

**AGENDA  
TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
MAY 19, 2025**

*This agenda is subject to change.*

Please take notice that the Town of Pittsford Zoning Board of Appeals will hold the following meeting on Monday, May 19, 2025, in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street, and beginning at 6:30PM local time.

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**CONTINUED HEARING**

**2 Round Trail Drive – Tax ID 164.19-1-59**

Applicant is requesting relief from Town Code Sections 185-113 C. (3) for the construction of permanent play equipment in the side yard area. This property is zoned Residential Neighborhood (RN).

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**NEW HEARINGS**

**726 Stone Road – Tax ID 164.13-1-34**

Applicant is requesting relief from Town Code Section 185-17 E. for the construction of a garage not meeting the minimum side setback. This property is zoned Residential Neighborhood (RN).

**17 Whitley Court – Tax ID 177.03-2-64**

Applicant is requesting relief from Town Code Section 185-113 C. (1) for the construction of an oversized pavilion exceeding 225 square feet and the total square footage of roofed or enclosed accessory structures exceeding 320 square feet. This property is zoned Residential Neighborhood (RN).

**157 W Jefferson Road – Tax ID 164.01-1-3**

Applicant is requesting relief from Town Code Section 185-113 C. (3) for the construction of an in-ground pool in the side yard area. This property is zoned Residential Neighborhood (RN).

**121 Van Voorhis Road – Tax ID 192.07-1-1**

Applicant is requesting relief from Town Code Sections 185-113 C. (1) and (2) for the construction of an oversized and over height detached garage exceeding 225 square feet and exceeding 12 feet in height, and the total square footage of roofed or enclosed accessory structures exceeding 320 square feet. This property is zoned Residential Neighborhood (RN).

**15 Stonington Drive – Tax ID 178.09-2-3**

Applicant is requesting relief from Town Code Section 185-113 C. (3) for the construction of a shed in the side yard area. This property is zoned Planned Unit Development (PUD).

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**OTHER BUSINESS**

**Approval of Minutes**

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*The next scheduled meeting is for Monday, June 16, 2025.*

# Zoning Board of Appeals Referral Form Information

**ZB25-000005**

**Property Address:**

2 Round Trail Drive PITTSFORD, NY 14534

**Property Owner:**

Pruitt, Raymond S  
2 Round Trail Dr  
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	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:** Applicant is requesting relief from Town Code Sections 185-113 C. (3) for the construction of permanent play equipment in the side yard area. This property is zoned Residential Neighborhood (RN).

**Staff Notes:** This play equipment was already partially constructed when a Building Inspector inspected the site after a code complaint. The applicant was notified of the need for a variance and has now submitted an application.

March 19, 2025

ARZ

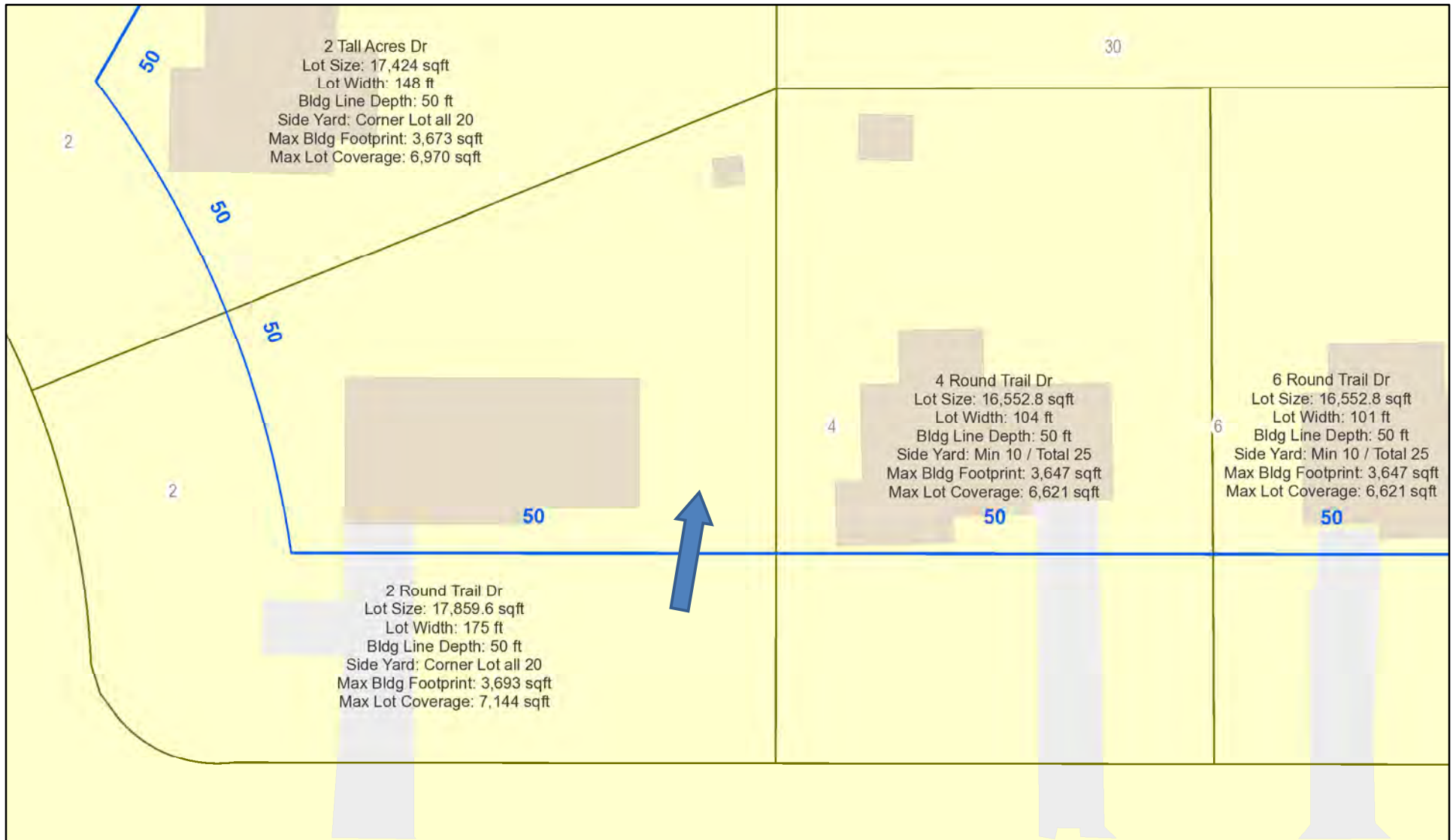
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Date

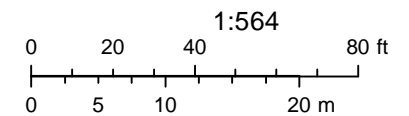
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April Zurowski -

# 2 Round Trail Drive



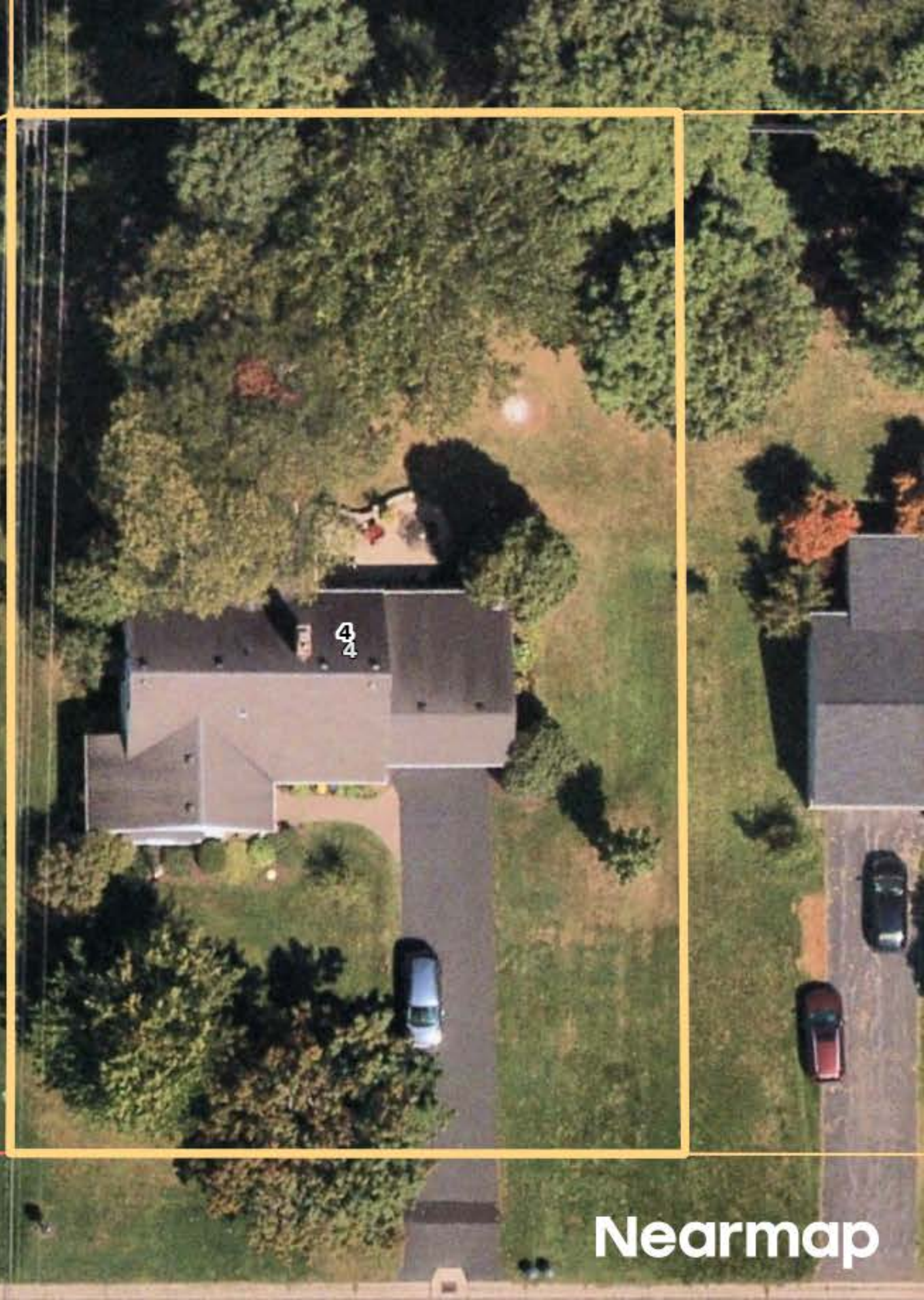
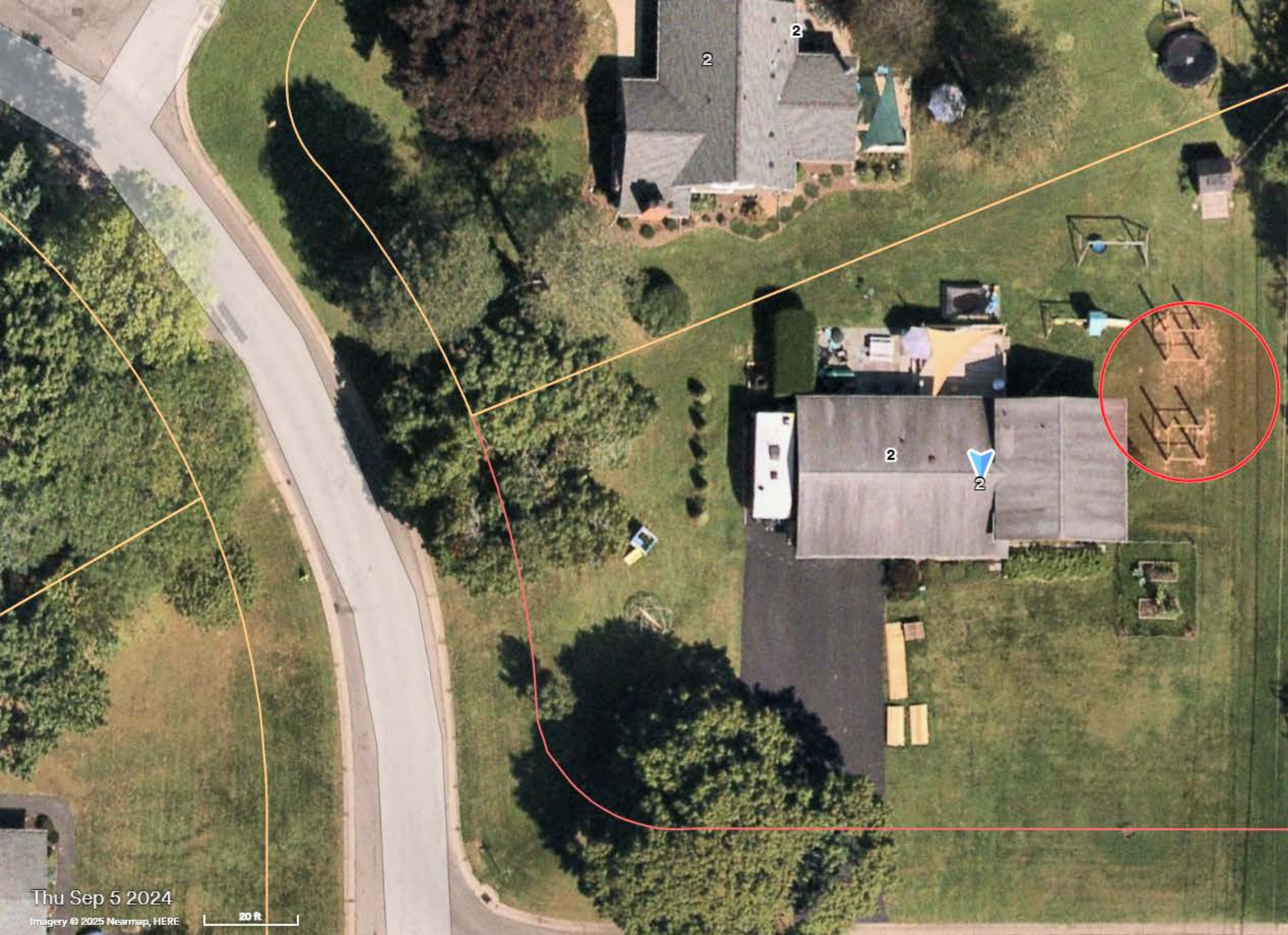
Printed March 19, 2025



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.





Thu Sep 5 2024

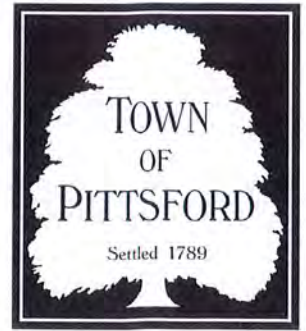
Imagery © 2025 Nearmap, HERE

20 ft

Nearmap



# MEMORANDUM



**To:** Zoning Board of Appeals

**CC:**

**From:** April Zurowski, Planning Assistant

**Date:** May 2, 2025

**Regarding:** Pending Variance Application at 2 Round Trail Drive

Members of the ZBA,

During our meeting in April, we opened a hearing for a variance at 2 Round Trail Drive for the construction of a permanent play structure in the side yard area. At that time, the most immediate neighbor, at 4 Round Trail Drive, spoke on the impacts to his property and requested screening to shield the play structure from view of his kitchen window. Following the meeting, the applicant, Mr. Pruitt, met with the neighbor, Mr. Esposito, on the options for screening. I then received this email:

Ray,

Thanks for taking the time to meet with me on this topic earlier this evening. As discussed, I would like to see the following:

- At least 6' tall deer-resistant arborvitae (variety to be determined - options include Emerald Green, Thuja Green, etc.) placed in a row arrangement no more than 6' on center (ideally 4' on center) beginning at the front wall of the house and extending back to the rear wall of the play structure along the easement line on your property
- These shrubs should be professionally installed (an installer should include a warranty to cover the installation)
- It should be your responsibility to maintain any greenery installed and/or replace these shrubs in a timely fashion if they fail

I look forward to reviewing your proposal.

Best,

Nick Esposito

Mr. Pruitt stated that this was not mutually agreed upon. At this time, Mr. Pruitt is not proposing any screening on the basis that the structure was partially constructed before the neighbor purchased the home. He has submitted photos from the online listing of 4 Round Trail Drive, including the view from the kitchen window when the home was listed for sale.

Mr. Pruitt will be returning in front of the Board at the May 19<sup>th</sup> meeting. Please contact me if you have any questions about the revised submission.

Thank you,

April Zurowski  
Planning Assistant





## Kitchen Window

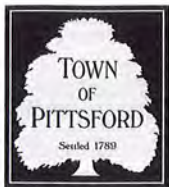
Image from house listing. 4 Round Trail Dr.



## Dining Room Windows

Image from house listing. 4 Round Trail Dr.





2B25-000005  
**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
APPLICATION FOR AREA VARIANCE**

**Submission Date:** March 14, 2025 **Hearing Date:** April 21, 2025

**Applicant:** Raymond Pruitt

**Address:** 2 Round Trail Dr. Pittsford, NY 14534

**Phone:** (315) 879-7227 **E-Mail:** raymond.s.pruitt@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:** Residential Neighborhood

**Tax Map Number:** 164.19-1-59

**Application For:** ☒ **Residential** ☐ **Commercial** ☐ **Other**

Please describe, in detail, the proposed project:

I am seeking a variance to complete the construction of a children's outdoor play structure. The structure consists of two sections with a bridge between them. Section one is complete. Construction of section two and the bridge between them has been paused waiting on approval from the Town of Pittsford. The placement of section two is restricted as outlined later in the application. The variance is requested because the farthest point of section two would be twelve feet forward of the rear wall of the house. The structure is six and a half feet by eight feet with a deck height of seven feet and a maximum height of eleven and a half feet, consisting of railing and top of posts.

