TOWN OF PITTSFORD ZONING BOARD OF APPEALS AGENDA OCTOBER 18, 2021 7:00 PM

PUBLIC HEARINGS FOR AN AREA VARIANCE

- 80 North Country Club Drive Tax # 151.05-01-11, Applicant is requesting relief from Town Code §185 – 17 E. for a proposed garage addition encroaching into the side setback. Property is zoned RN – Residential Neighborhood District.
- 103 Knickerbocker Road Tax # 164.19-1-5, Applicant is requesting relief from Town Code §185- 113 B. (1), (2) and §185 – 17 E. for a proposed garage that is oversized, over height garage and encroaching into the side setback. Property is zoned RN -Residential Neighborhood District.
- 4000 East Avenue tax # 151.06-2-45, Applicant is requesting relief form Town Code §185 – 121 A. for the construction of a fence/sound barrier and addressing an existing fence forward of the Front Setback, both of which exceed the 3-foot maximum height allowed by Code and §185- 113 B. (3) for a spa hot tub forward of the rear wall of the home on a corner lot. This property is zoned RN-Residential Neighborhood District.
- 18 Butternut Drive Tax # 165.09-1-5, Applicant is requesting relief from Town Code §185
 17 B. for a proposed roofed entry encroaching into the front setback. Property is zoned RN Residential Neighborhood District.

CONTINUED PUBLIC HEARING FOR AN AREA VARIANCE

 18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Codes §185-113 B. (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

TOWN OF PITTSFORD ZONING BOARD OF APPEALS MINUTES September 20, 2021

PRESENT

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

ALSO PRESENT

Cathy Koshykar, Town Board Liaison; Robert Koegel, Town Attorney; Doug DeRue, Director of Planning & Zoning; Susan Donnelly, Secretary to the Board

ABSENT

Tom Kidera

Proceedings of a regular meeting of the Pittsford Zoning Board of Appeals were held on Monday, September 20 at 7:00 P.M. local time.

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

PUBLIC HEARINGS FOR AN AREA VARIANCE

2585 Clover Street. Tax # 150.11-2-22, Applicant is requesting relief from Town Code §185 – 121
(A) for the construction of a fence forward of the Front Setback, that exceeds the 3-foot maximum height allowed by Code. This property is zoned RN-Residential Neighborhood District.

George Dounce opened the public hearing

The homeowner was not present but the Board felt that they had enough information to go forward with reviewing the application.

There was no public comment.

Jim Pergolizzi moved to close the public hearing.

Phil Castleberry seconded.

All Ayes.

121 Van Voorhis Road. Tax # 192.07-1-1, Applicant is requesting relief from Town Code §185- 113
(B) (3) for the construction of a deck forward of the rear wall of the home as well as an existing pool and 185-121 A. for over height fencing in association with the pool forward of the rear wall. Property is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, Henry Hoak, was present. Mr. Hoak indicated the pool and fence are pre-existing non-conforming to current code.

The timeframe for deck construction is within the next month.

There was no public comment.

Barb Servé moved to close the public hearing.

David Rowe seconded.

All Ayes.

2 Harwood Lane, Tax # 151.07-1-11, 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, Larry Castellano, was present.

Mr. Castellano is requesting the shed to store lawn equipment. He stated that no trees will be removed. He would like to start construction as soon as possible. He has talked to his neighbors and there is no objection.

There was no public comment.

Phil Castleberry moved to close the public hearing.

Jim Pergolizzi seconded.

All Ayes.

 14 Round Trail. Tax # 164.19-2-55, Applicant is requesting relief from Town Code §185 – 17 (E) for a proposed shed encroaching into the side setback. Property is zoned RN – Residential Neighborhood District.

George Dounce opened the public hearing.

The homeowner, Alexei Kozlov, was present. He would like to start construction as soon as possible.

There was no public comment.

Mary Ellen Spennacchio-Wagner moved to close the public hearing.

David Rowe seconded.

All Ayes.

23 Butternut Drive. Tax # 165.09-1-26, Applicant is requesting relief from Town Code §185- 113 (B) (1), (2) & (3) for the construction of an oversized, over height garage forward of the rear wall of the home. Property is zoned RN - Residential Neighborhood District.

George Dounce opened the public hearing.

The architect, Paul Morabito, was present to represent the homeowner, JoAnne Arena Davis.

The timeframe for construction is fall of 2021.

The homeowner indicated that her neighbors who can see the structure have no objection to the project.

There was no public comment. An email citing opposition was received by the Town however the individual was unidentified so the Board could not weigh the impact the variance would have.

Mary Ellen Spennacchio-Wagner moved to close the public hearing.

Barbara Servé seconded.

All Ayes.

TO BE REMOVED

26 Linden Park. Tax # 138.15-1-9.12/L, ATT Mobility is requesting relief from Code §185-126 (b) [2], limiting the maximum height for telecommunication towers to 100 feet. Application proposes to extend the existing tower to 150 feet. Zoned, Light Industrial.

No representative was present.

Doug DeRue explained that the Board has no authority regarding this application. They cannot deny this application by Law.

George Dounce made a motion to remove this item from the agenda.

Mary Ellen Spennacchio-Wagner seconded.

All Ayes.

CONTINUED PUBLIC HEARING FOR AN AREA VARIANCE

18 Golf Avenue, Tax # 151.15-2-45.2 Applicant is requesting relief from Town Codes §185-113 B.
 (1); (2); for an oversized, over height accessory structure (garage/barn, proposed to be 1440 square feet and 29 feet in height). Property zoned RN – Residential Neighborhood District.

No representative was present to discuss this application. Additional information has not been received by the Town.

This hearing remains open.

DECISION FOR 2585 CLOVER STREET - AREA VARIANCE

A written Resolution to grant the area variance for 2585 Clover Street was moved by Barbara Servé and seconded by George Dounce.

George Dounce called for a roll call vote.

Dounce	aye
Servé	aye
Pergolizzi	aye
Spennacchio-Wagner	aye
Castleberry	aye
Rowe	aye

Kidera absent

The approved Resolution contains the following Specific Conditions:

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

DECISION FOR 121 VAN VOORHIS ROAD - AREA VARIANCE

A written Resolution to grant the area variance for 121 Van Voorhis Road was moved by Mary Ellen Spennacchio-Wagner and seconded by Phil Castleberry.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry aye
Rowe aye
Kidera absent

The approved Resolution contains the following Specific Conditions:

- 1. This variance is granted only for the plans submitted and prepared by the Applicant dated August 17, 2021.
- 2. All construction is to be completed by December 31, 2023. .

DECISION FOR 2 HARWOOD LANE - AREA VARIANCE

A written Resolution to grant the area variance for 2 Harwood Lane was moved by Jim Pergolizzi and seconded by George Dounce.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry aye
Rowe aye
Kidera absent

The approved Resolution contains the following Specific Conditions:

- 1. This variance is granted only for the plans submitted and prepared by the Applicant dated August 12, 2021.
- 2. All construction is to be completed by December 31, 2023.

DECISION FOR 14 ROUND TRAIL DRIVE - AREA VARIANCE

A written Resolution to grant the area variance for 14 Round Trail Drive was moved by George Dounce and seconded by Mary Ellen Spennacchio-Wagner.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry aye

Rowe aye Kidera absent

The approved Resolution contains the following Specific Conditions:

- 1. This variance is granted only for the plans submitted and prepared by the Applicant dated August 13, 2021.
- 2. All construction is to be completed by December 31, 2022.

DECISION FOR 23 BUTTERNUT DRIVE - AREA VARIANCE

A written Resolution to grant the area variance for 23 Butternut Drive was moved by Phil Castleberry and seconded by Jim Pergolizzi.

George Dounce called for a roll call vote.

Dounce aye
Servé aye
Pergolizzi aye
Spennacchio-Wagner aye
Castleberry aye
Rowe aye
Kidera absent

The approved Resolution contains the following Specific Conditions:

- 1. This variance is granted only for the plans submitted and prepared by the Applicant dated August 8, 2021.
- 2. All construction is to be completed by December 31, 2023.

REVIEW OF MEETING MINUTES OF AUGUST 16, 2021

George Dounce moved to approve the minutes of August 16, 2021 as written.

All Ayes.

POINT PERSONS FOR OCTOBER 18, 2021 MEETING

80 N. Country Club Drive – Phil Castleberry 103 Knickerbocker Drive – George Dounce 4000 East Avenue – David Rowe 18 Butternut Drive – Barb Servé

MEETING ADJOURNMENT

George Dounce moved to adjourn the meeting at 8 pm.

All Ayes.

Respectfully submitted,

Susan K. Donnelly Secretary to the Zoning Board of Appeals

Zoning Board of Appeals Referral Form Information

Property Address:

80 North Country Club Drive ROCHESTER, NY 14618

Property Owner:

Clifford, Daniel K 80 North Country Club Dr Rochester, NY 14618

Applicant or Agent:

Clifford, Daniel K 80 North Country Club Dr Rochester, NY 14618

Present Zoning of Property: RN Residential Neighborhood

Area Variance - Residential and Non-Profit

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	10	Right Lot Line:	8.11	Right Lot Line:	1.1
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section(s): 185-17 E

Description: Applicant is requesting relief from Town Code §185 – 17 E. for a proposed garage addition encroaching into the side setback. Property is zoned RN – Residential Neighborhood District.

