

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
March 21, 2022
7:00 PM**

PUBLIC HEARINGS FOR AREA VARIANCE - RETURNING

- 15 Glendower Circle, Tax # 151.16-3-24, Applicant is requesting relief from Town Code §185 - 17 K. (2) for a proposed garden shed located less than both the required minimum side setbacks, property is a corner lot. This property is zoned Residential Neighborhood – (RN).

PUBLIC HEARINGS FOR AREA VARIANCES

- 49 Turning Leaf Drive, Tax # 177.04-3-18, Applicant is requesting relief from Town Code §185-119 A. (1) to place the pool filter and or heater equipment on the side of the home and 185-17 - I. for pool encroachment into the 20 foot rear buffer. This property is zoned Residential Neighborhood – (RN).
- 35 Meadow Cove R, Tax # 164.12-2-14, Applicant is requesting relief from Town Code §185-17 E. (1) to place a generator within the minimum side setback. This property is zoned Residential Neighborhood – (RN).
- 4 Evesham Place, Tax # 178.03-2-50, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) and 185-17 E. for an oversized and over height accessory structure, greenhouse, that does not meet the minimum total setback measurement for lot. This property is zoned Residential Neighborhood – (RN).
- 3500 East Avenue, Tax # 138.14-1-13.21, Applicant is requesting relief from Town Code §185 – 134 D. (4) for the proposed 10 square foot oversized sign. This property is zoned Incentive Zoning.

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
DRAFT MINUTES
February 21, 2022**

PRESENT

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

ALSO PRESENT

Kate Munzinger, Town Board Liaison; Robert Koegel, Town Attorney; Doug DeRue, Director of Planning, Zoning, & Development; April Zurowski, Acting Secretary to the Board

ABSENT

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, February 21, 2022 at 7:00PM local time.

George Dounce, Chairperson called the regularly scheduled meeting of the Zoning Board of Appeals to order at 7:01PM.

There were 12 members of the public in attendance.

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c) (16) 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

- 14 Glenmore Circle, Tax # 163.04-1-9.31, Applicant is requesting relief from Town Code §185-119 A. (1) to place the pool filter and or heater equipment on the side of the home. This property is zoned Residential Neighborhood – (RN).

Jonathan and Jillian Coyles, of 14 Glenmore Circle, introduced their application. Mr. Coyles explained to the Board that both his pool company and landscaping company recommended that he place the heater and filter on the side of the home. Mr. Coyles stated that he has received some comments from neighbors who are worried about chemicals. He stated that he will not proceed with anything that would cause harm to neighbors. He would like neighbors to be comfortable with the placement of equipment. He plans to place the heater and filter flush with the rear wall of the home to prevent any future impact with patio and fencing plans.

Board Member Mary Ellen Spennacchio-Wagner requested the applicant to point out the exact proposed location on the map. The applicant advised the board that the equipment is proposed along the back line of the house, but still on the side of the house.

Mr. Coyles stated that the basement block window and dining room window would be blocked if the equipment was placed in accordance with Town Code.

Chairman George Dounce asked the applicant to describe any concerns received from neighbors. Mr. Coyles stated that regions of the side yard have been damaged, as the pool company has created a temporary roadway to complete work. He expressed intentions to remove this temporary pathway as soon as possible. A contracted landscaping company will regrade and replant the yard upon completion of the pool.

Chairman Dounce asked the applicant to address screening around the proposed equipment. Mr. Coyles stated that he plans to install shrubbery.

Manish Damani, of 12 Glenmore Circle, asked the applicant to address the proposed location for storage of pool chemicals. Mr. Coyles informed the neighbor and the Board that the pool will not be treated with chlorine, and will instead have a freshwater mineral sanitation system. If needed, extra storage of chemicals will be stored in or around the garage space closer to 15 Glenmore Circle.

Chairman Dounce asked the applicant to address noise levels of proposed equipment. Mr. Coyles stated that noise will not be an issue, as the pool company has assured the applicants that equipment will be completely silent.

Chairman Dounce opened the public hearing and asked for any public comment.

Mr. Damani asked the applicant to provide a mineral safety data sheet. Mr. Coyles agreed.

Board Member Mary Ellen Spennacchio-Wagner made a motion to close the public hearing, seconded by Board Member Barb Servé. Following a unanimous voice vote, the hearing was closed.

- 15 Glendower Circle, Tax # 151.16-3-24, Applicant is requesting relief from Town Code §185 - 17 K. (2) for a proposed garden shed located less than both the required minimum side setbacks, property is a corner lot. This property is zoned Residential Neighborhood – (RN).

There was no applicant present for this proposal. The Board agreed that further information would be needed from the applicant before voting on a resolution.

- 97 Country Club Drive Tax # 151.05-1-41, Applicant is requesting relief from Town Code §185 - 17 B. for a proposed garage expansion encroaching into the front setback. This property is zoned Residential Neighborhood – (RN).

Mark and Lisa Stein, of 97 Country Club Dr, represented their application.

Chairman Dounce asked if the applicants received any comments against their project. Mrs. Stein stated that she has only received comments in favor of the project.

Chairman Dounce asked the applicants to give an approximate timeline for completion of the project. Mr. Stein stated that they hope to complete the project within 2022.

Chairman Dounce opened the hearing and asked for public comment.

Hearing none, Board Member Tom Kidera made a motion to close the hearing, seconded by Board Member Phil Castleberry. Following a unanimous voice vote, the hearing was closed.

- 222 Shoreham Drive, Tax # 150.08-1-1.1, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) (3) and §185-17, E for a proposed 700 square foot 20 foot tall oversized and over height garage located less than the required minimum side setback. This property is zoned Residential Neighborhood – (RN).

Anthony and Mariah DiMarco, of 222 Shoreham Dr, explained their application. They stated although they currently have a standard 2 car garage built under their home, they are requesting more garage space for new drivers in their family. The property is located on a curve and to prevent a safety hazard of parking on the street, they are proposing a garage to create additional parking.

Board Member Servé addressed the current gravel pad in place on their property. She asked the applicant if the gravel pad will be used for parking. Mrs. DiMarco stated that the gravel pad has been used for parking in the past, but the proposed garage will provide additional parking when needed.

Board Member Mary Ellen questioned the construction of the garage into the hillside. Tom Johnson, Designer, stated that the proposed garage will be pushed into the hillside. The variance is requested to allow for space to fit two cars with two garage doors as well as an exit door. The oversized height is requested to allow for storage above the car parking spaces in the garage.

Chairman Dounce asked the applicants if moving the garage over 1.5 ft was considered. Mr. Johnson stated that the proposed garage location is as close as possible to the existing pergola. The applicants do not want to invade the existing pergola structure during construction.

Chairman Dounce asked the applicant to provide a timeline for construction. Mr. Johnson stated that upon the issuance of a building permit, construction is expected to begin in the spring.

Board Member Spennacchio-Wagner asked if the driveway will allow for a turn-around space, preventing new drivers from backing out of the driveway. Mr. Johnson confirmed.

Board Member Spennacchio-Wagner asked the applicants to describe the proposed exterior. Mr. Johnson stated that the design will blend with the existing home structure.

Chairman Dounce asked the applicants to confirm the proposed garage will line up with the neighboring home. Mr. Johnson confirmed.

Chairman Dounce asked if the applicants have been in contact with neighbors to describe the project. Mrs. DiMarco stated that she did reach out to abutting neighbors, both of which did not express major concerns.

Chairman Dounce opened the public hearing and asked for public comment.

Judy Van Houten, of 205 Shoreham Dr, stated that she had concerns with the proposal. She expressed concerns for increased traffic in recent years, which she believes may cause safety hazards with those who walk in the neighborhood.

Chairman Dounce asked Ms. Van Houten to confirm she was in opposition of the proposal. Ms. Van Houten stated that she believes the garage is too large and that there are no other detached garages in the neighborhood.

Board Member Spennacchio-Wagner stated that this proposal may reduce safety concerns, as the new drivers will not be parking in the street and will be able to K-turn in the driveway instead of backing out.

Board Member Servé asked Ms. Van Houten how the Zoning Board of Appeals will be able to satisfy her concerns. Ms. Van Houten expressed her concern with safety within the neighborhood.

Board Member Barb Servé motioned to close the hearing, seconded by Board Member Tom Kidera. Following a unanimous voice vote, the hearing was closed.

PUBLIC HEARING FOR SPECIAL USE PERMIT

- 2 Round Trail, Tax # 164.19-1-59, Applicant is requesting Special Use Permit approval for the storage of a recreational vehicle adjacent to the existing attached garage pursuant to 148-9 C. of Town Code. This property is zoned Residential Neighborhood – (RN).

Ray Pruitt, of 2 Round Trail Dr, represented the application.

Chairman Dounce asked Town staff to confirm that the recreational vehicle does not exceed the maximum size allowed by Code. Doug DeRue stated that although the reported measurement of the RV is 9'1", the measurement may be slightly inaccurate. The Board conversed about the actual height of the RV.

Board Member Servé asked the applicant to consider screening. Mr. Pruitt stated that he intends to implement screening, but would like flexibility upon a resolution. Board Member Servé stated that a condition of approval for this proposal may be to provide screening.