**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.

Raymond A. Pruitt  
(Owner or Applicant Signature)

3/14/25  
(Date)

April's Renew Copy





# 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 variance will not produce an undesirable change in the character of the neighborhood for many reasons. Most notable is the fact the variance is for a child play structure. The neighborhood is full of families with children that agree a play structure is a benefit. Only the east neighbor would be impacted as the placement of the structure is on the east side of the property. Please note that property has recently sold. With current trees and the addition of two new trees being planted in the spring visibility of the structure from the road (Round Trail dr.) will be minimal.

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 variance is needed. There are obstacles in all directions except to the south. There are utility lines running along the east property line and a ten foot right of way for RGE. There are power and utility lines on an angle connecting to the house bisecting the back yard reducing placement options even further. There is a shed in the north east corner of the property. The house also has a different setback compared to the rest of the street. The house is approximately 10 feet farther back from the road compared to all other homes on the street. Those 10 feet would almost completely eliminate the need for this variance. Please see attached diagrams.



## **TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

Taking into account all of the factors this request is minimal. The first half of the structure is fifteen feet to the north of section two. Any person concerned with seeing the new structure would still see the first one regardless. The appearance of an object does not change much between 75 and 90 feet away. The addition of two deciduous trees to match the aesthetic of the neighborhood will be planted in the south east quadrant of the property to aid in screening.

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

The variance will have a neutral or positive impact on the neighborhood and environment. The number of families in the neighborhood has been increasing. Academic research continues to prove that our children are spending too much time inside and on digital devices. This play structure will provide a safe and welcoming place for my children and their neighborhood friends. The approval of this variance is also a testament to the Pittsford's commitment to children and their well being.

- **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 necessity of a variance is self created. My wife and I chose to have children and chose to live in Pittsford. We want to create an outdoor space that will keep them engaged and challenged. We believe that our family values and the values of the Town of Pittsford are aligned when it comes to positive impacts for children. We are simply asking for your support as we do the best we can for our children.



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Outdoor play structure

(Project Name)

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

☐ Town Board ☒ Zoning Board of Appeals ☐ Planning Board ☐ Architectural Review Board

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

☐ change of zoning ☐ special permit ☐ building permit ☐ permit ☐ amendment

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

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

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

Name(s)

Address(es)



(Signature of Applicant)

March 14, 2025

(Dated)

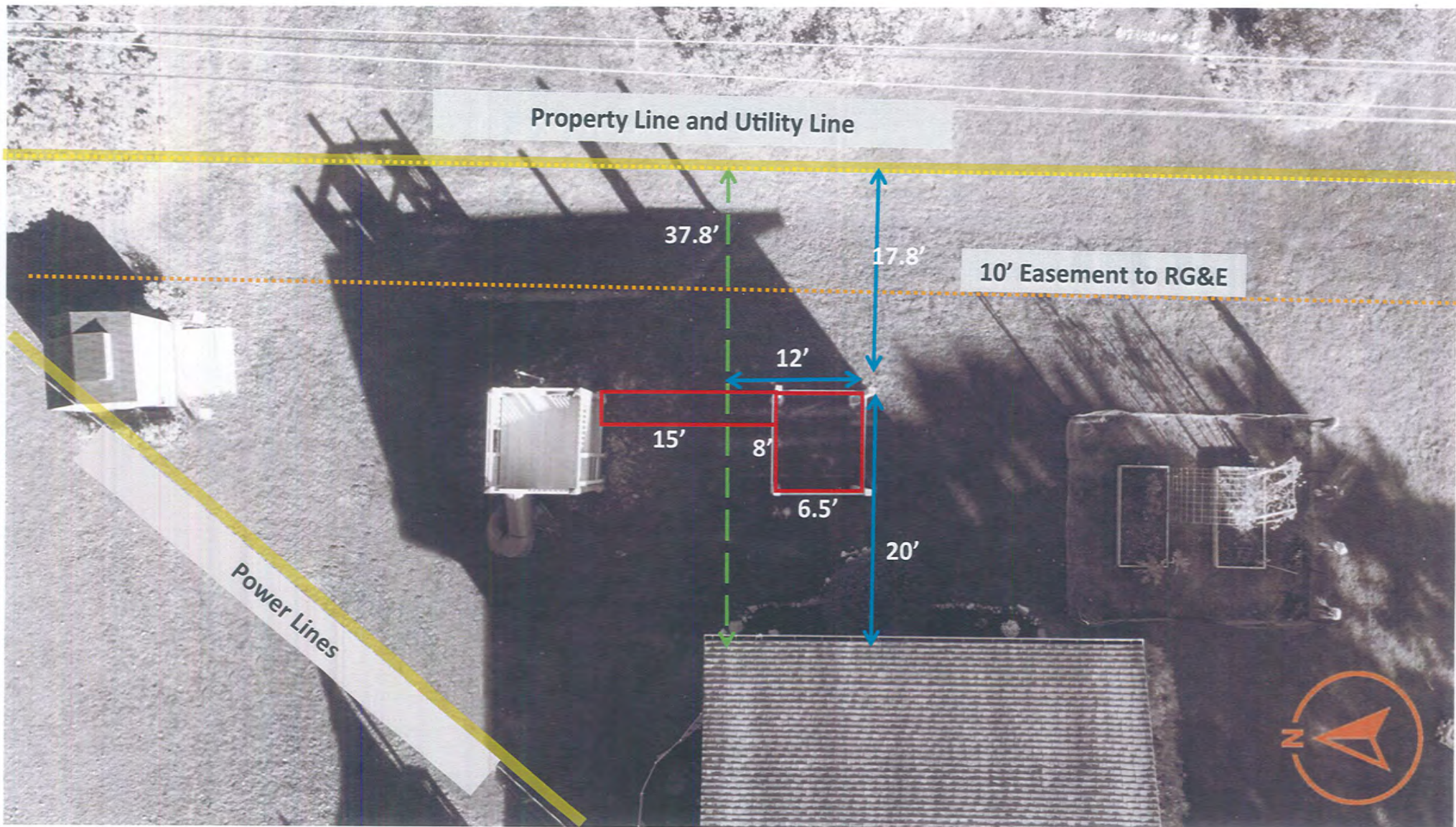
2 Round Trail Dr.

(Street Address)

Pittsford, NY 14534

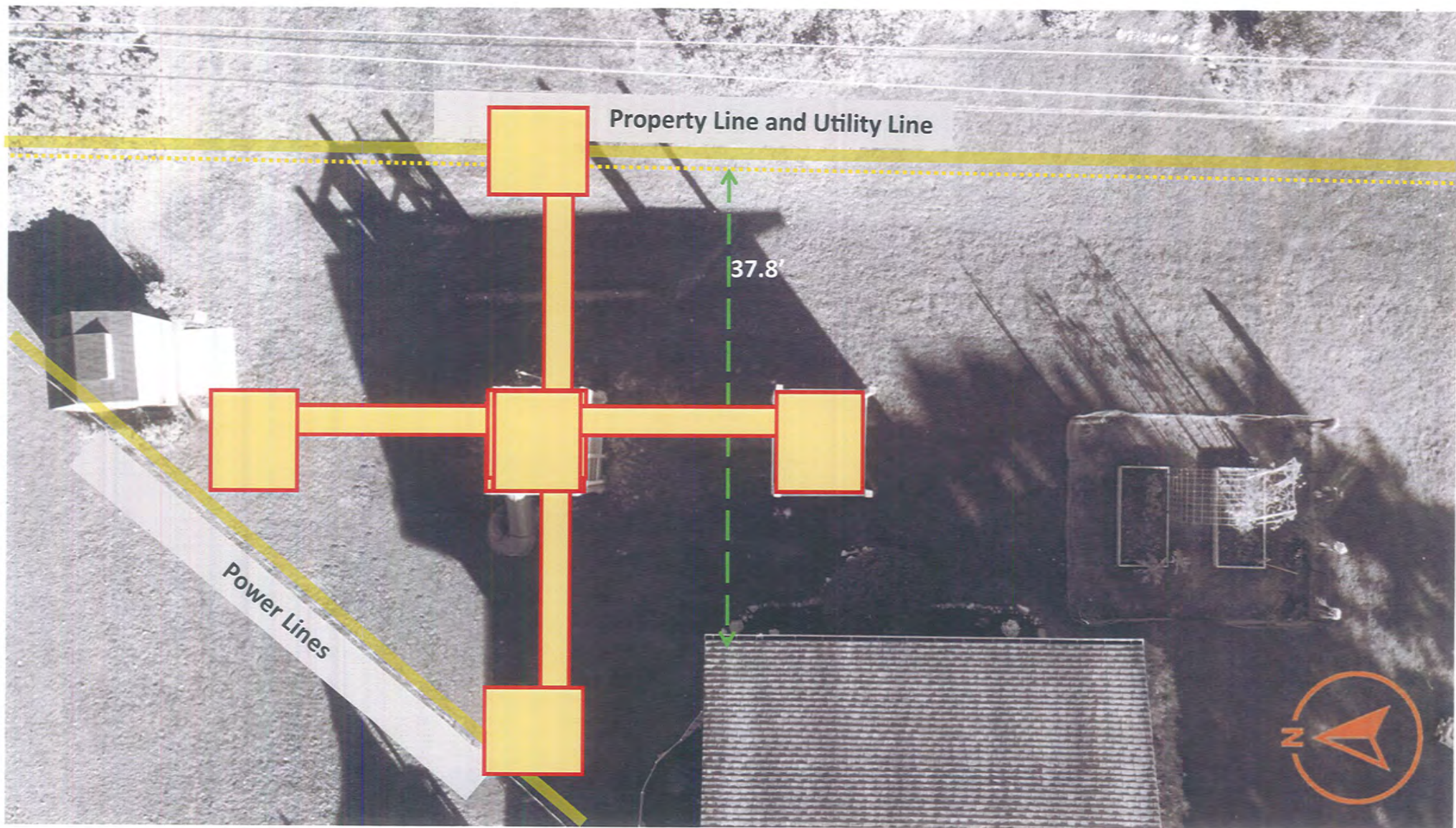
(City/Town, State, Zip Code)





Location of second structure.





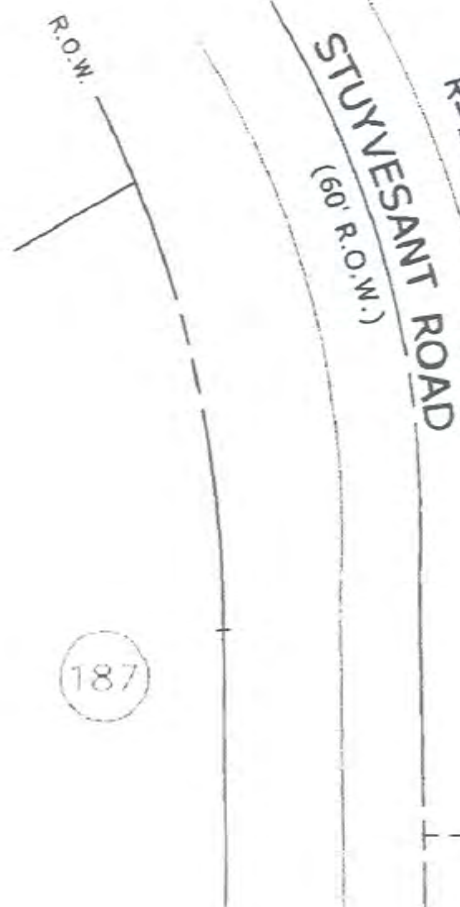
Limited placement options.





BOUNDARY SYMBOL KEY	
⊙	5/8" REBAR SET

SETBACKS:  
FRONT = 50'



R.O.W.  
STUYVESANT ROAD  
(60' R.O.W.)

L=65.04'  
R=242.73'  
c/o

SECTION 2  
SECTION 6

Δ=86°55'16" MEAS.  
L=45.51' MEAS.  
R=30.00'  
(Δ=83°47'05" MAP)  
(L=43.82' MAP)

N67°28'57"E 190.62'

92

20' WIDE TRANSMISSION LINE  
EASEMENT TO RG&E LIBER  
152 OF MAPS. PAGE 52

93

STEPS

66.9' 26.3' 26.3' 66.9'

GARAGE SPLIT LEVEL FRAME

PORCH

ASPHALT DRIVE

SETBACK LINE

2ND STORY OVERHANG  
24.1'X1.0'

New Trees

S89°09'00"W 130.00'

ROUND TRAIL DRIVE

(60' R.O.W.)

SECTION 2  
SECTION 4  
PP

60

SECTION 4  
SECTION 6

N00°51'00"W 160.00'

94



R.O.W.





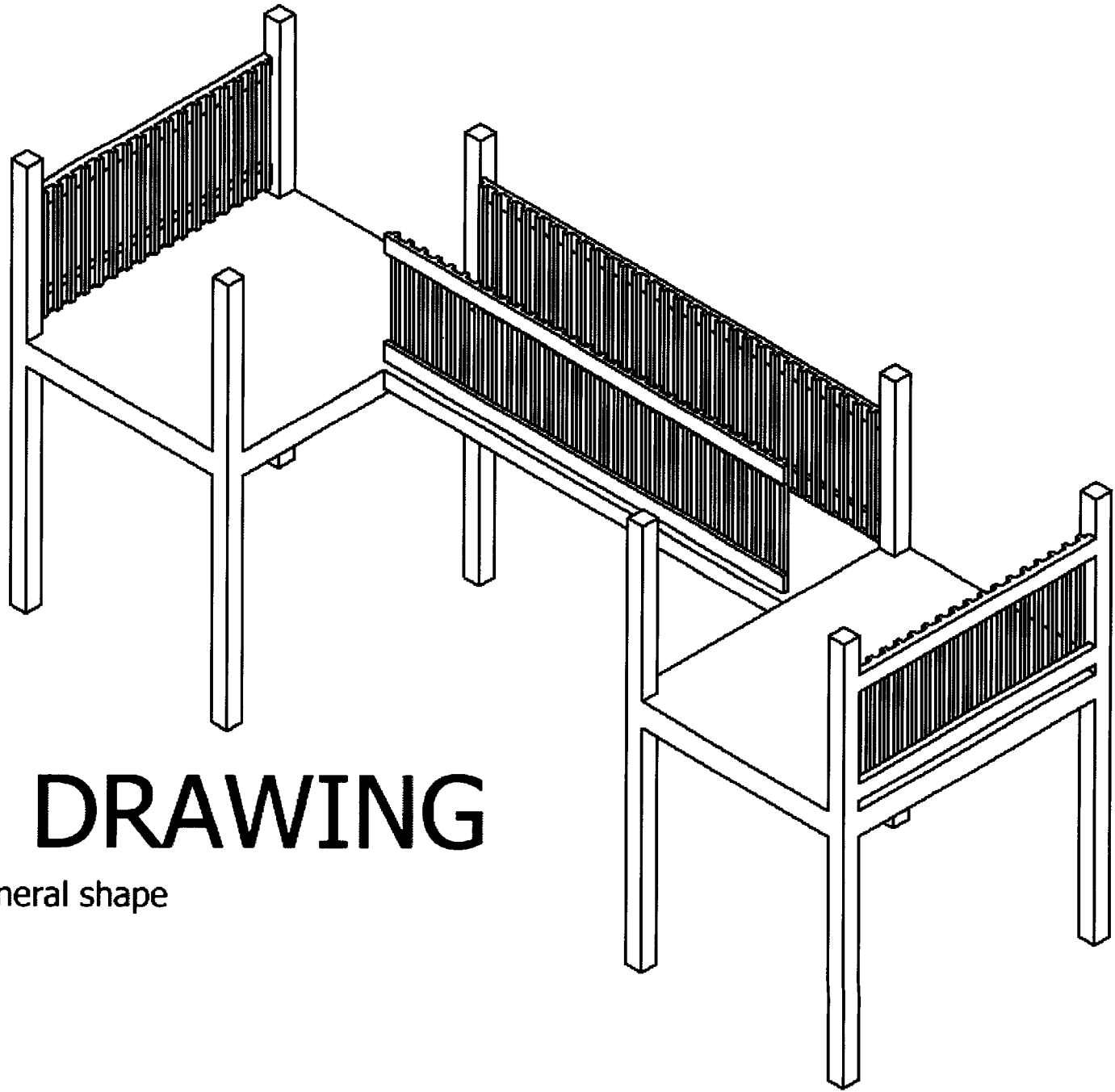
Only House on the street with a different set back from the road. This results in a substantially smaller back yard.





