

APPROVED MINUTES 012025

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
JANUARY 20, 2025**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on January 20, 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: Phil Castleberry, Jennifer Iacobucci, Mary Ellen Spennacchio-Wagner, Jim Pergolizzi, Barbara Servé, Tom Kidera

ABSENT:

ALSO PRESENT: April Zurowski, Planning Assistant; Bill Zink, Building Inspector; Robert Koegel, Town Attorney; Naveen Havannavar, Town Board Liaison

ATTENDANCE: There were 23 members of the public present.

Board Member 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 Pergolizzi stated that there is an open public hearing on this matter.

Board Member Phil Castleberry abstained.

Peter Ragusa, Property Manager for 4000 East Avenue, reintroduced the application. He stated that the plans have been revised to include additional landscaping along East Avenue to shield the fence. Board Member Pergolizzi asked if the fence was moved from the previous plan. Mr. Ragusa stated that the fence was not moved. Vice Chairperson Servé stated that a 4.5-foot-tall board-on-board fence is out of character with the East Avenue corridor. Board Member Pergolizzi stated that the Board had previously granted a variance for a sound wall that was not built. He emphasized that the new request is for a problem that could have been solved with the old approval. Mr. Ragusa stated that the owners were not as involved with the rehabilitation of the property in 2021, and that after all of the wood was purchased for the sound wall, the owner did not want to construct the wall, as he felt it segmented the yard.

Mr. Ragusa stated that the plan has been revised to include 43 mature 8-foot-tall arborvitae. This will shield the fence throughout the year. Mr. Ragusa presented a to-scale model of the proposed plantings and fence. He explained that in order for vegetation to be a sufficient sound barrier, 100 feet of dense forest would be needed. Therefore, the fence and vegetation combination will provide enough sound deterrence.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Pergolizzi motioned to hold over the public hearing, seconded by Board Member Servé; all ayes, none opposed.

NEW PUBLIC HEARINGS:

192 Knickerbocker Road – Tax ID 164.15-2-39.2

Applicant is requesting relief from Town Code Sections 185-17 L. (1) for a garage addition extending past the building line and not meeting the minimum side setback; 185-17 L. (1) and 185-113 B. (3) for a kitchen terrace extending past the building line and forward of the rear wall of the home; 185-17 L. (1) for a screen room

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addition not meeting the minimum side setback; 185-17 L. (1) and 185-113 B. (3) for a spa not meeting the minimum side setback and forward of the rear wall of the home; and 185-17 G. for surpassing maximum building footprint. This property is zoned Residential Neighborhood (RN).

Board Member Pergolizzi opened the public hearing.

Mark Bayer, of Bayer Landscape Architecture, introduced the application. David Bayer, of Bayer Landscape Architecture; Dave Crowe, of DJC Architecture; Meghan Larrabee, of 192 Knickerbocker Road; and Brendan Larrabee, of 192 Knickerbocker Road; were also in attendance.

Mr. M. Bayer stated that this property is secluded, as it is more than 200 feet off of Knickerbocker Road and backs up to neighbors fronting Carters Grove. The property is considered a flag lot, so the setbacks, building line, and home orientation create a limited area for improvements that meet zoning regulations. Therefore, the applicant has requested a total of nine variances for four different improvements. The applicant is planning to construct a garage addition, a screen room, an outdoor kitchen terrace, and a spa. Additional variance requests will be submitted as part of "Phase 2" of the total rehabilitation project.

Board Member Pergolizzi asked if neighbors were contacted. Ms. Larrabee stated that four of seven neighbors on Carters Grove were reached, and no concerns were heard. 190 Knickerbocker Road submitted a letter of support.

Board Member Pergolizzi shared concern for the variance request for surpassing the maximum building footprint. Mr. M. Bayer stated that although the maximum building footprint was surpassed, the lot coverage is well under the 40% maximum. Ms. Zurowski stated that the maximum building footprint is set for the primary structure and includes all continuous roofs, so the accessory structures seen on the future plan will not require an additional maximum footprint variance. Mr. D. Bayer stated that the impervious coverage calculation includes future impervious areas, so a variance for lot coverage will not be requested.

Board Member Iacobucci stated that the significant grade change will shield the residents on Carters Grove from the proposed improvements. Mr. M. Bayer stated that additional screening is also proposed.

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

A written resolution to grant the area variances for 192 Knickerbocker Road was unanimously approved.

83 Kilbourn Road – Tax ID 138.14-1-24

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

Board Member Pergolizzi opened the public hearing.