The Board discussed appropriate height and number of trees that may be included in the resolution.

Board Member Servé expressed satisfaction with plantings to hide the RV. Chairman Dounce asked the Board to agree on a reasonable tree height.

Board Member Spennacchio-Wagner expressed safety concerns with the applicant parking the RV in the driveway, though per Code, the RV may remain in the driveway year-round.

Chairman Dounce opened the public hearing and allowed for public comments.

Hearing none, Board Member Jim Pergolizzi motioned to close the hearing, seconded by Board Member Mary Ellen Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

DECISION FOR 14 GLENMORE CIRCLE – AREA VARIANCE

A written Resolution to grant the area variance for 14 Glenmore Circle was moved by Chairman George Dounce and seconded by Board Member Jim Pergolizzi.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

The Board requested the individual to clearly label a map for Town staff, which will be included in the conditions of approval for this resolution.

DECISION FOR 15 GLENDOWER CIRCLE – AREA VARIANCE

A written Resolution to hold over the area variance for 15 Glendower Circle was moved by Chairman George Dounce and seconded by Board Member Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

The application was held over for a future meeting.

DECISION FOR 97 COUNTRY CLUB DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 97 Country Club Drive was moved by Board Member Jim Pergolizzi and seconded by Chairman George Dounce.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

DECISION FOR 222 SHOREHAM DRIVE – AREA VARIANCE

Chairman George Dounce requested the Town Board look into possible ways to reduce safety concerns within the Shoreham Drive neighborhood. Town Board Liaison Kate Munzinger agreed to work with Town staff.

A written Resolution to grant the area variance for 222 Shoreham Drive was moved by Board Member Barb Servé and seconded by Board Member Phil Castleberry.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

DECISION FOR 2 ROUND TRAIL DRIVE – SPECIAL USE PERMIT

A written Resolution to grant the Special Use Permit for 2 Round Trail Drive was moved by Board Member Phil Castleberry and seconded by Chairman George Dounce.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Aye
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Dounce	Aye

The approved Resolution contains the following Specific Conditions:

The Board required, as a condition of approval, the applicant shall install plantings at least five feet in height, reasonably consistent with the proposed map created at the meeting. These plantings must be installed prior to June 1, 2022.

POINT PERSONS FOR MARCH 21, 2022 MEETING

3500 East Avenue	Phil Castleberry
35 Meadow Cove Road	Barb Servé
4 Evesham Place	Mary Ellen Spennacchio-Wagner
49 Turning Leaf Drive	Tom Kidera

MEETING ADJOURNMENT/MINUTES APPROVAL

Chairman George Dounce motioned to approve the minutes of December 21, 2021 as written. Following a unanimous voice vote, the minutes were approved.

The meeting was adjourned at 8:50PM.

Respectfully submitted,

April Zurowski
Acting Secretary to the Zoning Board of Appeals

DRAFT

Zoning Board of Appeals Referral Form Information

Property Address:

15 Glendower Circle PITTSFORD, NY 14534

Property Owner:

Kunz, Marcus M and Christina Cozan
15 Glendower Cir
Pittsford, NY 14534

Applicant or Agent:

Kunz, Marcus M and Christina Cozan
15 Glendower 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:	4	Right Lot Line:	1	Right Lot Line:	3
Left Lot Line:	4	Left Lot Line:	1	Left Lot Line:	3
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s):

Description: Applicant is requesting relief from Town Code §185 - 17 K. (2) and 185-113 B. 6 for a proposed garden shed located less than both the required minimum side setbacks, property is a corner lot. This property is zoned RN-Residential Neighborhood. The request is for a 1 foot setback on both side lot lines where a "garden shed" could be located 4 feet from the property lines.

January 06, 2022



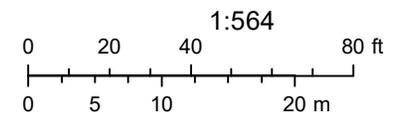
Date

Doug DeRue - Director Planning Zoning Development

RN Residential Neighborhood Zoning



Printed January 6, 2022



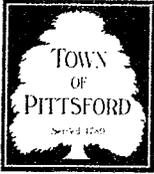
Town of Pittsford GIS

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



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15



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: December 20, 2021 Hearing Date: _____

Applicant: Christina Cozan & Markus Kunz

Address: 15 Glendower Circle

Phone: (585) 612-1162 E-Mail: ChristinaCozan@hotmail.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: _____

Tax Map Number: _____

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Build 10ft x 12ft x 11ft (WxLxH) garden shed. The shed would be roughly 1 foot from the back and 1 foot from the East property lines.

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)

12/12/21
(Date)



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

TESTS FOR GRANTING AREA VARIANCES

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

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

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

The shed will be located in an area of our property that is shielded from view of our neighbors. The rear of our lot has a fence and the particular corner where we would like the shed is wooded (on the neighbor's side). The east side of our lot has a newly installed (by neighbor) fence. The shed will also have trees in front of it.

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

1. Given that this is a corner lot as well as the orientation of our house on the lot, this is really the only location on the property the shed can be located without it being right outside one of the kitchen windows or by ripping out one of our flower beds.
2. We recently insulated and dry walled the garage so there is no longer loft storage space.
3. Moving some items from the basement and garage into the shed will free up space in the garage and make it possible to make a playroom in the basement for the kids (which will help Markus and I keep our sanity when we are working and the kids' friends come over).

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

We believe the variances are minimal as both the rear and east property lines are in direct view of our neighbors on either property line.

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 shed we have selected is a nice looking shed. It is shielded from the neighbors' view by trees (rear) and a fence (east).

The shed will be white ~~matching~~
matching the house.

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

5. Is the alleged difficulty self-created?

Yes. We love our neighbors and our neighborhood, but our family has grown as has our need for additional space. The shed will allow us to create additional space so our home can flow in a more appropriate way.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Cozan-Kunz Shed Variances

(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

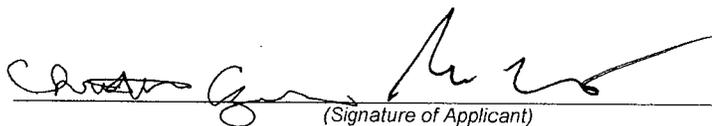
variance approval of a plat exemption from a plat or official map

...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)

December 10, 2021

(Dated)

15 Glendower Circle

(Street Address)

Pittsford, NY 14534

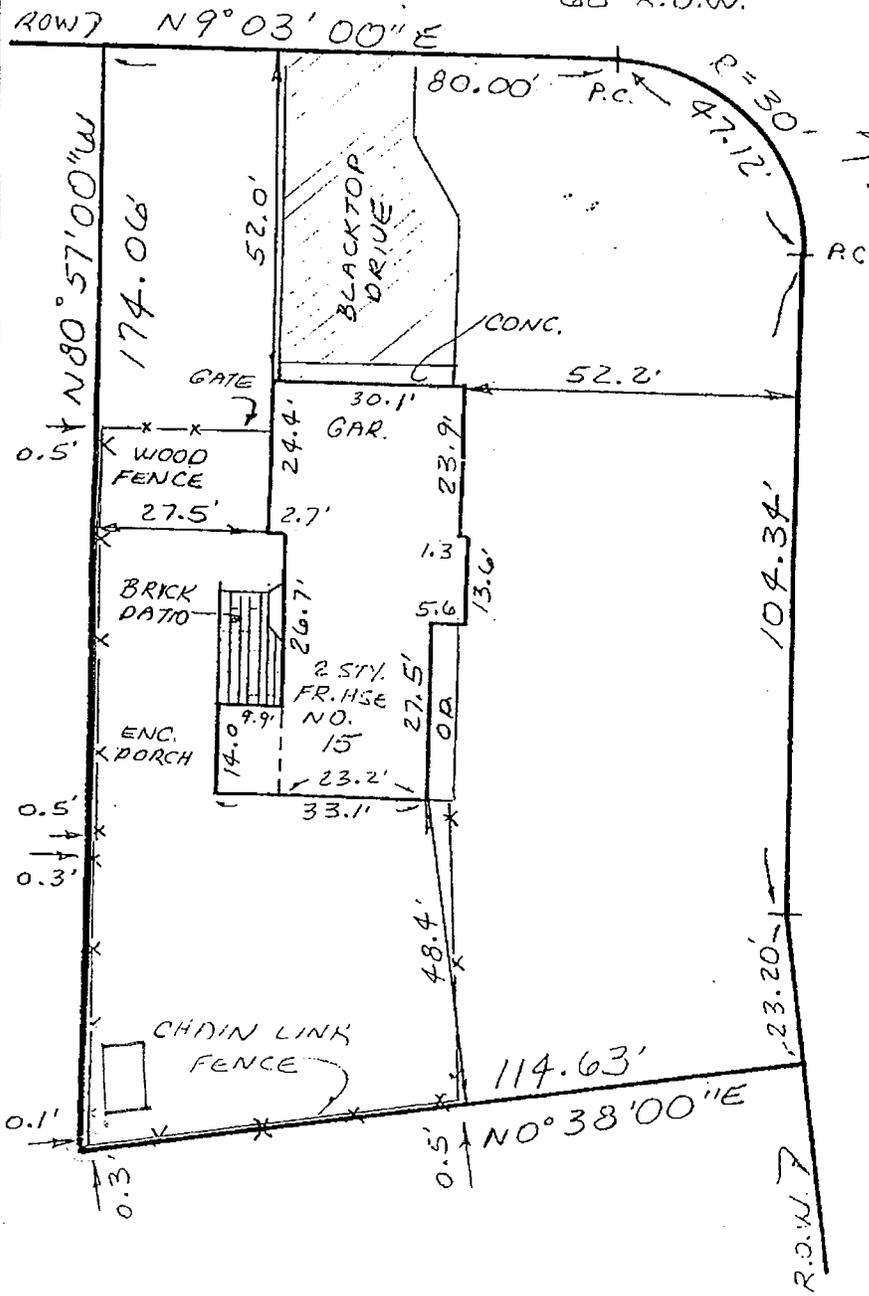
(City/Town, State, Zip Code)





GLENDOWER CIRCLE

15 GLENDOWER CIRCLE



GLENDOWER CIRCLE

20/20

REFERENCE

- 1. L. 7444 DELS, P. 149
- 2. L. 10 MAP 2, P. 26

I HEREBY CERTIFY TO THE PARTIES LISTED HEREON THAT THIS MAP WAS MADE ON SEPT. 11, 1978, FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON SEPT. 10, 1978.