Current state of project. 3/11/25





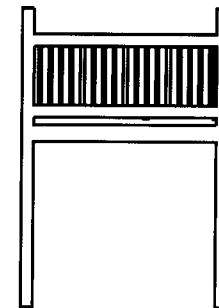
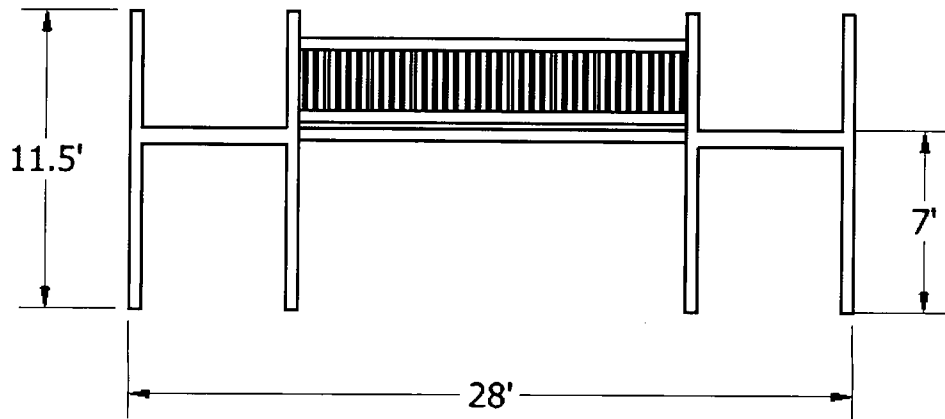
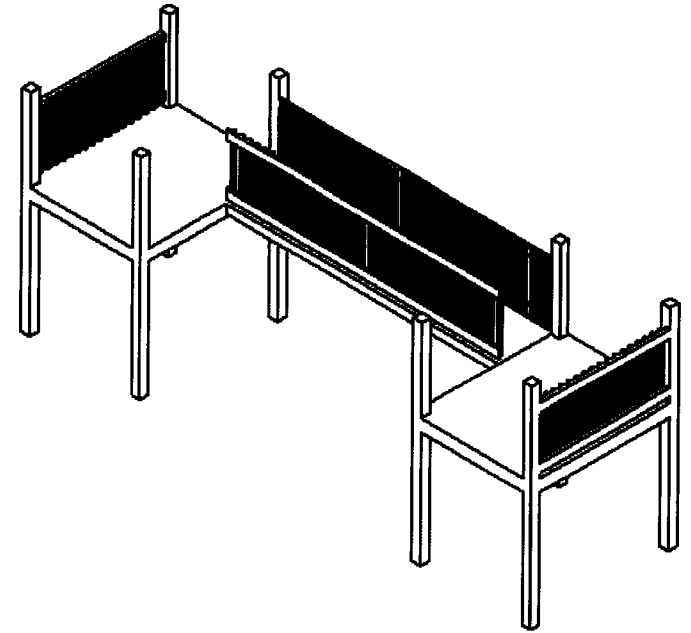
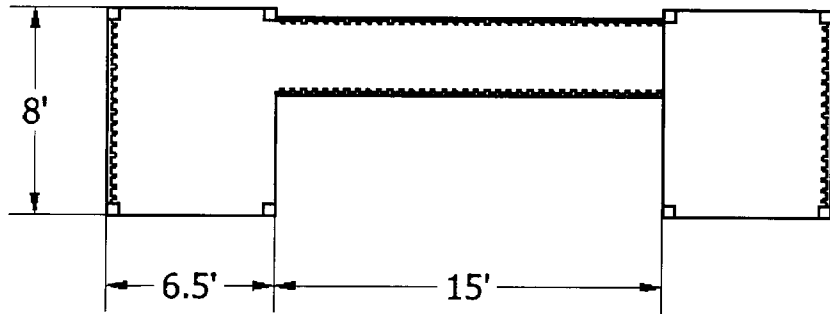
# SAMPLE DRAWING

to better understand general shape



# SAMPLE DRAWING

to better understand general shape





# Zoning Board of Appeals Referral Form Information

**ZB25-000006**

**Property Address:**

726 Stone Road PITTSFORD, NY 14534

**Property Owner:**

Kramer, Anne V  
726 Stone Rd  
Pittsford, NY 14534

**Applicant or Agent:**

Rodney Prosser of Lakeside Engineering, PC

**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:	20	Right Lot Line:	16.4	Right Lot Line:	3.6
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

**Code Section:** Applicant is requesting relief from Town Code Section 185-17 E. for the construction of a garage not meeting the minimum side setback. This property is zoned Residential Neighborhood (RN).

**Staff Notes:** The existing home sits at 16.4 feet from the right property line and the applicant is requesting to remove this section and replace it with a garage at the same side setback. There is no increase in existing setback conditions.

April 14, 2025

ARZ

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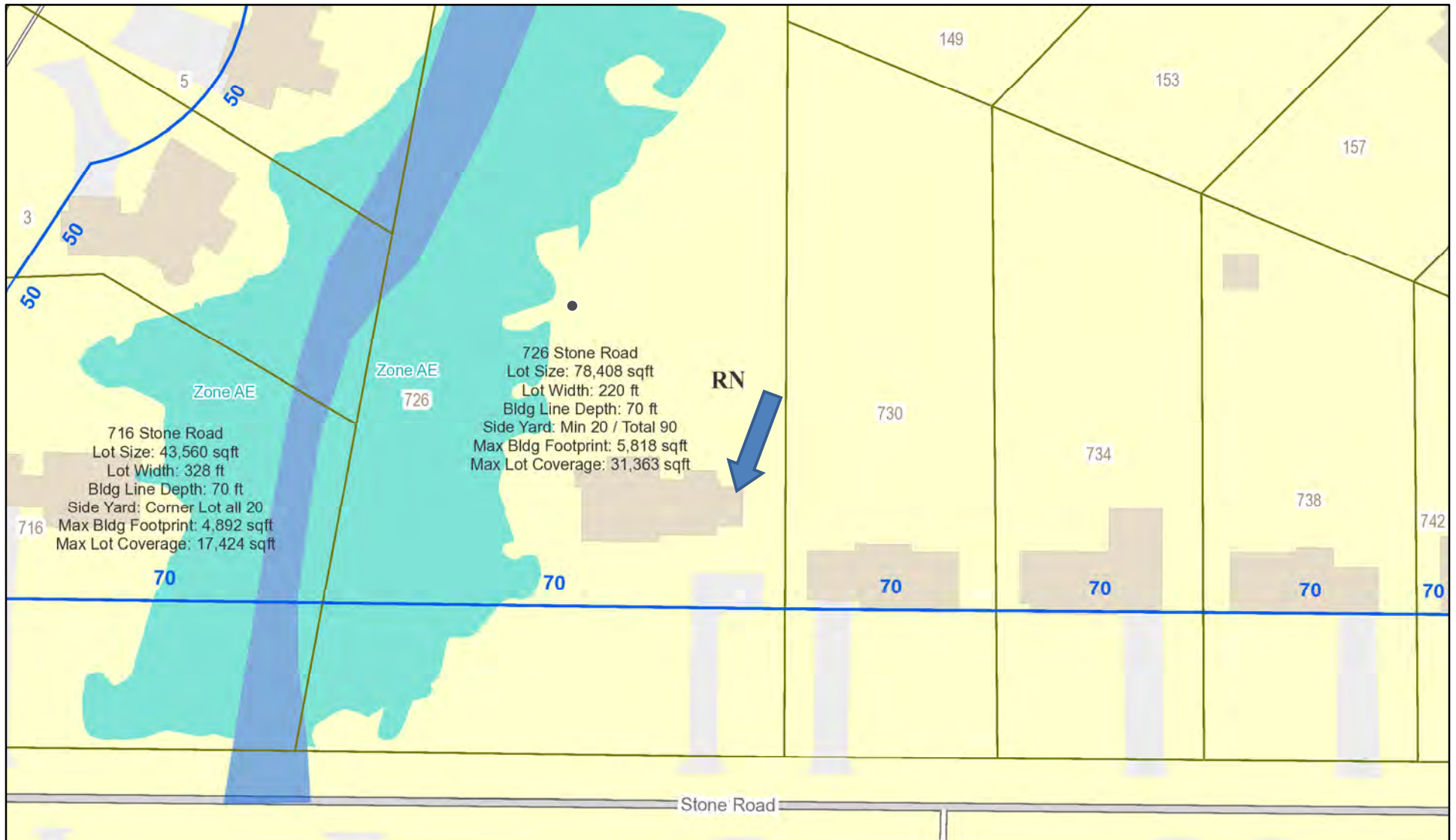
Date

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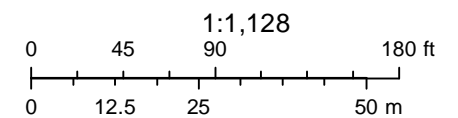
April Zurowski -



726 Stone Road



Printed April 14, 2025



Town of Pittsford GIS

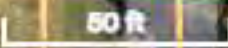
The information depicted on this map is representational and should be used for general reference purposes only. No warranties, expressed or implied, are provided for the data or its use or interpretation.





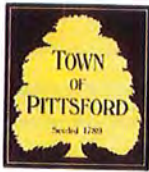
Thu Sep 5 2024

Imagery © 2025 Nearmap, HERE



Nearmap





# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

Applicant: Rodney T. Prosser

Address: c/o Lakeside Engineering, 11 Centre PK, Ste 305 Rochester NY 14614

Phone: 585 705 2308 E-Mail: rodprosser@aol.com

Agent: \_\_\_\_\_  
(if different than Applicant)

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Property Owner: Oksana Galli  
(if different than Applicant)

Address: 726 Stone Rd, Rochester NY 14534

Phone: 585 743 2231 E-Mail: Aleks.Kulya@gmail.com

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

Property Location: 726 Stone Rd Pittsford NY Current Zoning: RN

Tax Map Number: 164.13-1-34 14534

Application For: ☒ Residential ☐ Commercial ☐ Other

Please describe, in detail, the proposed project:

Remove small east end structure & replace with  
12.2' x 30' single car garage

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

 (Owner or Applicant Signature) 5/20/25 (Date)

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

726 STONE RD. GARAGE STRUCTURE ADDITION  
(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)

x K. On  
(Signature of Applicant)  
14 Pond view drive  
(Street Address)  
Pittsford, NY 14534  
(City/Town, State, Zip Code)

03/17/2021  
(Dated)





# 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 GARAGE WILL BE AESTHETICALLY PLEASING  
AND WILL BE THE SAME SIDE SETBACK AS  
THE EXISTING STRUCTURE.

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

THE PROPOSED GARAGE, AT 12.2' WIDE, IS THE  
LEAST WIDE STRUCTURE FOOTPRINT FEASIBLE  
& USEABLE.

**CERTIFICATION:**

I, STEVEN M. RYBINSKI, HEREBY CERTIFY TO:

-OKSANA GALII

-PREMIUM MORTGAGE CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS,

AS THEIR INTEREST MAY APPEAR

-VICTOR VYSOCHAN, ESQ.

-BLOCK, LONGO, LAMARCA &amp; BRZEZINSKI, P.C.

-CHICAGO TITLE INSURANCE COMPANY

THAT THIS MAP WAS MADE AUGUST 29, 2024

FROM NOTES OF AN INSTRUMENT SURVEY

COMPLETED AUGUST 16, 2024

AND REFERENCES LISTED HEREON

NOTES: 1) PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD NOT REFERENCED IN ABSTRACT OF TITLE.  
2) THE USE OF THIS MAP IN CONJUNCTION WITH AN AFFIDAVIT OF NO CHANGES RELEASES THE SURVEYOR OF ALL RESPONSIBILITY

N.Y.S. P.E.S. No. 051174 DATE

REFERENCES:  
1.) LIBER 12847 OF DEEDS, PAGE 468.  
2.) ABSTRACT OF TITLE No. SAN-24-31604 (INDEPENDENT TITLE).  
3.) LIBER 138 OF MAPS, PAGE 95. (REF. ONLY)  
4.) LIBER 254 OF MAPS, PAGE 36. (REF. ONLY)

EAST BOUNDARY OF PREMISES  
CONVEYED BY RAYMOND F.  
STEVE TO ROSS AMICO

P.O.B.

R.O.W.  
LINE

CENTERLINE

23.79'

79°17'11"

235.70'

(49.5' WIDE R.O.W.)  
STONE ROAD**INSTRUMENT SURVEY MAP**

726 STONE ROAD **PROPOSED GARAGE**  
BEING PART OF TOWN LOTS No. 55 & 57,  
TOWN OF PITTSFORD, COUNTY OF MONROE, STATE OF NEW YORK

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.

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

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Said certifications shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners.

All electronic files of Triple Point Land Surveying, LLC are solely the property of Triple Point Land Surveying, LLC. Said electronic files may not be distributed at any time to other parties for any purpose whatsoever.

**TRIPLE POINT LAND SURVEYING, LLC.**16 EAST MAIN STREET SUITE 200  
ROCHESTER, NEW YORK 14614  
PHONE (585) 263-9950  
FAX (585) 434-0156  
TRIPLEPOINTSURVEYING@YAHOO.COM

SCALE:

1" = 60'

TAX ACCOUNT:

164.13-1-34

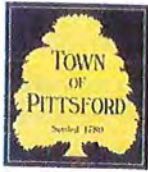
JOB NO:

1213-24

DATE:

AUG. 29, 2024





# 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.*

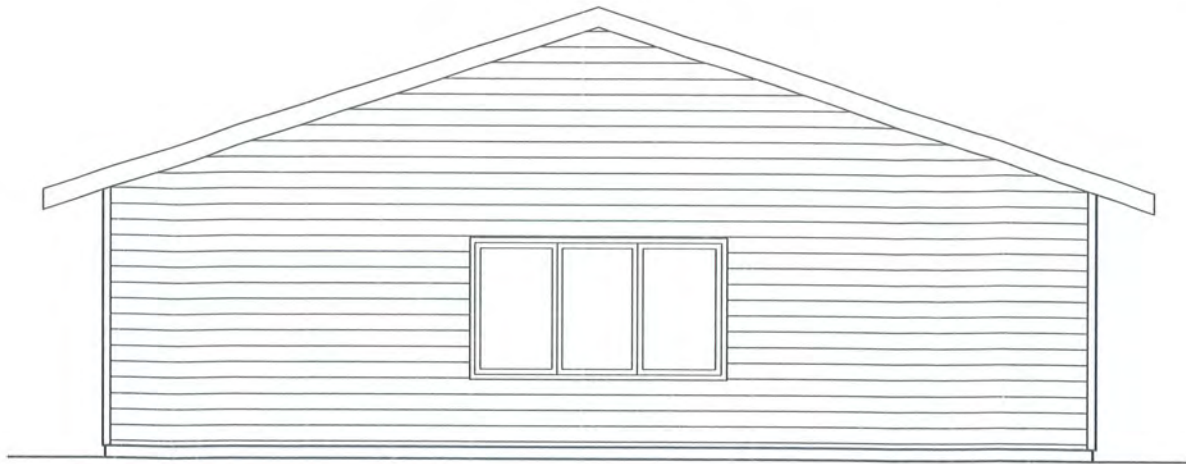
I, OKsana Gallin, the owner of the property located at:  
726 Stone Rd Pittsford NY 14534  
(Street) (Town) (Zip)

Tax Parcel # 164.13-1-34 do hereby authorize  
Rodney Prosser to make application to the  
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of  
obtaining Area Variance

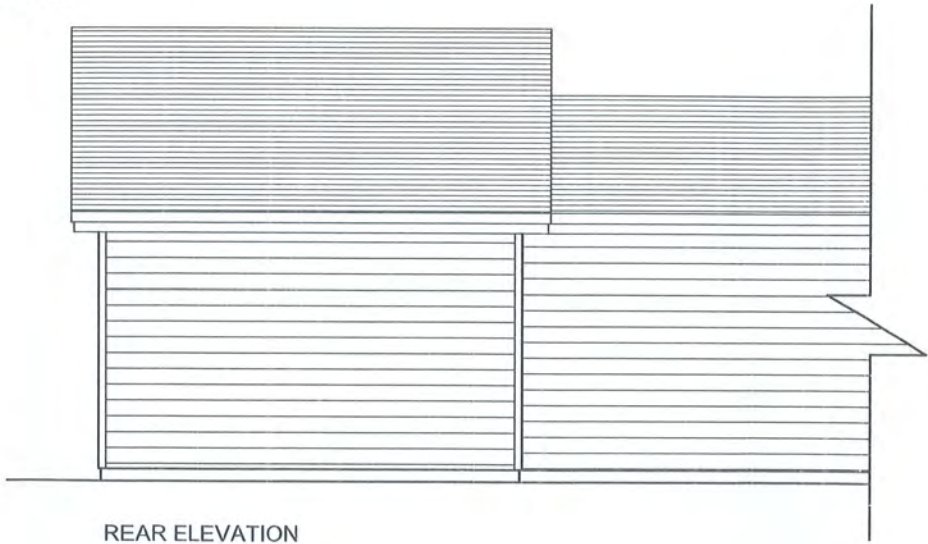
K. Oros  
(Signature of Owner)  
03/19/2025  
(Date)



