

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
AGENDA
March 20, 2023
7:00 PM**

APPLICATION FOR AN AREA VARIANCE - NEW

- 2490 Lehigh Station Road, Tax # 177.01-2-8.1, Applicant is requesting relief from Town Code §185-17 B. for the construction of a new front porch forward of the building line. This property is zoned Residential Neighborhood – (RN).
- 33 Aden Hill, Tax # 178.03-4-7, Applicant is requesting relief from Town Code §185-17 E. (1) to place a new home within the minimum side setback. This property is zoned Residential Neighborhood – (RN).
- 114 Sunset Boulevard, Tax # 167.10-4-23, Applicant is requesting relief from Town Code §185-17 B. for the construction of a new primary structure forward of the building line. This property is zoned Residential Neighborhood – (RN).

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MINUTES
FEBRUARY 20, 2023**

PRESENT

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

ALSO PRESENT

Kate Munzinger, Town Board Liaison; Bill Zink, Building Inspector; April Zurowski, Planning Assistant

ABSENT

Jim Pergolizzi

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, February 20, 2023, at 7:00 PM local time.

George Dounce, Chairperson called the regularly scheduled meeting of the Zoning Board of Appeals to order.

The applications before the Board this evening are Type II Actions under 6-NYCRR §617.5 (c) 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 HEARING FOR AN AREA VARIANCE - RETURNING

108 Stoneleigh Court, Tax # 138.18-1-13, Applicant is requesting relief from Town Code §185-17 E. for an addition (garage) encroaching into and not meeting the total required side yard setbacks. This property is zoned Residential Neighborhood – (RN).

This public hearing is open.

Patrick Morabito, of Morabito Architects, introduced the application. He gave the Board photos to show the existing conditions and garage to be demolished. The proposed garage will be within the side setback, but the existing garage is even further into the side setback. Chairman George Dounce asked the applicant for his proposed time frame for construction completion. Mr. Morabito stated that the applicant would like to begin work rather quickly. Board Member Spennacchio-Wagner asked the applicant if any landscaping or screening is proposed to mitigate neighbor impacts. Mr. Morabito stated that he is not aware of any proposed landscaping. Chairman Dounce acknowledged the neighbor's indication to install a fence along the property line.

Chairman Dounce asked for public comment. Hearing none, Board Member Serve motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

PUBLIC HEARING FOR AN AREA VARIANCE - NEW

31 Brickston Drive, Tax # 178.19-1-8, Applicant is requesting relief from Town Code §185-121 A. for a fence more than six feet in height. This property is zoned Residential Neighborhood – (RN).

Brian White, Land Surveyor at McMahon LaRue, introduced the application. He stated that the proposed fence will not sit directly atop the 6-foot retaining wall, but the entire facade will total 11 feet in height. The replacement will be lower in height than what exists now. Chairman Dounce asked if motorists will be able to see the wall and fence from the road. Mr. White stated that the wall and fence are in the backyard, but because of the total height, motorists may be able to see a small portion. Mr. White stated that the total height is requested for safety reasons. Neighbors have given positive feedback; Mr. White provided the Board with neighbor emails. Chairman Dounce asked the applicant for his proposed time frame for construction completion. Geoff Porosoff, of 31 Brickston Dr, stated that he anticipates completion by late Summer or early Fall.

Chairman Dounce asked for public comment. Hearing none, Board Member Iacobucci motioned to close the public hearing, seconded by Board Member Kidera. Following a unanimous voice vote, the hearing was closed.

PUBLIC HEARING FOR AN AREA VARIANCE - NEW

5637 Palmyra Road, Tax # 164.16-1-14, Applicant is requesting relief from Town Code §185-113 B. (1) (2) (3) and §185-17, L (1) for a proposed 288 square foot, 17 foot tall oversized and over height accessory structure, shed located forward of the rear wall and less than the required minimum side setback. This property is zoned Residential Neighborhood – (RN).