James M. Leoni

JAMES M. LEONI N.Y.S.R.L.S. 49225
 SUITE 39D A-1 COUNTRY CLUB ROAD
 EAST ROCHESTER N.Y. 14445

"Only title surveys bearing the makers embossed should be relied upon since other than embossed-copies may contain unauthorized and undetectable modifications, deletions, and changes."

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law."

CERTIFIED TO:

1. NORWEST MORTGAGE OF NEWY ITS SUCCESSORS AND/OR NECH
2. THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE
3. DENNIS E. AND VANDA N. MOH
4. PEARTREE, PEARTREE
- 5.

Zoning Board of Appeals Referral Form Information

Property Address:

49 Turning Leaf Drive PITTSFORD, NY 14534

Property Owner:

Kyle Monroe
49 Turning Leaf Dr
Pittsford, NY 14534

Applicant or Agent:

Kyle Monroe
49 Turning Leaf Dr
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	30'	Right Lot Line:	30'	Right Lot Line:	0.0
Left Lot Line:	10'	Left Lot Line:	28'	Left Lot Line:	0.0
Front Setback:		Front Setback:		Front Setback:	
Rear Setback:	20'	Rear Setback:	11'	Rear Setback:	9.0'
Height:		Height:		Height:	
Size:		Size:		Size:	

Code Section(s): 185 - 119 A. (1) and 185 - 17 - I.

Description: Applicant is requesting relief from Town Code to place the pool filter and or heater equipment on the side of the home and for pool encroachment into the 20 foot rear buffer. This property is zoned Residential Neighborhood – (RN).

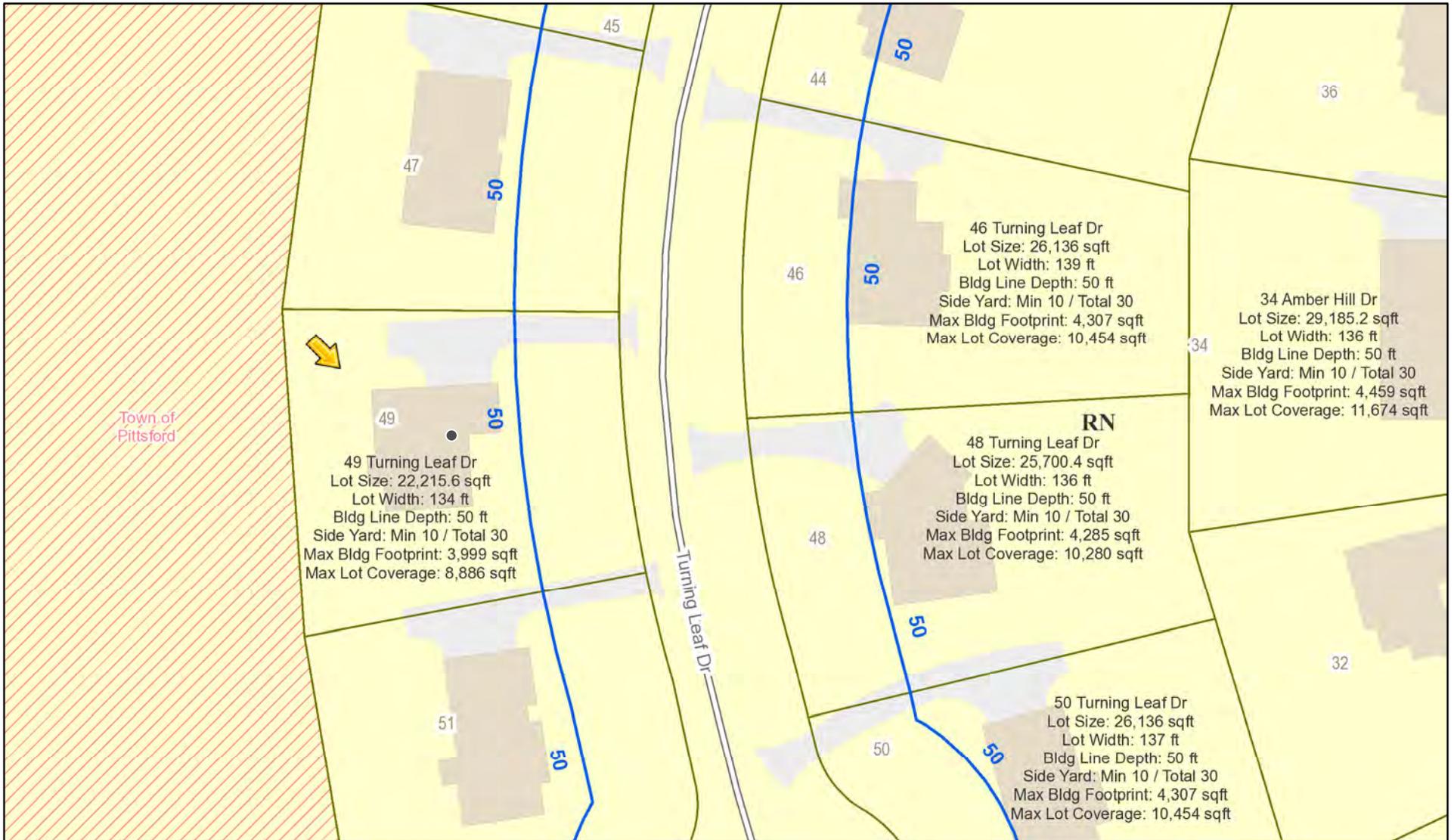
March 08, 2022



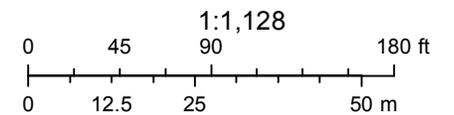
Date

Bill Zink -

RN Residential Neighborhood Zoning



Printed March 8, 2022



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.



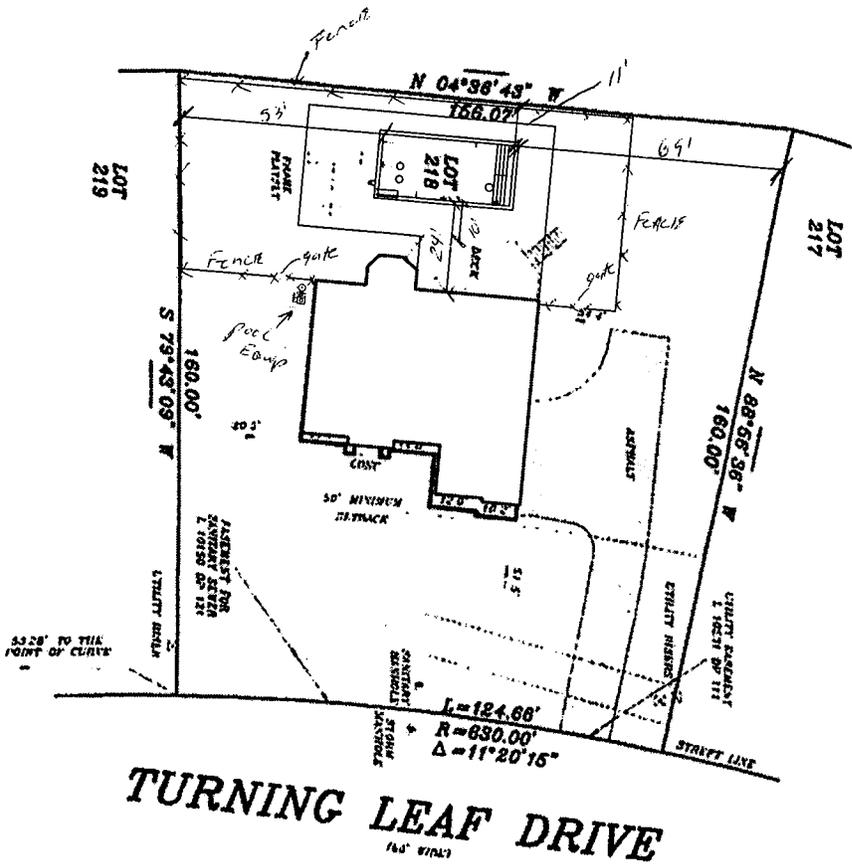
47

49

51

Turning Leaf Dr

ng Leaf Dr



Theoretical extension of, or addition to, the survey map is a notation of section 2208 of the New York State Education Law. Copies of this survey map may be obtained from the land surveyor's office or endorsed and shall not be construed to be a deed from any governmental agency and shall not be used in any way to establish a claim of title, and shall not be used to establish a claim of title, and shall not be used to establish a claim of title, and shall not be used to establish a claim of title.

