

**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
AGENDA  
May 17, 2021**

**PUBLIC HEARING FOR AN AREA VARIANCE**

- 3 Falcon Bridge, Tax # 150.16-1-33. Applicant is requesting relief from Town Code § 185-113 (B) (3) and 185-17 A. to place a standby electrical generator in a front yard as viewed from Clover street. Property is zoned RN – Residential Neighborhood District
- 96 Stoneleigh Ct., Tax # 138.18-1-11. Applicant is requesting relief from Town Code §185 – 17 H. and 185-17 I. to allow construction of an in ground swimming pool encroaching into the rear buffer with associated improvements, which will exceed the maximum impervious coverage allowed by code, 46% coverage proposed where 40% is permitted. Property is zoned RN – Residential Neighborhood District.
- 22 Mill Neck Lane, Tax # 164.14-3-9. Applicant is requesting relief from Town Code § 185-17 (L) for the construction of an accessory structure (covered and open deck) located within the 60 foot setback. Property is a flag lot and is zoned RN- Residential Neighborhood District.
- 30 Van Voorhis Road, Tax # 192.01-1-11 Applicant is requesting relief from Town Code §185-120 C. Variance requested for a chicken coop less than the required 150 from the side lot line and the front lot line. Property is zoned RN, Residential Neighborhood.
- 106 South Main Street, Tax # 164.10-2-2 Applicant is requesting relief from Town Code(s) §185-113 B. (1); §185-113 B. (2); §185-17 E; and §185-17 I for an oversized, over height accessory structure encroaching into the side setbacks of a corner lot. Property zoned RN – Residential Neighborhood District.
- 153 Mendon Center Road, Tax # 178.05-1-87.1 Applicant is requesting relief from Town Code 185–17 B. (1) for the construction of roof over an existing deck forward of the building line as well as a home addition forward of the building line. Property is zoned RN – Residential Neighborhood District.

**PUBLIC HEARING FOR AN AREA VARIANCE – RETURNING**

- 145 Long Meadow Cir, Tax # 150.20-2-12.1, Applicant is requesting relief from Town Code §185- 113 (B) (1), (2) & (3) for the construction of an oversized, over height storage shed forward of the rear wall of the home. Property is zoned RN - Residential Neighborhood District.

How to view the meeting:

1. Zoom

- In your web browser, go to <https://townofpittsford.zoom.us/j/85159801621?pwd=N2xRLzhWcEc0dnZOWWVpZER3RDhxZz09>

You will be connected to the meeting.

2. Telephone

- You can access the meeting by phone. Use any of the phone numbers below, then enter the meeting ID when prompted. The Meeting ID is **851 5980 1621**. No password is necessary.

(929) 205-6099	(312) 626-6799
(253) 215-8782	(301) 715-8592
(346) 248-7799	(669) 900-6833

**We are pleased to offer Zoom Automated Transcription captions for our Town Board and volunteer board meetings held via Zoom. Because this service automatically creates machine-generated transcriptions, users should be aware that wording inaccuracies may occur.**

*draft*  
**TOWN OF PITTSFORD  
ZONING BOARD OF APPEALS  
MINUTES  
April 19, 2021**

**PRESENT**

George Dounce, Chairperson; Mary Ellen Spennacchio-Wagner, James Pergolizzi, Phil Castleberry  
Barbara Servé, David Rowe

**ALSO PRESENT**

Robert Koegel, Town Attorney; Doug DeRue, Director of Planning and Zoning; Susan Donnelly, Secretary  
to the Board

**ABSENT**

Mike Rose

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, April 19, 2021 at 7:00 P.M. local time. The meeting took place with Board members and applicants participating remotely using Zoom virtual meeting software.

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

The applications before the Board this evening is a Type II Action under 6-NYCRR §617.5 (c) (7) or (12) & (13) and, therefore, is not subject to Environmental Review under SEQRA. The applications are exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

**PUBLIC HEARING FOR AN AREA VARIANCE**

- 7 Rosewood Drive, Tax # 178.16-2-55, Applicant is requesting relief from Town Code §185- 121 (A) to erect a fence exceeding the height requirement of Town Code forward of the front wall of the home. This property is a corner lot and is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, Scott Goetz, was present.

Mr. Goetz described the need for the variance due to the circumstances of his home being located on a corner lot. The chain link fence will not prove to be obtrusive to the neighbors and will blend in when his shrubs fill in.

There were no further questions from the Board.

There was no public comment.

The timing of the project will be at the availability of the installer most likely in spring or summer.

Barb Servé moved to close the Public Hearing.

Phil Castleberry seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member George Dounce, seconded by Board member Mary Ellen Spennacchio-Wagner, and voted upon by the Board members, as follows:

Michael Rose	Absent
James Pergolizzi voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner	Aye
George Dounce voted	Aye
Phil Castleberry voted	Aye
Barbara Servé voted	Aye

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

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 12, 2021.
  2. All construction is to be completed by December 31, 2022.
  3. The application does not need the approval of the Design Review and Historic Preservation Board.
- 38 Coddington Grove, Tax # 177.08-1-61, Applicant is requesting relief from Town Code §185- 113 B (1) (2) & (6) and 185-17 (L) for the construction of an oversized accessory structure (storage shed) located in the rear yard and encroaching into the rear setback. Property is a flag lot and is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, David Mesmer, was present.

Mr. Mesmer explained that his property backs up to woods that is Town land. He has talked to two neighbors and there is no objection.

The time frame takes into account it will take 12 weeks for the shed to arrive.

There was no public comment.

There are objections from the Town of Pittsford.

Phil Castleberry moved to close the public hearing.

David Rowe seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member James Pergolizzi, seconded by Board member Mary Ellen Spennacchio-Wagner, and voted upon by the Board members, as follows:

Michael Rose	Absent
Barbara Servé	Aye
James Pergolizzi	Aye
David Rowe	Aye
Mary Ellen Spennacchio-Wagner	Aye
George Dounce	Aye
Phil Castleberry	Aye

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

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 31, 2021.
2. All construction is to be completed by December 31, 2022.



- 53 Sutton Point, Tax # 163.02-3-33, Applicant is requesting relief from Town Code § 185 -113 (B) (6) 185-17 (E) to place a standby electrical generator in the side yard and encroaching into the side yard setback. Property is zoned RN – Residential Neighborhood District

George Dounce opened the public hearing.

Scott Schindler, the homeowner, was present. Ken Stavalone representing Home Power Systems was also present.

The generator cannot be placed in the back yard due to a pool in the back yard. The side of the house closest to the neighbor's garage at 51 Sutton Point is the best possible solution.

There was no public comment.

The Board had no further comments or questions.

Barb Servé moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member Barbara Servé, seconded by Board member Mary Ellen Spennacchio-Wagner, and voted upon by the Board members, as follows:

Michael Rose	Absent
Barbara Servé	Aye
James Pergolizzi	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner	Aye
George Dounce	Aye
Phil Castleberry	Aye

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

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 11, 2021.
  2. All construction is to be completed by December 31, 2022.
  3. This application is not subject to the approval of the Design Review and Historic Preservation Board.
- 85 Coventry Ridge, Tax # 177.04-3-59, Applicant is requesting relief from Town Code §185- 113 B (1), (2) & (6) and the approved Coventry Ridge Subdivision plans for the construction of an oversized accessory structure (Pavilion) located in the rear yard and encroaching into the side setback. Property is zoned IZ – Incentive Zoning.

George Dounce opened the Public Hearing.

Mike Taccone, contractor, and Joe O'Donnell, architect for the project were present.

The project should take about two weeks to complete.

George Dounce inquired about the most affected neighbor. It was stated that the neighbor had no issues.

There was no public comment.

There was no further comment from the Board.

Mary Ellen Spennacchio-Wagner seconded.

David Rowe seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member Mary Ellen Spennacchio-Wagner, seconded by Board member Phil Castleberry, and voted upon by the Board members, as follows:

Mike Rose	Absent
Phil Castleberry voted	Aye
David Rowe voted	Aye
Mary Ellen Spennacchio-Wagner voted	Aye
Barbara Servé voted	Aye
James Pergolizzi voted	Aye
George Dounce voted	Aye

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

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 10, 2021.
  2. All construction is to be completed by December 31, 2022.
  3. The application does need the approval of the Design Review and Historic Preservation Board.
- 110 Canfield Rd, Tax # 191.01-1-3.1, Applicant is requesting relief from Town Code §185- 113 B (1) & (3); 185 - 119 (A) (1) and 185 – 121 (A) for the construction of an oversized accessory structure (Pergola), an In ground swimming pool with spa & equipment, a recreation court located forward of the rear wall of the home and to erect a fence exceeding the height requirement of Town Code forward of the front wall of the home. Property is zoned RRSP – Rural Residential South Pittsford.

George Dounce opened the Public Hearing.

The homeowner, Sarah Taylor, and Ann Hubregson from Josh Landscaping were present.

The project was discussed. The fence will need to meet code for swimming pools. There are no neighbors to object to this application. The time frame is June – October and dependent on materials delays.

There was no public comment.

Jim Pergolizzi moved to close the Public Hearing.

David Rowe seconded.

All Ayes.

A resolution was moved by Zoning Board of Appeals member David Rowe, seconded by Board member Barbara Servé, and voted upon by the Board members, as follows:

Michael Rose	Aye
Barbara Servé	Aye
James Pergolizzi	Aye
David Rowe	Aye
Mary Ellen Spennacchio-Wagner	Aye

George Dounce  
Phil Castleberry

Aye  
Aye

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

1. This variance is granted only for the plans submitted and prepared by the Applicant dated March 12, 2021.
  2. All construction is to be completed by December 31, 2022.
- 145 Long Meadow Cir, Tax # 150.20-2-12.1, Applicant is requesting relief from Town Code §185- 113 (B) (1), (2) & (3) for the construction of an oversized, over height storage shed forward of the rear wall of the home. Property is zoned RN - Residential Neighborhood District.

George Dounce opened the Public Hearing.

The homeowner, Danielle Fliss, was present.

Ms. Fliss described her need for an additional accessory structure to store four vehicles for their family of six.

The Board discussed their concern with the size and height of the proposed structure and the fact that the dimensions and height are not clearly defined in the application and by discussion with the applicant. Another concern was that this structure is out of character for the neighborhood.

There was no public comment at this time.

The Board felt it was best that the application be held over to the next meeting to give the applicant an opportunity to provide clearer definition of the project specifically:

1. The height of the structure
2. The dimensions of the structure to scale
3. A sketch of the structure
4. The location of the structure on the lot

Phil Castleberry moved to hold the application open.

All Ayes.

## **REVIEW OF MEETING MINUTES OF March 15, 2021**

George Dounce moved to approve the minutes of March 15, 2021 as written.

All Ayes.

## **POINT PERSONS FOR MAY 17, 2021 MEETING**

3 Falconbridge – Phil Castleberry

22 Mill Neck Lane – Barb Servé

96 Stoneleigh – David Rowe

30 Van Voorhis Road – Mary Ellen Spennacchio-Wagner

106 South Main Street – Jim Pergolizzi

153 Mendon Road – George Dounce

## **MEETING ADJOURNMENT**

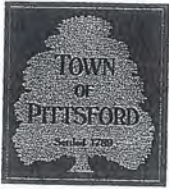
George Dounce moved to adjourn the meeting at 8:25 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly  
Secretary to the Zoning Board of Appeals

DRAFT



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

Submission Date: February 18, 2021 Hearing Date: \_\_\_\_\_

Applicant: Heritage Christian Services

Address: 275 Kenneth Dr Suite 100 Rochester, NY 14623

Phone: (585) 340-2089 E-Mail: dstewart@heritagechristianservices.org

Agent: Dan Stewart- Director of Facilities HCS  
*(if different than Applicant)*

Address: same

Phone: (585) 729-9433 E-Mail: same

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: 3 Falconbridge Dr Current Zoning: \_\_\_\_\_

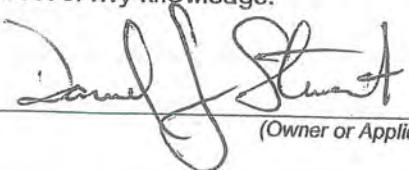
Tax Map Number: 264689-150-160-0001-033-0

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

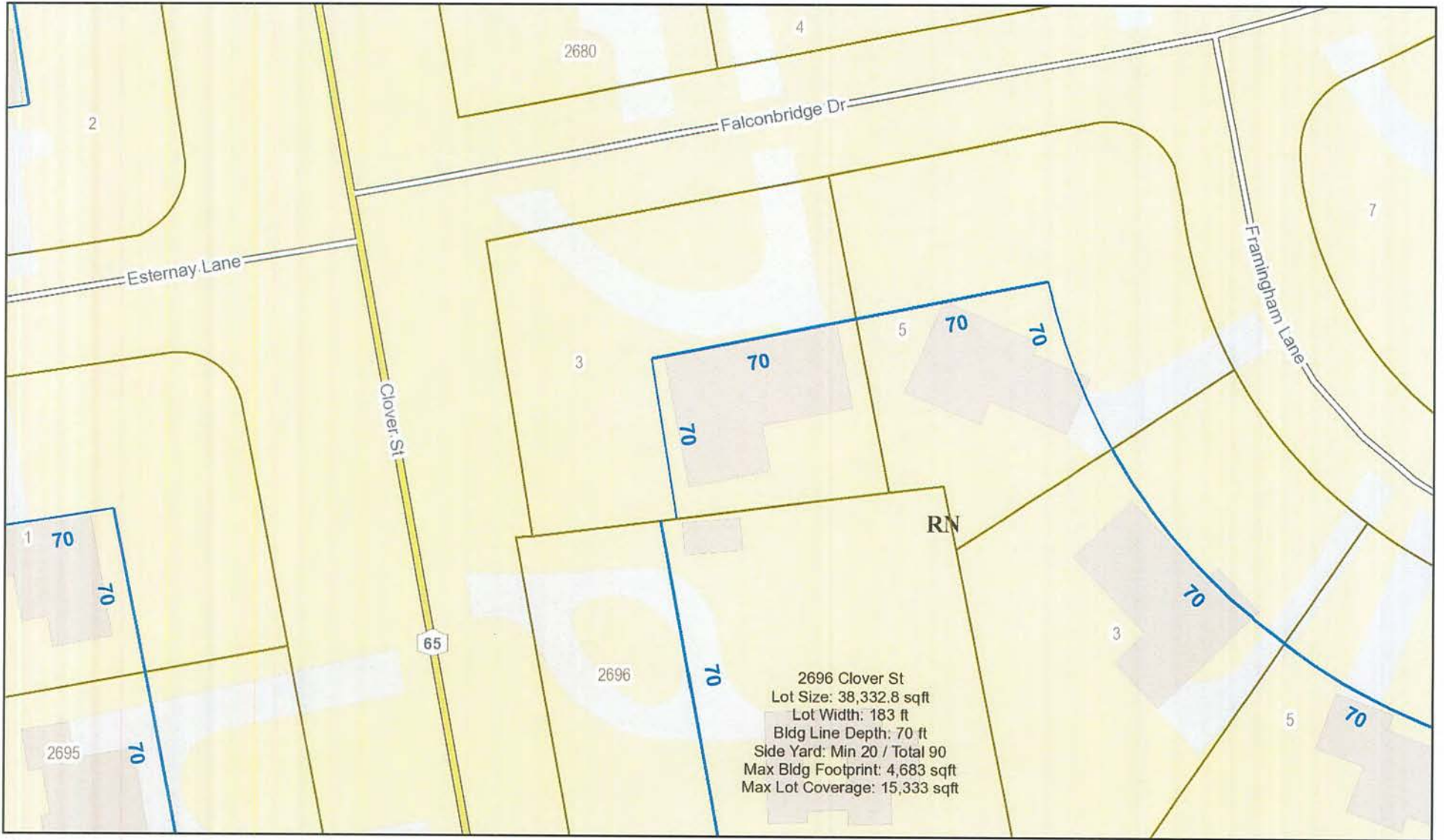
Approval to install a 22kW generator to the southwest corner of the house. The house sets on a corner lot requiring this variance. The generator will be a necessity use for the fire sprinkler system pump and refrigeration for medical supplies.

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

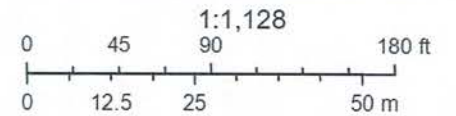
  
(Owner or Applicant Signature)

2/18/21  
(Date)

# RN Residential Neighborhood Zoning



Printed May 7, 2021



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.

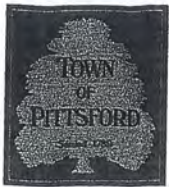




2695  
04/21/2018

© All Pictometry





# 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,           SAMES          , the owner of the property located at:

\_\_\_\_\_

(Street)

(Town)

(Zip)

Tax Parcel # \_\_\_\_\_ do hereby authorize

\_\_\_\_\_ to make application to the

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

\_\_\_\_\_

N/A

\_\_\_\_\_

(Signature of Owner)

\_\_\_\_\_

(Date)





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

## TESTS FOR GRANTING AREA VARIANCES

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

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

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

3 Falconbridge sets on the south east side of the building lot. There is a substantial distance to Clover St. to the south west corner of the home. The neighboring property to the south has a berm, barn and substantial separation from this location.

The generator is needed to operate a 13D sprinkler system gives an additional safety system built into the house.

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 remaining area to the south east of the house is minimal with the patio and grade to the neighboring property. This would also place the generator close to the east neighbors home that looks into this backyard.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

3. *Counties (Jan 21 2 "Departed", Dec 44'44, =0)*  
Please explain whether the requested area variance is minimal or substantial:

This is a minimal variance based on the size of the unit, screening that can be installed and distance from the current road.