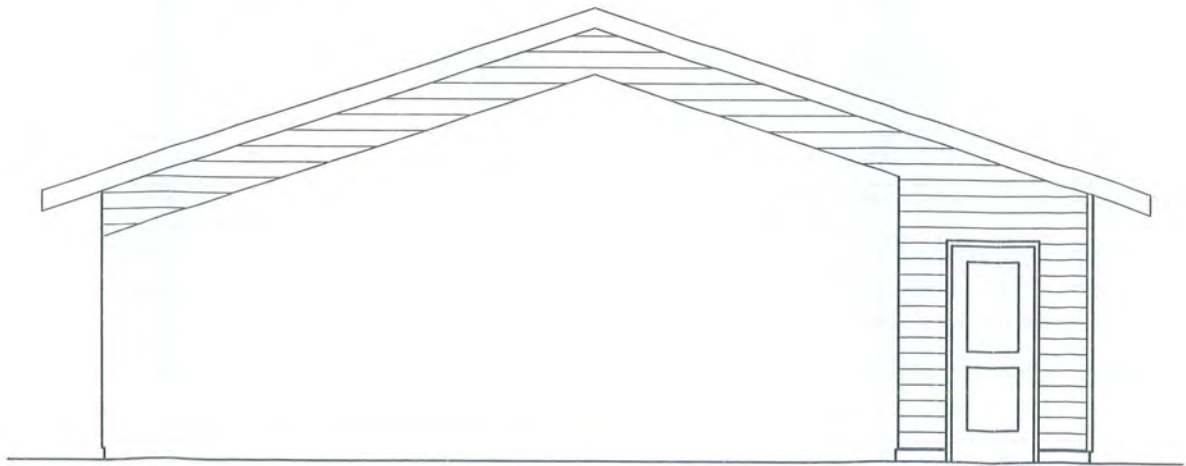
FRONT ELEVATION  
3/8"=1'-0"



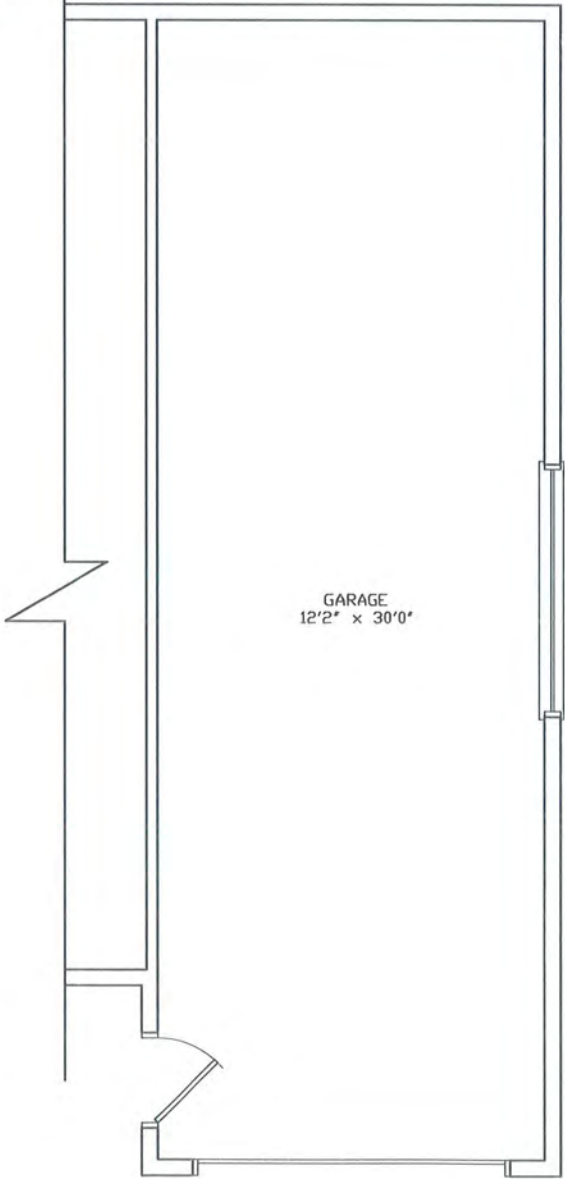
EAST SIDE ELEVATION  
3/8"=1'-0"



REAR ELEVATION  
3/8"=1'-0"



WEST SIDE ELEVATION  
3/8"=1'-0"



NEW GARAGE ADDITION FLOOR PLAN  
3/8"=1'-0"

**LAKESIDE ENGINEERING P.C.**  
11 CENTRE PARK, SUITE 305  
ROCHESTER, NY 14614  
PHONE 585.279.9300  
lsengrpc.com  
ARCHITECTURAL, CIVIL, ENVIRONMENTAL,  
ELECTRICAL & MECHANICAL ENGINEERS

CLIENT:

ALEKS KULYA

SEAL:



NOTICE:

IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ENGINEER TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ANY LICENSEE WHO ALTERS THIS DOCUMENT IS PROSECUTED BY LAW TO AFFIX HIS OR HER SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS OR HER SIGNATURE AND A SPECIFIC DESCRIPTION OF ALTERATION.

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REVISIONS:

NO.	DATE	DESCRIPTION
1.		

PROJECT:

726 Stone Road

DRAWING TITLE:

NEW GARAGE STRUCTURE

DATE: 22/03/25

SCALE:

DRAWN BY: J.X.

REVIEWED BY: R.P.

JOB ID:

DRAWING NO:

1







# Zoning Board of Appeals Referral Form Information

**ZB25-000007**

**Property Address:**

17 Whitley Court PITTSFORD, NY 14534

**Property Owner:**

Harris, Todd E  
17 Whitley Ct  
Pittsford, NY 14534

**Applicant or Agent:**

JOSH Landscape

**Present Zoning of Property:** RRAA Rural Residential  
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
Total Size:	320	Total Size:	436	Total Size:	116
Size:	225	Size:	336	Size:	111

**Code Section:** Applicant is requesting relief from Town Code Section 185-113 C. (1) for the construction of an oversized pavilion exceeding 225 square feet and the total square footage of roofed or enclosed accessory structures exceeding 320 square feet. This property is zoned Residential Neighborhood (RN).

**Staff Notes:** The 336 SF pavilion is over the maximum square footage for a single structure, and with the proposed 100 SF shed, the maximum total square footage is over the 320 SF limit.

April 14, 2025

ARZ

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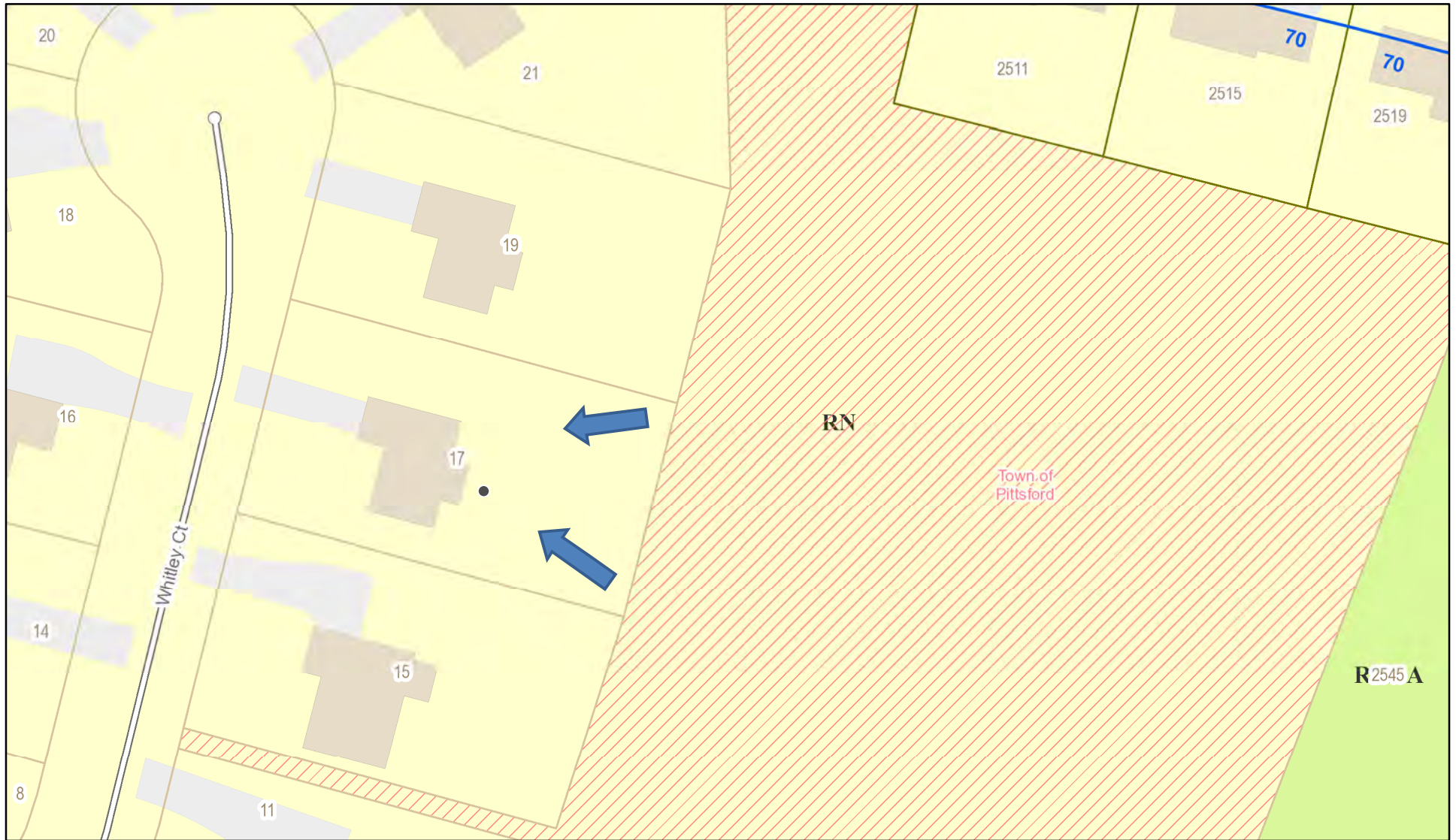
Date

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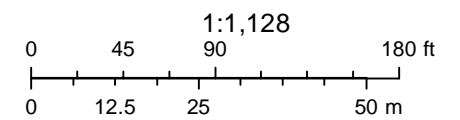
April Zurowski -



# 17 Whitley Court



Printed April 14, 2025



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.





Thu Sep 5 2024

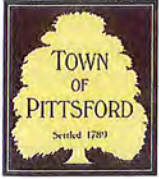
Imagery © 2025 Nearmap, HERE

20 ft

Nearmap



2625-000007 April's Review copy



# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

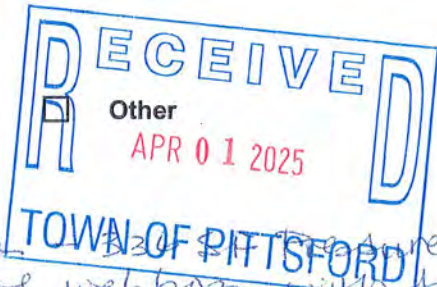
Submission Date: 4/01/25 Hearing Date: \_\_\_\_\_  
Applicant: Josh Landscape - Julie Judd  
Address: 166 W Main Street Honeoye Falls NY 14472  
Phone: 585-481-5988 E-Mail: juliej@joshlandscape.com  
Agent: \_\_\_\_\_  
(if different than Applicant)

Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
Property Owner: Todd + Connie Harris  
(if different than Applicant)  
Address: 17 Whitley Court Pittsford NY 14534  
Phone: 585-465-3673 E-Mail: connie.g.3673@gmail.com

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

Property Location: 17 Whitley Court Current Zoning: \_\_\_\_\_  
Tax Map Number: \_\_\_\_\_

Application For: ☐ Residential ☐ Commercial



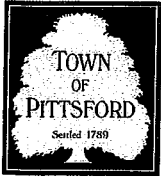
Please describe, in detail, the proposed project:

Install "L" shape Pavilion as per plan. 320 sq ft. Pressure treated  
PDS+Beam construction w/ decorative webbing with asphalt  
shingles to match the house. Includes a fireplace + Bar area  
w/ veneer and Bar height island.  
Storage shed 10x10 or 10x8 ft Board + Batten style w/ asphalt  
shingles to match house/pavilion and a single window on one side +  
double doors on the front

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

[Signature] (Owner or Applicant Signature) 3/31/25 (Date)

185-113 C. (1) x2  
par. is 336 where 225 is max  
total is 436 where 320 is max



# 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, TEAD HARRIS, the owner of the property located at:  
17 Whitley Ct Pittsford 14534  
(Street) (Town) (Zip)

Tax Parcel # \_\_\_\_\_ do hereby authorize  
Josh Landscaping to make application to the  
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of  
Pavilion

Todd E Harris  
(Signature of Owner)  
3/14/25  
(Date)



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Pavilion - Harris  
(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)

Jed E Harris  
(Signature of Applicant)

3/14/25  
(Dated)

17 W. Hiley Ct  
(Street Address)

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



I am writing to provide a brief explanation regarding the request for a variance to construct a pavilion and shed in the backyard of my client's property. The intent behind this request is to create a functional and aesthetically pleasing outdoor space, which will also include the installation of a pool.

1. It is important to emphasize that the proposed structures will not produce an undesirable change in the character of the neighborhood. The pavilion is designed to complement the existing style of the property and surrounding homes, ensuring it blends seamlessly into the neighborhood's overall appearance. Furthermore, the addition of these structures will provide much-needed privacy from neighboring properties, enhancing both my client's enjoyment of their backyard and maintaining a sense of personal space for all parties.
2. The benefit sought by the owner cannot be achieved by any method other than a variance. In order to create the desired covered space for a fireplace and eating area, the construction of a pavilion is essential. The size of the pavilion has been carefully planned to accommodate these elements while maintaining a harmonious balance with the rest of the backyard. Additionally, the pavilion will include a wall facing the neighbors to respect their privacy while allowing my client to fully enjoy their new space.
3. The requested area variance consists of an additional 156 square feet for the pavilion above the recommended 180 square feet, and 100 square feet for a 10x10 shed. This increase is crucial to achieving the functional design that meets my client's needs without compromising the overall aesthetic or character of the neighborhood.
4. It is also important to highlight that this variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district. The proposed structures are thoughtfully designed to blend with the existing landscape, and no significant alterations to the land or natural environment will be made. Careful consideration has been given to ensure proper drainage, landscaping, and structural integrity, preserving the environmental balance of the area.
5. Regarding the question of whether the alleged difficulty is self-created, it is important to note that the need for this variance arises from the client's desire to create a practical and comfortable outdoor space that accommodates a covered area for a fireplace and dining. The layout and size limitations of the property, combined with the goal of maintaining privacy and functionality, have necessitated this request. Therefore, while the improvements are client-driven, the variance is a reasonable solution to address the existing spatial constraints and design requirements.

We are committed to adhering to design principles that respect the community's visual harmony, and we believe that these enhancements will contribute positively to the property's value and functionality without disrupting the neighborhood's charm.

Thank you for your time and consideration.



# INSTRUMENT SURVEY

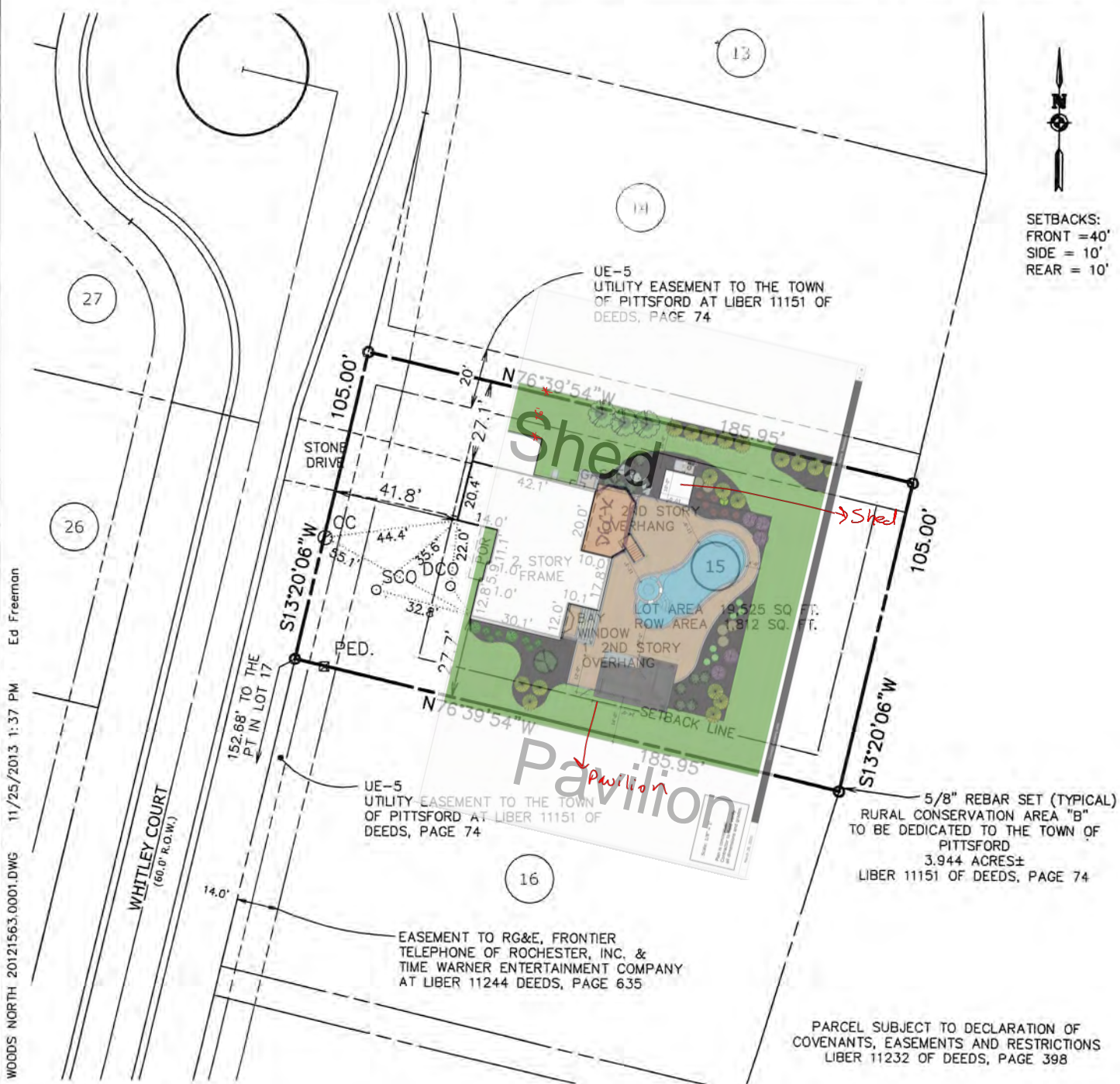
Client NVR, INC.