James Donsbach, of 5637 Palmyra Rd, introduced the application. He provided photos of existing conditions to the Board. He stated that adjacent neighbors will be shielded from the proposed structure through existing vegetation. He stated that neighbors were contacted and were not opposed. Mr. Donsbach explained that the proposed structure will be painted to match the house and landscaping will be added. The building is to be placed on support beams and no footing is proposed. The building is requested to be over-height so that the homeowner can store materials on top beams. Chairman Dounce asked if an attic is proposed for the building. Mr. Donsbach confirmed; he plans to use the loft area as storage. Board Member Iacobucci asked the height of the existing home compared to the new structure. Mr. Donsbach stated that the building will not be constructed taller than the existing home. Chairman Dounce asked the applicant for his proposed time frame for construction completion. Mr. Donsbach estimated mid to late Spring.

Chairman Dounce asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner. Following a unanimous voice vote, the hearing was closed.

DECISION FOR 108 STONELEIGH COURT – AREA VARIANCE

A written Resolution to grant the area variance for 108 Stoneleigh Court was moved by Board Member Barbara Serve and seconded by Board Member Mary Ellen Spennachio-Wagner.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Absent
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Iacobucci	Aye
Dounce	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 November 6, 2022.
2. All construction is to be completed by December 31, 2024.

DECISION FOR 31 BRICKSTON DRIVE – AREA VARIANCE

A written Resolution to grant the area variance for 31 Brickston Drive was moved by Board Member Phil Castleberry and seconded by Board Chairman George Dounce. George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Absent
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Iacobucci	Aye
Dounce	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 January 13, 2023.
2. This variance is contingent upon the applicant obtaining an approved Flood Plain Permit from the Town prior to commencing work.
3. All construction is to be completed by December 31, 2024.

DECISION FOR 5637 PALMYRA ROAD – AREA VARIANCE

A written Resolution to grant the area variance for 5637 Palmyra Rd was moved by Board Member Jennifer Iacobucci and seconded by Board Member Phil Castleberry.

George Dounce called for a roll call vote.

Servé	Aye
Pergolizzi	Absent
Spennacchio-Wagner	Aye
Castleberry	Aye
Kidera	Aye
Iacobucci	Aye
Dounce	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 January 13, 2023.
2. All construction is to be completed by December 31, 2024.

POINT PERSONS FOR MARCH 20, 2023, MEETING

2490 Lehigh Station Rd – Tom Kidera
33 Aden Hill – George Dounce
114 Sunset Blvd – Mary Ellen Spennacchio-Wagner

MINUTES AND ADJOURNMENT

The Board corrected the January 16, 2023, minutes to remove Board Member Castleberry from the “present” list. Chairman George Dounce motioned to approve the minutes of January 16, 2023, seconded by Board Member Phil Castleberry. Following a unanimous voice vote, the minutes were approved.

The meeting was adjourned at 7:49PM.

Respectfully submitted,

April Zurowski
Planning Assistant

Zoning Board of Appeals Referral Form Information

Property Address:

2490 Lehigh Station Road PITTSFORD, NY 14534

Property Owner:

Kody Young
2490 Lehigh Station Rd
Pittsford, NY 14534

Applicant or Agent:

Kody Young

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

Town Code Requirement is:

Right Lot Line:
Left Lot Line:
Front Setback: 30'
Rear Setback:
Height:
Size:

Proposed Conditions:

Right Lot Line:
Left Lot Line:
Front Setback: 22'
Rear Setback:
Height:
Size:

Resulting in the Following Variance:

Right Lot Line:
Left Lot Line:
Front Setback: 8.0'
Rear Setback:
Height:
Size:

Code Section(s):

Description: Applicant is requesting relief from Town Code §185-17 B. for the construction of a new front porch forward of the building line. This property is zoned Residential Neighborhood – (RN).

March 02, 2023



Date

Bill Zink - Building Inspector



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: _____ Hearing Date: _____

Applicant: KODY YOUNG

Address: 2490 LEHIGH STATION RD

Phone: (435) 229-9090 E-Mail: Kody.young@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: 2490 LEHIGH STATION RD Current Zoning: RESIDENTIAL

Tax Map Number: 177.01-2-8.1

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

DEMO A COVERED PORCH AND REPLACE IT WITH A COVERED PORCH SET FURTHER BACK FROM THE ROAD. THE NEW COVERED PORCH WILL EXTEND ALONG THE SAME PLANE AS AN EXISTING ROOF LINE ON THE 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)

02/01/23
(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 NEW PORCH IS MUCH MORE AESTHETICALLY PLEASING THEN THE ONE BEING DEMOED. AS THE PARCEL WHERE THE HOME IS LOCATED IS 3.2 ACRES, THERE ARE NO DIRECT NEIGHBORS WHO WOULD HAVE THEIR NEIGHBORHOOD CHANGED AND/OR SUFFER A DETRIMENT TO THEIR PROPERTIES.

