- 1/8" Furring/Cement Board/Tile Wainscot (future)
- 5/8" Drywall

Foundation and Footing

- 8" x 16" 3500psi Concrete footing w/ 2 #5 rebar
- 8" CMU x 4 Courses
- 8" CMU x 3 Courses (fully grouted)
- 1/2" J-bolts 4'o.c. (within 12" each wall end)
- Buechel Stone Fieldledge Thin Veneer (future)

Foundation Waterproofing

- Liquid Applied Waterproofing Membrane
- Dimple Matting
- #1 Washed Stone / Landscape Fabric
- 4" Perforated Drain Pipe
- 4" Solid Drain Pipe (from downspouts)



Mezzanine Assembly

- 3/4" T&G Plywood
- 11-7/8" LVL Joists
- 5/8" Drywall

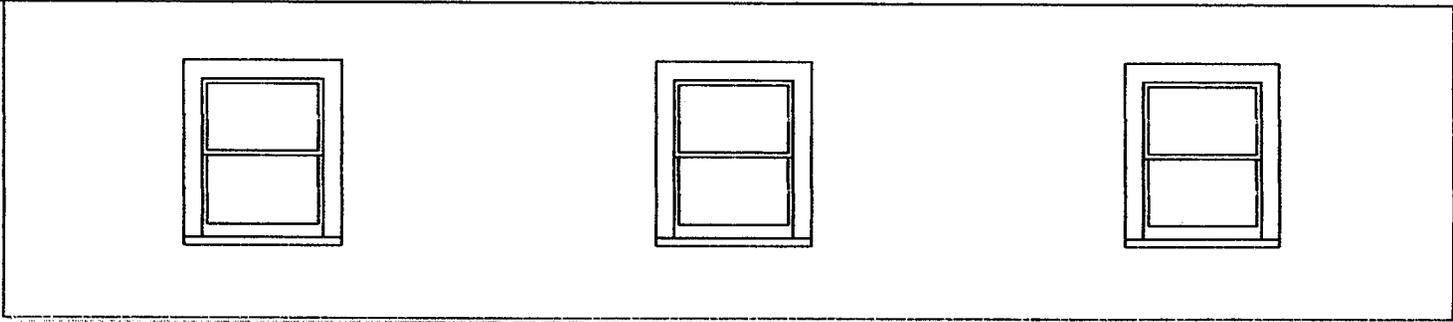
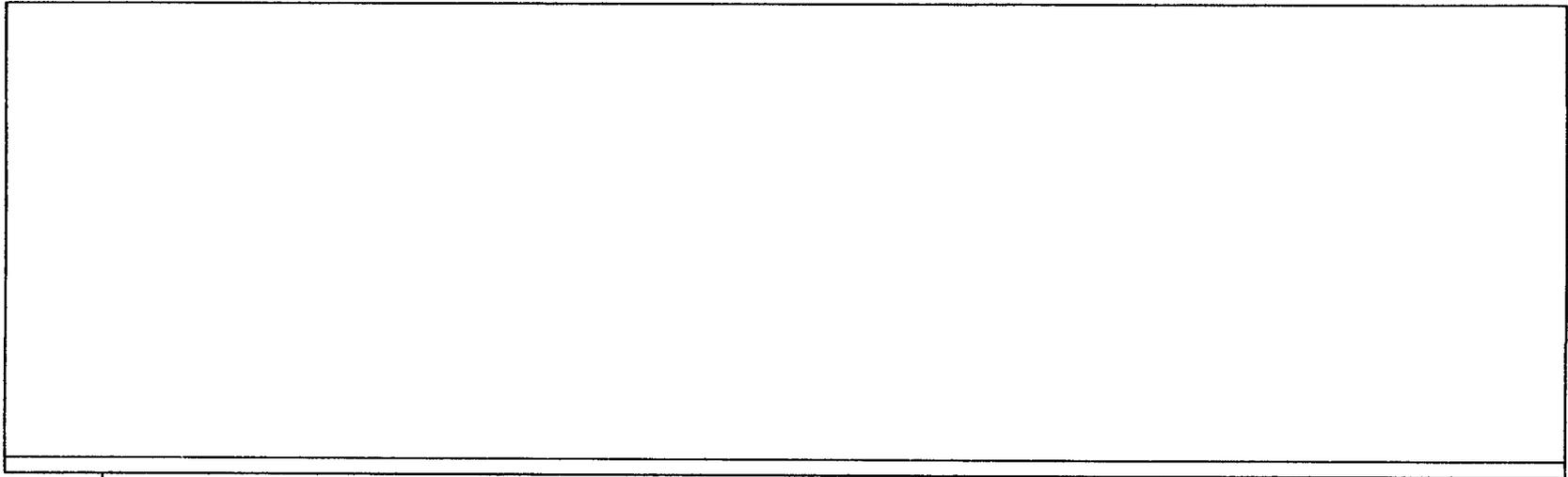
Slab Construction (top to bottom)