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 distance from all others entertainment areas is reduced. If needed to be located in the south west corner it will be closer to both neighbors dwellings

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

5. Is the alleged difficulty self-created?

No. it is an approved corner building lot.

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

3 Falconbridge- generator location

(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)

HERITAGE CHRISTIAN SERVICES

2/18/21

(Dated)

275 KENNETH DR. SUITE 100

(Street Address)

ROCHESTER, NY 14623

(City/Town, State, Zip Code)





# NEW YORK STATE

## GENERAL MUNICIPAL LAW SECTION § 809

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse or their brothers, sisters, parents, children, grandchildren or the spouse of any of them...
  - a. is the applicant, or
  - b. is an officer, director, partner or employee of the applicant, or
  - c. legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
  - d. is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
3. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

Section eight hundred six of the General Municipal Law added by this act, shall apply only to application, petitions or requests as described therein which are submitted on or after the effective date of this act.

This act shall take effect September 1, 1969.

# STANDARD TAPE LOCATION MAP

Name .....

Street *Falconbridge Drive* <sup>City</sup> *Pittsford* N. Y.

Lot No. *40* Subdivision *Cambridge Colony, Section 3*

Liber *166* of Maps, Page *17*; Liber of Deeds, Page .....

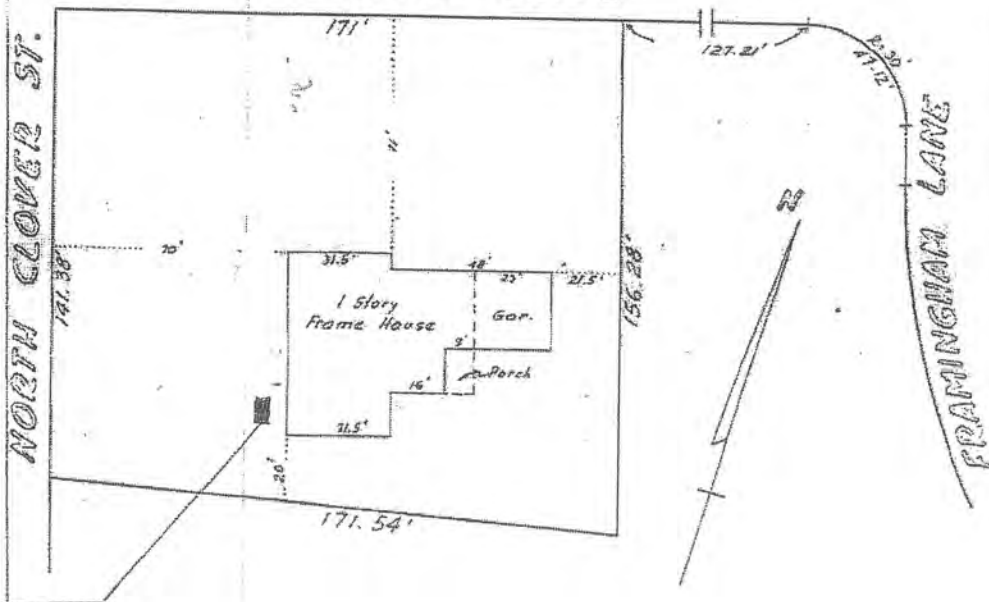
Showing *One* story dwelling; garage (~~was~~) attached.

Distance as shown from *North & West* property line actually measured.

Monuments used: Yes  No

All buildings on premises and any apparent encroachment by or on premises are shown.  
Main front wall is (*is not*) on apparent uniform set-back line.

## FALCONBRIDGE DRIVE



24KV  
GENERAC  
GENERATOR

SCALE 1" equals 40'

Remarks: This information is for .....

This is not an instrument survey and information shown should not be used for building purposes or exact location of property lines.

Dated: *June 7, 1965*

Signed *Donald L. Griffin*  
DONALD L. GRIFFIN  
New York Land Surveyor, License No. 34397

Print Form

Reset Form



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

Submission Date: April 16, 2021 Hearing Date: May 17, 2021

Applicant: David Dean & Jennifer Young

Address: 96 Stoneleigh Court, Rochester, NY 14618

Phone: 585-278-6037 E-Mail: david\_dean@urmc.rochester.edu

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

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

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

Property Owner: \_\_\_\_\_  
*(if different than Applicant)*

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

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

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

Property Location: \_\_\_\_\_ Current Zoning: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

We would like to install a 12'x26' rectangular inground pool with a cement/stone surround (3.5' on sides, 7' at ends) in our backyard. We are in the planning stages now and are meeting with a landscape architect to design the project. We would like two variances: an area variance and a rear setback variance. For the first, based on our current survey (April 6, 2021), calculation of all existing structures/surfaces in our yard (driveway, house, garage, brick patio) shows that we have 3765 sq ft of covered land. Our lot size is 9996 sq ft. To add the pool, we will add 19'x40', or 760 sq ft of coverage and a 3'x6' cement pad for a pump/heater. This will bring us to 4543/9996 or 45.4% area coverage. Thus, we would like a variance since the coverage is above the 40% code. Second, we would like to install the pool 10 feet from the back property line, requiring a variance from 20' in the code.

**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.

4-15-21  
*(Owner or Applicant Signature)* *(Date)*





# NEW YORK STATE

## STANDARDS FOR THE GRANTING OF AREA VARIANCES

### TOWN LAW SECTION § 267-b-3(b).

#### TESTS FOR GRANTING AREA VARIANCES

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

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

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

The requested area variance will affect only space in our backyard and will not be visible from the street or sidewalk in front of our house. The area variance will be just 5% greater than that allowed by the code (45.4% vs 40%). The proposed inground pool and surrounding patio will not be visible from the street. Additionally, requesting a 10 ft setback (instead of the 20ft in the residential code) will not be seen from any site other than our backyard. There is currently a 6' privacy fence between us and our rear neighbors, so the 10' requested setback variance will not be seen by them. Since neither variance can be seen by the public in the neighborhood, we do not feel that this will have any negative effect on the character of the neighborhood. If we decide to replace old fences between us and our neighbor at 100 Stoneleigh Ct., we will do so in consultation with them. We will also be putting in new hedges and evergreen plantings along the fence line to minimize their views of the pool and to soften the effects of a new fence. We are meeting soon with a landscape architect to design and direct the project. We also plan on installing an automatic pool cover for increased safety. As for adding a pool, a number of other houses in our immediate neighborhood have backyard inground pools, so we do not feel that this will affect either the neighborhood as a whole or our immediate neighbors (we realize that this is NOT a request for a pool permit; that will be filed in the near future if we are awarded the variances requested).

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

In order to install a small inground pool with the desired surround that we want, we would either have to remove our driveway and replace as a dirt, crushed stone, or other permeable surface or remove and/or greatly reduce the size of our backyard patio. Replacement of the driveway with dirt or stone would negatively affect the character of the neighborhood and we do not want to do that. As for our patio that was professionally designed and installed, it is over 20 years old and is well established with plantings and is used by us daily; we would rather not alter its design or footprint. Our only remedy for installing a pool is to request the area variance.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

We believe that both the area variance and the setback variance are minimal for the following reasons. The proposed small inground pool (12'x26') and cement/paver surround (3.5' along sides; 7' at ends) will add 760 sq ft of area coverage to our property. We will also need to install a 3'x6' cement pad for the heater/pump. This will increase our lot coverage from 37.6% to 45.4%. Since this is just 5% above the coded 40% coverage, we think this is a minimal request. As for the second variance requested, we think that since the coded setbacks on either side of our property are 10', a request to set the pool edge 10' from the back property line, instead of the coded 20', is also a minimal request that should not affect neighbors behind us on either side or the neighborhood itself. Further, we believe neither variance will negatively impact immediate back or side neighbors.

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

We do not believe that increasing area coverage from 37.6% to 45.4% constitutes a major change to the coverage of our lot. Again, this is just 5% over the 40% coverage allowed by the current residential code. The remainder of our yard is grass, planting beds, and trees, so rain/snow runoff should not be greatly affected by the slightly increased area coverage. Our current patio is small brick pavers set on sand/dirt with 1/4" to 1/2" sand between pavers and is porous to rain; we have never seen any runoff or had standing water in this area. As for requesting a variance to reduce the back setback to 10', we also feel that this will have no effect on the physical or environmental condition of our yard, those of our immediate neighbors, or of the neighborhood.

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

5. Is the alleged difficulty self-created?

No. We purchased our house in 2007 and have made no changes in regard to area coverage since then; all existing structures that are in place now were in place then (house, garage, driveway, brick patio). The request for a variance reflects our desire to plan for and install a pool in our backyard. As for the requested variance to reduce the rear setback to 10', again, this is simply to incorporate desirable landscaping and an inground pool of a size that will not overwhelm our backyard or destroy our existing patio.



Print Form

Reset Form

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

## Area coverage & Rear Setback variance at 96 Stoneleigh Court

*(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 15, 2021

*(Dated)*

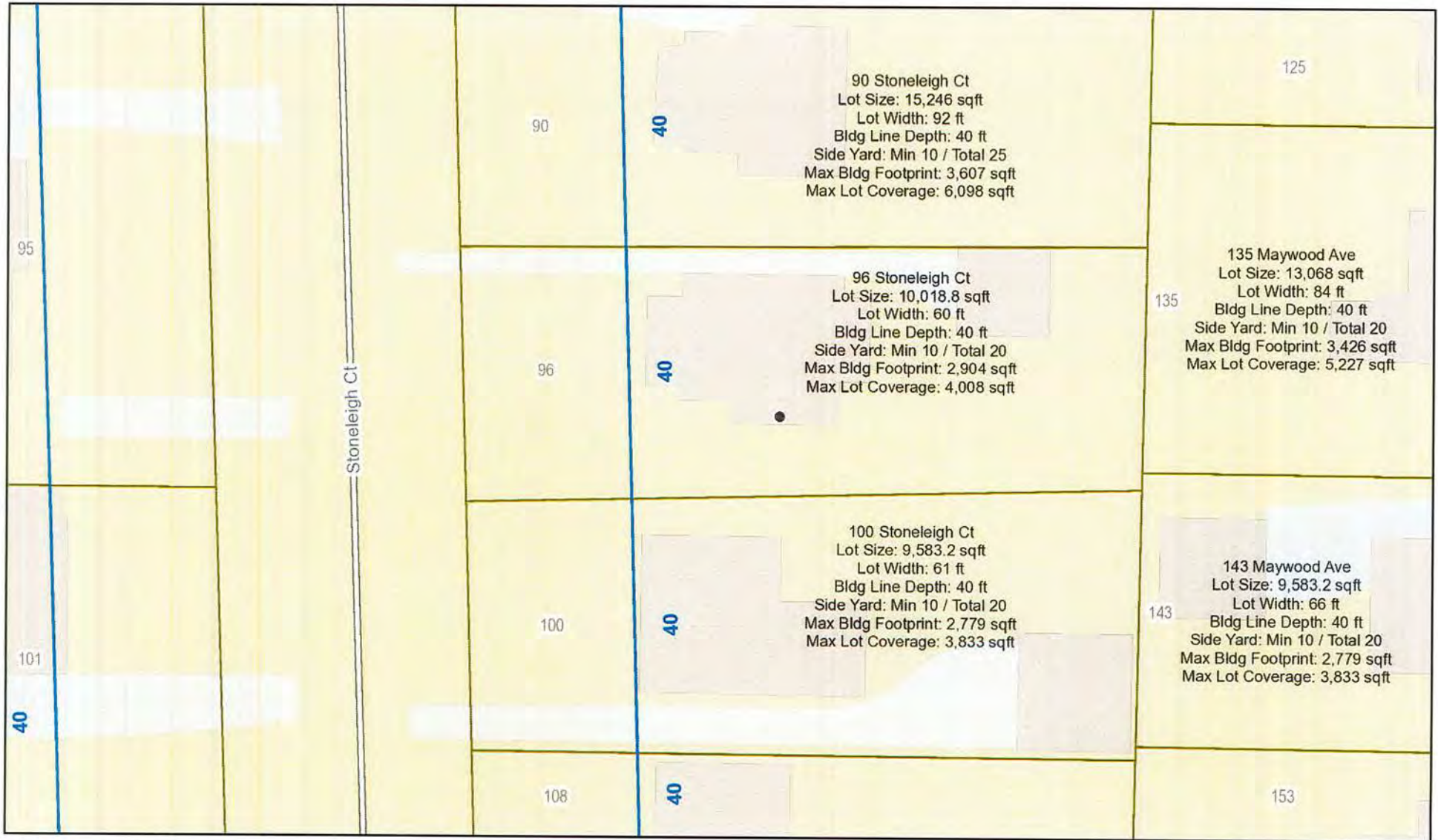
96 Stoneleigh Court

*(Street Address)*

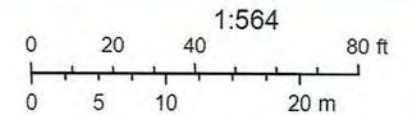
Rochester, NY 14618

*(City/Town, State, Zip Code)*

# RN Residential Neighborhood Zoning



Printed May 7, 2021



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.





78

83

125

90

95

135

Stoneleigh Court

96

101

143

100

108

153

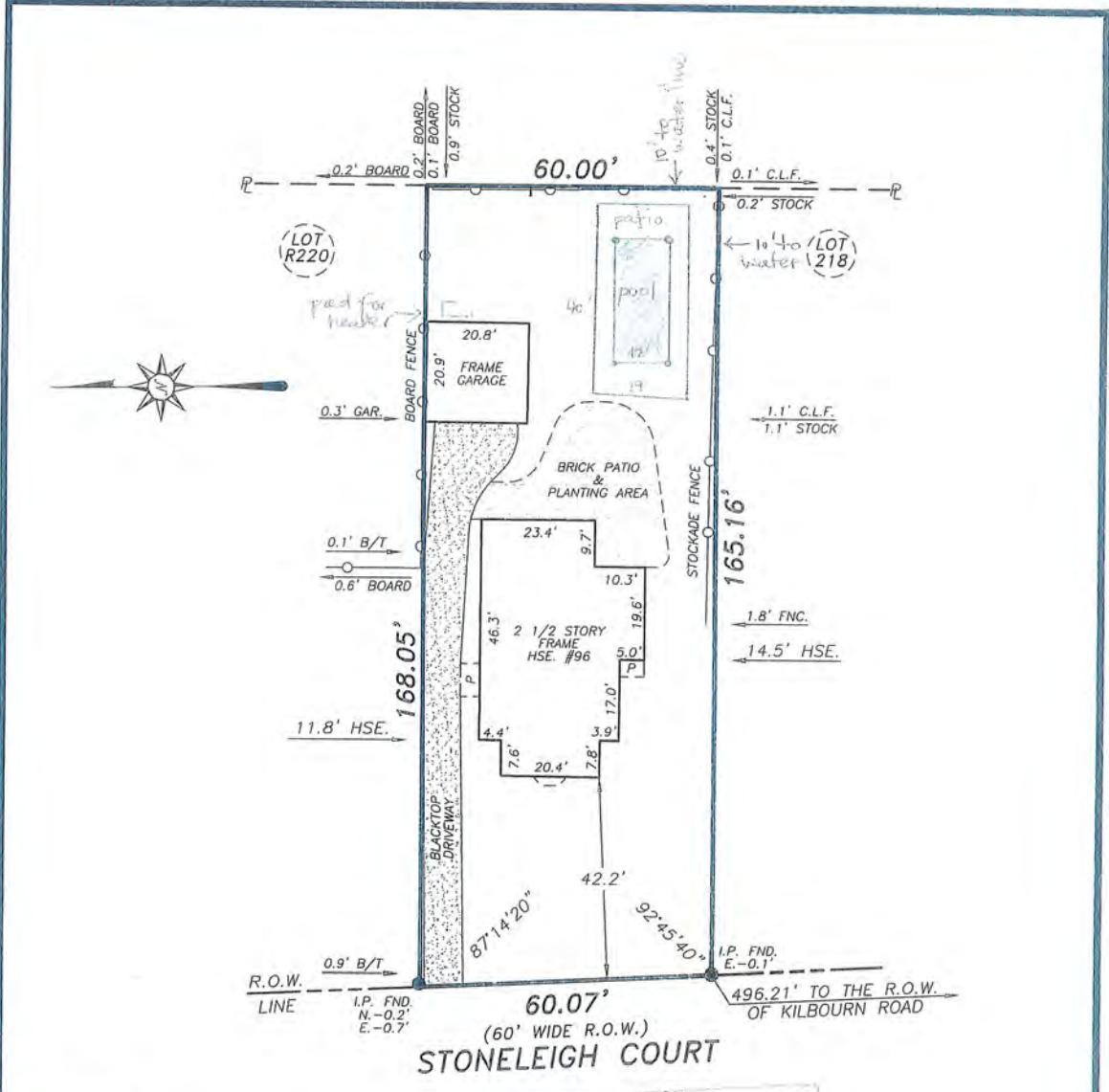
113

04/23/2018

© All Pictometry



SKETCH



**CERTIFICATION:**

I, DAVID A. STAUB, HEREBY CERTIFY TO:

-DAVID A. DEAN

SKETCH

**REFERENCES:**

- 1.) LIBER 54 OF DEEDS, PAGE 13.
- 2.) LIBER 12294 OF DEEDS, PAGE 643.
- 3.) ABSTRACT OF TITLE No. 70151 (CROSSROADS).
- 4.) SURVEY BY TRI-COUNTY, DATED JUNE 12, 2007.

