

**AGENDA
TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
JUNE 17, 2024**

This agenda is subject to change.

Please take notice that the Town of Pittsford Zoning Board of Appeals will hold the following meeting on Monday, June 17, 2024, in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street, and beginning at 6:30PM local time.

NEW HEARINGS

39 Rosewood Drive – Tax ID 178.20-2-3

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

9 Forestwood Lane – Tax ID 179.05-1-17

Applicant is requesting relief from Town Code Section 185-113 B. (1) for the construction of an oversized pergola. This property is zoned Residential Neighborhood (RN).

3070 Clover Street – Tax ID 163.04-1-43

Applicant is requesting relief from Town Code Section 185-121 A. for the installation of a 4-foot-tall fence in front of the front setback on Abbey Woods. This property is zoned Residential Neighborhood (RN).

751 Linden Avenue – Tax ID 138.15-1-25

Applicant is requesting relief from Town Code Section 185-52 C. for the construction of an addition within the side setback. This property is zoned Light Industrial (LI).

3 Fitzmot Glen – Tax ID 164.03-1-2.2

Applicant is requesting relief from Town Code Sections 185-113 B. (1), (2), and (3) and 185-17 B. for the construction of an oversized and over-height storage barn forward of the rear wall of the main structure and extending past the building line. This property is zoned Residential Neighborhood (RN).

40 Van Voorhis Road – Tax ID 192.02-1-1

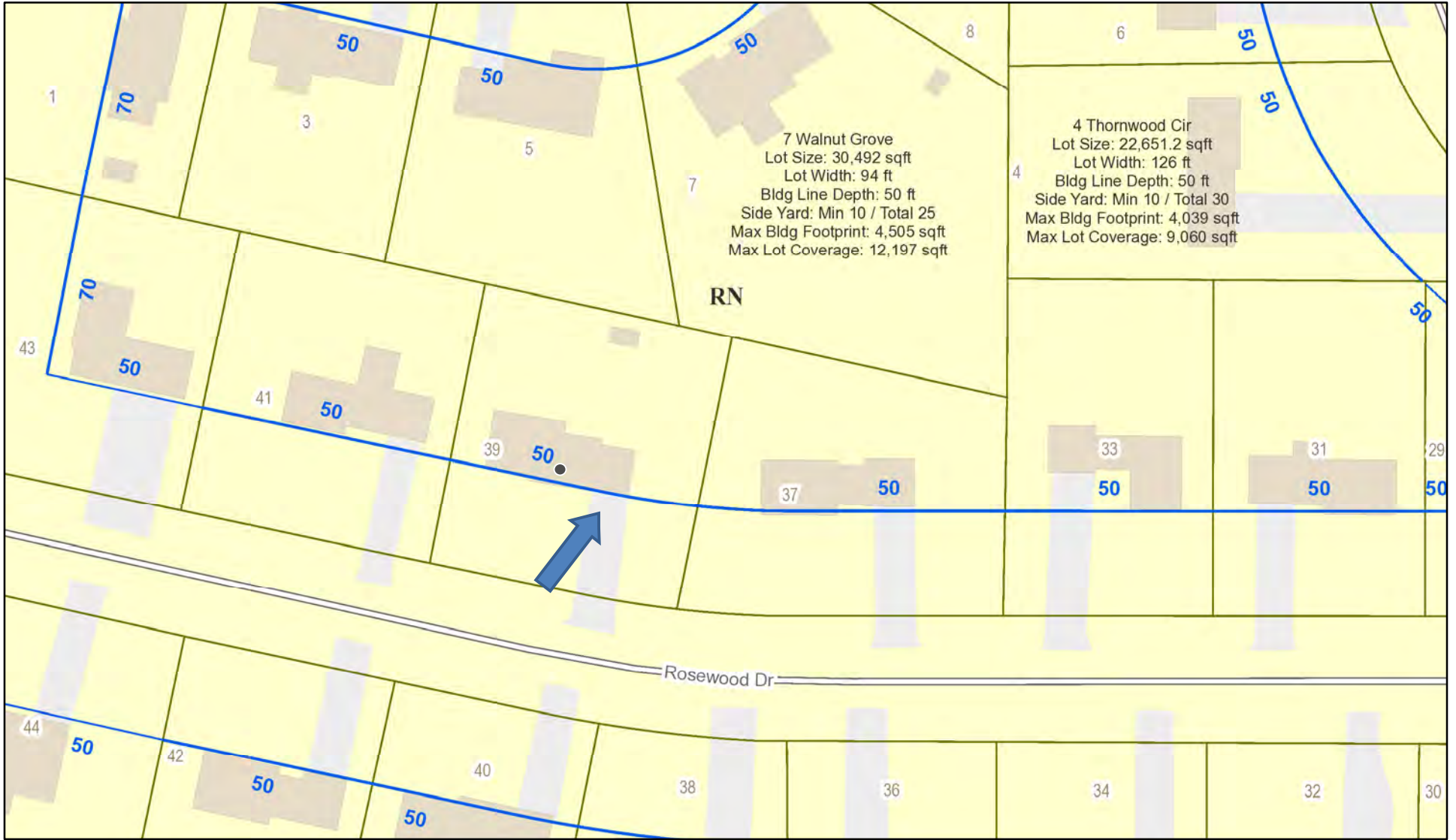
Applicant is requesting relief from Town Code Sections 185-113 B. (1) and (2) for the construction of an oversized and over-height storage barn. This property is zoned Residential Neighborhood (RN).

OTHER BUSINESS

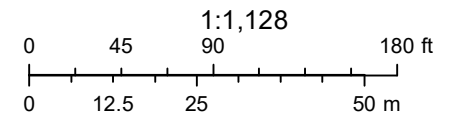
Approval of Minutes

The next scheduled meeting is for Monday, July 15, 2024.

39 Rosewood Drive



Printed May 28, 2024



Town of Pittsford GIS

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



Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE

20 ft

nearmap

Rosewood Dr

Rosewood Dr

43

41

39

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Zoning Board of Appeals Referral Form Information

ZB24-000015

Property Address:

39 Rosewood Drive PITTSFORD, NY 14534

Property Owner:

Shaffer, William R
39 Rosewood Dr
Pittsford, NY 14534

Applicant or Agent:

Shaffer, William R
39 Rosewood 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:	43	Front Setback:	7.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

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

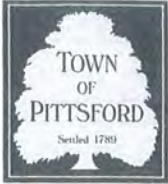
Staff Notes: The proposed front porch is unenclosed and is within the facade area, so only the enclosed garage addition will require a variance.

May 28, 2024

ARZ

Date

April Zurowski -



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 4.25.24 Hearing Date: 6.17.24

Applicant: WILL SHAFFER

Address: 39 ROSEWOOD DR., PITTSFORD, N.Y. 14534

Phone: (862) 301-0783 E-Mail: WILL.SHAFFER@GMAIL.COM

Agent: _____
RECEIVED
(if different than Applicant)

Address: _____
APR 25 2024

Phone: _____ E-Mail: _____

Property Owner: TOWN OF PITTSFORD
(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: 39 ROSEWOOD DR. Current Zoning: RN

Tax Map Number: 178.20-2-3

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

FRONT ADDITIONS INCLUDE:

- BRING EXIST 2 CAR GARAGE FORWARD TO ADD MUD ROOM
- ADD ADDITIONAL 1 CAR GARAGE
- NEW FRONT PORCH
- BONUS ROOM/OFFICE OVER GARAGE

REAR ADDITIONS INCLUDE:

- KITCHEN/DINING/REAR PORCH
- 2nd FLOOR OWNERS BEDROOM/BATH

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)

6/24/2024

(Date)



O'NEILL-RODAK
 LAND SURVEYING ASSOCIATES, P.C.
 LAND SURVEYORS - PLANNERS
 BOUNDARY CONSULTANTS
 FLOOD ZONE DETERMINATIONS
 ALTA/ACSM SURVEYS

5 SOUTH FITZHUGH STREET
 ROCHESTER, NY
 14614

PHONE (585) 325-7520 FAX (585) 325-1708
 e-mail oneillrodak@frontiernet.net

MAP OF A SURVEY

LOT 71
 WOODSTOCK SUBDIVISION, SECTION 5

TOWN OF PITTSFORD
 MONROE COUNTY, NEW YORK

CLIENT UNDERBERG & KESSLER, LLP

SCALE
 1" = 30'

DATE
 04/17/2007

PROJECT NO.
 2007-0260

ADDED CERT 4/27/2007 ASD

REFERENCES:

PUBLIC ABSTRACT CORPORATION #184472 DATED MARCH 27, 2007
 LIBER 9116 OF DEEDS, PAGE 237
 LIBER 163 OF MAPS, PAGE 34

NOTES:

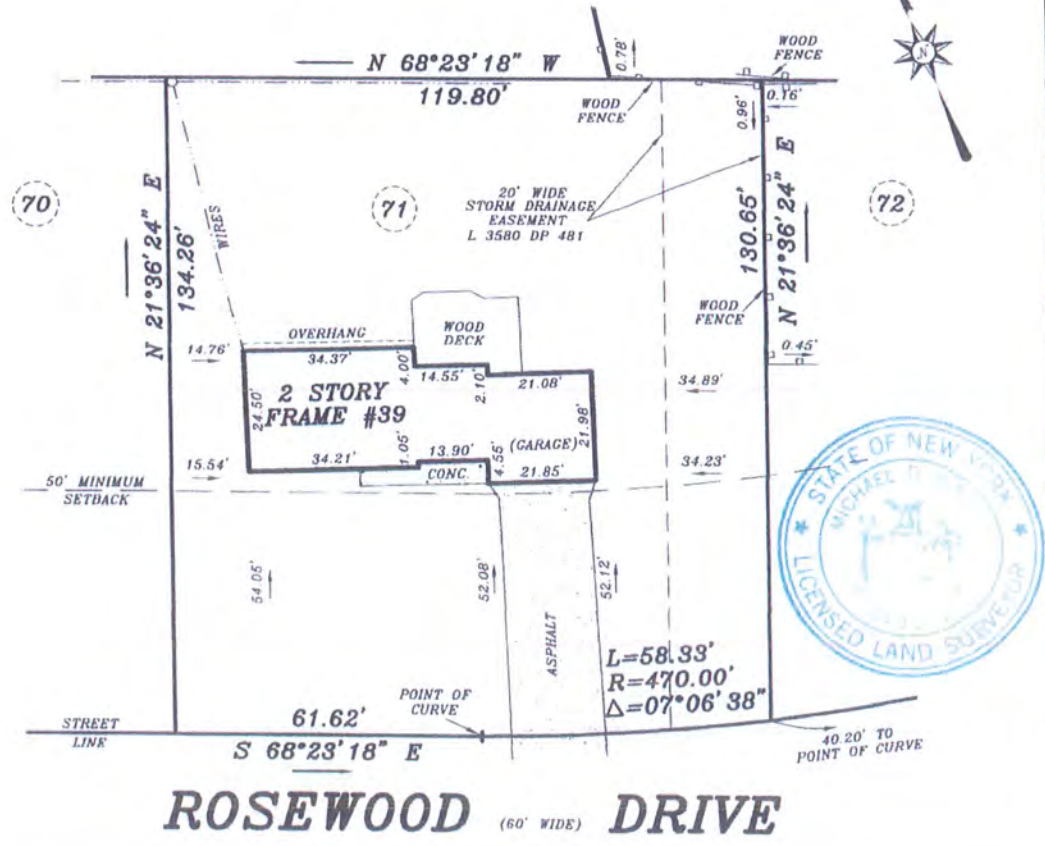
PARCEL IS SUBJECT TO AN EASEMENT GRANTED TO ROCH. GAS & ELEC. CORP. AND ROCH. TELEPHONE CORP. FOR FIXTURES AS SET FORTH IN LIBER 3580 OF DEEDS, PAGE 372.

REFERENCE IS MADE TO A GAS MAIN EASEMENT GRANTED TO ROCH. GAS & ELEC. CORP. AS SET FORTH IN LIBER 3580 OF DEEDS, PAGE 371.

PARCEL TAX ID #178.20-2-3

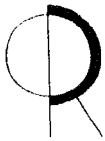
WE, O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO ABN AMRO MORTGAGE GROUP, INC., ITS SUCCESSORS AND/OR ASSIGNS; WILLIAM R. SHAFFER; PANZARELLA & COIA; FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK AND LEELAND T. WILLIAMS, ESQ. THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 12, 2007.

Michael D. O'Neill
 MICHAEL D. O'NEILL, P.L.S. #048662



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

EXISTING



O'NEILL-RODAK
 LAND SURVEYING ASSOCIATES, P.C.
 LAND SURVEYORS - PLANNERS
 BOUNDARY CONSULTANTS
 FLOOD ZONE DETERMINATIONS
 ALTA/ACSM SURVEYS

MAP OF A SURVEY
 LOT 71
 WOODSTOCK SUBDIVISION, SECTION 5
 TOWN OF PITTSFORD
 MONROE COUNTY, NEW YORK

5 SOUTH FITZHUGH STREET
 ROCHESTER, NY
 14614

PHONE (585) 325-7520 FAX (585) 325-1708
 e-mail oneillrodak@frontiernet.net

CLIENT UNDERBERG & KESSLER, LLP

SCALE
 1" = 30'

DATE
 04/17/2007

PROJECT NO.
 2007-0280

ADDED CERT 4/27/2007 ASD

REFERENCES:

PUBLIC ABSTRACT CORPORATION #184472 DATED MARCH 27, 2007
 LIBER 9116 OF DEEDS, PAGE 237
 LIBER 163 OF MAPS, PAGE 34

NOTES

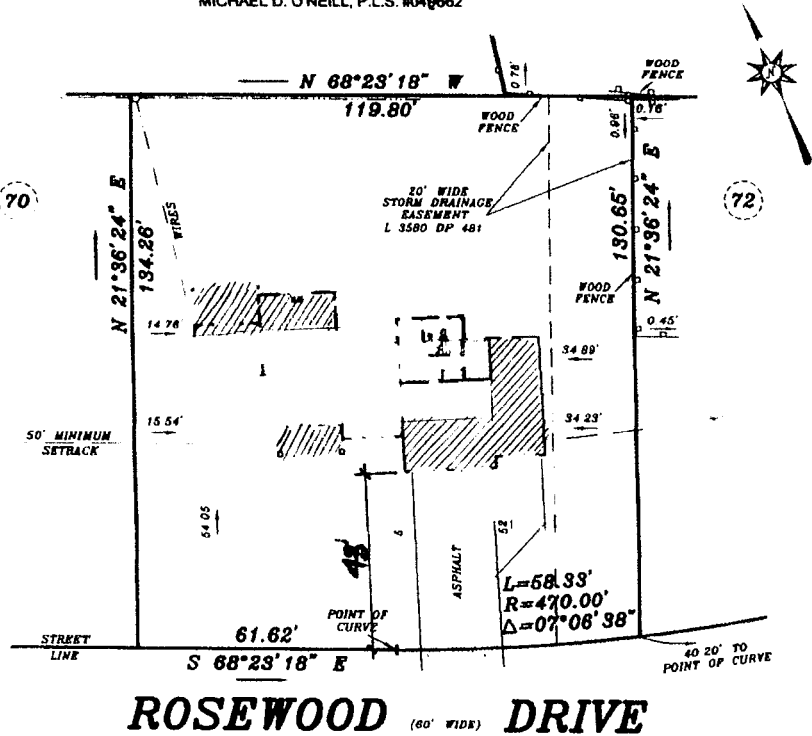
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PARCEL TAX ID #178 20-2-3

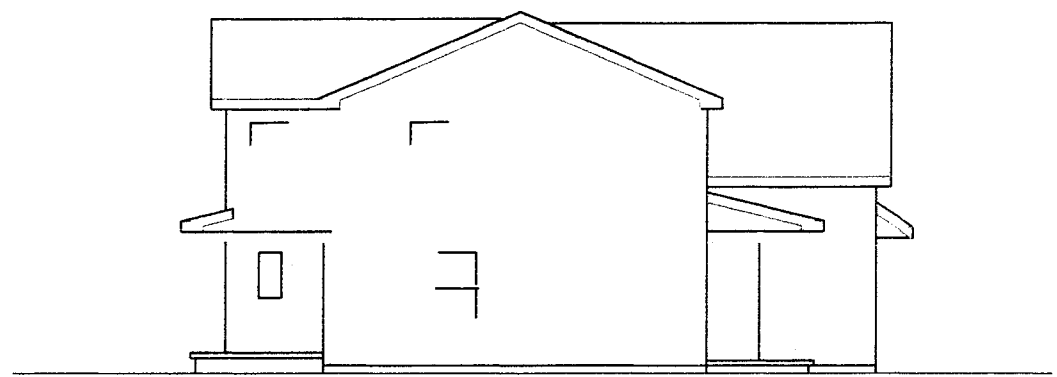
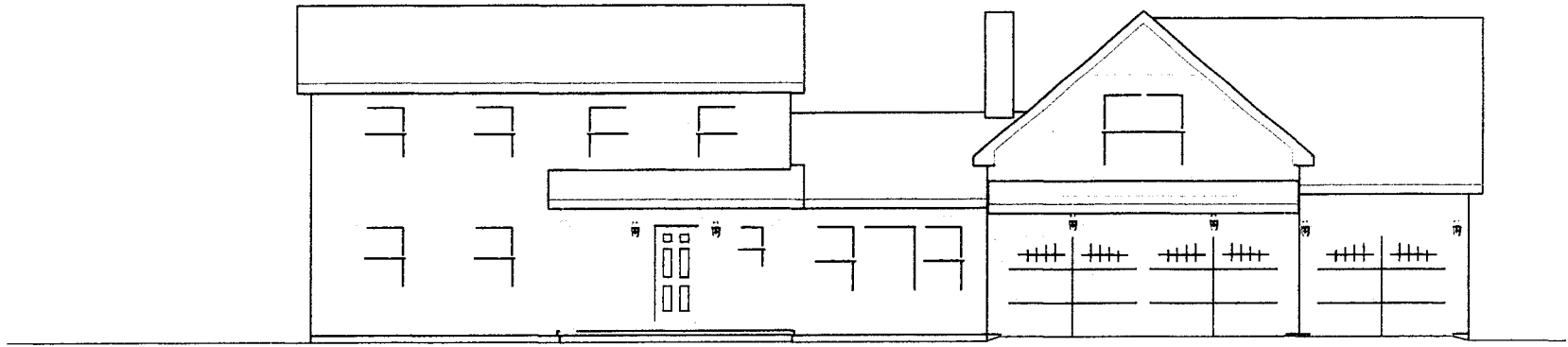
WE, O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO ABN AMRO MORTGAGE GROUP, INC., ITS SUCCESSORS AND/OR ASSIGNS; WILLIAM R. SHAFFER; PANZARELLA & COIA; FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK AND LELAND T. WILLIAMS, ESQ. THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 12, 2007.

Michael D. O'Neill
 MICHAEL D. O'NEILL, P.L.S. #041662



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

PROPOSED

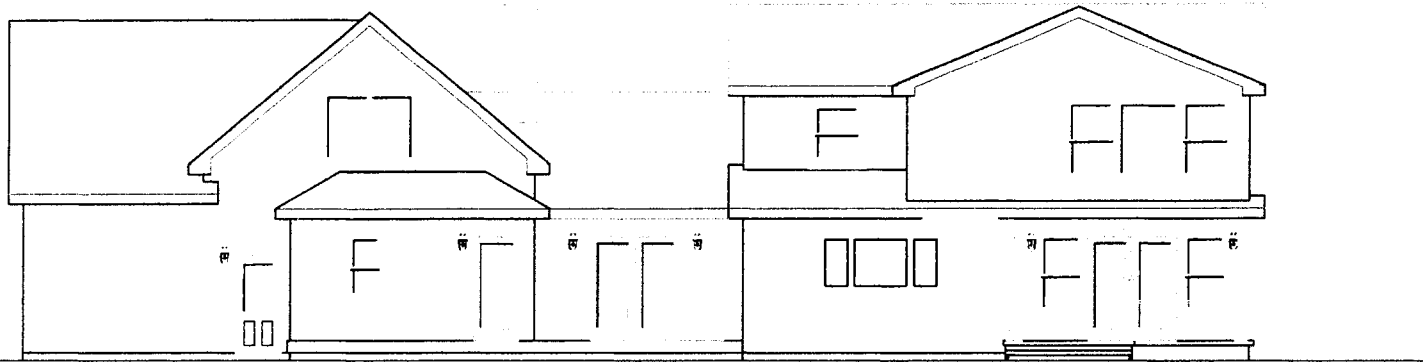
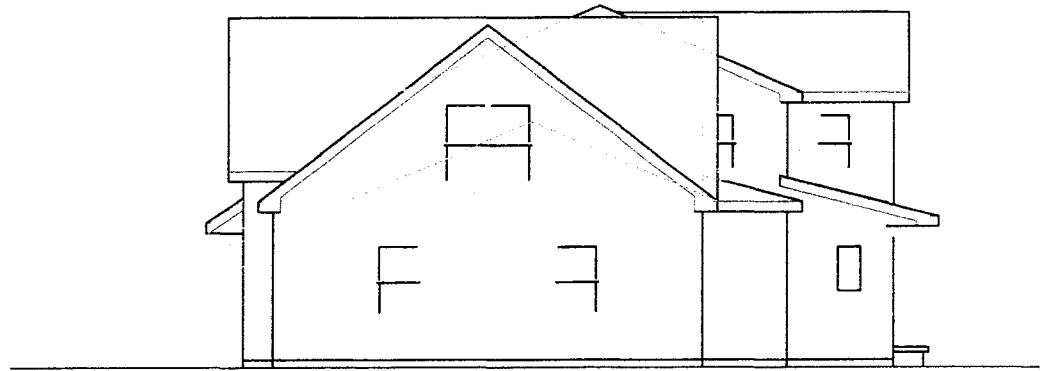


Elevations

1330 Riverside Drive
Hudson, New York
www.ckh.com

CKH
architecture

A-1



Elevation

300 Pleasant Drive
Fairfield, New York
Web: ckh.net

CKH
architecture



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

TESTS FOR GRANTING AREA VARIANCES

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

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

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

THE VARIANCE REQUESTED WILL NOT PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD BECAUSE THE OVERALL APPEARANCE OF THE HOUSE WILL STAY CLOSE TO WHAT EXISTS, ONLY SLIGHTLY LARGER IN THE FRONT PORCH, BONUS ROOM OVER GARAGE & THIRD BAY OF A NEW GARAGE. THE RIGHT PROPERTY LINE HAS A 20' WIDE STORM DRAINAGE EASEMENT SO THE ADDITIONAL GARAGE BAY WILL NOT ENCROACH ON THE SIDE PROPERTY LINE.