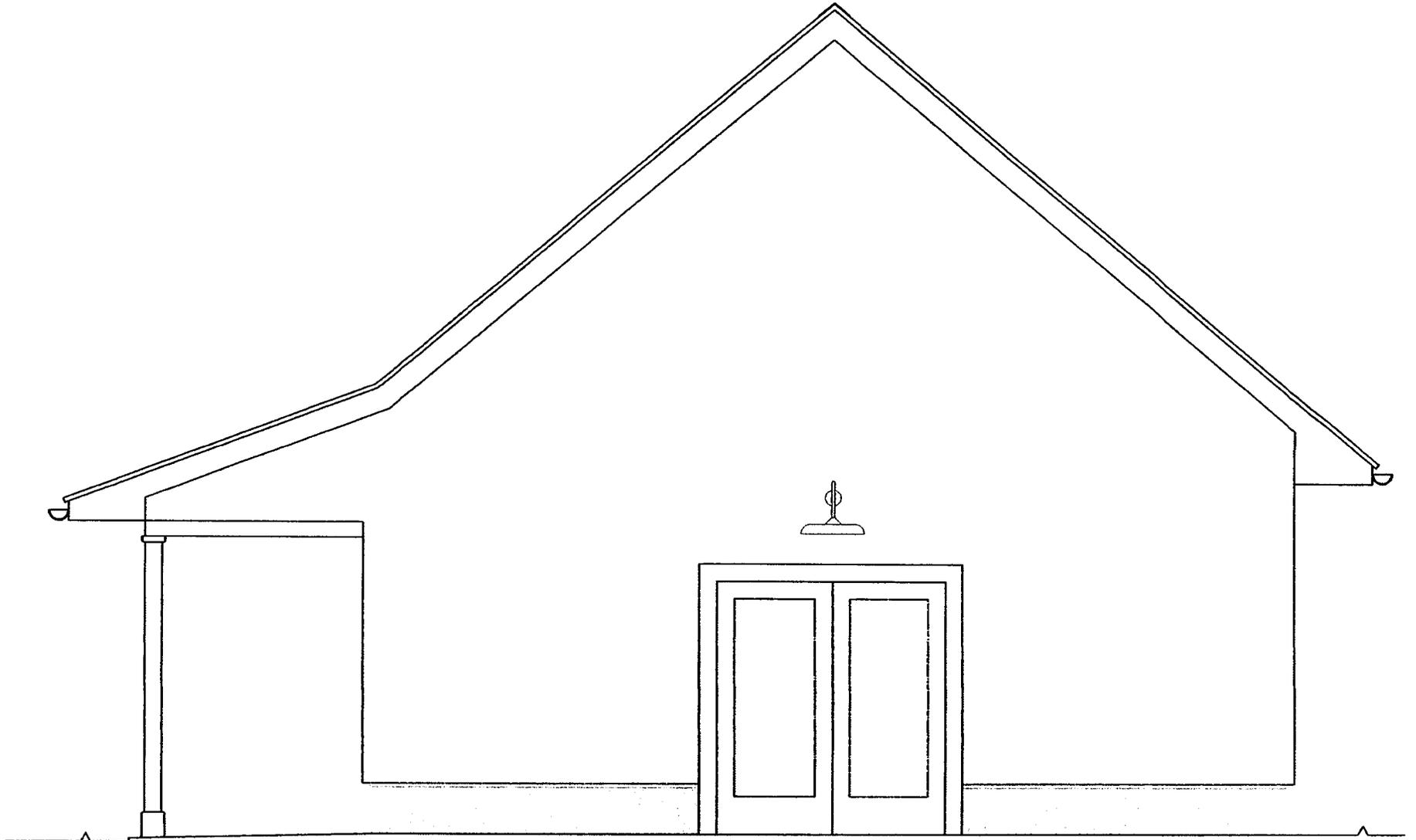
- 6" 4000psi Microfiber Reinforced Concrete
- 1/2" Oxygen Barrier PEX-a Tubing
- 6x6x6 Welded Wire Mesh
- 2" High Density Rigid Foam
- 6mil Vapor Barrier
- 6" Compacted Crusher Run

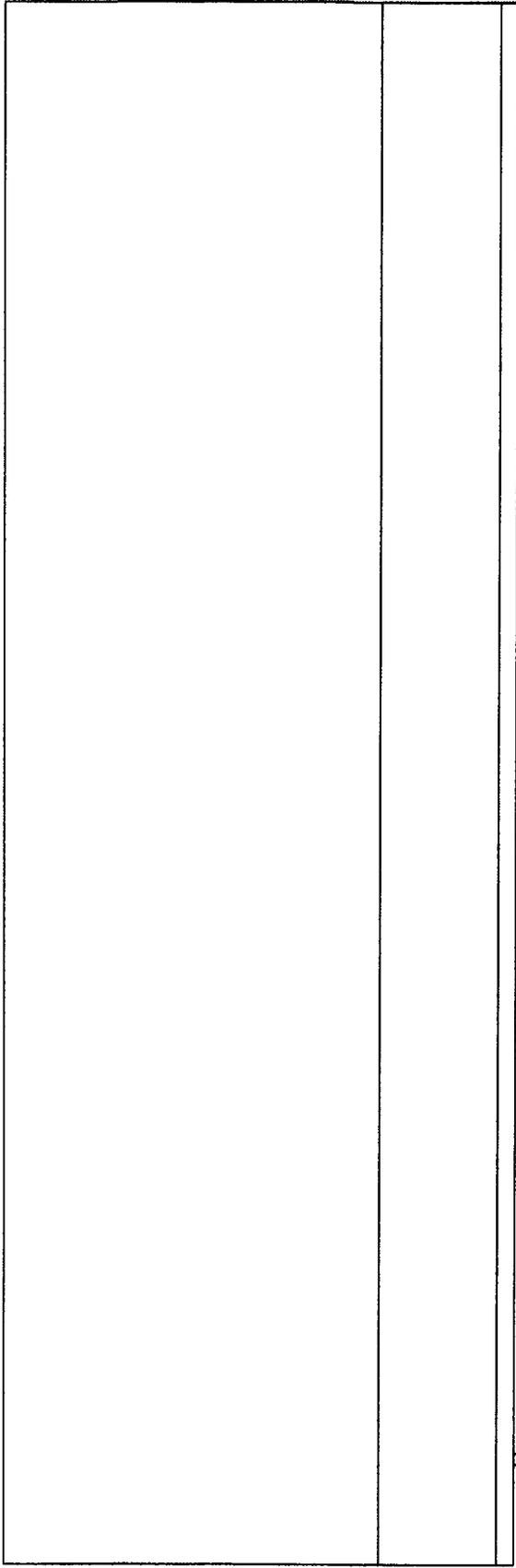
Porch Assembly

- 2x6 Rafter
- 2x6 Ceiling Joists
- 5/8" x 3-1/8" DF Beadboard Ceiling
- 4x4 Posts Wrapped in Rough Sawn EWP
- (2) 14" LVL Girders Wrapped in EWP
- Roof Deck and Overhangs to Match Main Roof
- 4x4 Perma-column Concrete Bases w/Uplift Anchors
- 12" dia Concrete Pier
- 24" x 24" Concrete Footing