THAT THIS MAP WAS MADE APRIL 6, 2021 FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 5, 2021 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

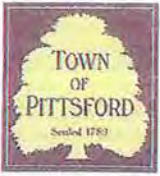
N.Y.S.P.L.S. No. 50791 DATE

TITLE: **INSTRUMENT SURVEY MAP**  
**96 STONELEIGH COURT**  
 BEING LOT No. 219 OF THE  
**EAST AVENUE ESTATES SUBDIVISION,**  
**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 320  
 ROCHESTER, NEW YORK 14614  
 PHONE (585) 263-9950  
 FAX (585) 263-3591  
 TRIPLEPOINTSURVEYING@YAHOO.COM

SCALE: 1" = 30'	TAX ACCOUNT: 138.18-1-11	JOB NO.: 0708-07	DATE: APRIL 6, 2021
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# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

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

Applicant: Blake Miller Lawn and Landscape

Address: 2343 Penfield Rd, Penfield, NY 14526

Phone: 585-223-28991 E-Mail: info@blakemillergroup.com

Agent: Joshua Omwake  
*(if different than Applicant)*

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

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

Property Owner: Lisa Cauda and Scott Chase  
*(if different than Applicant)*

Address: 22 Mill Neck Ln

Phone: 585-662-5950 E-Mail: lisa.cauda@rit.edu

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

Property Location: Pittsford Current Zoning: Residential

Tax Map Number: 164.14-3-9

Application For:  Residential  Commercial  Other

Please describe, in detail, the proposed project:

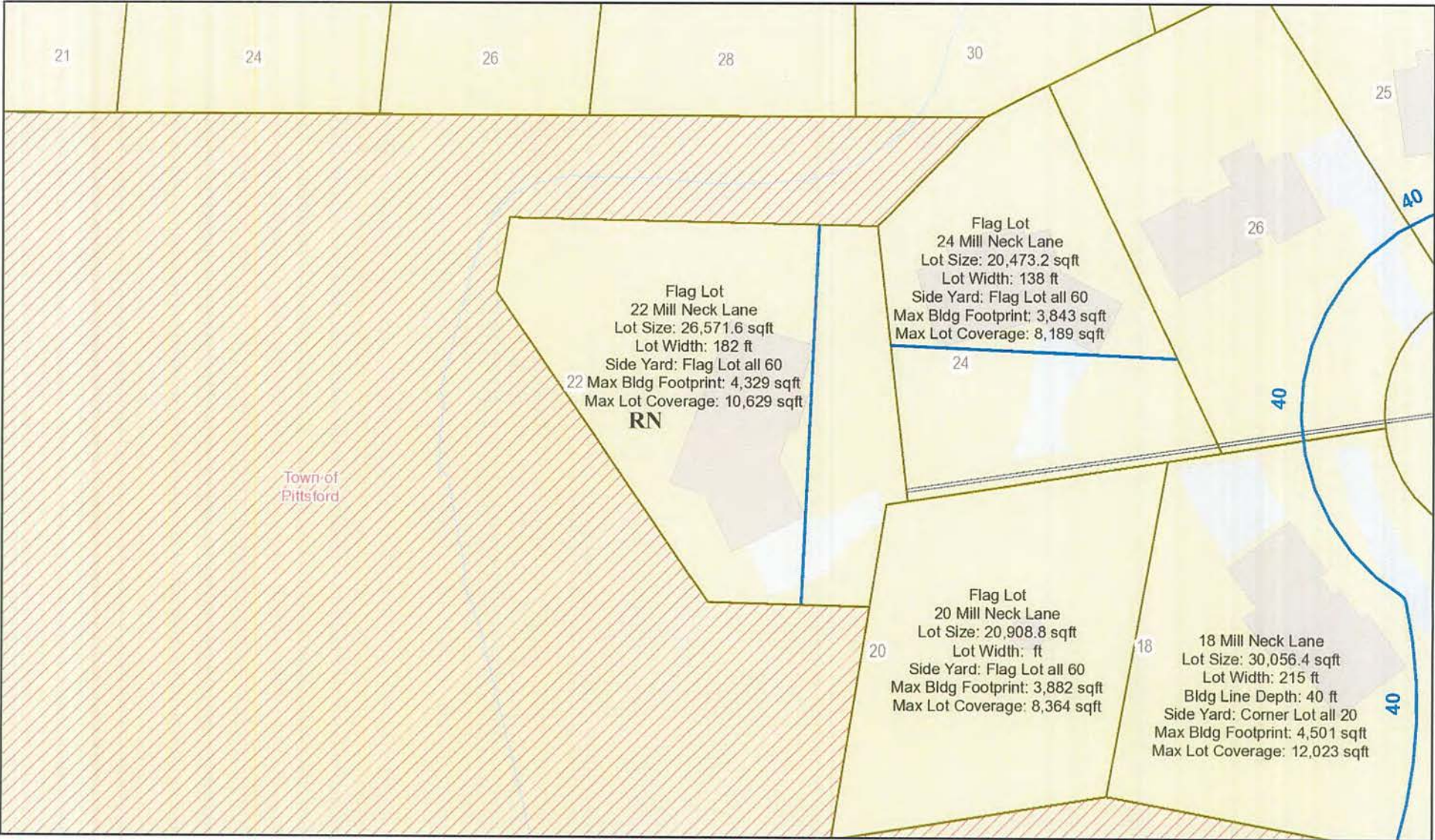
The construction of a 28' x 21' second story covered deck off the south-west corner of the home.

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

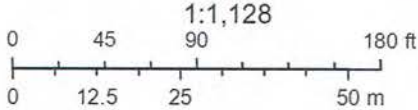
Lisa Cauda / Scott Chase \_\_\_\_\_ 4/2/21 \_\_\_\_\_  
*(Owner or Applicant Signature)* *(Date)*



# RN Residential Neighborhood Zoning



Printed May 7, 2021



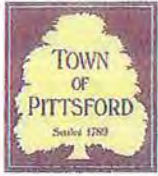
Town of Pittsford GIS

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# TOWN OF PITTSFORD AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

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

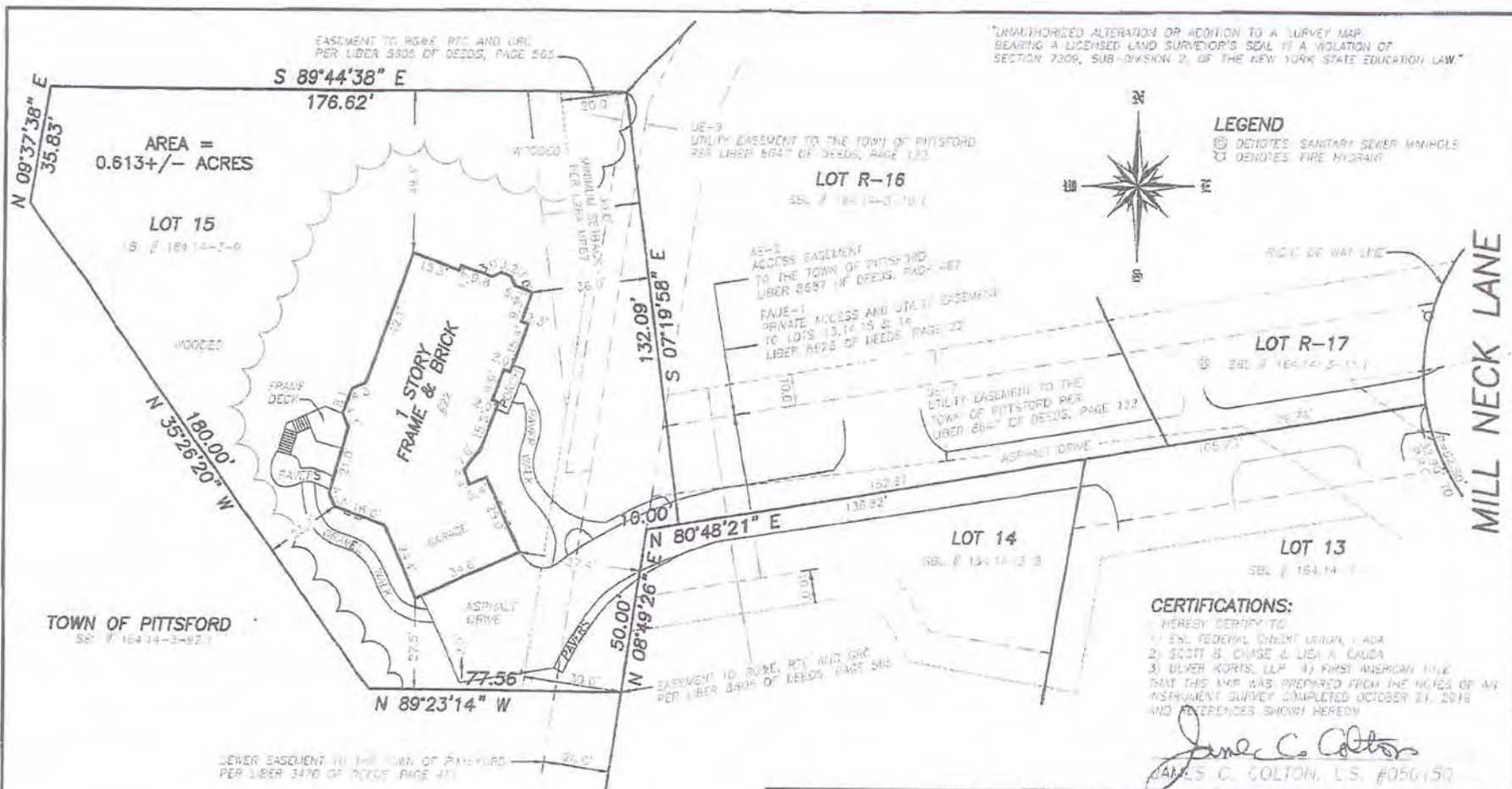
*If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.*

I, Lisa Cauda and Scott Chase, the owner of the property located at:  
22 Mill Neck Ln Pittsford 14534  
(Street) (Town) (Zip)

Tax Parcel # 164.14-3-9 do hereby authorize  
Blake Miller Lawn and 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 \_\_\_\_\_  
obtaining a variance for the construction of a new covered deck off the back of the home.

Lisa Cauda / Scott Chase  
(Signature of Owner)  
4/2/21  
(Date)





**REFERENCES:**

- 1) METTILE AGENCY, ABSTRACT N. 184-14-3-0, DATED SEPTEMBER 28, 2019
- 2) LIBER 3006 OF DEEDS, PAGE 343
- 3) LIBER 384 OF MAPS, PAGE 87 & 88

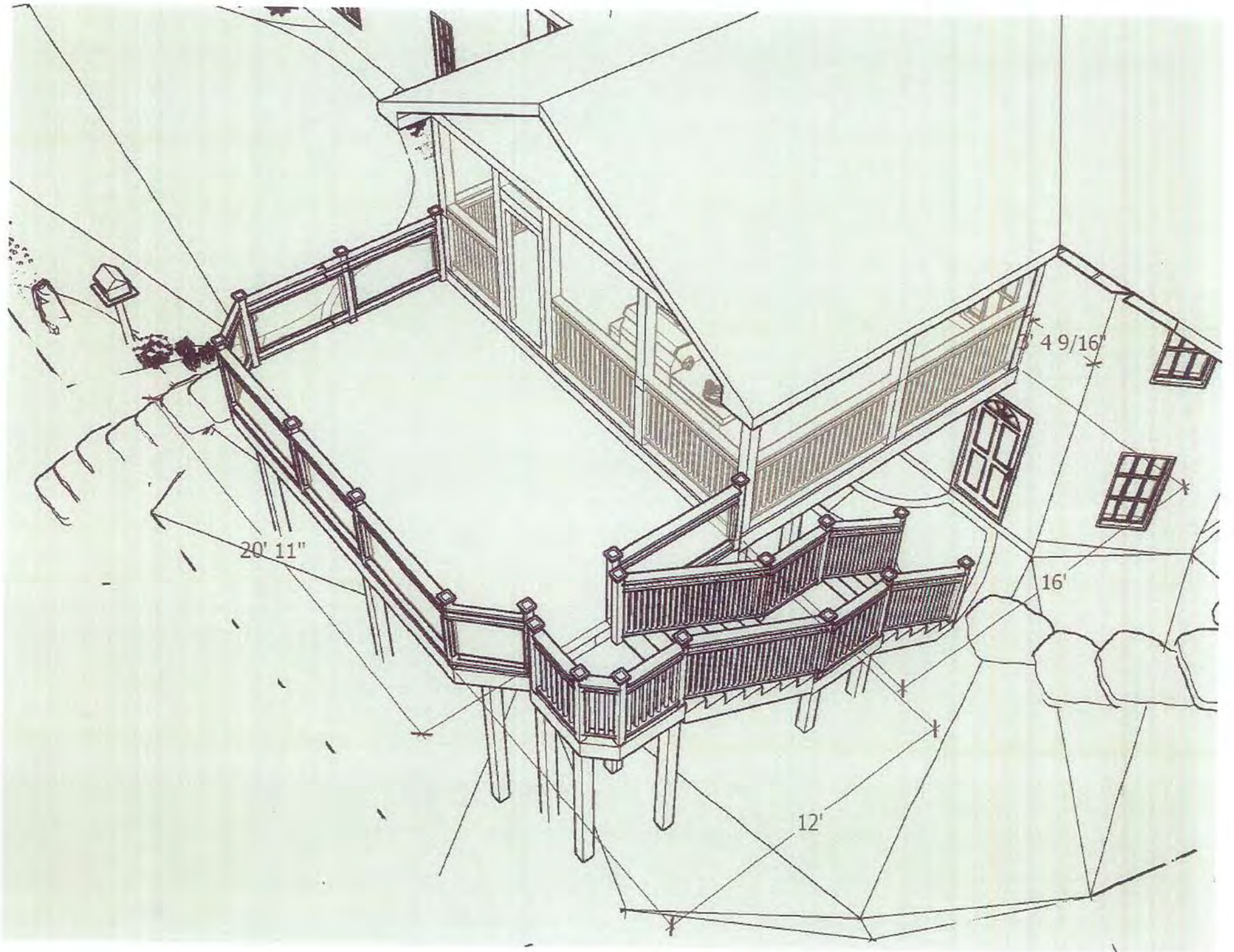
**NOTES:**

- 1) PARCEL SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN LIBER 8638 OF DEEDS, PAGE 12

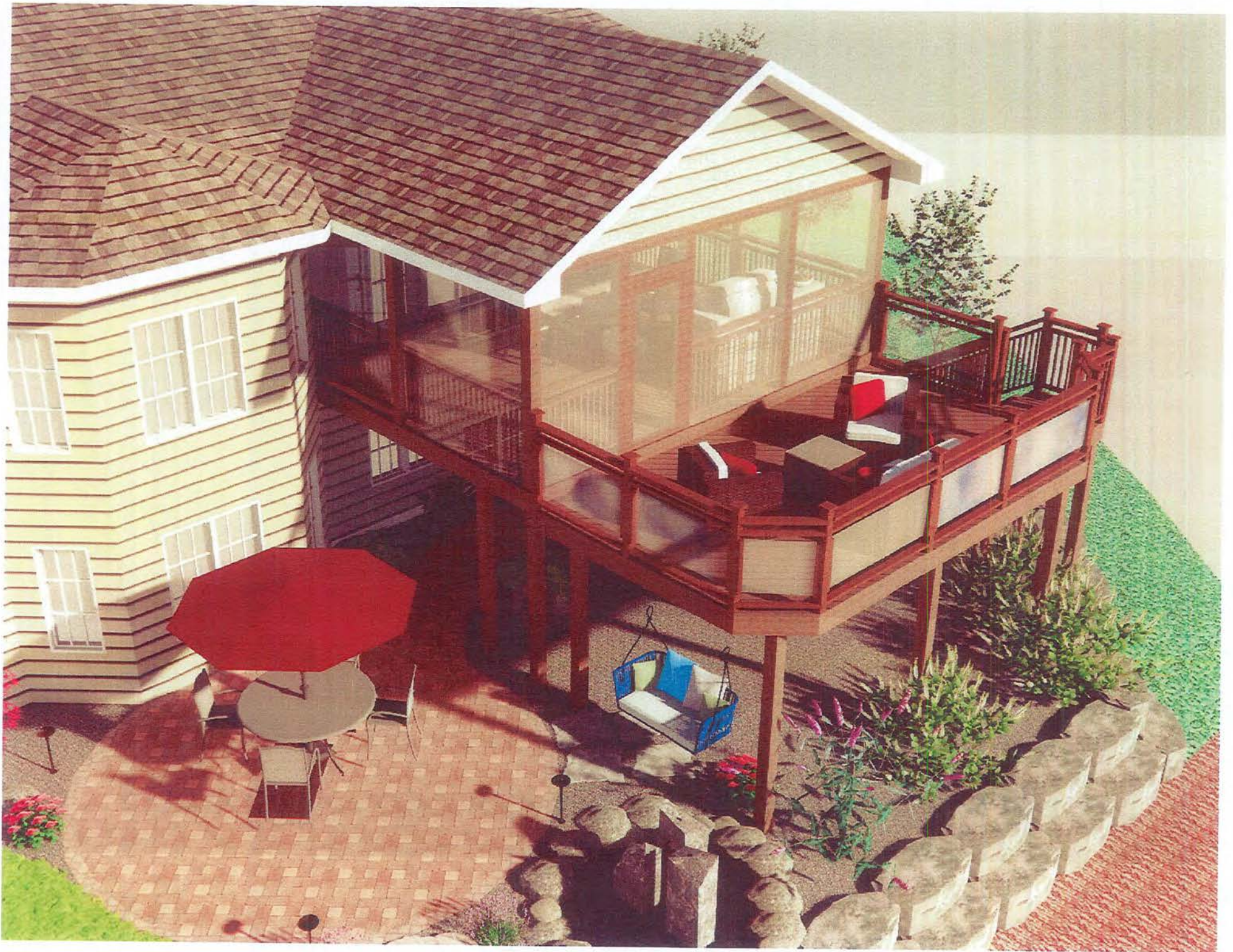


<b>MAP OF A SURVEY</b>	
LOT 15	
STONETOWN SUBDIVISION, PHASE 1	
TOWN OF PITTSFORD	
COUNTY OF MONROE, STATE OF NEW YORK	
<b>COLTON LAND SURVEYING</b> 108 NUNDA BLVD. ROCHESTER, NY, 14610 PHONE (585) 244-2395 jcolton@rockester.com	OCTOBER 23, 2019
	SCALE 1" = 30'
	PROJECT NO. 19-138