Street 17 WHITLEY COURT ~~City~~ PITTSFORD, N.Y.  
~~Town~~

Lot No. 15 Subdivision KENSINGTON WOODS NORTH - PHASE 2

Abstract By CROSSROADS ABSTRACT, SEARCH NO. 2126L15, DATED NOVEMBER 8, 2013

Reference Data LIBER 345 of Maps, Page 27; LIBER 11304 of Deeds, Page 90



**CERTIFICATION:**

WE, PASSERO ASSOCIATES, CERTIFY THAT THIS MAP WAS PREPARED USING PORTIONS OF THE REFERENCE MATERIAL AS LISTED HEREON AND FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED OCTOBER 17, 2013. THIS PARCEL IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD. NO CERTIFICATION IS EXTENDED TO INFORMATION NOT REFERENCED.

1. NVR, INC.
2. TITLE COMPANY INSURING THE MORTGAGE / PREMISES
3. WELLS FARGO BANK, N.A.
4. LACY KATZEN, LLP.
5. TODD E. HARRIS
6. ROBERT LEONE ESQ.
7. CREARY LAW GROUP

This is a true and valid copy only  
when this stamp appears in RED.

CERTIFICATION INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE AGENCIES LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

NOTE: FUTURE AFFIDAVITS OF "NO CHANGE" BASED UPON THIS MAP RELIEVE THE SURVEYOR PREPARING THIS MAP OF ANY AND ALL LIABILITY THEREAFTER. FOR UPDATING PROCEDURES CONTACT A LICENSED PROFESSIONAL LAND SURVEYOR.

# Passero Associates

242 West Main St., Suite 100, Rochester, NY 14614  
585-325-1000 FAX: 585-760-8580  
www.passero.com

Engineering  
Architecture

## Surveying Planning

PA

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY  
MARKED WITH AN ORIGINAL INKED OR EMBOSSED  
SEAL AND INKED SIGNATURE SHALL BE CONSIDERED  
A TRUE AND VALID COPY.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS  
SURVEY MAP IS A VIOLATION OF SECTION 7209,  
SUB-DIVISION 2, OF THE N.Y.S. EDUCATION LAW.

Scale: 1" = 50'

Date: 10/21/13

PIC: John Caruso, P.E.

PM: Ed Freeman, P.L.S.

Drafted By: R.D.C.

Project No.

20121563.0015



UE-5  
UTILITY EASEMENT AT LIBERTY

UE-5  
UTILITY EASEMENT AT LIBERTY  
DEEDS PAGE 74

Pavilion

Shed

Scale: 1/8" = 1'  
Plan is conceptual.  
Contractor to field verify  
all dimensions and grades.

April 7, 2025

Concept drawing only

Harris Residence

A 8



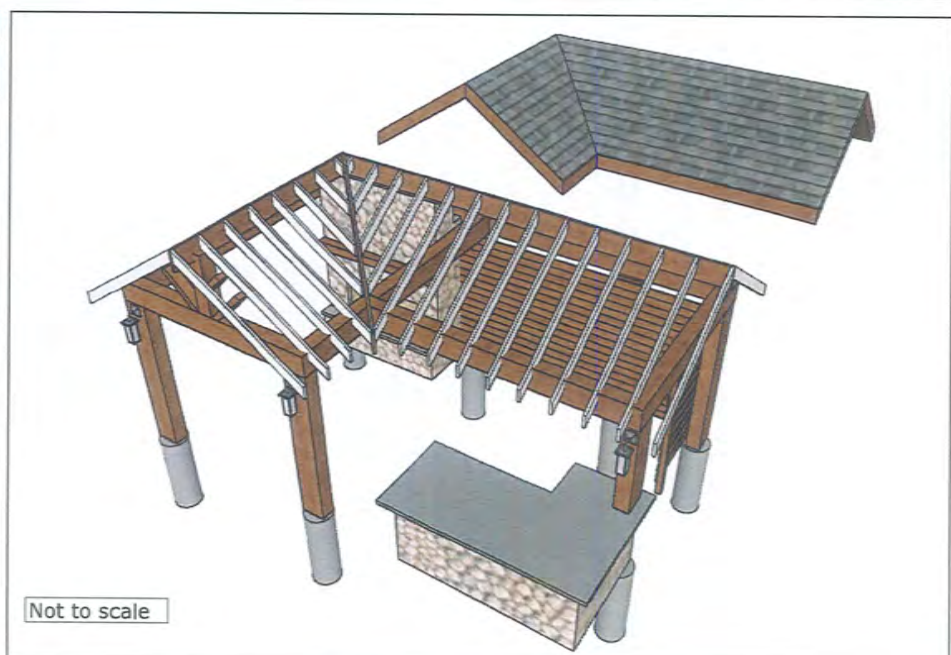
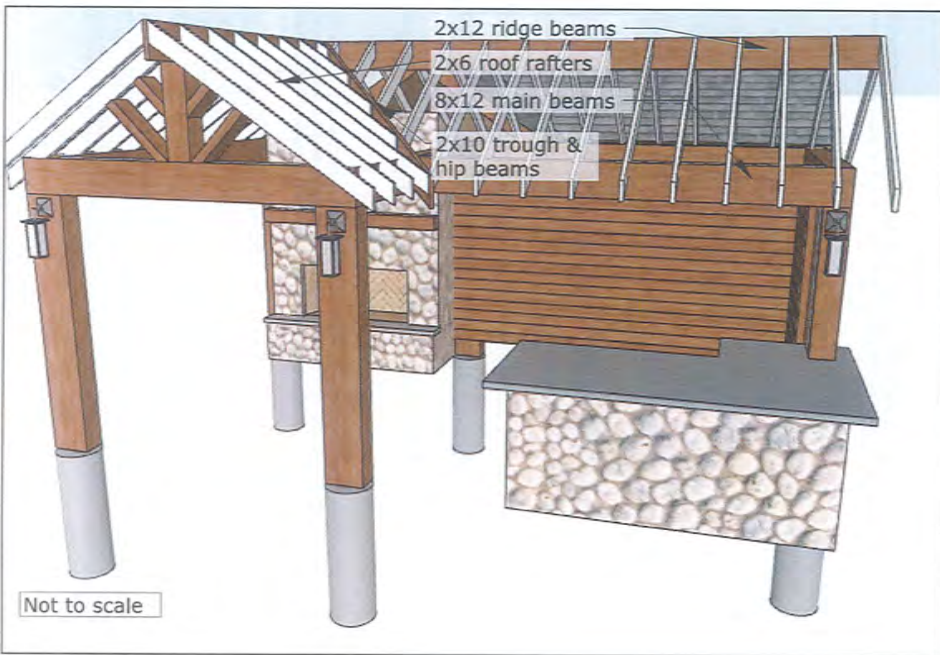
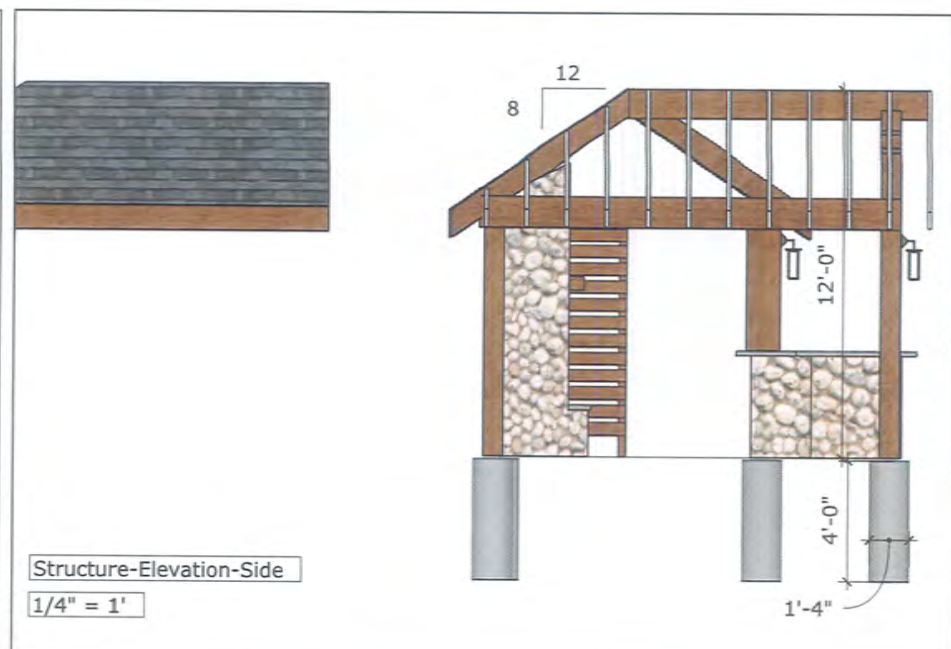
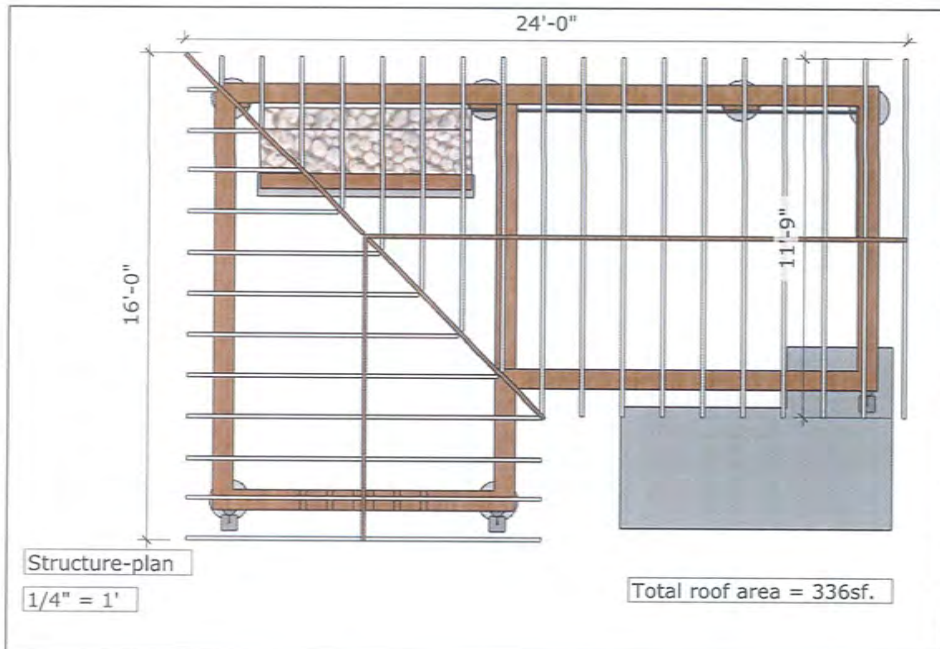












REVISIONS	
AM/DD/YY	REMARKS
1	11/11/24 PMG
2	03/12/25 PMG
3	03/12/25 PMG
4	03/12/25 PMG
5	

Josh Landscape Co.

Estimation drawing

Harris Residence







# Zoning Board of Appeals Referral Form Information

**ZB25-000008**

**Property Address:**

157 Jefferson Road PITTSFORD, NY 14534

**Property Owner:**

Diaz, Brigitte  
157 W Jefferson Rd  
Pittsford, NY 14534

**Applicant or Agent:**

Bret Crane of Ted Collins Tree & Landscape

**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:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

**Code Section:** Applicant is requesting relief from Town Code Section 185-113 C. (3) for the construction of an in-ground pool in the side yard area. This property is zoned Residential Neighborhood (RN).

**Staff Notes:** Due to the configuration of the home, the pool is considered to be within forward of the rear wall of the home and in the side yard area.

April 16, 2025

ARZ

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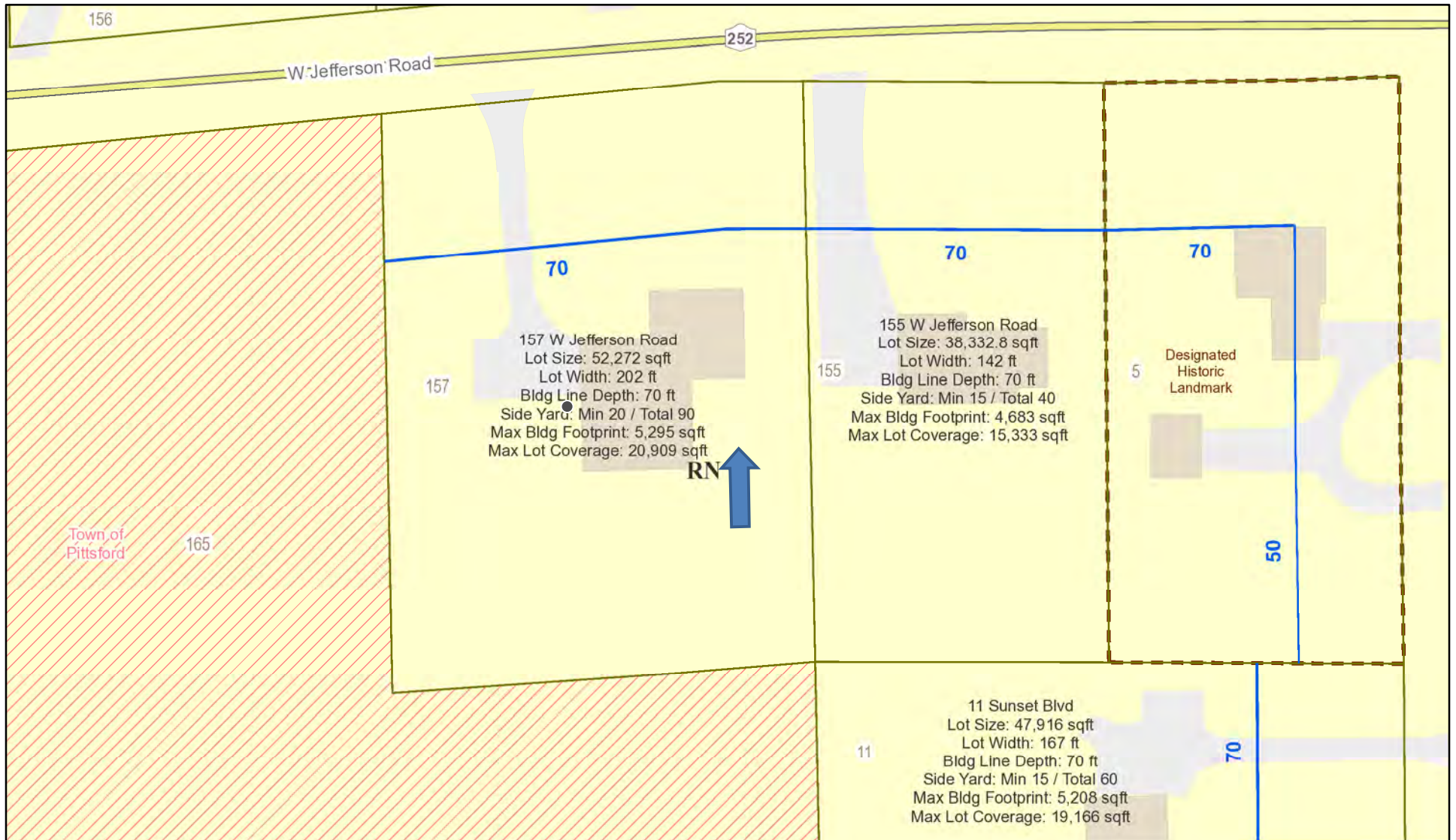
Date

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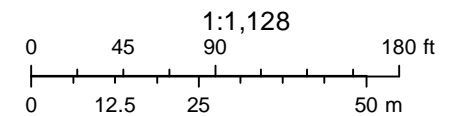
April Zurowski -



# 157 W Jefferson Road



Printed April 16, 2025



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.