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 GARAGE NEEDS TO COME FORWARD OF ITS CURRENT POSITION TO ALLOW A MUD ROOM SPACE TO BE CONSTRUCTED AT THE REAR OF THE EXISTING GARAGE & ENTERING INTO THE EXISTING FAMILY ROOM.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

THE VARIANCE REQUESTED IS MINIMAL AS IT IS PROPOSED TO EXTEND PAST THE FRONT SETBACK LINE BY ONLY 8'. THE GARAGE DEPTH IN FRONT OF THE MUD ROOM WOULD ONLY BE A STANDARD DEPTH GARAGE (21').

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 IMPROVEMENTS PROPOSED WILL NOT HAVE AN ADVERSE EFFECT ON THE CONDITION OF THE NEIGHBORHOOD AS THE ADDITIONS TO THE HOME WILL MAKE THE HOME MORE DESIRABLE WITH THE ADDITIONAL GARAGE BAY, BONUS ROOM & HOME OFFICE, ADDITIONAL EN SUITE BATH IN OWNERS BEDROOM & 2 COVERED PORCHES.

- **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?

IT IS. TO GIVE THE EXISTING HOME MORE SPACE IN A MUD ROOM, KITCHEN, & OWNERS SUITE, THE GARAGE COMING FORWARD 8' GIVES US THE ABILITY TO ACHIEVE ALL THESE GOALS.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

39 ROSEWOOD DR. PITTSFORD, N.Y. 14534
(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...

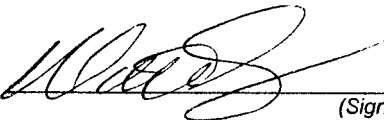
change of zoning special permit building permit permit amendment
 variance approval of a plat exemption from a plat or official map

...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)

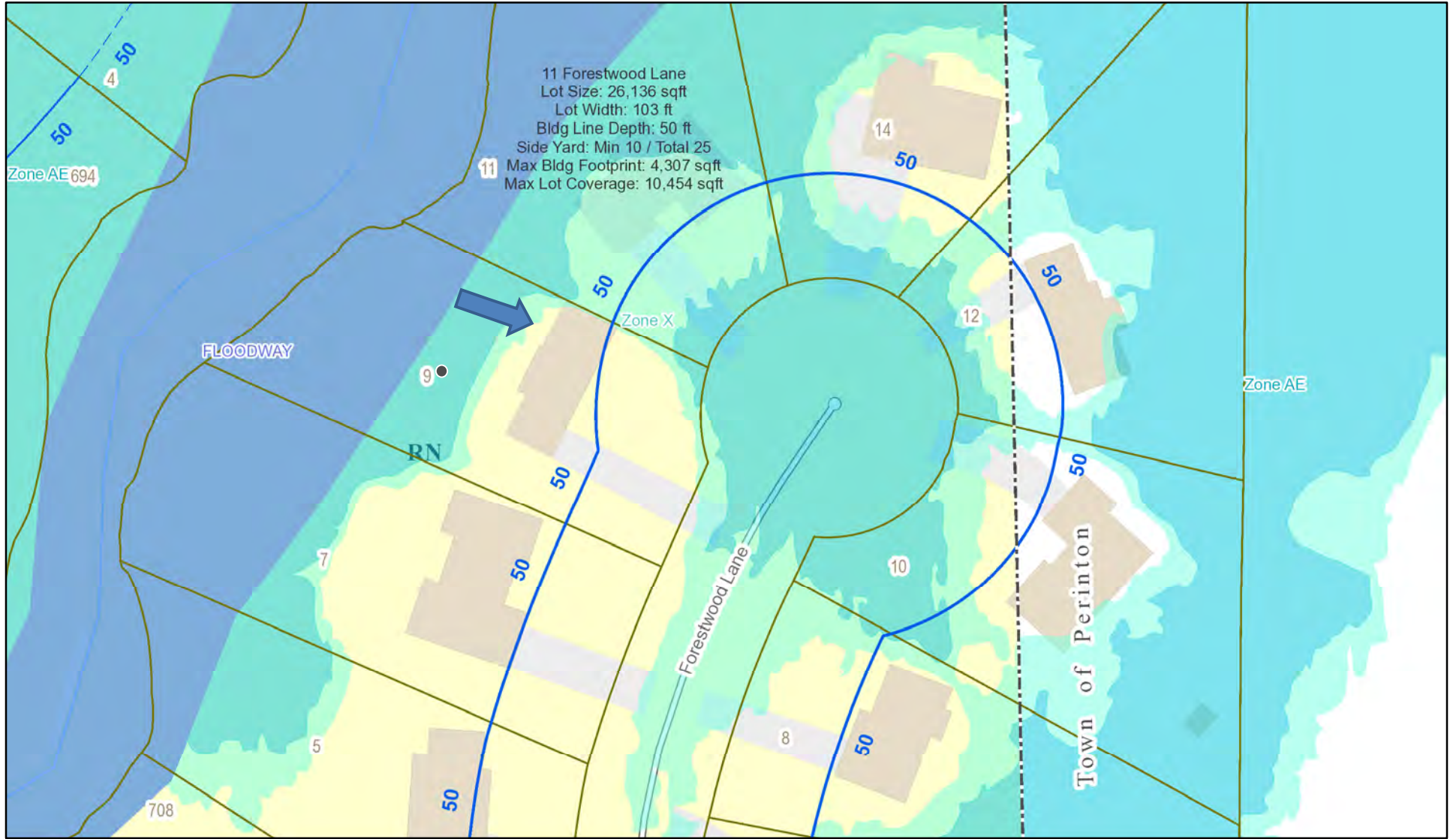

(Signature of Applicant)

4.24.24
(Dated)

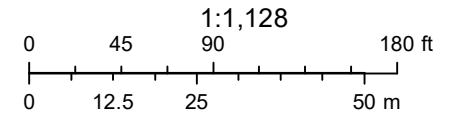
39 ROSEWOOD DR.
(Street Address)

PITTSFORD, N.Y. 14534
(City/Town, State, Zip Code)

9 Forestwood Lane



Printed May 28, 2024



Town of Pittsford GIS

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694 694

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Irondequoit
Creek

Forestwood Ln

Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE

20 ft

nearmap

Zoning Board of Appeals Referral Form Information

ZB24-000014

Property Address:

9 Forestwood Lane PITTSFORD, NY 14534

Property Owner:

Jasinevicius, Vaidotas
9 Forestwood Ln
Pittsford, NY 14534

Applicant or Agent:

Jasinevicius, Vaidotas
9 Forestwood Ln
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	180 SF	Size:	200 SF	Size:	20.0 SF

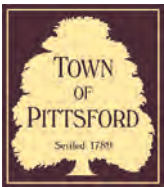
Code Section: Applicant is requesting relief from Town Code Section 185-113 B. (1) for the construction of an oversized pergola. This property is zoned Residential Neighborhood (RN).

May 28, 2024

ARZ

Date

April Zurowski -



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: April 20, 2024 **Hearing Date:** June 17, 2024

Applicant: Vaidotas Jasinevicius

Address: 9 Forestwood Lane

Phone: (585) 355-9929 **E-Mail:** vaidotas.jasinevicius@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: 9 Forestwood Lane **Current Zoning:** _____

Tax Map Number: _____

Application For: **Residential** **Commercial** **Other**

Please describe, in detail, the proposed project:

Double Pergola Kit with two shade sails (10' by 10' each)

The pergola kit will be installed on my existing deck. The deck is already built by the NYS building code and has appropriate footings under each POST/beam. The Permit RA23-000122 has been issued by the Town of Pittsford and has passed all the building code inspections.

The deck posts are already built inground with 42" deep, below frost line footings.

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)



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:

My existing deck is more than 15 feet away from the closest neighboring property (11 Forestwood lane, Lot 9). Even if the new Double Pergola with two shade sails is not attached to my house, it will be right next to it, about one feet away from my 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 existing deck build requires 42-inch deep footings to support three deck beams - two on each side and one in the center. These posts have been extended to 94-inches above the deck to provide support to hang sunshade sails at the top. The posts were originally positioned to support the deck beams, so they could not be installed in any other location, thus existing posts have a total span of 20 feet. I would like to use the existing deck posts for my pergola build and connect them at the top with 6x6 beams using the proposed Toja Grid Double Pergola Kit. This build makes the total pergola size of 200 square feet, thus requiring approval for an area variance.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested area variance is minimal because it is only 20 square feet more than allowed pergola size of 180 square 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:

The new Pergola will be built on my existing deck in my backyard property, next to my house, not disturbing or impacting 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?

The alleged difficulty is self-created. I built the deck and installed the posts for which only a 200 square-foot pergola would line up.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

(Project Name)

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

Town Board **Zoning Board of Appeals** **Planning Board** **Architectural Review Board**

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

change of zoning **special permit** **building permit** **permit** **amendment**
 variance **approval of a plat** **exemption from a plat or official map**

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

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

Name(s)

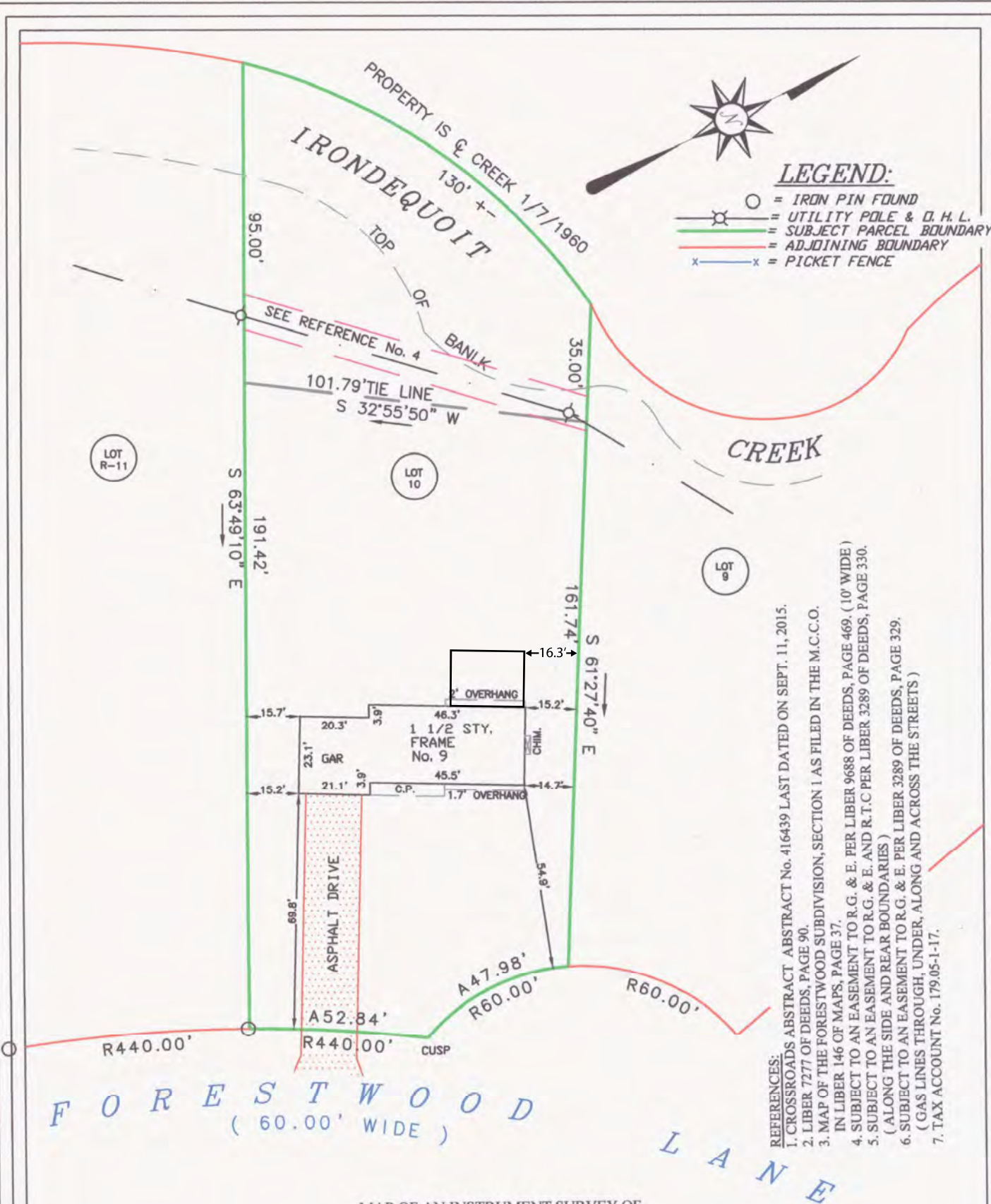
Address(es)

(Signature of Applicant)

(Dated)

(Street Address)

(City/Town, State, Zip Code)



LEGEND:

- = IRON PIN FOUND
- ⊗ = UTILITY POLE & D. H. L.
- (green) = SUBJECT PARCEL BOUNDARY
- (red) = ADJOINING BOUNDARY
- x—x = PICKET FENCE

REFERENCES:

1. CROSSROADS ABSTRACT No. 416439 LAST DATED ON SEPT. 11, 2015.
2. LIBER 7277 OF DEEDS, PAGE 90.
3. MAP OF THE FORESTWOOD SUBDIVISION, SECTION 1 AS FILED IN THE M.C.C.O. IN LIBER 146 OF MAPS, PAGE 37.
4. SUBJECT TO AN EASEMENT TO R.G. & E. PER LIBER 9688 OF DEEDS, PAGE 469, (10' WIDE)
5. SUBJECT TO AN EASEMENT TO R.G. & E. AND R.T.C PER LIBER 3289 OF DEEDS, PAGE 330. (ALONG THE SIDE AND REAR BOUNDARIES)
6. SUBJECT TO AN EASEMENT TO R.G. & E. PER LIBER 3289 OF DEEDS, PAGE 329. (GAS LINES THROUGH, UNDER, ALONG AND ACROSS THE STREETS)
7. TAX ACCOUNT No. 179-05-1-17.

F O R E S T W O O D
(60.00' W I D E)
L A N E

MAP OF AN INSTRUMENT SURVEY OF
No. 9 FORESTWOOD LANE

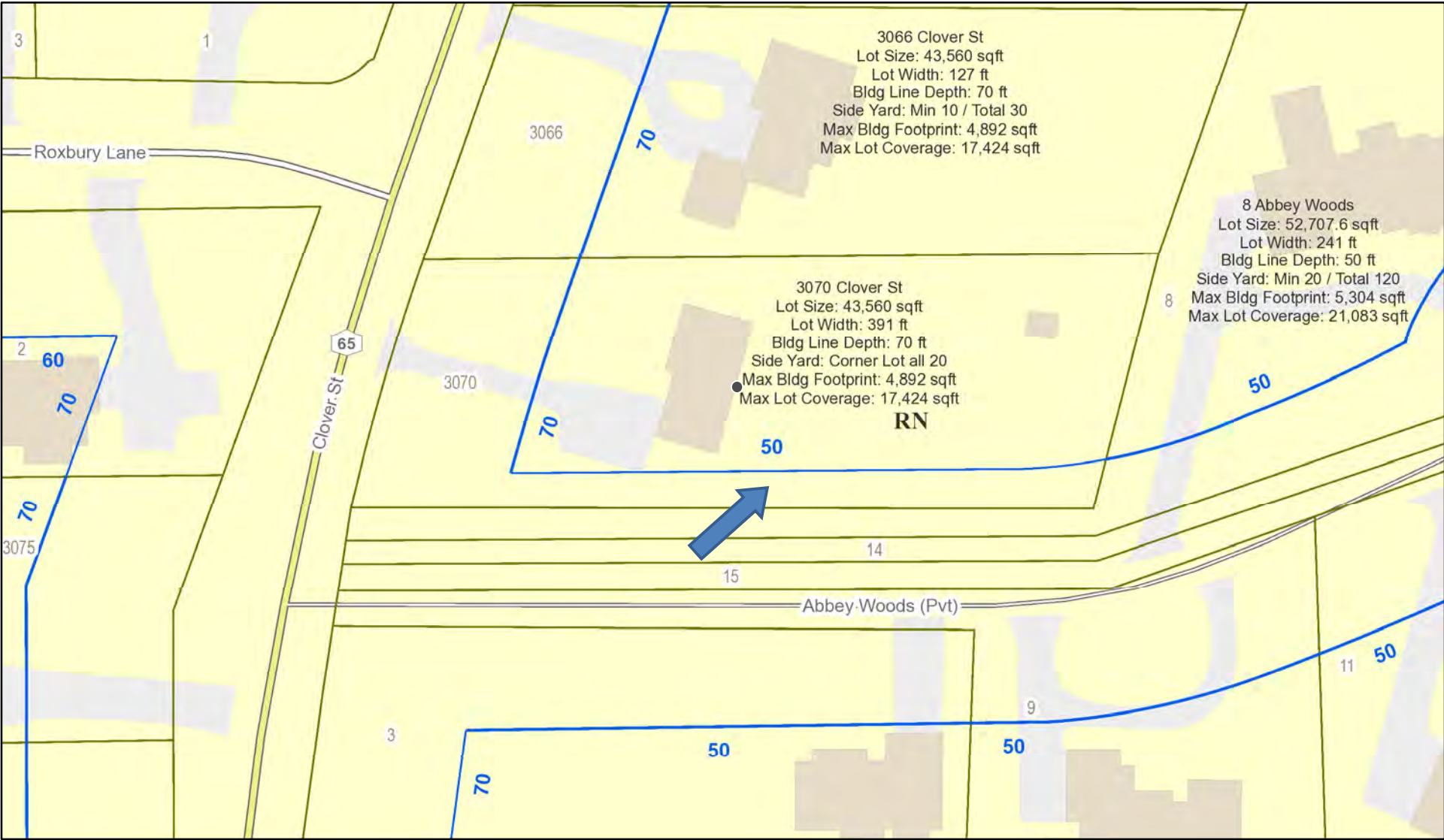
BEING
LOT No. 10 of the FORESTWOOD SUBDIVISION, SECTION 1

SITUATE IN
TOWN OF PITTSFORD
COUNTY OF MONROE
SCALE 1 INCH = 40 FEET

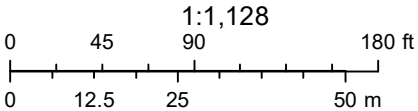
STATE OF NEW YORK
DATE: OCTOBER 1, 2015

GROVER & BATES ASSOCIATES
204 WEST COLLIER STREET

3070 Clover Street



Printed May 28, 2024



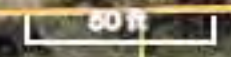
Town of Pittsford GIS

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Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE



nearmap

Zoning Board of Appeals Referral Form Information

ZB24-000012

Property Address:

3070 Clover Street PITTSFORD, NY 14534

Property Owner:

Younis, Rebecca & Kyle
3070 Clover St
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	3	Height:	4	Height:	1.0
Size:	0	Size:	0	Size:	0.0

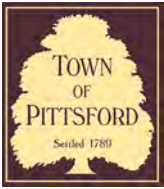
Code Section: Applicant is requesting relief from Town Code Section 185-121 A. for the installation of a 4-foot-tall fence in front of the front setback on Abbey Woods. This property is zoned Residential Neighborhood (RN).