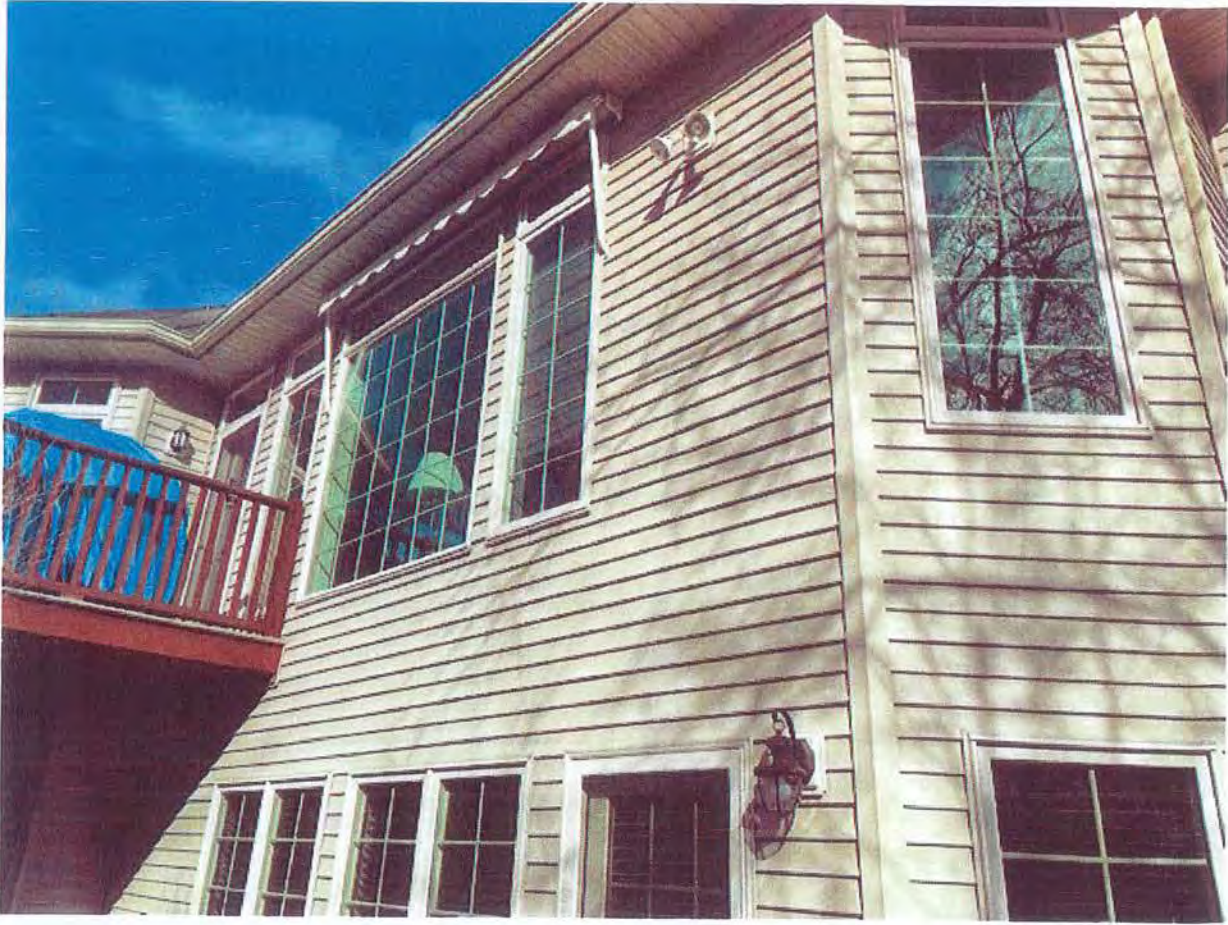










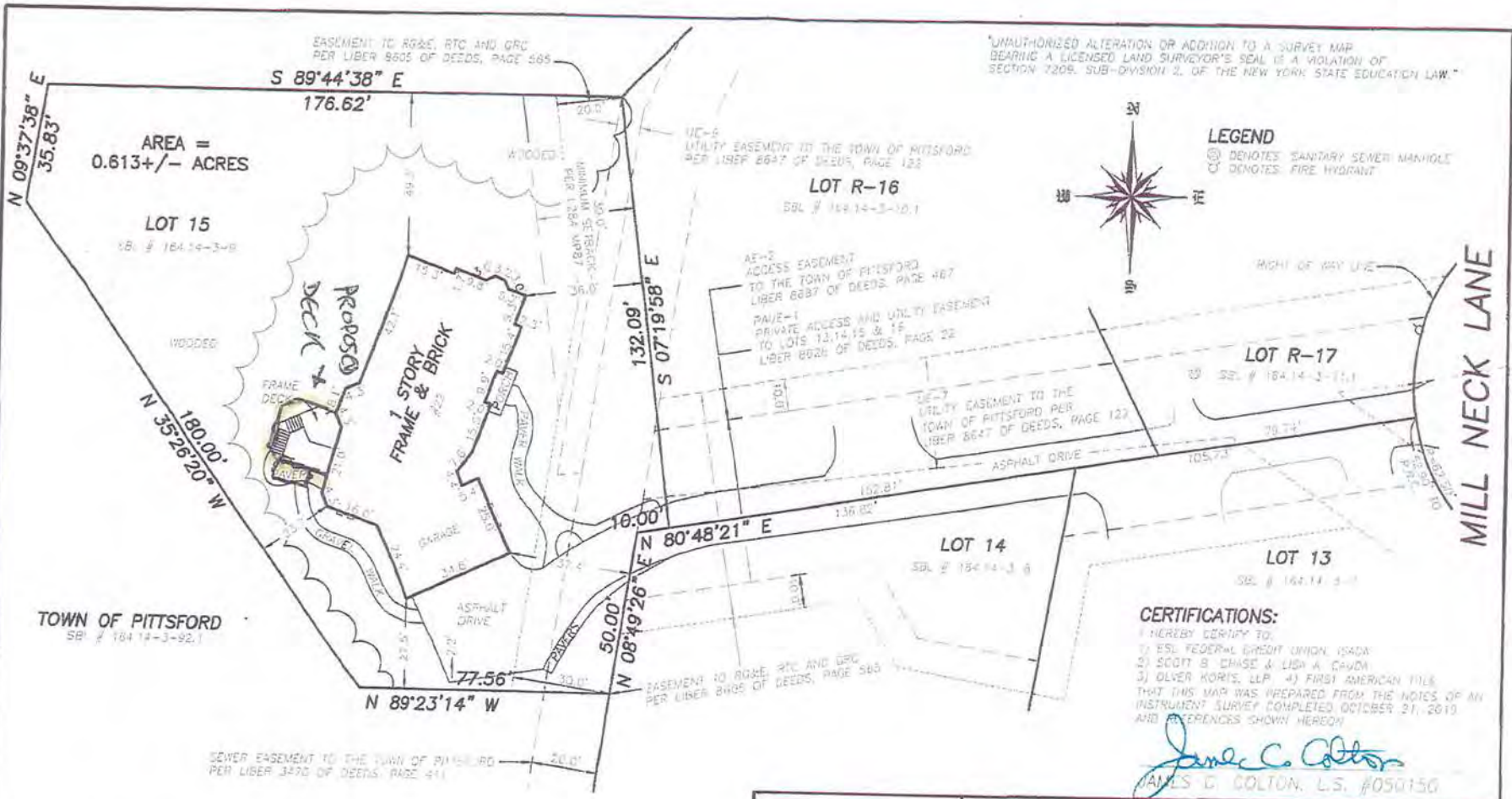












**REFERENCES:**

- 1) WEBTILE AGENCY, ABSTRACT # WTA-19-018496 DATED DECEMBER 20, 2018
- 2) LIBER 3002 OF DEEDS, PAGE 312
- 3) LIBER 254 OF MAPS, PAGE 27 & 35

**NOTES:**

- 1) PARCEL SUBJECT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN LIBER 852E OF DEEDS, PAGE 1E



**MAP OF A SURVEY**  
 LOT 15  
 STONETOWN SUBDIVISION, PHASE 1  
 TOWN OF PITTSFORD  
 COUNTY OF MONROE, STATE OF NEW YORK

<b>COLTON LAND SURVEYING</b> 108 NUNDA BLVD. ROCHESTER, NY, 14610 PHONE (585)244-2399 jcolton@rochester.nysd.com	OCTOBER 23, 2019 SCALE 1" = 30' PROJECT NO. 19-138
------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------





# 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 proposed deck will not be visible to the neighbors or community as the property is at the end of a pipe stem and back to a forever wild area.

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 second story living space is limited to this area as access from the back of the home is on this side.

## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested variance will be minimal as the existing deck and patio have almost the same footprint as the proposed deck

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 variance will not have an adverse effect and/or impact on the environment as it is almost the same size as the existing deck and patio and will not be encroaching on any new areas. It is not visible to the neighborhood and thus will have no impact.

- **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 construction of the new deck is self-created, but is the only logical space to build a second story living space off the back of the home given the current architecture of the home and placement of the back door.



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

22 MILL NECK 14539  
(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)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



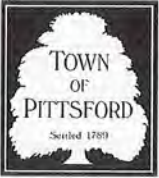
(Signature of Applicant)

4/6/2021

(Dated)

(Street Address)

(City/Town, State, Zip Code)



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

Submission Date: April 1, 2021 Hearing Date: \_\_\_\_\_

Applicant: Buraq Amin & Joshua Harmon

Address: 30 Van Voorhis Rd, Pittsford NY, 14534.

Phone: \_\_\_\_\_ E-Mail: Buraqamin@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: \_\_\_\_\_

Tax Map Number: \_\_\_\_\_

Application For:       Residential       Commercial       Other

Please describe, in detail, the proposed project:

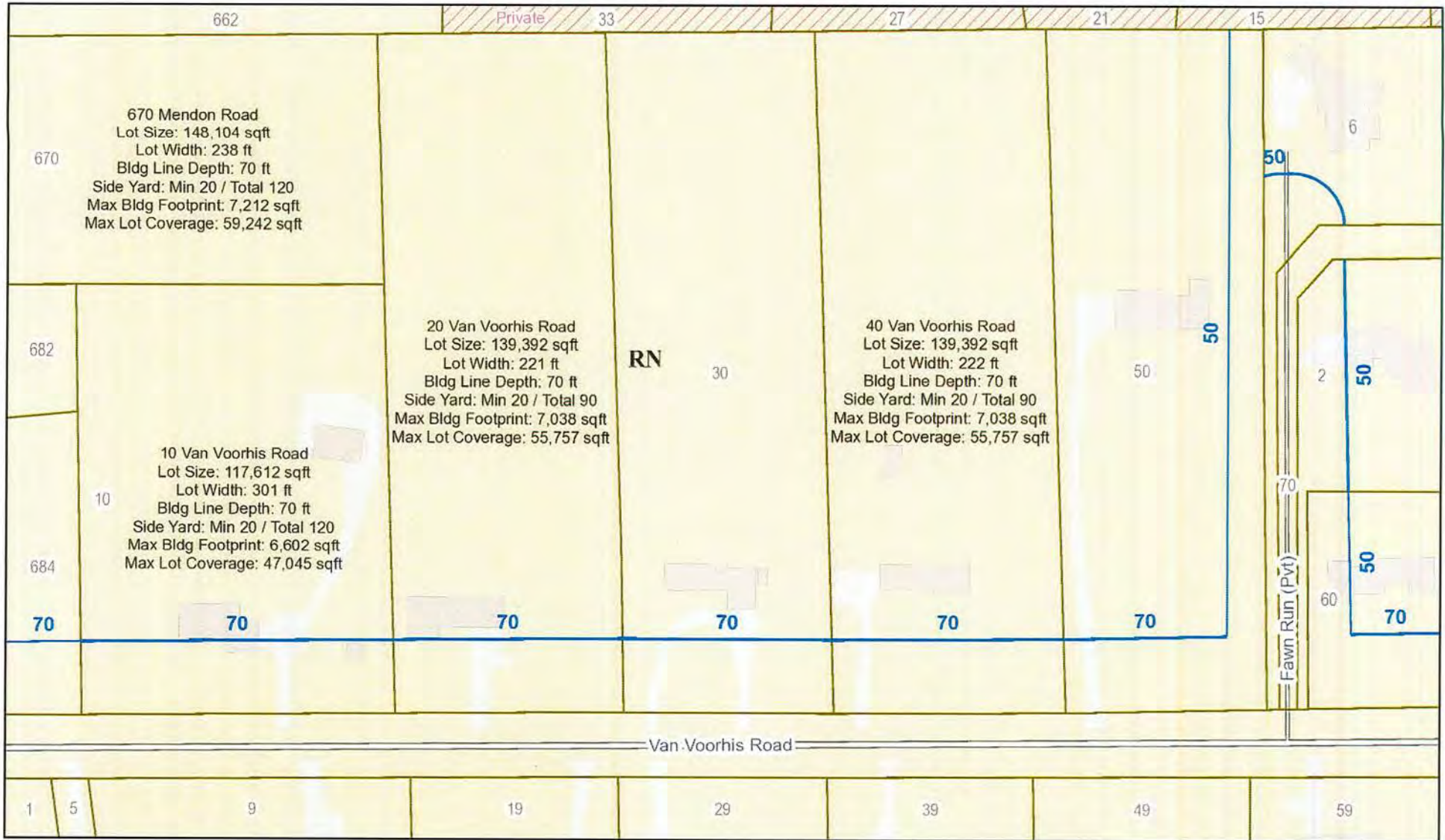
We are kindly asking the town for approval of a chicken coop at our property located at 30 Van Voorhis Rd, Pittsford NY.

**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.

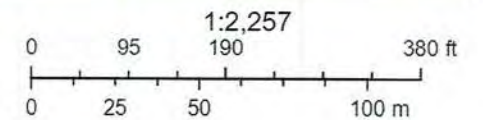
\_\_\_\_\_  
*(Owner or Applicant Signature)*

\_\_\_\_\_  
*(Date)*

# RN Residential Neighborhood Zoning



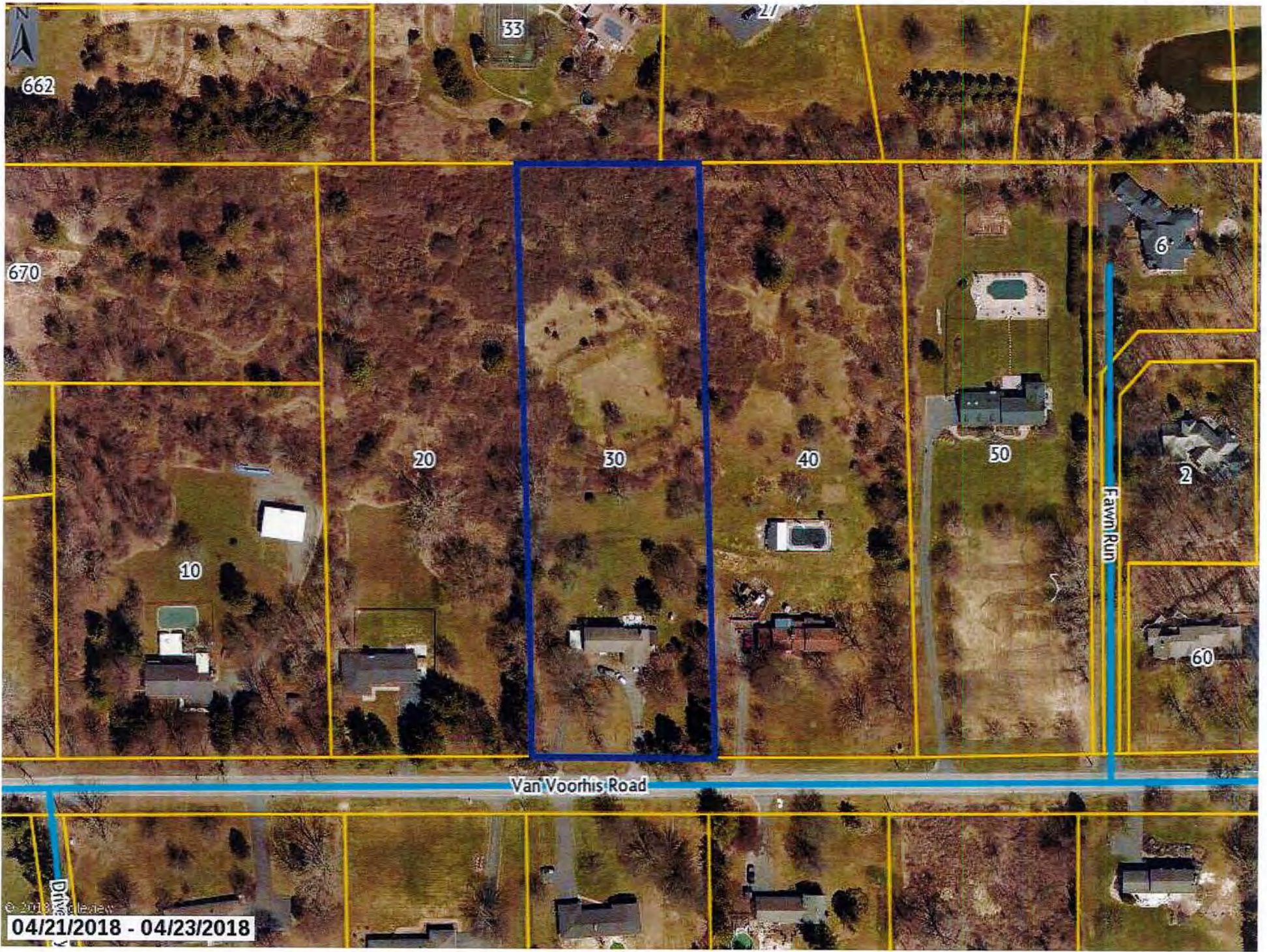
Printed May 7, 2021



Town of Pittsford GIS

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04/21/2018 - 04/23/2018





# 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:

We have about 3 acres of land and all houses on our side of the street have about 3 acres of land per parcel. This gives enough space between properties to have a chicken coop without disrupting the lives of our neighbors.