Chuck Smith, of Design Works Architecture, introduced the application. He stated that the garage was expanded previously, which was granted a variance in the past. The home is not parallel to the property lines, so any expansion creates difficulty to meet setbacks. Mr. Smith stated that the most affected neighbor was contacted, but it is a rental, so no feedback was heard.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Iacobucci motioned to close the public hearing, seconded by Board Member Castleberry; all ayes, none opposed.

A written resolution to grant the area variance for 83 Kilbourn Road was unanimously approved.

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39 N Country Club Drive – Tax ID 151.06-1-45

Applicant is requesting relief from Town Code Section 185-17 B. (1) for the construction of an addition extending past the building line. This property is zoned Residential Neighborhood (RN).

Board Member Pergolizzi opened the public hearing.

Justin White, of 39 N Country Club Drive, introduced the application. He is requesting the garage addition to accommodate his son's disability. The garage will allow for an indoor wheelchair ramp and space for the accessible van to fit into the garage. The neighbor at 35 N Country Club Drive submitted a letter in favor of the project.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Servé; all ayes, none opposed.

A written resolution to grant the area variance for 39 N Country Club Drive was unanimously approved.

148 W Jefferson Road – Tax ID 164.01-1-8.1

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

Board Member Pergolizzi opened the public hearing.

Dave Crower, of DJC Architecture, introduced the application. The addition will serve as an attached "pool house" to include a gym, kitchen and dining area, and indoor pickleball facilities. The addition is located on the east side of the lot, closest to Sutherland High School, and furthest from the closest neighbor. Mr. Crowe stated that this addition will come with a complete pool and backyard renovation.

Ms. Zurowski stated that relocation of the pool may require a variance, as the addition will create a new rear wall of the home.

Board Member Iacobucci asked if the applicant is nearing the maximum lot coverage. Ms. Zurowski stated that the improvements will not result in a lot coverage overage.

Board Member Pergolizzi asked for public comment. Hearing none, Board Member Kidera motioned to close the public hearing, seconded by Board Member Spennachio-Wagner second.

A written resolution to grant the area variance for 148 W Jefferson Roads was unanimously approved.

OTHER DISCUSSION:

Board Member Pergolizzi motioned to approve the minutes of December 16, 2024. Following a unanimous voice vote, the minutes were approved, none opposed.

Board Member Pergolizzi closed the meeting at 7:56PM.

Respectfully submitted,

April Zurowski
Planning Assistant

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 192 Knickerbocker Road

**Tax Parcel: 164.15-2-39.2
Applicant: Meaghan Larrabee
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Sections 185-17 L. (1) for a garage addition extending past the building line and not meeting the minimum side setback; 185-17 L. (1) and 185-113 B. (3) for a kitchen terrace extending past the building line and forward of the rear wall of the home; 185-17 L. (1) for a screen room addition not meeting the minimum side and rear setbacks; 185-17 L. (1) and 185-113 B. (3) for a spa not meeting the minimum side setback and forward of the rear wall of the home; and 185-17 G. for surpassing maximum building footprint where not permitted by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on January 20, 2025, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

The granting of these variances will not produce an undesirable change in the neighborhood or detriment to nearby properties. The home has an 800+ foot driveway off of Knickerbocker Road and is located on a 2.2-acre parcel. All improvements are centralized on the parcel. Neighbors include those on Carters Grove, three others on Knickerbocker Road, and the Knickerbocker Farm. The parcel has a vegetative buffer on all sides. This home is a Designated Landmark, and this application has been preliminarily reviewed by the Design Review and Historic Preservation Board, where no major concerns were raised. This application includes variances for Phase 1 of the rehabilitation of this property.

The garage addition is more than 450 feet from Knickerbocker Road and abuts farmland. The kitchen terrace will be veiled in landscape plantings and will consist of low garden walls. The screen room addition will be obscured by vegetation and is more than 150 feet from the closest home at 2 Carters Grove. Moreover, this property sits well above the homes on Carter Grove making the addition obscured by the geography. The spa will be further from the property line than the existing inground pool and will not be visible from neighboring properties. The proposed additions will exceed the maximum building footprint, but the increase in footprint is in keeping with the scale and character of this prominent historic estate and its architectural style.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

The benefit sought by the applicant cannot be achieved by other feasible means. Due to the historic nature of this property and the existing home's scale and orientation on the lot, these variances are requested to ensure the existing architectural style is preserved and enhanced, while creating additional garage storage, entertainment space, and exterior property improvements.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

These variances, both individually and combined, are considered substantial. Each variance request and its percentage from code is listed below.