May 28, 2024

ARZ

Date

April Zurowski -



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: May 13, 2024 Hearing Date: _____

Applicant: Rebecca & Kyle Younis

Address: 3070 Clover Street, Pittsford, NY 14534

Phone: (585) 755-4980 E-Mail: rebeccayounis@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: 3070 Clover Street Current Zoning: RN Residential Neighborhood

Tax Map Number: 163.04-1-43

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

We propose a 4-foot fence within the south-facing side yard's front setback, the most level portion of our backyard property. The reason for this transition is to include the space of our side yard area in our planned construction of a 6-foot fence along the perimeter of our corner lot backyard. This project aims to create a secure and private area for our young children and future pets. The variance will protect our neighbors from the view of our children playing and the accessories used, thereby maintaining the neighborhood's character and aesthetic appeal. The fence will be installed by Select Fence LLC.

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)



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 4-foot fence along the Abbey Woods side of our backyard will not produce an undesirable change in the neighborhood's character. All the Abbey Woods houses have a front-yard view into our backyard, and the proposed fence will provide privacy for our young family while ensuring our neighbors have a clean and appealing aesthetic view, blocking our backyard activities and accessories on the yard (such as a swingset, firepit, summer slip and slides, etc.).

The fence will not interfere with the view of our home, front yard, or traffic. The additional foot of height is minimal and will not affect visibility for traffic on Clover Street or at the intersection of Abbey Woods and Clover Street.

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

- Constructing a 3-foot fence per setback regulations alternative: This height is insufficient for safety and privacy. Children and dogs can easily climb over a 3-foot fence, and it does not offer adequate privacy. A 4-foot-fence is essential for security and privacy.

- Installing an electric fence is not a suitable alternative, as it does not provide a physical barrier for children or protect our neighbors view of our our backyard activities. This alternative is also not suitable security to block neighboring dogs we have witnessed walking through our property on multiple occasions.

- Constructing a 6-foot fence along the permitted line on the Abbey Woods side, directly from the back right corner of our house will not acheive our benefit sought. This would exclude the most level portion of our yard and reduce our backyard's usable space which may hinder future value of our property and does not support the benefit sought to capture the flattest portion of our yard in the fenced in area.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The requested area variance is minimal. The increase from a 3-foot to a 4-foot fence represents only a one-foot difference. This small adjustment is necessary to provide adequate safety and privacy for our family while ensuring minimal visual impact on 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:

The requested variance will not have an adverse effect on the physical or environmental conditions of the neighborhood. The 4-foot fence will blend with the surrounding environment, ensuring privacy and security without obstructing views or affecting traffic visibility. The variance preserves the neighborhood's aesthetic and does not introduce any environmental hazards.

- **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 difficulty is partially self-created, as it arises from our desire to ensure our children's and pets' safety and privacy. However, the existing topography and the need to use the most level part of the yard for practical use contribute significantly to the situation, making the variance a reasonable request.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

(Project Name)

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

Town Board **Zoning Board of Appeals** **Planning Board** **Architectural Review Board**

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

change of zoning **special permit** **building permit** **permit** **amendment**
 variance **approval of a plat** **exemption from a plat or official map**

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

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

Name(s)

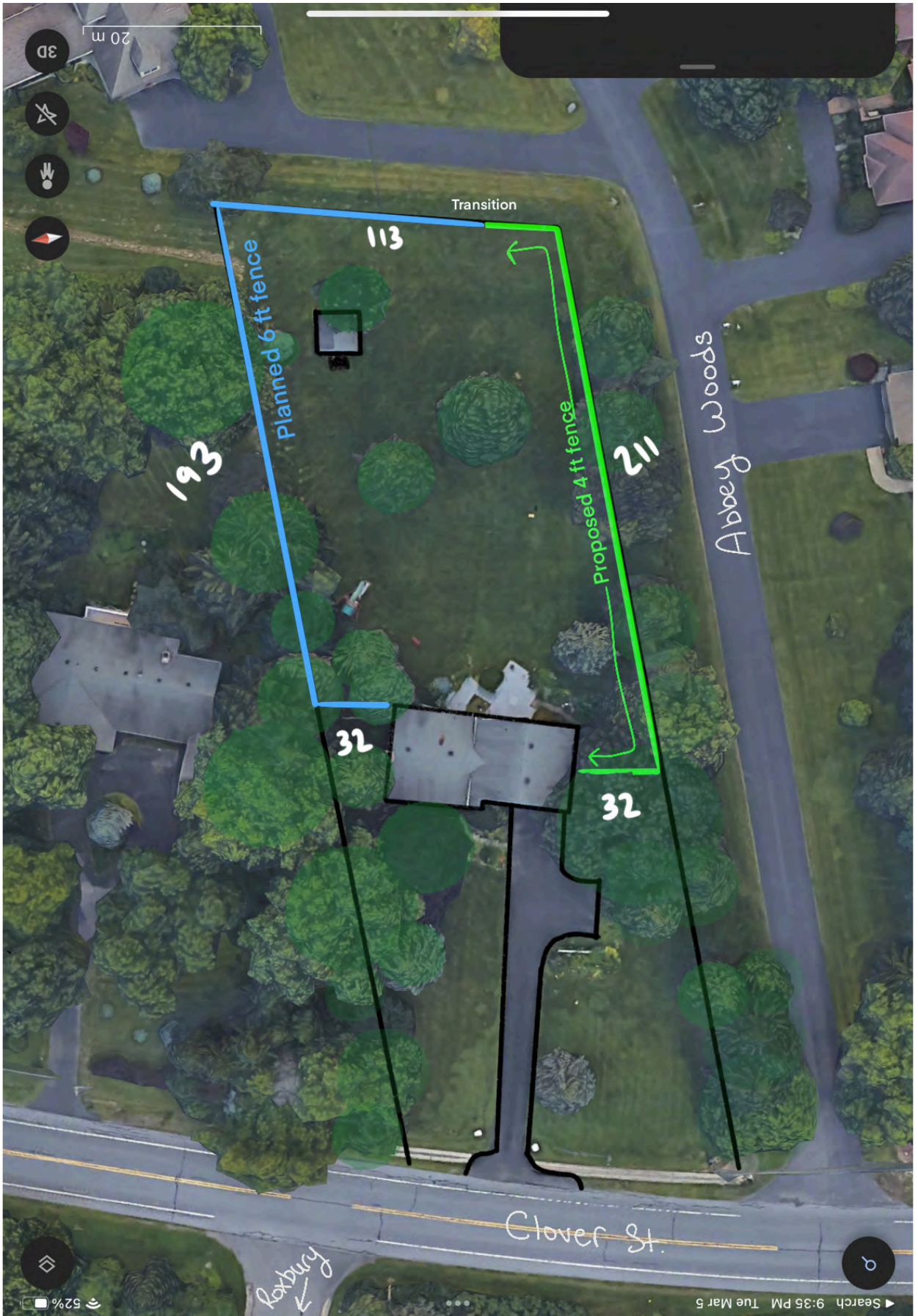
Address(es)

(Signature of Applicant)

(Dated)

(Street Address)

(City/Town, State, Zip Code)



3D

20 m



Transition

113

Planned 6 ft fence

193

211

Abbey Woods

Proposed 4 ft fence

32

32

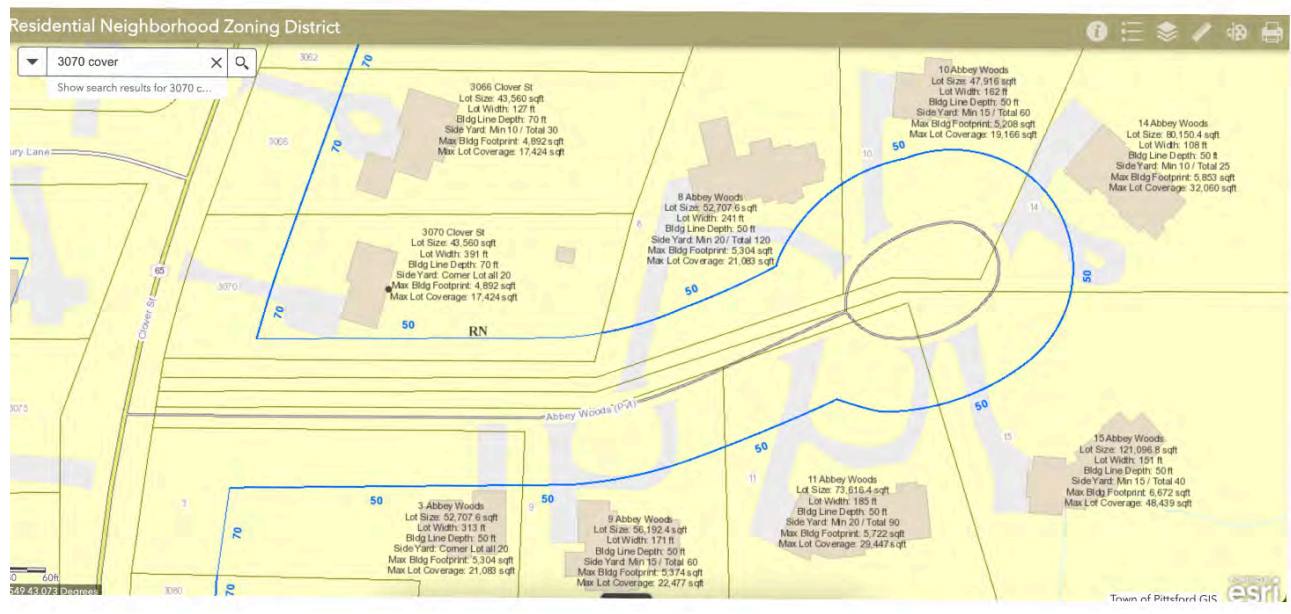
Clover St.

Foxbury



52%

Search 9:35 PM Tue Mar 5



Look & Feel:

Fence Type: Pressure treated dogear.

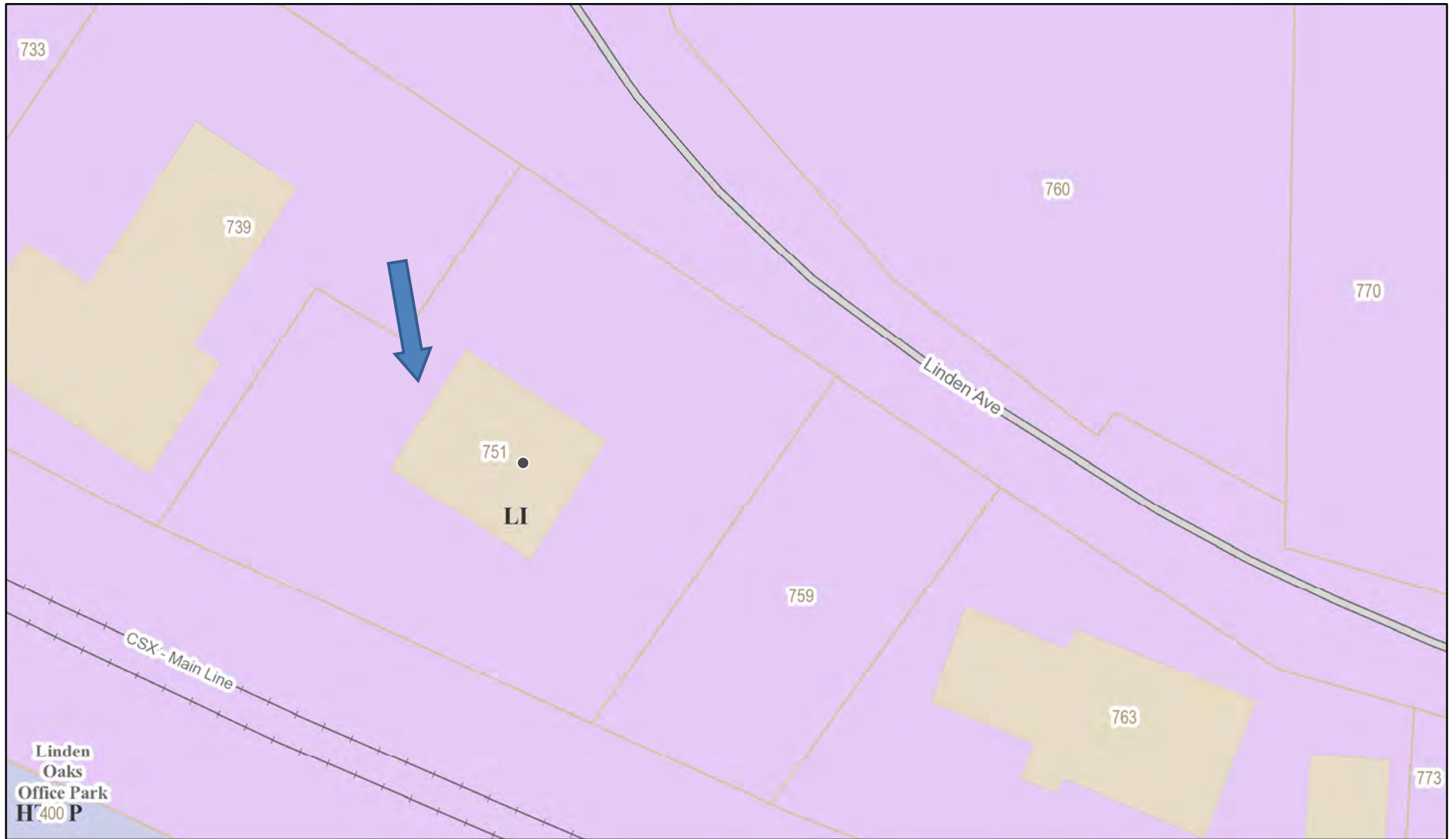
Color: Once applicable, the fence will be finished with a stain and sealant.



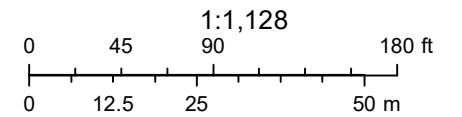
Mock-up of before & after view from the front yards of 3 & 9 Abbey Woods:



751 Linden Avenue



Printed May 28, 2024



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.

727

760

733
733

739
739

751
751

759
759

763
763

770

770

Linden Ave

Linden Ave

Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE

50 ft

nearmap



Zoning Board of Appeals Referral Form Information

ZB24-000016

Property Address:

751 Linden Avenue ROCHESTER, NY 14625

Property Owner:

Kellas, Alexander
751 Linden Ave
Rochester, NY 14625

Applicant or Agent:

B & H Auto Holdings LLC
319 E. Chestnut Street
East Rochester, NY 14445

Present Zoning of Property: LI Light Industrial
Area Variance - Non-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:	25	Left Lot Line:	17	Left Lot Line:	8.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	0	Height:	0	Height:	0.0
Size:	0	Size:	0	Size:	0.0

Code Section: Applicant is requesting relief from Town Code Section 185-52 C. for the construction of an addition within the side setback. This property is zoned Light Industrial (LI).

Staff Notes: This application will be heard for Preliminary Site Plan approval at the June 10th Planning Board meeting prior to Area Variance resolution at the June 17th Zoning Board of Appeals meeting.

May 28, 2024

ARZ

Date

April Zurowski -

May 17, 2024

Town of Pittsford Zoning Board of Appeals
11 South Main Street
Pittsford, NY 14534

**RE: SCHOEN AUTO BUILDING ADDITION
751 LINDEN AVENUE**

Members of the Board:

B&H Holdings, owner of Schoen Auto, recently purchased the auto repair building at 751 Linden Avenue. It is the intent of the new owner to construct a 625 square foot addition to the west side of the 4,891 square foot building on their 1.04-acre parcel. The addition will be used for the expansion of the lobby and office area. The property is zoned Light Industrial and surrounding properties include Enterprise Rent-A-Car to the east, the railroad to the south, Plant Designs to the west and Linden Avenue to the north.

The proposed addition is 14.0' x 44.6' with a maximum height of 12.5' to the top of the parapet. The exterior of the addition will be finished with horizontal metal siding. Color will complement that of the existing building.

Placement of the addition along the west side of the building results in encroachment on the west side setback. Per Town Code Section 185-52 C., the required side setback is 25' and the proposed addition will be 17.1' off the property line. The location of the addition is governed by the interior layout of the building and existing utilities. Since the existing entrance, lobby and office area are located at the northwest corner of the building, the addition also needs to be adjacent to this corner. This is the only practical location as the remainder of the building is auto repair shop and not suitable for office expansion. Placement of the addition in its proposed location also allows for the internal connection of existing utilities that currently serve the office area. We do not believe the addition will have an adverse impact on the neighbor as it is much lower in height than the existing building, will have a nice appearance, is screened by vegetation along the west line, does not have exterior lights and the closest feature on the neighbor's property is their parking lot.

Site work is minimal with some grading around the addition, removal of asphalt in front of the addition to install landscaping, widening of the driveway near the corner of the addition, striping of the parking lot and installation of accessible parking signs. Adequate parking exists on site for the owners needs. The owner plans to update the existing sign out front with his business logo. Utility connections will all be made

internally. Impervious coverage will roughly remain the same since the addition will be constructed over an already impervious area.

The following items are included as a part of the Application:

- 12 copies of this letter.
- 12 copies of the Zoning Board of Appeals Application.
- 12 copies of the Area Variance Tests.
- 12 copies of the Disclosure Form E.
- 12 full size copies of the Site Plan, Sheet 1 of 1, dated 4/25/24.
- 12 full size copies of the Elevations, Sheet A200, dated 4/30/24.
- \$150.00 Zoning Board of Appeals Application fee.

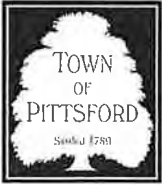
We respectfully request that we be placed on the Zoning Board of Appeals agenda for area variance review at the June 17, 2024 meeting.

If you have any questions or need additional information prior to the meeting, please contact our office. Thank you.

Sincerely,



Stephen W. Schultz, P.E.
MRB Group



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: May 17, 2024 Hearing Date: June 17, 2024

Applicant: B&H Auto Holdings - Benjamin Lee

Address: 319 E. Chestnut Street, East Rochester, NY 14445

Phone: (585) 381-1970 E-Mail: ben.lee@schoenauto.com

Agent: MRB Group - Alan Guidera, AIA

(if different than Applicant)

Address: 145 Culver Road, Suite 160, Rochester NY 14620

Phone: (585) 381-9250 E-Mail: alan.guidera@mrbgroup.com

Property Owner: _____

(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

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

Property Location: 751 Linden Avenue Current Zoning: Light Industrial

Tax Map Number: 138.15-1-25

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

B&H Holdings, owner of Schoen Auto, recently purchased the auto repair building at 751 Linden Avenue. The owner would like to construct a 14.0' x 44.6', 625 square foot, addition to the west side of the 4,891 square foot building for expansion of the lobby and office area. A maximum height of 12.5' is planned. The addition exterior will be horizontal metal siding with a color that complements the existing building. Placement of the addition along the west side of the building results in encroachment on the west side setback. Per Town Code the required side setback is 25' and the proposed addition will be 17.1' off the property line. The location of the addition is governed by the interior layout of the building and is proposed adjacent to the existing entrance, lobby and office area at the northwest corner of the building. The remainder of the building is shop and not practical for office expansion. The addition should not have an adverse impact on the neighbor as it is much lower in height than the rest of the building, is aesthetically pleasing, screened by vegetation along the west line and is closest to the neighbor's parking lot.

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.

Benjamin J. Lee
(Owner or Applicant Signature)

5-17-2024
(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 character of the neighborhood will not change as the use of the building and its general appearance will remain the same once the addition is constructed as it has in the past. The property is located within a light industrial district and its use remains consistent with zoning.

We do not believe the proposed addition will be a detriment to nearby properties. The adjacent Plant Designs property to the west shares the common side property line from where the variance is requested. This common line is heavily vegetated providing a buffer between properties. No change is planned for this vegetation. Also, the nearest part of the Plant Designs site to the addition is its parking lot, and therefore not having an impact. The addition height of 12.5 feet is much lower than the main building's height of 24' and the addition will be finished with horizontal metal siding offering a nice appearance. The addition will not generate noise and no lighting is proposed on its exterior.

The other nearest properties that will be able to see the addition are the railroad behind and sand processing plant across the street so no impact to either.

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 owner is planning for his longevity at this property by requesting an area variance for side setback encroachment. The lobby and office area within the building are undersized for his present and future needs to run a successful business at this location. In order to expand the lobby and office area an addition is necessary on the west side of the building adjacent to the existing lobby and office. The remainder of the building is for auto repair and can't be converted to office. Also, the existing utility services to the present office area can be connected internally to support the addition. An addition on the opposite side of the building is not practical as it would split the office area between the two opposite sides of the building, would block the east side bay door for auto access and would require extensive exterior utility modifications.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

We believe the area variance is minimal due to the fact that the addition will be aesthetically pleasing, provide an improvement to the property, is part of an existing use, will not generate noise or exterior lighting, is buffered from the neighbor and is nearest to the neighbors parking lot.

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

We feel the area variance will not have an adverse effect on the physical or environmental condition within the neighborhood as there will essentially be no change to the site other than a reduction in the driveway width adjacent to it. The location of the addition is already an impervious stone surface that will essentially convert to rooftop once complete. Storm drainage will continue to be directed to the existing on-site storm catch basin to the west as prior to the addition. The addition will be designed by a licensed architect taking into consideration all related building codes.