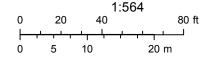
fthe w. Mit October 05, 2021 Date

Allen Reitz - Assistant Building Inspector

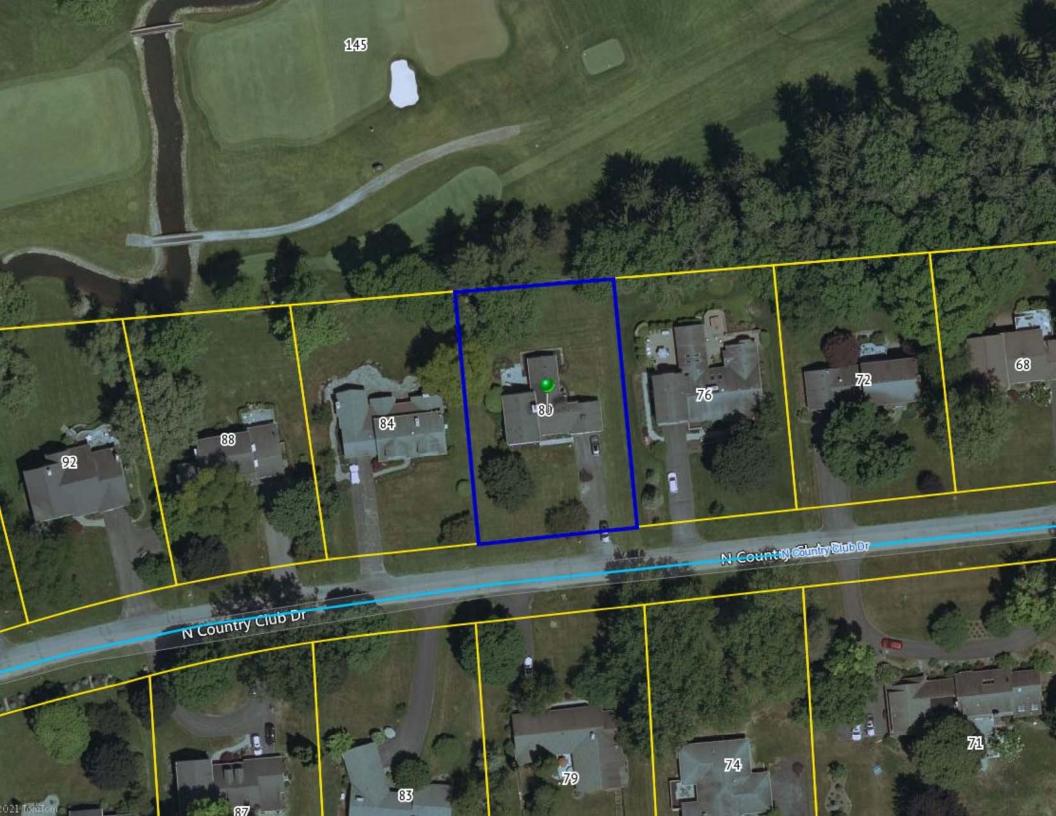
RN Residential Neighborhood Zoning



Printed October 5, 2021



Town of Pittsford GIS





TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: August 13, 2021	Hearing Date:
Applicant: Daniel Clifford & Mary Merkley	
Address: 80 North Country Club Drive	
Phone: (585) 738-2233	E-Mail: dcliffo@gmail.com
Agent:	
(if different than	Applicant)
Phone:	F-Mail:
Property Owner:	E-Mail:
(if different than	Applicant)
Address:	
Phone:	E-Mail:
(If applicant is not the property owner please comple	ete the Authorization to Make Application Form.)
Property Location:	Current Zoning:
Tax Map Number: 151.05-01-11	
Application For:	ommercial
Please describe, in detail, the proposed project:	
The the scope of the project consists of reconfiguring homedeconstruct the current garage and rebuild to structure while adding a garage bay. This new design of 2 separate dedicated stairwells. As a result, we well bedrooms. The second floor bathroom will stay untout	accommodate a mudroom in the rear of the will allow the new staircase be stacked instead ill adjust the configuration of the second floor
SWORN STATEMENT: As applicant or legal agent for the about statements, descriptions, and signatures appearing on this form the best of my knowledge. (Owner of Applicant Signature)	ve described property, I do hereby swear that all n and all accompanying materials are true and accurate to Mulley 8/13/2021
	(D g (0)



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 believe this area variance will allow our renovation to stay relevant in a classic manner while adding value to our follow neighborhood.

Some of the more recent home remodels in our neighborhood have been able to accomplish the addition of a third garage bay without a negative impact to property or the character of the surrounding 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:

It's my understanding this project requires a few extra feet due the side setback requirements.....and the design we have created to accommodate our growing family calls for a third garage bay and additional storage above the garage. Not withstanding the etxtra space carved out for the mudroom.

TESTS FOR GRANTING AREA VARIANCES (Continued)

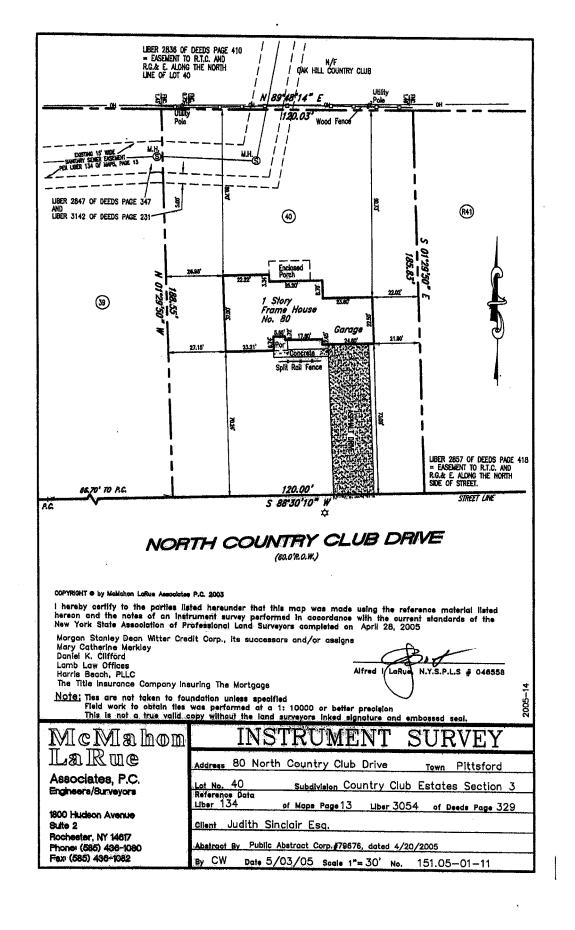
3.	Please explain whether the requested area variance is minimal or substantial:
Minin	nal.
4.	Please explain why you feel the requested area variance will not have an adverse effect or impact on the physical or environmental condition in the neighborhood or zoning district:
Subs	sequently, the need, or request of a few more feet doesn't invite any additional hazards or
conc	erns that the current structure.
	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?
I don	n't understand this question.
The	need is self-created in that the design calls for an area variance.
-	

Disclosure Form E

STATE OF NEW YORK COUNTY OF MONROE

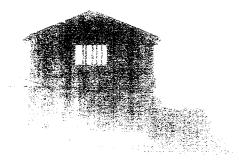
TOWN OF PITTSFORD

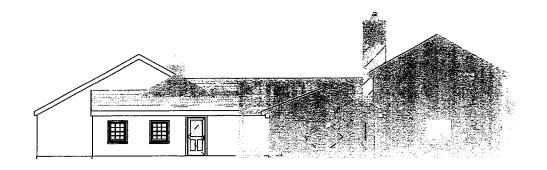
In the Matter of						
Clifford Remodel at 80 North Country Club Drive (Project Name)						
The undersigned, being the applicant(s) to the						
☐ Town Board ☑ Zoning Board of Appeals ☐ Planning Board ☐ Architectural Review Board						
of the Town of Pittsford, for a						
☐ change of zoning ☐ special 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)						
Many Merkeley August 13, 2021						
80 North Country Club Drive						
Rochester, NY 14618						
(City/Town, State, Zip Code)						





1 FRONT ELEVATION - Point Cloud 1/16" = 1'-0"





2 BACK ELEVATION - Point Cloud
1/16" = 1'-0"

THE BLUE INDICATES POINT CLOUD DATA GENERATED BY A 360 LASER SCAN PERFORMED BY TIVERBUILT LLC.



CLIENT: CLIFFORD

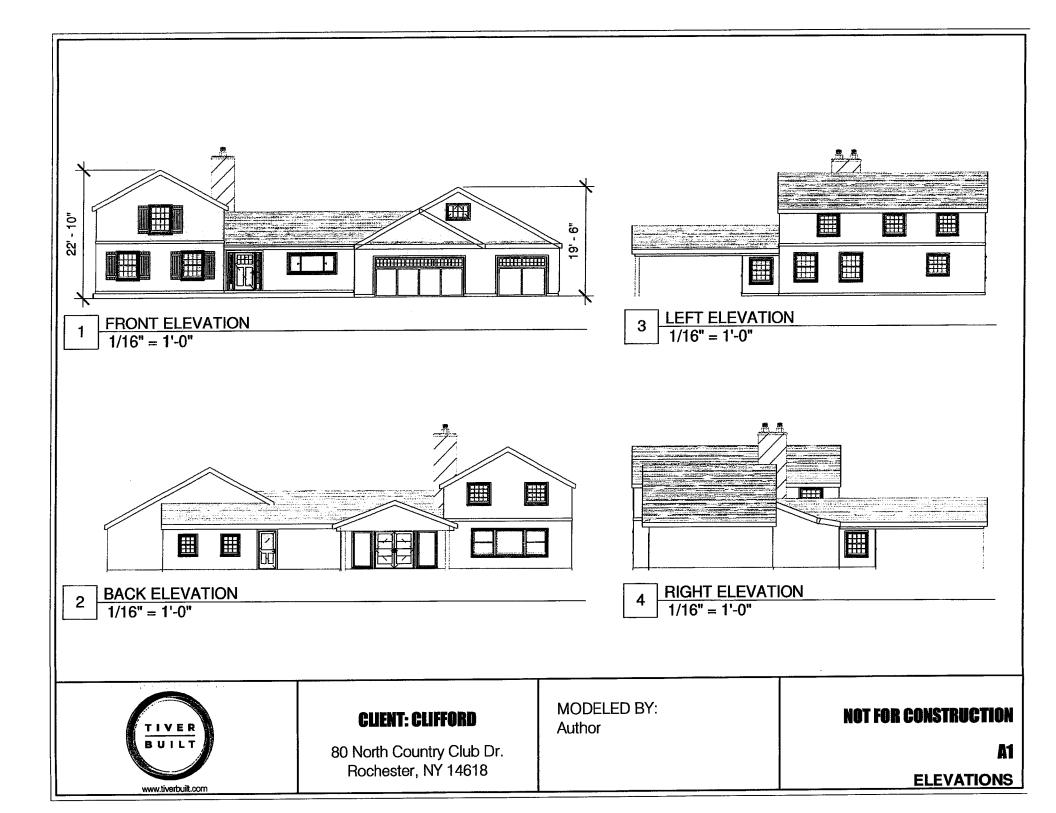
80 North Country Club Dr. Rochester, NY 14618

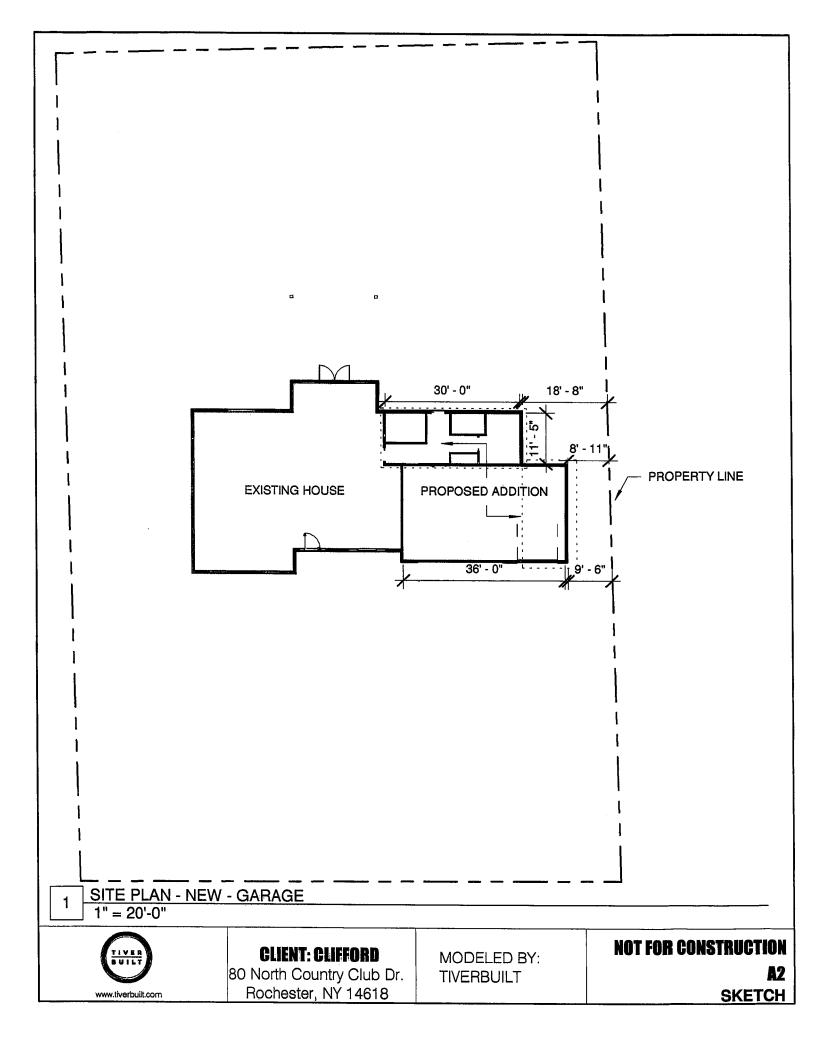
MODELED BY: TIVERBUILT

NOT FOR CONSTRUCTION

A3

ELEVATIONS - POINT CLOUD





Zoning Board of Appeals Referral Form Information

Property Address:

103 Knickerbocker Road PITTSFORD, NY 14534

Property Owner:

Henderson, Blake A 103 Knickerbocker Rd Pittsford, NY 14534

Applicant or Agent:

Henderson, Blake A 103 Knickerbocker Rd Pittsford, NY 14534

Present Zoning of Property: RN Residential Neighborhood

Area Variance - Residential and Non-Profit

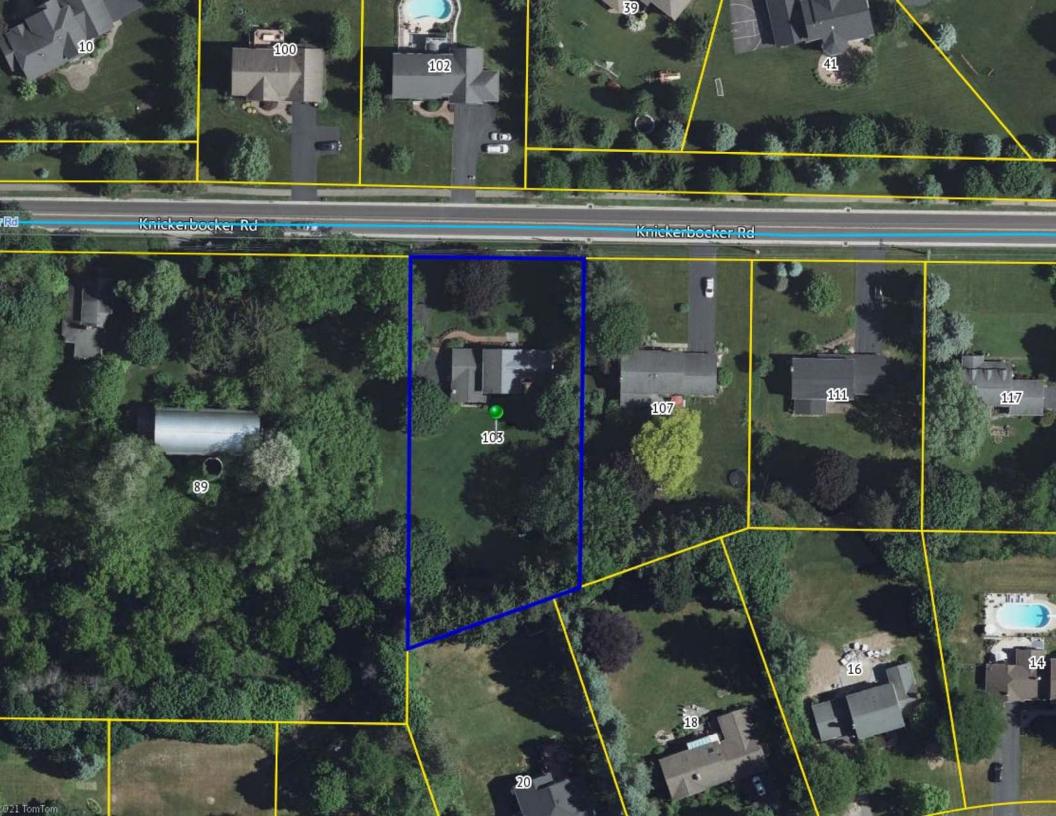
Date

Town Code Requiremen	ıt is:	Proposed Condit	ions:	Resulting in the Follov	ving Variance:
Right Lot Line:	10	Right Lot Line:	5	Right Lot Line:	5.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	13.8	Height:	-1.8
Size:	180	Size:	660	Size:	-480.0

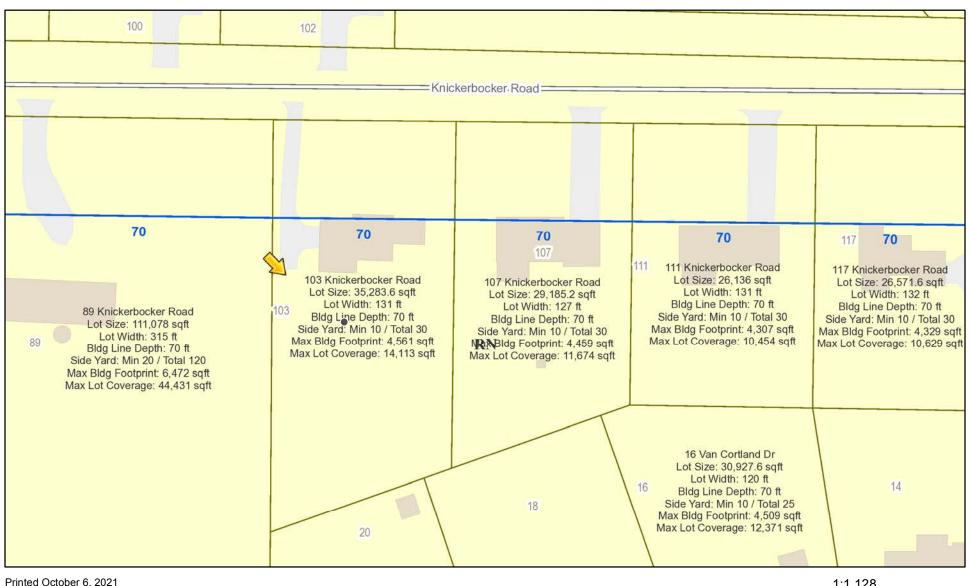
Code Section(s): 185- 113 B. (1) 185- 113 B. (2) 185- 17 E

Description: Applicant is requesting relief from Town Code §185- 113 B. (1), (2) and §185 – 17 E. for a proposed garage that is oversized, over height garage and encroaching into the side setback. Property is zoned RN - Residential Neighborhood District.

Allen Reitz - Assistant Building Inspector



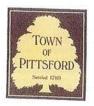
RN Residential Neighborhood Zoning



1:1,128 45 180 ft 25 50 m

Town of Pittsford GIS

12.5



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date				laarin	n Deter		
Applicant: Blake Henderson				Hearing Date:			
Address: 103 K	nickerboo	ker Road, F	Pittsford NY	1453	4		
Phone: (585) 7			E		bah997@yahoo.com		
Agent:				-waii:	Sanos r @yanoo.com		
4.4.4			(if different than Ap	pplicant)			
Phone:			F	Mail			
Property Owner:				-iviali.			
* **			(if different than Ap				
Phone:			E-	Mail:			
(If applicant	is not the pr	operty owner p	lease complete	the A	uthorization to Make Application Form.)		
Property Location:	103 Knicl	kerbocker R			Zoning: Residential		
Tax Map Number:				iii Giit Z	coning: Treordential		
Application For:		Residential	☐ Comr	nercia	I 🗆 Other		
Please describe, in o	letail, the pro	posed project:					
Build a 22'x30' po The request is to o	le barn stru construct th	icture. Structi	ure will be a 2 a 5' offset fron	car g	arage and match the existing house. side property line.		
the best of my knowle	edge.		t for the above de g on this form and	escribe I all ac	d property, I do hereby swear that all companying materials are true and accurate to		
Blog	Heno	Lun_			8/3/2021		
	(Owner or A	pplicant Signature)			- / Joseph		



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)

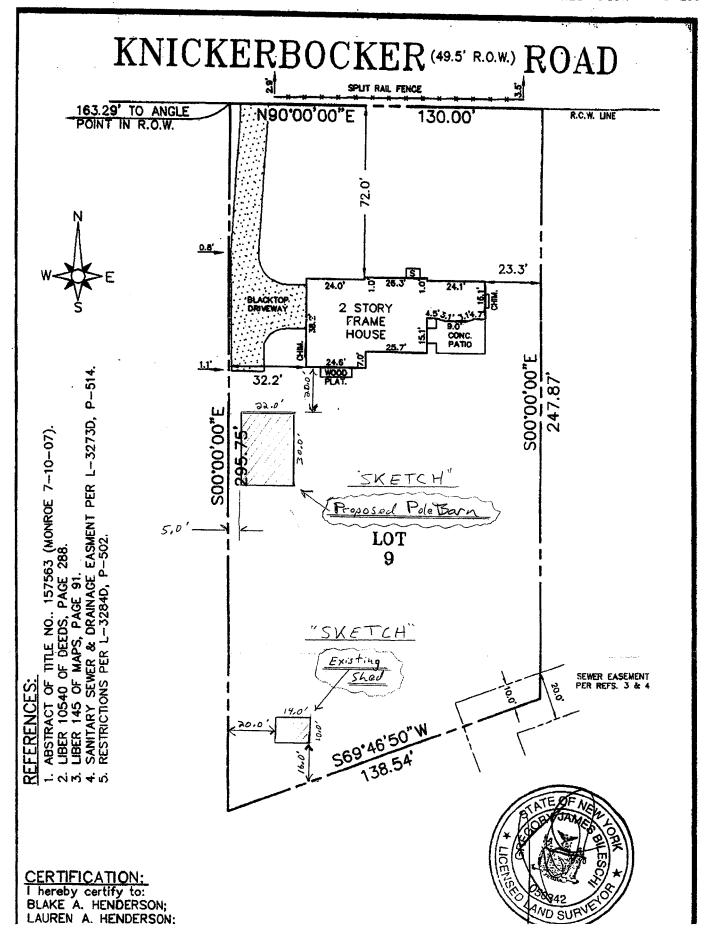
- 1. Please explain why you feel the requested variance will not produce an undesirable change in the character of the neighborhood and why a detriment to nearby properties will not be created by the granting of this area variance:
- 1. The proposed building will be in keeping with the style of the existing house.
- The structure is set well off of the road.
- 3. The neighboring property's closest building is 112' from the property line and will be 117' for the proposed structure.
- 4. Many other properties in the area have barns and/or 3 and 4 car garages.