TURNING LEAF DRIVE

REFERENCES:

NETWORK TITLE AGENCY OF NEW YORK #117704-57-45 DATED JANUARY 20, 2021
 LIBER 11275 OF DEEDS, PAGE 646
 LIBER 524 OF MAPS, PAGE 35

NOTES:

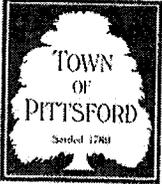
PARCEL IS SUBJECT TO A DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS AS SET FORTH IN LIBER 10157 OF DEEDS, PAGE 413.
 PARCEL TAX ID #177-04-3-16

- WE, ONEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO:
1. JPMORGAN CHASE BANK, N.A., ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTEREST MAY APPEAR
 2. MARCHIONI & ASSOCIATES;
 3. STEWART TITLE INSURANCE COMPANY;
 4. RYLE D. MOURROE & ELAINE MOURROE;
 5. HARTER SECREST & EMERY LLP

THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED NOVEMBER 12, 2020.

Thomas A. Rodak
 THOMAS A. RODAK, P.E., #650248

 <p>ONEILL-RODAK LAND SURVEYING ASSOCIATES, P.C. LAND SURVEYORS • PLANNERS EASEMENT CONSULTANTS FEDERAL SURVEYORS</p>		<p>REVISED ABST. INFO. & CERT. 02/19/2021 TAO</p> <p>MAP OF A SURVEY</p> <p>LOT 218 AUTUMN WOODS SUBDIVISION, SECTION 2 TOWN OF PITTSFORD MORGAN COUNTY, NEW YORK</p>	
<p>3 SOUTH FITZLUIGH STREET ROCHESTER, NY 14814</p> <p>PHONE (585) 325-7120 FAX (585) 325-1708 e-mail surveys@oneillrodak.com</p>		<p>CLIENT: MORGENTHAU DEVOSICK PLLC</p>	<p>SCALE: 1" = 30'</p> <p>DATE: 1/11/2020</p> <p>PROJECT NO. 2020-1638</p>



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: February 17, 2022 Hearing Date: March 21, 2022

Applicant: Kyle D. Monroe

Address: 49 Turning Leaf Drive, Pittsford, NY 14534

Phone: (585) 330-1078 E-Mail: kmonroe@peregrinecapitalpartners.com

Agent: NA
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Same as Applicant
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

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

Property Location: Pittsford Current Zoning: Residential Neighborhood

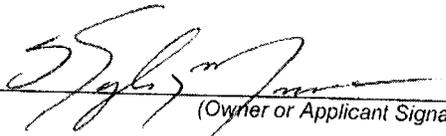
Tax Map Number: 264689 177.04-3-18

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

We have contracted with Design Pool & Spa, Ltd. and Graf's Lawn & Landscape Services, LLC for the construction of a 16' x 34' rectangle pool with stone/paver patio, stairs, seating wall and fireplace. We are seeking 1) a rear setback variance for the pool (Specifically, we are proposing 11 feet from the rear property line to waters edge of the pool. Currently the rear setback is 20 feet.), and 2) a pool equipment variance to locate the equipment on the side of the house, next to the generator, instead of the back of the house.

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)

February 17, 2022
(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:

Regarding the rear setback variance, the property backs up to Town of Pittsford greenspace where several other neighborhood pools appear to be in very close proximity to the respective rear property lines. Our request would result in a pool location that is not perceptively different from other pools in the immediate neighborhood (see attached satellite image). Specifically, we are proposing 11 feet from the rear property line to waters edge of the pool. Currently the rear setback is 20 feet.

Regarding the pool equipment variance: locating the pool equipment on the side of the house will allow us to have the equipment close to the existing generator and existing gas and electric lines. Locating the equipment near the existing generator will also allow us to optimize the usable space around the pool and not place the equipment in front of the basement windows (see attached photos). The existing generator is already below street grade and view. The proposed pool equipment location is below the grade of the generator and would be the least visible location possible for the rest of the neighborhood.

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

Without the variances requested we would need to design an unusually narrow pool.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested variances are minimal and in no way would result in a perceptible difference from other pools in the immediate neighborhood.

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

The requested variance will not have an adverse effect or impact as the new drainage will continue to be routed off of the property in a way that is consistent with current property drainage.

- **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, there is not an alternative site on our property that would not also require a variance.

Print Form

Reset Form

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

49 Turning Leaf Dr Pool & Pool Equipment Variance

(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...

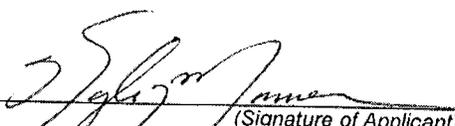
- change of zoning
- special permit
- building permit
- permit
- amendment
- variance
- approval of a plat
- exemption from a plat or official map

...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 17, 2022

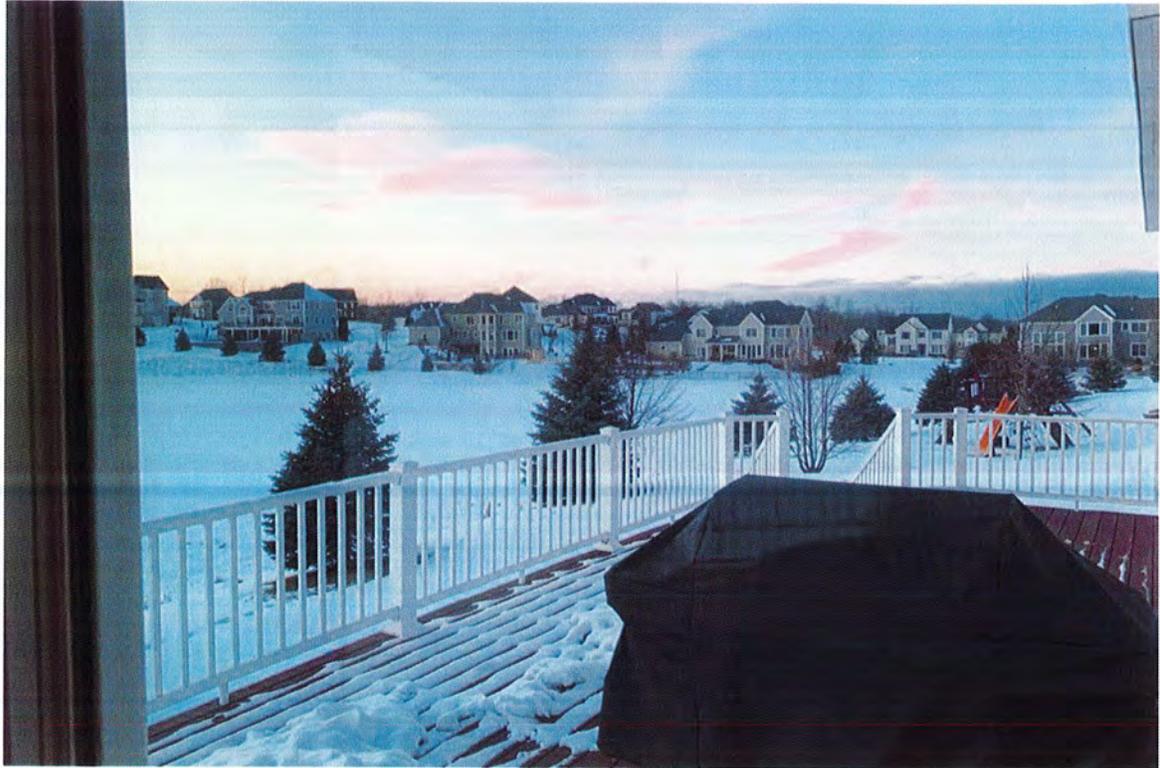
(Dated)

49 Turning Leaf Drive

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)









Zoning Board of Appeals Referral Form Information

Property Address:

35 Meadow Cove Road PITTSFORD, NY 14534

Property Owner:

Oleyourryk, Gregory J
35 Meadow Cove Rd
Pittsford, NY 14534

Applicant or Agent:

Integrated Power Supplies International Inc.
PO BOX 554
Henrietta, NY 14467

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:	15'	Left Lot Line:	12'	Left Lot Line:	3'
Front Setback:		Front Setback:		Front Setback:	
Rear Setback:		Rear Setback:		Rear Setback:	
Height:		Height:		Height:	
Size:		Size:		Size:	

Code Section(s): 185 - 17 E. (1)

Description: Applicant is requesting relief from Town to place a generator within the minimum side setback. This property is zoned Residential Neighborhood – (RN).