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

5. Is the alleged difficulty self-created?

While there is some level of self-creation we believe that the existing internal floor plan is from an outdated model that does not consider present needs. We believe customer and employee satisfaction and comfort is a necessity for a successful business and constructing the proposed addition can accomplish this.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Schoen Auto Building Addition

(Project Name)

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

Town Board Zoning Board of Appeals Planning Board Architectural Review Board

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

change of zoning special permit building permit permit amendment
 variance approval of a plat exemption from a plat or official map

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

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

Name(s)

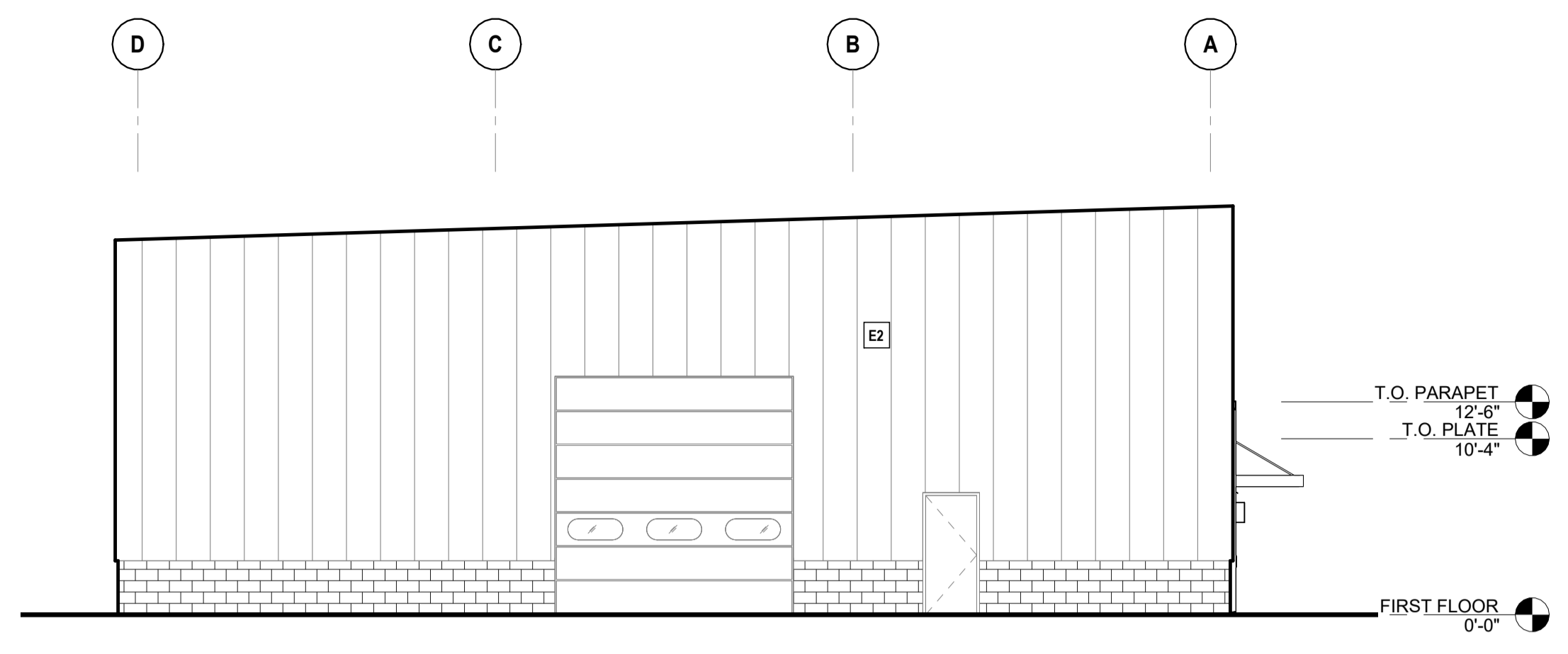
Address(es)

Benjamin J. Lu
(Signature of Applicant)

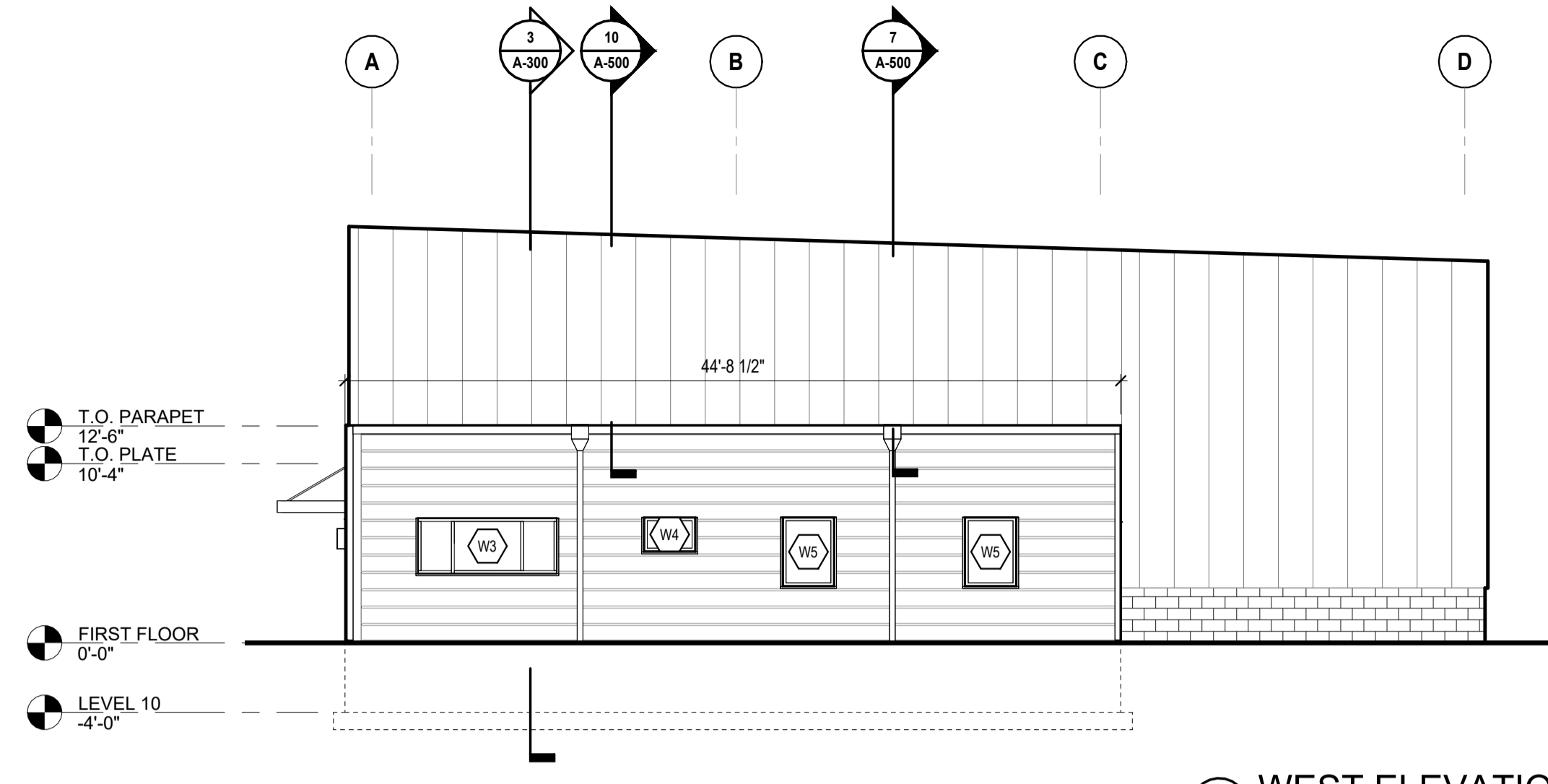
5.17.2024
(Dated)

319 E. Chestnut Street
(Street Address)

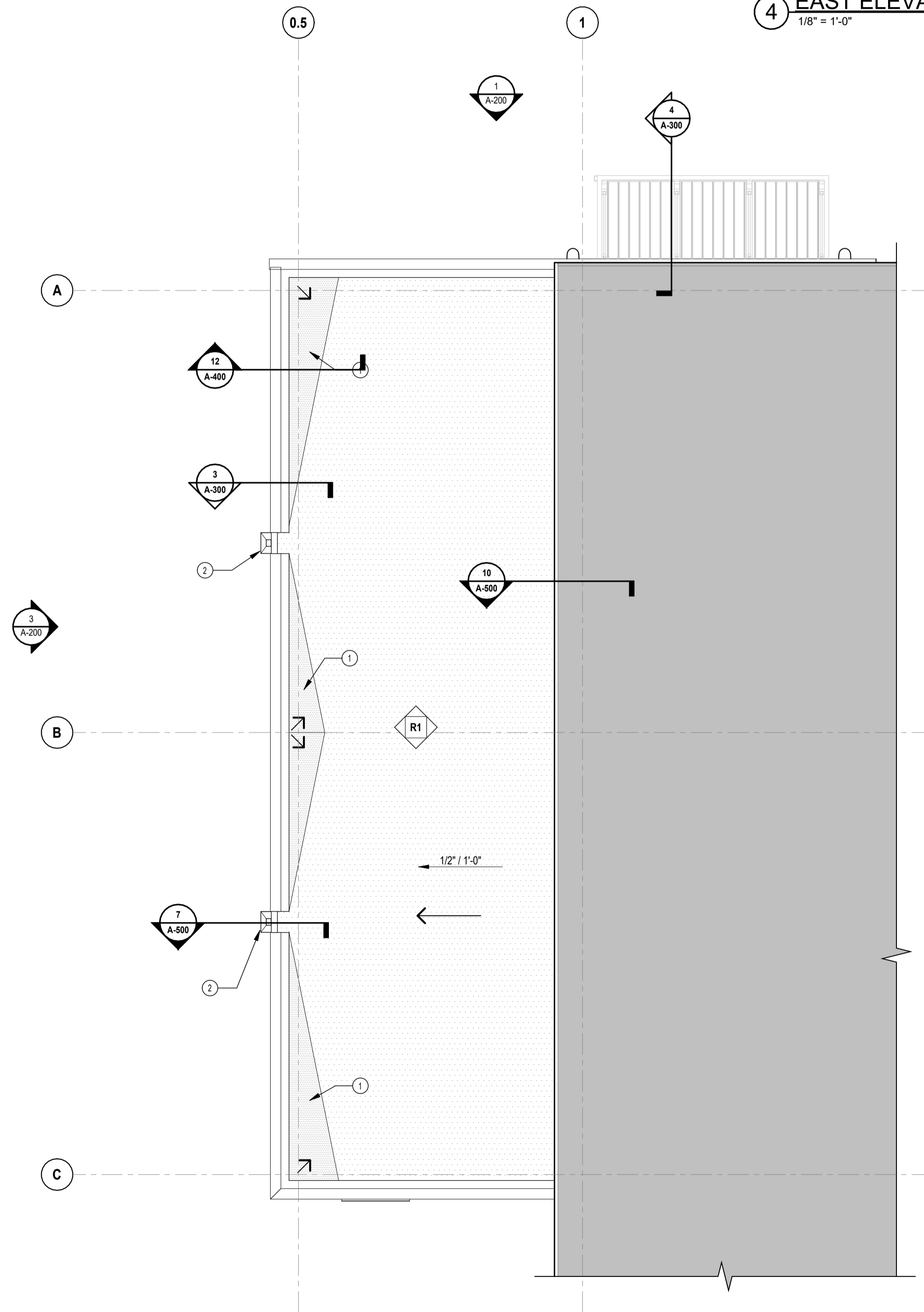
East Rochester, NY 14445
(City/Town, State, Zip Code)



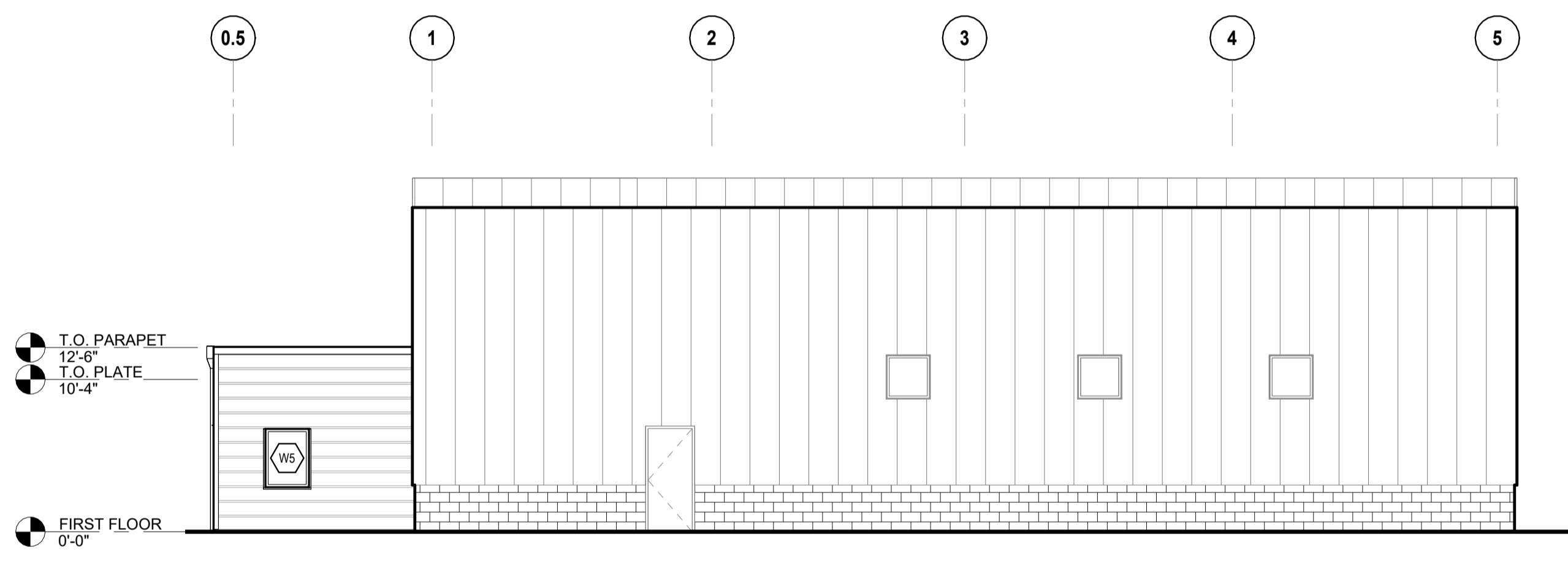
4 EAST ELEVATION
 1/8" = 1'-0"



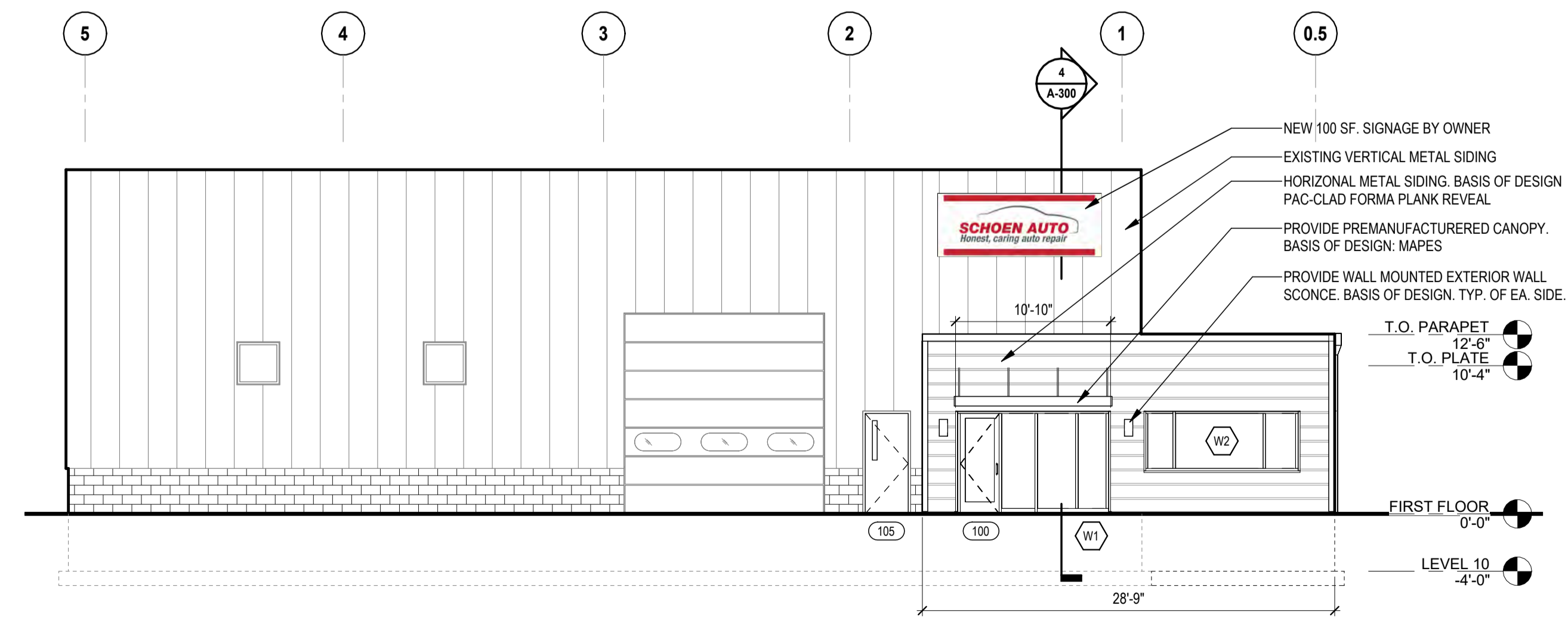
3 WEST ELEVATION
 1/8" = 1'-0"