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 need of the property owner is to have more garage space, which will requires a variance due to its size. Due to the layout of the property, a variance to situate the building 5' from the property line is requested in order to maintain balance as you view the property from the street. Without this, the new structure would be somewhat tucked behind the existing house creating an awkward layout.

TESTS FOR GRANTING AREA VARIANCES (Continued)

3.	Please explain whether the requested area variance is minimal or substantial:
The	e requested area variance is minimal due to the overall size of the property and the neighboring perty and the distance between existing structures.
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:
	requested variance will be done in good taste, match the existing house and only be viewable in the road.
	NOTE: Consideration of the following question shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of an area variance;
5.	Is the alleged difficulty self-created?
Yes.	



Blake Henderson 585-749-2058 22×30 Pole Barn 103 Knickerbocker Rd bah 997@ yahoo.com P.Hs Ford, NY 14532 Asphalt Roof Shrugle To Match House Siding T-111 Or Simialan
Paint To Match
House Ů 10'-0" 8-0" 18'-0" FRONT ELEVATION , Scale: 1"=5" REAR ELEVATION Scale: 1"=10" LEFT ELE, RIGHT ELE,



Property line to neighboring structure = 112'

Proposed pole barn garage to neighboring structure = 117'



Existing side load garage image New structure will be very simialar

Zoning Board of Appeals Referral Form Information

Property Address:

4000 East Avenue ROCHESTER, NY 14618

Property Owner:

Kevin Surace and Erica Rogers 4000 East Ave Rochester, NY 14618

Applicant or Agent:

Kevin Surace and Erica Rogers 4000 East Ave Rochester, NY 14618

Present Zoning of Property: RN Residential Neighborhood

Area Variance - Residential

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	3	Height:	0	Height:	3.0
Size:	0	Size:	0	Size:	0.0

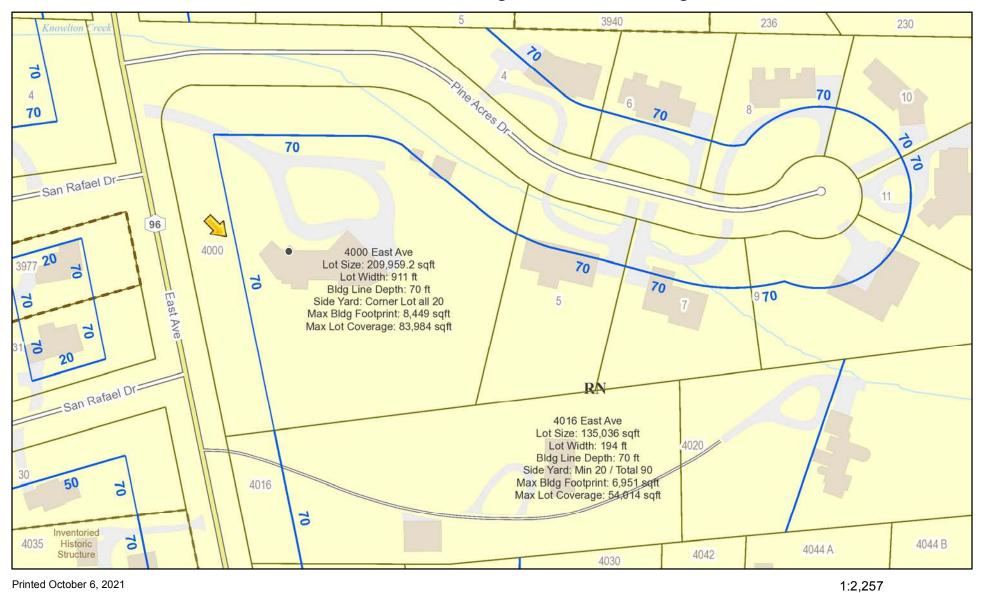
Code Section(s): 185- 121 A. 185- 121 A. 185- 113 B. (3)

Description: Applicant is requesting relief form Town Code §185 – 121 A. for the construction of a fence/sound barrier and addressing an existing fence forward of the Front Setback, both of which exceed the 3-foot maximum height allowed by Code and §185- 113 B. (3) for a spa hot tub forward of the rear wall of the home on a corner lot. This property is zoned RN-Residential Neighborhood District.

fthe w. Mid October 06, 2021 Date

Allen Reitz - Assistant Building Inspector

RN Residential Neighborhood Zoning



Town of Pittsford GIS

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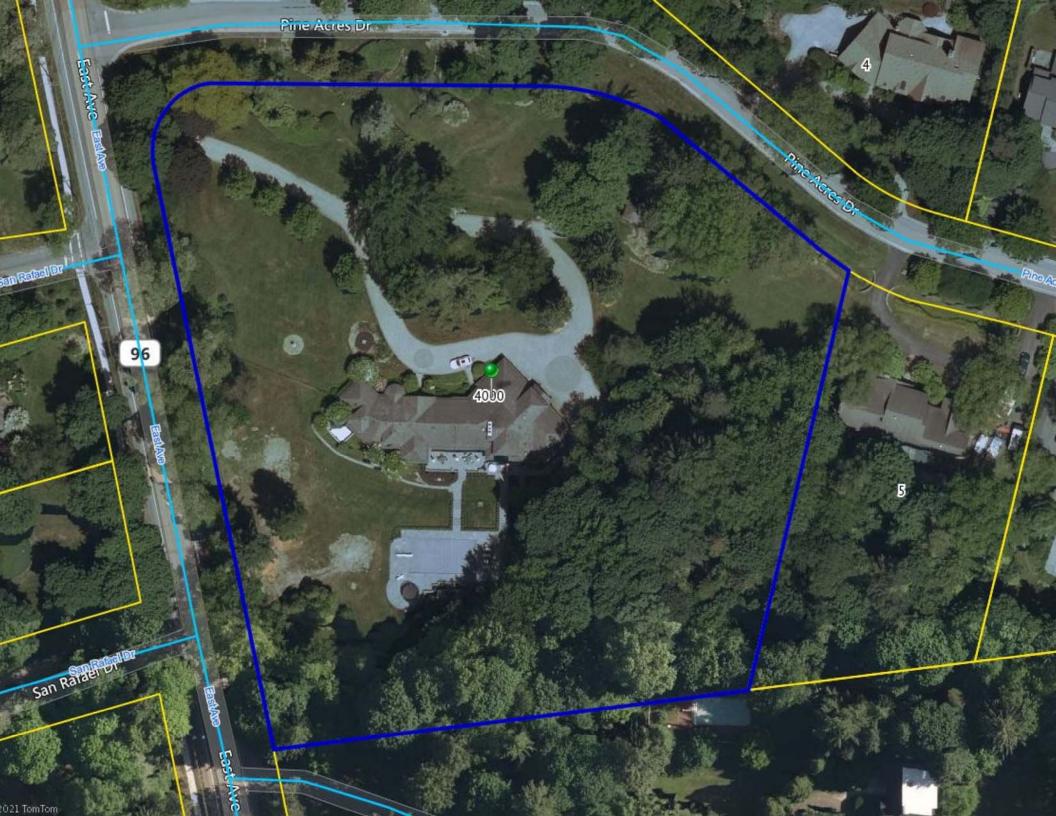
25

190

50

380 ft

100 m





TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date:	Hearing Date:
Applicant: Mary Adelaide Scipioni	
Address: 1010 Highland Avenue Roch	ester, NY 14620
Phone: (585) 760-9941	E-Mail: mary@pebble-stream.com
Agent:	
Address:	(if different than Applicant)
Phone:	E-Mail:
Property Owner: Kevin Surace and Eric	
Address: 818 Gary Avenue Sunnyvale	(if different than Applicant)
Phone: (408) 314-5543	E-Mail:
	current Zoning: kevin@surace.com
Application For:	☐ Commercial ☐ Other
Please describe, in detail, the proposed project:	
re located behind the 70-ft. Building Line and forward of the forward-most co creen will be approximate to the top elevation of the existing metal fence as merge at either end where the grade falls away, exposing 24" of the base. T cluding layout plan, section, elevation, and photos.) Locate a 7'-3" x 7'=3" x 36"H hot tub approximately 6 ft. forward of the forw	ted on a stone base located below the grade of the gated entrance along East Avenue. The screen and wall before of the house and will make two slight turns to follow the grade (24 ft32 ft24 ft.). The top of the seen from the road. The stone base of the screen will be embedded in the grade in the center section, and there will be a planting bed on both sides of the screen to soften the visual effect. (Please see Exhibits ward-most corner of the house and 20 ft. behind the 70 ft. Building Line. This will be screened by plants, sted by a previous owner and is therefore currently non-compliant. An example of a similar fence in the
SWORN STATEMENT: As applicant or legal agen statements, descriptions, and signatures appearing the best of my knowledge.	t for the above described property, I do hereby swear that all g on this form and all accompanying materials are true and accurate to
Mary Scipioni (Owner or Applicant Signature)	(Data)
	/i lata1



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, Kevin Surace		, the owner of the property located at:
4000 East Ave	Pittsford	14618
(Street)	(Town)	(Zip)
Tax Parcel #		do hereby authorize
Mary Adelaide Scipioni		to make application to the
	•	Karul dina
		(Signature of Owner)



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)

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

Regarding item (1), screen wall for noise abatement: The screen wall is located behind the 70-ft. Building Line. The space between the 70-ft. Building Line and the ROW is populated by vegetation, with a gate opening. This screen wall is set slightly downslope from the gate of the metal fence and will form a backdrop for additional vegetation. It will be minimally visible from East Avenue, a busy road where most viewers are in moving vehicles. Pedestrians rarely walk on the shoulder which is in any case several feet lower than the gate entrance. Other houses in the neighborhood are turned away from the road and/or not visible and so this is compatible with the neighborhood character.

Regarding item (2), hot tub: the 36" high tub will be set on elevation +438, at the bottom of a slope and that will be populated with trees and shrubs. The terrain rises 5-6 feet moving toward East Avenue, before falling several feet to the road. Photos show that the house is well-screened and the ground level is not visible from the road.

Regarding item (3), the existing metal fence: this fence has been a neighborhood feature for an unknown period nor is it unique in this stretch of East Avenue. A similar fence exists at 4100 East Avenue, as shown by photos in this application.

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

Typically, a house would face the road and screen the private area for family use. The siting of this house and the swimming pool create an unusual degree of exposure and noise for the private areas of this corner lot, and were not the result of design choices made by the current owners. The "front yard" of this corner property exceeds 1,000 linear feet (East Ave. and Pine Acres), or 70,000 sq. ft. (33% of the property). This reduces the area available for mitigation. Moreover, the lower elevation of the swimming pool and gathering spaces of the property create a "fishbowl" effect and allow noise to project down the hill. The screen wall for sound abatement is proposed at the farthest reasonable point and the lowest feasible elevation from the ROW. The proposed location is constrained by existing conditions, i.e., the previously established location and elevation of the house and the swimming pool, and could not be achieved behind the Building Line. Hot tub: The privacy desired for this benefit is best achieved at the bottom of the hill rising to the road, and as far from the gathering spaces in the interior of the property. This location allows the maximum screening by vegetation.