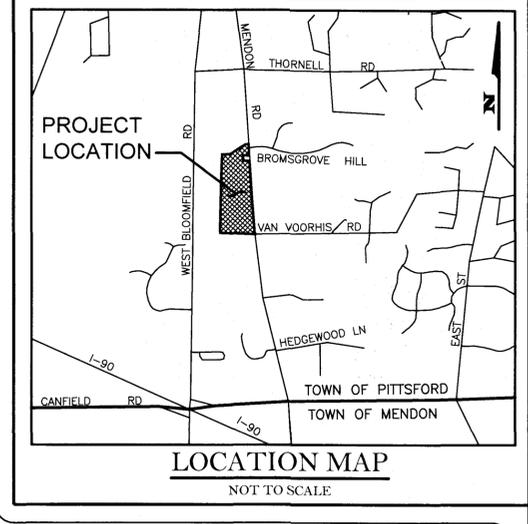
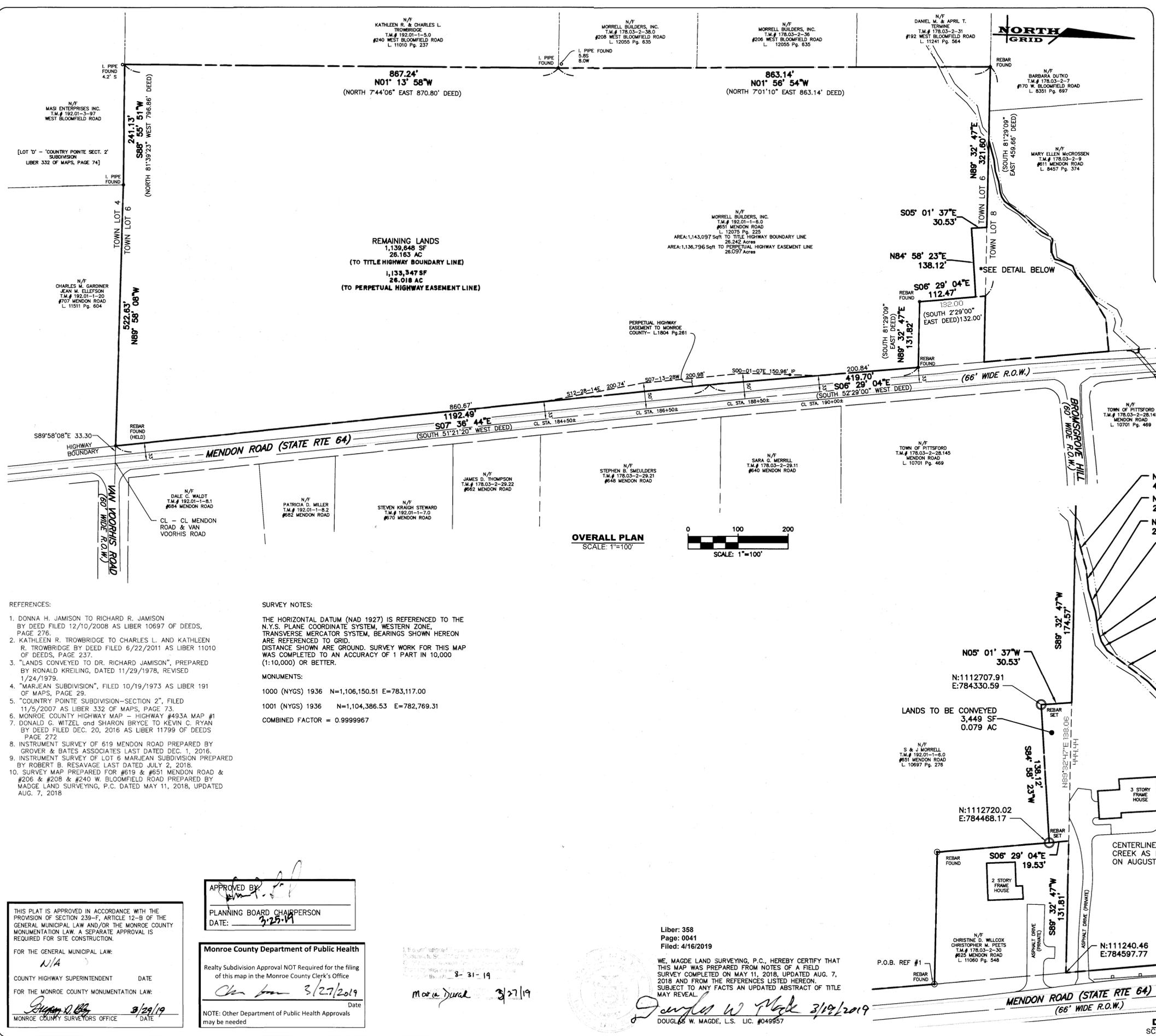








File: Z:\Engineering\Job Files\0891-17\Drawings\0891-17 Conveyance.dwg, Last saved: 3/18/2019, Plot Date: 3/18/2019, Plot Style: ---



