

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
NOVEMBER 15, 2021
7:00 PM**

PUBLIC HEARINGS FOR AN AREA VARIANCE

- 9 High Street Tax # 151.14-01-55, Applicant is requesting relief from Town Code §185 – 17, I and E. and §185- 113 B. (1) for a proposed addition to an existing, non-conforming, oversized garage encroaching into the side setback and rear setback. Property is zoned RN – Residential Neighborhood.
- 4044 A East Avenue Tax # 151.10-1-6.1, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) for the proposed additions to an existing oversized and over height garage. Property is zoned RN - Residential Neighborhood.
- 8 Candlewood Circle Tax # 163.03-1-19, Applicant is requesting relief form Town Code §185 – 113 B. (3) and §185-17, E. for a proposed garden shed located forward of the rear wall of the home and located less than the required minimum side setback. This property is zoned RN-Residential Neighborhood.
- 74 Stuyvesant Road Tax # 178.11-1-79, Applicant is requesting relief from Town Code §185 – 17, I. and §185 – 113 B. (1) for a proposed oversized accessory structure encroaching into the rear setback. Property is zoned RN – Residential Neighborhood.
- 3 Escena Rise Tax # 178.03-4-50, Applicant is requesting relief from the minimum required setback for the proposed addition encroaching into the side setback. Property is zoned IZ- Incentive Zoning.
- 115 Ellingwood Drive Tax # 138.18-1-54, Applicant is requesting relief from Town Code §185- 17, I. and §185- 113 B. (1) for the proposed addition to an existing, non-conforming, oversized garage encroaching into the rear setback. Property is zoned RN- Residential Neighborhood.

CONTINUED PUBLIC HEARING FOR AN AREA VARIANCE

- 18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Codes §185-113 B. (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
October 18, 2021**

PRESENT

George Dounce, Chairperson; Barbara Servé, Vice Chair; Mary Ellen Spennacchio-Wagner, James Pergolizzi, Phil Castleberry, Tom Kidera

ALSO PRESENT

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

ABSENT

David Rowe

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, October 18, 2021 at 7:00 P.M. local time.

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

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c) (17) and, therefore, are 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 HEARINGS FOR AN AREA VARIANCE

- 80 North Country Club Drive Tax # 151.05-01-11, Applicant is requesting relief from Town Code §185 – 17 E. for a proposed garage addition encroaching into the side setback. Property is zoned RN – Residential Neighborhood District.

George Dounce opened the Public Hearing

The applicant, Dan Clifford, was present to discuss the application with the Board.

Mr. Clifford indicated that he spoke to his most affected neighbor and there were no issues. He would like to start construction within the next 1 ½ years.

There was no public comment.

The Board commented that other homes in the neighborhood have garage additions so it is not out of character for the neighborhood.

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

Tom Kidera seconded.

All Ayes.

- 103 Knickerbocker Road Tax # 164.19-1-5, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) and §185 – 17 E. for a proposed garage that is oversized, over height garage and encroaching into the side setback. Property is zoned RN - Residential Neighborhood District.

George Dounce opened the Public Hearing.

The homeowner, Blake Henderson, was present. Mr. Henderson indicated that he has spoken with his neighbors and there is no issue with the addition.

There was no Public Comment.

Barb Servé moved to close the Public Hearing.

Jim Pergolizzi seconded.

All Ayes.

- 4000 East Avenue Tax # 151.06-2-45, Applicant is requesting relief form Town Code §185 – 121 A. for the construction of a fence/sound barrier and addressing an existing fence forward of the Front Setback, both of which exceed the 3-foot maximum height allowed by Code and §185- 113 B. (3) for a spa hot tub forward of the rear wall of the home on a corner lot. This property is zoned RN-Residential Neighborhood District.

George Dounce moved to open the Public Hearing.

Mary Scipioni, landscape architect for the project, was present. She presented the Board with two renderings of landscaping buffering detailing. The timeline for the project will need at least two years.

There was no Public Comment.

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

Tom Kidera seconded.

All Ayes.

- 18 Butternut Drive Tax # 165.09-1-5, Applicant is requesting relief from Town Code §185 – 17 B. for a proposed roofed entry encroaching into the front setback. Property is zoned RN – Residential Neighborhood District.

George Dounce opened the Public Hearing.

The homeowner, George Fleischer, was present. Mr. Fleischer discussed his need for a roof over his front stoop. The 490 expressway is in his backyard and his family would like a pleasant location to sit outdoors. His neighbors have not expressed negative feedback on this.

There was no Public Comment.

Phil Castleberry moved to close the Public Hearing.

Barb Servé seconded.

All Ayes.

CONTINUED PUBLIC HEARING FOR AN AREA VARIANCE

- 18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Codes §185-113 B. (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

The Town has received communications from the homeowner that they are looking to resume going forward with plans for this project. At this time, no new designs or information has been received.

This hearing remains open.

DECISION FOR 80 NORTH COUNTRY CLUB DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 80 North Country Club Drive was moved by Phil Castleberry and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Kidera	aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated August 13, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 103 KNICKERBOCKER ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 103 Knickerbocker Road was moved by George Dounce and seconded by Phil Castleberry.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Kidera	aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated August 3, 2021.
2. All construction is to be completed by December 31, 2023.

DECISION FOR 4000 EAST AVENUE – AREA VARIANCE

A written Resolution to grant the area variance for 4000 East Avenue was moved by George Dounce and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	abstain
Rowe	absent
Kidera	aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated September 1, 2021.
2. All construction is to be completed by December 31, 2024.

DECISION FOR 18 BUTTERNUT DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 18 Butternut Drive was moved by Barbara Servé and seconded by Jim Pergolizzi.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	absent
Kidera	aye

The approved Resolution contains the following Specific Conditions:

1. This variance is granted only for the plans submitted and prepared by the Applicant dated September 17, 2021.
2. All construction is to be completed by December 31, 2023.

REVIEW OF MEETING MINUTES OF SEPTEMBER 20, 2021

George Dounce moved to approve the minutes of September 20, 2021 as written.

All Ayes.

POINT PERSONS FOR OCTOBER 18, 2021 MEETING

9 High Street – Phil Castleberry

4044A East Avenue – Mary Ellen Spennacchio-Wagner

8 Candlewood Drive – Tom Kidera

74 Stuyvesant Road – George Dounce

3 Escena Rise – Jim Pergolizzi

115 Ellingwood Drive – David Rowe

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 7:45 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:

9 High Street PITTSFORD, NY 14534

Property Owner:

Beerens, Barbara W
9 High St
Pittsford, NY 14534

Applicant or Agent:

Beerens, Barbara W
9 High St
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:	10	Right Lot Line:	0.0
Left Lot Line:	5	Left Lot Line:	9"	Left Lot Line:	4' 3"
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	20	Rear Setback:	2	Rear Setback:	18
Height:	12	Height:	12	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s): Applicant is requesting relief from Town Code §185 – 17, I and E. and §185- 113 B. (1) for a proposed addition to an existing, non-conforming, oversized accessory structure encroaching into the side setback and rear setback.

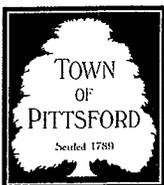
Description: Area variance for an addition to an existing non-conforming garage.

November 05, 2021



Date

Doug DeRue - Director Planning Zoning Development



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 10-15-21 Hearing Date: _____

Applicant: James Beerens

Address: 9 High St.

Phone: 481-1824 E-Mail: beerensjames@gmail.com

Agent: James is Barbara's agent (son)
(if different than Applicant)

Address: 9 High St Pittsford

Phone: 885 230-6069 E-Mail: beerensjames@gmail.com

Property Owner: Barbara Beerens
(if different than Applicant)

Address: 9 High St Pittsford NY 14534

Phone: 230-6069 E-Mail: _____

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

Property Location: 9 High St. Current Zoning: _____

Tax Map Number: _____

Application For: Residential Commercial Other

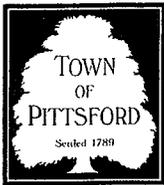
Please describe, in detail, the proposed project:

Wood-framed 10 x 22 storage shed attached to east side of garage. 2x4 construction w/ post footers (see attached drawing) solid deck floor, metal roof, windows and storm door.

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.

Barbara H. Beerens
(Owner or Applicant Signature)

10-15-2021
(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, BARBARA W. BEERENS, the owner of the property located at:
9 HIGH ST PITTSFORD 14534
(Street) (Town) (Zip)

Tax Parcel # _____ do hereby authorize

James Beerens to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of additional
space for storage above and beyond the garage space we currently have

Barbara W. Beerens
(Signature of Owner)

10-15-2021
(Date)

SKETCH

STANDARD TAPE LOCATION MAP

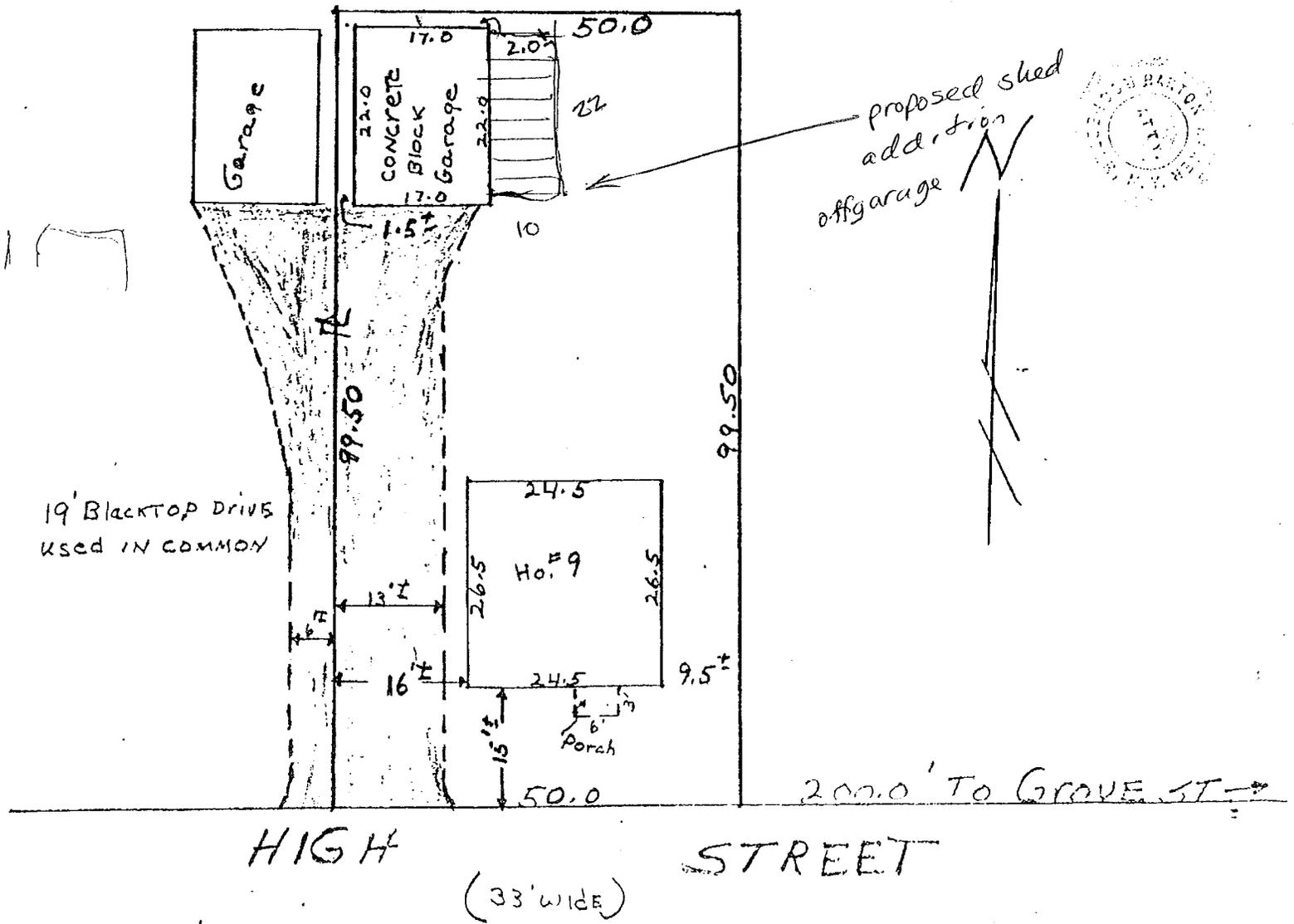
ROBERT L. OWEN

— Professional Land Surveyor —

77 Thorneliff Road Phone: 352-3523 Spencerport, N.Y. 14556

City
Village
Town
County

For Parcel at PITTSFORD, Monroe
Street 9 High Street Lot No. Subdivision A-C-CLARK
Reference Data: Liber 25 of Maps, Page 29; Liber 2484 of Deeds, Page 125
Showing FRAM ONE story dwelling; garage (not) attached. Monuments used Yes No
Distance as shown from EAST property line actually Measured. Main front wall is (is not) an apparent uniform set-back line.



SCALE 1" = 20'

This information is for 8777
This map was prepared for IDENTIFICATION PURPOSES for the MORTGAGE. It is not intended for or represented for a full property line survey. No corners were set. Do not use for establishing fence or building lines.

DATE 7-7-77

Signed Robert L. Owen



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:

Shed has a beautiful design with 8 windows that resemble a 3-season room from the outside by design so that it looks decent. It will (if allowed) sided to match the house w/ a grey metal roof. Additionally, it appears to us that only a small slice of the roof only, is visible to 2 or 3 other residents.

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

Small home and garage is challenging for the number of people (3)

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

Minimal in scope in that, the shed is in our fenced-in back yards.

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 far as I can tell, there is a small slice of the shed roof that is visible from two or three adjacent homes.

- **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?