The metal fence: this is an existing and functional feature. Its removal would create an unnecessary burden for the owners.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The screen wall is 80 ft. by 6 ft. H and sits on a stone base that is 24" H for 28 linear feet and 12" H for 15 linear feet. The exposed vertical area of the base is 70 sq. ft. and is only where the grade falls two feet below the bottom of the screen wall and is not visible from the road. The ground area occupied by the stone base is 86 square feet and the vertical area of the wooden screen wall above 3 foot height allowable is 240 square feet. This is a minimal variance in the context of 450 ft. of frontage on East Avenue.

Hot tub: It is only 6 feet from the forward-most house corner and 20 feet behind the 70 ft. Building Line.

Metal fence: This is an existing feature for which normalization through a variance is requested; it will not represent a change for the neighborhood.

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

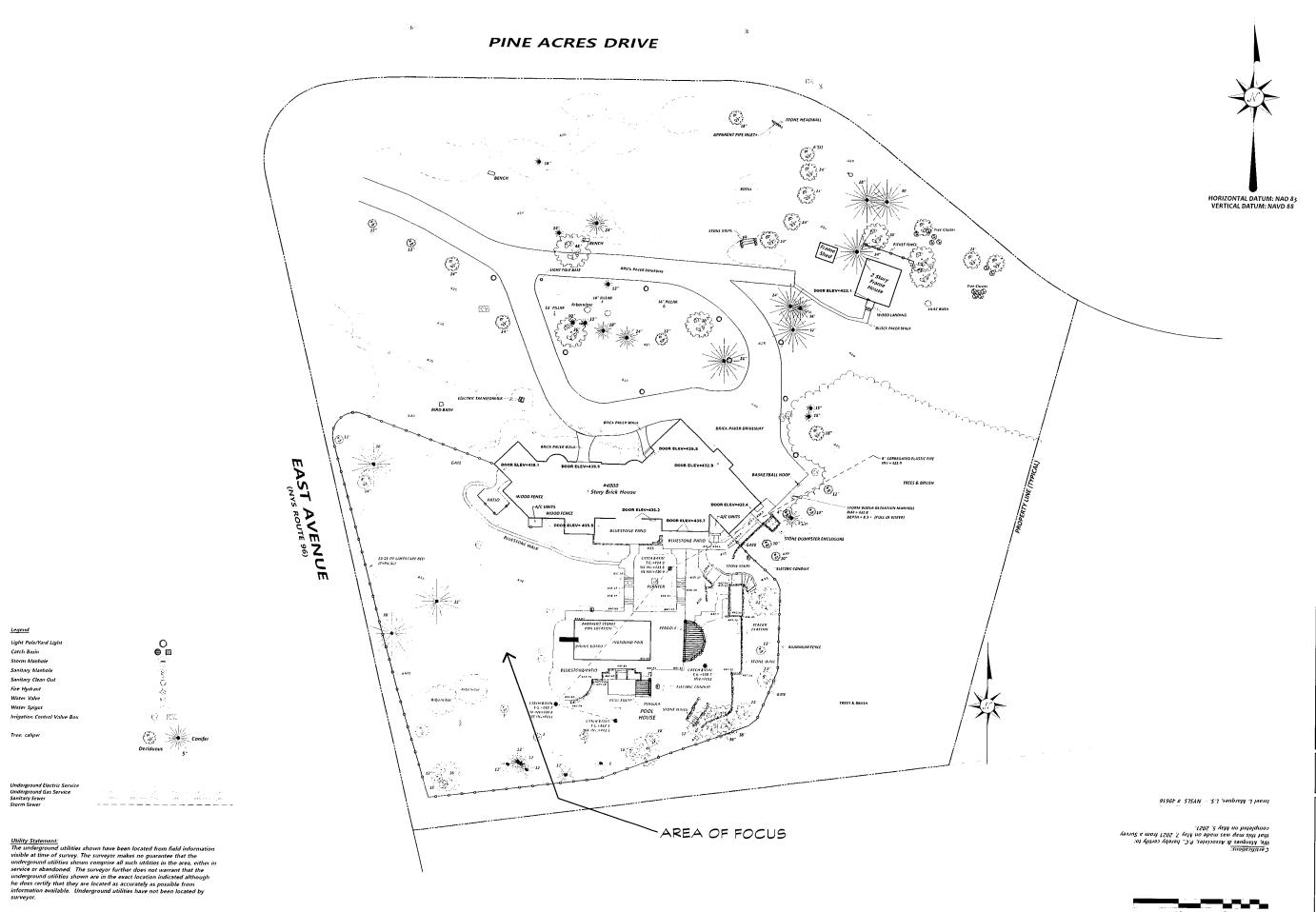
Due to the minimal size and elevation of the proposed screen wall, the visual impact will be negligible. The addition of vegetation to enhance the existing large trees in the space between the screen wall and the ROW will render the screen virtually invisible. The overall landscape design of which this is a part is expected to add great environmental quality and value to 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. The siting of this house and the swimming pool were determined by the previous owner(s). The layout of these features created a problem of exposure with respect to East Avenue. The lower elevations at which these structures are placed were existing and inalterable conditions we seek to mitigate. The traffic on East Avenue is a source of noise pollution beyond the owners' control. No ongoing or proposed work on this property have caused this difficulty.

Disclosure Form E

STATE OF NEW YORK COUNTY OF MONROE	TOWN OF PITTSFORD
	TOWN OF PITTSFORD
In the Matter of	
4000 East Avenue	
(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 o	official map
issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constitutions of the Town of Pittsford, do hereby certify that I have read the progeneral 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	visions of Section §809 of the
any other municipality of which the Town of Pittsford is a part who is interested in the favoraid Board as to this application, except for those named below:	or of the Town of Pittsford or of or other properties of discretion by
Name(s)	Address(es)
Mary Scipioni Septeml	ber 1, 2021
(Signature of Applicant)	(Dated)
(Street Address)	
(City/Town, State, Zip Code)	



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REVISIONS:			
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SHOWING

Topographic Survey

4000 East Avenue

Lot 9 Pine Acres Subdivision

Part of Town Lot 11, Township 12, Range 5 Ely Tract

Town of Pittsford Monroe County New York

PREPARED FOR:

c/o Design Works Architecture 6 N Main Street, Suite 104 Fairport, New York 14450



MARQUES & ASSOCIATES, P.C.
LAND SURVEYING
ENGINEERING

930 East Avenue, Suite 1000 Rochester, New York 14607 585-723-1820 (Tel) 585-723-1821 (Eas)

Date: May 7, 2021 Project #: 2021019 Scale: 1" = 30' Drawn by: MLM Checked by: ILM

SEAL



LEFT, PHOTO OF THE ENTRANCE GATE ON EAST AVENUE SHOWING THE RELATIVE HEIGHTS OF THE EXISTING METAL FENCE, THE WOODEN SCREEN, AND THE LARGE SHRUBS TO BE PLANTED IN FRONT OF THE SCREEN.

VEHICLE ACCES ROUTES WILL GO AROUND THE SCREEN TO THE RIGHT AND LEFT FOLLOWING THE SLOPE DOWNWARD.

THESE FEATURES APPEAR CLOSER IN THIS IMAGE, ALTHOUGH THEY ARE LOCATED AT A DISTANCE OF OVER 70 FEET.

RIGHT, AN VIEW TOWARD THE GATE. THE SOIL PILE VISIBLE IS APPROXIMATELY THE SAME HEIGHT AS THE PROPOSED SCREEN.

THIS VIEW SHOWS THE RELATIVE, LOWER ELEVATION OF THE ROAD AS WELL AS THE TYPICAL EYE LEVEL OF A PASSING DRIVER.





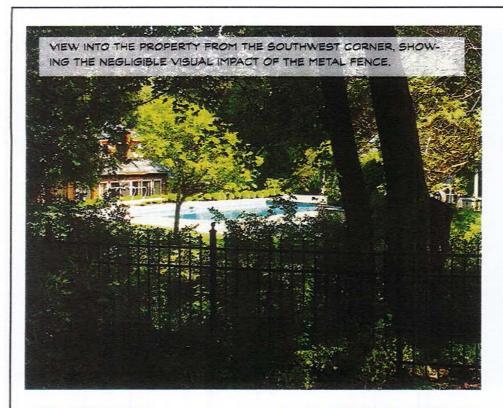


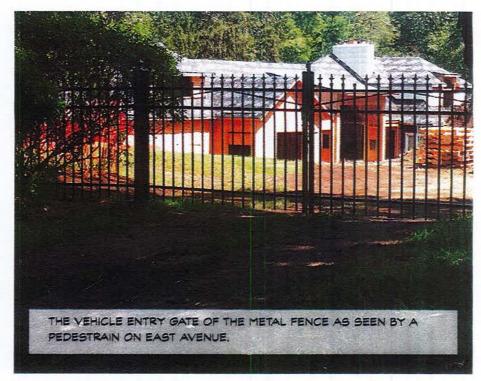


LEFT, PHOTO OF THE LOCATION ON THE ROAD LOOKING TOWARD THE PROPOSED HOT TUB LOCATION WHICH IS 7 FEET BELOW THE CURRENT GROUND LEVEL AND OVER 10 FEET BELOW THE VIEWER'S EYE LEVEL. THE FINAL SOIL LEVEL IN THIS VIEW WILL BE RAISED SLIGHTLY SO THE ROOF WILL BE THE ONLY PART OF THE HOUSE VISIBLE FROM THIS VANTAGE POINT.

RIGHT, PHOTO SHOWING VEHICULAR POSITION RELATIVE TO THE HOUSE LOOKING TOWARD THE PROPOSED HOT TUB LIT IS EVIDENT THAT A TYPICAL EYE LEVEL IS BELOW THE GRADE INSIDE THE PROPERTY. THE FINISHED GRADE WILL BE TEN FEET ABOVE THE BASE OF THE HOT TUB.

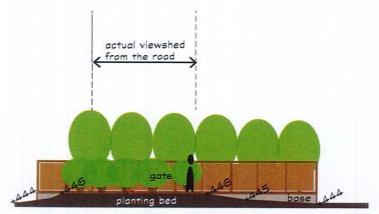




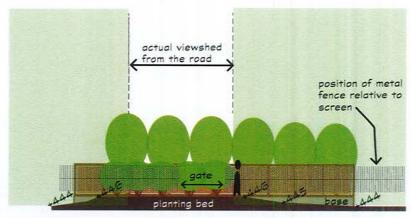




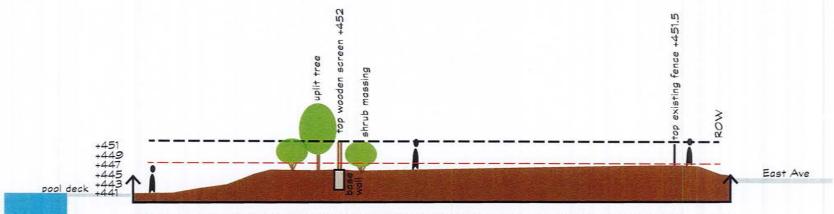




SECTION B-B SHOWS THE CEDAR SCREEN WALL AS SEEN FROM INSIDE THE GATE. THE LANDFORM NATURALLY DROPS TO THE NORTH (LEFT) AND SOUTH (RIGHT) REVEALING A SMALL PORTION OF THE STONE BASE. THE STONE BASE AND THE SCREENS TURN AT TWO POINTS TO MAINTAIN THE LOWEST POSSIBLE ELEVATION.