Building Footprint	1,887 sq ft	31%
Garage Addition (front setback)	36.4 ft	15.5%
Garage Addition (side setback)	35 ft	58%
Screen Room (side setback)	11.7 ft	27%
Screen Room (rear setback)	5.5 ft	9%
Spa (side setback)	10.7 ft	25%
Spa (forward of the rear wall)		
Kitchen Terrace (forward of the rear wall)		
Kitchen Terrace (forward of the building line)	35 ft	14.9%

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The requested variances will not have an adverse impact on the physical and/or environmental conditions in the neighborhood or zoning district. This property is surrounded by vegetation and is distanced from neighboring residences. The application includes the establishment of additional vegetation to provide privacy screening to neighbors.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the property's seclusion from neighbors and Knickerbocker Road and its historic configuration, so the variance is not precluded.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

1. These variances are granted only for the plans submitted and prepared by the applicant received December 13, 2024 and attached hereto as Exhibit A.
2. All construction of the Phase 1 improvements must be completed by December 31, 2027.
3. Subject to review and approval of variances required by the future improvements shown on the site plan.

The within Resolution was moved by Zoning Board of Appeals Member Jennifer Iacobucci, seconded by Board Member Mary Ellen Spennacchio-Wagner, and voted upon by the Board, as follows:

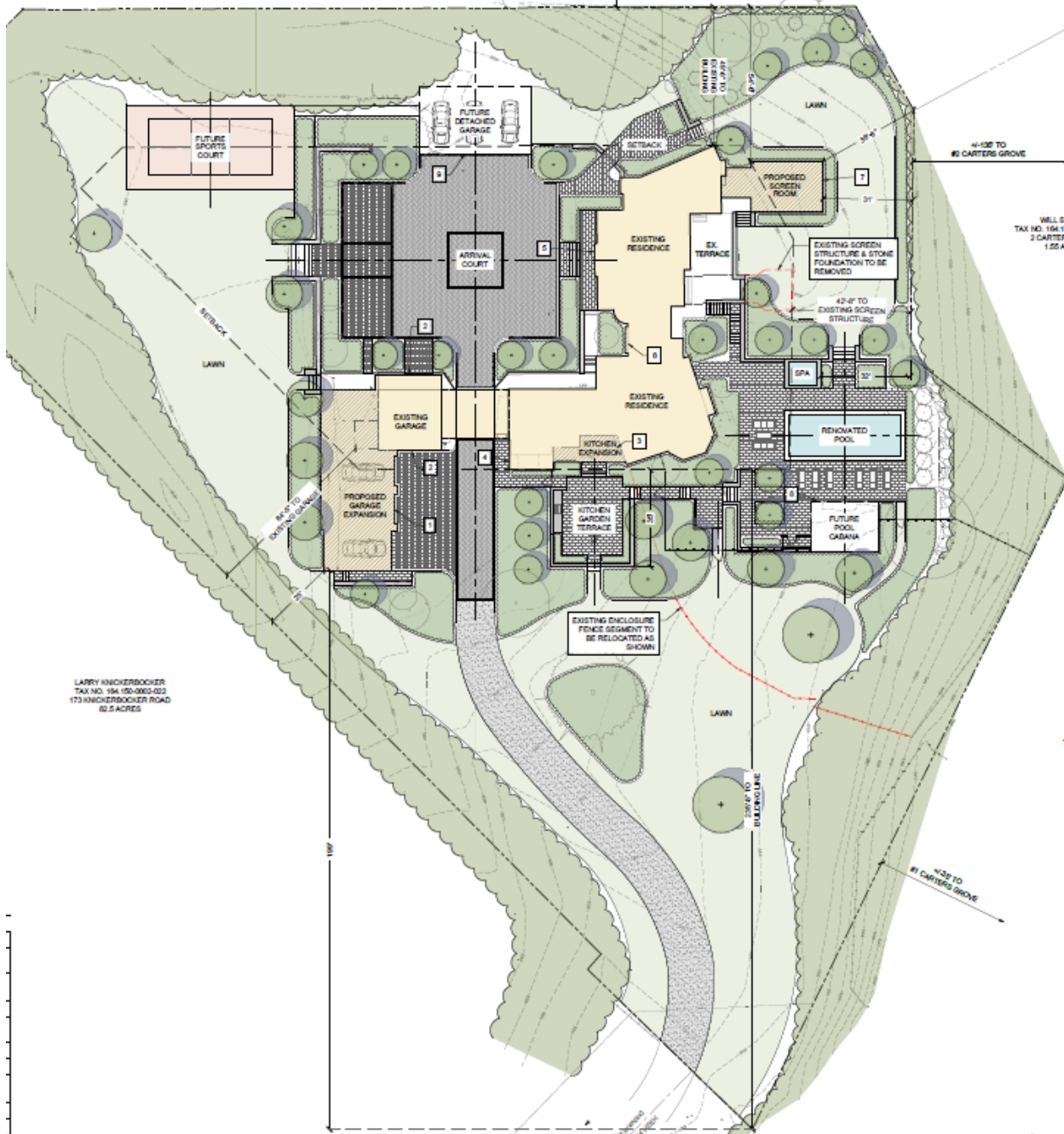
Phil Castleberry voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on January 20, 2025.