MARATHON ENGINEERING
ROCHESTER LOCATION
39 CASCADE DRIVE
ROCHESTER, NY 14614
585-450-7770
ITHACA LOCATION
840 HANSHAW RD, STE 12
ITHACA, NY 14850
607-241-2917
www.marathoneng.com

KEVIN RYAN SUBDIVISION
PART OF TOWN LOT 6 & 8, TOWNSHIP 12, RANGE 5 OF THE PHELPS & GORHAM PURCHASE, TOWN OF PITTSFORD, MONROE COUNTY, NEW YORK
TOWN OF PITTSFORD
MONROE COUNTY
STATE OF NEW YORK

- REFERENCES:**
- DONNA H. JAMISON TO RICHARD R. JAMISON BY DEED FILED 12/10/2008 AS LIBER 10697 OF DEEDS, PAGE 276.
 - KATHLEEN R. TROWBRIDGE TO CHARLES L. AND KATHLEEN R. TROWBRIDGE BY DEED FILED 6/22/2011 AS LIBER 11010 OF DEEDS, PAGE 237.
 - "LANDS CONVEYED TO DR. RICHARD JAMISON", PREPARED BY RONALD KREILING, DATED 11/29/1978, REVISED 1/24/1979.
 - "MARJEAN SUBDIVISION", FILED 10/19/1973 AS LIBER 191 OF MAPS, PAGE 29.
 - "COUNTRY POINTE SUBDIVISION-SECTION 2", FILED 11/5/2007 AS LIBER 332 OF MAPS, PAGE 73.
 - MONROE COUNTY HIGHWAY MAP - HIGHWAY #493A MAP #1
 - DONALD G. WITZEL and SHARON BRYCE TO KEVIN C. RYAN BY DEED FILED DEC. 20, 2016 AS LIBER 11799 OF DEEDS PAGE 272
 - INSTRUMENT SURVEY OF 619 MENDON ROAD PREPARED BY GROVER & BATES ASSOCIATES LAST DATED DEC. 1, 2016.
 - INSTRUMENT SURVEY OF LOT 6 MARJEAN SUBDIVISION PREPARED BY ROBERT B. RESAVAGE LAST DATED JULY 2, 2018.
 - SURVEY MAP PREPARED FOR #619 & #651 MENDON ROAD & #206 & #208 & #240 W. BLOOMFIELD ROAD PREPARED BY MADGE LAND SURVEYING, P.C. DATED MAY 11, 2018, UPDATED AUG. 7, 2018

SURVEY NOTES:

THE HORIZONTAL DATUM (NAD 1927) IS REFERENCED TO THE N.Y.S. PLANE COORDINATE SYSTEM, WESTERN ZONE, TRANSVERSE MERCATOR SYSTEM, BEARINGS SHOWN HEREON ARE REFERENCED TO GRID. DISTANCE SHOWN ARE GROUND. SURVEY WORK FOR THIS MAP WAS COMPLETED TO AN ACCURACY OF 1 PART IN 10,000 (1:10,000) OR BETTER.

MONUMENTS:

1000 (NYGS) 1936 N=1,106,150.51 E=783,117.00
1001 (NYGS) 1936 N=1,104,386.53 E=782,769.31
COMBINED FACTOR = 0.9999967



THIS PLAT IS APPROVED IN ACCORDANCE WITH THE PROVISION OF SECTION 239-F, ARTICLE 12-B OF THE GENERAL MUNICIPAL LAW AND/OR THE MONROE COUNTY MONUMENTATION LAW. A SEPARATE APPROVAL IS REQUIRED FOR SITE CONSTRUCTION.

FOR THE GENERAL MUNICIPAL LAW:
N/A
COUNTY HIGHWAY SUPERINTENDENT DATE
FOR THE MONROE COUNTY MONUMENTATION LAW:
3/29/19 DATE
MONROE COUNTY SURVEYORS OFFICE

APPROVED BY: [Signature]
PLANNING BOARD CHAIRPERSON
DATE: 3/25/19

Monroe County Department of Public Health
Realty Subdivision Approval NOT Required for the filing of this map in the Monroe County Clerk's Office
3/27/19 Date
NOTE: Other Department of Public Health Approvals may be needed

Libers: 358
Page: 0041
Filed: 4/16/2019

WE, MADGE LAND SURVEYING, P.C., HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM NOTES OF A FIELD SURVEY COMPLETED ON MAY 11, 2018, UPDATED AUG. 7, 2018 AND FROM THE REFERENCES LISTED HEREON. SUBJECT TO ANY FACTS AN UPDATED ABSTRACT OF TITLE MAY REVEAL.

3/18/2019
Douglas W. Magde, L.S. LIC. #049957

JOB NO: 0891-17
SCALE: AS SHOWN
DRAWN: CMP
DESIGNED: RJT
DATE: 02/19/2019

REVISIONS		
DATE	BY	REVISION
02/27/19	CP	MCS COMMENTS ISSUED MYLAR
03/18/19	CP	ISSUED MYLAR
04/01/19	CP	MCS COMMENTS

IF A VIOLATION OF ANY NEW YORK STATE EDUCATION LAW, ARTICLE 128 OR ANY FEDERAL LAW IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO EXERCISE ANY AUTHORITY BEARING THE SEAL OF A PROFESSIONAL ENGINEER OR LAND SURVEYOR, IT IS THE RESPONSIBILITY OF THE LICENSED ENGINEER OR LAND SURVEYOR TO BE AWARE OF THE REQUIREMENTS OF THE EDUCATION LAW AND THE PROFESSIONAL ENGINEERING AND LAND SURVEYING ACTS AND TO TAKE THE NECESSARY STEPS TO COMPLY WITH THEM. THE ENGINEER OR LAND SURVEYOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND THE CORRECTNESS OF THE DESCRIPTION OF THE INFORMATION.