The birds will only include hens and will remain in their coop and run with a small, hidden and fenced in private area for them to stay away from the rest of the lawn.

They will not be visible to the street or the neighbors, except for one neighbor which has given us approval.

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 prefer to keep the chicken coop closer to the house to make it easier to care for them during winter time. To do this we will not meet the 150 foot requirement on one side of the property (40 Van Voorhis Rd, Pittsford NY). From past experience, raising chickens is a great educational experience for our children, and provides them a opportunity to have responsibilities.



## TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The area will be very small, no bigger than 10X10 feet.

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:

They will be secured and kept in thier own area concealed from view in the back yard, except from the view of our approving neighbor.

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

5. Is the alleged difficulty self-created?

No

# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Chicken coop

*(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)

Buraq Amin and Joshua Harmon 30 Van Voorhis Rd, Pittsford NY 14534.

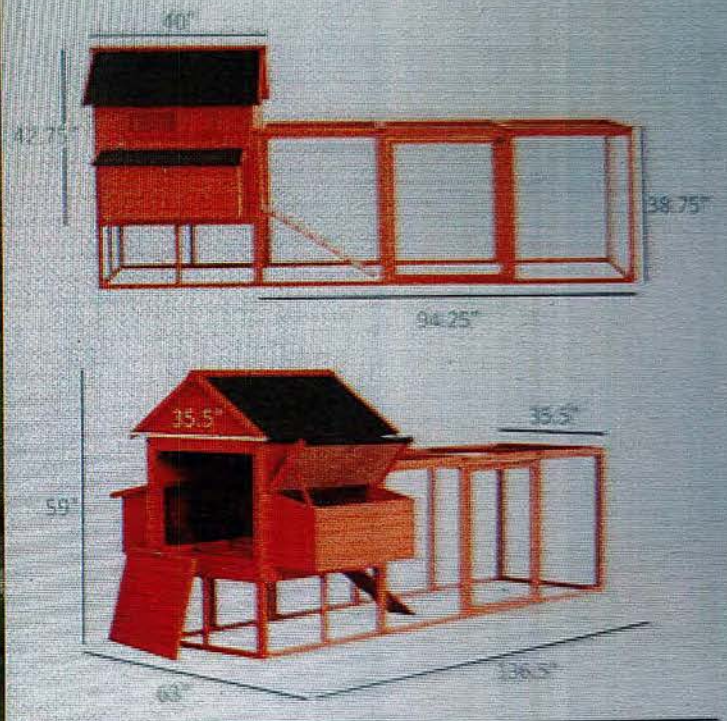
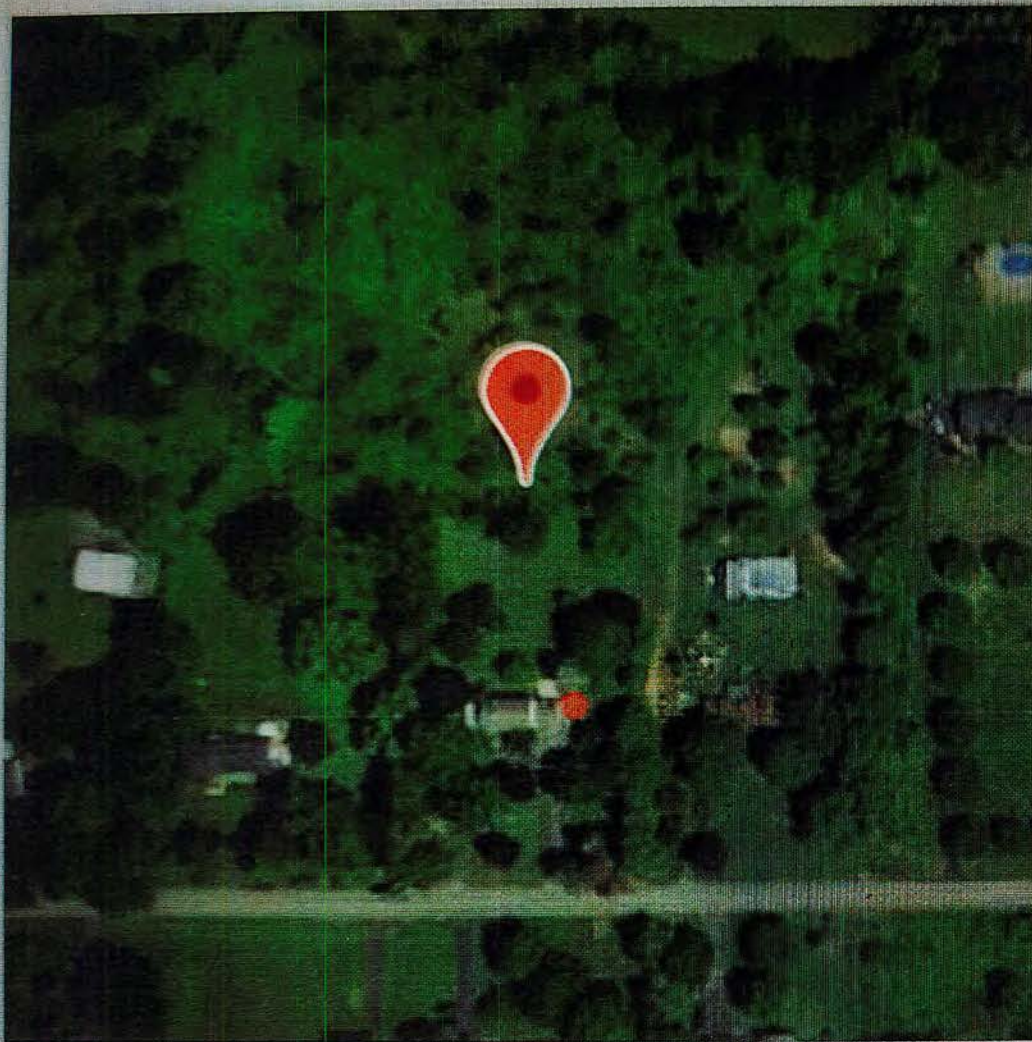
*(Signature of Applicant)*

*(Dated)*

*(Street Address)*

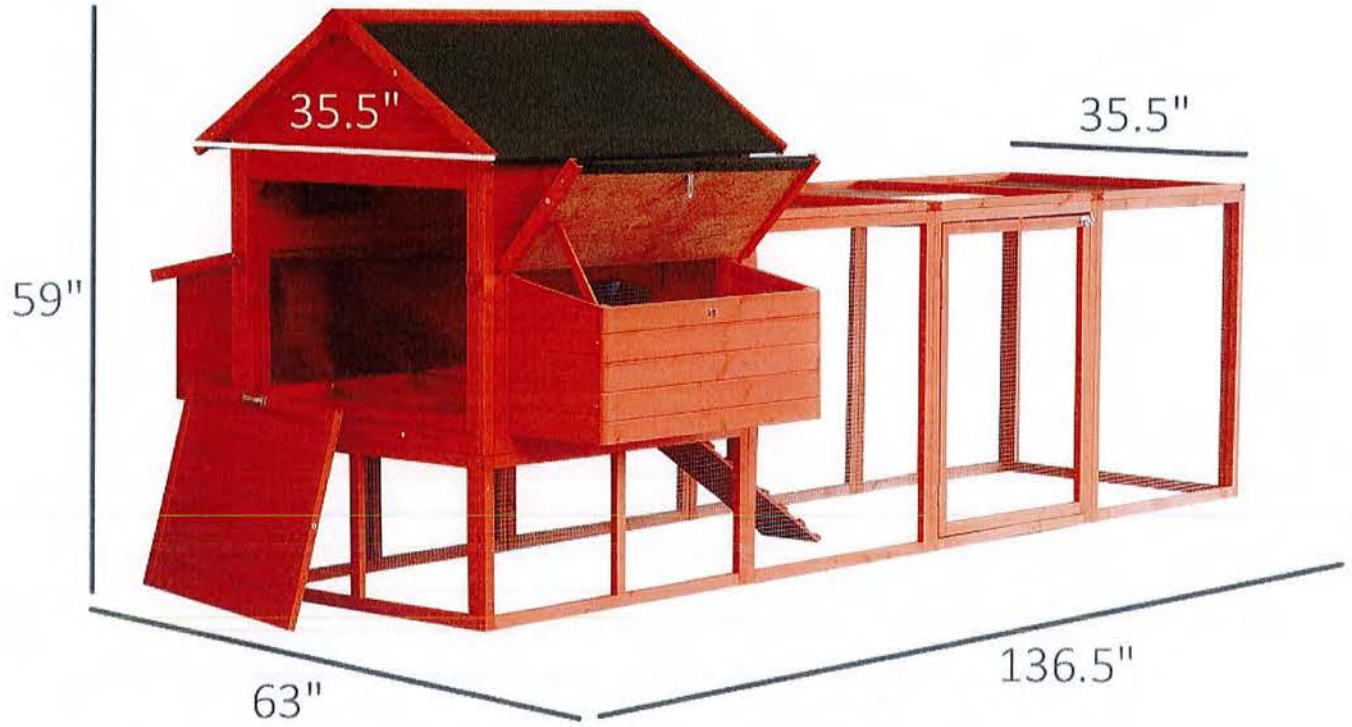
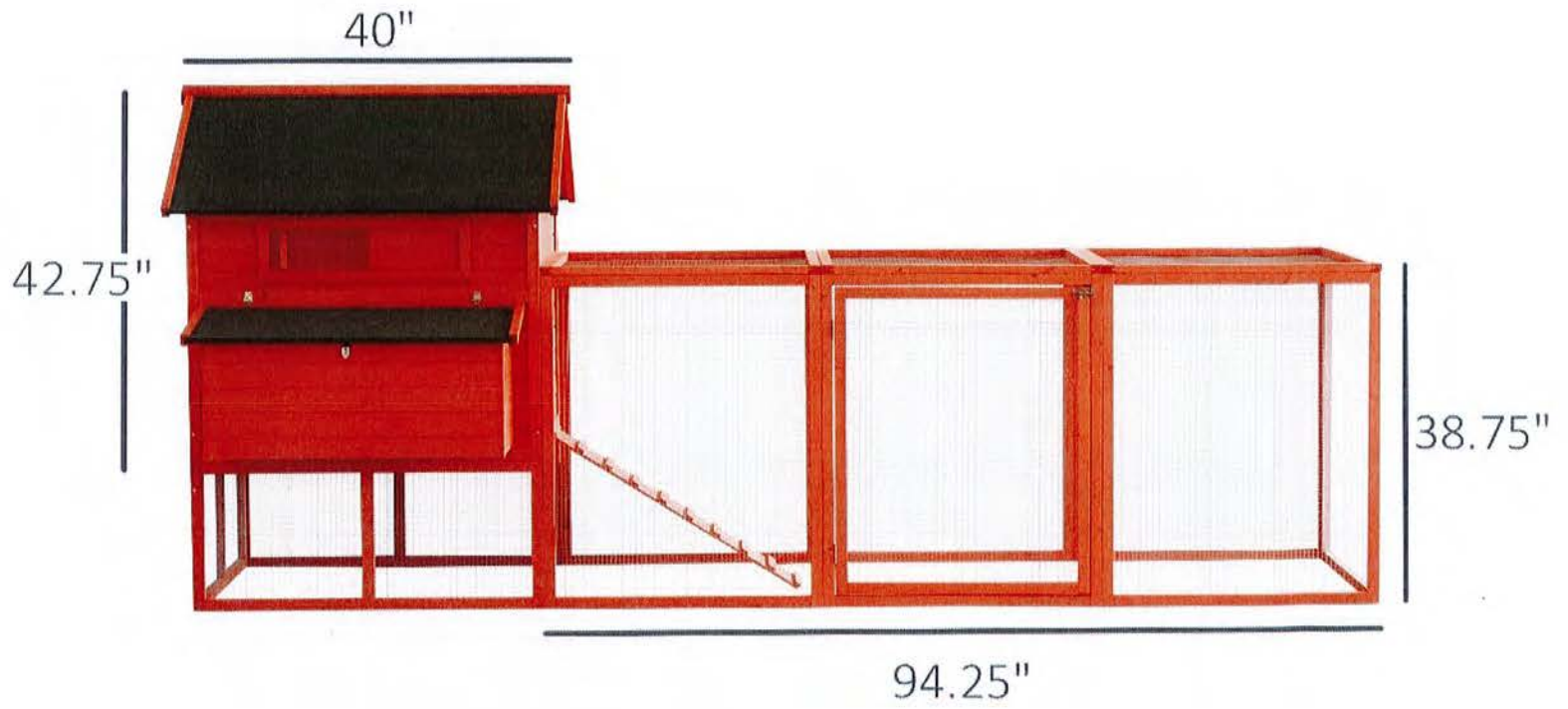
*(City/Town, State, Zip Code)*



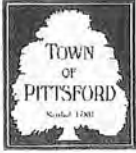


Chicken cook is planned to be located on the small red dot, 135 feet away from the left neighbor's property line and about 65 feet away from right neighbor's property lawn. It will be completely fenced in and will not be seen from the street or eighter side.









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

Submission Date: March 13, 2021 Hearing Date: \_\_\_\_\_

Applicant: David I Jefferson

Address: 106 South Main Street

Phone: (585) 746-8983 E-Mail: dijefferson1@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: Pittsford (Town) Current Zoning: Residential

Tax Map Number: 164.10-02-02

Application For:  Residential  Commercial  Other

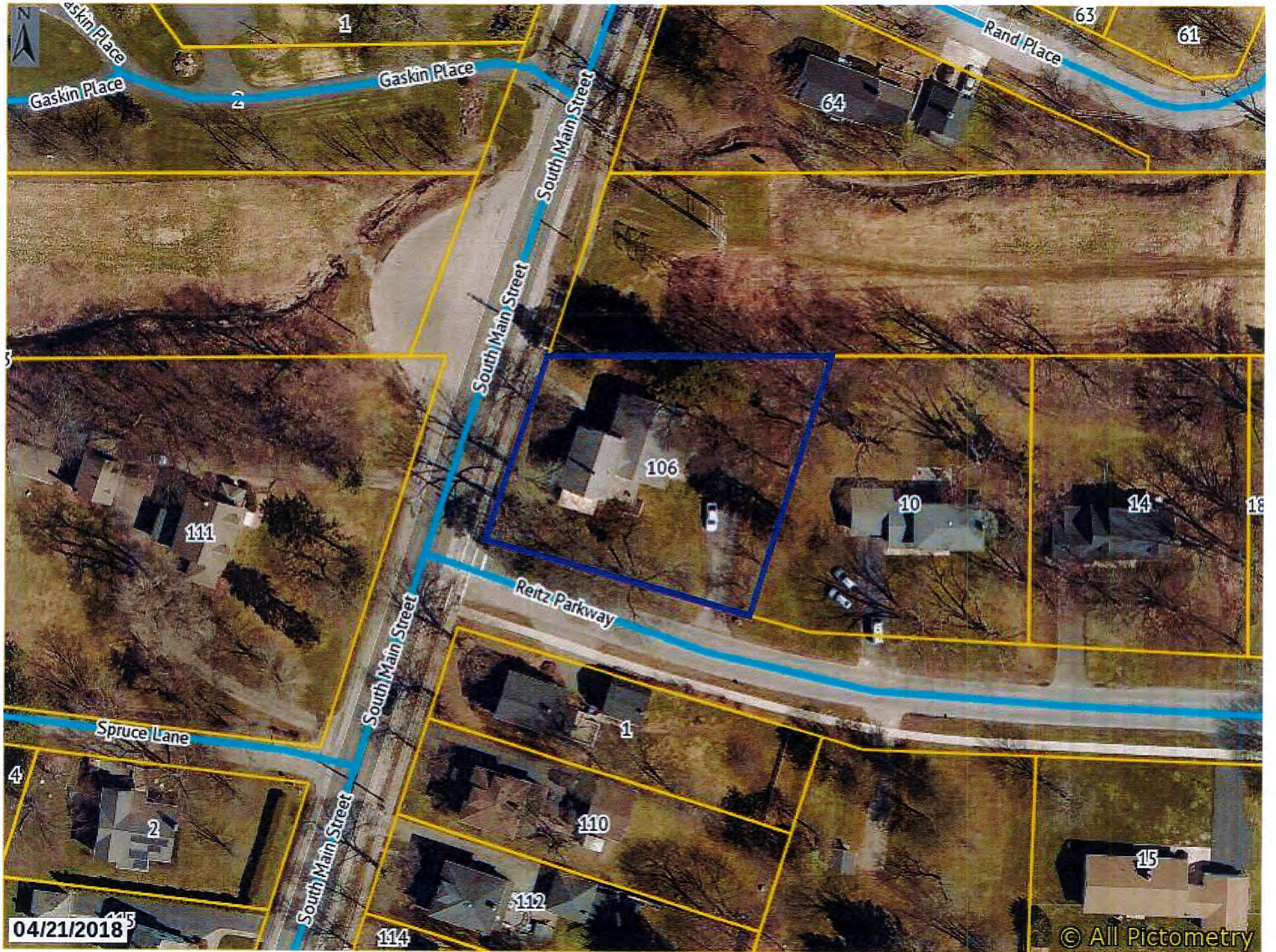
Please describe, in detail, the proposed project:

Request permission to build a storage shed in the back of my property footprint. Dimensions would be 12 ft x 30 ft x 10 ft tall at peak.