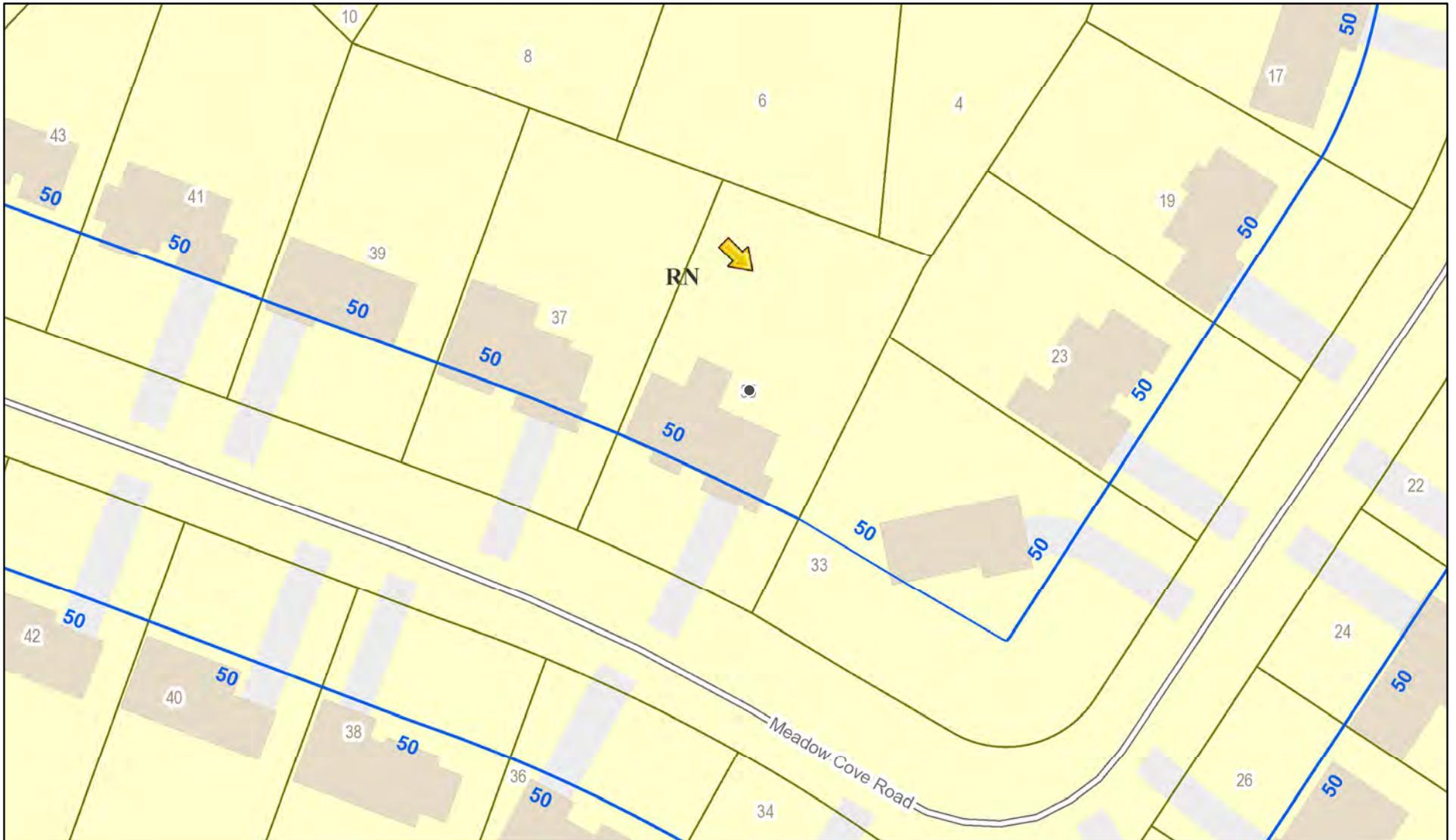
March 08, 2022



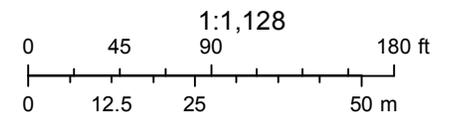
Date

Bill Zink -

RN Residential Neighborhood Zoning

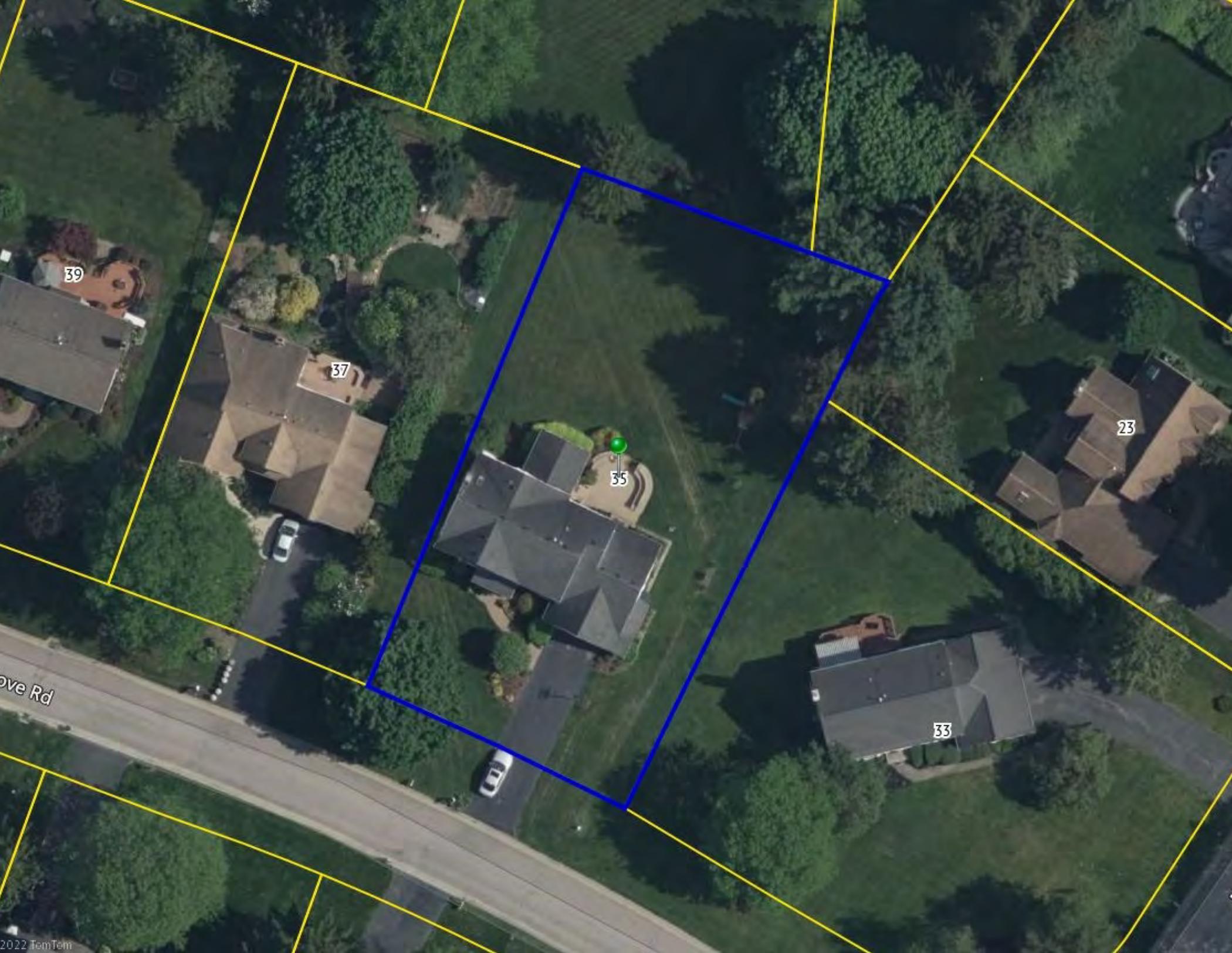


Printed March 8, 2022



Town of Pittsford GIS

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39

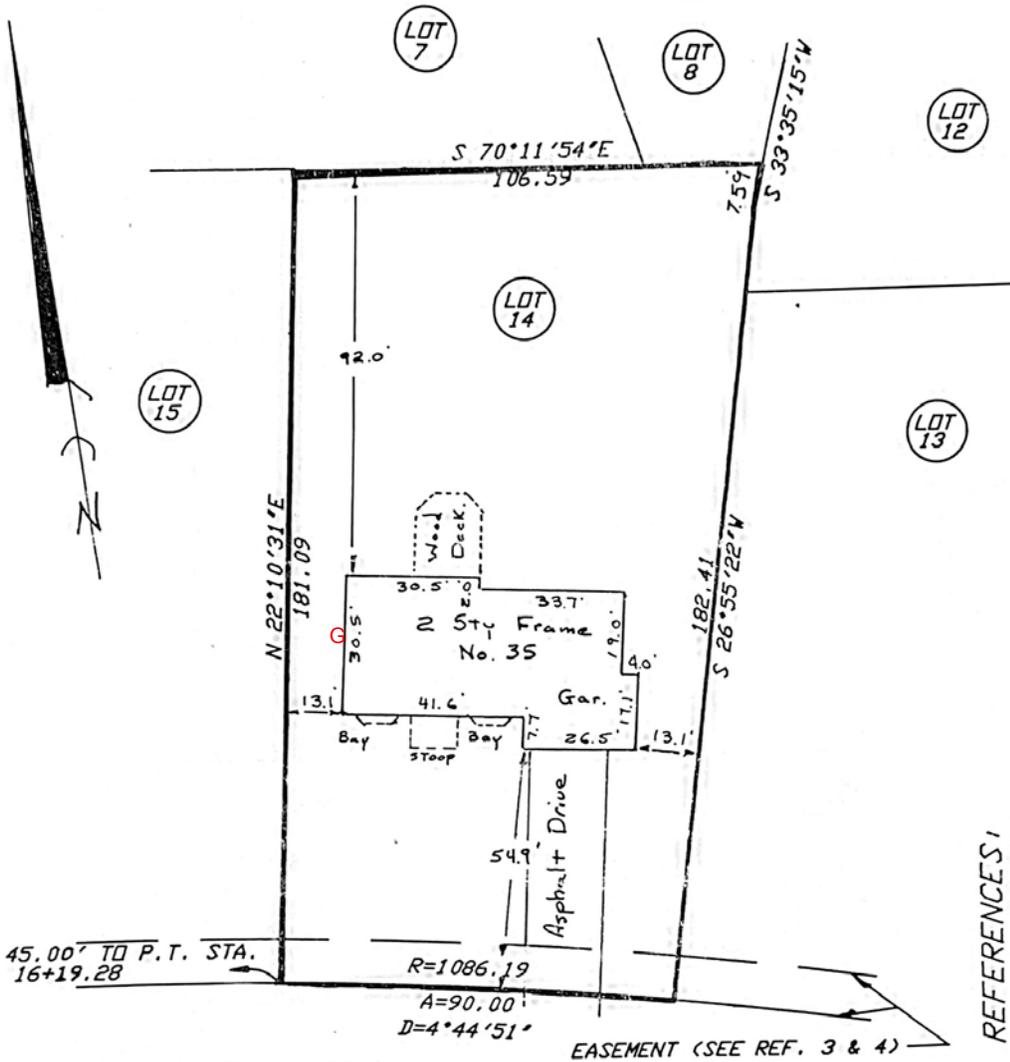
37

35

23

33

ove Rd



REFERENCES:

- 1, MAP OF MITCHELL ESTATES SUBDIVISION, FILED IN THE MONROE COUNTY CLERKS OFFICE IN LIBER 248, OF MAPS, PAGE 16.
- 2, SUBJECT TO DEED RESTRICTIONS PER LIBER 7255 OF DEEDS, PAGE 85.
- 3, SUBJECT TO AN EASEMENT TO GREATER ROCHESTER CABLEVISION PER: LIBER 7265 OF DEEDS, PAGE 127.
- 4, SUBJECT TO AN EASEMENT TO R.G. & E. PER LIBER 7246 OF DEEDS, PAGE 225.
- 5, PUBLIC ABSTRACT CORP., SEARCH No. 103182, LIBER 8866 OF DEEDS, PAGE 677.

MEADOW COVE (60.00' WIDE) ROAD

G=GENERATOR LOCATION

MAP OF AN INSTRUMENT SURVEY OF
35 MEADOW COVE ROAD
 BEING
LOT 14
 OF THE
MITCHELL ESTATES SUBDIVISION
 SITUATE IN THE

TOWN OF PITTSFORD, MONROE COUNTY, STATE OF NEW YORK
 SCALE 1 INCH = 40 FEET
 DATE: April 16, 2001

GROVER & BATES ASSOCIATES
 406 WEST SPRUCE STREET
 EAST ROCHESTER, NEW YORK 14445
 716-381-0021

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE N.Y.S. ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

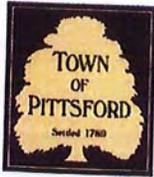
UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

WE, GROVER & BATES ASSOCIATES DO HEREBY CERTIFY TO THE FOLLOWING: 1, Gregory J. Oleyourryk; 2, Patricia S. Oleyourryk; 3, Flagstar Bank, FSB, its Successors And/or Assigns; 4, Robert Battista, Esq.; 5, The Title Insurance Company Insuring This Mortgage; 6, Oliver, Korts, Korona & Russell LLP; and 7, Calvin A. Brainard, Esq.,

THAT THIS MAP WAS MADE FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED ON APRIL 21, 1997, AND REDATED ON FEBRUARY 13, 2001.



JAMES E. BATES, JR. LIC No. 49464



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 2/14/2022 Hearing Date: 3/21/2022

Applicant: Terry Smith

Address: 1025 Rush Henrietta Town Line Road Rush, NY 14543

Phone: 585-404-6484 E-Mail: terrysp@ipsigenerators.com

Agent: _____
(if different than Applicant)

Address: _____
Phone: _____ E-Mail: _____

Property Owner: Patti Oleyourryk
(if different than Applicant)

Address: 35 Meadow Cove Pittsford NY 14534

Phone: 585-503-5574 E-Mail: Patti Oleyourryk@yahoo.com

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

Property Location: 35 Meadow Cove Current Zoning: RN

Tax Map Number: 164.12-2-14

Application For: Residential Commercial Other

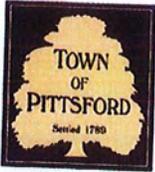
Please describe, in detail, the proposed project:

Installation of a GENERAL GENERATOR SYSTEM
10KW with a 16 Circuit Select partial transfer Switch.