5 ROOF PLAN
 1/4" = 1'-0"



2 SOUTH ELEVATION
 1/8" = 1'-0"



1 NORTH ELEVATION
 1/8" = 1'-0"

PROGRESS PRINT - NOT FOR CONSTRUCTION

REVISIONS:
 NUMBER DATE ISSUED BY DESCRIPTION

PROJECT:
SCHOEN AUTO RELOCATION

751 LINDEN AVENUE, ROCHESTER, NY 14625

OWNER / CLIENT:
SCHOEN AUTO / B&H AUTO

DRAWING TITLE:
EXTERIOR ELEVATIONS AND ROOF PLAN

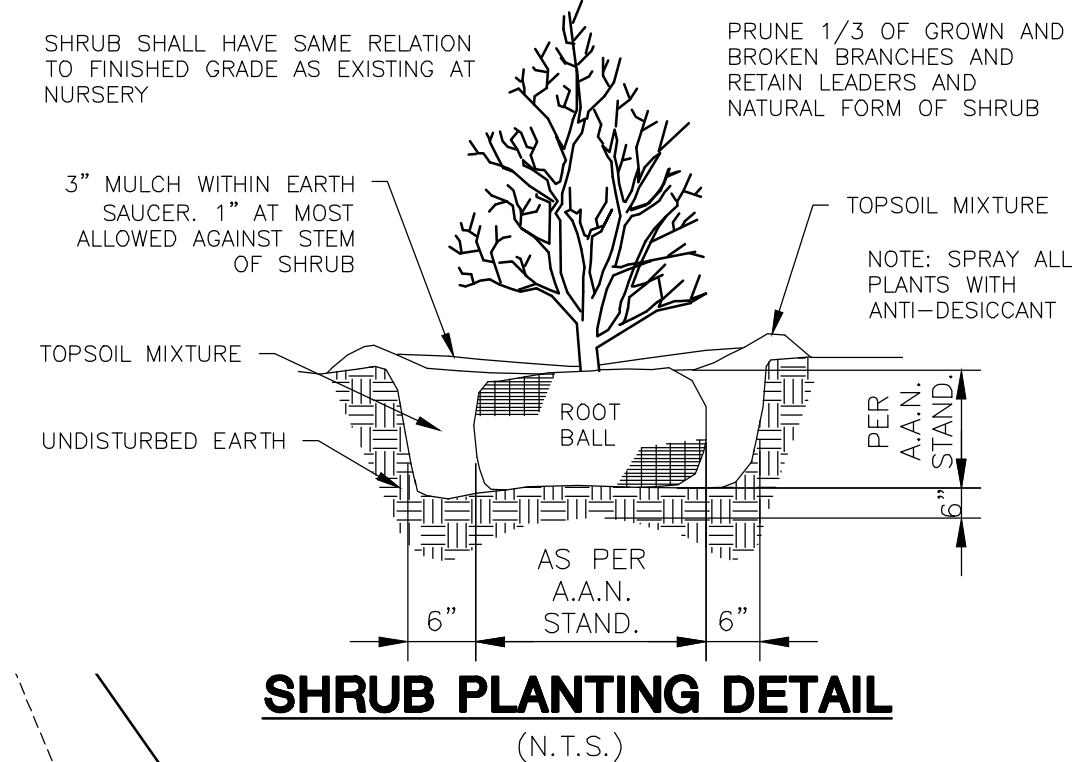
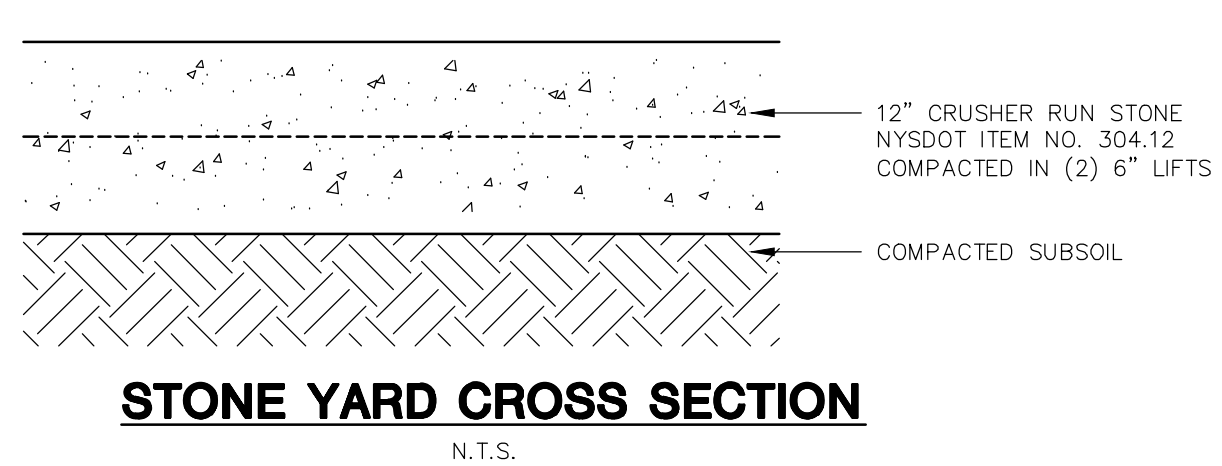
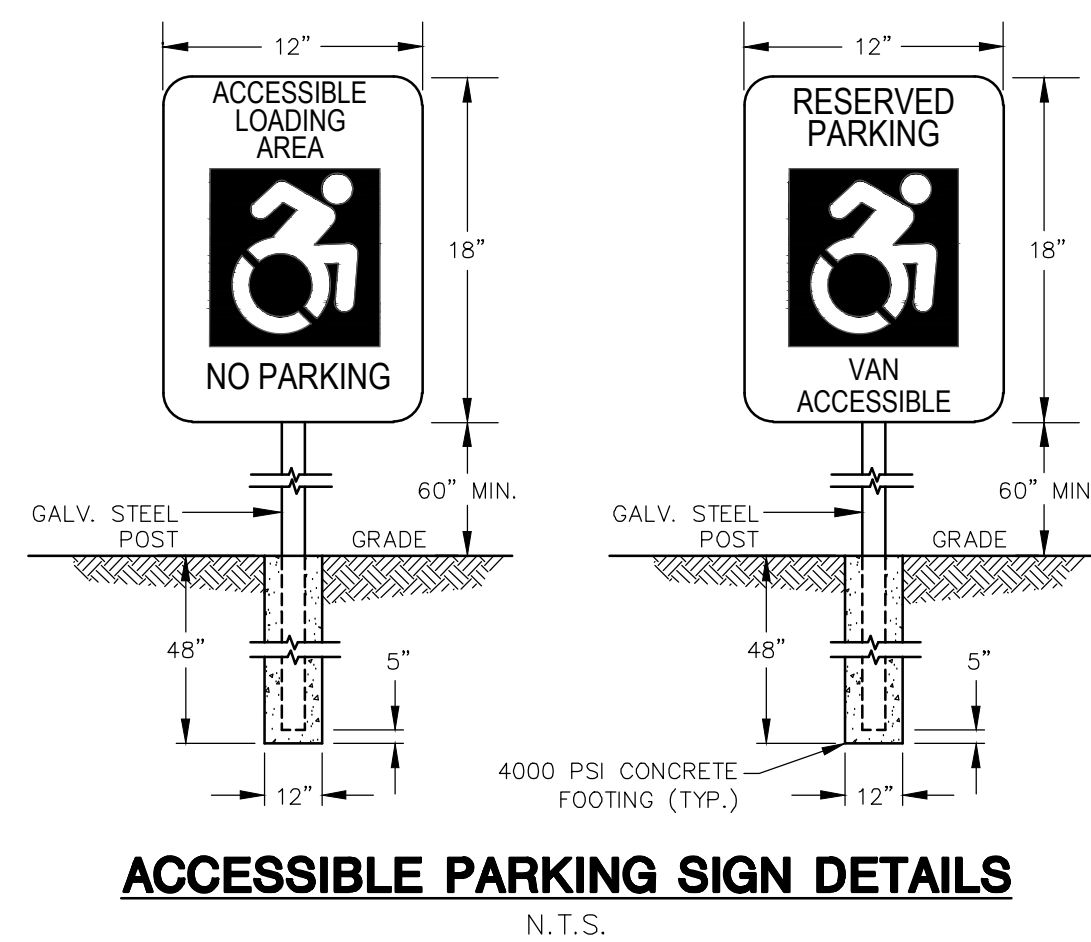
PROJECT NO.
2833.24001.00

PROJECT DATE:
APRIL 30, 2024

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

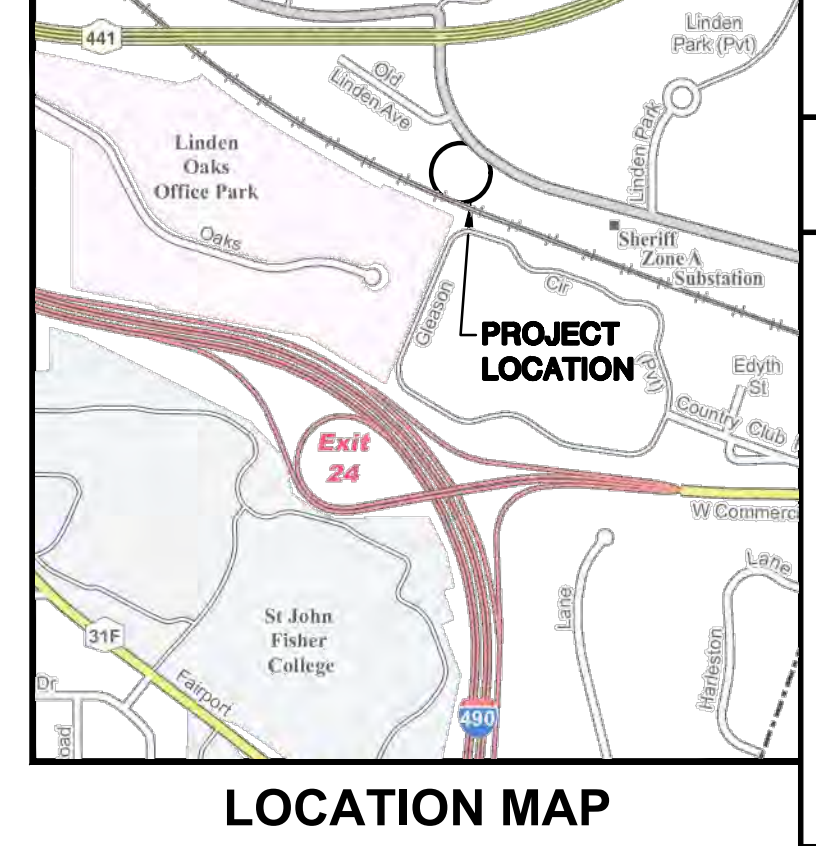
SHEET SIZE : 24" x 36" DO NOT SCALE

A-200



LEGEND

---	EXISTING PROPERTY LINE
---	RIGHT-OF-WAY LINE
---	EXISTING EASEMENT LINE
---	EXISTING BUILDING SETBACK LINE
---	PROPOSED NUMBER OF PARKING SPACES
---	PROPOSED ACCESSIBLE PARKING
---	EXISTING SIGN
---	PROPOSED SIGN
---	EXISTING MONUMENT
---	EXISTING SURVEY PIN/PIPE
---	LOWER CASE TEXT IS EXISTING FEATURE LABEL
---	UPPER CASE TEXT IS PROPOSED FEATURE OR INSTRUCTION
---	TREE LINE, DECIDUOUS TREE & PINE TREE
---	EXISTING GAS
---	EXISTING STORM SEWER & MANHOLE
---	EXISTING SANITARY SEWER & MANHOLE
---	EXISTING WATERMAIN & HYDRANT
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING LIGHT POLE
---	EXISTING UTILITY POLE
---	EXISTING IRON PIN/PIPE
---	EXIST. CONTOUR
---	PROPOSED CONTOUR
---	EXISTING BLDG MOUNT LIGHT - 16' HIGH
---	PROPOSED WALL MOUNT SCONCE LIGHT



SITE DATA:
OWNER:
 B&H AUTO HOLDINGS C/O BENJAMIN LEE
 315 E. CHESTNUT STREET
 EAST ROCHESTER, NY 14445
TAX ACCOUNT NO.:
 138.15-1-25
AREA:
 45,361 S.F.
 1.04 ACRES
ZONING:
 LI - LIGHT INDUSTRIAL
BUILDING:
 AUTOMOBILE REPAIR
 EXISTING = 4,891± S.F.
 ADDITION = 625 S.F.
ZONING REQUIREMENTS:

FRONT SETBACK:	LIGHT INDUSTRIAL: 50' MINIMUM	PROPOSED: 90.7'
SIDE SETBACK:	25' MINIMUM	17.1'
REAR SETBACK:	25' MINIMUM*	56.8'
MINIMUM LOT AREA:	30,000 S.F.	45,361 S.F.
BUILDING HEIGHT:	40' MAXIMUM**	24'
FRONT PKG. SETBACK:	40' MINIMUM**	21.2'***
LOT IMP. COVERAGE:	80% MAXIMUM	50.0%

* PARALLEL TO A RAIL CORRIDOR.
 ** VISITOR PARKING MIN. 40' FROM FRONT LINE.
 *** EXISTING CONDITION.

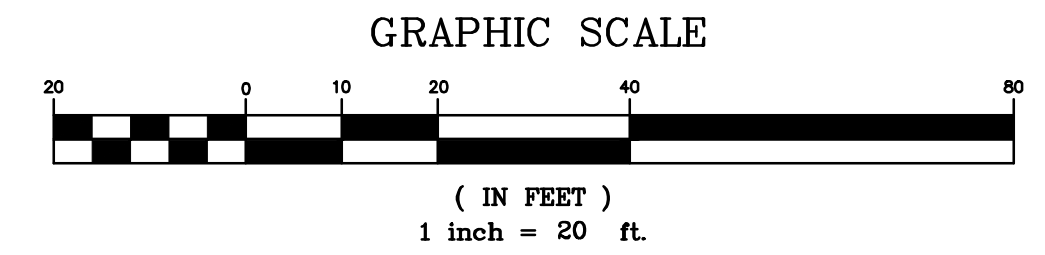
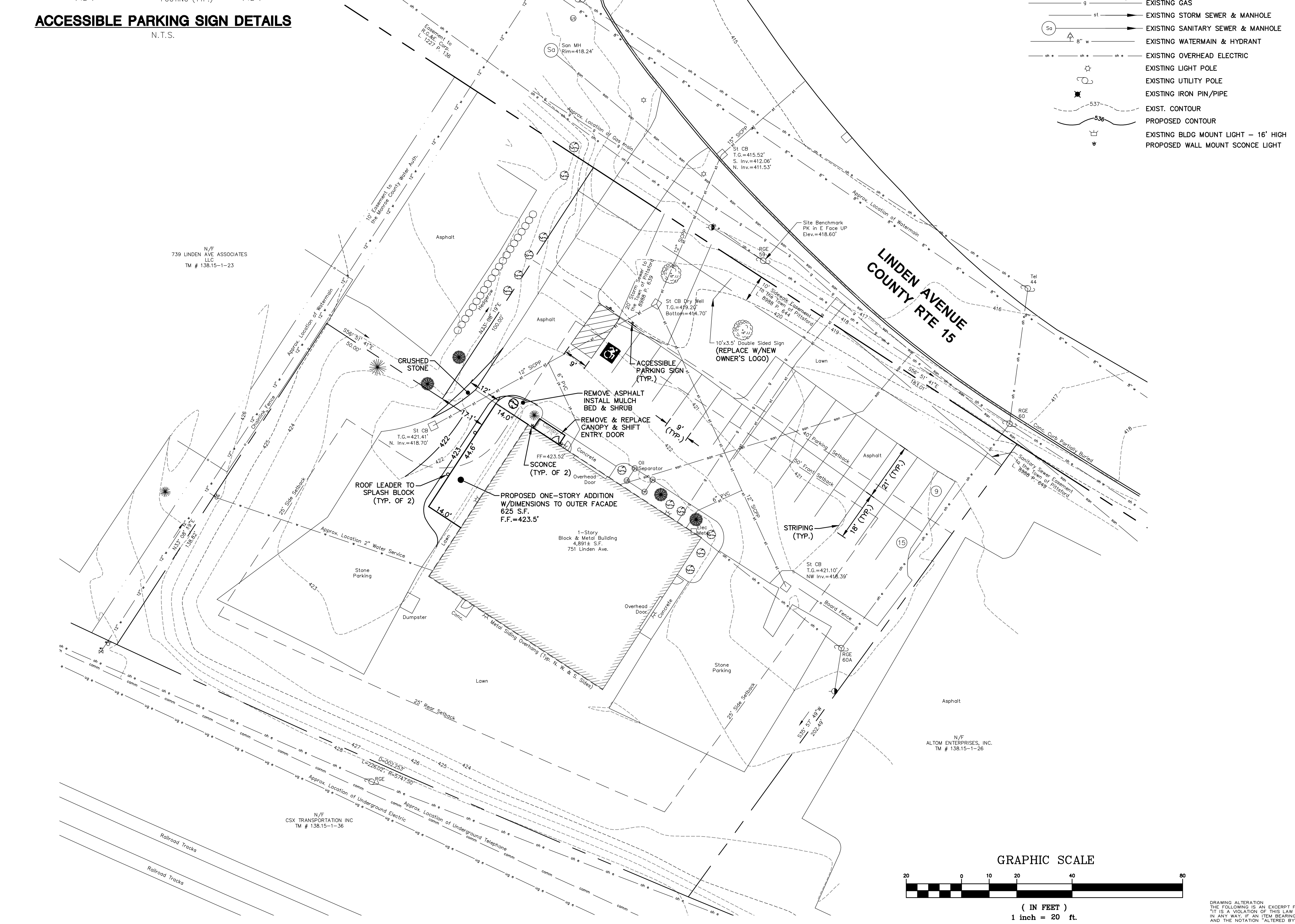
VARIANCE REQUEST:
 REDUCE REQUIRED SIDE SETBACK ALONG THE WEST LINE FROM 25' PER TOWN CODE SECTION 185-52 C. TO 17'.
PARKING:
 PROVIDED VEHICULAR STRIPED SPACES:
 ON-SITE STANDARD = 23 SPACES
 ON-SITE ACCESSIBLE = 1 SPACES
 TOTAL = 24 SPACES
 THE PROVIDED NUMBER OF SPACES MEETS THE NEEDS OF THE OWNER.

REFERENCES:

- BOUNDARY & TOPOGRAPHIC SURVEY PERFORMED BY KOCHER SURVEYING, P.C. ON APRIL 22, 2024.
- "IMPACT MOTORS RECORD DRAWING" AS PREPARED BY BRUAN ENGINEERS DATED 3/27/1997 AND REVISED 1/29/1998, PROJECT # 97-721.

GENERAL NOTES:

- ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE MOST RECENT STANDARDS AND SPECIFICATIONS OF THE TOWN OF PITTSFORD.
- UNDERGROUND UTILITIES ARE SHOWN IN THEIR APPROXIMATE HORIZONTAL AND VERTICAL LOCATIONS. THE CONTRACTOR SHALL BEAR THE RESPONSIBILITY OF VERIFYING UTILITY LOCATION AND SIZES. THE CONTRACTOR SHALL CALL CENTRAL STAKEOUT (1-800-962-7962) PRIOR TO COMMENCING WORK TO HAVE UTILITIES STAKED IN THE FIELD.
- THE CONTRACTOR IS TO VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL UTILITIES, MAINS, SERVICES, ETC. PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL MAKE EXPLORATORY EXCAVATIONS TO LOCATE EXISTING UNDERGROUND FACILITIES SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS AS REQUIRED TO MEET EXISTING CONDITIONS.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT EXISTING UTILITIES WITHIN THE AREA OF CONSTRUCTION. IF DURING CONSTRUCTION EXISTING UTILITIES ARE DAMAGED, THE CONTRACTOR BEARS THE RESPONSIBILITY AND EXPENSE TO REPAIR THE DAMAGED UTILITIES BOTH PUBLIC AND PRIVATE TO THE SATISFACTION OF THE UTILITY OWNERS.
- THE CONTRACTOR WILL PROTECT AND PRESERVE ALL PROPERTY CORNERS, MONUMENTS, MARKERS, ETC. AT ALL TIMES. THE CONTRACTOR WILL REPLACE AS NECESSARY, AT HIS EXPENSE, PER SECTION 528 OF THE CITY OF ROCHESTER CODES; "AS OF START WORK DATE AS ESTABLISHED BY NOTICE TO PROCEED IS ISSUED, PROTECTION OF ALL SURVEY MONUMENTS WITHIN LIMITS OF PROJECT SITE IS RESPONSIBILITY OF GENERAL CONTRACTOR. IF SURVEY MONUMENT IS FOUND DESTROYED COMMENCING ON START WORK DATE, AND PARTY RESPONSIBLE FOR DESTROYING SURVEY MONUMENT IS UNCLEAR OR UNDETERMINABLE, SURVEY MONUMENT IS TO BE REPLACED AT CONTRACTOR'S EXPENSE."
- PAVEMENT MARKINGS, TRAFFIC SIGNALS AND/OR SIGNS THAT HAVE BEEN DISTURBED BY THE CONSTRUCTION OPERATIONS SHALL BE RESTORED IN A MANNER CONFORMING TO THE GOVERNING AGENCY SPECIFICATIONS/ REGULATIONS.
- THE CONTRACTOR WILL PROTECT AND MAINTAIN AT ALL TIMES DRAINAGE SWALES, PIPES, TILES, ETC. AND INSTALL EROSION MEASURES PRIOR TO THE START OF CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING AND MAINTAINING EROSION CONTROL DEVICES UNTIL A PERMANENT COVER OF VEGETATION HAS BEEN ESTABLISHED.
- IT IS THE INTENTION DURING THE PROJECT TO PROTECT AND PRESERVE, WHEREVER POSSIBLE, TREES, BUSHES, ETC. PRESERVATION MAY INCLUDE COMPLETE AVOIDANCE, PROTECTIVE FENCING AND/OR CONSULTATION WITH A TREE SURGEON. IF IT IS NECESSARY THAT A TREE OR BUSH, OTHER THAN THOSE MARKED ON THE PLANS, BE REMOVED, THE CONTRACTOR WILL COORDINATE THE REMOVAL WITH THE TOWN OF PITTSFORD, THE ENGINEER AND THE PROPERTY OWNER.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE SAFETY MEASURES TO PROTECT THE PUBLIC WITHIN THE WORK ZONE AREA AT ALL TIMES THROUGH THE USE OF ORANGE CONSTRUCTION FENCING, CONES, CONSTRUCTION SIGNS, SIDEWALK CLOSED SIGNS, COVERING OR BACKFILLING EXCAVATIONS, OR USING OTHER DEVICES DEEMED NECESSARY AND APPROPRIATE.
- ALL SIGNS AND LOCATIONS SHALL CONFORM TO TOWN OF PITTSFORD STANDARDS.
- THE CONTRACTOR SHALL PROVIDE WATER ON SITE AS NEEDED.