April Zurowski
Planning Assistant

GLEN MEHALEK
TAX NO. 194-150-000-026-14
4 CARTERS GROVE
88 ACRES

SWITMORE CHILDREN LLC
TAX NO. 194-150-000-026-13
3 CARTERS GROVE
5.19 ACRES

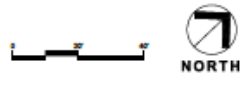


WILL STRLEN
TAX NO. 194-150-000-026-12
2 CARTERS GROVE
1.52 ACRES

LARRY KNOCKERBOCKER
TAX NO. 194-150-000-022
173 KNOCKERBOCKER ROAD
82.5 ACRES

TOM HERMAN
TAX NO. 194-150-000-026-11
1 CARTERS GROVE
1.99 ACRES

STEVE MAGGIO
TAX NO. 194-150-000-042
1 CARTERS GROVE



**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 83 Kilbourn Road

**Tax Parcel: 138.14-1-24
Applicant: Thomas & Elizabeth Mullard
Zoned: Residential (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 E. to allow the construction of an addition not meeting the total side setback requirement at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on January 20, 2025, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

There will be no undesirable change in the neighborhood or detriment to nearby properties if this variance is granted. The variance is requested to allow the construction of a small one-story addition that will match the architectural character within a neighborhood of other ranch style homes. This property currently does not meet the updated 2012 RN Zoning requirements for total side setbacks, so the construction of an addition off the rear of the home will simply be a continuation of that situation. The addition will meet the minimum side setback.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

The benefit sought by the applicant cannot be achieved by other feasible means. Because the house is built as a slab on grade, there is no ability to add additional living space by converting a basement, and adding a second story does not match the character of the street. The desire is to create an accessible en-suite to the primary bedroom in the rear of the house. Due to the current location of the patio and the fact that the lot line is not parallel to the house, the location of the addition will necessarily require this variance.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The application to allow for a total side setback of 21.9 feet when 25 feet is required by code (12%) does not represent a substantial variance from Code.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The requested variance will not have an adverse impact on the physical or environmental conditions in the neighborhood. The proposed addition will continue to meet the minimum side setback requirements and the one story bedroom and office addition will match the architectural character of the neighborhood.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the limited nature of the variance and the fact that while the property currently does not meet the total side setback, it will continue to meet the minimum side setback requirements, so the variance is not precluded.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the applicant dated December 12, 2024 and attached hereto as Exhibit A.
2. All construction must be completed by December 31, 2026.