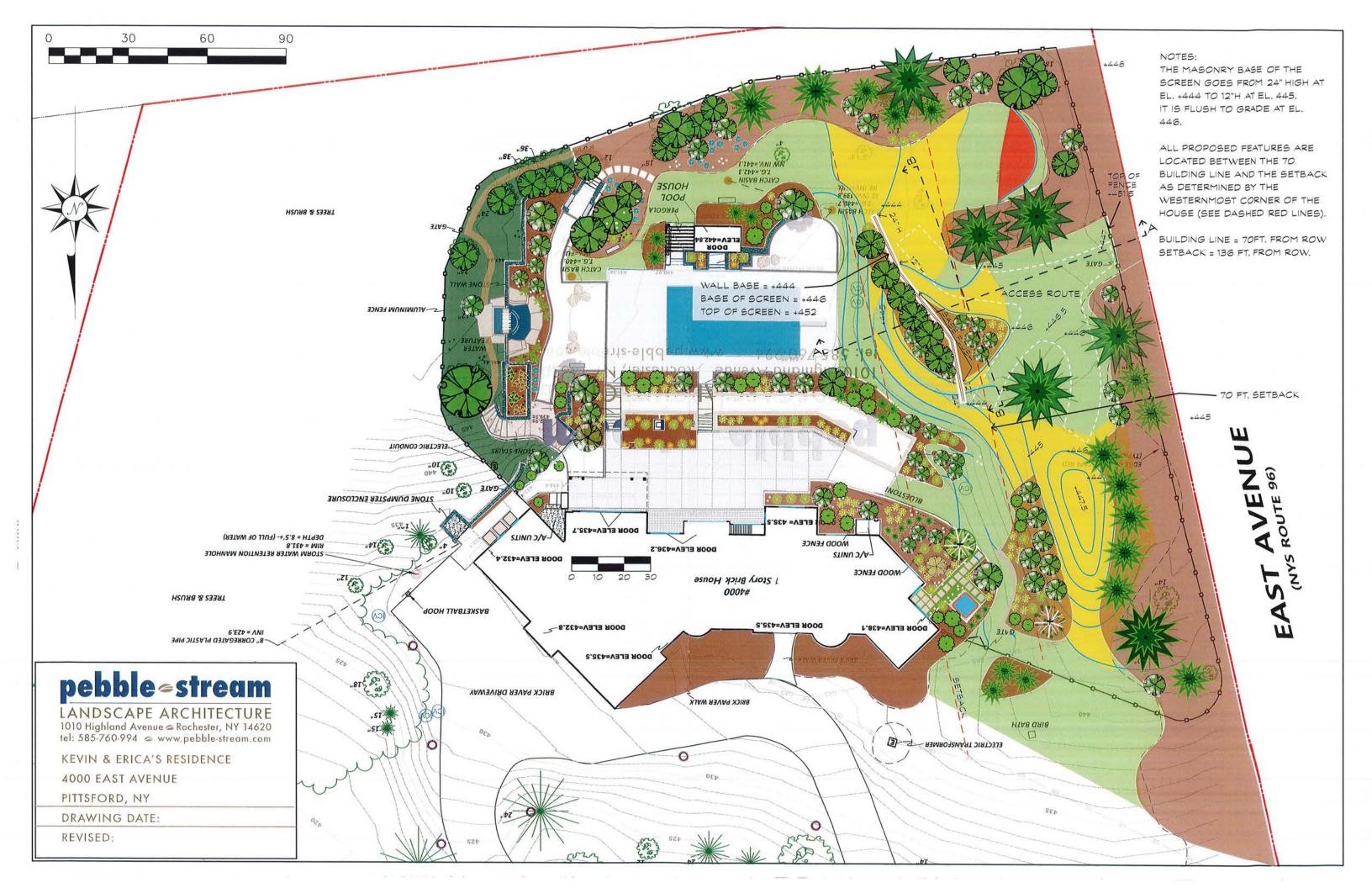
SECTION B-B AS SEEN FROM OUTSIDE OF THE METAL FENCE. THE WOODEN SCREEN IS A MAXIMUM OF 6" HIGHER THAN THE FENCE. THE GREEN ZONES (REPRESENTING EXISTING LARGE TREES AND SHRUBS) AND THE GATE OPENING SHOW THE ACTUAL PORTION OF THE SCREEN VISIBLE FROM OUTSIDE THE PROPERTY. NOTE THAT MOST PASSERS-BY WILL BS.E IN VEHICLES.



SECTION A-A SHOWS THE RISE IN THE LANDFORM FROM THE POOL DECK (+441) TO ELEVATION +446 AT THE BASE OF THE DOUBLE SCREEN WALL. LOCATING THE WALL HERE WILL MITIGATE THE IMPACT OF ROAD NOISE FOR FAMILY MEMBERS USING THE POOL. THE GROUND LEVEL CONTINUES TO RISE TOWARD THE GATE AND METAL FENCE. THE EYE LEVEL OF A PERSON STANDING AT THE GATE WILL BE HIGHER THAN THE WOODEN SCREEN, WHICH IS LOCATED AT A DISTANCE GREATER THAN 70 FT.



4000 EAST AVENUE
PITTSFORD, NY 14618
ELEVATIONS FROM SCHEMATIC DESIGN



Zoning Board of Appeals Referral Form Information

Property Address:

18 Butternut Drive PITTSFORD, NY 14534

Property Owner:

Fleischer, George 18 Butternut Dr Pittsford, NY 14534 (585) 218-0827

Applicant or Agent:

Fleischer, George 18 Butternut Dr Pittsford, NY 14534

Present Zoning of Property: RN Residential Neighborhood

Area Variance - Residential and Non-Profit

Town Code Requirement is:			Proposed Conditions:		Resulting in the Following Variance:		
	Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0	
	Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0	
	Front Setback:	50	Front Setback:	39	Front Setback:	5.0	
	Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0	
	Height:	0	Height:	0	Height:	0.0	
	Size:	0	Size:	0	Size:	0.0	

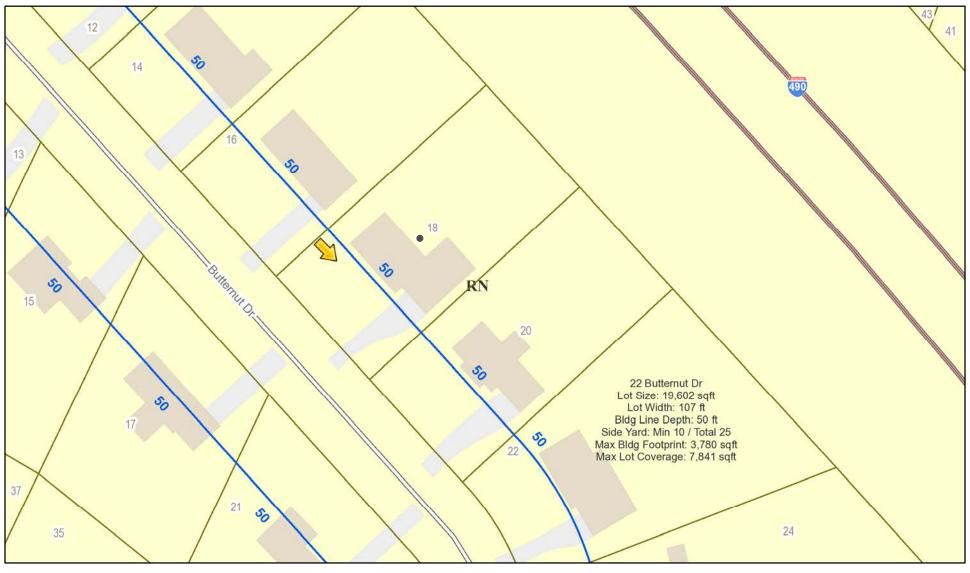
Code Section(s): 185-17 B.

Date

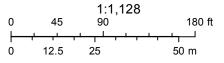
Description: Applicant is requesting relief from Town Code §185 – 17 B. for a proposed roofed entry encroaching into the front setback. Property is zoned RN – Residential Neighborhood District.

Allen Reitz - Assistant Building Inspector

RN Residential Neighborhood Zoning

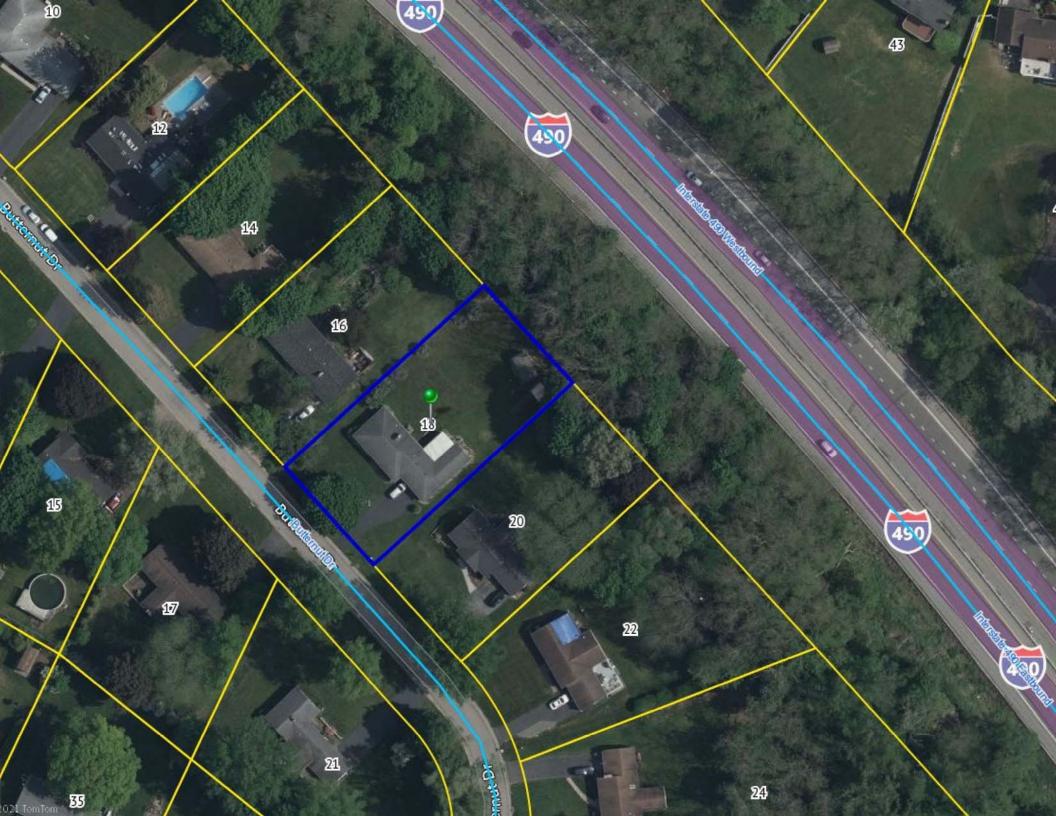


Printed October 6, 2021



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.





TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: SEPT 17 2021	Hearing Date: Oct. 2021
	A
	E-Mail: GPF HOME OF FLOW TIFLNET, N
Agent:	
(IF CIT)	ferent than Applicant)
Address:	
	E-Mail:
Property Owner:	ferent than Applicant)
Address:	order and any appropriately
Phone:	E-Mail:
	e complete the Authorization to Make Application Form.)
Property Location: Lat #31 PISTANT I	
Tax Map Number:	
,	☐ Commercial ☐ Other
Please describe, in detail, the proposed project:	
THIS SMALL PROJECT IS	FOR 17 ROOF COVERING OF AN
EXISTING FRONT STOOP.	THE ROOF SHALL SIT ON TWO
COULUMNS IN THE FRONT	TIED INTO THE EXISTING ROOF
STRUCTURE OF THE HOME	AT THE REAR . IT WILL BE
APPROXIMATLEY 10'x 141 x 12	I ITIGHT AT THE PEAK.
SWORN STATEMENT: As applicant or legal agent for statements, descriptions, and signatures appearing on the best of my knowledge.	the above described property, I do hereby swear that all this form and all accompanying materials are true and accurate to
Dewys Hein his (Owner or Applicant Signature)	9-17-2021 (Date)
(Owner or Applicant Signature)	(Date)



TOWN OF PITTSFORD

AREA VARIANCE AUTHORIZATION TO MAKE APPLICATION

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

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

1,	GE	OA GE	FLE	ISCITER			, the owner of the property located at:
18	BUT	(Street)	14T	DR.	PITTSFULD (Town)	NY.	14534 (Zip)
Tax Pa	arcel#						do hereby authoríze
							to make application to the
Town o	of Pittsfo	rd Zoning E	Board of	Appeals, 11	South Main Street, Pit	ttsford, NY 14	534 for the purpose(s) of Appine
					EXISITING		
					15	eorge	Oleischer (Signature of Owner)
							17-2/ (Date)
						•	(Daté)



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 small home improvement project will have no negative impact on the neighborhood or neighbors.

It is a small roof addition project over an existing front stoop, that requires a variance because of the

current town setback regulation of 50' street side property line.

The modification is intended to blend in with other current homes in the neighborhood and will only require

a small amount of intrusion beyond what is already there. No trees or other structures will be eliminated

due to this roof addition. Other existing homes in the area already incorporate roof structures over the

stoop / front entry to the homes.

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 enjoy being able to go outside in the fresh air and sit, read a book, watch and visit with neighbors.

We also enjoy being protected from the elements during the mid day direct sun or damp rainy weather.

It will also enhance the beauty of our home entrance, where we can warmly greet visitors. We have a nice yard in the back, however the sound of the noise coming from the expressway directly

behind our property makes it far to unenjoyable to spend any quality quite time.
The relation of interstate 490 can be viewed on the survey map provided with this request.
Even though their is already an existing stoop, it would be impossible to make any

to the front of the property, without a variance.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The addition of a small roof structure over an existing stoop is very minimal. It only requires a small

amount of frontal space to accomplish the upgrade and nothing in the area will be removed or infringed on.

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 small amount of water redirected by this structure will have no adverse effect to the environment.

Actually the water will be dispersed further away from the foundation and added more into the garden landscape.

The add on will still blend with other existing similar homes and neighborhood character.

- 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?

All home owners tend to create their own self created difficulty. It is part of life, living and the enjoyment of positive changes to their useable livable space. But the challenges of the difficulty most times provide a greater reward.

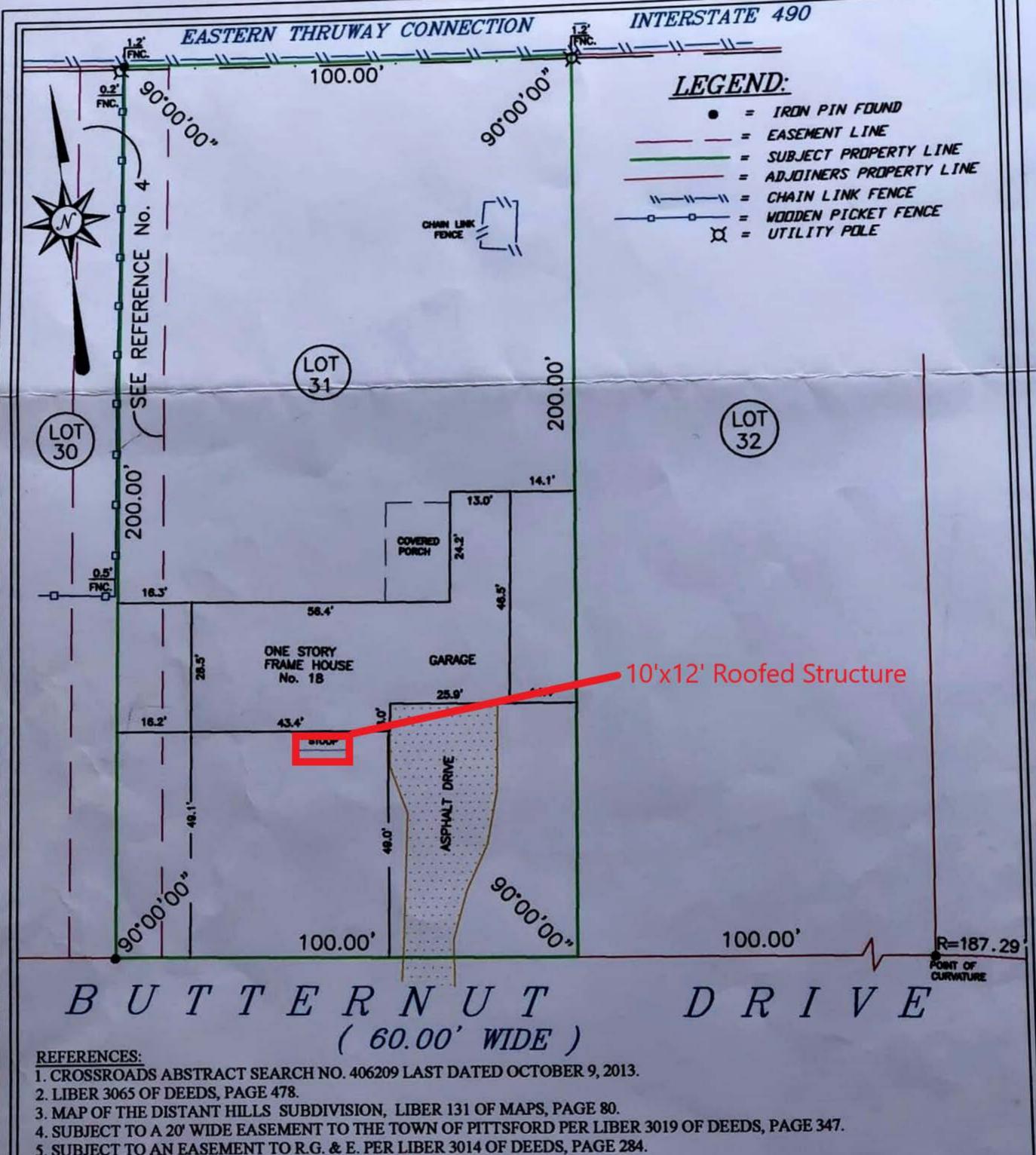
Disclosure Form E

STATE OF NEW YORK COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

	STOO	P	Roo	F ADD.	/	V /8 62 ect Name)	UTTE	INUT	Dr.	
The	The undersigned, being the applicant(s) to the									
	Town Board	\boxtimes	Zoning	g Board of App	eals	☐ Planning Boa	rd 🗵	Architectu	ıral Review Board	
of the Town of Pittsford, for a										
	change of zonir	ng	□ s	special permit	\boxtimes	building permit		permit [amendment	
X	variance		approv	al of a plat		exemption from a	plat or c	official map		
ordii	sued under the pr nances regulation neral Municipal La	is of th	e Town	of Pittsford, do	hereby	ws, Rule or Regulatio certify that I have rea o this certificate.	ns constit d the pro	tuting the zon visions of Sec	ing and planning ction §809 of the	
any	further certify that other municipality Board as to this a	of wh	ich the	Town of Pittsfor	d is a pa	w York, the County of art who is interested i elow:	Monroe n the favo	or of the Town orable exercis	n of Pittsford or of e of discretion by	
	<u>Nam</u>	<u>e(s)</u>						Address	(es)	
										
		····			el de l'aut desserve d'about 70 leate à 1850 de l'en la					
	Deorge	<u>(</u>	leis	ha			<u>/</u>	est.	17-2021	
	•	·	J	,, ,			·	(Dated))	
	8 BUTT	E.K.	(Street	Address)		·				
P	ITTS FUL	D	W y	1453	4	****				



5. SUBJECT TO AN EASEMENT TO R.G. & E. PER LIBER 3014 OF DEEDS, PAGE 284. (GAS MAINS THROUGH, ALONG AND ACROSS THE STREETS)

6. SUBJEC TO AN EASEMENT TO R.G.& E. AND R.T.C. PER LIBER 3014 OF DEEDS, PAGE 282.

(ALONG THE REAR BOUNDARIES ALSO THROUGH, ALONG AND ACROSS THE STREETS)

No. 18 BUTTERNUT DRIVE

BEING

LOT No. 31 of the DISTANT HILLS SUBDIVISION

SITUATE IN THE

TOWN OF PITTSFORD

COUNTY OF MONROE SCALE 1 INCH = 30 FEET

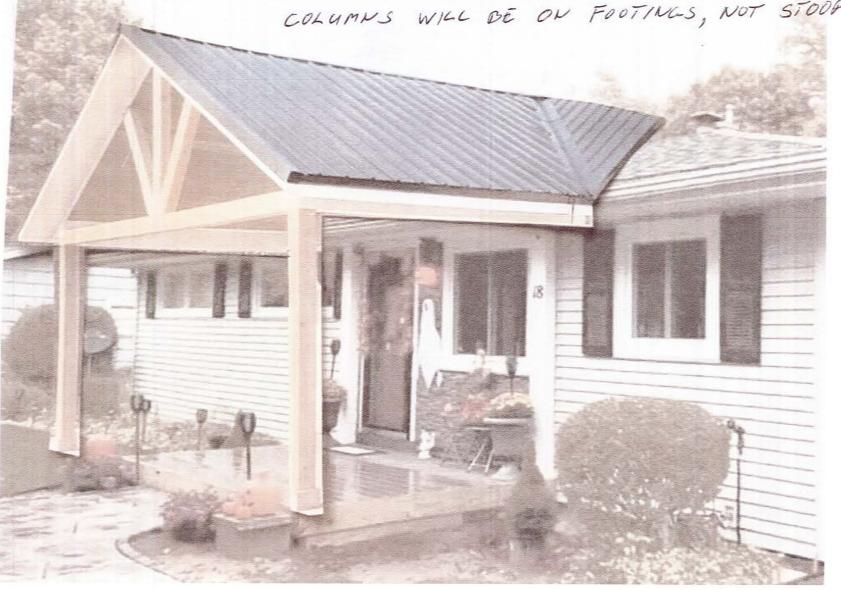
GROVER & BATES ASSOCIATES

STATE OF NEW YORK DATE: NOVEMBER 26, 2013 ACTUAL HEIGHT OF ROOF WILL BE SHORTER.