APPROVALS

COMMISSIONER OF PUBLIC WORKS	DATE
TOWN ENGINEER	DATE

Project Title: **SCHOEN AUTO BUILDING ADDITION**
751 LINDEN AVENUE
TOWN OF PITTSFORD, NEW YORK

Project No. **2833.24001**

Sheet No. **G-1**
 1 of 1

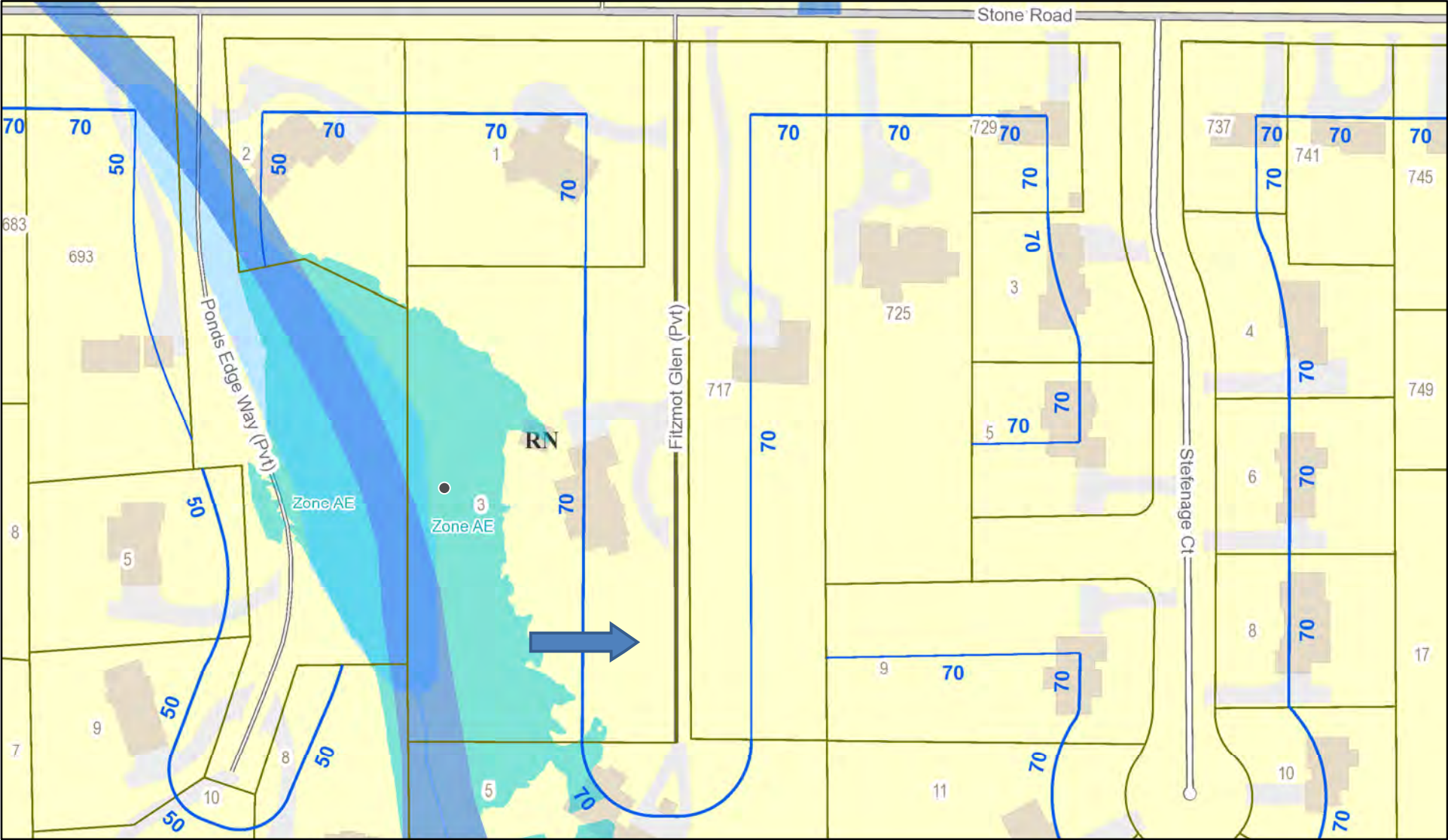
Drawn By: SWS
 Checked By: TUF
 Scale: 1"=20'
 Date: 4/25/2024

Revisions and Descriptions
 No. _____ By _____ Date _____
 Copyright © 2024 MRB Group All Rights Reserved

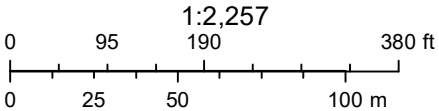
MRB group
 Engineering, Architecture & Surveying, D.P.C.
 The Calver Road Armory, 145 Calver Road,
 Suite 100, Rochester, New York 14620
 Phone: 585-381-9250
 www.mrbgroup.com

N:\3833.24001\000\dwg\SitePlan.dwg, 5/2/2024, 10:38:51 AM, DWG To PDF - NO Layers.ctb

3 Fitzmot Glen



Printed May 28, 2024



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.



693

Ponds Edge Way

Fitznott Cln

Stefenage Ct

5

3

717

725

5

4

6

8

10

9

9

Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE

50 ft

nearmap

Zoning Board of Appeals Referral Form Information

ZB24-000013

Property Address:

3 Fitzmot Glen PITTSFORD, NY 14534

Property Owner:

Wilmot, Dennis
3 Fitzmot Glen (Pvt)
Pittsford, NY 14534

Applicant or Agent:

BME Associates
10 Liftbridge Lane East
Fairport, NY 14450

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:	70	Front Setback:	25	Front Setback:	45.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	28	Height:	16.0
Size:	180	Size:	1080	Size:	900.0

Code Sections: Applicant is requesting relief from Town Code Sections 185-113 B. (1), (2), and (3) and 185-17 B. for the construction of an oversized and over-height storage barn forward of the rear wall of the main structure and extending past the building line. This property is zoned Residential Neighborhood (RN).

May 28, 2024

ARZ

Date

April Zurowski -

May 17, 2024

Zoning Board of Appeals
Town of Pittsford
11 South Main Street
Pittsford, NY 14534

**Re: 3 Fitzmot Glen
Area Variance Application
T.A. #164.03-1-2.2**

2840A

Dear Board Members:

On behalf of the property owner and applicant, Dennis A. Wilmot, we submit the following application materials for four (4) Area Variance requests for 3 Fitzmot Glen. For your consideration, we have enclosed twelve (12) copies of the following application materials:

- Letter of Intent
- Zoning Board Application
- Disclosure Form E
- Architectural Elevations
- Final Site Plan (BME Dwg. #2840A-01)
- Application Fee of \$120.00 (*\$75 for first variance + \$15 for each additional variance*)

The proposal is for the construction of a 27'x40' two-car garage and associated asphalt driveway located at the single-family residence at 3 Fitzmot Glen, currently owned by Dennis A. Wilmot. The property is located within the Town's Residential Neighborhood District and the proposed use is permitted in this zoning district.

The applicant is seeking four (4) area variances for the following:

1. Increase of the minimal allowable accessory structure size from 180 SF to 1,080 SF (185-113.B.(1)).
2. Increase in the minimal allowable accessory structure height from 12' to 28' (185-113.B.(2)).
3. Reduction in the front yard setback from 70' to 25' (185-17).
4. Accessory structure to be located forward of the rear wall of the existing main structure. (per Town Code Section 185-113.B.(3)).

The proposed garage is a ±1,080 SF structure with a total height of ±27', measured to the top of the rooftop cupola. It will be located in the southern portion of the property, approximately 54' south of the existing home, on the west side of Fitzmot Glen.

In making a determination whether to grant, grant conditionally, or deny an application for an area variance, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, and balance this benefit against the detriment to the health, safety and welfare of the neighborhood or community by making such grant. In making such determination, the Board shall consider each of the following factors:

1. *Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.*

The proposed area variances will not produce an undesirable change to the character of the neighborhood or be a detriment to nearby properties. The proposed garage will be physically consistent with the characteristics of the surrounding residential lots. The addition of the accessory structure will not change the overall single-family use of the property and remain consistent with the surrounding neighborhood. The size of the proposed 1,080 SF building is not out of proportion to the overall 2.80-acre size of the lot.

2. *Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.*

Consideration has been taken to eliminate the need for each of the four (4) area variances. However, the requested size and height variances are necessary as a smaller garage would not be feasible for the needs of the applicant. The front setback variance, and the corresponding setback variance to the rear wall of the existing structure, are necessary to keep the proposed garage out of the 100-yr floodplain located onsite.

3. *Whether the requested area variance is minimal or substantial.*

We do not consider the requested area variances to be substantial. The applicant is only requesting the area variances necessary to allow for the construction of the proposed garage. The size of the structure is not out of proportion to the size of the lot, or to the adjoining lots. Setback relief sought is the minimal relief for the proposed location.

4. *Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.*

The granting of the area variances will not have an adverse effect or impact on the environmental conditions of the property, or to the neighborhood. No trees or vegetation are proposed to be removed with these area variances. The proposed location of the garage is precisely placed between two existing trees and is located far enough forward on the property to maintain adequate separation to the 100-yr floodplain.

5. *Whether the alleged difficulty was self-created. (In contrast to the context of a use variance, in the context of an area variance application, whether or not the alleged difficulty was self-created shall be relevant to the decision of the Board of Zoning Appeals but a finding that the difficulty was self-created shall not in and of itself preclude the granting of the area variance.)*

The alleged difficulty would be considered self-created as the area variances are necessary for the construction of the proposed garage. However, the existing lot

restrictions make it difficult for the applicant to construct the garage anywhere else on the property. As previously stated, constructing the garage in the proposed location has the least amount of impact to existing vegetation while maintaining adequate separation from the existing 100-yr floodplain located onsite. The size and subsequent height of the garage are needed to satisfy the intended uses for the applicant. Without these requested area variances, the applicant would not be able to construct the proposed accessory structure.

As a result of the information provided in these application materials, we believe that the granting of the requested area variances does not represent a detriment to the health, safety, or welfare of the community. We respectfully request the granting of the area variances for 3 Fitzmot Glen.

We look forward to presenting the information at the June 17, 2024 meeting. If you require any additional information prior to then, please contact our office.

Sincerely,
BME Associates

Aaron Beyler

Aaron P. Beyler, EIT

Encl.

c: Dennis A. Wilmot



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: May 17, 2024 Hearing Date: June 17, 2024

Applicant: Dennis A. Wilmot

Address: 3 Fitzmot Glen

Phone: _____ E-Mail: dennis@wilmotdg.com

Agent: BME Associates (Aaron Beyler)
(if different than Applicant)

Address: 10 Liftbridge Lane E, Fairport, NY 14450

Phone: (585) 377-7360 E-Mail: abeyler@bmepc.com

Property Owner: _____
(if different than Applicant)

Address: _____

Phone: _____ E-Mail: _____

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

Property Location: 3 Fitzmot Glen Current Zoning: RN-Residential Neighborhood District

Tax Map Number: 164.03-1-2.2

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Proposed construction of 27x40' garage (±1,080 sf), ±27' tall. The proposed garage will require four (4) area variances granted from the Town of Pittsford ZBA, as follows: Accessory structure height, accessory structure square footage, front setback reduction, and accessory structure setback reduction from rear wall of main structure.

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

(Owner or Applicant Signature)

5/17/24
(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:

See attached cover letter.

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

See attached cover letter.

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

See attached cover letter.

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:

See attached cover letter.

- **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?

See attached cover letter.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

3 Fitzmot Glen

(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.

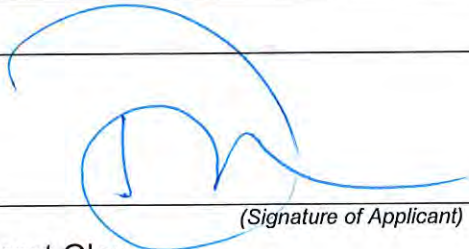
I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those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

Name(s)

Address(es)

Dennis A. Wilmot

3 Fitzmot Glen, Pittsford, NY 14534



(Signature of Applicant)

5/13/24

(Dated)

3 Fitzmot Glen

(Street Address)

Pittsford, NY 14534

(City/Town, State, Zip Code)













June 7, 2024

Zoning Board of Appeals
Town of Pittsford
11 South Main Street
Pittsford, NY 14534

**Re: 3 Fitzmot Glen
Area Variance Application
T.A. #164.03-1-2.2**

2840A

Dear Board Members:

On behalf of the property owner and applicant, Dennis A. Wilmot, we provide this additional information for clarification purposes for the pending Area Variance applications before the Zoning Board of Appeals. We are scheduled to appear at the Board's June 17, 2024 hearing.

The applicant wishes to clarify there is no second floor proposed for the structure. There is no intent for the structure to be used for living space; its purpose is as stated in the original application as a garage use. Per the attached floor plan, the building will be used for two (2) vehicle bays plus the rear area will be used as a garden prep area. It will include a sink, refrigerator, and shelving. There is no change to the proposed building height of $\pm 28'$. This floor plan is to be used for the application review.

This clarification does not alter the four (4) variance requests before the ZBA, as the relief sought by the applicant pertains to setbacks and size of the proposed structure. No variances are necessary concerning the use of the structure. Therefore, there is no change in the application to the ZBA.

We will be in attendance at the June 17th meeting to present the application. If you have any further questions prior to then, please contact our office.

Sincerely,
BME ASSOCIATES

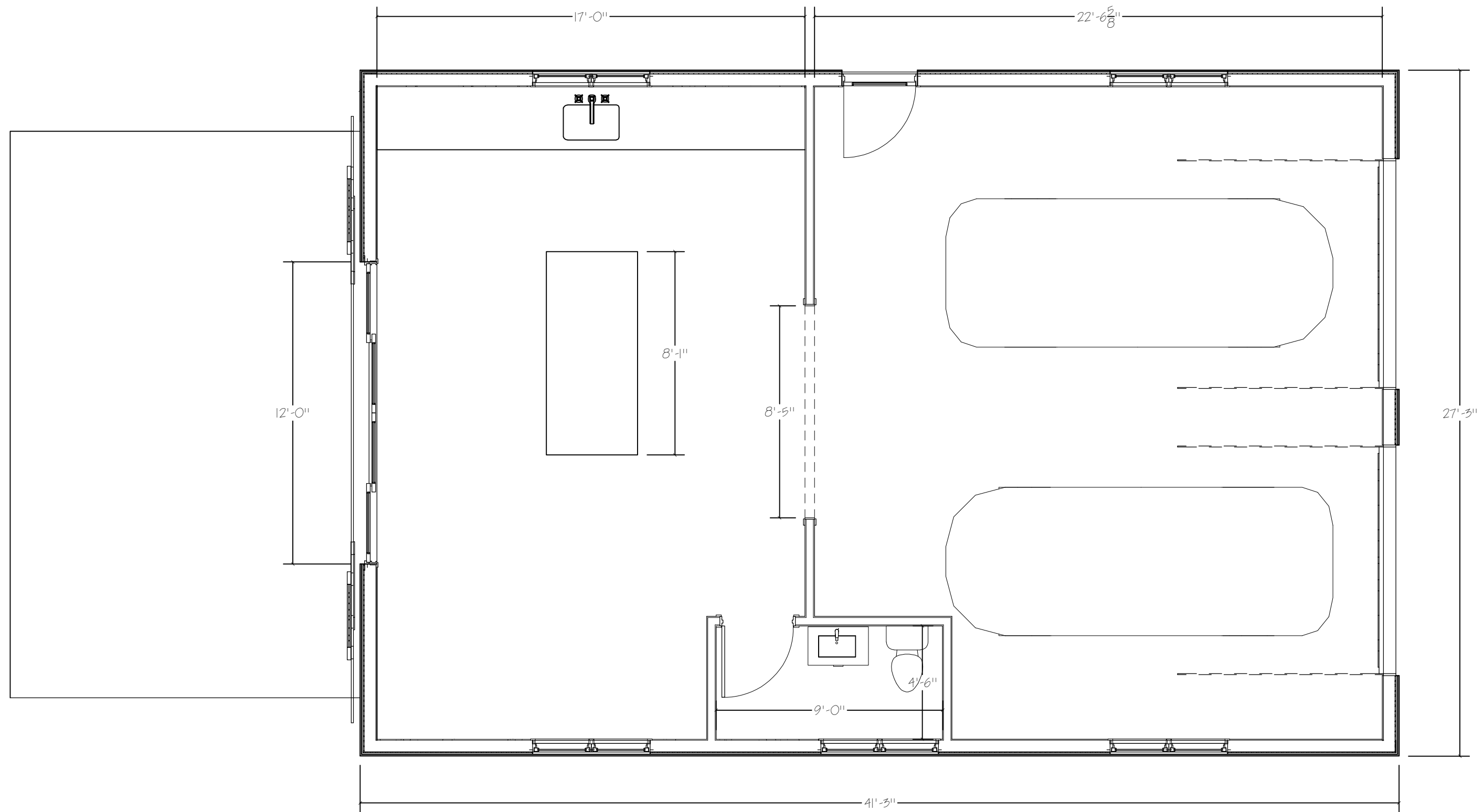


Peter G. Vars, P.E.

PGV:blr

Encl.

c: Dennis A. Wilmot



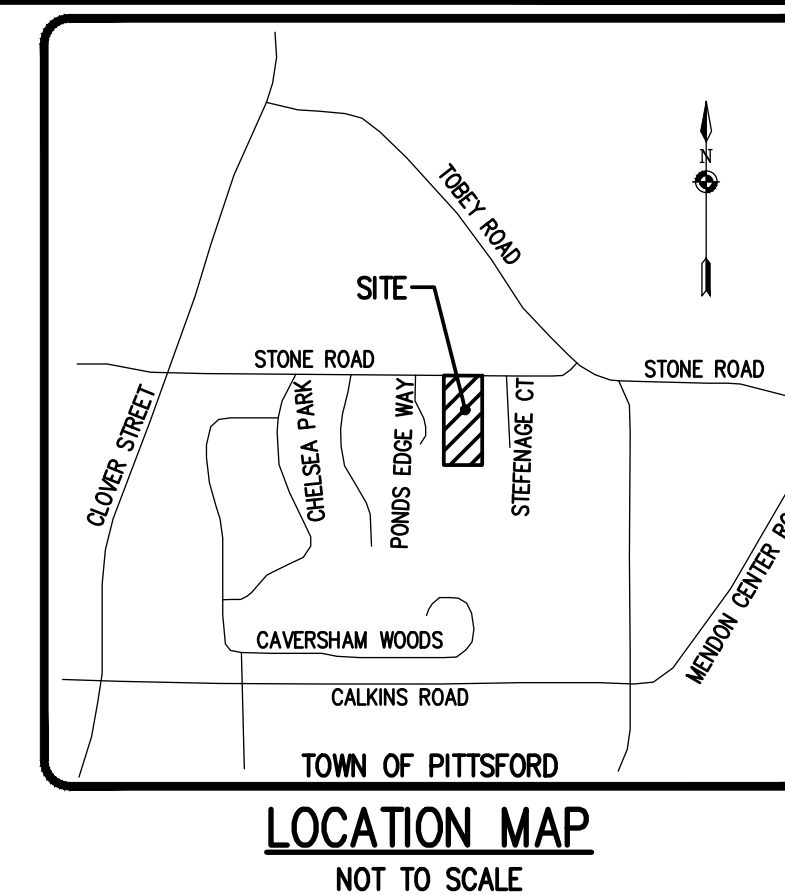


N/F
ALAN H. FARNSWORTH
T.A. No. 164.03-1-1.2
LOT 1

N/F
PONDS EDGE HOMEOWNERS ASSOCIATION
T.A. No. 164.03-1-1.3

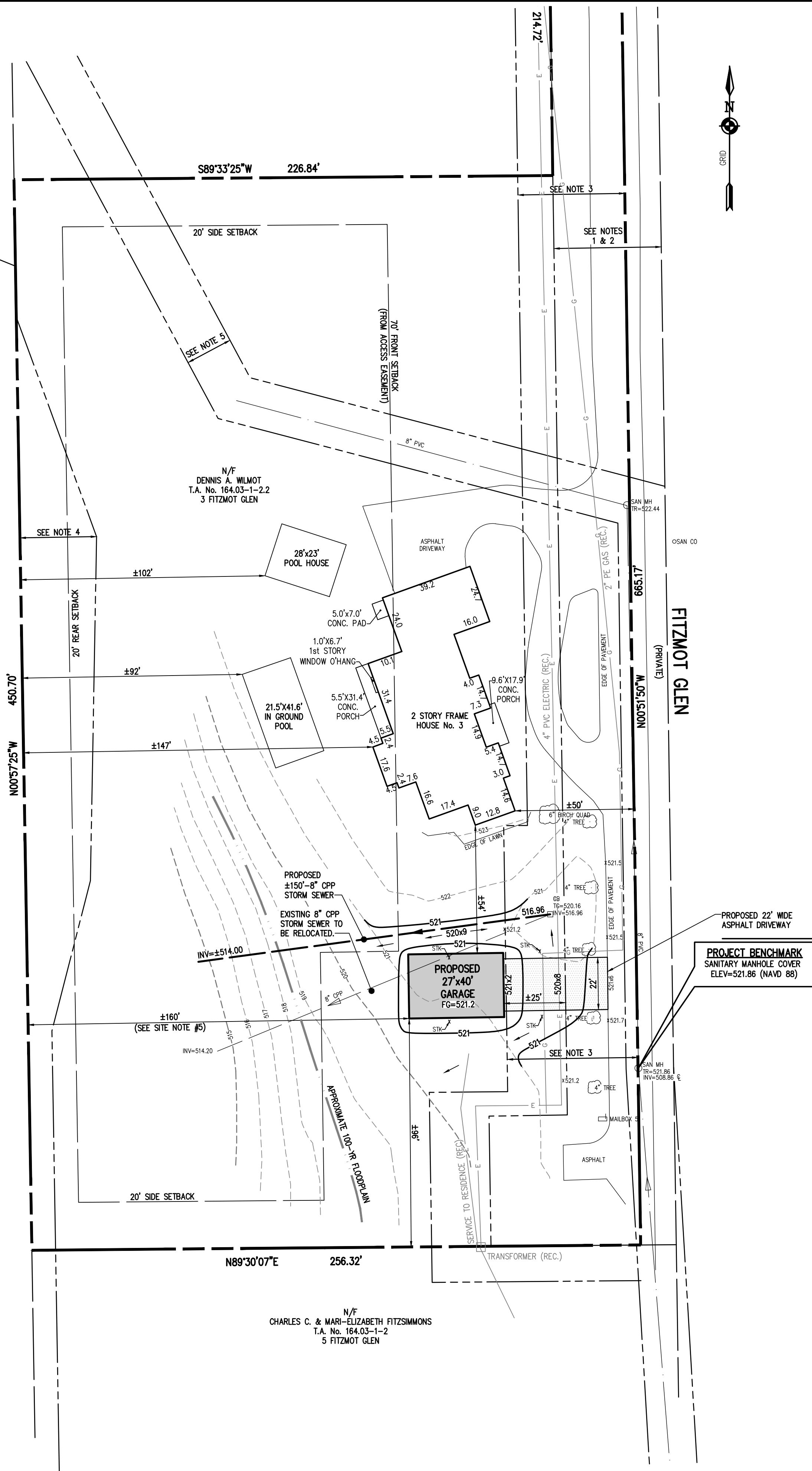
N/F
DENNIS A. WILMOT
T.A. No. 164.03-1-2.2
3 FITZMOT GLEN

N/F
CHARLES C. & MARI-ELIZABETH FITZSIMMONS
T.A. No. 164.03-1-2
5 FITZMOT GLEN



Drawing Alteration
The following is an excerpt from the New York State Education Law Article 145 Section 7209 and applies to this drawing:
"It is a violation of this law for any person, unless he is acting under the direction of a licensed professional engineer or land surveyor to alter any item in any way. If an item bearing the seal of an engineer or land surveyor is altered, the altering engineer or land surveyor shall affix to the item his seal and the notation 'altered by' followed by his signature and the date of such alteration, and a specific description of the alteration."