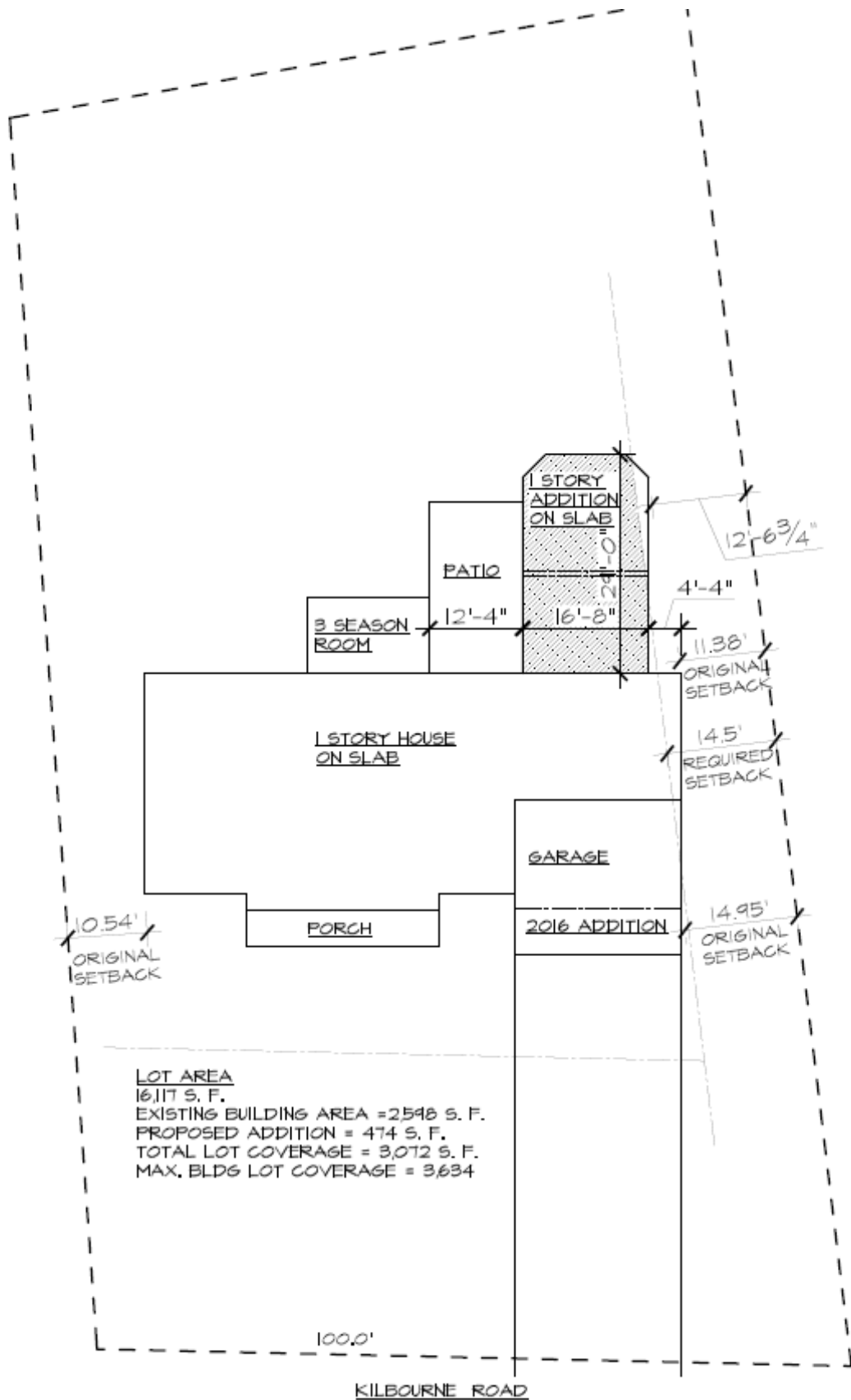
The within Resolution was moved by Zoning Board of Appeals Member Tom Kidera, seconded by Board Member Phil Castleberry, and voted upon by the Board, as follows:

Phil Castleberry voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on January 20, 2025.

April Zurowski
Planning Assistant

EXHIBIT A



LOT AREA
 16,117 S. F.
 EXISTING BUILDING AREA = 2,598 S. F.
 PROPOSED ADDITION = 474 S. F.
 TOTAL LOT COVERAGE = 3,072 S. F.
 MAX. BLDG LOT COVERAGE = 3,634

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 39 N Country Club Drive

**Tax Parcel: 151.06-1-45
Applicant: Charles Smith
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 B. to allow the construction of a garage addition 63 feet from the front property line where 70 feet is required by code, at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on January 20, 2025, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

There will be no undesirable change produced in the neighborhood or detriment to nearby properties. This addition will allow for an indoor wheelchair ramp. There is support from the most affected neighbors. There are other residences in this neighborhood with similar projections.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

The applicant wishes to construct a garage addition to accommodate a vehicle able to wheelchair transport a child that has Duchenne muscular dystrophy. The addition will provide space for wheelchair vehicle access and a ramp to the first floor in a covered location (garage). To best accomplish this need for additional space, the garage must extend into the front setback by 7 feet; resulting in the need for the requested variance.

Other proposed improvements include construction of a deeper porch, which does not require a variance, but this design will help to soften the projection of the garage and create a more aesthetic front view of the residence.