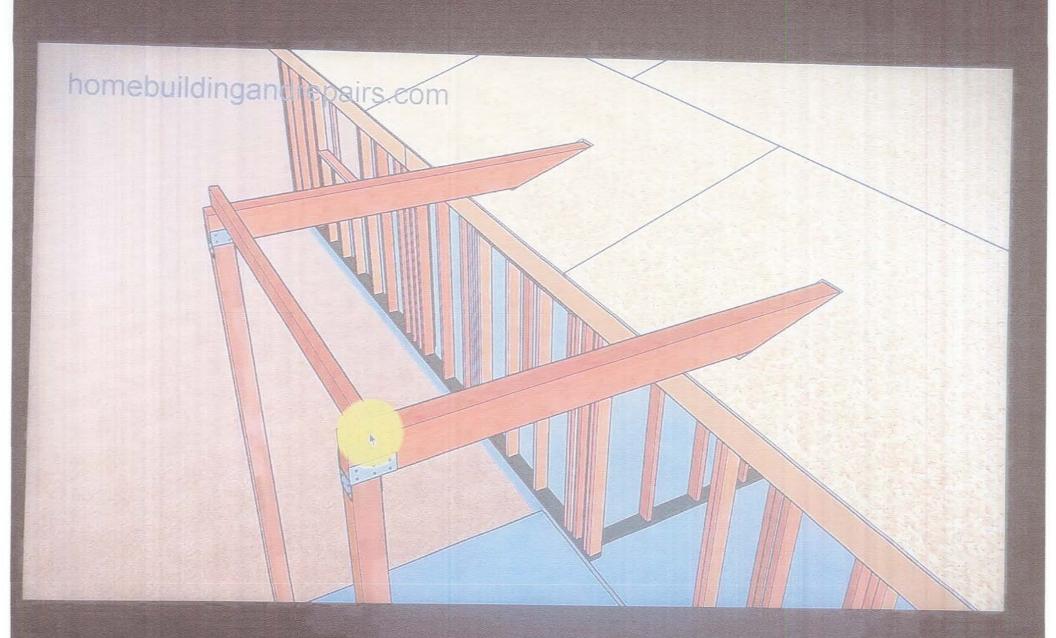
METAL ROOFING WILL NOT BE USED, UNLESS

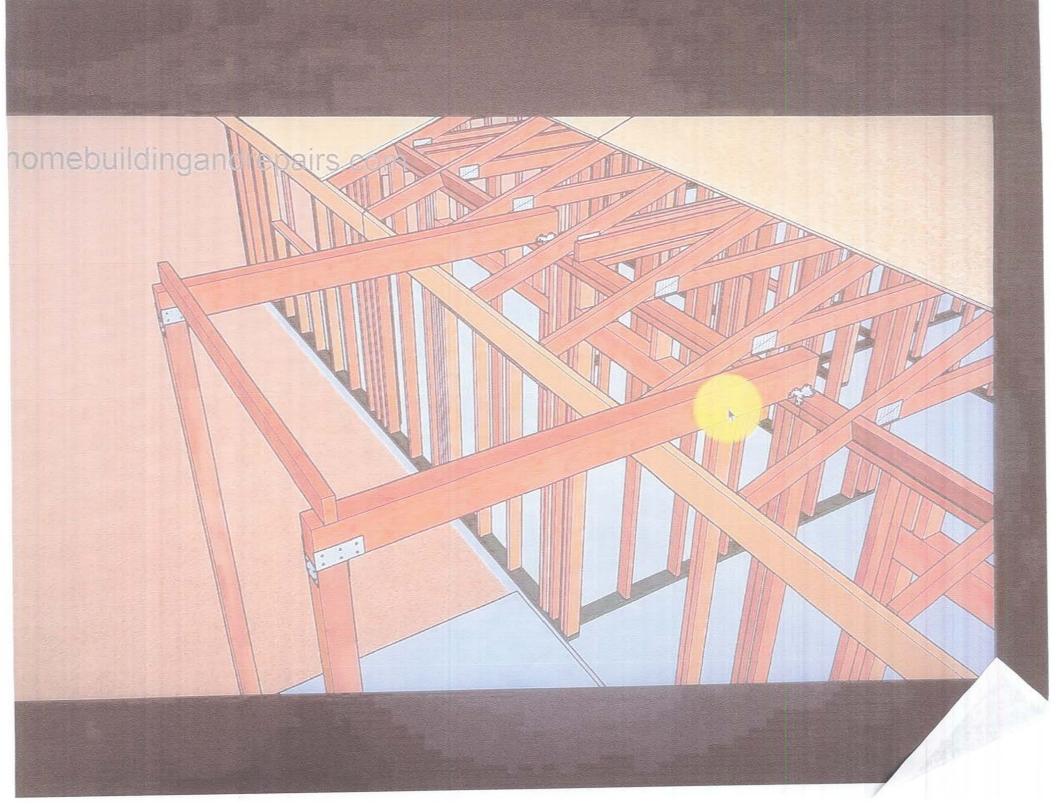
CORNECT MATCH SHINGLES ARE NOT AVAILABLE.

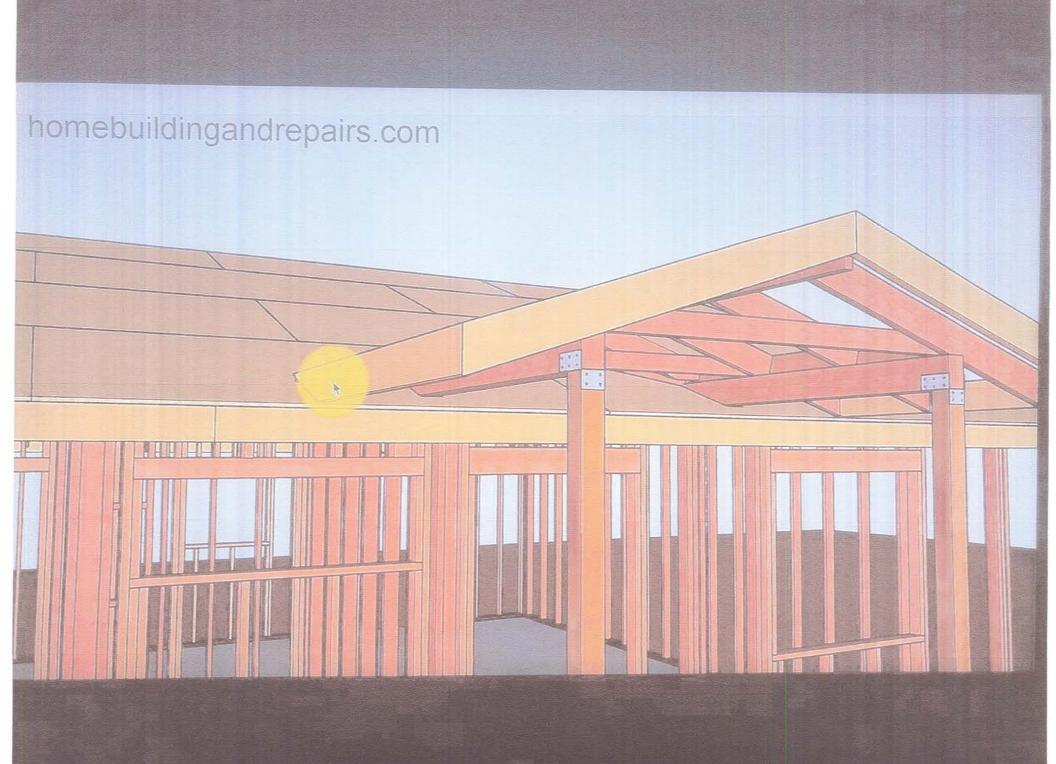
COLUMNS WILL BE ON FOOTINGS, NOT STOOP.

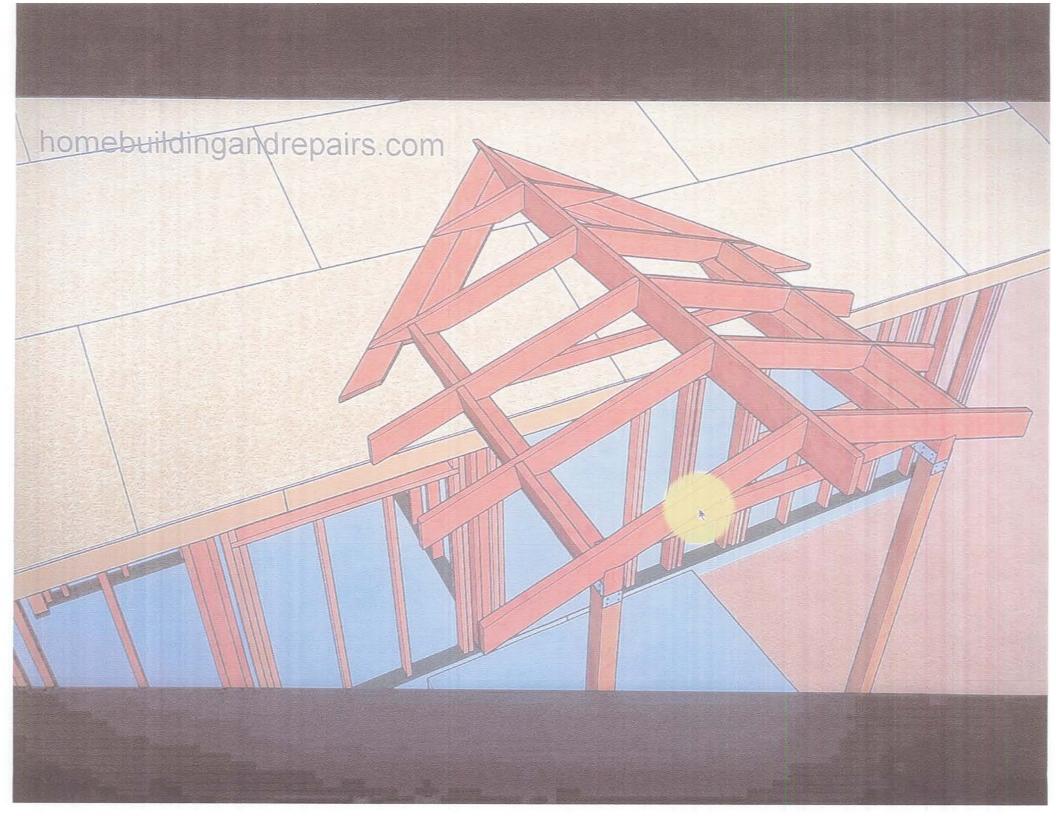












EXISITING



APPROX. PLAN

ACTUAL HEIGHT OF STUCTULE WILL BLEND MORE TO EXISITING ROOF LINE