Not sure. Someone "called-in" the fact that we were building it.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Beevens' Shed addition, 9 High St.
(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)

Barbara W. Beevens
(Signature of Applicant)

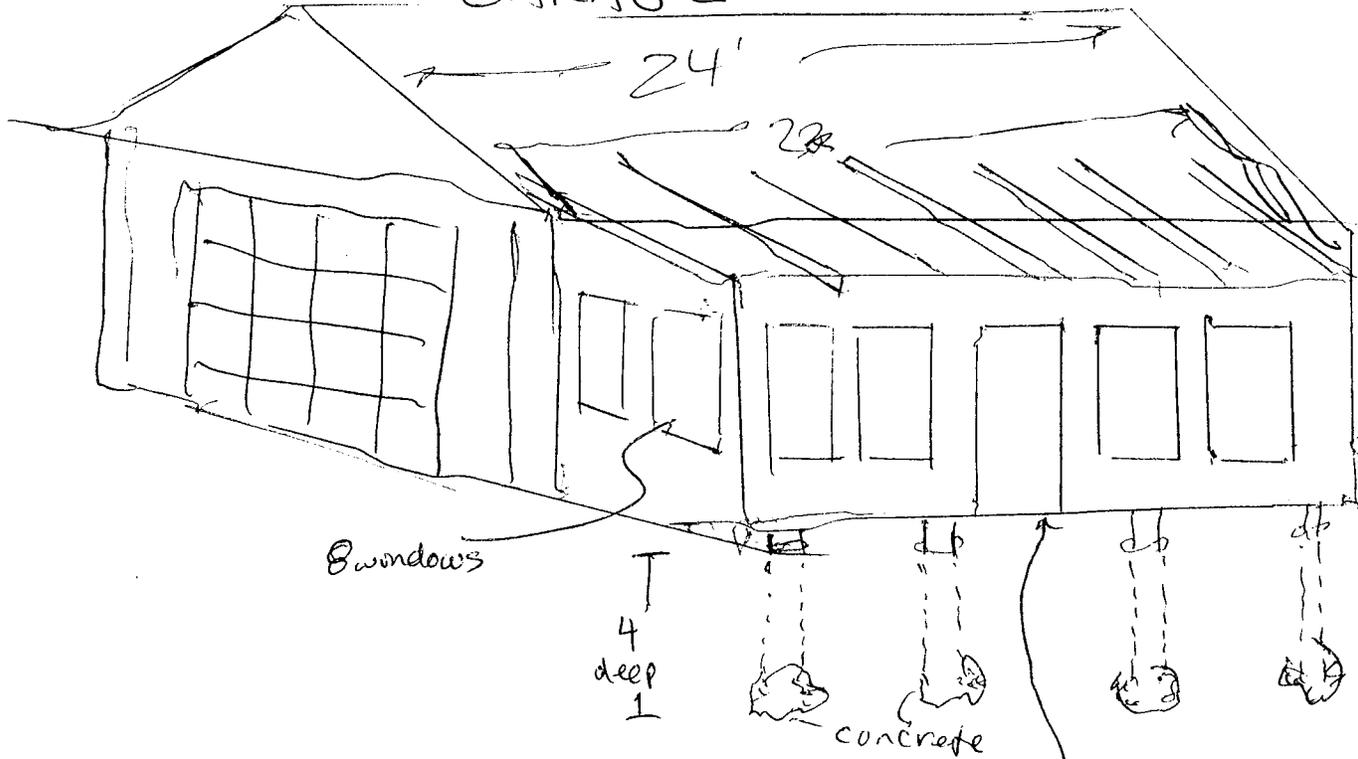
10-15-2021
(Dated)

9 HIGH ST
(Street Address)

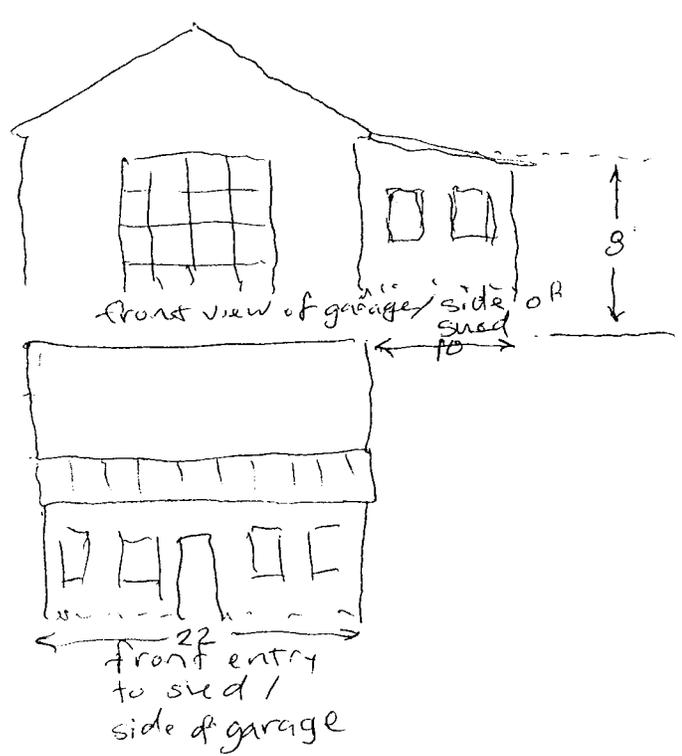
PITTSFORD NY 14524
(City/Town, State, Zip Code)

9 High St.

GARAGE

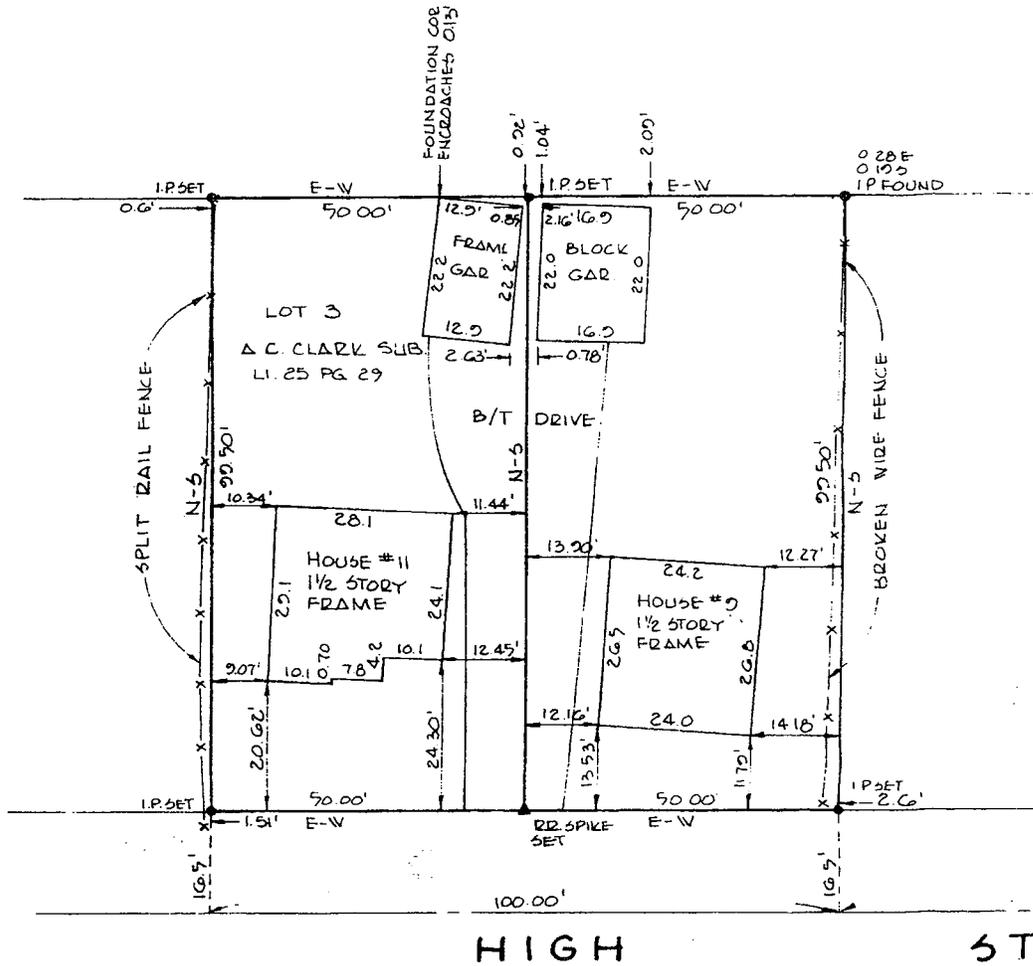


- 32" storm door
- 8 windows
- steel roof
- 2x4 walls
- 2x8 floor joists
- 2x6 rafters
- OSB sheathing
- 2x6 deck floor









REFERENCE:

THE A.C. CLARK SUBDIVISION IS FILED IN THE M.C.C.D.
 LIBER 25 OF MAPS, PAGE 29.
 DEED LIBER 5646 PG. 317 - J.E. & P.J. LAWRENZ
 DEED LIBER 2701 PG. 275 - N.H. & J.M. GELL

ANY UNAUTHORIZED ALTERATIONS OR ADDITIONS TO
 THIS SURVEY MAP IS A VIOLATION OF ARTICLE 145
 SECTION 1209 OF THE NEW YORK STATE EDUCATION
 LAW.

WE, D.J. PARDONE & ASSOCIATES, P.C., HEREBY CERTIFY
 THAT THIS SURVEY MAP WAS PREPARED FROM NOTES
 OF AN INSTRUMENT SURVEY COMPLETED ON JAN. 23, 1980.

DOMINIC J. PARDONE PE. L.S. LIC. 25038
 D.J. PARDONE & ASSOCIATES, P.C.

Zoning Board of Appeals Referral Form Information

Property Address:

4044-A East Avenue ROCHESTER, NY 14618

Property Owner:

Applicant or Agent:

Hamilton Stern
3850 Monroe Ave
Pittsford, NY 14543

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:	70	Right Lot Line:	70	Right Lot Line:	0.0
Left Lot Line:	20	Left Lot Line:	20	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	14' 10"	Height:	2' 10"
Size:	180	Size:	1444	Size:	1264

Code Section(s):

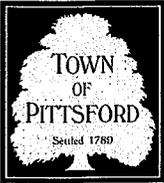
Description: Applicant is requesting relief from Town Code §185- 113 B. (1), (2) for the proposed additions to a pre existing non conforming oversized and over height accessory structure (garage built in 1958 prior to current code restrictions).

November 05, 2021



Date

Doug DeRue - Director Planning Zoning Development



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: October 13, 2021 Hearing Date: 11/15/21

Applicant: Sheena and Justin Hamilton

Address: 4044A East Ave Rochester, NY 14618

Phone: (585) 314-6999 E-Mail: jhamilton@hamiltonstern.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: 4044A East Ave Current Zoning: RN

Tax Map Number: 151.10-1-6

Application For: Residential Commercial Other

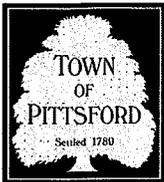
Please describe, in detail, the proposed project:

(2) Additions off of the existing detached carriage house. First addition is a 23' wide x 19' deep work shop addition off of the north side of the carriage house. This addition will house additional garage storage and a small wood shop. The second addition is off of the east side of the carriage house. This addition will allow for access from the driveway side of the house, pool equipment storage, and a covered open air porch overlooking the new proposed pool.

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)

10/15/21
(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, _____, the owner of the property located at:

(Street)

(Town)

(Zip)

Tax Parcel # _____ do hereby authorize

_____ to make application to the

Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of _____

(Signature of Owner)

(Date)



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

TESTS FOR GRANTING AREA VARIANCES

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

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

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

The requested variance will not produce an undesirable change in the character of the neighborhood for a number of reasons. The first reason is the additions are barely visible from the street and to the adjacent neighbors because of screening from the existing house as well as the woods to the north side of the property. The proposed additions will add additional character and elegance to the existing carriage house and the surrounding landscape. The goal of both additions is to look like they have always been there. We will accomplish this by using detailing and similar materials to match the existing house such as brick, copper, and painted trim. We will add additional screening with landscaping on the west side of the carriage house along the property line to further screen from the neighbor to the west. The current finished floor elevation of the carriage house is roughly 8-10 feet below the finished floor elevation of the neighbor to the west.

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

The benefit we are seeking by making application cannot be achieved without an area variance. We are currently a family of five with two vehicles in the family. In the near future we will have (3) additional drivers and three additional vehicles. Due to the size constraints in the existing garages we will not be able to park our vehicles in the garages and have overflow storage for bikes, garden tools, lawnmower, etc. The additions on the garage will allow for both. The added pool equipment room will also allow for the pool equipment to be stored indoors and therefore eliminate any noise issues with the surrounding neighbors and at the same time offer protection of the equipment from the elements.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

Given the screening aspect, the added character the structures will provide and the matching architectural details we feel the requested area variance is minimal.

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

We 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. Adding the structures will allow us to better grade the site and contain the storm water runoff. The addition of the structures compliments the existing architecture of the home and completes the proposed landscaping project adding character to the existing neighborhood. Being able to keep the proposed pool equipment indoors also has an added benefit with sound deadening.

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

5. Is the alleged difficulty self-created?

The alleged difficulty is self created.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Hamilton Residence - Carriage House additions and renovations.

(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)

October 15, 2021

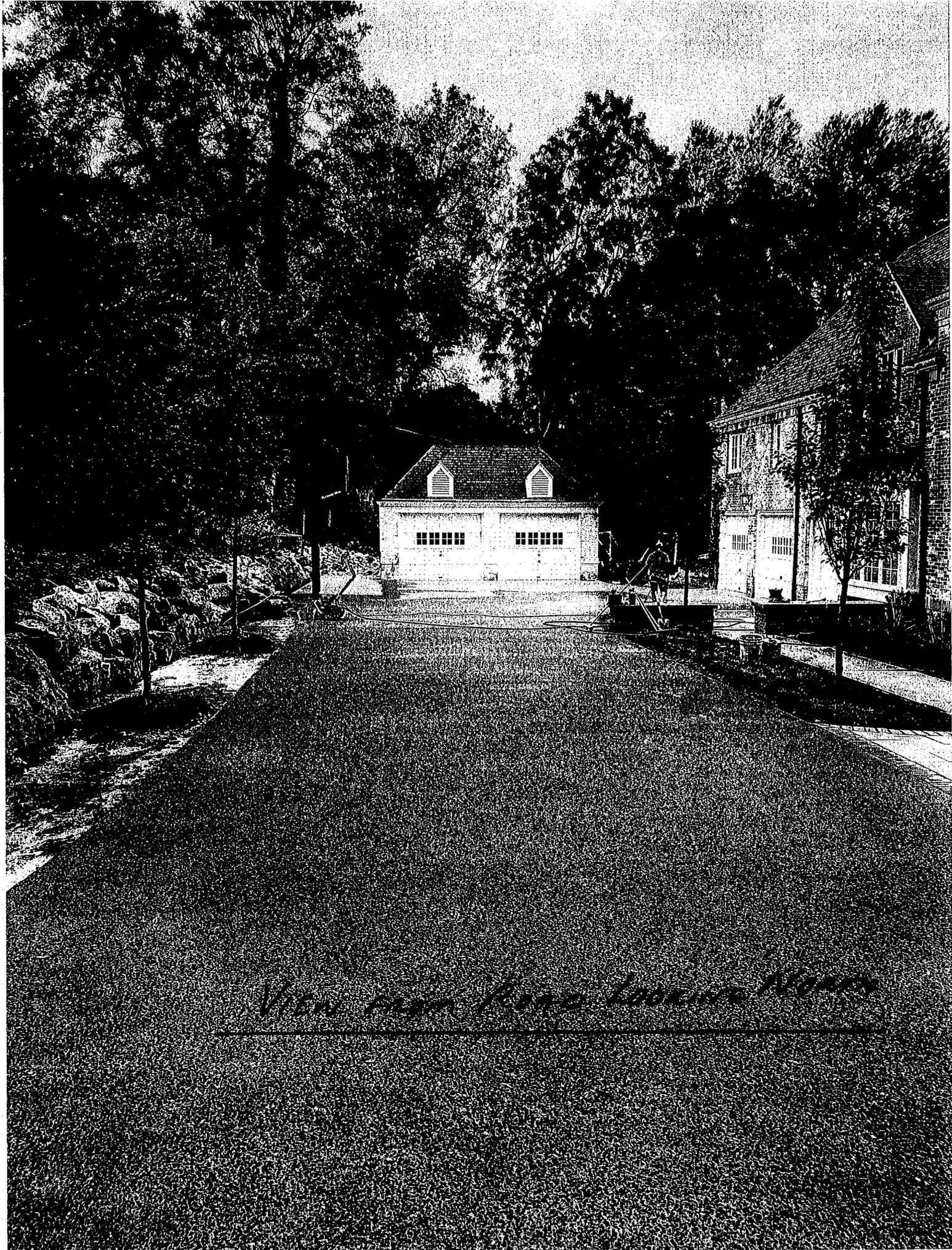
(Dated)