Therefore, the benefit sought by the applicant to extend the garage cannot be achieved without the granting of the requested variance.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The 7-foot variance (10%) does not represent a substantial variance from Code.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The variance will have no adverse effect or impact on the physical or environmental conditions in the neighborhood. Small additions are very common in residential neighborhoods.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the need to create a garage space to accommodate the transportation and mobility needs of the disabled child, so the variance is not precluded.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

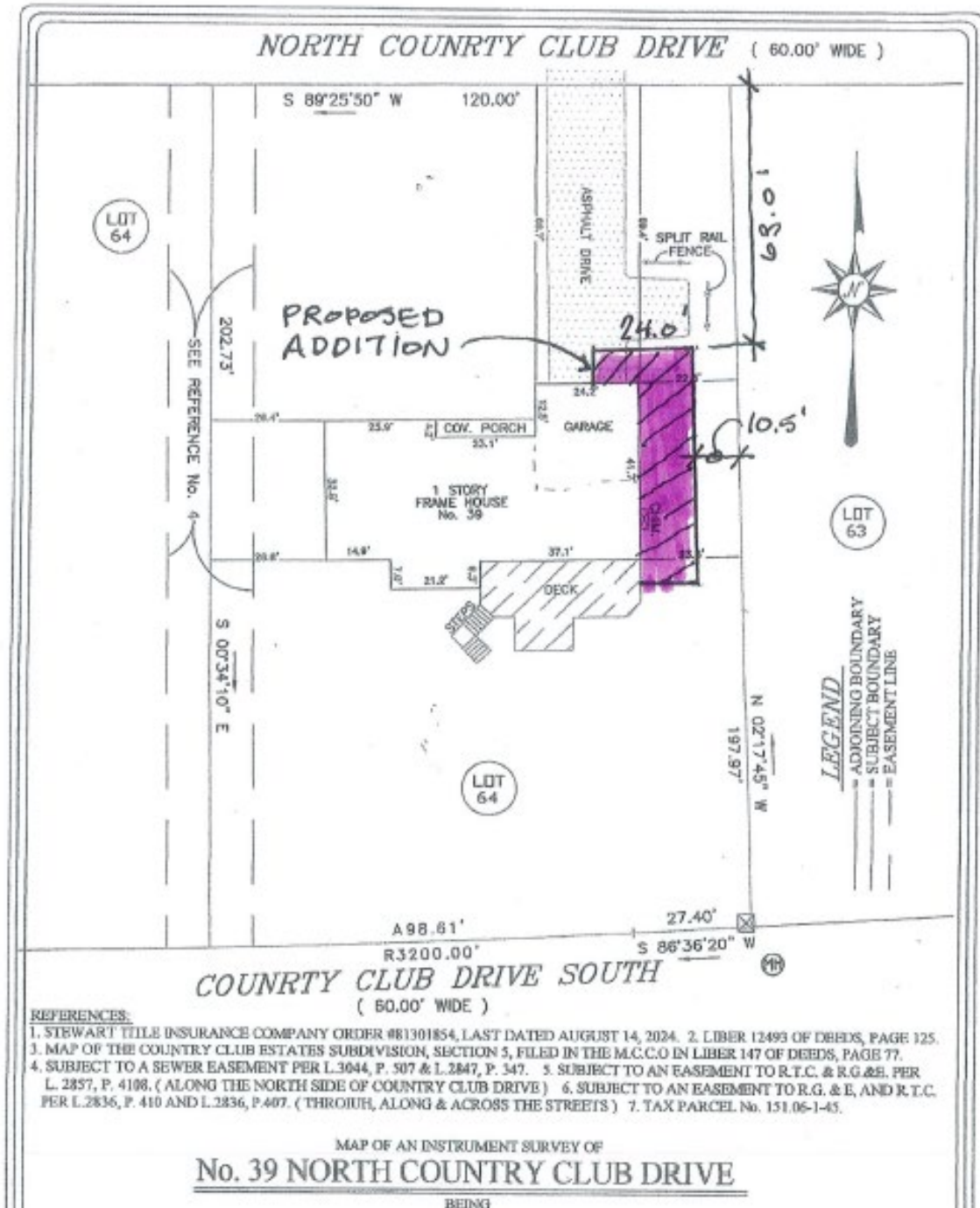
1. This variance is granted only for the attached plans submitted and prepared by the applicant dated December 12, 2024, and shown in Exhibit A.
2. All construction of the garage addition must be completed by December 31, 2027.

The within Resolution was moved by Zoning Board of Appeals Member Mary Ellen Spennacchio-Wagner, seconded by Board Member Tom Kidera, and voted upon by the Board, as follows:

Phil Castleberry voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on January 20, 2025.