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 HOME WAS BUILT PRIOR TO AREA VARIANCES, SO IT SITS WITHIN THE REQUIRED SETBACK AS-IS. IN ORDER TO BUILD A NEW PORCH, RE-ENCROACHMENT ON THE SETBACK IS UNAVOIDABLE. IN OR TO REMODEL THE FACE OF THE HOME, A VARIANCE IS REQUIRED.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

THE REQUESTED VARIANCE IS ACTUALLY A STEP BACK FROM THE GRANDFATHERED VARIANCE EXISTING ON THE PROPOSED DEMOED PORCH. THE NEW PORCH WILL ACTUALLY ENROACH LESS ON THE REQUIRED SETBACK. THE VARIANCE IS MINIMAL REGARDLESS, AS IT IS ONLY 36-40" OFF THE EXISTING FACE OF THE HOME.

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:

PLEASE SEE RESPONSE TO QUESTION 1.

- 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 EXISTING HOUSE AND COVERED PORCH WERE BUILT PRIOR TO CURRENT CODE. THEREFORE, IN ORDER TO REMODEL THE HOME, AND MINOR CHANGES SUCH AS THIS WILL REQUIRE A VARIANCE BECAUSE THE ~~UNMANTAINED~~ BUILDABLE FOOTPRINT WILL BE IN THE CURRENT SETBACK ZONE.

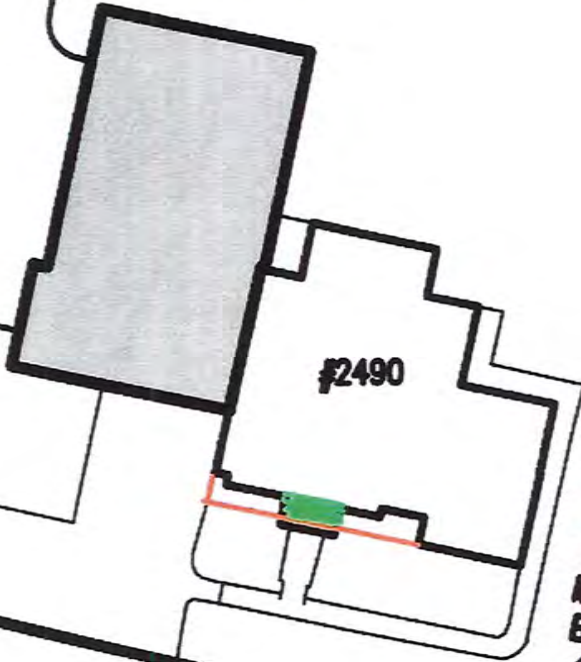
PITTSFO

PROPOSED PRIVATE ROAD A

LOT 4

#2490

— REMOVE (DEMO)
— ADD (NEW COVERED PORCH)
EXISTING MASONRY BUILDING





Zoning Board of Appeals Referral Form Information

Property Address:

33 Aden Hill PITTSFORD, NY 14534

Property Owner:

Wilshire Hill LLC
1501 State Route 96 Ste 100
Victor, NY 14564

Applicant or Agent:

Wilshire Hill LLC
1501 State Route 96 Ste 100
Victor, NY 14564


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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:
Right Lot Line:	7.5'	Right Lot Line:	6.5'	Right Lot Line: 1.0'
Left Lot Line:		Left Lot Line:		Left Lot Line:
Front Setback:		Front Setback:		Front Setback:
Rear Setback:		Rear Setback:		Rear Setback:
Height:		Height:		Height:
Size:		Size:		Size:

Code Section(s):

Description: Applicant is requesting relief from Town of Pittsford Planning Board final approval of a Section 278 cluster subdivision's minimum side setback. After construction was complete the new home was found to be constructed within the minimum side setback. This property is zoned Incentive Zoning (IZ).