4044A East Ave

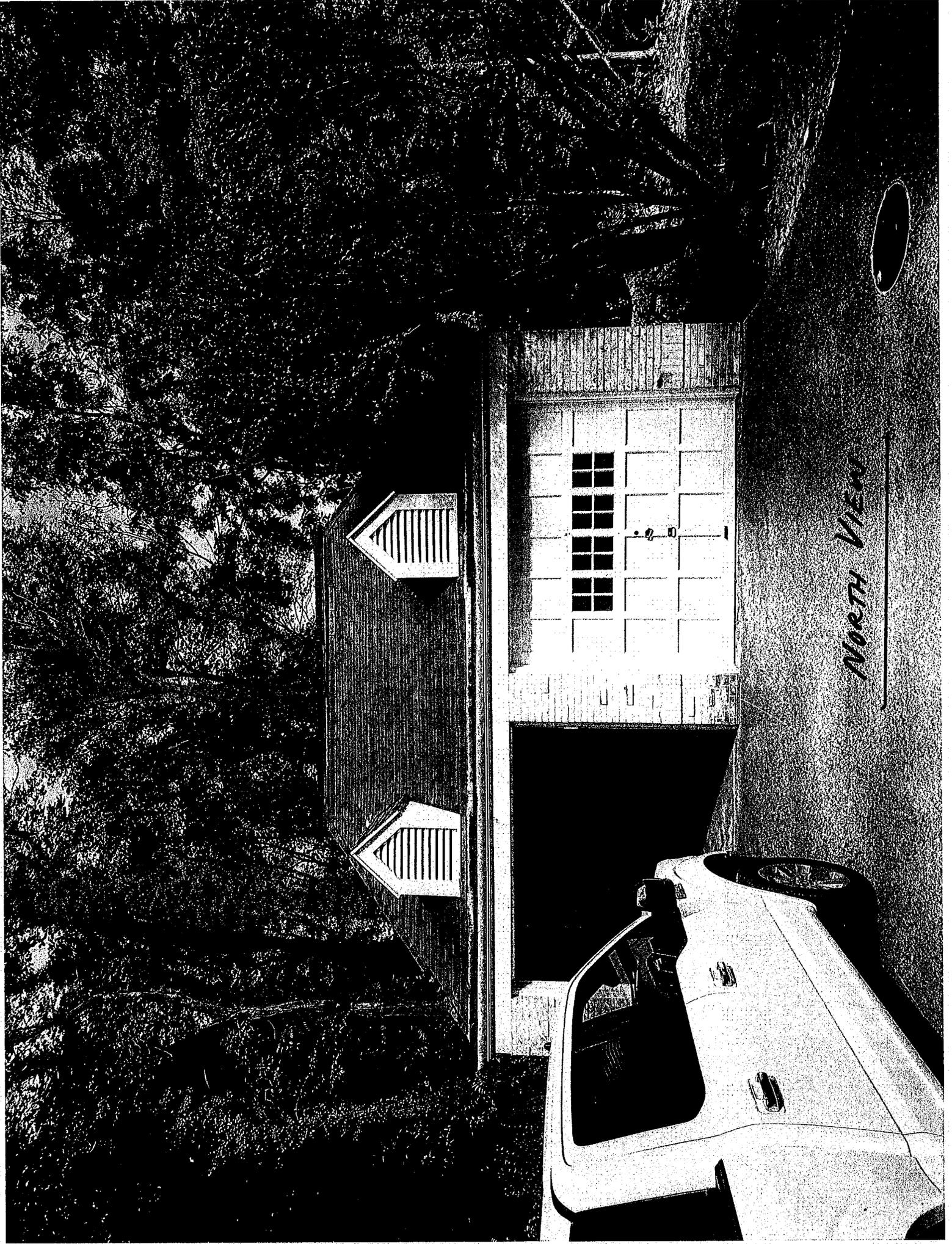
(Street Address)

Rochester, NY 14618

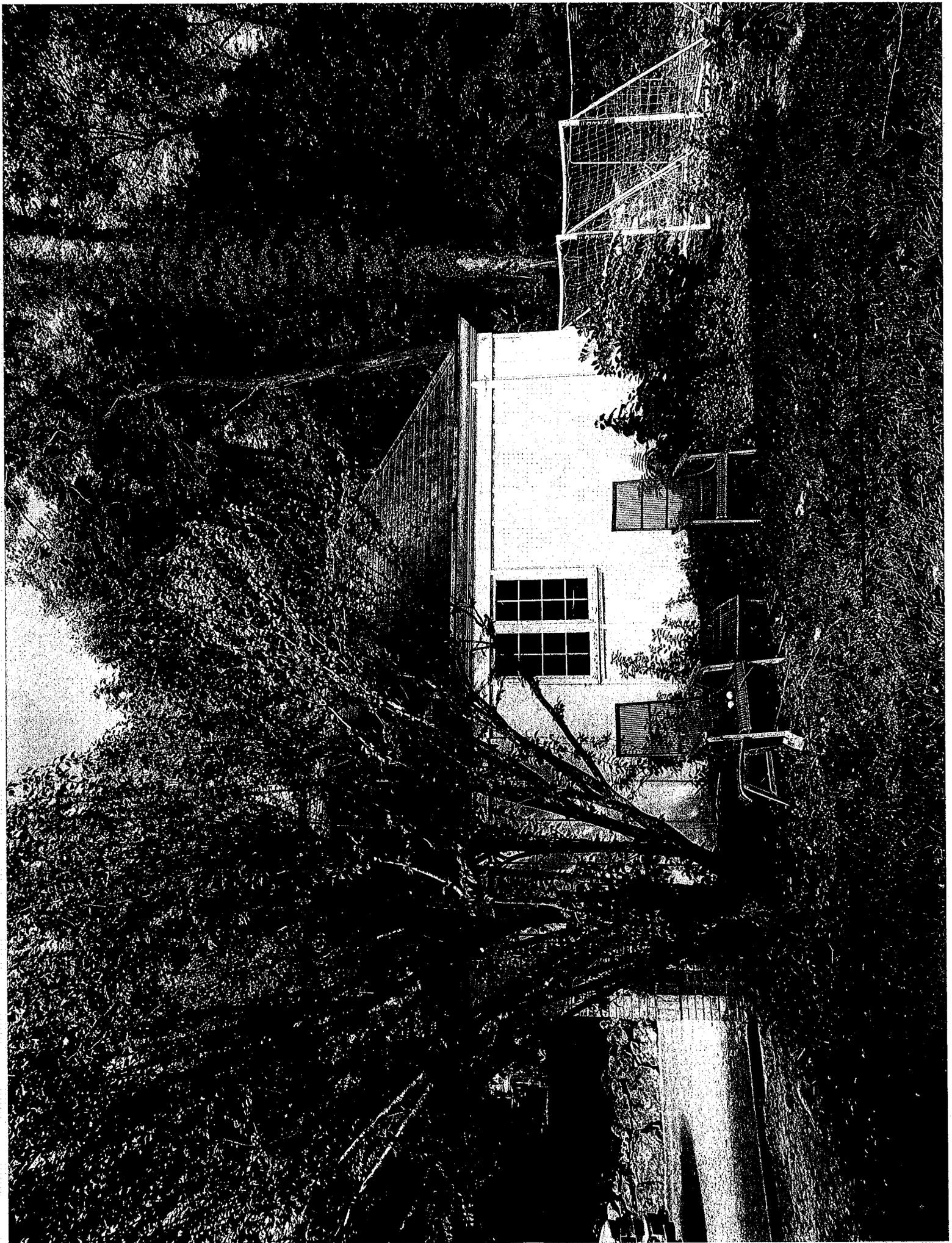
(City/Town, State, Zip Code)

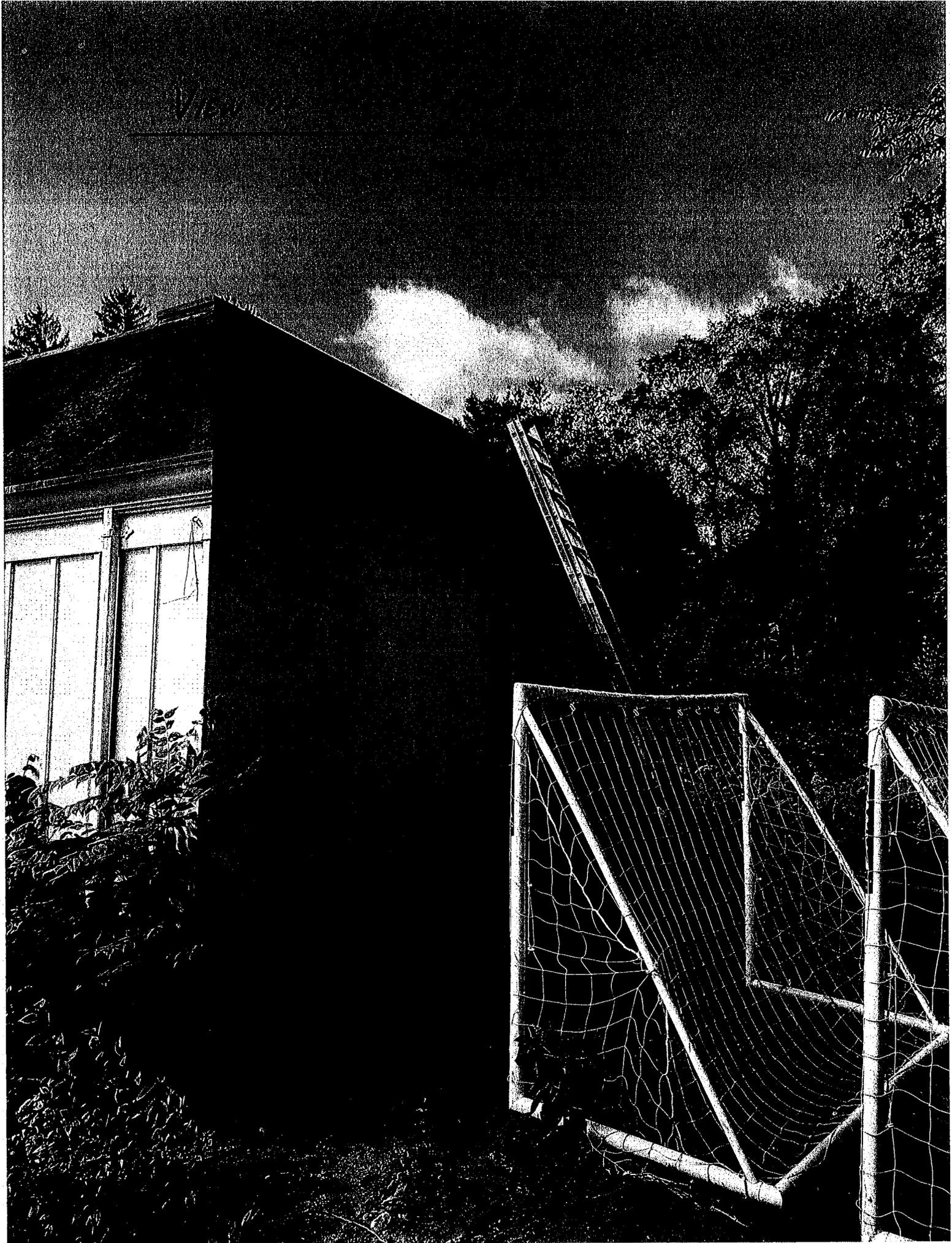


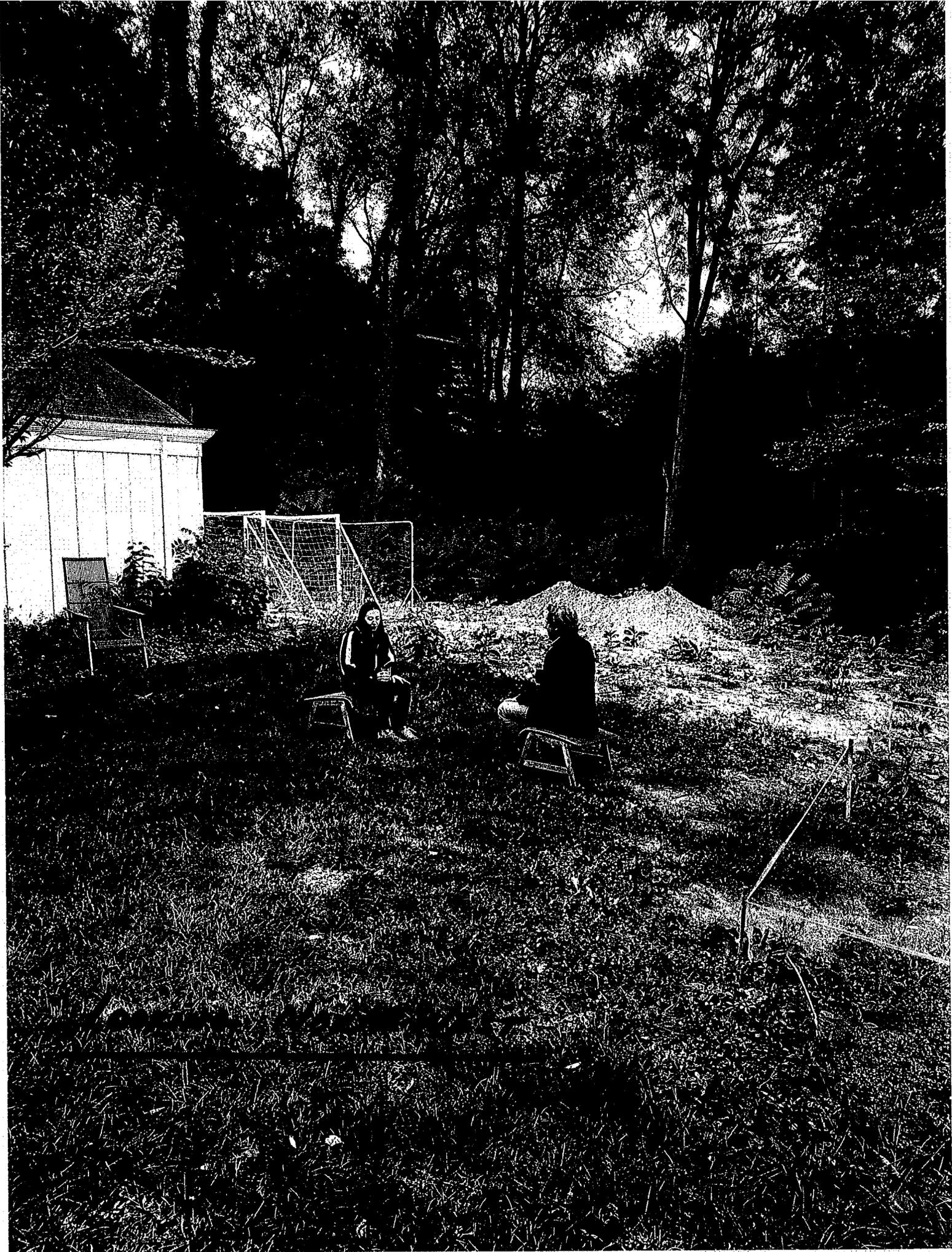
View from Home Located Here



NORTH VIEW







SKETCH

Reputed Owner
Ernest & Ronnie Guillet
#4020 East Avenue
Tax Account #151.06-2-43

15' Wide Sanitary Sewer Easement to Town of Pittsford
(Ref.#6)

ble Vision)
ford)

Iron Pipe Found
N=1.5'
W=0.9'

N 85° 32' 46" E
209.45'

l by MCWA.
iled.