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DRAWING TITLE:
PLAT MAP

1 of 1
SHEET No: **SV1.0**

0891-17
JOB No: DRAWING No:

Zoning Board of Appeals Referral Form Information

Property Address:

900 Linden Avenue ROCHESTER, NY 14625

Property Owner:

Brush John D & Co Inc
6744 South Howell Ave
Oak Creek, WI 53154

Applicant or Agent:

Mitchell Construction
P.O. Box 375 7607 Commons Boulevard
Victor , Ny

Present Zoning of Property: LI Light Industrial
Area Variance - Non-Residential

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:	500	Front Setback:	274	Front Setback:	226.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size acres:	10	Size acres:	1.53	Size acres:	8.47

Code Section(s): 185- D (1) & (2)

Description: Applicant is requesting relief from Town Code §185- 50 (D) (1) & (2) for the construction of an open Recreational Vehicle Storage area with a front setback of 273' 7" from the road right away and a lot size of 1.53 acres. Town Code requires a 500' front setback from the road right of way and a minimum lot size of 10 acres for outside storage.

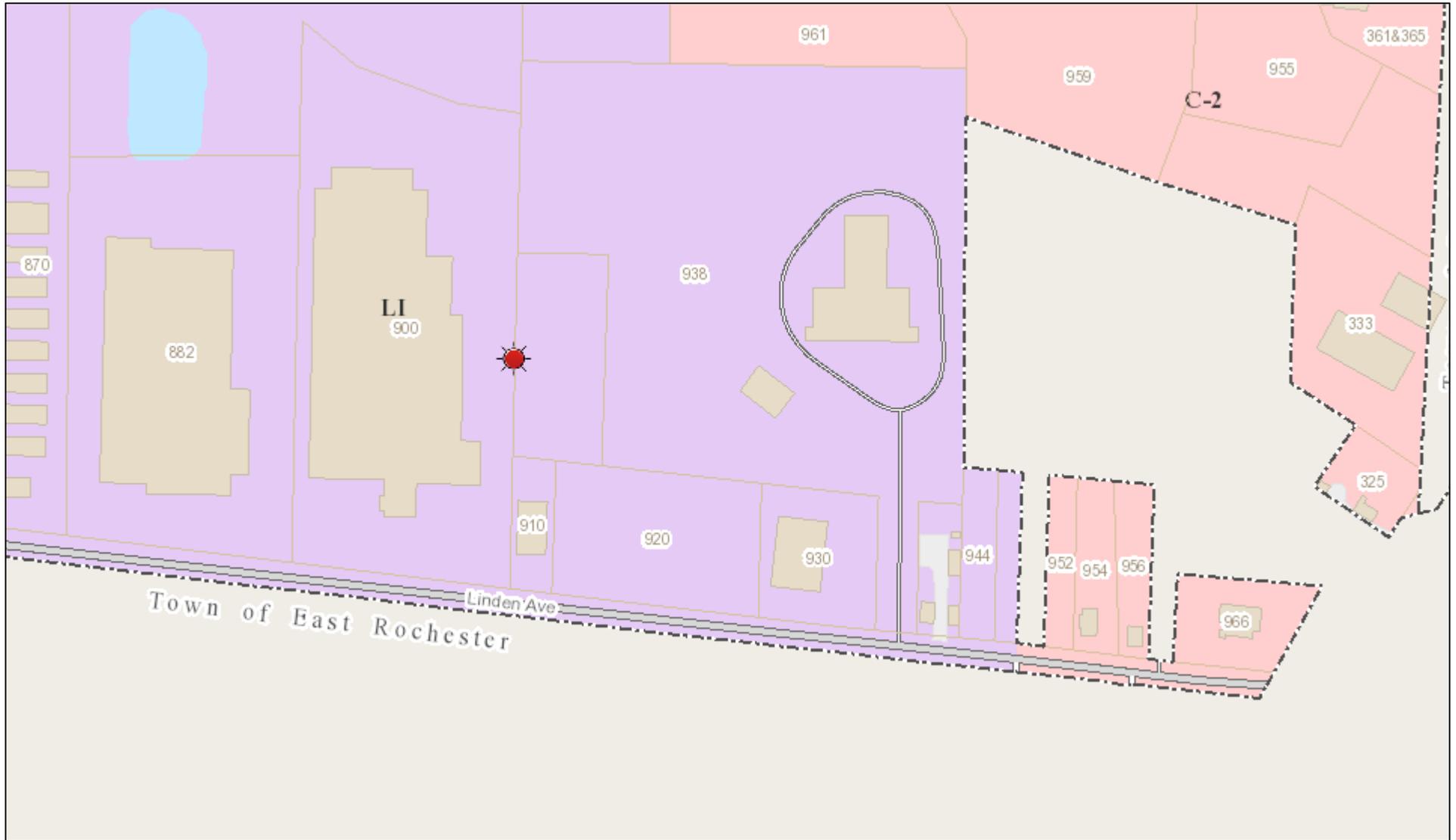
March 06, 2020



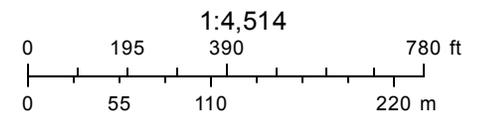
Date

Mark Lenzi - Building Inspector CEO

RN Residential Neighborhood Zoning



Printed March 6, 2020



Town of Pittsford GIS

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



860

870

882

900

910

938

930

940-942

944

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954

959

Linden Avenue

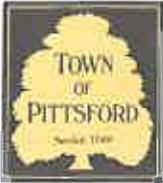
West Linden Avenue

West Linden Avenue

Driveway

Driveway

Driveway



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: February 14, 2020 Hearing Date: March 16, 2020