April Zurowski
Planning Assistant



NORTH COUNTRY CLUB DRIVE (60.00' WIDE)

S 89°25'50" W 120.00'

LOT 64

PROPOSED ADDITION

ASPHALT DRIVE

SPLIT RAIL FENCE



68.0'

24.0'

10.5'

1 STORY FRAME HOUSE No. 39

LOT 63

S 00°34'10" E

LOT 64

LEGEND

- ADJOINING BOUNDARY
- SUBJECT BOUNDARY
- EASEMENT LINE

N 02°17'45" W
197.97'

A 98.61'

27.40'

R 3200.00'

S 86°36'20" W

COUNTRY CLUB DRIVE SOUTH (60.00' WIDE)

REFERENCES:

1. STEWART TITLE INSURANCE COMPANY ORDER #81301854, LAST DATED AUGUST 14, 2024.
2. LIBER 12493 OF DBEDS, PAGE 125.
3. MAP OF THE COUNTRY CLUB ESTATES SUBDIVISION, SECTION 5, FILED IN THE M.C.C.O IN LIBER 147 OF DEEDS, PAGE 77.
4. SUBJECT TO A SEWER EASEMENT PER L.3044, P. 507 & L.2847, P. 347.
5. SUBJECT TO AN EASEMENT TO R.T.C. & R.G.&S. PER L. 2857, P. 4108. (ALONG THE NORTH SIDE OF COUNTRY CLUB DRIVE)
6. SUBJECT TO AN EASEMENT TO R.G. & E. AND R.T.C. PER L.2836, P. 410 AND L.2836, P.407. (THROUGH, ALONG & ACROSS THE STREETS)
7. TAX PARCEL No. 151.06-1-45.

**MAP OF AN INSTRUMENT SURVEY OF
No. 39 NORTH COUNTRY CLUB DRIVE**

BEING

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
RESOLUTION**

RE: 148 West Jefferson Road

**Tax Parcel: 164.01-1-8.1
Applicant: David Crowe, DJC Architecture PLLC
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 E. to allow for a 5,272 square foot addition not meeting the minimum side setback, with a proposed east side setback of 12.6 feet, where 20 feet is required by code, and not meeting the minimum total side setback, with a proposed total of 61.7 feet, where 90 feet is required by code, all at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on January 20, 2025, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(17) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

The within resolution is based upon the following specific Findings of Fact and subject to the following specific Conditions of Approval:

FINDINGS OF FACT

As to the issue of whether an undesirable change will be produced in the neighborhood or detriment to nearby properties created by the granting of the application, the Board finds, as follows:

The proposed variance will not produce an undesirable change in the neighborhood or detriment to nearby properties. The proposed addition is immediately adjacent to the baseball field and related facilities at Sutherland High School but there are no occupied school buildings affected by the addition. The approximately 4.9-acre property is over 1,090 feet deep off of West Jefferson Road, and the addition will utilize this space, extending north along the eastern boundary. It is largely screened from view along the eastern boundary by dense existing vegetation on both the owner's and school property, and by an existing stockade fence.

As to whether the benefit sought by the applicant can be achieved by other feasible means:

The benefit sought by the applicant cannot be achieved by other feasible means. Given the size and orientation of the lot and the location of the existing home and pool, the building north along the eastern boundary line is the most logical position for the proposed addition. It has the least impact upon adjacent neighbors.

As to whether the application represents a substantial variance from Code, the Board finds, as follows:

The requested minimum side setback requested, 12.6 feet, where 20 feet is required by code, is considered a substantial variance (37%). The total side setback variance request is 31% and is also considered substantial. These variances are mitigated by the secluded nature of the property and dense trees and vegetation on the property and along the boundary lines. Additionally, only about a quarter of the length of the addition falls within the 20-foot side setback, which helps to break up any remaining visual impact.

As to whether the requested variance will have an adverse impact on physical and/or environmental conditions in the neighborhood or District, the Board finds, as follows:

The requested variance will have no adverse impact on the physical and/or environmental conditions in the neighborhood. Storm drainage will be provided by extending the existing gutters and downspouts.

As to whether the difficulty alleged by the applicant is self-created, the Board finds, as follows:

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the fact that the addition will not change the view of the house from the street, so the variance is not precluded.

CONDITIONS OF APPROVAL

The Board, in granting the within application, hereby imposes the following specific conditions:

1. This variance is granted only for the plans submitted and prepared by the applicant dated December 13, 2024, and attached hereto as Exhibit A.
2. All construction of the addition must be completed by December 31, 2027.