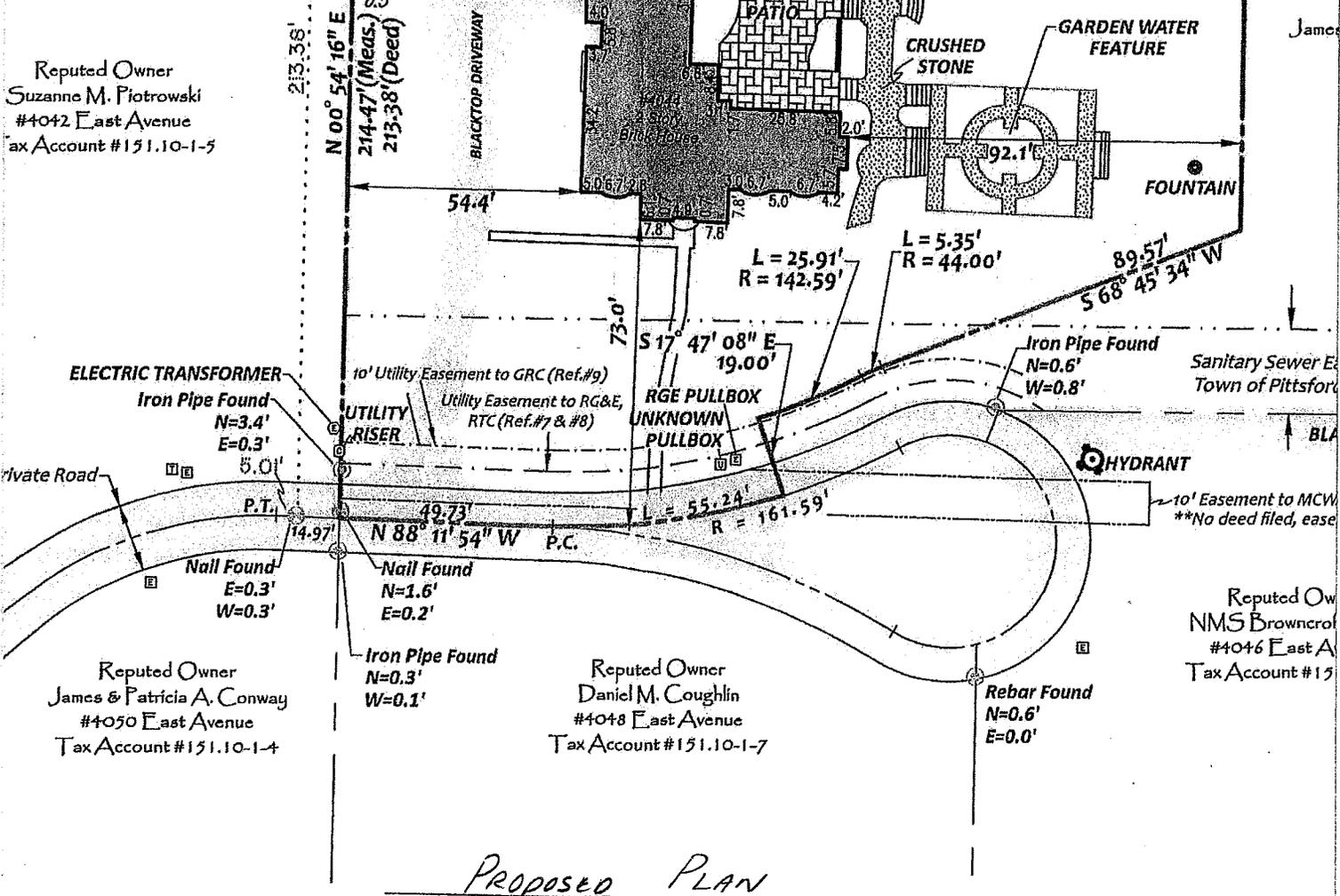
INFORMATION)

ber 1547 of Deeds, Page 214
ine - Liber 1572 of Deeds, Page 275

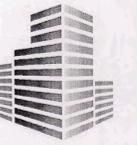
BOARD PRIVACY FENCE

Reputed Owner
Suzanne M. Piotrowski
#4042 East Avenue
Tax Account #151.10-1-5

Lot A
Area: 0.950 Acres (41,415 sq.ft.)



PROPOSED PLAN



HAMILTON|STERN
CONSTRUCTION

HAMILTON STERN CONSTRUCTION, LLC.
3850 MONROE AVENUE
PITTSFORD, NY 14534

PHONE: (585)-586-8101
FAX: (585)-586-8101

HAMILTON RESIDENCE
4044A EAST AVE
ROCHESTER, NY 14601

PARTNERING FIRM:
ARCHITECT OR CONTACT:
PHONE:
EMAIL:

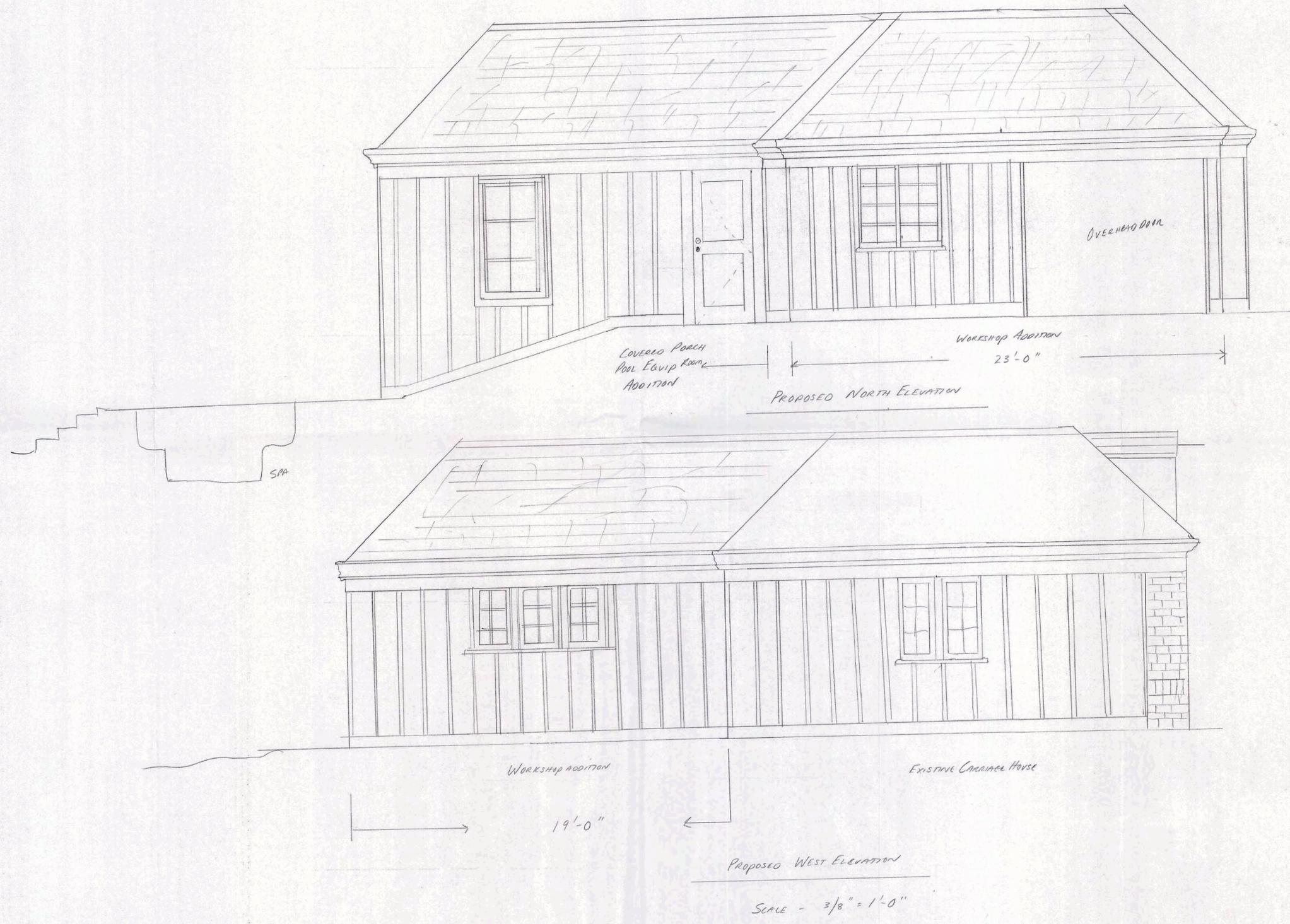
HAMILTON STERN CONSTRUCTION, LLC.
PROJECT CONTACT:
PHONE:
EMAIL:

DRAWING REVISIONS:	DATE:	DESCRIPTION:
MARK: Δ	00/00/2016	TEXT

DATE: 10/5/21
DRAWN BY: PTL
SHEET TITLE:

GARAGE
CONCEPT
NORTH AND WEST

SHEET NUMBER
ID-7





HAMILTON|STERN
CONSTRUCTION

HAMILTON STERN CONSTRUCTION, LLC.
3850 MONROE AVENUE
PITTSFORD, NY 14534

PHONE: (585)-586-8101
FAX: (585)-586-8101

HAMILTON RESIDENCE
4044A EAST AVE
ROCHESTER, NY 14601

PARTNERING FIRM:
ARCHITECT OR CONTACT:
PHONE:
EMAIL:

HAMILTON STERN CONSTRUCTION, LLC.
PROJECT CONTACT:
PHONE:
EMAIL:

DRAWING REVISIONS:	DATE:	DESCRIPTION:
MARK: Δ	00/00/2016	TEXT

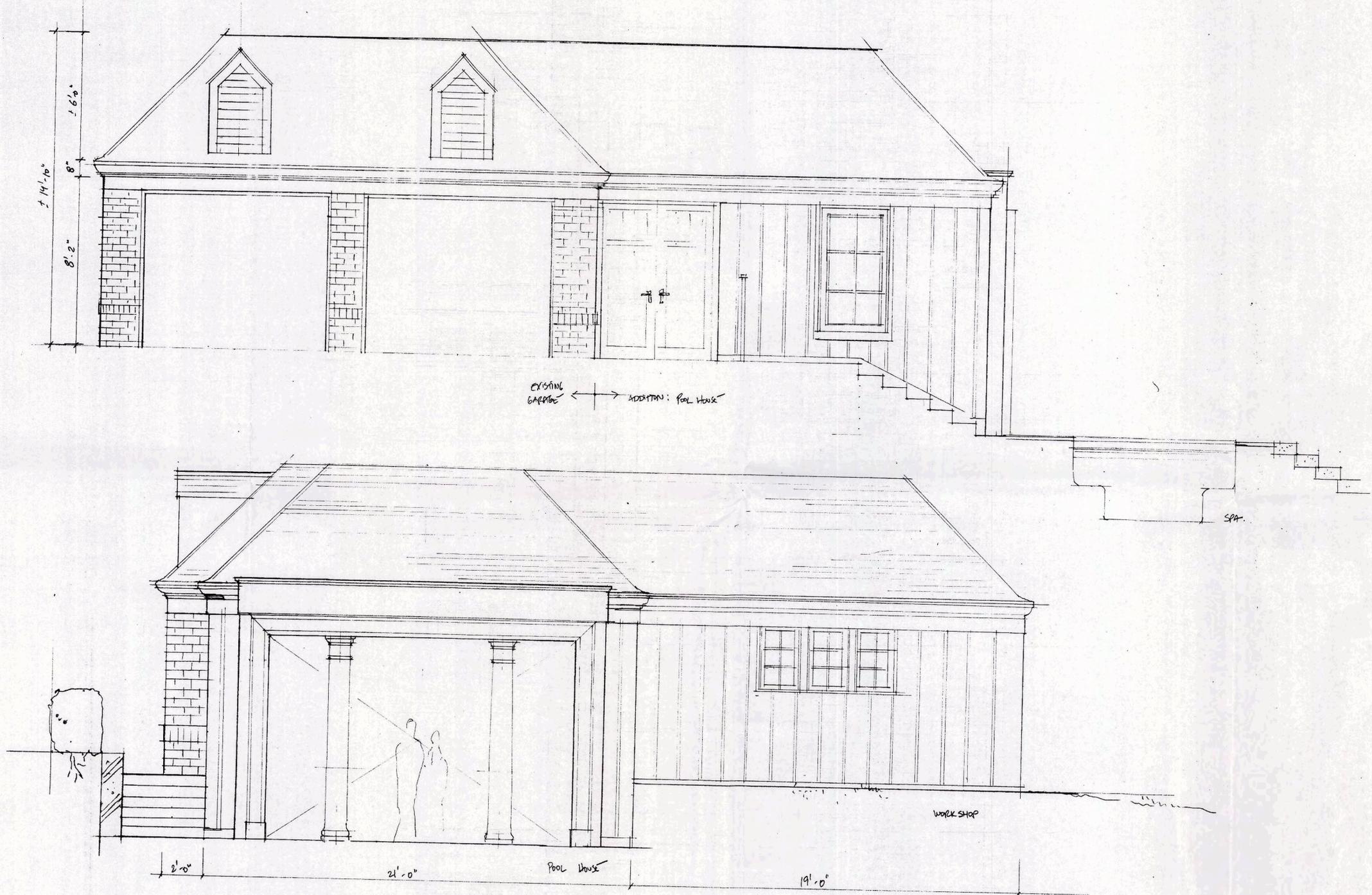
DATE: 10/5/21
DRAWN BY: PTL

SHEET TITLE:

GARAGE
CONCEPT
FRONT / POOL SIDE

SHEET NUMBER

ID-6





HAMILTON STERN
CONSTRUCTION

HAMILTON STERN CONSTRUCTION, L.L.C.
3850 MONROE AVENUE
PITTSFORD, NY 14534

PHONE: (585)-586-8101
FAX: (585)-586-8101

HAMILTON RESIDENCE
4044A EAST AVE
ROCHESTER, NY 14601

PARTNERING FIRM:
ARCHITECT OR CONTACT:
PHONE:
EMAIL:

HAMILTON STERN CONSTRUCTION, L.L.C.
PROJECT CONTACT:
PHONE:
EMAIL:

DRAWING REVISIONS:	DATE:	DESCRIPTION:
MARK:	00/00/2016	TEXT

DATE: 10/5/21
DRAWN BY: PTL

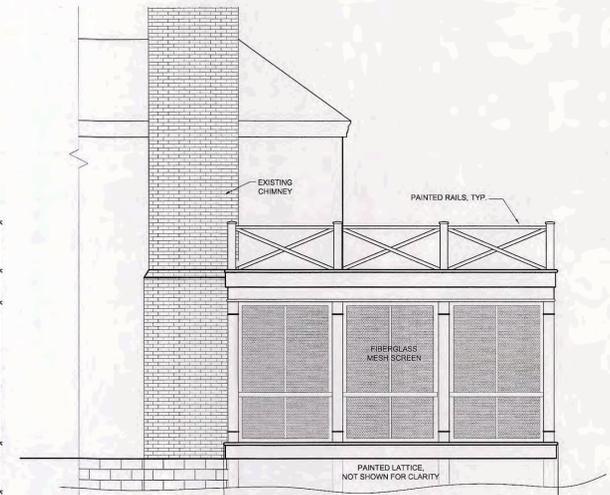
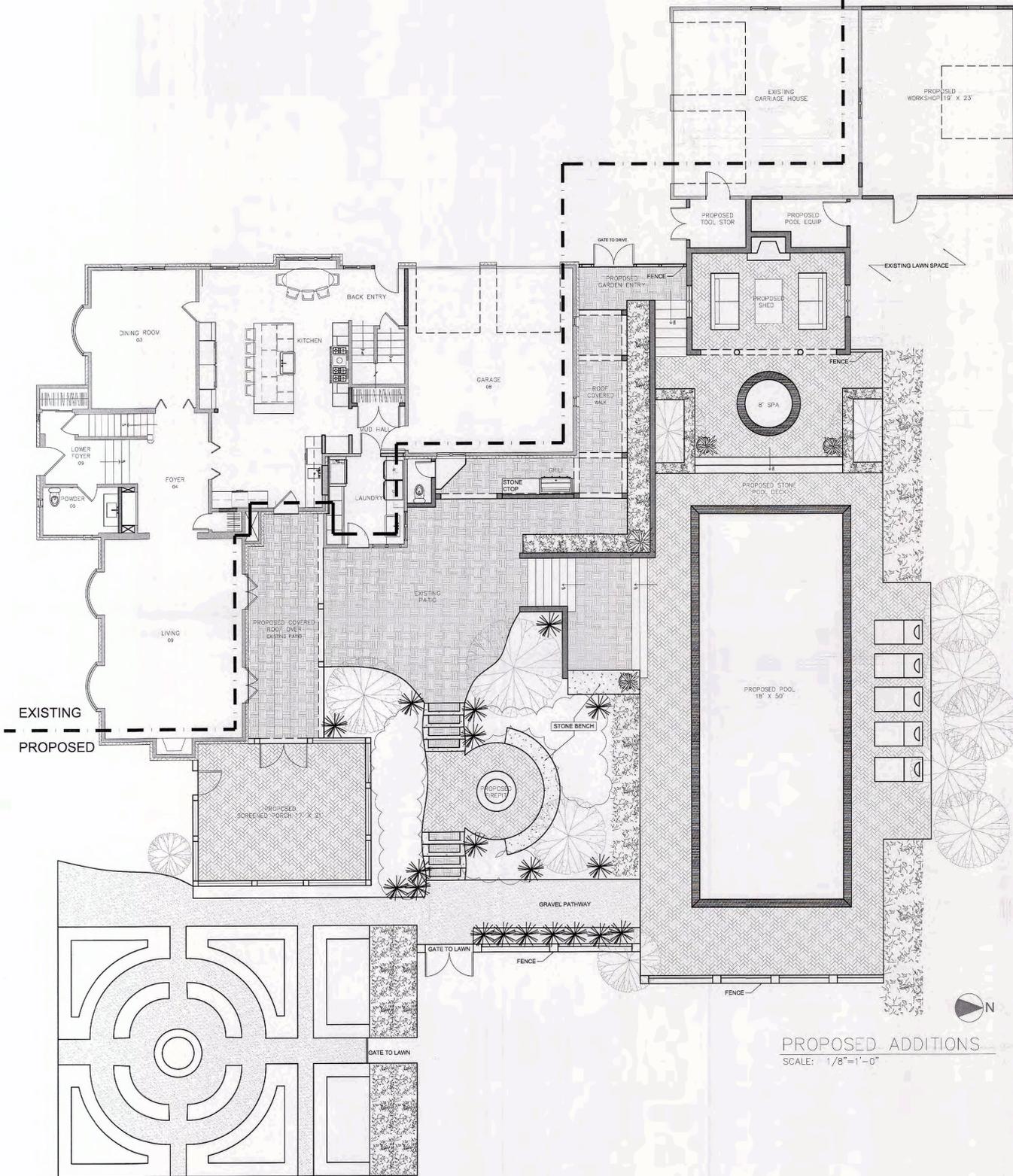
SHEET TITLE:

2021 ADDITIONS
SITE PLAN

SHEET NUMBER

ID-3

EXISTING | PROPOSED





HAMILTON|STERN
CONSTRUCTION

HAMILTON STERN CONSTRUCTION, LLC.
3850 MONROE AVENUE
PITTSFORD, NY 14534

PHONE: (585)-586-8101
FAX: (585)-586-8101

HAMILTON RESIDENCE
4044A EAST AVE
ROCHESTER, NY 14601

PARTNERING FIRM:
ARCHITECT OR CONTACT:
PHONE:
EMAIL:

HAMILTON STERN CONSTRUCTION, LLC.
PROJECT CONTACT:
PHONE:
EMAIL:

DRAWING REVISIONS:	DATE:	DESCRIPTION:
MARK: <input type="checkbox"/>	00/00/2016	TEXT

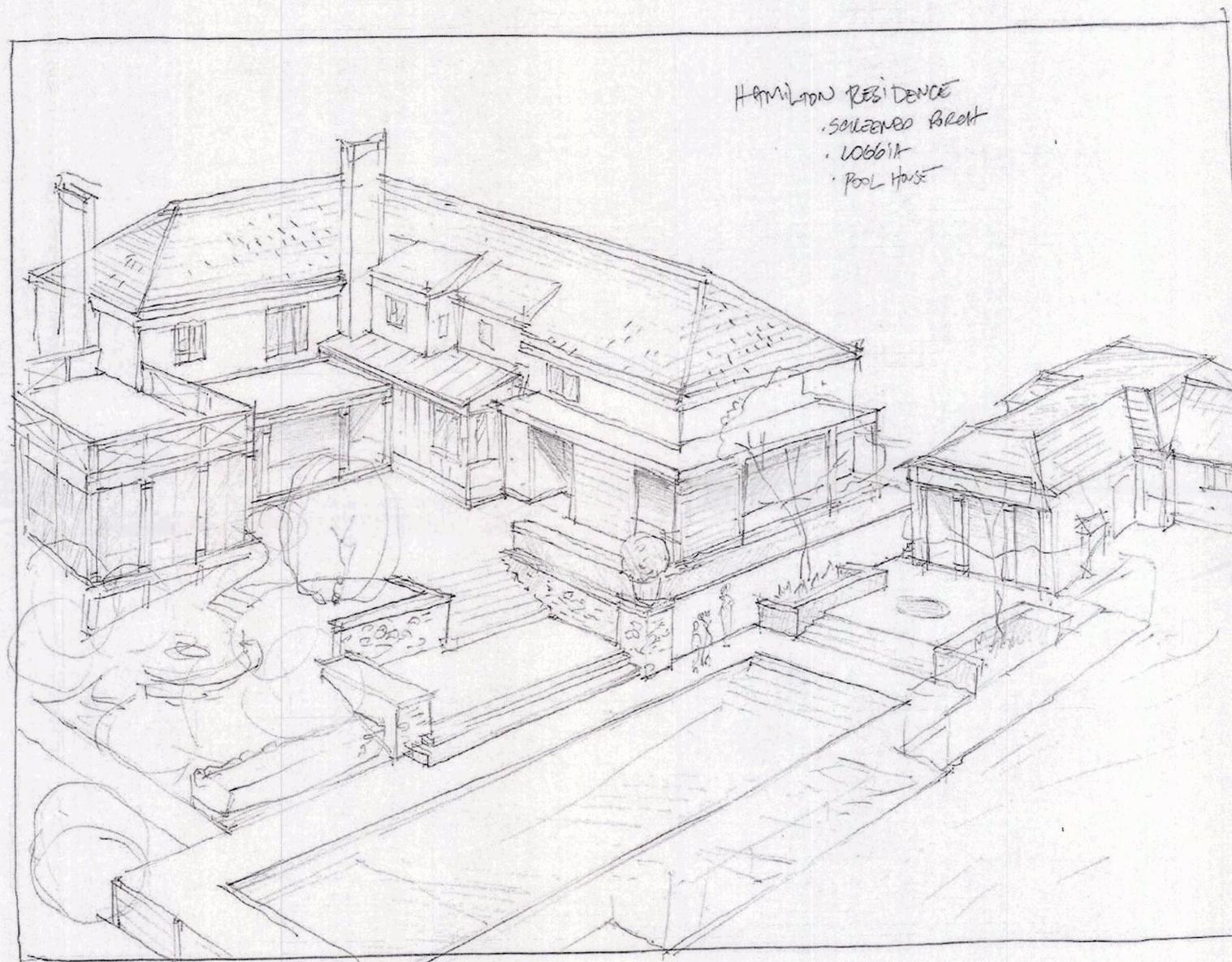
DATE: 10/5/21
DRAWN BY: PTL

SHEET TITLE:

ISOMETRIC
GARDEN VIEW

SHEET NUMBER

ID-1



Zoning Board of Appeals Referral Form Information

Property Address:

8 Candlewood Circle PITTSFORD, NY 14534

Property Owner:

Carter, Shawn G
8 Candlewood Cir
Pittsford, NY 14534

Applicant or Agent:

Carter, Shawn G
8 Candlewood Cir
Pittsford, NY 14534

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

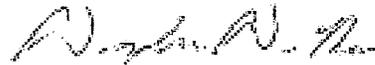
Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	10.66	Right Lot Line:	4	Right Lot Line:	6.66
Left Lot Line:	14.34	Left Lot Line:	14.34	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	12	Height:	0.0
Size:	180	Size:	80	Size:	0.0

Code Section(s):

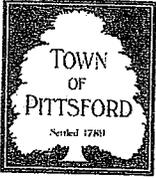
Description: Shed Applicant is requesting relief form Town Code §185 – 113 B. (3) and §185-17, E. for a proposed garden shed located forward of the rear wall of the home and located less than the required minimum side setback.

November 05, 2021

Date



Doug DeRue - Director Planning Zoning Development



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 10/7/21 Hearing Date: 11/15/21

Applicant: Shawn Carter

Address: 8 Candlewood Circle

Phone: 752-5150 E-Mail: carter151@yahoo.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: 8 Candlewood Circle Current Zoning: Residential

Tax Map Number: _____

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Putting up an 8x10, prefab vinyl shed next to the garage- there is a 12x14 area adjacent to the garage in a fenced in portion of our yard that is the most logical and space-efficient place to put a shed. Structure will be the minimum 4 ft from property line, and view of it from the street will be blocked by a tree and shrubs that are immediately in front of where it will be located. there are also no windows on the neighbors house immediately adjacent to it's proposed location, so it will not be in view from inside their home.

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)

10/7/21
(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 shed will not be visible from the street, or from the homes of any of our neighbors.

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

Putting the shed in any other area would take away useable space in our already small backyard.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

Minimal; proposed location of the shed will not have any adverse effect on the neighborhood or our neighbors.

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

The proposed location will not be visible to any of our neighbors from their homes, or from the street.

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

5. Is the alleged difficulty self-created?

It is not; for we are not at liberty to simply increase our lot size to accommodate for the shed in a different area

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

8 Candlewood Circle- Shed Variance Request

(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)

10/7/21
(Dated)

8 Candlewood Circle

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)







DENLUCK-HYDE

ENGINEERING & SURVEYING
ASSOCIATES, P.C.



5 SOUTH FITZHUGH STREET
ROCHESTER, N.Y.
L.S. [14614]

PHONE [716] 325-7520

MAP OF A SURVEY

LOT 33, BEL-VIEW HEIGHTS SUBDIVISION
SECTION 2

TOWN OF PITTSFORD

MONROE COUNTY, NEW YORK

CLIENT GOLDSTEIN, GOLDMAN, ET. AL.

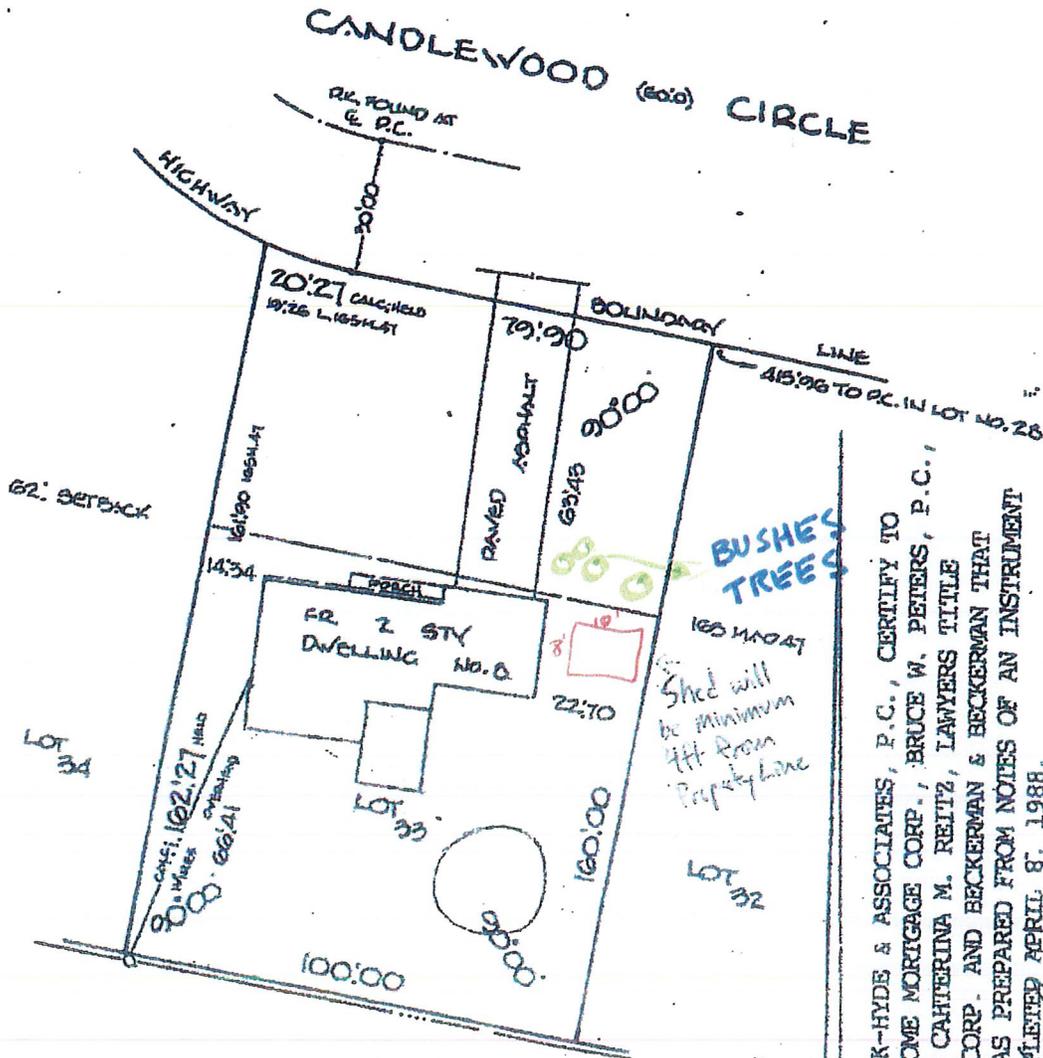
SCALE
1" = 40'

DATE
4-11-88

PROJECT NO.
88-149

REFERENCES: ROCHESTER ABSTRACT CORPORATION #20500/33, DATED OCTOBER 19, 1970.
LIBER 3900 OF DEEDS, PAGE 198; LIBER 165 OF MAPS, PAGE 47.