**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.

David I Jefferson 3/13/21  
*(Owner or Applicant Signature)* *(Date)*



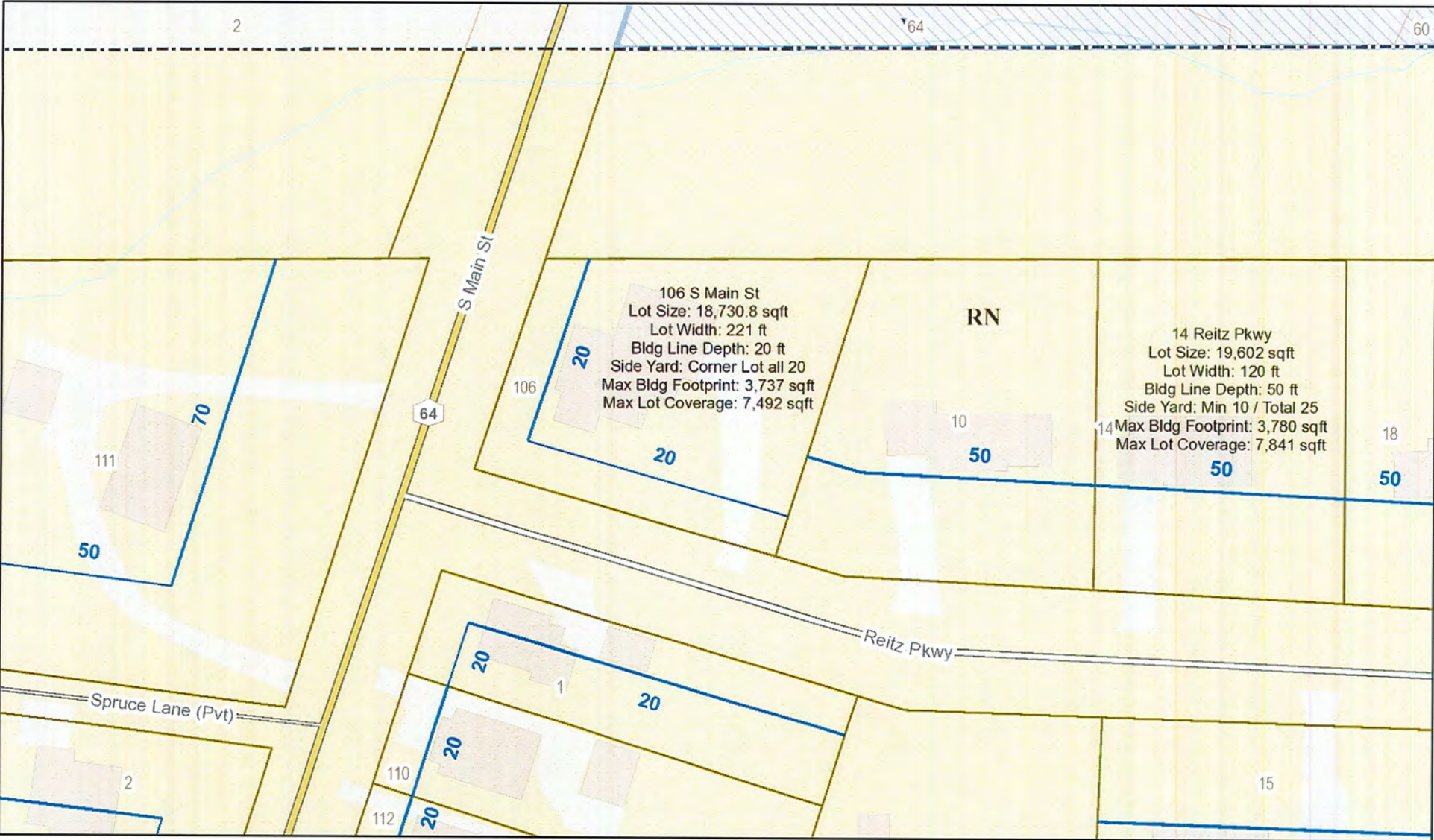


04/21/2018

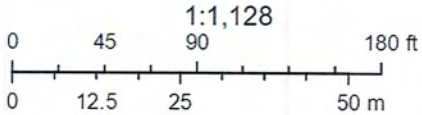
© All Pictometry



# RN Residential Neighborhood Zoning

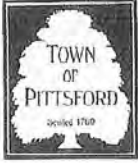


Printed May 7, 2021



Town of Pittsford GIS

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# 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, N/A, the owner of the property located at:

\_\_\_\_\_  
(Street) (Town) (Zip)

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

\_\_\_\_\_  
(Signature of Owner)

\_\_\_\_\_  
(Date)





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

## TESTS FOR GRANTING AREA VARIANCES

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

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

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

This shed would be in the back of my property next to the High-Voltage power lines. Because of the grade, only a portion would be visible, not the entire structure. I also have full support from my only next door neighbor, Steve West on Reitz Parkway.

Please note: The attached photos were taken in the winter time. When the maple trees and redbuds blossom that will also add to the dense buffer on all sides. From South Main Street and Reitz Parkway, only about three feet of the roof is visible, the rest is shielded by the elevated landscape.

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

This is the only part of my property that makes sense and will be tucked away from South Main Street and Reitz Parkway.

### TESTS FOR GRANTING AREA VARIANCES (Continued)

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

Because of the location, I find this variance to be very minimal as opposed to a two story garage request that I was originally thinking of submitting.

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:

There are many detached two car garages/sheds in our neighborhood. I will select a design that will blend into the area. As stated previously, I have full support from my ONLY next door neighbor.

The building will be 140 feet from Reitz Parkway and over 150 feet from South Main Street. Both dimensions are substantial and create an ideal buffer.

- **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?

Negative



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Storage shed at 106 South Main Street. Owner: David I Jefferson

*(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)

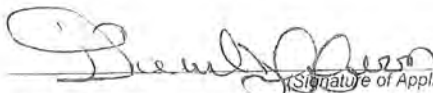
Address(es)

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*(Signature of Applicant)*

March 13, 2021

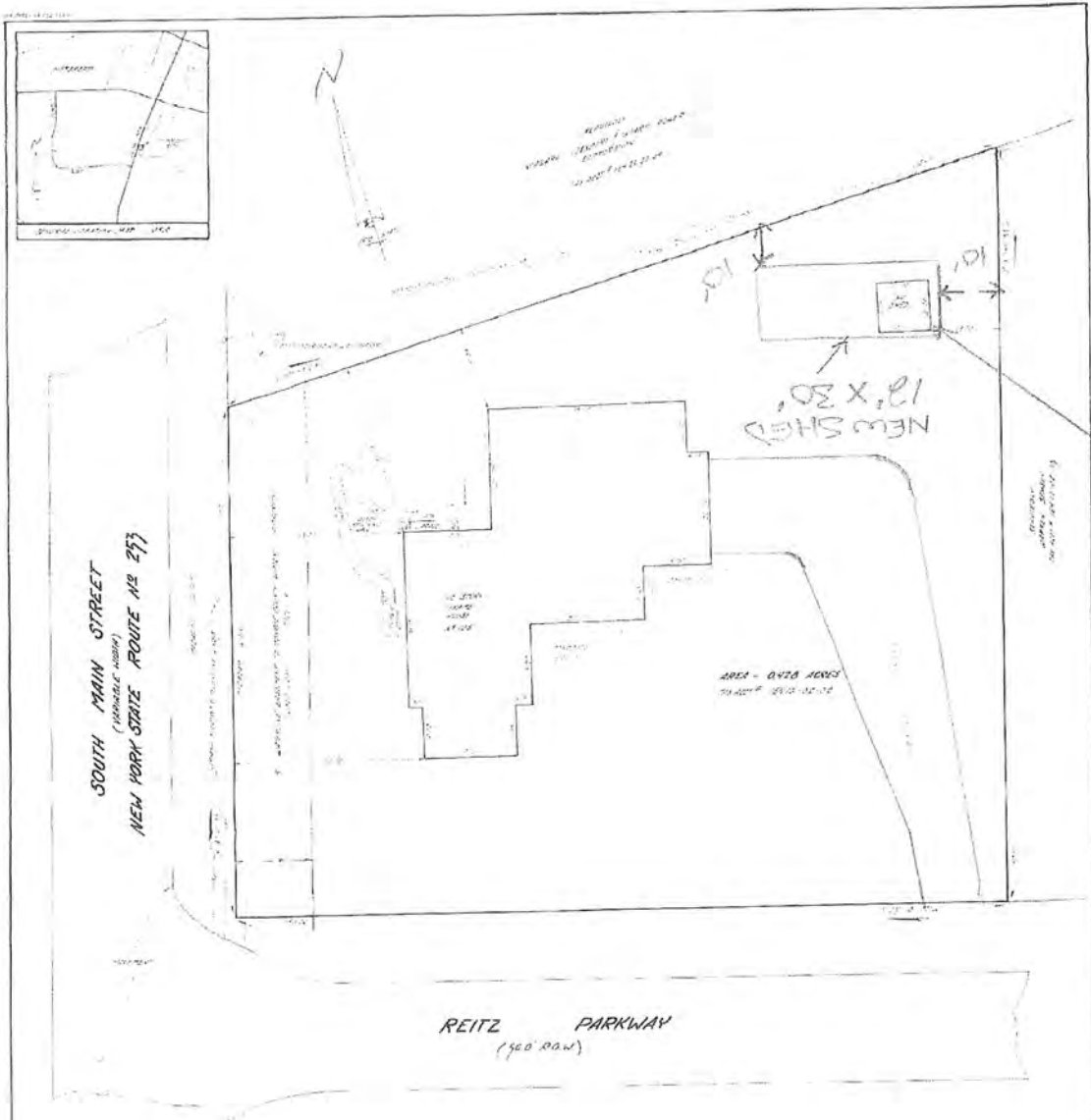
*(Dated)*

106 South Main Street

*(Street Address)*

Pittsford, New York 14534

*(City/Town, State, Zip Code)*



SOUTH MAIN STREET  
(100' ROW)  
NEW YORK STATE ROUTE 257

REITZ PARKWAY  
(50' ROW)

NEW SHED  
12' X 30'

EXISTING SHED

**REFERENCE**

- 1. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS APPROXIMATE UNLESS OTHERWISE NOTED.
- 2. THE ENGINEER HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND HAS FOUND THE INFORMATION TO BE SUFFICIENT FOR THE PREPARATION OF THIS PLAN.
- 3. THE ENGINEER HAS CONDUCTED VISUAL SURVEYS OF THE SITE AND HAS FOUND THE INFORMATION TO BE SUFFICIENT FOR THE PREPARATION OF THIS PLAN.

**CERTIFICATE**

I, the undersigned, being a duly Licensed Professional Engineer in the State of New York, do hereby certify that the foregoing is a true and correct copy of the original as shown to me by the applicant.

*David I. Jefferson*  
Professional Engineer  
No. 123456789

**LEGEND**

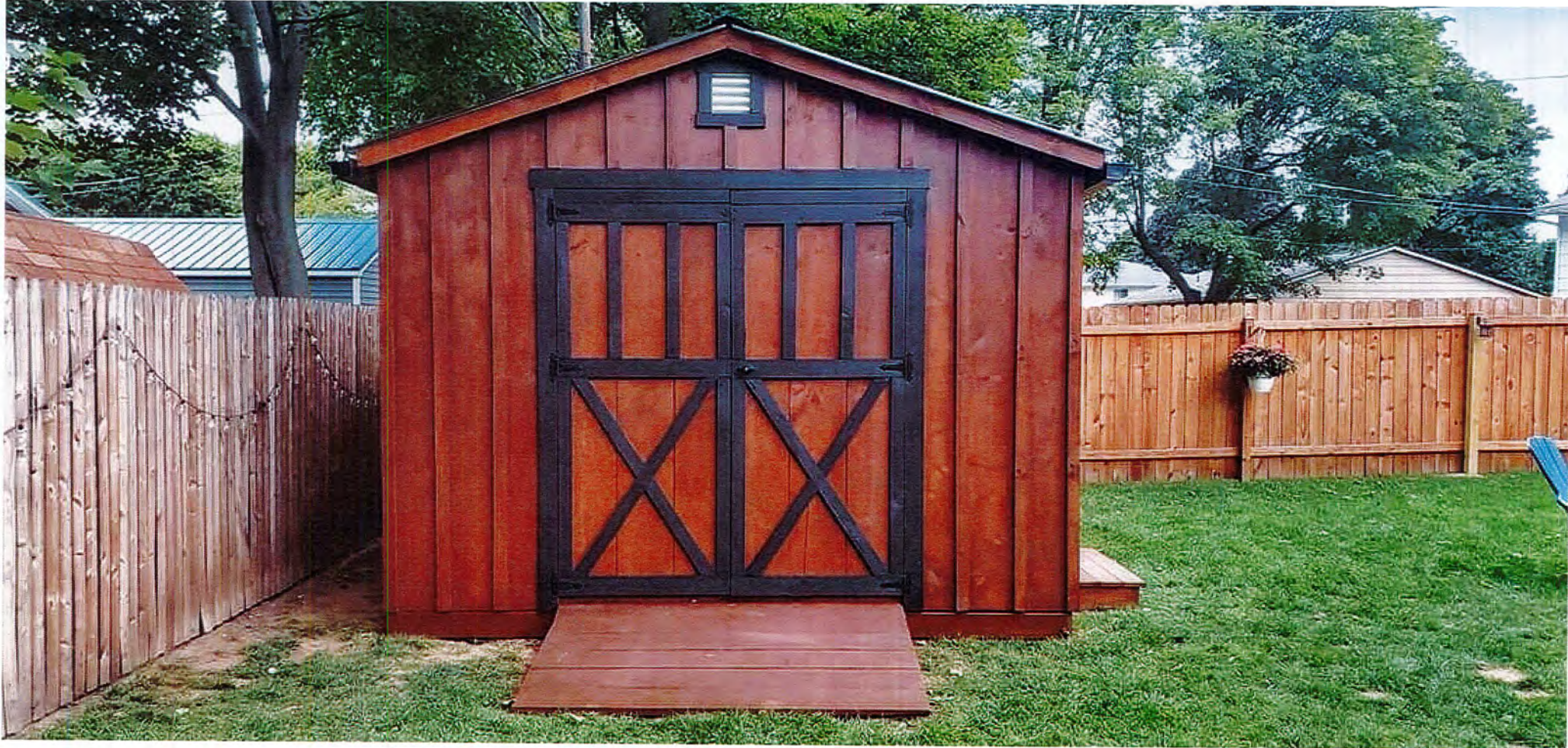
- 1. APPROXIMATE SHED FOOTPRINT
- 2. EXISTING SHED

871-2167 MRB group ENGINEERING   ARCHITECTURE   SURVEYING, E.C. 2160 BRONX PARKWAY, BRONX, NEW YORK		PROJECT NO. 123456789 CLIENT: DAVID I. & JESSAM JEFFERSON DATE: 12/31/2023 SCALE: AS SHOWN	SHEET NO. 1 OF 1
		PROJECT NO. 123456789 CLIENT: DAVID I. & JESSAM JEFFERSON DATE: 12/31/2023 SCALE: AS SHOWN	SHEET NO. 1 OF 1

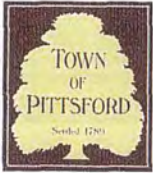












# TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

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

Applicant: Guy Donahoe

Address: 4503 NW Townline Road, Marcellus, NY 13108

Phone: (315) 673-2883 E-Mail: guy@donahogroup.com

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

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

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

Property Owner: Brian Lilly  
*(if different than Applicant)*

Address: 153 Mendon Center Road, Pittsford, NY 14534

Phone: (585) 802-9073 E-Mail: brian.lillyrd@gmail.com

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

Property Location: 153 Mendon Center Road Current Zoning: RN Residential Neighborhood

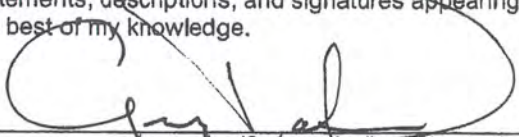
Tax Map Number: 178.05-1-87.1

Application For:       Residential       Commercial       Other

Please describe, in detail, the proposed project:

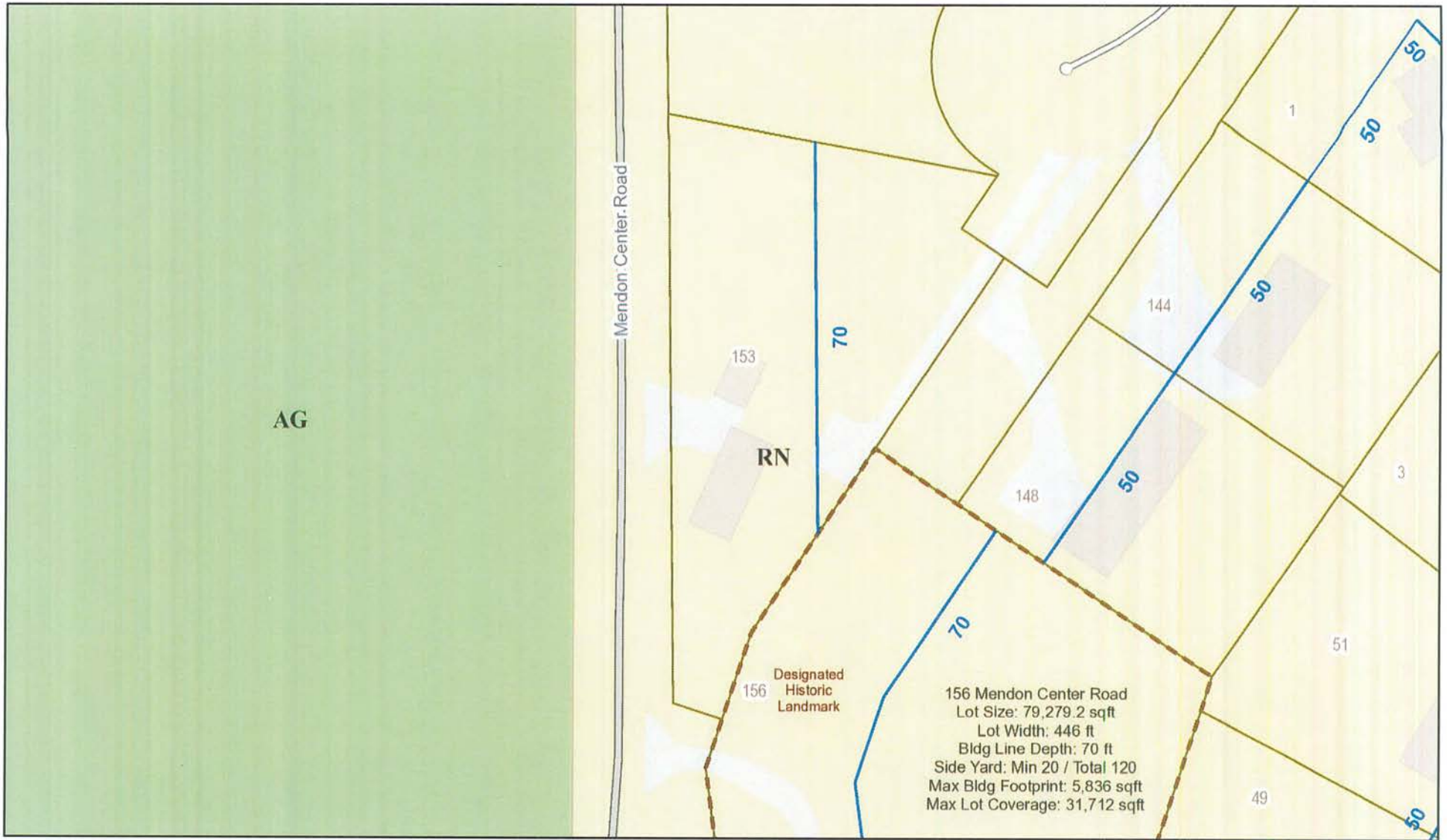
Please refer to Project Narrative

**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.

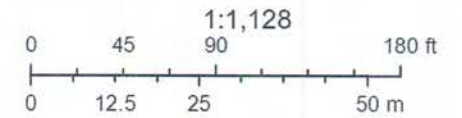
  
\_\_\_\_\_  
*(Owner or Applicant Signature)*

3/19/21  
\_\_\_\_\_  
*(Date)*

# RN Residential Neighborhood Zoning



Printed May 7, 2021



Town of Pittsford GIS

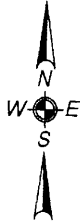
The information depicted on this map is representational and should be used for general reference purposes only. No warranties, expressed or implied, are provided for the data or its use or interpretation.





04/21/2018

© All Pictometry



TOBEY ROAD  
(49.5' ROW)

(49.5' ROW)

MENDON CENTER ROAD  
(49.5' ROW)  
(ABANDONED)

RIGHT OF WAY  
ABANDONMENT  
MAP 49, PARCEL 1

**REFERENCES:**

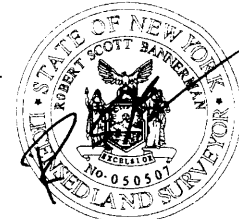
1. ABSTRACT PROVIDED BY FRONTIER ABSTRACT AND RESEARCH SERVICES, INC. SEARCH No. 511670, DATED JUNE 18, 2014
2. DEED; LIBER 10796, PAGE 343
3. MAP OF RIGHT OF WAY ABANDONMENT BY KOCHER SURVEYING, P.C., DATED 03/17/2004, MAP 49, PARCEL 1

**CERTIFICATION:**

I, ROBERT S. BANNERMAN, HEREBY CERTIFY TO: BRIAN W. LILLY, LAUREN K. LILLY, USAA FEDERAL SAVINGS BANK, ITS SUCCESSORS AND/OR ASSIGNS, CONSOLIDATED LENDERS SERVICES, LLC, THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE, AND ALBERT S. KUSAK, ESQ., THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED UNDER MY DIRECTION ON 09/18/09. THIS PROPERTY WAS FIELD INSPECTED ON 03/08/2021 MAP REVISED TO SHOW CHANGES.

*Robert S. Bannerman* 3-16-21  
ROBERT S. BANNERMAN L.S. 050507 DATE

REVISED 03/16/2021  
REVISED 07/23/2014



<b>TITLE:</b> <b>INSTRUMENT SURVEY MAP</b>		<b>PROJECT SURVEYOR:</b> R.S.B.	
<b>PROJECT:</b> 153 MENDON CENTER ROAD LOT 14, TOWNSHIP 12, RANGE 5, PHELPS AND GORHAM PURCHASE TOWN OF PITTSFORD, COUNTY OF MONROE, STATE OF NEW YORK		<b>DRAFTED BY:</b> R.S.B.	
187 WIDGER ROAD, SPENCERPORT, NEW YORK 14559-9744 (585)293-2988 RBANNERMAN@ROCHESTER.RR.COM		<b>CHECKED BY:</b> R.J.P.	
UNAUTHORIZED ALTERATIONS OR ADDITIONS TO A SURVEY MAP BEARING THE SEAL OF A LICENSED LAND SURVEYOR IS A VIOLATION OF ARTICLE 145, SECTION 7208, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW		<b>SCALE:</b> 1"=50'	
		<b>DATE:</b> 09/19/09	





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

## TESTS FOR GRANTING AREA VARIANCES

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

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

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

This request if granted will not result in a substantial change in the character of the neighborhood or detrimentally affect surrounding properties in that these request for a minor second floor expansion (with-in the existing building footprint) and the addition of a much needed facade element will be more in alignment with the character of nearby properties

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

These are improvements to, and attached to, the preexisting non-conforming home which lies entirely (with the exception of the eastern corner of the garage) outside of the Building Area causing no other option than a request for an area variance.

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

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

Given the 90 sq ft second floor building expansion is within the existing building footprint, and; whereas the 471 sq ft covered porch addition covers 306 sq ft of existing deck and does not increase the intensity of Use, and; whereas the porch addition is no closer to the ROW than the existing building, aloud by right; it is therefore we submit this variance request is minimal

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

These variance requests if granted will result in the reconstruction of a permitted preexisting building with minor modifications and the addition of an improved street facade (where non exist) and is therefore creating architecture more consistent with, the physical and environmental conditions in the neighborhood or district.

- **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?

Whereas the exiting configuration of this property, of the residence, along with the location of the residence does not permit for the logical or reasonable location of building improvements befitting today's sensitivity for a community compatible aesthetic ; it is therefore, the difficulties which lead to this(these) variance request(s) are not self-created.





March 19, 2021

## NARRATIVE

**Re: 153 Mendon Center Road, Pittsford, NY**

**Tax Map # 178.05-1-87.1**

The home located at 153 Mendon Center Road was struck by a vehicle that left the roadway on November 15<sup>th</sup>, 2020 causing severe damage to the foundation and first floor of the two-story addition at the South end of the home. To make the necessary repairs will require; temporary support of the remaining second floor and first floor roofs; removal and replacement of the first-floor walls and floor system, and; foundation repairs.

The owners, Brian & Lauren Lilly, have been actively remodeling and making improvements to this older home as the Town is aware of and has given previous approvals for.

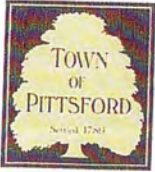
Given the extent of damage to the building, as well as the non-conforming aesthetic of this two-story addition; the owners are proposing removing the second floor and rebuilding the existing two-story building addition within the footprint of and on the existing foundation. Please refer to the sketch plan and photographs within the appeal application. We believe this improvement will better serve the traditional aesthetics of this simple colonial farmhouse.

Additionally, we are proposing a covered porch on the North end of the building (over an existing deck) wrapping around a portion of the West side of the home. The roof of this addition will match up with and be a continuation of the recently built Mud Room.

The existing home's architectural front is oriented to the former Mendon Center Road which was relocated to what was the rear of the home. In an effort to provide a more traditional street presence, we believe this single-story street façade improvement will be an asset to both the property and Town.

Both of these projects will continue the replacement of the siding & exterior trim details to match that on portions of South end of the building. This includes the addition of window trims such as sill horns and crown drip caps along with casing, and a frieze at both eave and rake overhangs. The porch floor (not visible from the public ROW) will match the synthetic 5/4 x 6 decking of the existing deck. As the porch floor will be within 30" of the finish grade, there will be no railing proposed.

Respectfully,  
Guy Donahoe, RA




# 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, Brian Lilly, the owner of the property located at:  
153 Mendon Center Road Pittsford 14534  
(Street) (Town) (Zip)

Tax Parcel # 178.05-1-87.1 do hereby authorize  
Guy Donahoe, Architect to make application to the  
Town of Pittsford Zoning Board of Appeals, 11 South Main Street, Pittsford, NY 14534 for the purpose(s) of \_\_\_\_\_  
Area Variances for the rebuilding and expanding of damage building and for covered porch addition

  
(Signature of Owner)  
15 March 2021  
(Date)



# Disclosure Form E

STATE OF NEW YORK  
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Lilly Residence at 153 Mendon Center Road, Pittsford, NY

(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

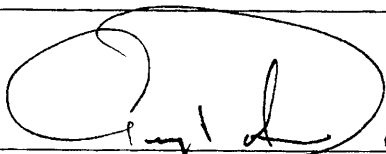
...issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this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

NONE KNOWN



GUY DONAHOE

(Signature of Applicant)

3/19/21

(Dated)

4503 NW Townline Road

(Street Address)

Marcellus, NY 13108

(City/Town, State, Zip Code)



4503 Northwest Townline Rd  
Marcellus, NY 13108  
(315) 673-2883

info@donahoe-group.com

PROJECT # 20097    BRIAN LILLY  
DATE: 3/19/2021    153 MENDON CNTR. RD.  
TOWN OF PITTSFORD, NY  
TAX MAP NO. 178.05-1-87.1





# DONAHOE GROUP

Project No: 20097

Date: 3/19/2021

Brian Lilly

153 Mendon Cnt. Rd.  
Town of Pittsford, NY

Tax Map No:  
178.05-1-87.1

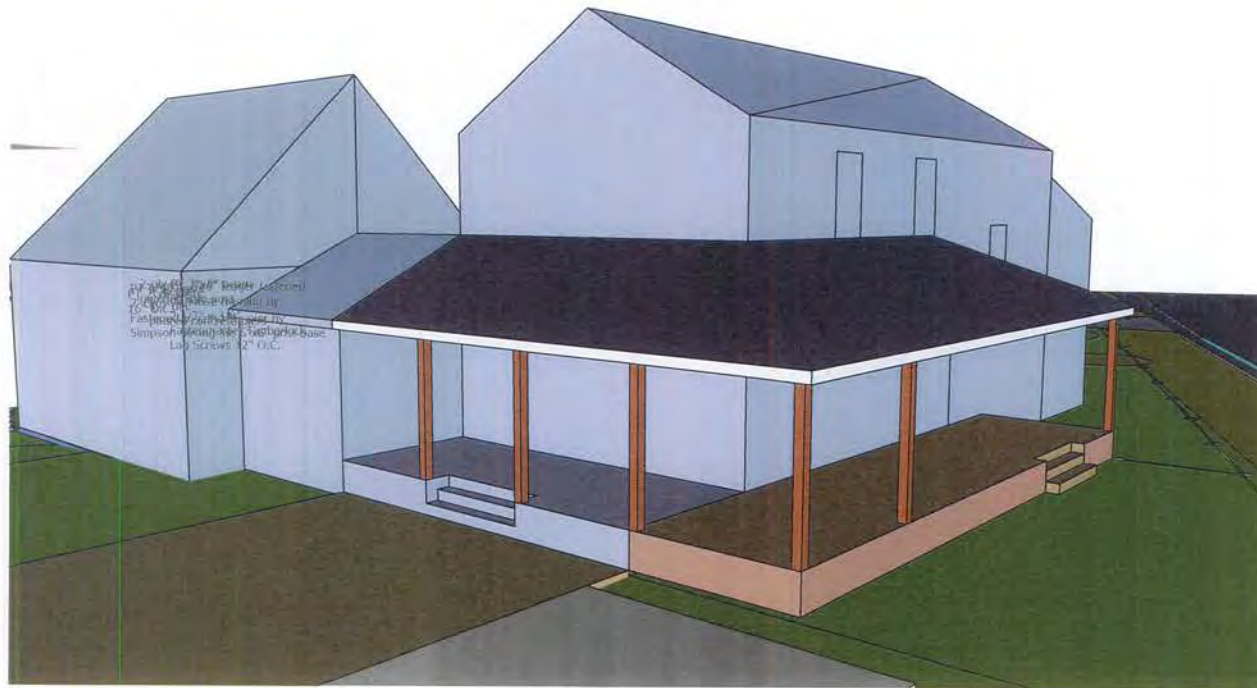


4503 N.W. Townline Rd  
Marcellus, New York 13108

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[www.donahoe.com](http://www.donahoe.com)  
315.673.2883