Transfer Switch installed inside next to Panel
Generator installed between GAS meter & A/C unit.

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.

Terry Smith
(Owner or Applicant Signature)

2/14/2022
(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, Patti Oleyourryk, the owner of the property located at:
35 Meadow Cove Pittsford NY 14534
(Street) (Town) (Zip)

Tax Parcel # 164.17-2-14 do hereby authorize
Terry Smith to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of
Area Variance

[Signature]
(Signature of Owner)
2-14-2022
(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 generator that the customer is requesting to be installed on the west side of her home is only 6" into the set back. They already have a A/c unit installed on the same side of the house that is into the set back by 8". The generator will be installed between bushes and will not be seen.

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 rear yard has a hot tub and pool, the east side of the home does not have the gas meter located on it. The generator needs to be installed near the gas meter.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

Minimal - 6" is all we are requesting and if you look in the neighborhood A/C units are over the Set back Code

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:

All these homes have A/C units that are installed on the sides of the homes, plus there are many homes with generator systems. Precedence has already been set in place.

- **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 - This side of the home was built with the Gas meter on the west side of the home.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Generator placement
(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)

Tony Smith
(Signature of Applicant)

2/14/2022
(Dated)

1025 Rock Henrietta Town line Rd
(Street Address)

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

Zoning Board of Appeals Referral Form Information

Property Address:

4 Evesham Place PITTSFORD, NY 14534

Property Owner:

Chasman, Joyce A
4 Evesham Pl
Pittsford, NY 14534

Applicant or Agent:

Chasman, Joyce A
4 Evesham Pl
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:	Right Lot Line:	Right Lot Line:
Left Lot Line: 70'	Left Lot Line: 27'	Left Lot Line: 43.0'
Front Setback:	Front Setback:	Front Setback:
Rear Setback:	Rear Setback:	Rear Setback:
Height: 12'	Height: 12'2"	Height: 2.0"
Size: 180 SF	Size: 229 SF	Size: 49.0 SF

Code Section(s): 185 - 113 B. (1), (2) and 185 - 17, E

Description: Applicant is requesting relief from Town Code for a proposed 229 square foot 12'2" tall oversized and over height garage located less than the required minimum side setback. This property is zoned Residential Neighborhood – (RN).