NOTES: PARCEL SUBJECT TO AN EASEMENT TO ROCH. GAS & ELECTRIC CORP. AND ROCH. TELEPHONE CORP. FOR CONDUITS, CABLES, POLES AND WIRES IN LIBER 3625 OF DEEDS, PAGE 64. PARCEL SUBJECT TO AN EASEMENT TO ROCH. GAS & ELECTRIC CORP. FOR GAS MAINS AND SERVICES IN LIBER 3625 OF DEEDS, PAGE 63. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF REVIEW OF A REDATED ABSTRACT OF TITLE AND IS, THEREFORE SUBJECT TO ANY CHANGES BASED UPON ANY INFORMATION SUCH A REVIEW MAY REVEAL.



WE, DENLUCK-HYDE & ASSOCIATES, P.C., CERTIFY TO SPECTRUM HOME MORTGAGE CORP., BRUCE W. PETERS, P.C., HOWARD AND CATERINA M. REITZ, LAWYERS TITLE INSURANCE CORP. AND BECKERMAN & BECKERMAN THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 8, 1988.

David B. Hyde
DAVID B. HYDE, L.S. 045372

Zoning Board of Appeals Referral Form Information

Property Address:

74 Stuyvesant Road PITTSFORD, NY 14534

Property Owner:

Schaefer, Steven J
74 Stuyvesant Rd
Pittsford, NY 14534

Applicant or Agent:

Schaefer, Steven J
74 Stuyvesant Rd
Pittsford, NY 14534

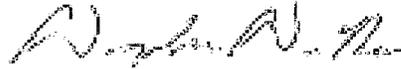
Present Zoning of Property: RN Residential Neighborhood
Area Variance - Residential and Non-Profit

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	10	Right Lot Line:	10	Right Lot Line:	
Left Lot Line:	20	Left Lot Line:	20	Left Lot Line:	
Front Setback:	0	Front Setback:	0	Front Setback:	
Rear Setback:	20	Rear Setback:	10	Rear Setback:	10
Height:	12	Height:	12	Height:	
Size:	180	Size:	192	Size:	12

Code Section(s):

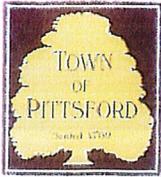
Description: , Applicant is requesting relief from Town Code §185 – 17, I. and §185 – 113 B. (1) for a proposed oversized accessory structure encroaching into the rear setback.

November 05, 2021



Date

Doug DeRue - Director Planning Zoning Development



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: _____ Hearing Date: _____

Applicant: Steven J Schaefer

Address: 74 Stuyvesant Rd

Phone: 617-645-5137 E-Mail: steven.schaefer@pwtc.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Same
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

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

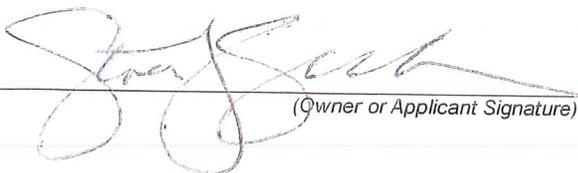
Property Location: _____ Current Zoning: _____

Tax Map Number: _____

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

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)

10/15/21
(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:

I would like to request an area variance for a storage shed in my backyard. The request is for a small increase in size. The shed will be located in the back, right side of my backyard. The neighbor behind me has a 12-15 ft hedge between the yards which will obstruct his view of the shed. The closest part of his house is the garage. The neighbor on the right also has a hedge / fence which partially obstructs the view. The closest part of the house is also the garage.

I would also like to request a property setback variance such that the shed is placed 10 ft from the back and side property line. This would

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 shed is for storage and will more easily allow me to set aside lawn/snow equipment, lawn furniture, etc.

place the shed further away from my neighbor's house to the right. ~~which~~ it is also notable that the neighbor currently has a shed structure which is approximately 10 ft from the side property line. With the back line, the shed would be obstructed by a hedge.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

(Project Name)

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

- Town Board Zoning Board of Appeals Planning Board Architectural Review Board

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

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

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

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

Name(s)

Address(es)

(Signature of Applicant)

(Dated)

(Street Address)

(City/Town, State, Zip Code)

TAPE LOCATION MAP

Project No. 124

Date OCTOBER 7, 1970

Showing TWO STORY FRAME DWELLING WITH GARAGE ATTACHED

Lot No. 27 Subdivision CHARTER OAKS, SEC. 1 Street STUYVESANT ROAD

City PITTSFORD Liber 173 of Maps, Pg. 100

Monuments Used STAKES

Distance from CHARTER OAKS DRIVE to SOUTH line of property was actually measured.

Main building line is ~~not~~ approx. parallel to street line.

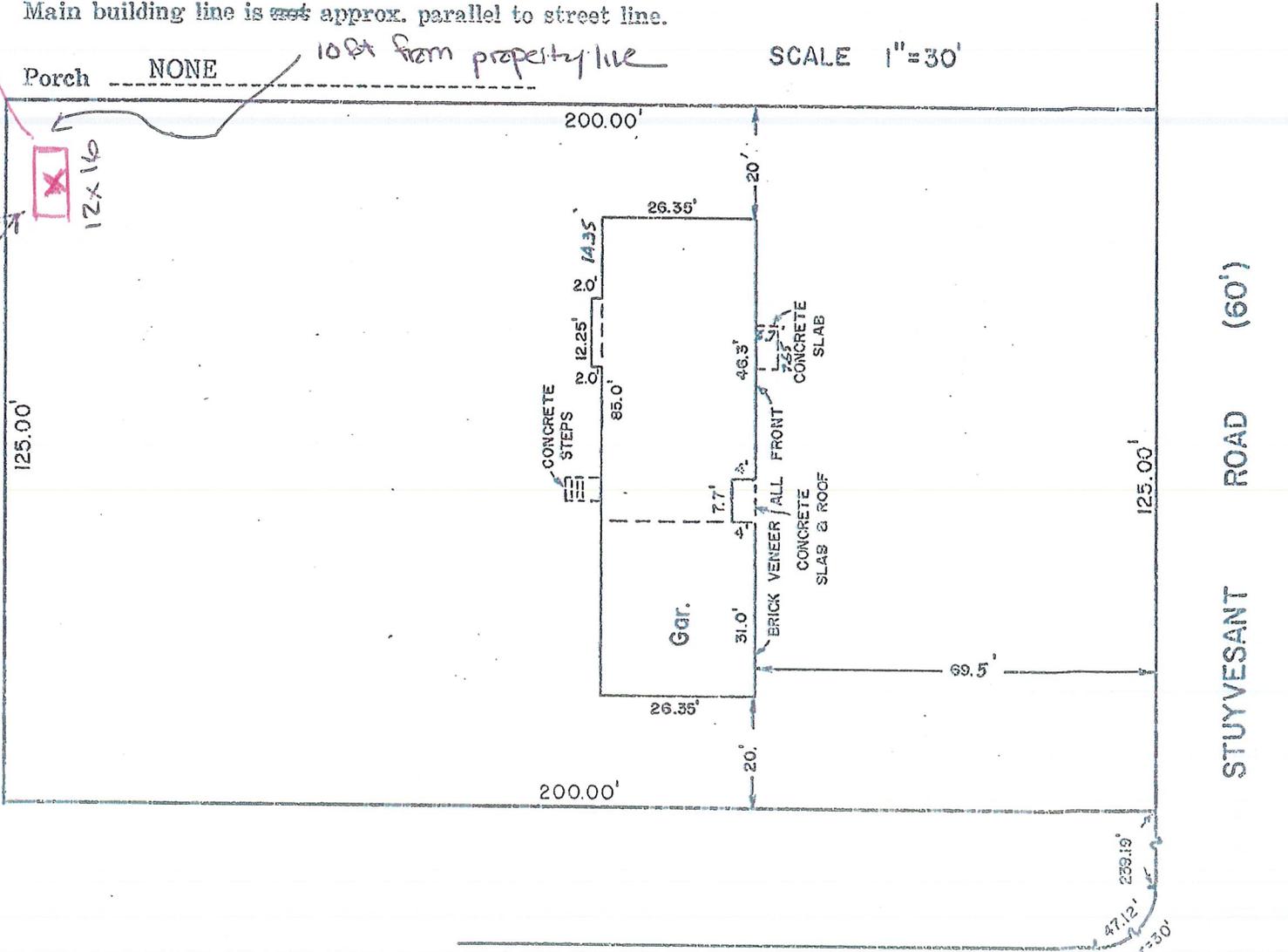
Porch NONE

10 ft from property line

SCALE 1"=30'

Storage shed

10' x 11' property line



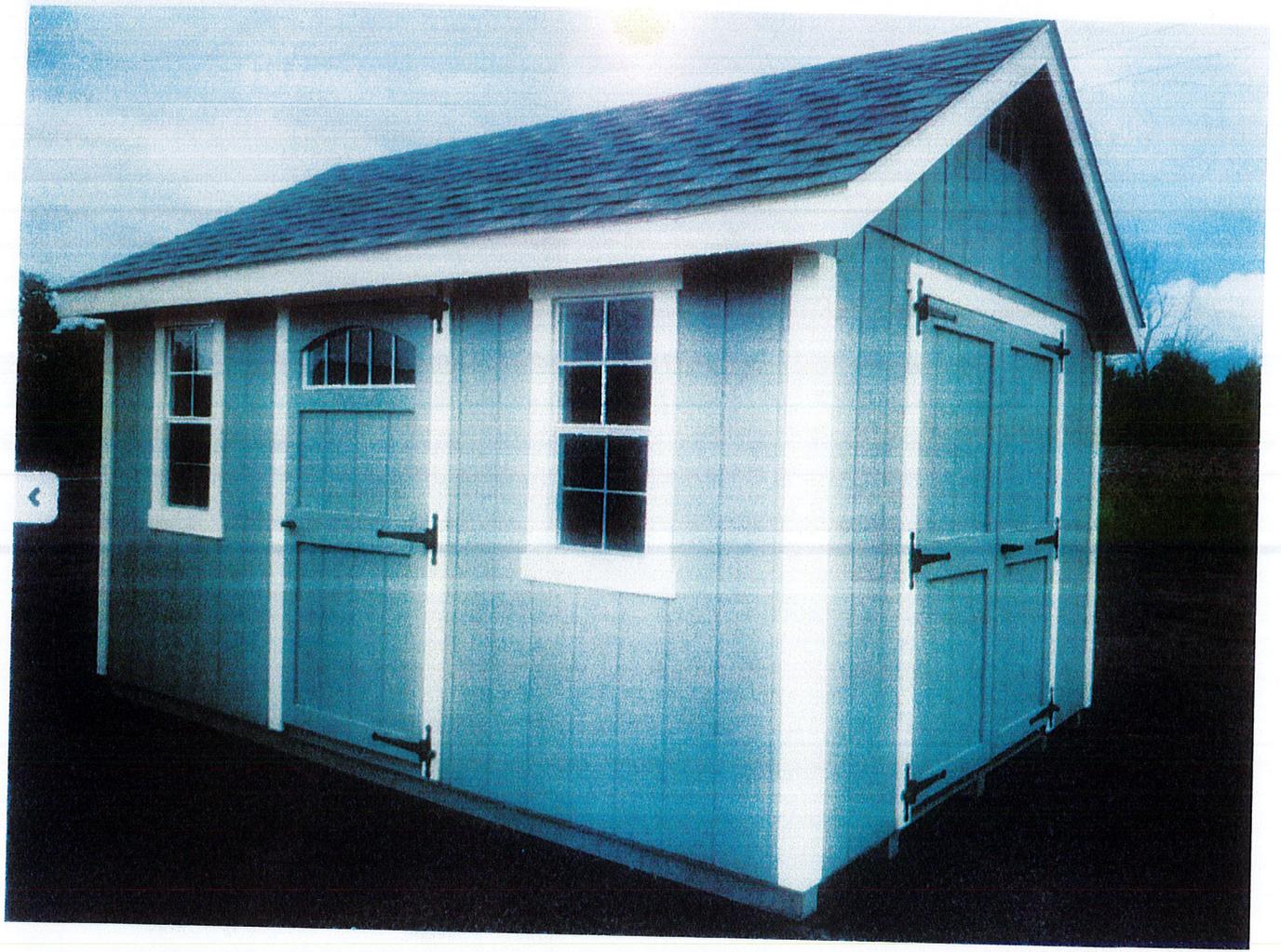
CHARTER OAKS DRIVE

This map was made at the request of LAKE LACOMA ESTATES, INC. to show general location of structures on the lot. It must not be used for any other purposes, such as locating property line fences or driveways. It is not an instrument survey map.

SEAR, BROWN, SCHOENBERGER & COSTICH
Consulting Civil Engineers
85 Metro Park
Rochester, N. Y. 14623

By Paul Slapelis

PAUL SLAPELIS
Land Surveyor
License No. 32430



Fwd: - Leah Schaefer

<https://webmail.pittsford.monroe.edu/owa/#viewmodel=ReadMess>

**Zoning Board of Appeals
Referral Form Information**

Property Address:

3 Escena Rise PITTSFORD, NY 14534

Property Owner:

Wilshire Hill LLC
1501 State Rt 96
Victor, NY 14546

Applicant or Agent:

Wilshire Hill LLC
1501 State Rt 96
Victor, NY 14546

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

Town Code Requirement is:

Right Lot Line:	10
Left Lot Line:	10
Front Setback:	0
Rear Setback:	0
Height:	0
Size:	0

Proposed Conditions:

Right Lot Line:	9
Left Lot Line:	10
Front Setback:	0
Rear Setback:	0
Height:	0
Size:	0

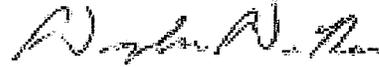
Resulting in the Following Variance:

Right Lot Line:	1
Left Lot Line:	
Front Setback:	
Rear Setback:	
Height:	
Size:	

Code Section(s):

Description: Area variance for setback for closet addition Applicant is requesting relief from the minimum required setback for the proposed addition encroaching into the side setback.