W Jefferson Rd

Sunset Blvd

157

155

5

149

12

16

11

165

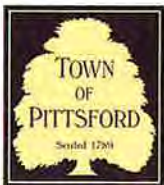
Thu Apr 25 2024

Imagery © 2025 Nearmap, HERE

50 ft

Nearmap





# TOWN OF PITTSFORD

## ZONING BOARD OF APPEALS

### APPLICATION FOR AREA VARIANCE

Submission Date: April 18, 2025

Hearing Date: May 19, 2025

Applicant: Ted Collins Tree & Landscape

Address: 8000 Victor-Mendon Road, Victor, NY 14564

Phone: (585) 381-9000

E-Mail: bcrane@tedcollins.com

Agent: \_\_\_\_\_

*(if different than Applicant)*

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Property Owner: Brigitte Diaz

*(if different than Applicant)*

Address: 157 West Jefferson Road, Pittsford, NY 14534

Phone: (585) 775-9796

E-Mail: bbailliez@yahoo.com

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

Property Location: 157 West Jefferson Road

Current Zoning: Residential Neighborhood

Tax Map Number: 164.01-1-3

Application For:



Residential



Commercial



Other

Please describe, in detail, the proposed project:

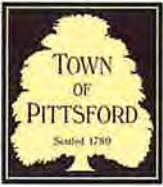
Proposed 14'x30' Rectangular Inground Pool, 1,084 Sq. Ft. Paver Patio surrounding the pool. Enclosing pool area is a 54" Ht. Black Aluminum Fence that connects into existing chain link fence that runs along East property line. (2) Double Swing Gates and (1) Single Swing Gate will be installed to enter/exit the pool area. At the southeast corner of the pool paver patio is a proposed 12" Ht. x 43 linear foot retaining wall, with weep holes along wall, and a 4" dia. Drain pipe behind wall for drainage.

**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)

4/15/2025  
(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, Brigitte Diaz, the owner of the property located at:  
157 West Jefferson Road Pittsford 14534  
(Street) (Town) (Zip)

Tax Parcel # 164.01-1-3 do hereby authorize  
Ted Collins Tree & 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 reasoning  
the location for a 14'x30' inground pool that overlaps into side property line

(Signature of Owner)

11/20

(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. The Proposed pool and surrounding hardscape will be unseen by adjacent neighbors and the existing tree buffer around property will be maintained. Grading necessary is proposed at a minimal disturbance to existing grades and existing drainage and infiltration patterns are to be maintained.

Please note at completion a total site coverage will be 19% which is well below the threshold mandated by Zoning.

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 applicant can not be achieved by other methods without the removal of large trees and screening barriers. To maintain these current conditions that provide screening and privacy to neighbors, and allowing parental supervision to oversee pool activity from inside residence, the envelope of space available dictates the action of relief through the variance process. The applicant has located the pool to provide the minimum amount of relief necessary and function within the site perimeters.



## **TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

The request is minimal as outlined in questions 1 & 2. It is objective of this proposal to provide the minimal amount of relief necessary with pool positioning to preserve the existing site conditions and provide the protection of the health safety welfare to the community.

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 relief will not have an impact on the physical and environmental condition in the neighborhood because the existing screening of property will be preserved, and current site conditions for drainage and surface infiltration corridors be maintained. This proposal also has added additional plantings to supplement screening and provide areas to control and capture pool deck runoff into planting beds, as well as providing additional screening.

- **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?

While any actions can be deemed self-created, this action has analyzed existing site conditions and is driven to protect these conditions. This action is therefore driven by the envelope of existing space and can be viewed as thoughtful, thus the request is created by the site conditions, not by the applicants desires.



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Area Variance / Pool Permit for 157 West Jefferson Road

(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.

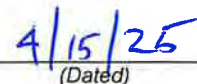
I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those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

Name(s)

Address(es)



(Signature of Applicant)



(Dated)

8000 Victor-Mendon Road

(Street Address)

Victor, NY 14564

(City/Town, State, Zip Code)



# WEST JEFFERSON ROAD

(49.5' R.O.W.)

200.00'

86°42'30"

CENTERLINE

R.O.W. LINE

MON. FND.  
2.4' W, 0.4' N

I.P. FND.  
0.1' N

279.00' TO WEST  
R.O.W. OF SUNSE  
BOULEVARD

UTIL.  
POLES

14' x 30'  
RECTANGULAR  
POOL

299.79' (TO C)

299.79' (TO C)

I.P. FND.

200.00'

86°42'30"

0.8' T/H  
I.P. FND.  
0.3' S

IRR. FRAME  
TREEHOUSE

299.79' (TO C)

156.46'

BLOCK  
STEPS

21.5'

50.1'

GARAGE

100.6'

BLACKTOP  
DRIVEWAY

CONC. WALK

1 1/2  
STORY  
BRICK  
HOUSE

17.3'

14.5'

23.3'

CHIM.

SLATE  
PATIO

27.30'

88.68'

2.3'

0.4'

93°17'30"

24.79'

92.0'

150.65'

26.8'

13.0'

34.6'

## REFERENCES:

1. ABSTRACT OF TITLE NO. 473509 (CROSSROADS SEP. 16, 2024).
2. LIBER 6048 OF DEEDS, PAGE 294.
3. LIBER 77 OF MAPS, PAGE 17 (REF. ONLY).
4. NO EASEMENTS RECORDED IN ABSTRACT OF TITLE PROVIDED.

## CERTIFICATION:

WE, PASSERO ASSOCIATES, CERTIFY THAT THIS MAP WAS PREPARED USING PORTIONS OF THE REFERENCE MATERIAL AS LISTED HEREON AND FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED OCT. 16, 2024. THIS MAP DOES NOT REFLECT ANY CHANGES TO THE PROPERTY THAT MAY OCCUR SUBSEQUENT TO SAID DATE. THIS PARCEL IS SUBJECT TO ANY EASEMENTS OR ENCUMBRANCES OF RECORD. NO CERTIFICATION IS EXTENDED TO INFORMATION NOT REFERENCED.

1. PREMIUM MORTGAGE CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR
2. ABAR ABSTRACT CORPORATION
3. DOLLINGER ASSOCIATES, P.C.
4. BRIGITTE BALLIEZ DIAZ
5. UNAI ANTON SAENZ

157 W. JEFFERSON ROAD

ZONE: RN

TAX PARCEL #:164.01-1-3

SIDE SETBACK = 10 FT.

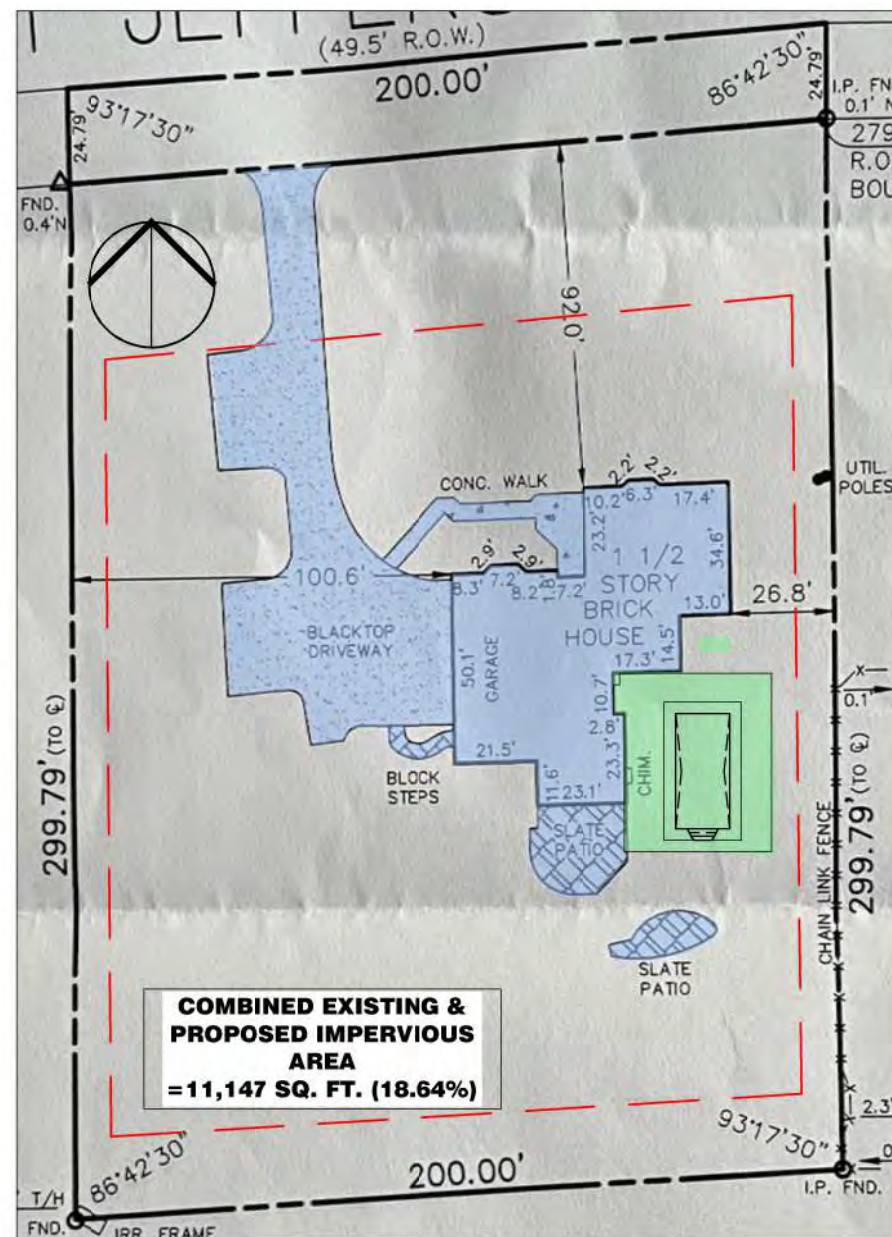
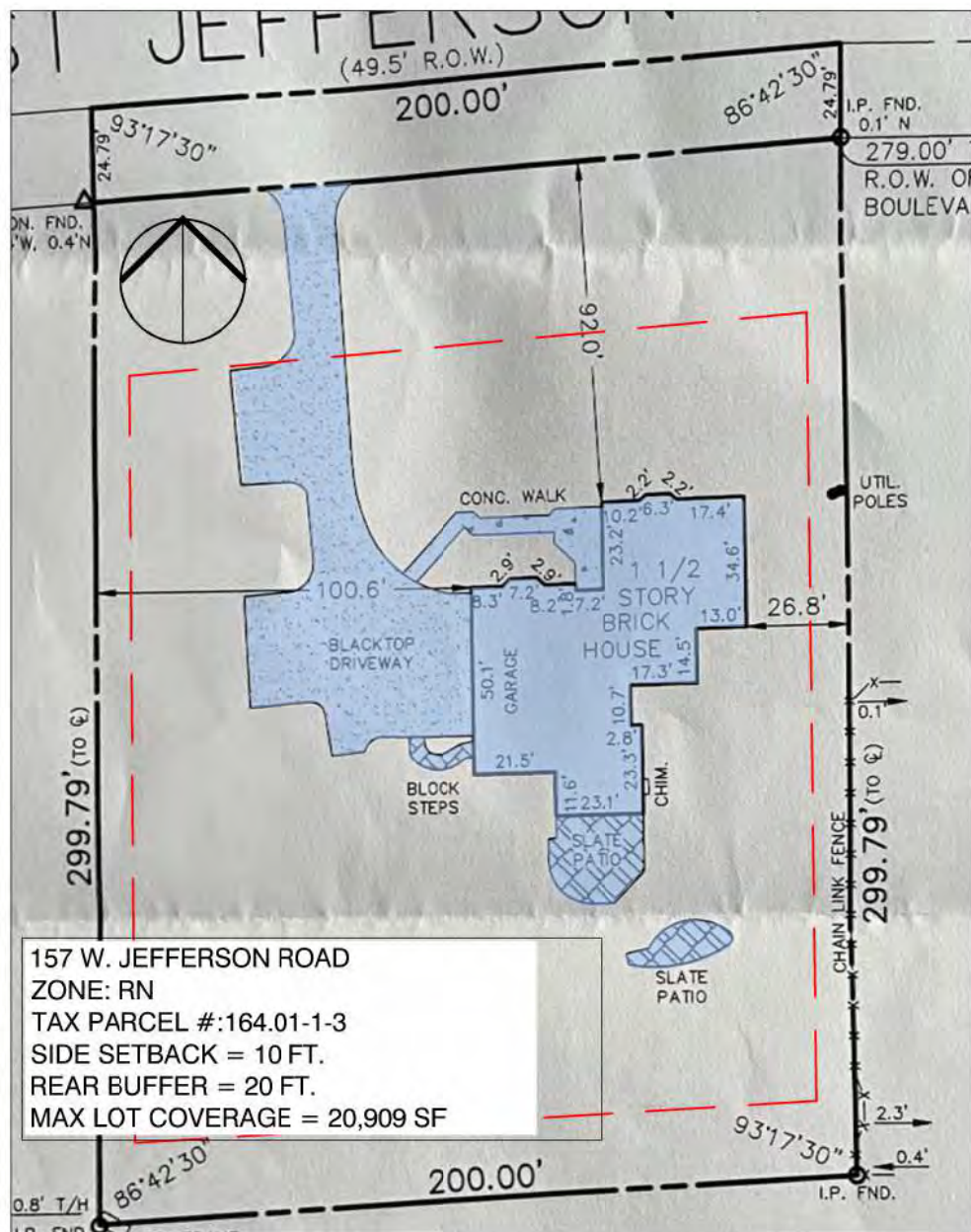
REAR BUFFER = 20 FT.

MAX LOT COVERAGE = 20,909 SF

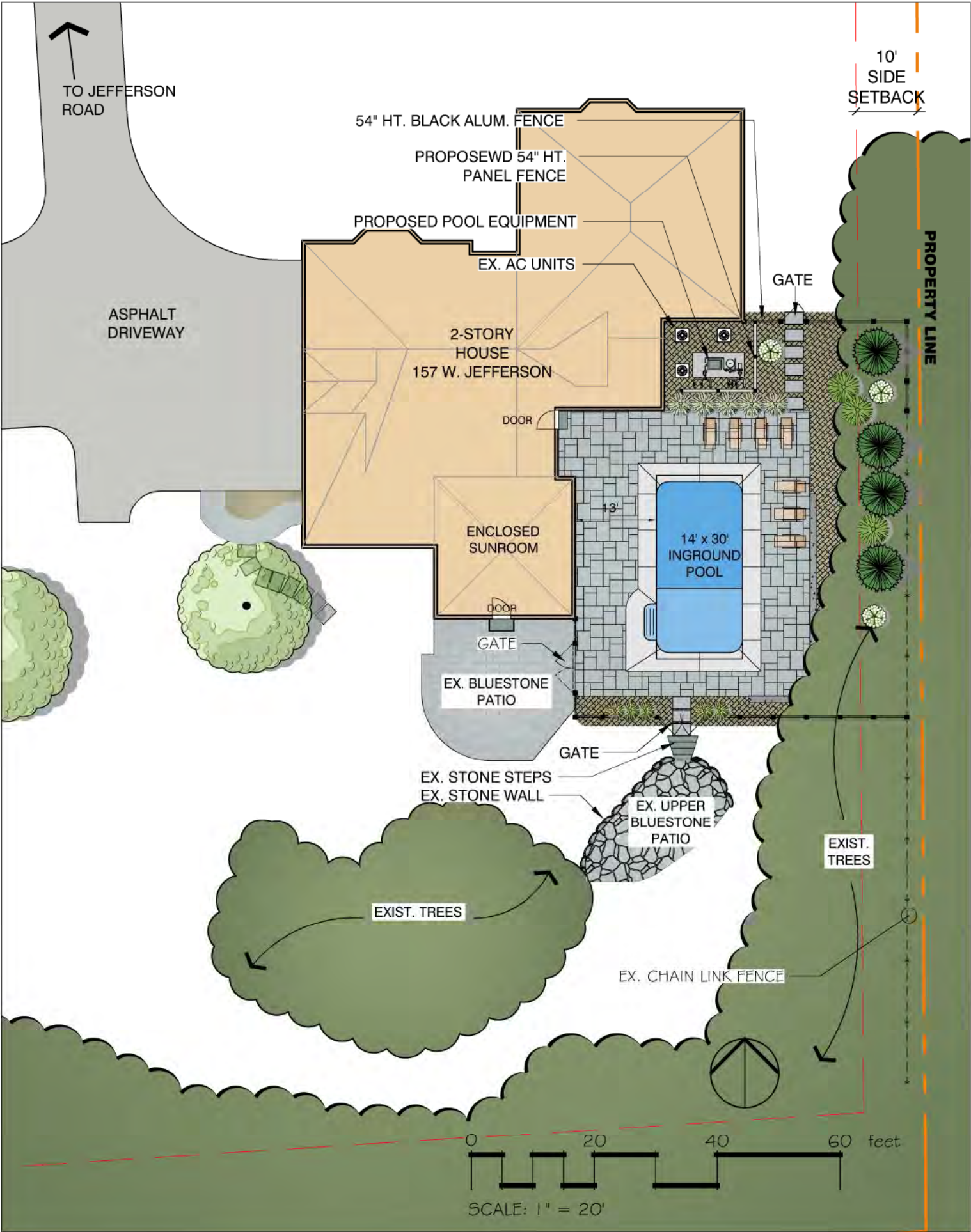
0 50 100 150 feet

SCALE: 1" = 50'