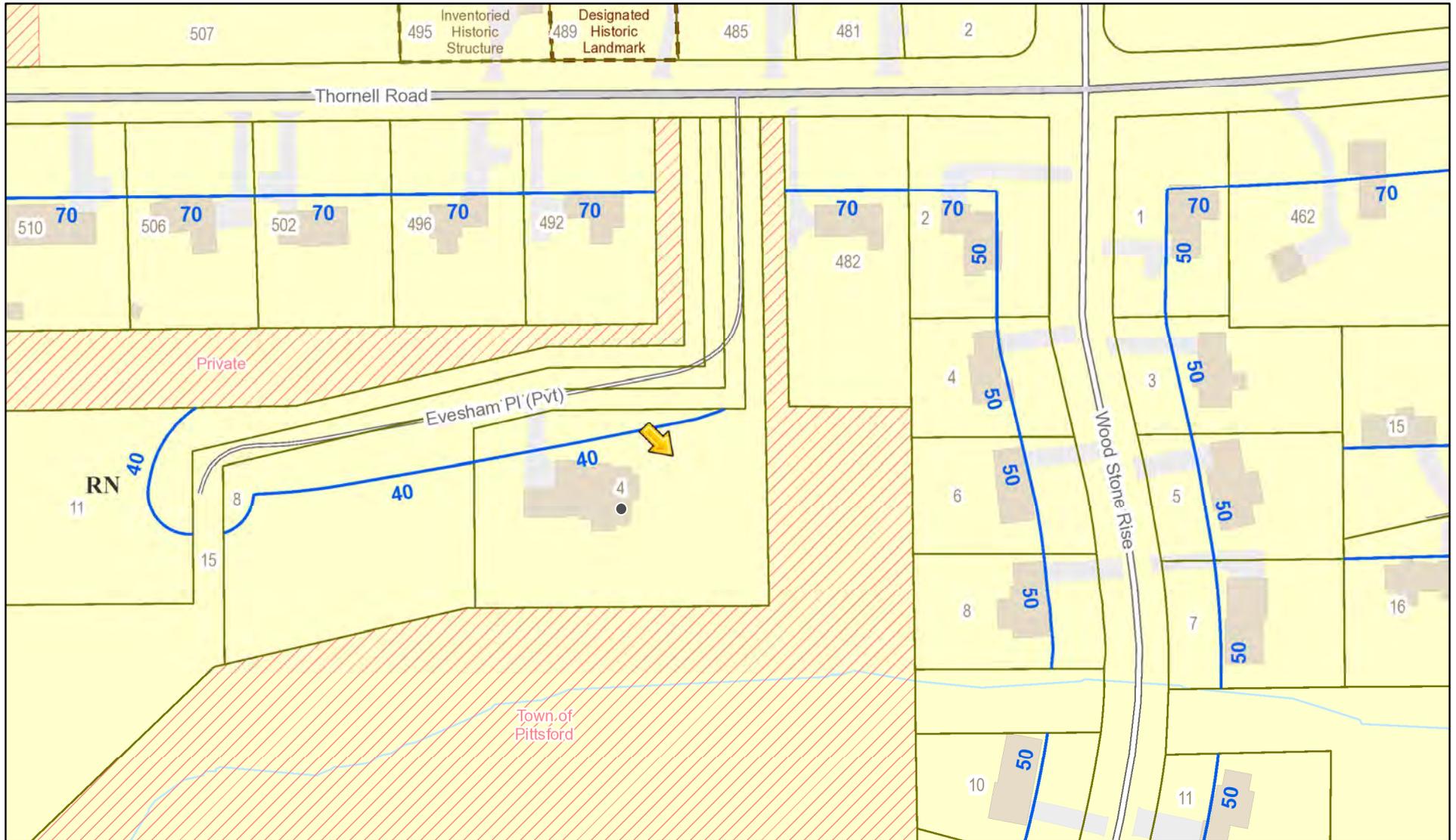
March 08, 2022



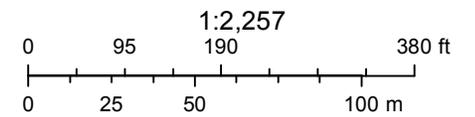
Date

Bill Zink -

RN Residential Neighborhood Zoning

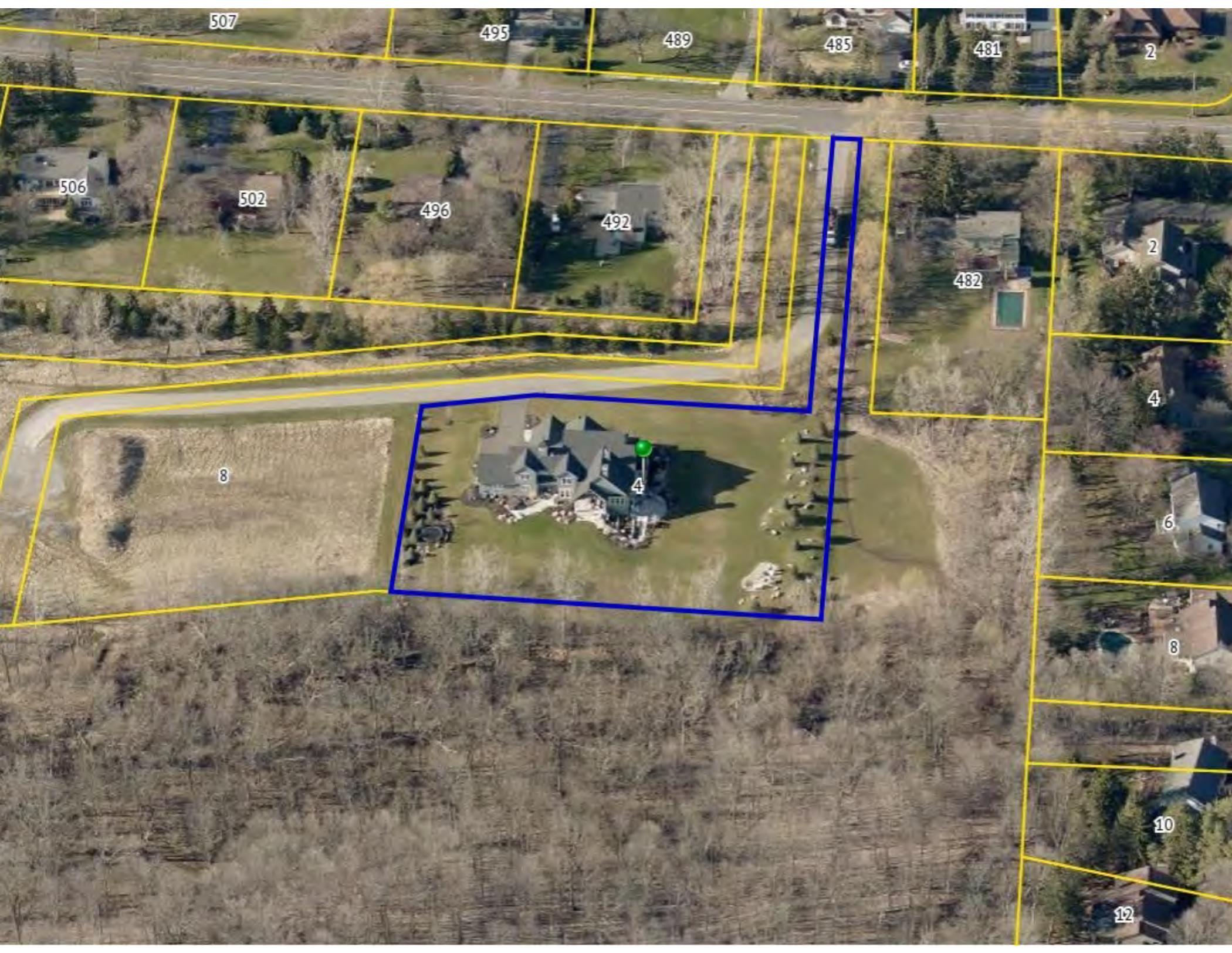


Printed March 8, 2022



Town of Pittsford GIS

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12



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 2/8/2022 Hearing Date: 3/21/2022

Applicant: DOUG AND JOYCE CHASMAN

Address: 4 EVESHAM PL PITTSFORD NY 14534

Phone: JOYCE: 585-662-7611 E-Mail: JOYCE@CHASMAN.ORG

Agent: JAMES R MCCARTHY - TED COLLINS TREES & LANDSCAPE
(if different than Applicant)

Address: 8000 VICTOR-MENDOO RD VICTOR NY 14564

Phone: 585-330-3130 E-Mail: JRMCCARTHY@TEDCOLLINS

Property Owner: _____
(if different than Applicant) T-L.COM

Address: _____

Phone: _____ E-Mail: _____

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

Property Location: 4 EVESHAM PL Current Zoning: PRESIDENTIAL

Tax Map Number: #178.03-02-50

Application For: Residential Commercial Other

Proposed Project Description:

- ❖ The proposed project includes the construction of a Conservatory/Greenhouse in the southeast portion of the subject property.
- ❖ A broken flagstone sitting currently exists within the proposed work area. The existing stone will be used to create a smaller sitting area adjacent to the Conservatory along with a step stone path from the existing patio on the east side of the house.
- ❖ The Conservatory measures 11'-1/2" x 19'-2" with a 2'-9" x 6'-2" entry bump out. The height of the structure is 12'-2".
- ❖ Total square footage of the Conservatory is 229.5 sq. ft.
- ❖ The conservatory is set on a stone veneered, concrete block foundation. The Conservatory itself is constructed out of powder coated steel and glass.

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

[Signature]
(Owner or Applicant Signature)

2/8/2022
(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, JOYCE CHASMAN, the owner of the property located at:
H Evesham Pl. Pittsford NY 14534
(Street) (Town) (Zip)

Tax Parcel # #178.03-02-50 do hereby authorize
James R. McCarthy, Ted Columns Trees, Landscape to make application to the
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of
VARIANCE APPEAL FOR A CONSERVATORY / GREENHOUSE

[Signature]
(Signature of Owner)
2/8/2022
(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:

Test Question 1:

- ❖ The requested variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties for the following reasons:
- ❖ Existing tree plantings and raised berm areas will help to visually screen and soften the views from adjacent properties.
- ❖ The placement of the Conservatory is approx. 160' off of the edge of Evesham Place (a private drive).
- ❖ Construction of the Conservatory will use materials to match the existing house construction.
- ❖ Landscape installations around the Conservatory will help the structure blend in with the current landscape.