November 05, 2021

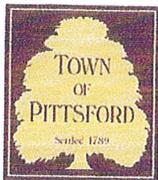


Date

Doug DeRue - Director Planning Zoning Development

Print Form

Reset Form



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 10/15/2021 Hearing Date: _____

Applicant: William Arieno

Address: 31 Cheviot Lane Rochester, NY 14624

Phone: 585-750-6030 E-Mail: billarjeno@gmail.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Wilshire Hill LLC
(if different than Applicant)

Address: 1501 Pittsford Victor Road #200 Victor, NY 14564

Phone: 585-424-4444 E-Mail: _____

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

Property Location: 3 Escena Rise Pittsford, NY 14534 Current Zoning: Residential

Tax Map Number: 178.03-4-50

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

We would like to add a 4 ft addition on to the closet in the owner's bedroom. The minimum side setback is 10 ft, this would reduce the side setback to 9ft.

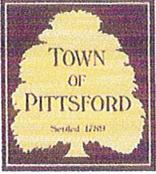
SWORN STATEMENT: As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.


(Owner or Applicant Signature)

10/15/21
(Date)

Print Form

Reset Form



TOWN OF PITTSFORD AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

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

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

I, Wilshire Hill LLC, the owner of the property located at:
3 Escena Rise Pittsford, NY 14534
(Street) (Town) (Zip)

Tax Parcel # 178.03-4-50 do hereby authorize
William Arieno to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of _____
adding a 4ft addition to the close in the owner's bedroom.


(Signature of Owner)
10-15-21
(Date)

Print Form

Reset Form



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:

This variance will not produce an undesirable change because there is no neighbor on that side of the home. The side of the home is facing the street and the lot itself is set back from the road more than 1 lot size.

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

It would be more difficult to add square footage to the front or back of the closet than to add to the existing gable that is already present.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested area variance is minimal. We are only requesting a 1 foot variance.

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 variance will not have an adverse effect or impact on the physical or environmental condition because it is not near another home or any natural landscape.

- **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, the builder typically builds in 2 ft increments. The new homeowner would like a 4 ft addition to the closet. This variance is a requested improvement by the homeowner.

Print Form

Reset Form

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

3 Escena Rise

(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)

Jan P. Walsh

(Signature of Applicant)

10-15-21

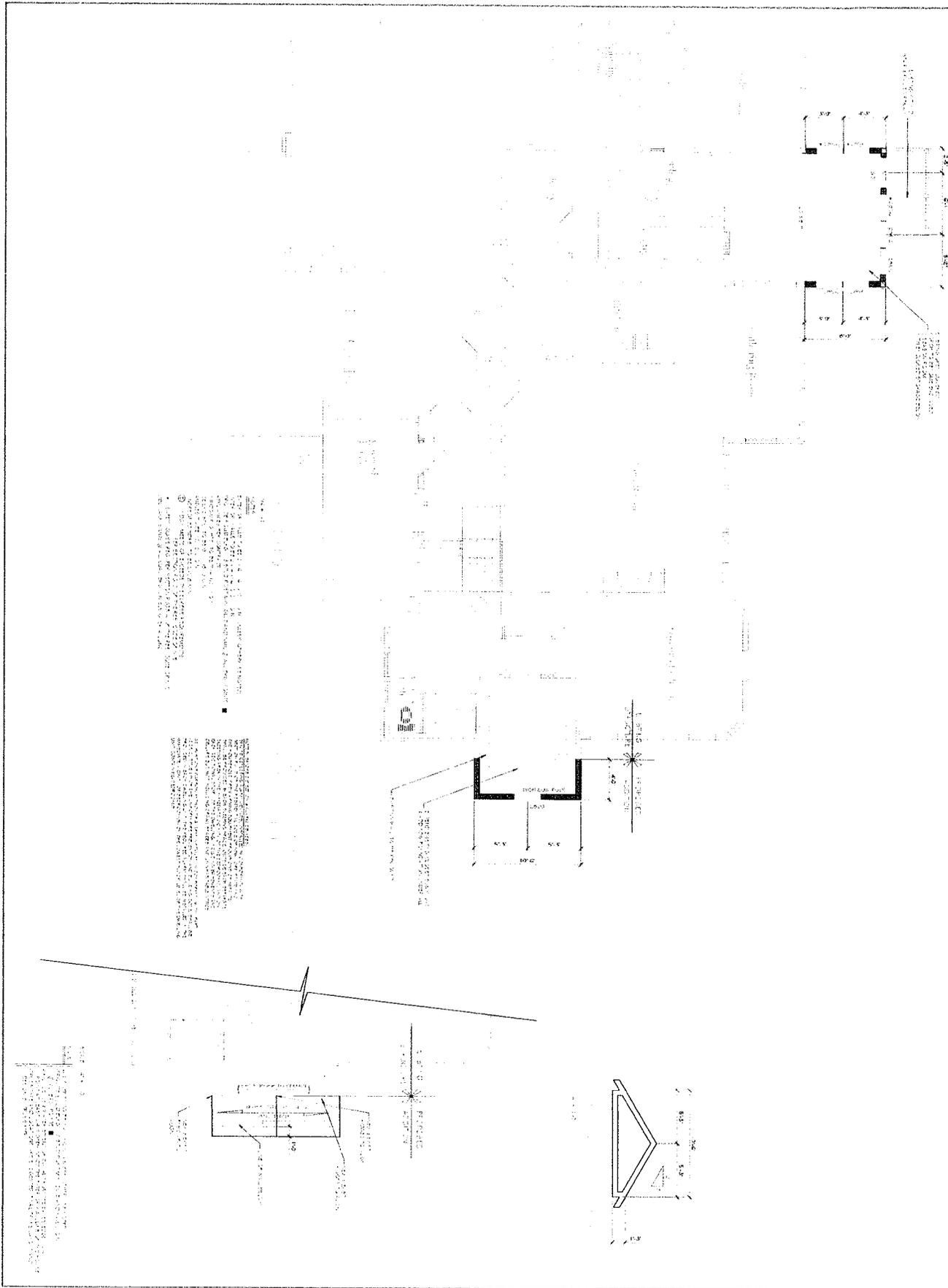
(Dated)

1501 PITTSFORD VICTOR Rd. # 200

(Street Address)

Victor NY 14564

(City/Town, State, Zip Code)



A-3

CKH
 architecture
 1000 W. 10th St.
 Pittsford, NY 14534
 Phone: 518.224.1224
 Email: info@ckharch.com

PROJECT
 3 Escena Rise Renovations
 Pittsford, New York
 CLIENT
 Pride Mark Homes
 DATE
 11/15/2017

DESCRIPTION
 First Floor Plan & Roof Plan
 DRAWING TITLE
 SHEET NO. 0101
 DATE 11/15/2017

NO.	REVISION	DATE

NOTES:
 1. SEE ALL NOTES ON OTHER SHEETS.
 2. ALL DIMENSIONS ARE IN FEET AND INCHES.
 3. UNLESS OTHERWISE NOTED, ALL FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.
 4. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE (IRC) AND ALL APPLICABLE LOCAL ORDINANCES.



Zoning Board of Appeals Referral Form Information

Property Address:

115 Ellingwood Drive ROCHESTER, NY 14618

Property Owner:

Howe, Eric S
115 Ellingwood Dr
Rochester, NY 14618

Applicant or Agent:

Howe, Eric S
115 Ellingwood 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:	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:	15	Height:	3
Size:	180	Size:	504	Size:	324

Code Section(s):

Description: Applicant is requesting relief from Town Code §185- 17, I. and §185- 113 B. (1) for the proposed addition to an existing, non-conforming, oversized garage encroaching into the rear setback. Original paperwork for this property was lost, the original garage was likely constructed prior to the Town Code that now has a limitation on the size and height of accessory structures. the existing structure is 360 Square feet with an additional 8X18 covered porch area proposed.

November 05, 2021

Date



Doug DeRue - Director Planning Zoning Development



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 10/13/21 Hearing Date: 11/15/21

Applicant: Eric and Karen Howe

Address: 115 Ellingwood Dr, 14618

Phone: (585) 364-8228 E-Mail: ericshowe1@gmail.com

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

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

Property Location: _____ Current Zoning: RN-Residential Neighborhood

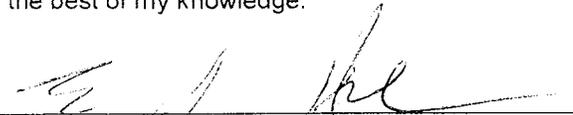
Tax Map Number: 138.18-1-54

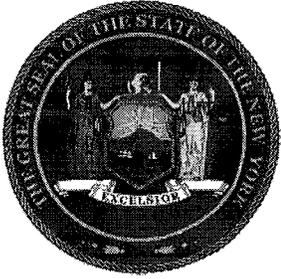
Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Replacement of existing detached garage that has fallen into disrepair. Property currently has an old detached garage at the back of the property that has fallen into disrepair. The detached garage is not used for vehicles, as an attached garage was built in 2017. The project will create a new structure that will occupy same footprint, height, and dimensions as the existing structure, with the exception of the roof which will be extended 8 feet from the front of the garage into the property owners yard to create a covered seating area and be more aesthetically appealing than the existing garage door. The existing structure has an existing non-conforming back setback. The new structure will not have any changes to the existing non-conforming back 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.

 10/13/21
(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 8 foot extended covered seating area is not visible from the road or front of the house. The extended covered seating area is in the property owners back yard and is beyond the 20' setback. The extended covered seating area will have no change to the back of the structure as the distance from the back of the new structure to the back property line will be the same as the existing structure. The extended covered seating area will not impact or be visible to the back neighbor. The new structure will be more aesthetically appealing than the current garage which is in disrepair.

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 existing detached garage is in disrepair and needs to be replaced. The property owner is seeking to create a covered seating area in the back yard. It is more economical and less invasive (vs. creating a separate space) to extend the roof line of the structure into the back yard to create a covered seating space.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The back of the existing garage has an existing non-conforming back setback. The requested area variance is minimal given the new covered seating area will not alter the existing non-conforming back 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 location of the extended roof line / covered seating area extends further into the property owners back yard and away from the property line and will have no adverse impacts.

- **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. The difficulty is a result of an existing non-conforming back setback from a garage that was built many years ago.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Howe Garage

(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)

10/13/21

(Dated)

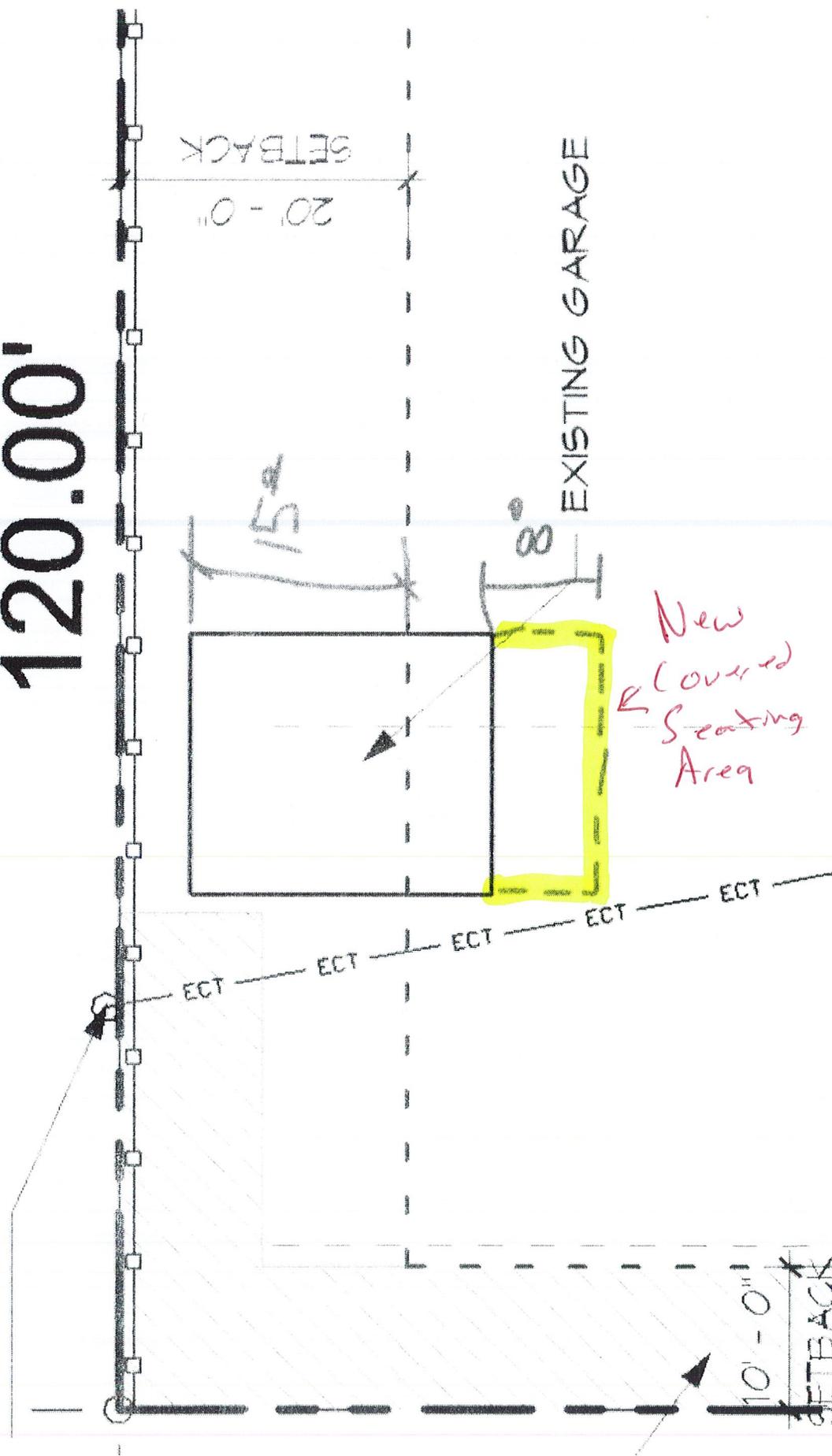
115 Ellingwood Dr

(Street Address)