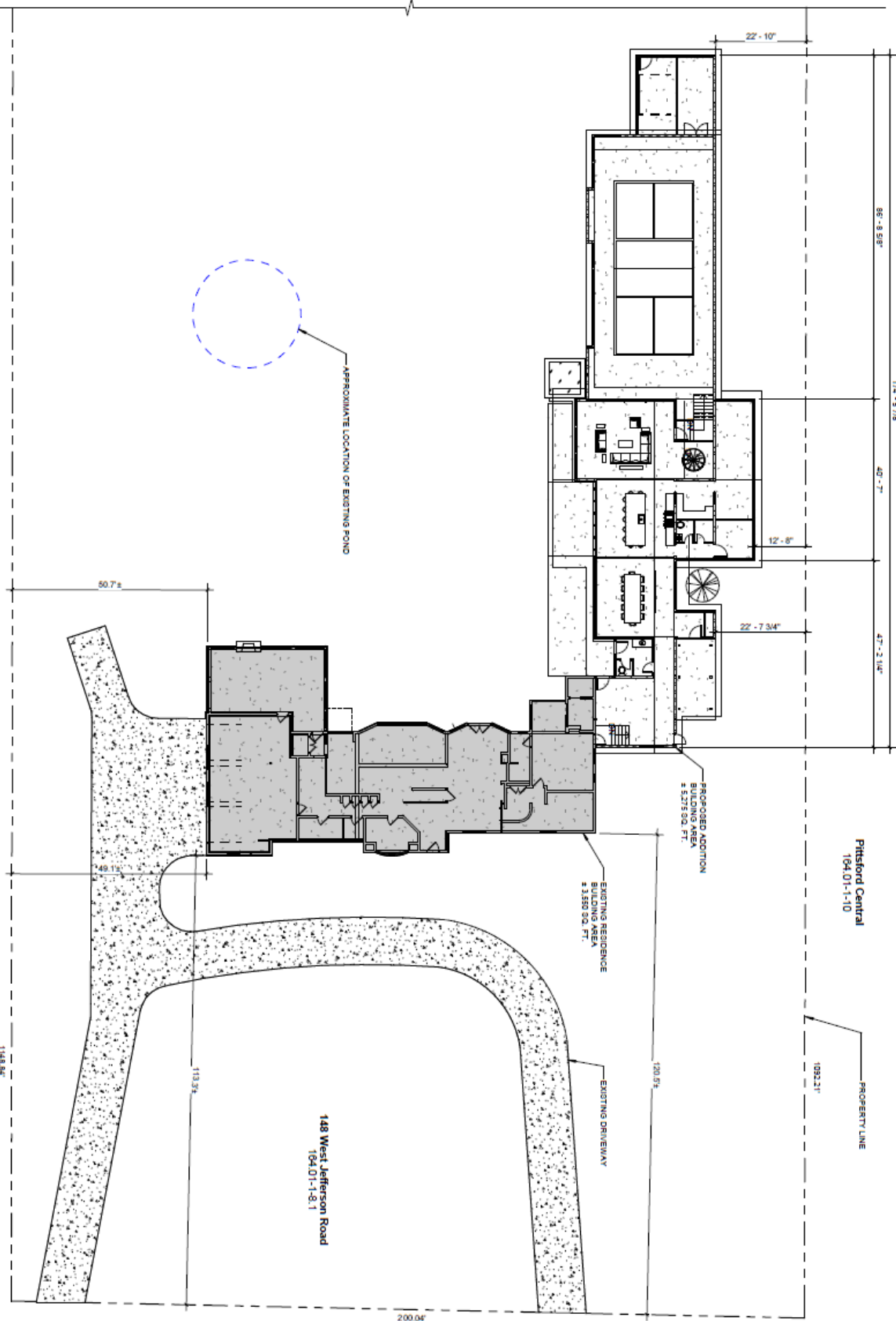
The within Resolution was moved by Zoning Board of Appeals Member Jim Pergolizzi, seconded by Board Member Phil Castleberry, and voted upon by the Board, as follows:

Phil Castleberry voted	Aye
Barbara Servé voted	Aye
Thomas Kidera voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Jennifer Iacobucci voted	Aye
James Pergolizzi voted	Aye

The Zoning Board of Appeals adopted the above resolution on January 20, 2025.

April Zurowski
Planning Assistant

EXHIBIT A



WEST JEFFERSON ROAD
(66' R.O.W.)



Pittsford Central
194-01-1-10