Applicant: Mitchell Design Build

Address: 7607 Commons Blvd, Victor, NY 14564

Phone: (585) 385-6800 E-Mail: bhumberstone@mitchelldesignbuild.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: STAR SENTRY LLC
(if different than Applicant)

Address: 601 N. CONGRESS AVE, SUITE 100, DELRAY BEACH, FL 33445

Phone: (561) 469-0766 E-Mail: TEDFILER@GMAIL.COM

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

Property Location: 900 WEST LINDEN AVE Current Zoning: LIGHT INDUSTRIAL

Tax Map Number: 138-16-1-11.11 & 138.16-1-11.2

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

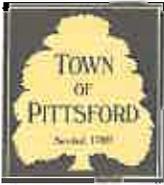
SEEKING A SETBACK VARIANCE AND PARCEL MINIMUM VARIANCE FOR EXTERIOR RV STORAGE IN A LIGHT-INDUSTRIAL DISTRICT. AREA TO BE FENCED IN WITH KEYPAD ACCESS AND FULLY SCREENED FROM ALL PUBLIC RIGHT-OF-WAYS. SEE ATTACHED DRAWINGS C101, C201 AND C202

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)

2/14/2020

(Date)



TOWN OF PITTSFORD AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

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

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

I, TED FILER, the owner of the property located at:
900 WEST LINDEN AVE, ROCHESTER, NY 14625
(Street) (Town) (Zip)

Tax Parcel # 138-16-1-11.11 & 138.16-1-11.2 do hereby authorize
MITCHELL DESIGN BUILD to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of PLANNING/ ZONING APPROVALS

Theodore Filer

(Signature of Owner)

2/14/2020

(Date)



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

TESTS FOR GRANTING AREA VARIANCES

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

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

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

The existing area is currently a parking lot and was previously used for maneuvering and staging for tractor trailers therefor the request to use the area for exterior parking for boats, cars and RVs is effectively the same as the previous use and therefor there is no change to the character of the neighborhood as the use is the same. The proposed use will not alter the surface conditions, will not reduce greenspace, and will not be visible from Linden Avenue. There are no traffic concerns as this use requires access from the owner's existing adjacent lot and does not have direct access to the public right-of-way.

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 proposed lot is the only surface lot existing on the property adequate enough to be used for exterior boat, car and RV storage.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested variances are minimal in nature. The right-of-way setback, section 185-50 (D)(2), is required to be 500' but the proposed lot is 273'-7" from the road, a delta of 222'-5". The parcel is already used as a parking lot so the general use would not change. The existing lot is also shielded from view from the street by an existing building.

The property in question, parcel 138.16-1-11.2 is 1.53 acres, which is under the required 10-acre minimum, however the adjoining parcel 138.16-1-11.1 is 8.97 acres, which when combined equal 10.50 acres (section 185-50 (D)(1)), and these parcels are owned by the same 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:

The proposed property use fits within the fabric of the zoning district (light industrial), is already a surface lot (fully paved) and is fully screened from Linden Ave. Environmental impact is non-existent as there is no site demolition or reduction to greenspace. There are no traffic concerns as this use requires access from the owner's existing adjacent lot and does not have direct access to the public right-of-way.

- **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 proposed difficulty is not self-created. The area proposed to be used as boat, car and RV parking is an existing parking lot and the request is to re-purpose this existing facility. The proposed use should be viewed as opportunistic as the existing surface lot will now have a purpose again.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

900 LINDEN AVE STORAGE

(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)

February 14, 2020

(Dated)

7607 COMMONS BLVD

(Street Address)

VICTOR, NY 14564

(City/Town, State, Zip Code)



1 STREET VIEW 1
C202 SCALE: NTS



2 STREET VIEW 2
C202 SCALE: NTS

DRAWING TITLE:
STREET VIEWS

C202

DATE: FEB. 2020
SCALE: PROJECT:

7607 Commons Blvd. Victor, NY 14564 585-385-6800 mitchelldesignbuild.com



BUILDING ON A FOUNDATION OF ARCHITECTURE

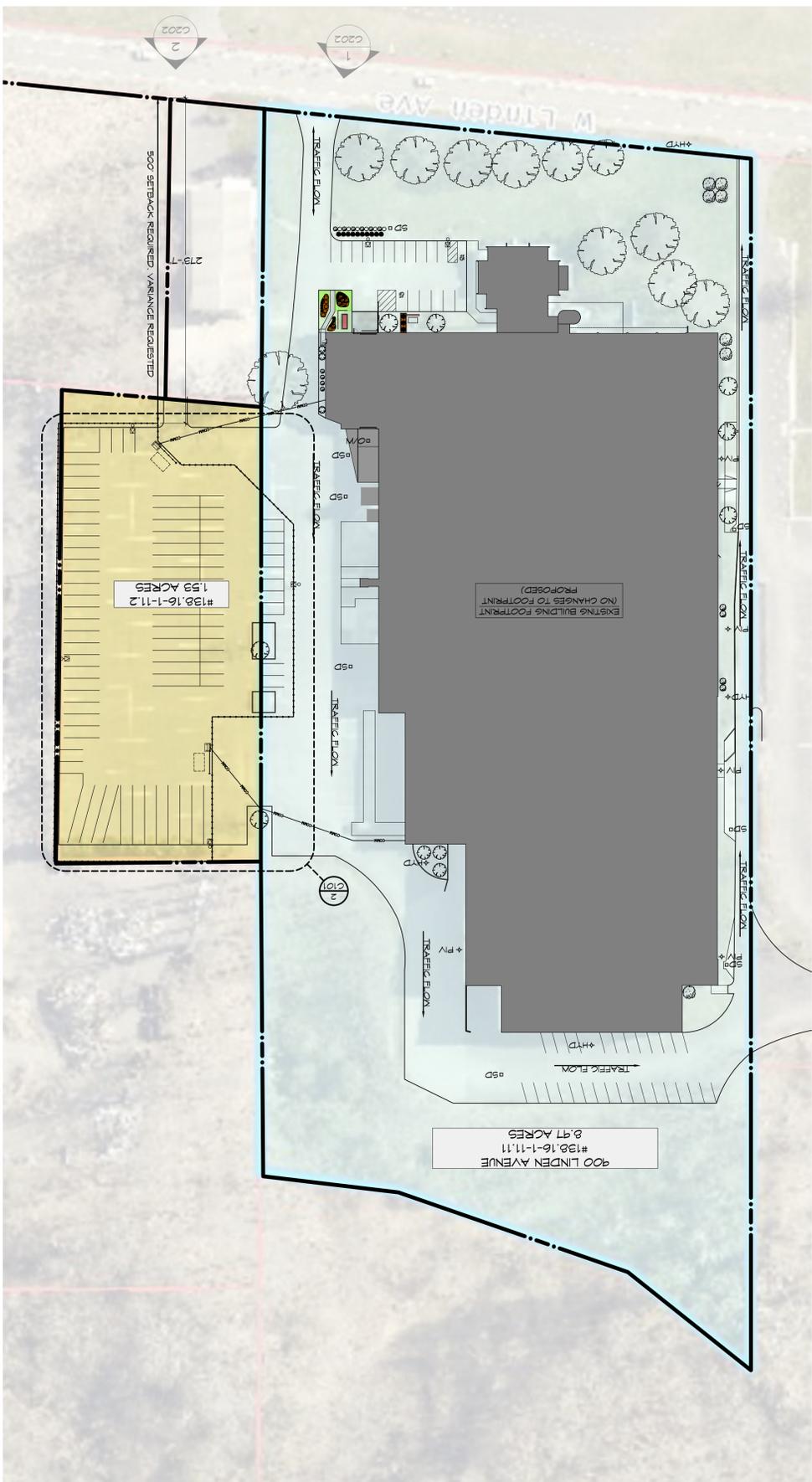


1
C201

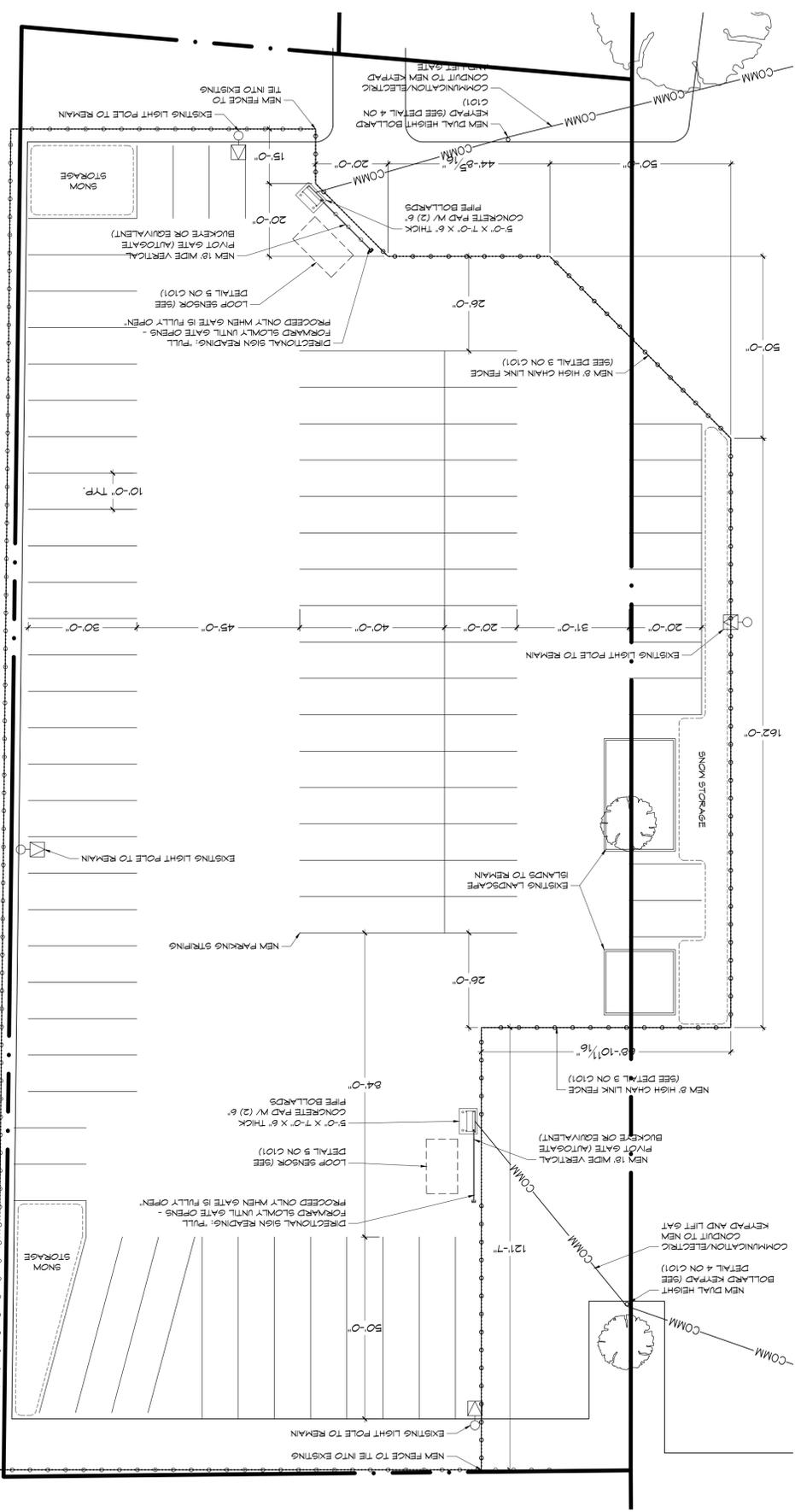
AERIAL VIEW OF LOT

SCALE: NTS

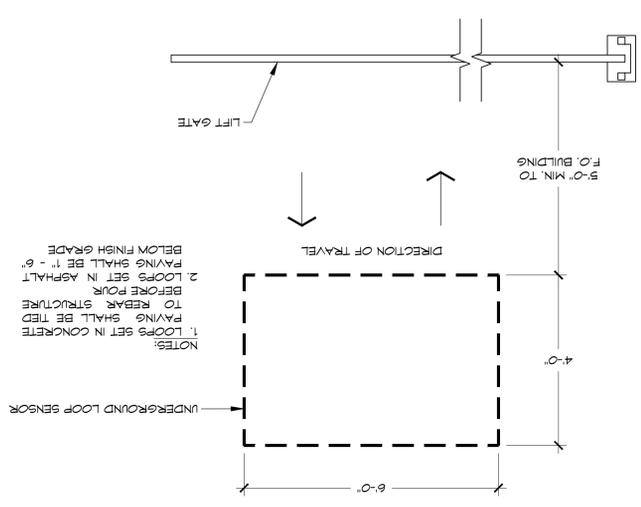
1 OVERALL SITE PLAN
SCALE: 1" = 60'



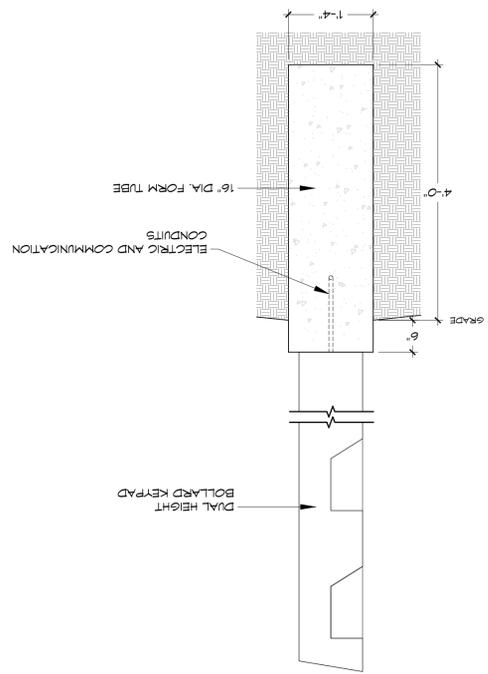
2 EXTERIOR FENCED-IN STORAGE
SCALE: 1" = 20'



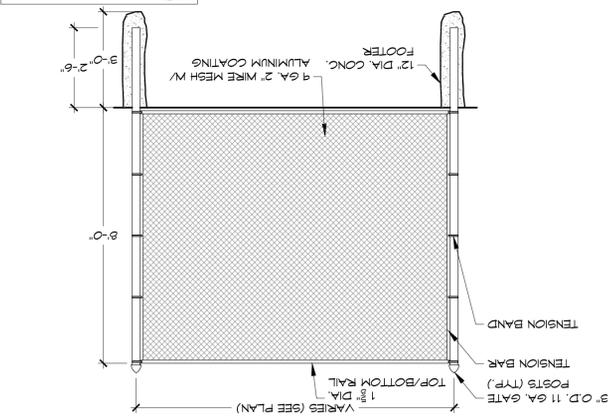
5 GROUND LOOP SENSOR
SCALE: 1/2" = 1'-0"



4 KEYPAD SECTION
SCALE: 3/4" = 1'-0"



3 TYPICAL FENCE DETAIL
SCALE: 3/8" = 1'-0"



NOTE:
FENCE POST AND FOUNDATION SIZING TO BE FINALIZED BY FENCE CONTRACTOR PER INDUSTRY STANDARDS.

NOTES:
1. L.OOPS GET IN CONCRETE TO REBAR STRUCTURE BEFORE POUR
2. L.OOPS SET IN ASPHALT PAVING SHALL BE 1" - 6" BELOW FINISH GRADE
LIFT GATE



C101 SHEET

SCALE: PROJECT: 18.039
DATE: DRAWN BY: CP / BH
JAN. 2020

MITCHELL
DESIGN-BUILD • ARCHITECTURE • CONSTRUCTION
7607 Commons Blvd, Victor, NY 14564 585-335-6800 mitchelldesignbuild.com

IT IS A VIOLATION OF THE LAW FOR ANY PERSON UNLESS ACTING UNDER THE AUTHORITY OF THE ARCHITECT TO SEAL OR TO ALTER THIS DOCUMENT IN ANY MANNER. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS REQUIRED BY LAW TO NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING. THIS DOCUMENT IS THE PROPERTY OF MITCHELL ARCHITECTURE AND ARCHITECTURE ©2014 MITCHELL ARCHITECTURE ALL RIGHTS RESERVED.

DRAWING TITLE:
PROJECT TITLE:
900 LINDEN STORAGE - CUBESMART SELF STORAGE
900 WEST LINDEN AVE.
ROCHESTER, NY 14625

REVISIONS:
1/29/20 PLANNING BOARD
2/14/20 ZONING BOARD