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

Test Question 2:

- ❖ The benefit sought for the homeowners cannot be achieved from another method as the Conservatory is a prefabricated structure that is pieced together on site by agents of the manufacturer; Heartley Botanic Inc. of Woburn MA.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

Test Question 3:

- ❖ The requested area variance is minimal as the homeowners are requesting a structure of 229 sq. ft. in size vs the allowed size of 180 sq. ft.

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:

Test Question 4:

- ❖ The requested area variance will not have an adverse effect or impact on the physical or environmental condition of the neighborhood or zoning district as the overall additional size of the structure is minimally increased over what is allowed.
- ❖ Care will be taken with regard to construction material choices and landscape installations to allow the structure to blend with the existing conditions.
- ❖ The total sq. footage of the existing sitting area is 625 sq. ft. The total sq. footage of the proposed Conservatory and new sitting area will be 530 sq. ft.

- **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?

Test Question 5:

- ❖ The alleged difficulty is self-created as the Conservatory is a prefabricated structure that cannot be modified to fit within the allowed 180 sq. ft. area.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

CHASMAN RESIDENCE - CONSERVATORY / GREENHOUSE
(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] - Agent
(Signature of Applicant)

2/8/2022
(Dated)

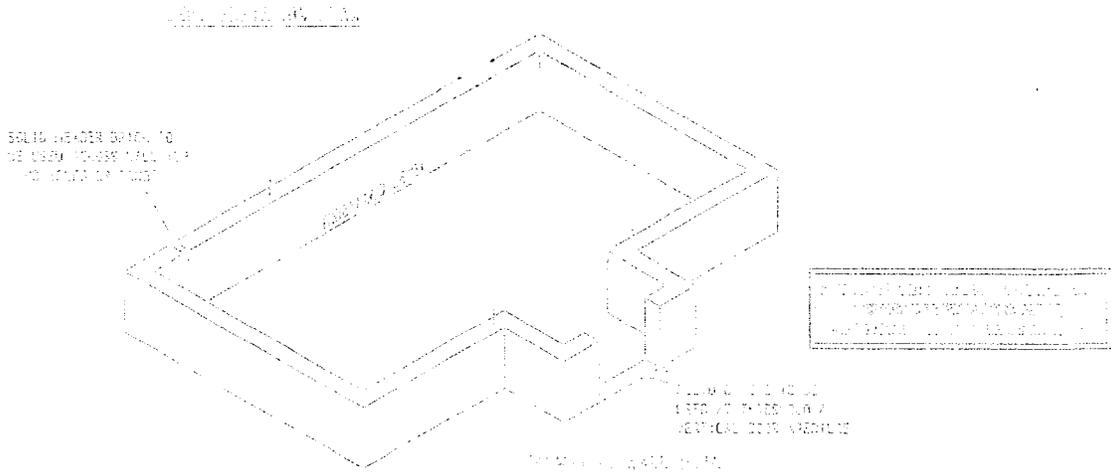
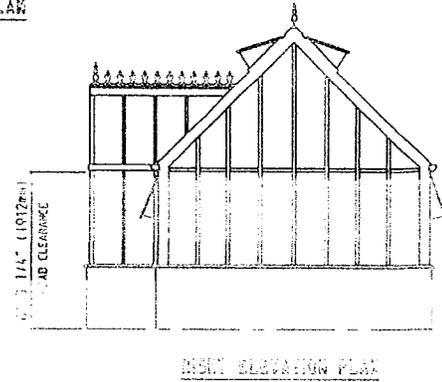
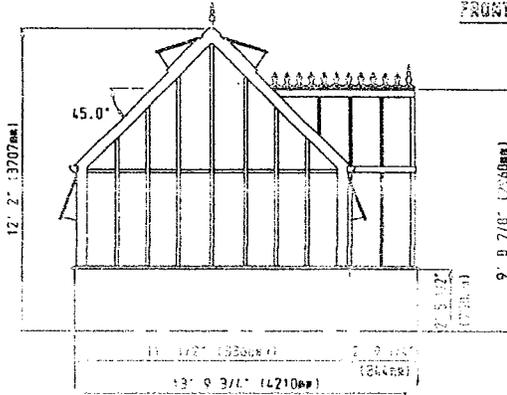
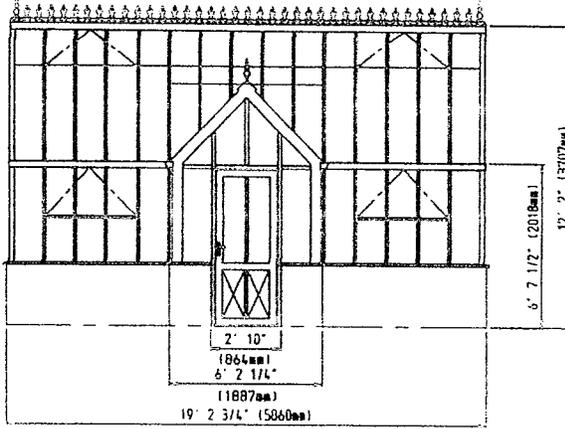
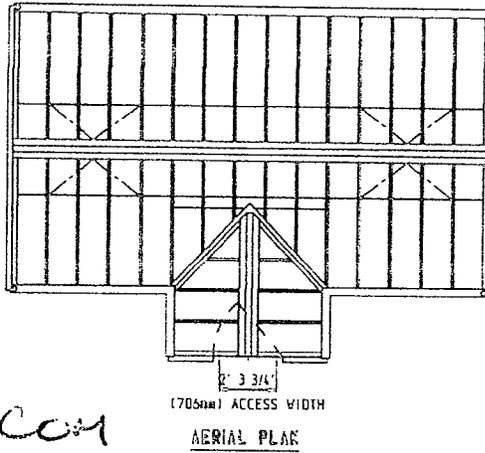
8000 VICTOR - MENDON Rd
(Street Address)

VICTOR NY 14567
(City/Town, State, Zip Code)



HARTLEY BOTANIC B

HARTLEY - BOTANIC - COM



PROPOSAL ONLY
The dimensions shown are approximate.

Zoning Board of Appeals Referral Form Information

Property Address:

3500 East Avenue ROCHESTER, NY 14618

Property Owner:

3500 East Avenue, LLC

Applicant or Agent:

3500 East Avenue, LLC

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

Town Code Requirement is:

Right Lot Line:
Left Lot Line:
Front Setback:
Rear Setback:
Height:
Size: 6 SF

Proposed Conditions:

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

Resulting in the Following Variance:

Right Lot Line:
Left Lot Line:
Front Setback:
Rear Setback:
Height:
Size: 4.0 SF

Code Section(s): 185 - 134 D. (4)

Description: Applicant is requesting relief from Town Code for the proposed 10 square foot oversized sign. This property is zoned Incentive Zoning.

March 08, 2022



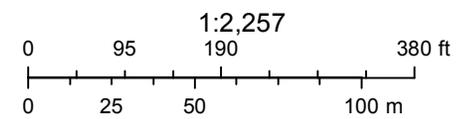
Date

Bill Zink -

RN Residential Neighborhood Zoning



Printed March 8, 2022



Town of Pittsford GIS

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3500

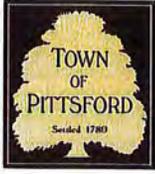
96

East Ave

East Ave

96

15



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: February 16, 2022 Hearing Date: _____

Applicant: Riedman Properties KP LLC

Address: 45 East Avenue

Phone: 585-232-2600 x119 E-Mail: jwatkins@riedman.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: 3520-3596 East Avenue Current Zoning: Incentive Zoning

Tax Map Number: 138.140-01-013.200

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Request a sign being 10 sq. ft. where a 6 sq. ft. sign is allowed.

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)

2-16-22

(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 sign plus the dark backdrop totals 10 sq. ft., but the area of the lettering measures just over 5 sq. ft.. The backing provides a contrast to the lettering.

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

Rather than have a second sign for the apartment building next door at 3500 East Avenue, (138.140-01-013.100) this sign will serve both properties.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The lettering of the sign is just over 5 sq. ft. The sign could be placed on a wall as high as 4 feet, however the wall it will sit on is 2 feet in height.

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 sign serves two properties which total over 1,000 feet of frontage on East Avenue. Along that frontage, there is mature vegetation.

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

5. Is the alleged difficulty self-created?

Yes

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Kilbourn Apartments

(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...

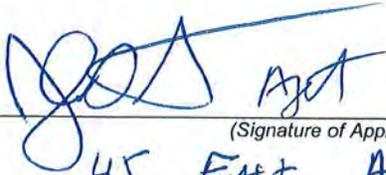
change of zoning special permit building permit permit amendment
 variance approval of a plat exemption from a plat or official map

...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)

45 East Avenue
(Street Address)

Rochester, NY 14604
(City/Town, State, Zip Code)

2-16-22
(Dated)

5'-0"

2'-0"

4.3 ft

1.2 ft

4'-0"

KILBOURN
PLACE ON EAST

Painted Aluminum
Cabinet on Base
By Others

Gemini Manufactured
Brush Gold
Cast Aluminum Letters

KILBOURN
PLACE OF EAST