March 07, 2023



Date

Bill Zink - Building Inspector



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: February 10, 2023 Hearing Date: March 20, 2023

Applicant: Wilshire Hill LLC

Address: 1501 Pittsford Victor Rd Victor NY 14564

Phone: (585) 424-4444 E-Mail: noah@pmhomes.com

Agent: Noah Saulpaugh

(if different than Applicant)
Address: 2161 Monroe Wayne County Line Rd Macedon NY 14502

Phone: (585) 734-7404 E-Mail: noah@pmhomes.com

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: 33 Aden Hill Pittsford NY 14534 Current Zoning: Residential

Tax Map Number: 178.03-4-70 (Lot 18c)

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

We are requesting a area variance for the above address as we have encroached on the side setback. The house is currently 12 inches over the side setback at the rear southern corner of the house. The encroachment has a total area of 8.5 sqft that is over the side setback. This issue was identified when we requested the final survey. At no point does the house get any closer than the minimum 15 ft separation that is required in this subdivision. We are set at 16.6 at the closest point between houses. We have spoke with the southern neighbor on lot 19c and discussed this with them. They have spoke with their real estate attorney and have responded back to us that they have no objection to the area variance that we are requesting. We have provided them with a map as well so that they could see the limited impact that the encroachment on the side setback has to their property. We have agreed to work with them in spring on blending the two lawns together. We have also made our buyers on lot 18c aware of the encroachment and they have no objections to the area variance that we are requesting as it has little to no impact for either property. We believe that this is a result of a layout error during stake out and/or during the foundation placement that caused this issue. As soon as we were notified of this issue we contacted the town to make them aware and started the process of talking with the two property owners to have full disclosure. Please see the attached maps showing the area that is effected by the encroachment.

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.

Noah Saulpaugh
(Owner or Applicant Signature)

2/14/2023
(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, Wilshire Hill LLC , James Barbato , the owner of the property located at:
33 Aden Hill Pittsford NY 14534
(Street) (Town) (Zip)

Tax Parcel # 178.03-4-70 do hereby authorize
Noah Saulpaugh 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 for a side setback encroachment at lot 18c Wilshire Hill


(Signature of Owner)
2-14-23
(Date)

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

As stated previously we feel that the area variance is minimal and has little to no effect on either property nor surrounding properties. It is a total of 8.5 sqft and we still are 16.6 ft of separation between house on lot 18c and 19c. The house was set at 6.5 ft and the minimum set back is 7.5 so we are looking for 1 ft of relief to the side set back.