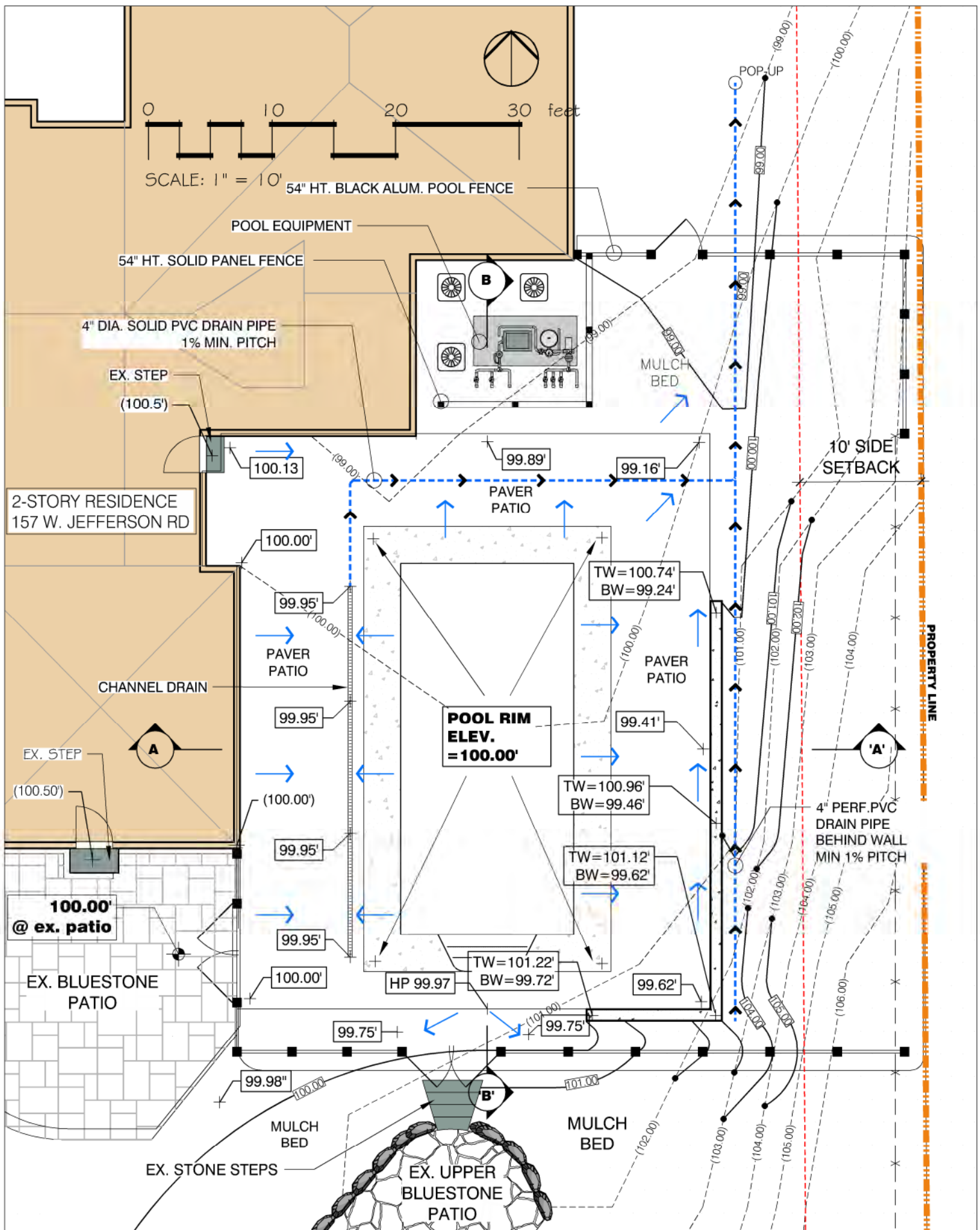




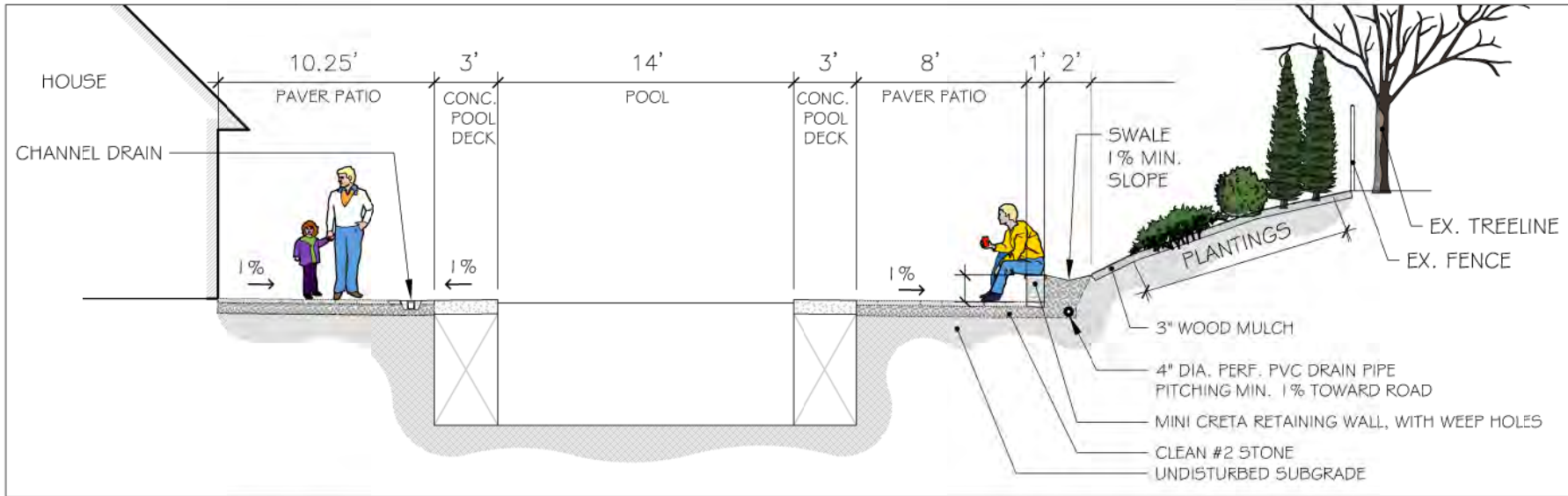






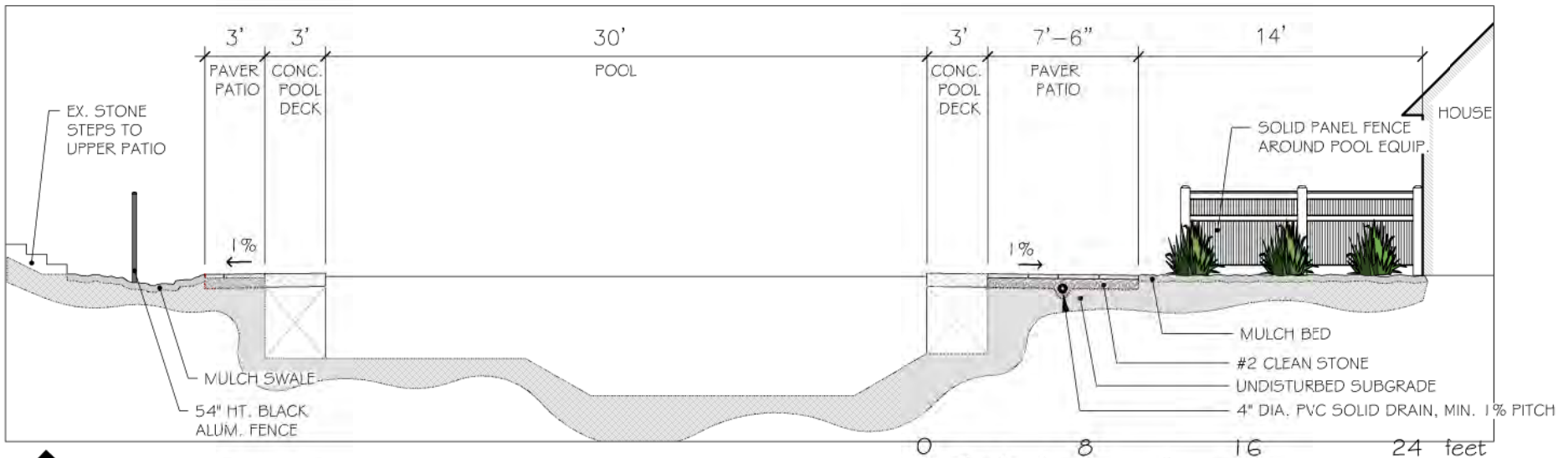






ELEVATION A-A'

1



ELEVATION B-B'

2

SCALE: 1/8" = 1'-0"















# Zoning Board of Appeals Referral Form Information

**ZB25-000009**

**Property Address:**

121 Van Voorhis Road PITTSFORD, NY 14534

**Property Owner:**

O'Connor, Thomas G

121 Van Voorhis Rd

Pittsford, NY 14534

**Present Zoning of Property:** RN Residential Neighborhood

Area Variance - Residential and Non-Profit

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	13.5	Height:	1.5
Size:	225 / 320 total	Size:	1200 / 1200 total	Size:	975 / 880 total

**Code Sections:** Applicant is requesting relief from Town Code Sections 185-113 C. (1) and (2) for the construction of an oversized and over height detached garage exceeding 225 square feet and exceeding 12 feet in height, and the total square footage of roofed or enclosed accessory structures exceeding 320 square feet. This property is zoned Residential Neighborhood (RN).

**Staff Notes:** This application is for a detached 3-car garage on a 2.8-acre lot. The structure is over the maximum square footage for a single detached structure and over the maximum total for all roofed/walled detached structures. The ZBA should evaluate if the garage can be attached to the home.

April 21, 2025

ARZ

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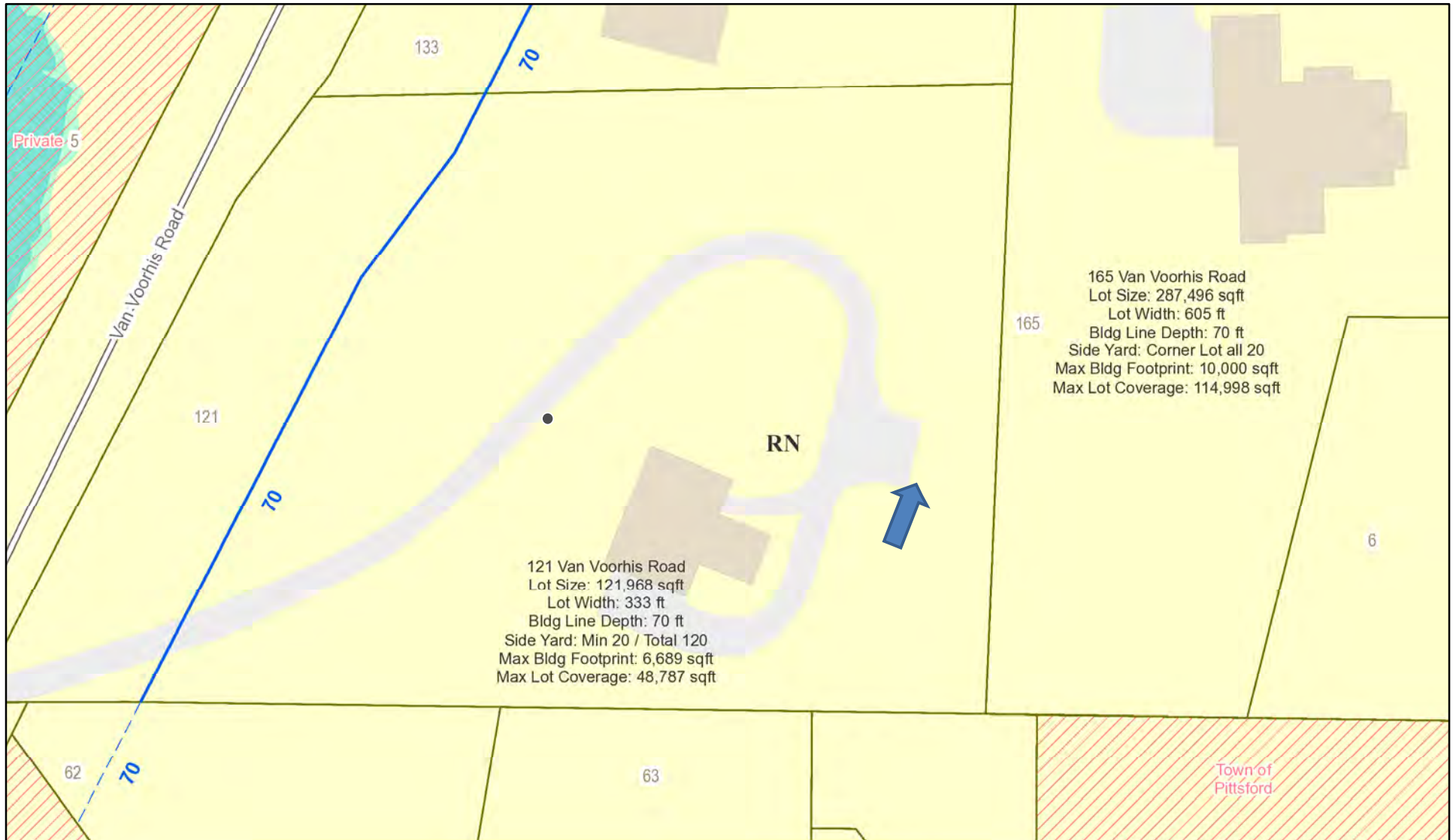
Date

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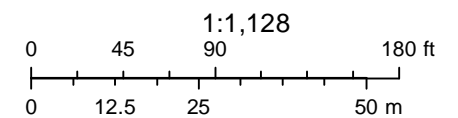
April Zurowski -



# 121 Van Voorhis Road



Printed April 21, 2025



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.





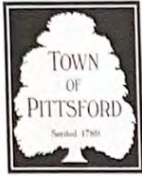
Thu Apr 25 2024

Imagery © 2025 Nearmap, HERE

50 ft

Nearmap





# TOWN OF PITTSFORD

## ZONING BOARD OF APPEALS

### APPLICATION FOR AREA VARIANCE

Submission Date: April 16, 2025 Hearing Date: 5/19/25

Applicant: Rebecca O'Connor

Address: 121 Van Voorhis Rd

Phone: (585) 507-2324 E-Mail: Rebecca.oconnor9@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: town lot 5, township 12 Current Zoning: Residential Neighborhood

Tax Map Number: 192.070-01-001

Application For: ☒ Residential ☐ Commercial ☐ Other

Please describe, in detail, the proposed project:

- \* 2 car garage with overhang/open lean-to; storage
- \* 30' x 40' x 13.5' ( with lean to)
- \* rear of property by existing parking area

**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.

Rebecca O'Connor  
(Owner or Applicant Signature)

4/17/25  
(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 location is deeply off set from the road
- \* The location will not be visible to neighbors from either side. *due to existing screening*
- \* The location will be minimally visible to neighbors from the rear.
- \* The structure will follow the design and form of the house.
- \* *We are requesting a 1200 SF garage because our existing "basement" garage has insufficient space for our parking + storage needs. Also, our storage shed was destroyed by fallen tree.*

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

- \* We do not wish to remove trees.
- \* The existing garage space is inadequate for our needs.
- \* Storage shed was knocked down by fallen tree, rather than replacing shed we would like to combine storage and garage space.



### TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The variance is ~~minimal~~. We have several acres of property set back from the road and at a distance from neighbors. *Substantial*

\* The requested size is 433% larger than permitted  
The height is 13% larger than permitted.

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

The variance will not negatively impact the physical or environmental condition of the neighborhood.

- \* It will be placed in a thoughtful manner to preserve existing large healthy oak trees.
- \* It will be set back to minimize visibility to road and neighbors.

- 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 ~~not~~ self-created.

- \* The existing garage space is inadequate for accomodating multiple cars and storage needs.
- \* An act of nature destroyed existing storage shed.
- \* An addition for an attached garage is not desirable.