NO.	REVISIONS	DATE	BY
7			
6			
5			
4			
3			
2			
1	REVISED PROPOSED BUILDING HEIGHT	5/17/24	APB



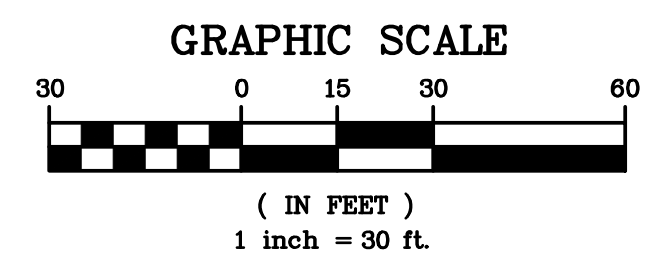
- SURVEY REFERENCES:**
- A PLAN ENTITLED "711 STONE ROAD, FINAL, SUBDIVISION PLAT," PREPARED BY BME ASSOCIATES, AS FILED AT THE MONROE COUNTY CLERK'S OFFICE IN LIBER 336 OF MAPS, PAGE 99.
 - AN ABSTRACT OF TITLE PREPARED BY FRONTIER ABSTRACT AND RESEARCH SERVICES, INC., HAVING SEARCH No. 513630 AND DATED APRIL 13, 2010.

- SURVEY NOTES:**
- PARCEL SUBJECT TO AND BENEFITED BY AN ACCESS EASEMENT PER LIBER 10805 OF DEEDS, PAGE 155.
 - PARCEL SUBJECT TO AN EMERGENCY ACCESS EASEMENT TO THE TOWN OF PITTSFORD PER LIBER 10753 OF DEEDS, PAGE 368.
 - PARCEL SUBJECT TO AN EASEMENT TO FRONTIER TELEPHONE OF ROCHESTER, INC., ROCHESTER GAS AND ELECTRIC CORPORATION, TIME WARNER ENTERTAINMENT COMPANY - ADVANCE NEWHOUSE PARTNERSHIP, THROUGH ITS ROCHESTER DIVISION, D/B/A TIME EARNER CABLE PER LIBER 10766 OF DEEDS, PAGE 528.
 - PARCEL SUBJECT TO A DRAINAGE EASEMENT TO THE TOWN OF PITTSFORD PER LIBER 10753 OF DEEDS, PAGE 378.
 - PARCEL SUBJECT TO A SEWER EASEMENT TO WACKERMAN-GUCHONE CUSTOM BUILDERS PER LIBER 7209 OF DEEDS, PAGE 91.

- SITE NOTES:**
- EXISTING ZONING: RN - RESIDENTIAL NEIGHBORHOOD DISTRICT
 - TOTAL LOT AREA: ±2.80 ACRES (±122,119 SF)
 - EXISTING USE: SINGLE FAMILY RESIDENTIAL HOME
 - APPLICABLE DEVELOPMENT STANDARDS:

SETBACKS:	REQUIRED	PROVIDED
FRONT	70'	25' *
SIDE	20'	96'
REAR	20'	92'
MAX. ACCESSORY STRUCTURE HEIGHT	12'	28' **
MAX. ACCESSORY STRUCTURE SIZE	180 SF	±1,080 SF ***
MAX. LOT COVERAGE	40%	±18%

- * AN AREA VARIANCE WILL NEED TO BE GRANTED FROM THE TOWN OF PITTSFORD ZONING BOARD OF APPEALS TO ALLOW A REDUCTION IN FRONT SETBACK FROM 70' TO 25' (TOWN CODE 185-17)
- ** AN AREA VARIANCE WILL NEED TO BE GRANTED FROM THE TOWN OF PITTSFORD ZONING BOARD OF APPEALS TO ALLOW AN INCREASE IN MAXIMUM ACCESSORY STRUCTURE HEIGHT FROM 12' TO 28' (TOWN CODE 185-113.B.(2))
- *** AN AREA VARIANCE WILL NEED TO BE GRANTED FROM THE TOWN OF PITTSFORD ZONING BOARD OF APPEALS TO ALLOW AN INCREASE IN MAXIMUM ACCESSORY STRUCTURE SIZE FROM 180 SF TO 1,080 SF (TOWN CODE 185-113.B.(1))
- PER TOWN CODE SECTION 185-113.B.(3) ACCESSORY USES AND STRUCTURES, "NO ACCESSORY USE OR STRUCTURE, EXCEPT FOR FENCES, SHALL BE LOCATED FORWARD OF THE REAR WALL OF THE MAIN STRUCTURE ON THE LOT ON WHICH THE ACCESSORY STRUCTURE IS LOCATED". AS SUCH, AN AREA VARIANCE WILL NEED TO BE GRANTED FROM THE TOWN OF PITTSFORD ZONING BOARD OF APPEALS TO ALLOW THE PROPOSED GARAGE TO BE CONSTRUCTED FORWARD OF THE REAR WALL OF THE EXISTING HOME.
 - THE SETBACK LINES AND NOTES RELATING TO SETBACKS SHOWN HEREON ARE INTENDED TO SHOW APPLICABLE ZONING REQUIREMENTS OF THE TOWN OF PITTSFORD FOR THE "RN" ZONING DISTRICT REQUIREMENTS AS OF THE DATE OF THIS MAP AND ARE NOT INTENDED TO IMPOSE ANY ADDITIONAL RESTRICTIONS OTHER THAN SAID ZONING REQUIREMENTS.
 - ALL IMPROVEMENTS SHALL BE IN ACCORDANCE WITH THE MOST RECENT STANDARDS AND SPECIFICATIONS OF THE TOWN OF PITTSFORD AND THE APPROPRIATE AGENCIES UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL LOCATE, MARK, SAFEGUARD, AND PRESERVE ALL SURVEY CONTROL MONUMENTS AND RIGHT-OF-WAY MONUMENTS IN THE AREA OF CONSTRUCTION.
 - THE DEVELOPER'S AND CONTRACTOR'S ATTENTION IS DIRECTED TO LOCAL LAW No. 6 OF 1971 REGARDING LIABILITY INCURRED THROUGH DISTURBANCES OR DESTRUCTION OF GEODETIC SURVEY MONUMENTS.
 - REVIEW OF THE FEMA MAPS INDICATES A PORTION OF THIS PROPERTY TO BE WITHIN A RECOGNIZED 100-YEAR FLOODPLAIN PER THE FLOOD INSURANCE RATE MAP, TOWN OF PITTSFORD, NY, FIRM NUMBER 360429 PANEL 358, WITH A DATE OF AUGUST 28, 2008, APPROXIMATE ELEVATIONS OF 519.0 FOR FLOOD ZONE AE.



NOT APPROVED
This plan has not received final approval of all reviewing agencies. This plan is subject to revisions until all approvals are obtained and should not be used for construction purposes.

LEGEND

	BOUNDARY LINE
	CENTERLINE
	SETBACK LINE
	EXISTING WATERMAIN, HYDRANT, AND VALVE
	EXISTING STORM SEWER, MANHOLE, AND INLET
	PROPOSED STORM SEWER, MANHOLE, AND INLET
	EXISTING SANITARY SEWER AND MANHOLE
	EXISTING CONTOUR W/ ELEVATION
	PROPOSED CONTOUR W/ ELEVATION
	EXISTING SPOT ELEVATION
	PROPOSED SPOT ELEVATION
	PROPOSED FINISHED GRADE ELEVATION
	APPROXIMATE 100-YR FLOODPLAIN ELEV=±518.5

BME ASSOCIATES
ENGINEERS • SURVEYORS • LANDSCAPE ARCHITECTS
WWW.BMEPC.COM
565-377-7360
10 LIFEBRIDGE LANE EAST
FAIRPORT, NEW YORK 14450



3 FITZMOT GLEN
TOWN OF PITTSFORD, MONROE COUNTY, NEW YORK STATE
DENNIS A. WILMOT
3 FITZMOT GLEN
PITTSFORD, NY 14534
PRELIMINARY/FINAL
SITE PLAN

PROJECT: 3 FITZMOT GLEN
LOCATION: TOWN OF PITTSFORD, MONROE COUNTY, NEW YORK STATE
CLIENT: DENNIS A. WILMOT, 3 FITZMOT GLEN, PITTSFORD, NY 14534
DRAWING TITLE: PRELIMINARY/FINAL SITE PLAN

PROJECT MANAGER: P. VARS
PROJECT ENGINEER: A. BEYLER
DRAWN BY: A. BEYLER
SCALE: 1" = 30'
DATE ISSUED: MAY 2024
PROJECT NO.: 2840A
DRAWING NO.: 01

PHELPS & CORHAM PURCHASE, TOWNSHIP 12, RANGE 5, LOT 55, TAX MAP NUMBER 164.03-1-2.2

DEMOTT & SMITH PC

70 Linden Oaks
Suite 220
Rochester, New York 14625
585/272-9880
585/272-1608 (Fax)

Certified Public Accountants

May 17, 2024

Village of Pittsford
Planning and Zoning Board
21 North Main Street
Pittsford, NY 14534

RE: 3 Fitzmot Glen, Mr. Dennis Wilmot

To Whom It May Concern:

This letter is in support of Mr. Dennis Wilmot's application for variances for the additional garage structure he is intending on building. My wife and I own the neighboring property at 1 Fitzmot Glen, directly next to Mr. Wilmot's residence. I have thoroughly reviewed the design and plans submitted and fully support the structure to be built. This will only enhance the value of the neighboring homes, while providing little to no drawbacks. The structure fits in well with the character of homes.

Please let me know if you require any other information, but we provide our full support for the variances required.

Yours truly,

DeMOTT & SMITH CPA's, P.C.



Benjamin F. Dobrzynski, CPA

May 22, 2024

Village of Pittsford Planning and Zoning Board

21 North Main Street

Pittsford, NY 14534

RE: 3 Fitzmot Glen, Mr. Dennis Wilmot

To Whom It May Concern:

This letter is in support of Mr. Wilmot's application for variances necessary for the additional garage structure at 3 Fitzmot Glen. We have lived at 5 Fitzmot Glen for the past twelve or so years, and fully support the beautiful barn structure proposed to be built adjacent to our lot. We think it will fit in perfectly on the glen, both architecturally and scale-wise. There is certainly ample room on the lot, and all adjacent lots are above average in size.

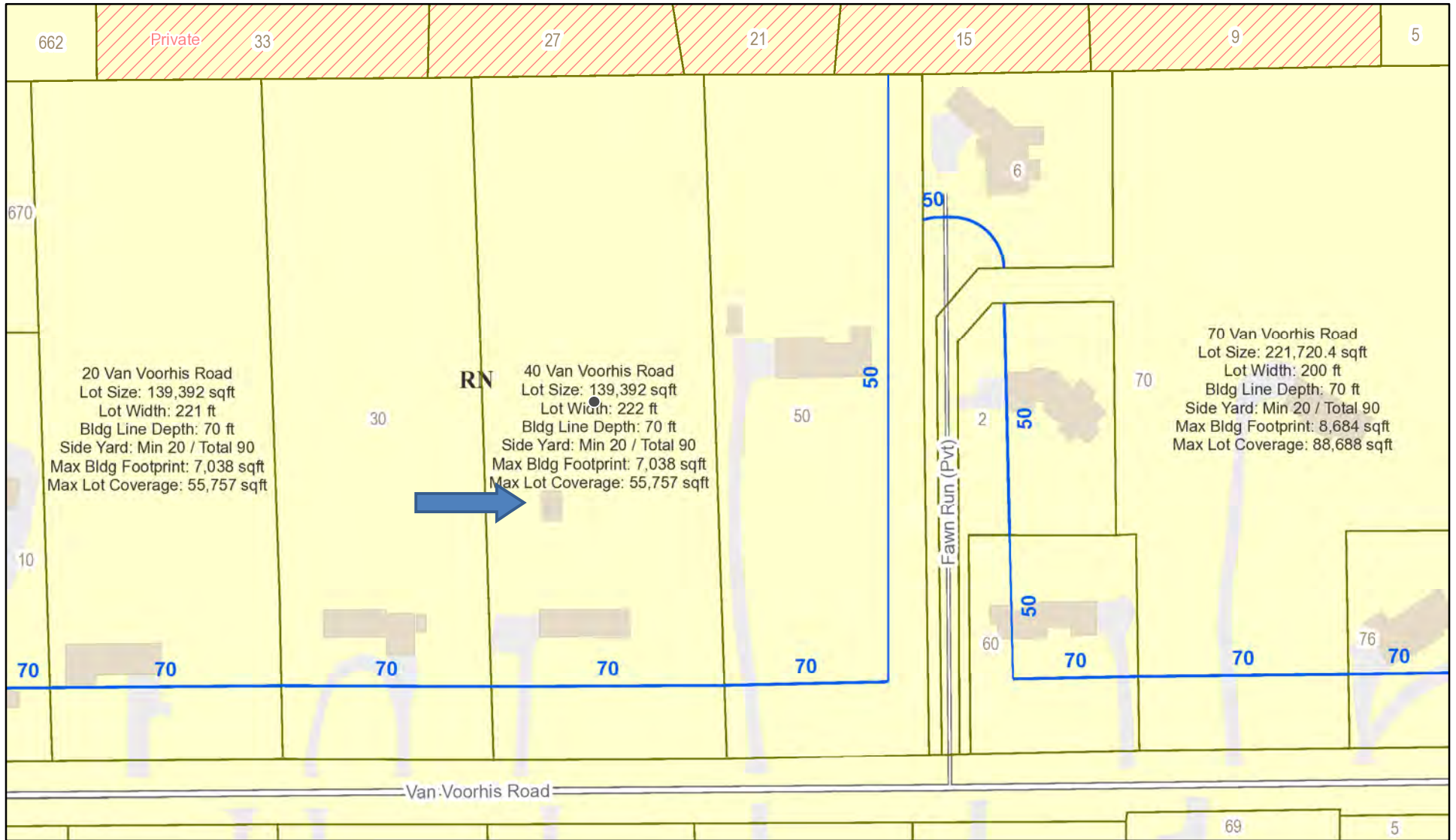
Please let me know if you require any other information, but we provide our full support for the variances required.

Kindly,

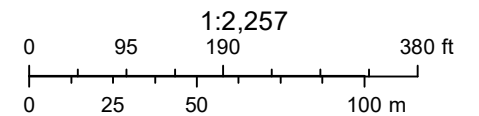
A handwritten signature in black ink, appearing to read "Charles Fitzsimmons". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Charles Fitzsimmons
Homeowner
5 Fitzmot Glen

40 Van Voorhis Road



Printed May 28, 2024



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.



Van Voorhis Rd

21 21

50

49

49

27

40

39

27

30

29

Thu Apr 25 2024

Imagery © 2024 Nearmap, HERE

50 ft

nearmap

Zoning Board of Appeals Referral Form Information

ZB24-000011

Property Address:

40 Van Voorhis Road PITTSFORD, NY 14534

Property Owner:

Brockmann, Todd A
40 Van Voorhis Rd
Pittsford, NY 14534

Applicant or Agent:

Brockmann, Todd A
40 Van Voorhis Rd
Pittsford, NY 14534

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

Town Code Requirement is:		Proposed Conditions:		Resulting in the Following Variance:	
Right Lot Line:	0	Right Lot Line:	0	Right Lot Line:	0.0
Left Lot Line:	0	Left Lot Line:	0	Left Lot Line:	0.0
Front Setback:	0	Front Setback:	0	Front Setback:	0.0
Rear Setback:	0	Rear Setback:	0	Rear Setback:	0.0
Height:	12	Height:	18.7	Height:	6.7
Size:	180	Size:	2764	Size:	2584.0

Code Sections: Applicant is requesting relief from Town Code Sections 185-113 B. (1) and (2) for the construction of an oversized and over-height storage barn. This property is zoned Residential Neighborhood (RN).

May 28, 2024

ARZ

Date

April Zurowski -



TOWN OF PITTSFORD ZONING BOARD OF APPEALS APPLICATION FOR AREA VARIANCE

Submission Date: 4-12-24 Hearing Date: _____

Applicant: Todd Brockmann

Address: 40 VANVOORHIS RD

Phone: 585-314-4658 E-Mail: BROCKMANN775@gmail.com

Agent: _____
(if different than Applicant)

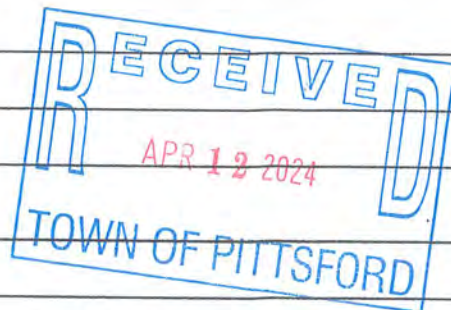
Address: _____

Phone: _____ E-Mail: _____

Property Owner: SAME
(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: 40 VANVOORHIS RD LOT 4 Current Zoning: RN

Tax Map Number: 192.02-1-1

Application For: Residential Commercial Other

Please describe, in detail, the proposed project:

Build a 40' by 48' pole barn with black metal roof and gray metal sides. would like to build it next to existing pool house and make it look like its all one structure. I am getting quotes from the Amish to build

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.

Todd Brockmann
(Owner or Applicant Signature)

4-1-24
(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:

We are on 3 acres. The buildings will be set back approx 250 feet from the road. There is a 6' privacy fence and play house blocking any view from the road. I spoke with both neighbors on either side and they are both fine with it. There is a thick tree line on back property line that obstructs the view. The neighbor 2 houses away has ~~a~~ a pole barn in his back yard

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 size of the barn is to store my equipment, tools, material and my trucks. ~~or~~ ~~the~~ I own a general contracting business with no employees. I need a place to store everything. There will be no customers or employees at this location. I attached a layout to scale of reason for size. I need 12' walls so I can put in a 10' high door to fit a high top van and cargo trailer.
110" high

TESTS FOR GRANTING AREA VARIANCES (Continued)

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

The VARIANCE MAY BE SUBSTANTIAL DUE TO THE 160sq FT FOR SHED.

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

THE BARN WILL BE BUILT TO TRY AND BLEND IN AND LOOK APPEALING. OTHER THAN THE NEIGHBOR TO THE LEFT OF ME THERE IS NO DIRECT VIEW.

- **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?

IT IS SELF CREATED BUT IN 2014 WHEN WE LOOKED AT THE HOUSE TO PURCHASE MY WIFE HAD CALLED THE TOWN TO INQUIRE ABOUT BUILDING A BARN IN FUTURE. SHE WAS TOLD DUE TO SIZE OF LOT AND NEIGHBOR A COUPLE HOUSES AWAY, HE DID NOT SEE ANY ISSUE WITH THE SIZE.