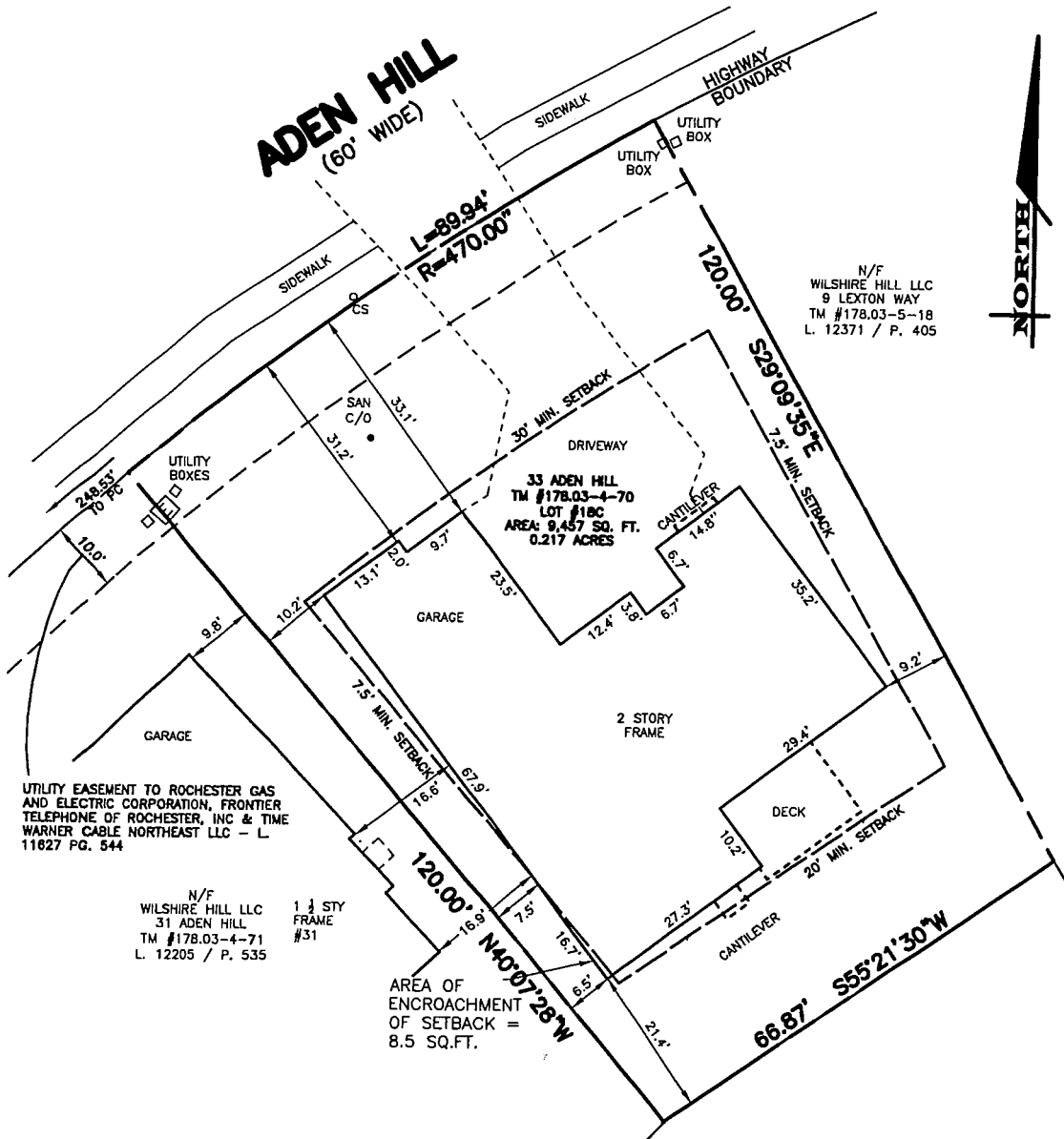
4. Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:

We feel this requested variance will not have any adverse effects on the neighborhood because we still have maintained a distance between house over the minimum 15ft side yard separation even though we are over the side setback on lot 18c. The closet point as built is 16.6 ft between houses. this will match the typical distances in the neighborhood.

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

5. Is the alleged difficulty self-created?

Yes this is self created. From our discovery on why this happened we have come to a conclusion that at some point either during the stake out prior to dig or at the time of the mason placing the foundation in the excavated hole that a measurement was pulled incorrectly. we are unsure the exact cause but we do no that at some point the house got turned slightly causing the encroachment.



N/F
 WILSHIRE HILL LLC
 9 LEXTON WAY
 TM #178.03-5-18
 L. 12371 / P. 405

UTILITY EASEMENT TO ROCHESTER GAS AND ELECTRIC CORPORATION, FRONTIER TELEPHONE OF ROCHESTER, INC & TIME WARNER CABLE NORTHEAST LLC - L. 11827 PG. 544

N/F
 WILSHIRE HILL LLC
 31 ADEN HILL
 TM #178.03-4-71
 L. 12205 / P. 535

AREA OF ENCROACHMENT OF SETBACK = 8.5 SQ.FT.

MINIMUM SETBACKS:
 FRONT: 30'
 SIDE: 7.5'
 REAR: 20'

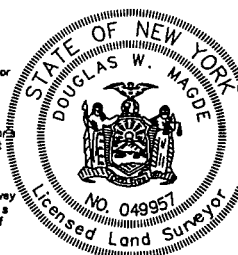
*PROPERTY MAY BE SUBJECT TO DECLARATION OF RESTRICTIVE COVENANTS FILED FEBRUARY 5, 2016 AS LIBER 11654 PAGE 349

- REFERENCES:
1. "WILSHIRE HILL SUBDIVISION-SECTION 2A" FILED AUGUST 13, 2015 AS LIBER 350 OF MAPS, PAGE 67.
 2. CROSSROADS ABSTRACT SEARCH #2135C18 LAST DATED JAN 3, 2022

CERTIFY TO:
 Lien Tu
 Danning Liao
 1st Priority Mortgage, Inc., its successors and/or assigns
 First American Title Insurance Company
 Gallo & Iacovangelo, LLP

WE, MARATHON ENGINEERING, HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM NOTES OF A FIELD SURVEY COMPLETED ON JANUARY 10, 2023 AND FROM THE REFERENCES LISTED HEREON. SUBJECT TO ANY FACTS AN UPDATED ABSTRACT OF TITLE MAY REVEAL.