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

O'Connor Detached Garage : 121 Van Voorhis Rd

(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)

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(Signature of Applicant)

April 17, 2025

(Dated)

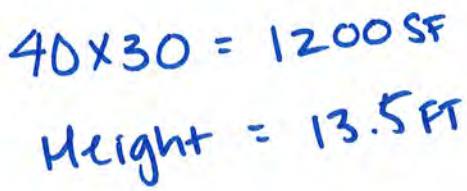
121 Van Voorhis Rd

(Street Address)

Pittsford, Ny 14534

(City/Town, State, Zip Code)

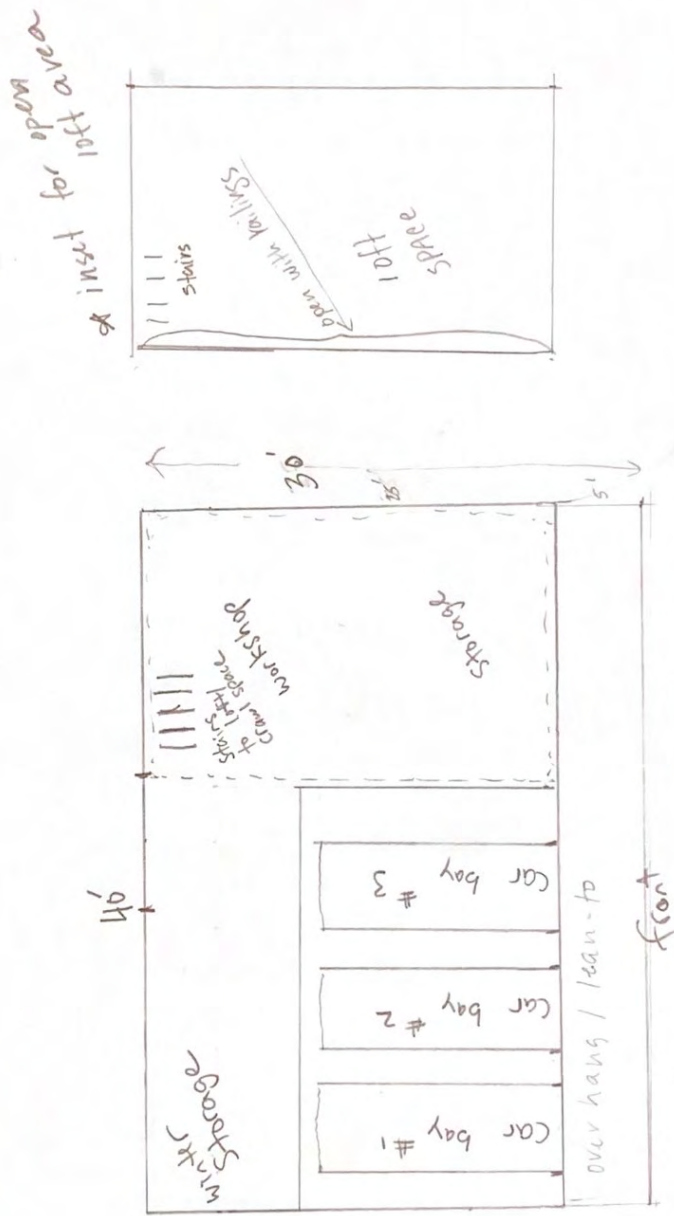






O'Connor 121 van Voorhis Rd Garage

# Floor plan





## O'Connor detached garage 121 Van Voorhis rd.



Front



Left (149' to property line)



Rear (15' from property line)



Right (112' to property line)



<p><b>Structure Details</b></p> <p>Style: Residential</p> <p>Size: 25'x40'</p> <p>Siding Color: Black</p> <p>Trim: Black</p> <p>Opening Colors: Black</p> <p>Roof: Black</p> <p>Columns: Black</p> <p>Wainscot: Pewter Gray</p> <p>Roof Finish: UniRib</p> <p>Roof Slope: 6 / 12</p> <p>Roof Overhang: 3 ft</p> <p>Brace: Standard Brace</p> <p>Clear Height: 13.5'</p> <p>Left Side: Fully Enclosed</p> <p>Left Side Siding: Uni-Rib</p> <p>Right Side: Fully Enclosed</p> <p>Right Side Siding: Uni-Rib</p> <p>Front End: Fully Enclosed</p> <p>Front End Siding: Uni-Rib</p> <p>Back End: Fully Enclosed</p> <p>Back End Siding: Uni-Rib</p> <p>Shed, 12' Wide, Offset from Eave</p> <p>Shed, 12' Wide, Offset from Eave</p> <p>Shed, 12' Wide, Offset from Eave</p>	<p>Right Lean Size: 5'x40'</p> <p>Right Lean Type: Open Lean-to</p> <p>Right Lean Roof Slope: 4 / 12</p> <p>Right Lean Leg Style: Standard</p> <p>Right Lean Brace: Standard Brace</p> <p>Right Lean Clear Height: 7.5'</p> <p>Right Lean Right Side: Open</p> <p>Right Lean Right Side Siding: Uni-Rib</p> <p>Right Lean Front End: Gable End</p> <p>Right Lean Front End Siding: Uni-Rib</p> <p>Right Lean Back End: Gable End</p> <p>Right Lean Back End Siding: Uni-Rib</p> <p>Right Lean Shed, 12' Wide, Offset from Eave</p> <p><b>Doors and Windows</b></p> <p>36"x80" Single Solid walkdoor</p> <p>8'x8' Overhead door</p> <p>8'x8' Overhead door</p> <p>8'x8' Overhead door</p> <p>8'x8' split leaf slider</p> <p><b>Windows &amp; Accessories</b></p> <p>Double Hung 36" x 48" window</p> <p>Double Hung 36" x 48" window</p> <p>Double Hung 36" x 48" window</p> <p>Double Hung 36" x 48" window</p> <p>Double Hung 36" x 48" window</p>
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# Zoning Board of Appeals Referral Form Information

**ZB25-000010**

**Property Address:**

15 Stonington Drive PITTSFORD, NY 14534

**Property Owner:**

Parrino, Joseph M  
15 Stonington Dr  
Pittsford, NY 14534

**Present Zoning of Property:** PUD Planned Unit Development  
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:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

**Code Section:** Applicant is requesting relief from Town Code Section 185-113 C. (3) for the construction of a shed in the side yard area. This property is zoned Planned Unit Development (PUD).

Staff Notes: The applicant is requesting to place a shed on the side of the house and next to an existing "attached shed" built by the previous homeowner. The existing attached shed has been turned into a home gym.

April 21, 2025

ARZ

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Date

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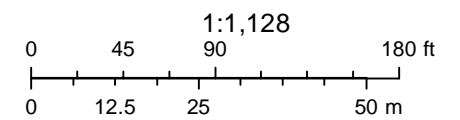
April Zurowski -



# 15 Stonington Drive



Printed April 21, 2025



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.





Thu Sep 5 2024

Imagery © 2025 Nearmap, HERE

50 ft

Nearmap





# TOWN OF PITTSFORD

## ZONING BOARD OF APPEALS

### APPLICATION FOR AREA VARIANCE

Submission Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

Applicant: Joseph M. Parrino

Address: 15 Stonington Drive

Phone: (585) 314-3941 E-Mail: jparrino14@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: 15 Stonington Drive Current Zoning: Planned Unit Development

Tax Map Number: J-7

Application For: ☒ Residential ☐ Commercial ☐ Other

Please describe, in detail, the proposed project:

120sqft storage shed against the south facing side of the house. Dimensions would be 8ft deep by 15ft long at the most to stay at 120sqft or less. The siding would be the same color as what is on the house.

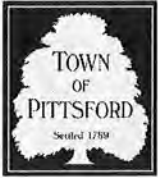
**SWORN STATEMENT:** As applicant or legal agent for the above described property, I do hereby swear that all statements, descriptions, and signatures appearing on this form and all accompanying materials are true and accurate to the best of my knowledge.

(Owner or Applicant Signature)

4/21/25

(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.*

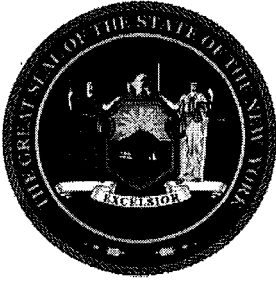
I, Joseph M. Parrino, the owner of the property located at:  
15 Stonington Drive Pittsford, NY 14534  
(Street) (Town) (Zip)

Tax Parcel # 178.09-2-3 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 \_\_\_\_\_  
putting a storage shed forward of the rear of the house.

  
(Signature of Owner)  
4/21/25  
(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 rear boundary of the property, 15 Stonington Dr, runs parallel to Pittsford-Mendon Center Road. As such, curb appeal from the rear of the property is just as important, if not more important, than the front of the house. The intention is to place a storage shed against the south facing, garage side, of the house. The siding of the storage shed would match the siding of the house. Due to the orientation of the house in relation to Stonington Dr, Pittsford-Mendon Center Road, and neighboring homes, a storage shed in the proposed location would be the least visually disruptive.

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

Placing a storage shed in the rear of the property, as permitted without an area variance, would cause significant visual disruption - not only in terms of curb appeal, but also in regards to the desirable view from within the house. The landscaping in the backyard is well-kept and low-profile, which allows for a desirable sunset view from inside the home. Placing a storage shed anywhere in the permitted area would obstruct the view from inside the home, as well as detract from the curb appeal from the busy road behind the home.



## **TESTS FOR GRANTING AREA VARIANCES (Continued)**

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

The requested area variance is minimal as it would not interfere with an easement or any other restrictions of a storage shed.

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 for the storage shed was chosen in an effort to minimize visual and physical/environmental impact. Given the orientation of the house on the lot, the most inconspicuous location to place a shed is against the south facing wall of the house. The property being somewhat triangular and the house is oriented in such a way, the house is not parallel with any of the property lines.

- **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 not self-created. The property being somewhat triangular and the house is oriented in such a way, the house is not parallel with any of the property lines. With the rear of the property meeting a high-traffic road, creates a situation where the rear of the property is just as visible, and is therefore as visually valuable, as the front.



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Storage shed area 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)

April 13, 2025

(Dated)

15 Stonington Drive

(Street Address)

Pittsford, NY, 14534

(City/Town, State, Zip Code)



# PITTSFORD-MENDON CENTER ROAD

(66' WIDE)

N 18°59'50" E

10' WIDE  
UTILITY EASEMENT  
L 5549 DP 79

UTILITY RISER 125.00'

STREET LINE

UTILITY RISERS  
ON CONC.

5' WIDE  
SIDEWALK EASEMENT  
L 6424 DP 198

20' WIDE  
GENERAL EASEMENT  
TO THE TOWN OF PITTSFORD  
L 5202 DP 236

30' WIDE  
WATER MAIN EASEMENT  
L 5210 DP 195

70' MINIMUM  
SETBACK

LOT 2

LOT 3

S 71°00'10" E

S 71°00'10" E

10' WIDE  
UTILITY EASEMENT  
L 5276 DP 5

P.C. REBAR FOUND

STONINGTON DRIVE  
(60' WIDE)

L=110.67'  
R=122.39'  
Δ=51°48'40"

50' MINIMUM  
SETBACK

N 05°00'10" W  
37.16'

BENT PIN  
FOUND

BENT REBAR  
FOUND

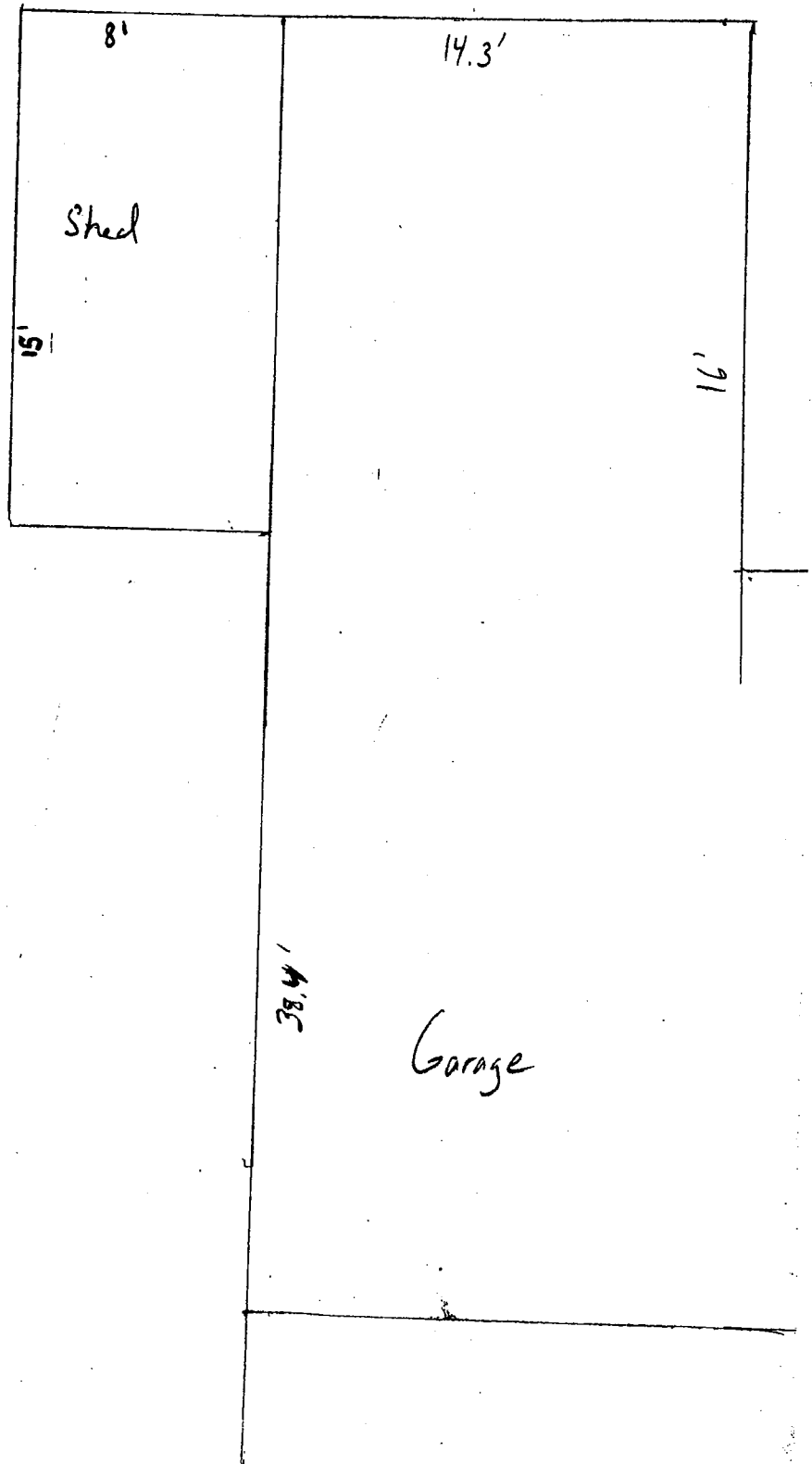
STREET LINE

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



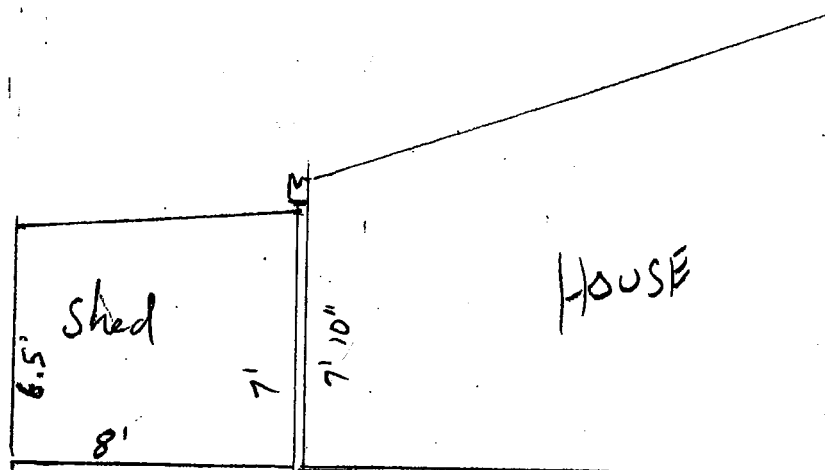
1 inch = 5 feet

Back yard





1 inch = 5 feet









**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
APRIL 21, 2025**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on April 21, 2025 at 6:30PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

**PRESENT:** Mary Ellen Spennacchio-Wagner, Jim Pergolizzi, Tom Kidera, Jennifer Iacobucci, Barbara Servé, Phil Castleberry

**ABSENT:** Phil Bleecker

**ALSO PRESENT:** April Zurowski, Planning Assistant; Robert Koegel, Town Attorney

**ATTENDANCE:** There were 4 members of the public present.

Chairman Pergolizzi called the meeting to order at 6:30PM.

**RETURNING PUBLIC HEARING:**

**4000 East Avenue – Tax ID 151.06-2-45**

Applicant is requesting relief from Town Code Section 185-121 A. for the substitution and relocation of a 4.5-foot fence in front of the front setback off of East Avenue. This property is zoned Residential Neighborhood (RN).

Board Member Castleberry abstained.

Chairman Pergolizzi stated that there is an open public hearing on this matter. The motions to close the hearing and approve the resolution failed to carry at the last meeting, as there were not enough voting board members.

Chairman Pergolizzi asked for public comment. Hearing none, Board Member Spennacchio-Wagner motioned to close the public hearing, seconded by Board Member Kidera; all ayes, none opposed.

A written resolution to grant the area variance for 4000 East Avenue was approved.

**NEW PUBLIC HEARINGS:**

**2 Round Trail Drive – Tax ID 164.19-1-59**

Applicant is requesting relief from Town Code Sections 185-113 C. (3) for the construction of permanent play equipment in the side yard area. This property is zoned Residential Neighborhood (RN).

Chairman Pergolizzi opened the public hearing. The applicant was not in attendance.

Nick Esposito, of 4 Round Trail Drive, stated that we reviewed the application materials online and does not oppose the requested variance. However, Mr. Esposito requested the Board to consider screening between the play set and the shared property line.

Chairman Pergolizzi asked the resident to speak with his neighbor, the applicant, and submit an agreed upon plan for screening. Board Member Iacobucci stated that she has not heard any opposition and multiple letters of support have been submitted.



## DRAFT MINUTES 042125

Board Member Iacobucci motioned to table the application until May, seconded by Chairman Pergolizzi; all ayes, none opposed.

The applicant, Ray Pruitt, of 2 Round Trail Drive, arrived at the meeting. Chairman Pergolizzi motioned to reopen the discussion of this application, seconded by Board Member Iacobucci; all ayes, none opposed.

Mr. Pruitt stated that he began constructing the play set and was stopped by a Building Inspector for it being misplaced. Chairman Pergolizzi stated that he should discuss appropriate screening with his neighbor, Mr. Esposito. Mr. Pruitt agreed.

Board Member Iacobucci again motioned to table the application until May, seconded by Chairman Pergolizzi; all ayes, none opposed.

### **OTHER DISCUSSION:**

Chairman Pergolizzi motioned to approve the minutes of March 17, 2024, seconded by Board Member Iacobucci. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman Pergolizzi closed the meeting at 7:20PM.

Respectfully submitted,

---

April Zurowski  
Planning Assistant

OFFICIAL MINUTES ARE ON FILE IN THE OFFICE OF THE PLANNING DEPARTMENT