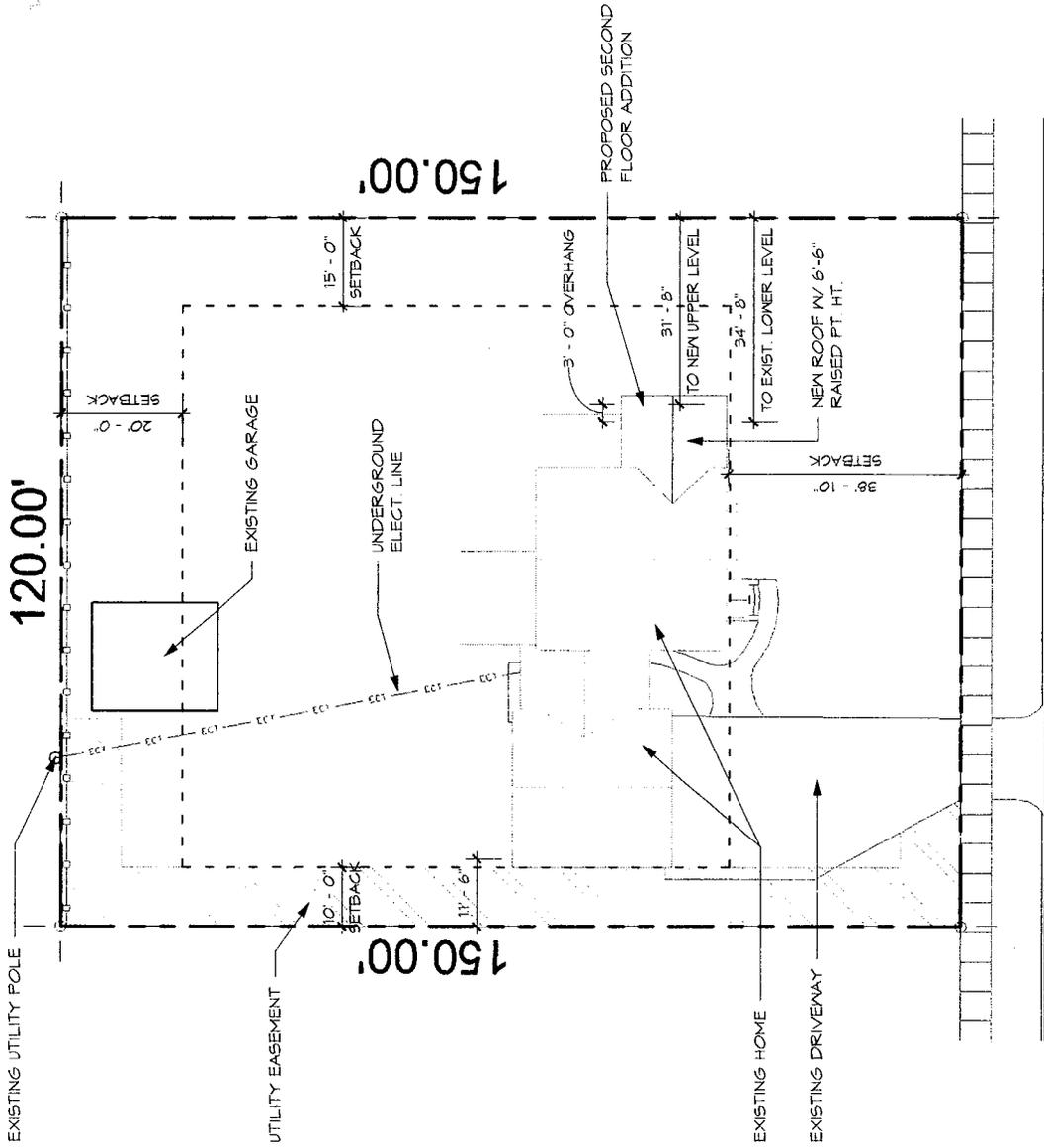
Rochester, NY 14618

(City/Town, State, Zip Code)

120.00'



6 NORTH MAIN STREET - 5088 DELAWARE ST. EX. 11110
Phone: 484.377.9843
www.pinedesignworks.com



ELLINGWOOD DRIVE

Howe Addition
11/30/20

Conceptual Site Plan

Scale: 1" = 20'-0"

Karen & Eric
115 Ellingwood Dr., Pittsford, NY



WEST
18
18

SE
18
18

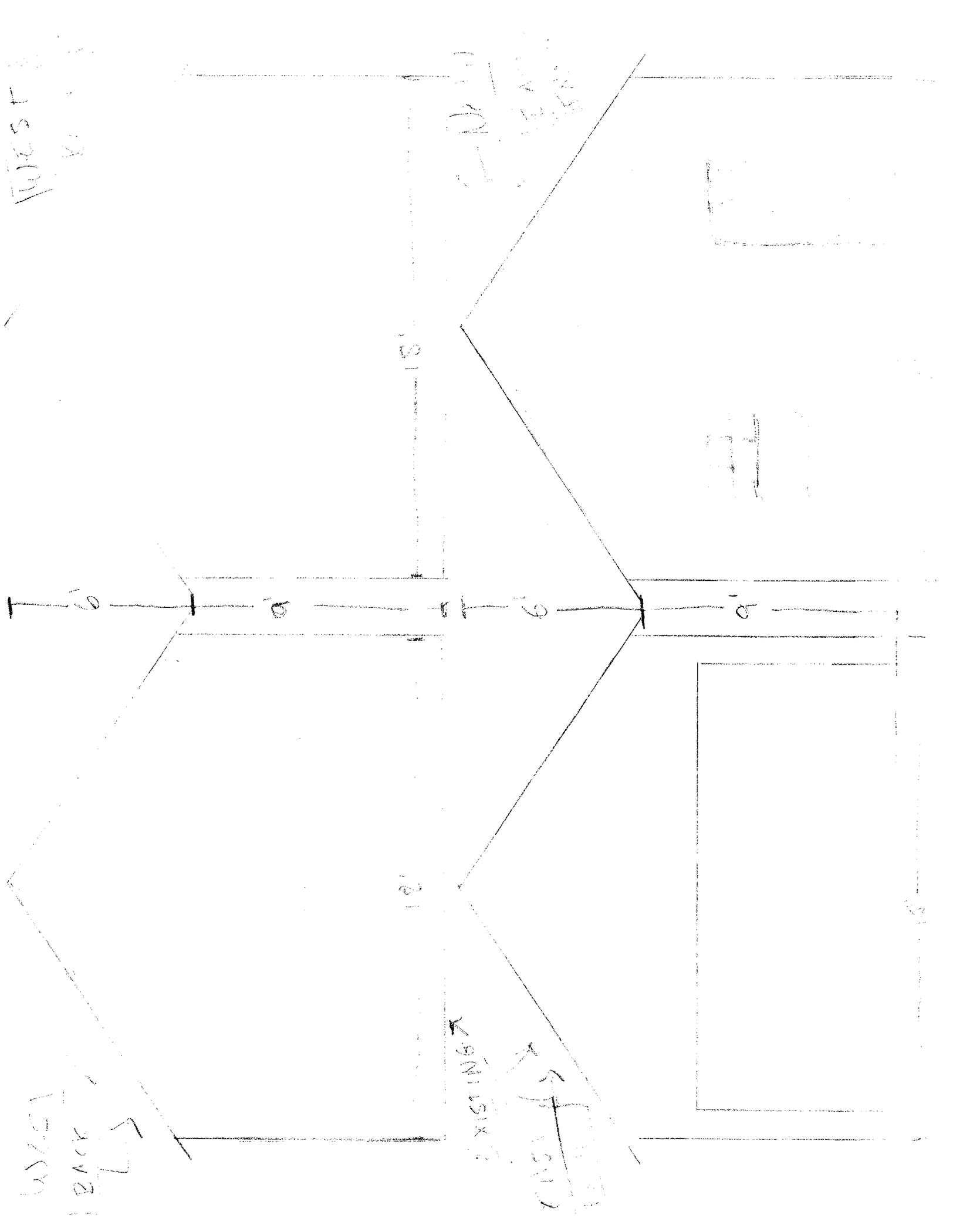
18
18

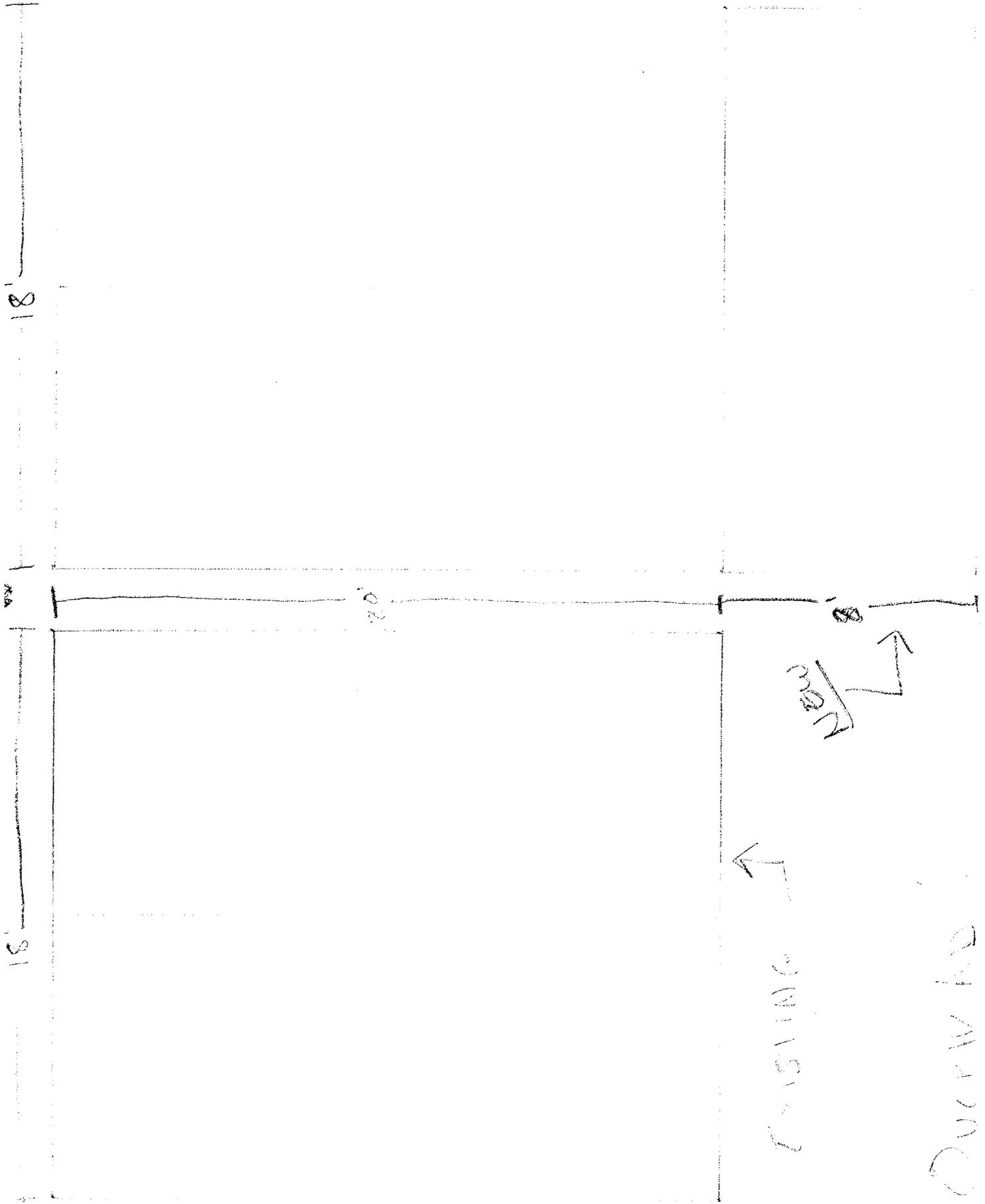
18

18

WEST
BACK
18

WEST
18
18





N

E

S

EXISTING

OVERHEAD

MATCH

181'

181'

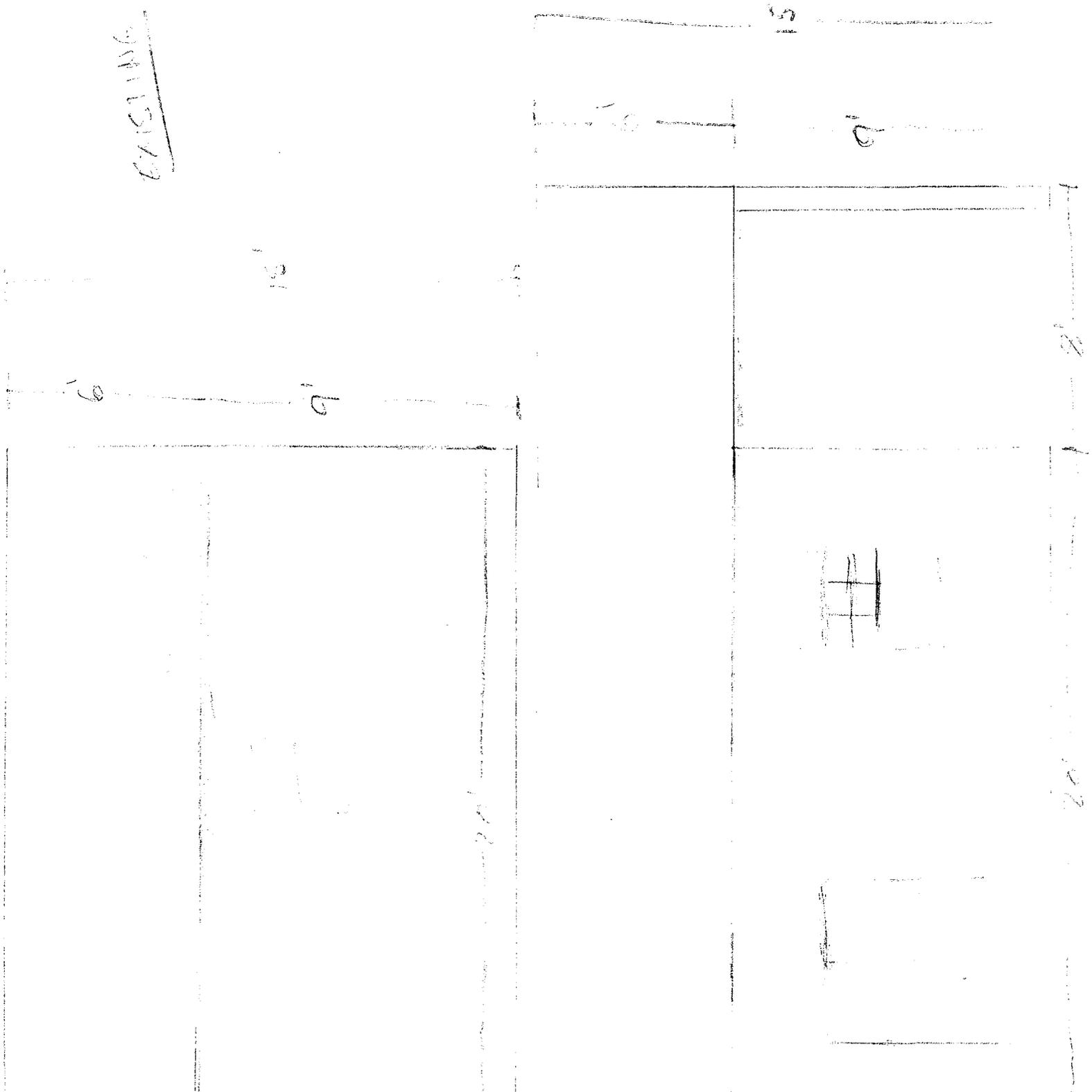
220'

8'

SOUTH

EXISTING

NEW



NORTH

6' | a' |
EXISTING



20'

NEW

6' | a' |



8'

20'