Certifications hereon are not transferable.
 The location of underground improvements or encroachments are not always known and often must be estimated.
 Only boundary survey maps with the surveyor's embossed seal are genuine true and correct copies of the surveyor's original work and opinion.
 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
 COPYRIGHT © 2023 MARATHON ENG.



Douglas W. Magde
 DOUGLAS W. MAGDE, L.S. LIC. #049957

File: LOT 118 (MST.dwg), Plot Date: 2/16/2023, 9: DOUG MAGDE



JOB NO: 8142-21
 SCALE: 1" = 20'
 DRAWN: AS
 DESIGNED: DWM
 DATE: 01/17/23

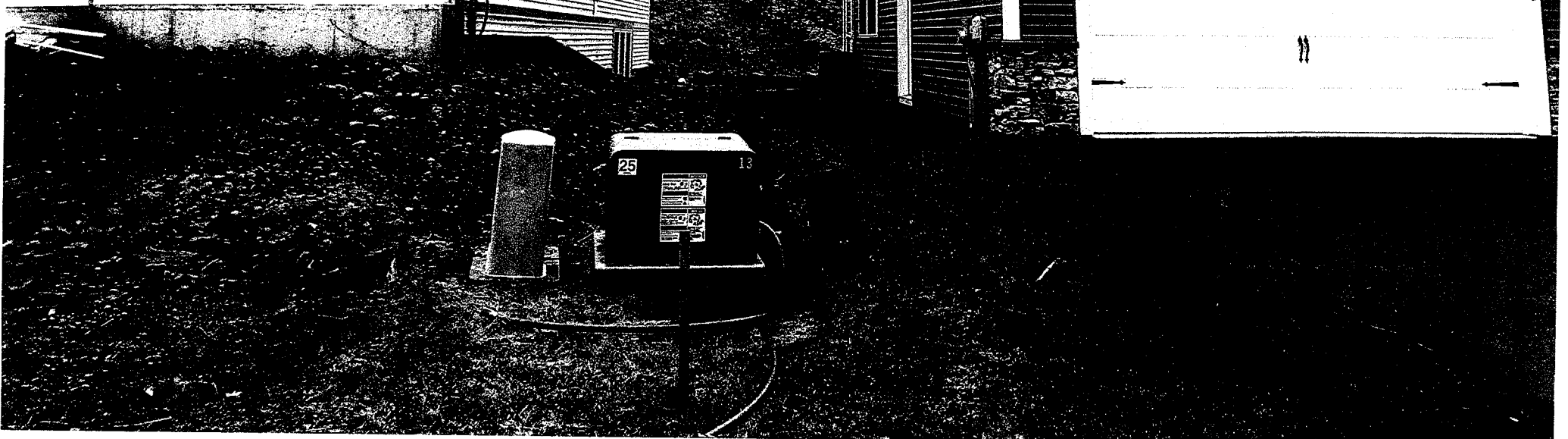
TITLE:
SURVEY MAP
LOT 18C
WILSHIRE SUBDIVISION
SECTION 2A
 TOWN OF PITTSFORD MONROE COUNTY NEW YORK



HomeWrap HomeWrap HomeWrap



3
1



Zoning Board of Appeals Referral Form Information

Property Address:

114 Sunset Boulevard PITTSFORD, NY 14534

Property Owner:

Sarajlic, Vedrana
114 Sunset Blvd
Pittsford, NY 14534

Applicant or Agent:

Sarajlic, Vedrana
114 Sunset Blvd
Pittsford, NY 14534

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

Town Code Requirement is:

Right Lot Line:
Left Lot Line:
Front Setback: 70'
Rear Setback:
Height:
Size:

Proposed Conditions:

Right Lot Line:
Left Lot Line:
Front Setback: 56.5'
Rear Setback:
Height:
Size:

Resulting in the Following Variance:

Right Lot Line:
Left Lot Line:
Front Setback: 13.5'
Rear Setback:
Height:
Size:

Code Section(s):

Description: Applicant is requesting relief from Town Code §185-17 B. for the construction of new primary structure forward of the building line. This property is zoned Residential Neighborhood – (RN).