Page 1 of 1

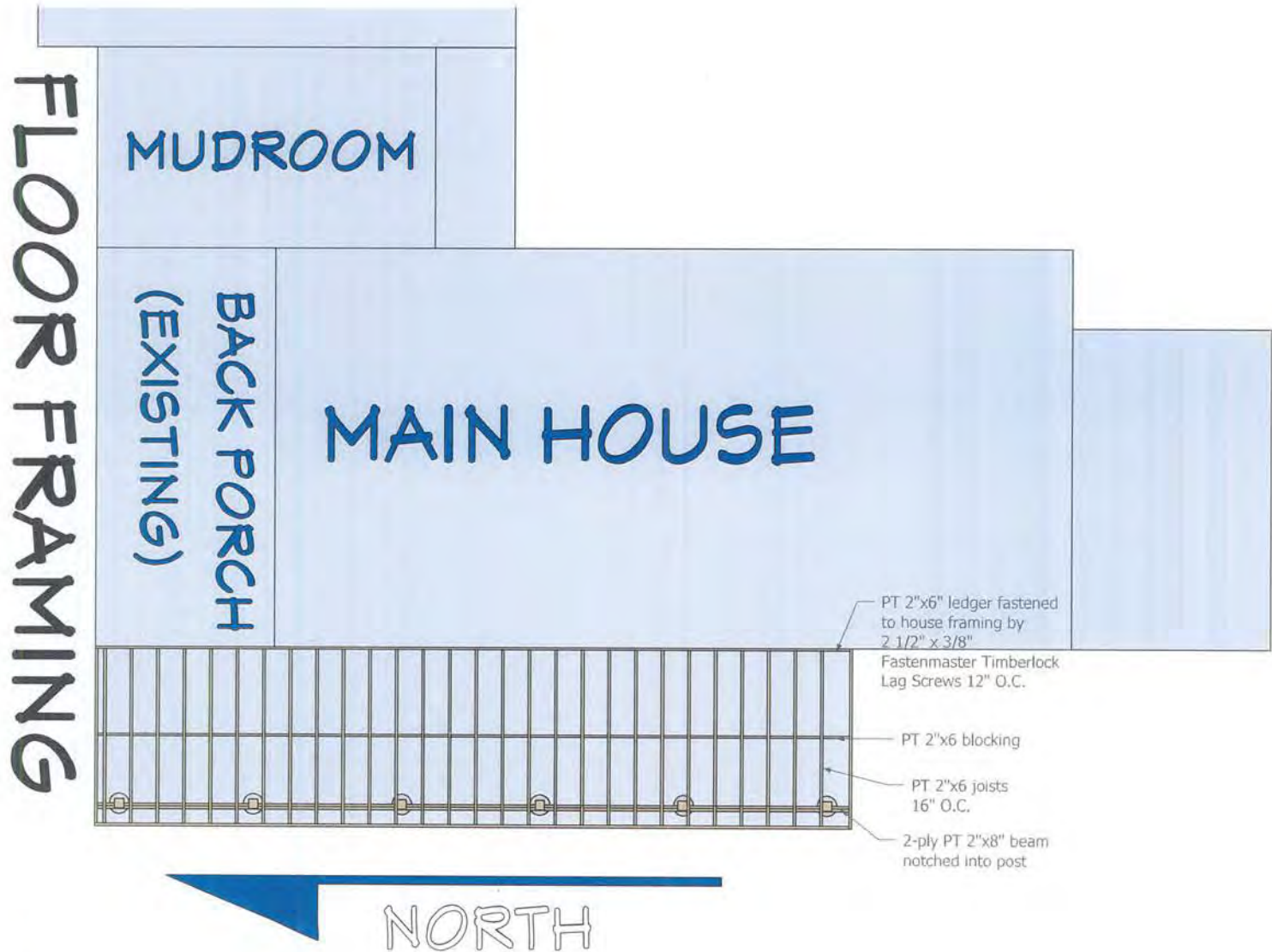


4503 Northwest Townline Rd.  
Marcellus, NY 13108  
(315) 673-2883  
info@donahogroup.com

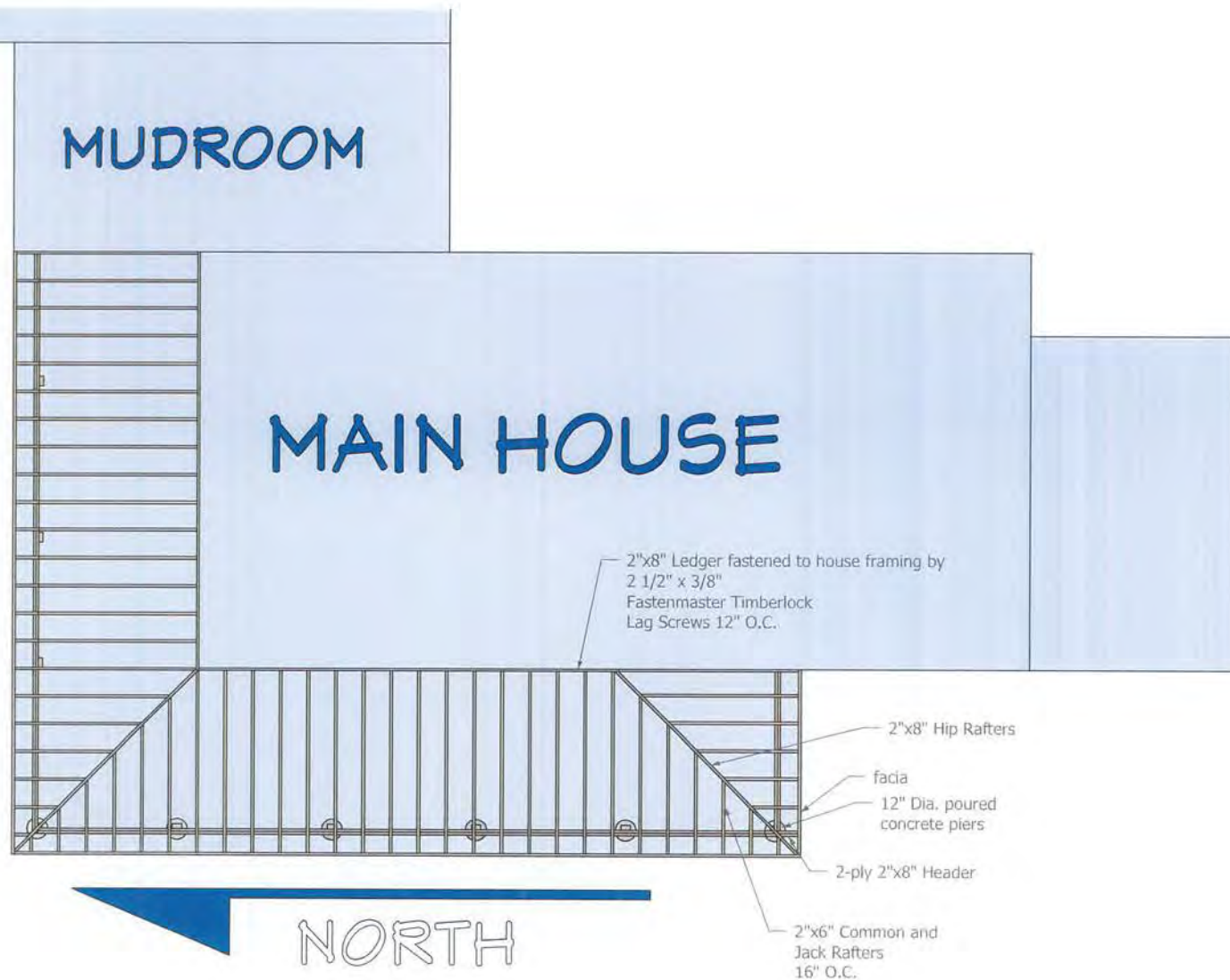
Project No.: 20097  
Date: 3/19/2021

Brian Lilly  
153 Mendon Center Rd.  
Town of Pittsford, NY  
Tax Map No.: 178.05-1-87.1





# ROOF FRAMING



4503 Northwest Townline Rd.  
Marcellus, NY 13108  
(315) 673-2883  
info@donahogroup.com

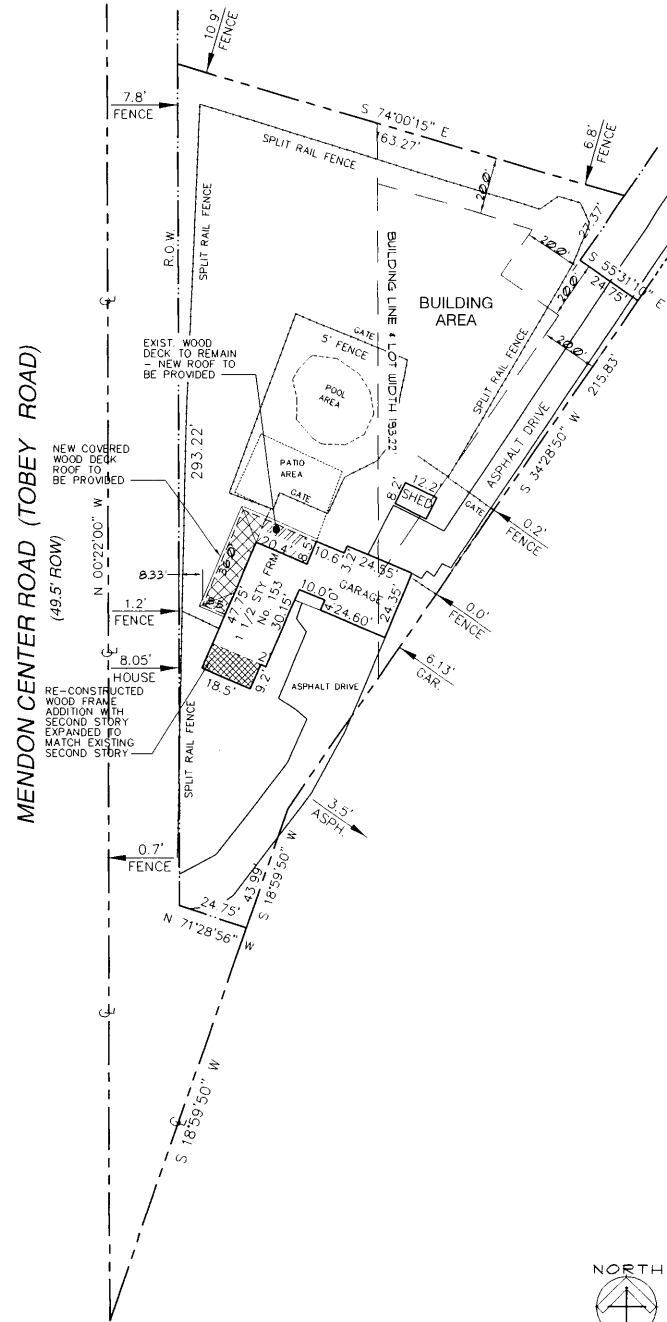
Project No.: 20097  
Date: 3/19/2021

Brian Lilly  
153 Mendon Center Rd.  
Town of Pittsford, NY  
Tax Map No.: 178.05-1-87.1





	EXISTING	PROPOSED	REQUIRED
USE	ONE FAMILY DETACHED DWELLING	ONE FAMILY DETACHED DWELLING	PERMITTED
LOT SIZE	27,918 SF. / 0.64 Ac.	27,918 SF. / 0.64 Ac.	....
MAXIMUM LOT COVERAGE	24.79%	25.89%	40%
HOUSE/GARAGE	1,733 SF	1,733 SF	
PORCH COVERED	39 SF	39 SF	
DECK	165 SF	0 SF	
DECK COVERED	0 SF	471 SF	
PATIO	797 SF	797 SF	
SHED	100 SF	100 SF	
POOL	688 SF	688 SF	
DRIVEWAY	3,399 SF	3,399 SF	
LOT COVERAGE TOTAL	6,921 SF	7,227 SF	11,167 SF.
MAX. BUILDING FOOTPRINT			
HOUSE/GARAGE	1,733 SF	1,733 SF	
PORCH COVERED	39 SF	39 SF	
DECK COVERED	0 SF	471 SF	
SHED	100 SF	100 SF	
BUILDING FOOTPRINT TOTAL	1,872 SF	2,343 SF	4,396 SF.



**SITE PLAN**  
1" = 30'-0"

**DG**  
DONAHOE GROUP  
4503 NORTHWEST TOWNLINE RD.  
MARCELLUS, NEW YORK 13108  
315 873 2883 FAX 315 873 3300

**SITE PLAN FOR:**  
**BRIAN LILLY**  
153 MENDON CENTER ROAD  
TN. OF PITTSFORD, NEW YORK 14534

**SITE PLAN**

DRAWN LSA	DATE
CHECKED	
DATE 03/19/2021	
PROJECT 20031	
SUBMISSION	

**SD-1**

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Part 89.5(b) of Title VIII of the Education Law of New York Prohibits any and all alterations to this drawing or document by any person, unless acting under the direction of a Licensed Architect. Any such alteration shall be noted, dated, and signed by the altering Architect in accordance with the requirements of part 89.5(b).

SITE INFORMATION IS OBTAINED FROM INSTRUMENT SURVEY MAP - DONE BY ROBERT S. BANNERMAN, L.S. - DATED 03/16/2021  
ADDITIONAL INFORMATION BY GUY A. DONAHOE, R.A.



## Doug DeRue

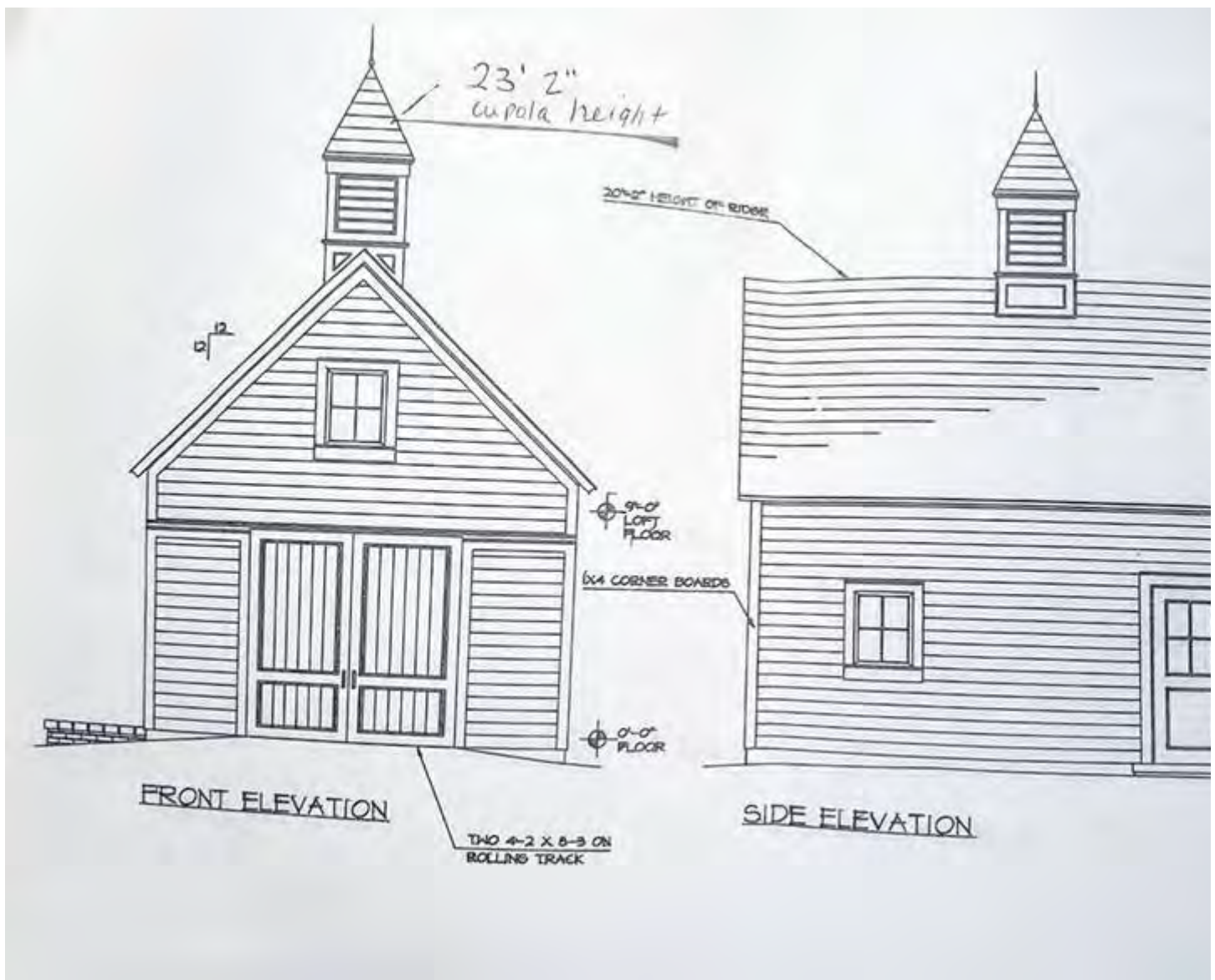
Subject:

FW: 145 Long Meadow

From: Doug DeRue

Hello everyone, sorry I was not able to include this in the packets, I will be forwarding another email also with pictures of the proposed location of the building.

Below has been pulled together from a couple emails. There is a long explanation below this picture.



> Hi Doug-

>

> Here are the attached dimension and architectural plans for the storage shed that we would like to build. We have the

drawings and the building is actually 16 x 22 so a little smaller than what we originally asked for. 350 sq ft of floor space.

>

> Per the architect, the ridge height is 20' 2' and the mean height is 16' 6" ( the average of the highest and lowest points of the roof). The cupola will be no more than 23' 2'. We would like the decorative cupola to enhance the appearance of the structure and will be needed for the architectural review board. This small shed was featured in This Old House and is suitable for a traditional or historical home. With Long Meadow not being Historic but has significant history this will certainly look like it was here forever and this was also why we built the home we did.

>

> We simplified our current garage from our original much larger structure that was approved but we have found that we need more storage space. Ideally, You can never have enough but this will certainly house a good amount for what we need. We built our current 3 car garage to match the neighborhood (most homeowners would not want a detached garage). Majority of the homes have detached garages so in keeping in the character of the neighborhood we went that route. This shed has to have different roof lines than the current garage or it would look like just another garage and from a design stand point this handsome shed matches the peak of our home.

>

> We put a lot of thought into this as well for our property. Our home does not affect anyone in the neighborhood due to our set back and setting. We have almost 4 acres and many people have detached garages along with sheds and carriage houses in our neighborhood. We don't feel this is asking for that much on our size property and is needed to maintain such a large parcel.

>

> Placement in the left rear yard of the home on our only flat limited yard would make it unfair to the neighbors next door for blocking their view of the woods. This location is the best for this alone. We reached out to them and they are totally fine with our location of this shed. Directly across the street, 180 LMC is 100% okay with this as well and they too have the cream colored garage we stare at from our front porch and every angle which is far larger than current code requirements. Understanding it was built years ago as the shed in addition to the garage but we too have this in our everyday view. We are fine with it as all should be.

>

> In addition to our yard equipment, 4 cars (soon to be 6), landscape trailer, gator, pool equipment, plow, etc we feel this is a necessity and is needed to maintain this property.

>

> Many homes have detached garages along with sheds, outbuildings and additional pool houses.



>



- >
  - > We hope this is enough information to get approval.
  - > The survey map we supplied at the first meeting shared the exact location of where the shed will be.
  - >
  - > Here is also a picture of an additional garage on West Brook road in plain view which is a shed, 180 LMC garage picture, duplicates from first meeting of the location and the side of our current garage. The survey showed is stepped back from the existing garage. You can also see that the garage elevation sits higher up than this shed, so this will not be taller than the existing garage. It will be right where existing driveway ends where basketball hoop is. Please let me know if you need anything else before the next meeting and what day is the meeting?
  - > Thank you!
  - >
  - > Danielle Fliss
-

## Doug DeRue

---

**Subject:** FW: 145 Long Meadow 2nd email

**From:** Doug DeRue

**Subject:** 145 Long Meadow 2nd email

Hello Everyone, below are the location photos at 145 Long Meadow that have bricks shown at the corners of the building location. And further below is a pretty picture of the proposed building. Note previous email also photos showing elevation difference and proposed location.