March 02, 2023



Date

Bill Zink - Building Inspector



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: February 17, 2023 Hearing Date: March 20, 2023

Applicant: William C. Dean, AIA

Address: 4234 Hogmire Road, Avon, NY 14414

Phone: (585) 729-7460 E-Mail: deanarchitect@frontiernet.net

Agent: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

Property Owner: Vedrana Sarajlic and John Bell
(if different than Applicant)

Address: 114 Sunset Boulevard, Pittsford, NY 14534

Phone: (585) 424-0357 E-Mail: Vedrana.Sarajlic@L3Harris.com, johnbellteam@gmail.com

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

Property Location: 114 Sunset Boulevard, Pittsford, NY 14534 Current Zoning: NR Neighborhood Residential

Tax Map Number: 164.100-04-023

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

The owner requests permission to demolish the existing 1,872 S.F., 4-bedroom and 2-bath residence along with the patio and pool, and construct a new 3,180 S.F., 4-bedroom and 3.5-bath residence on the same site. The project will include site work intended to address existing drainage problems that have affected the structural integrity of the existing building.

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.

William C. Dean, Jr.
(Owner or Applicant Signature)

02/17/2023
(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:

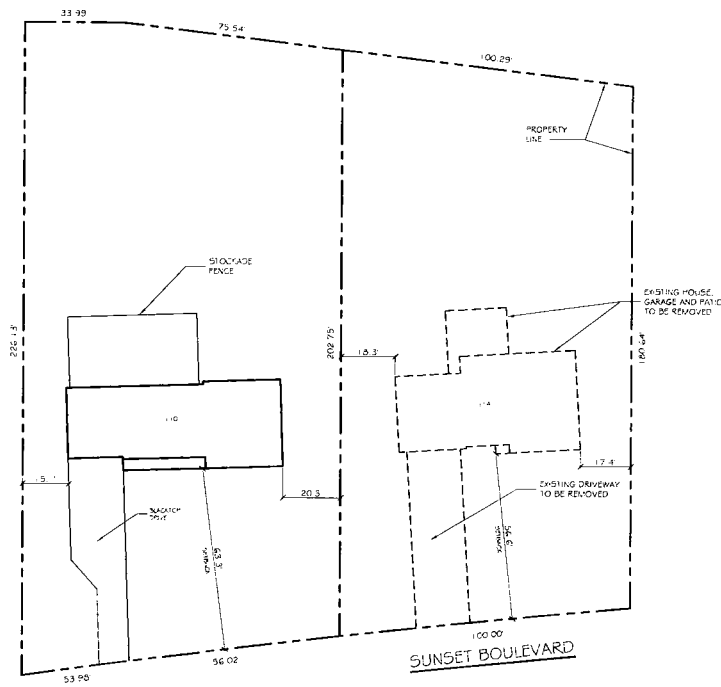
(Please answer the following questions to the best of your knowledge)

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 change will allow the proposed residence to have the same setback as the existing residence that the owner is seeking approval to demolish. There will be no undesirable change in the character of the neighborhood and no detriment to nearby properties because the proposed setback will be consistent with the other preexisting nonconforming setbacks of those nearby properties.

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 sought by the owner/applicant is to have a new residence with a consistent setback to nearby properties so that it does not appear out of place. Following the current setback guidelines implemented after construction of the existing residence would make the proposed residence appear out of place.



110 Sunset Boulevard
 Reference survey information from Tri County Land
 Surveys, LLC, dated October 11, 2005

114 Sunset Boulevard
 Reference survey information from Birsch Land
 Surveys, dated January 10, 2011



ARCHITECT

William C. Dean, AIA
 4234 Hogmire Road
 Avon, New York 14414
 585-729-7460
 e-mail: deanarchitect@frontiernet.net

DATE:
 2.17.2023

PROJECT:

PROPOSED RESIDENCE:
 114 Sunset Boulevard
 Pittsford, New York 14534

DRAWING

C-1