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

Todd Brockman

(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)

Todd Brockman

(Signature of Applicant)

4-1-24

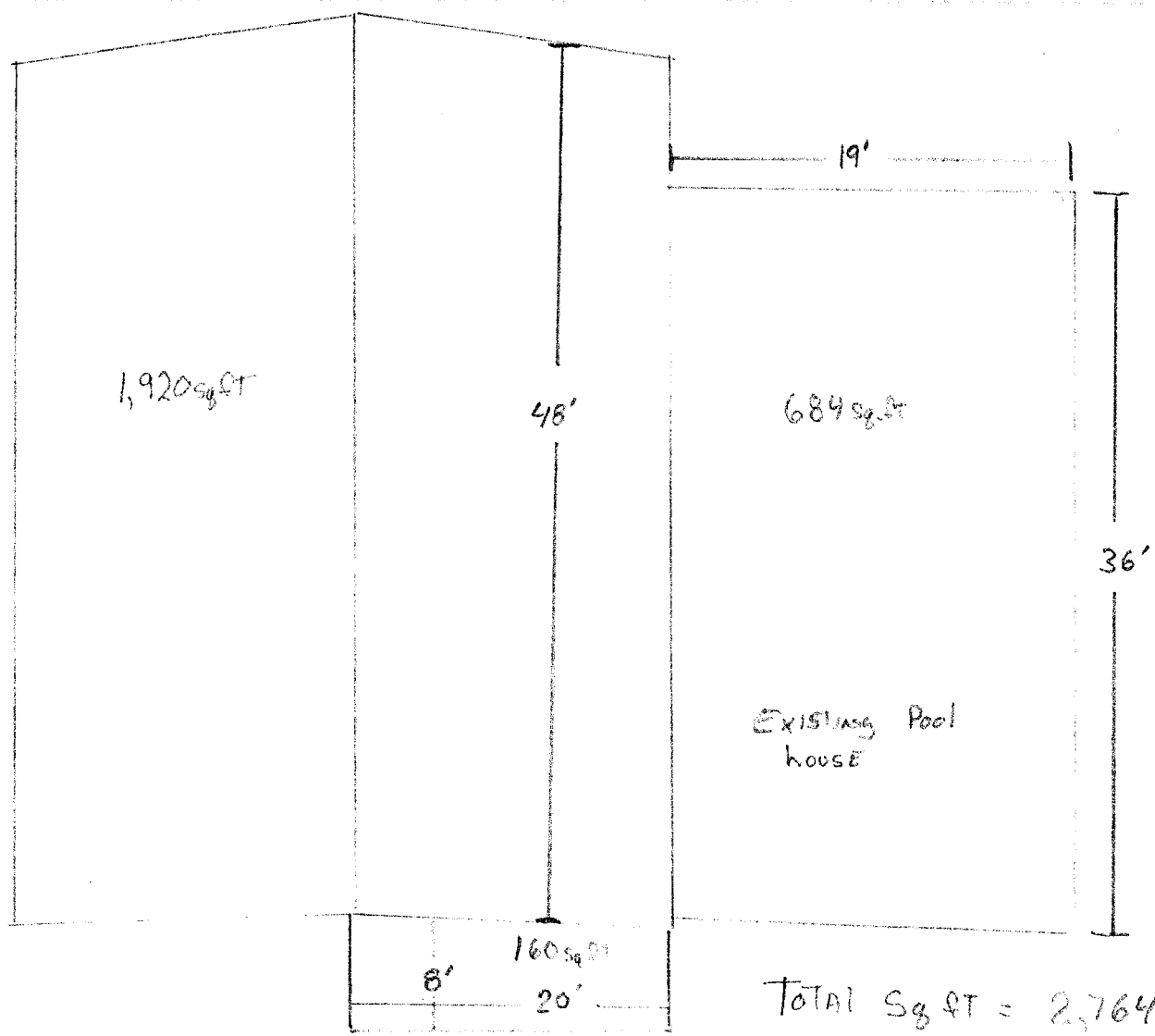
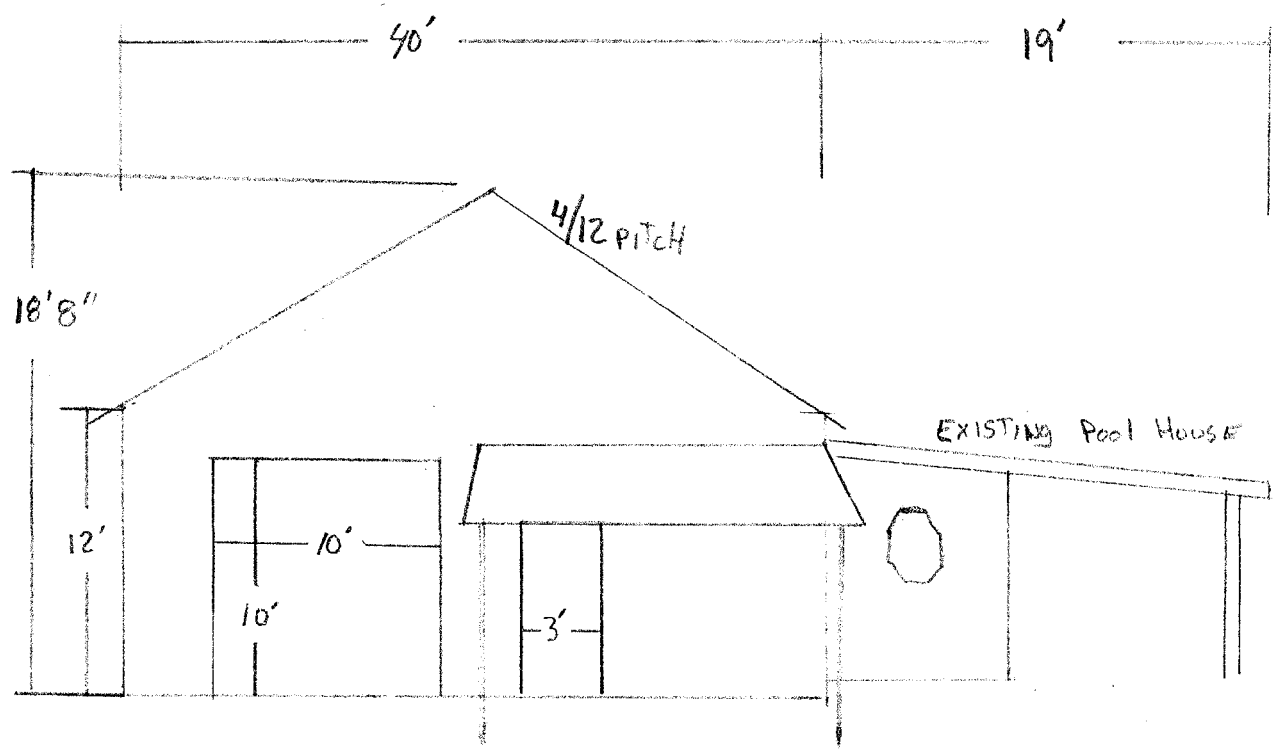
(Dated)

40 Van Vorhis Rd

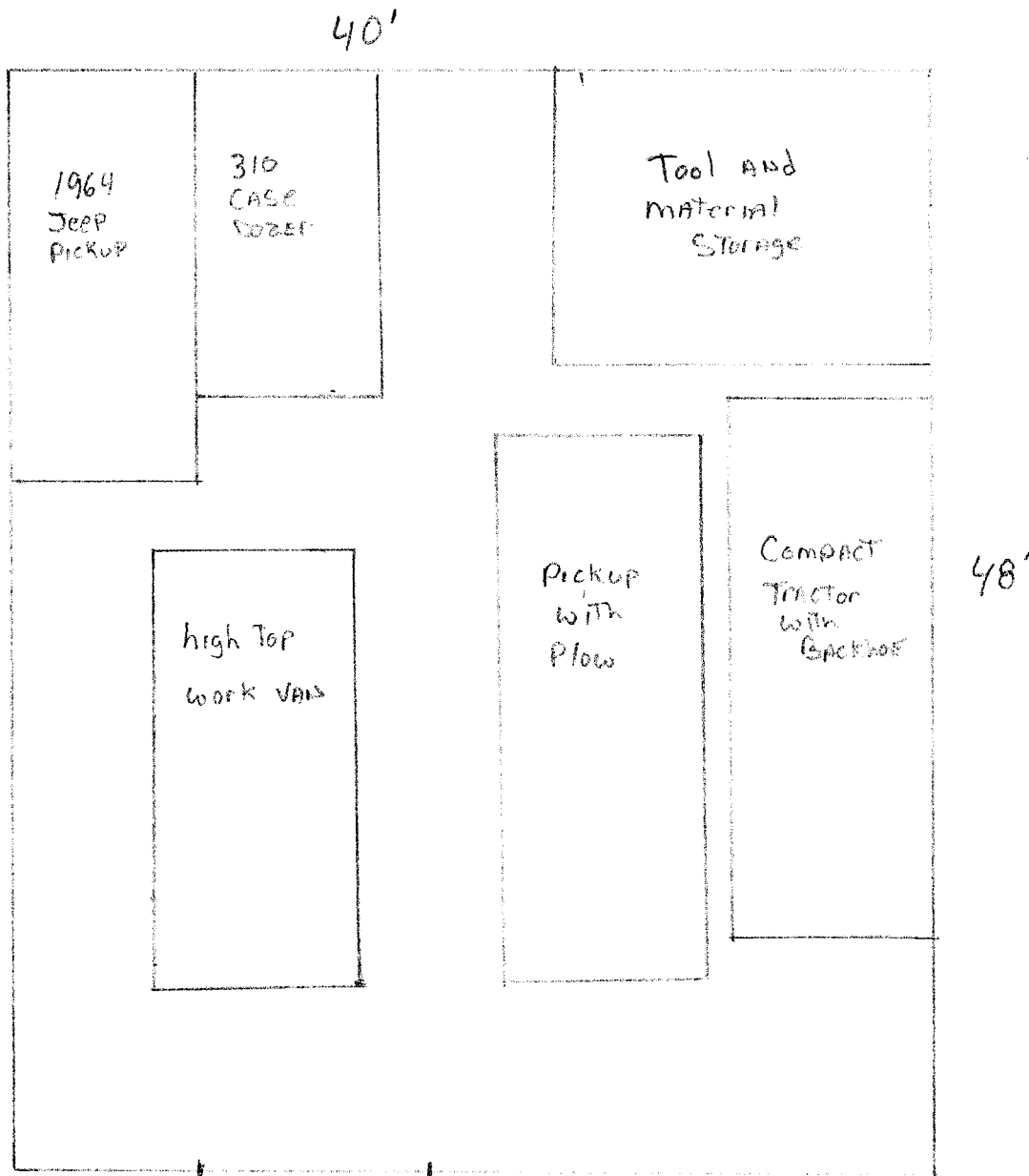
(Street Address)

Pittsford NY 14534

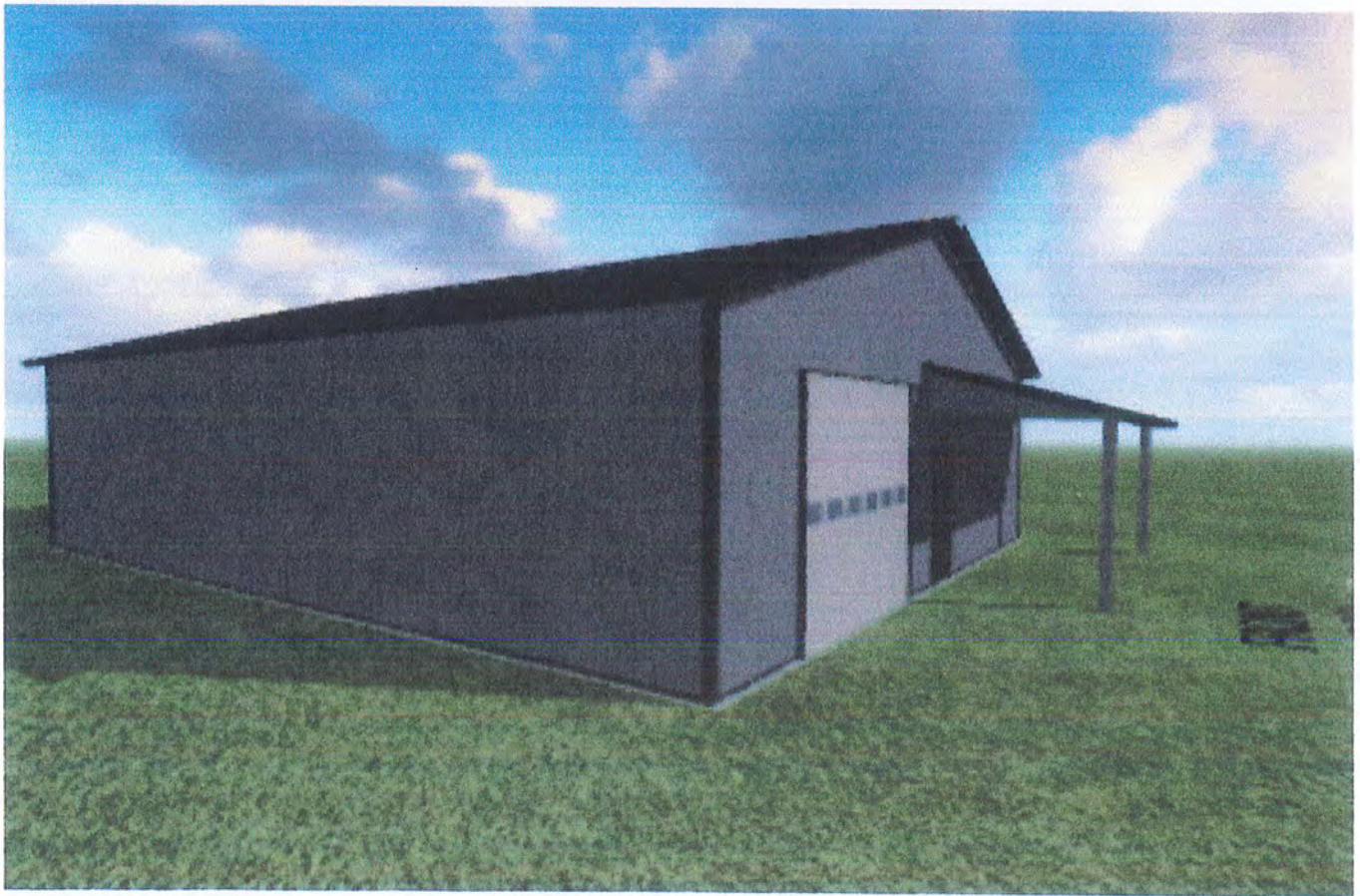
(City/Town, State, Zip Code)



LAYOUT

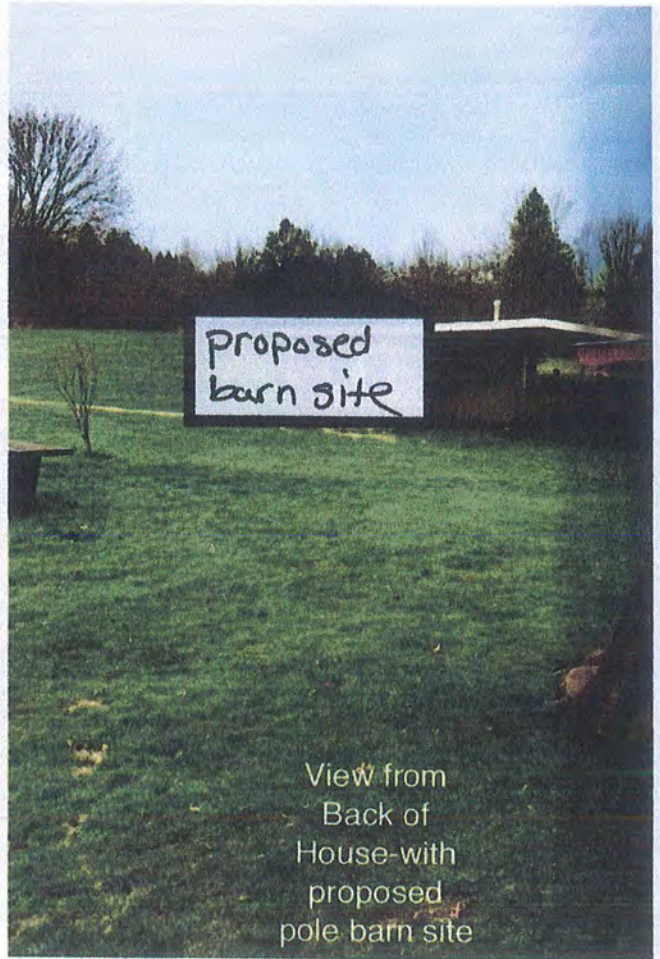


$\frac{1}{8}'' = 1'$
SCALE



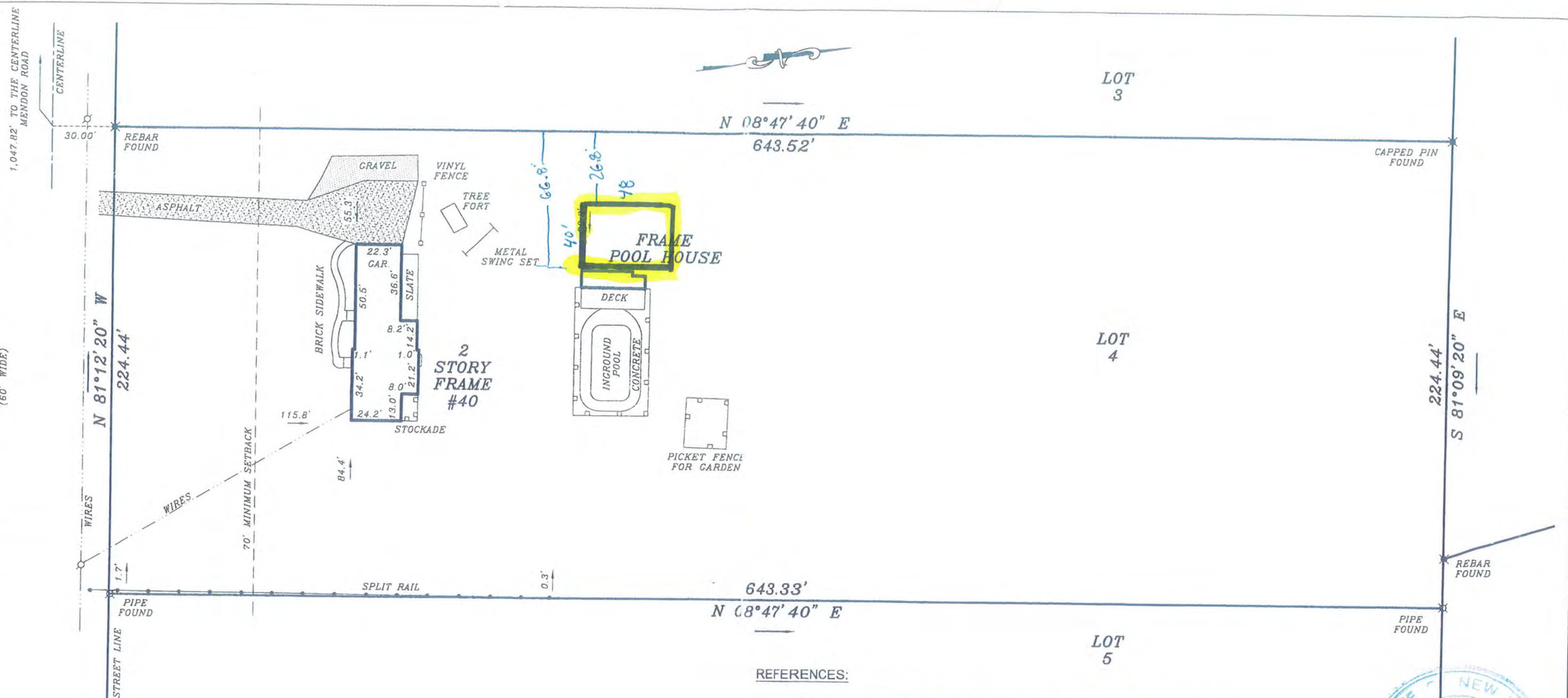


View from
Street



View from
Back of
House-with
proposed
pole barn site

VAN VOORHIS ROAD
(60' WIDE)



NOTES:

PARCEL IS SUBJECT TO AN EASEMENT GRANTED TO ROCH. GAS & ELEC. CORP. AND ROCH. TELEPHONE CORP. FOR FIXTURES AS SET FORTH IN LIBER 2308 OF DEEDS, PAGE 331.

PARCEL TAX ID #192.02-1-1

WE, O'NEILL-RODAK LAND SURVEYING ASSOCIATES, P.C., CERTIFY TO FAIRPORT SAVINGS BANK, ITS SUCCESSORS AND/OR ASSIGNS; MICHAEL SANTARIELLO, ESQ.; THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE; DAVID R. MURCH, ESQ.; PAUL F. BENDER, ESQ.; MARY-LYNN BENDER; RAYMOND J. BENDER; TODD A. BROCKMANN AND LENA K. BROCKMANN THAT THIS MAP WAS PREPARED FROM NOTES OF AN INSTRUMENT SURVEY COMPLETED APRIL 17, 2014.

Thomas A. Rodak
THOMAS A. RODAK, P.L.S. #050246

REFERENCES:

CHICAGO TITLE INSURANCE COMPANY #1416-00387 DATED MARCH 20, 2014
LIBER 9149 OF DEEDS, PAGE 537
LIBER 175 OF MAPS, PAGE 31

O'NEILL-RODAK
LAND SURVEYING ASSOCIATES, P.C.

LAND SURVEYORS - PLANNERS
BOUNDARY CONSULTANTS
FLOOD ZONE DETERMINATIONS
ALTA/ACSM SURVEYS

5 SOUTH FITZHUGH STREET
ROCHESTER, NY
14614

PHONE (585) 325-7520 FAX (585) 325-1708
e-mail oneillrodak@frontiernet.net

MAP OF A SURVEY		
LOT 4		
DEERFIELD SUBDIVISION, SECTION 1		
TOWN OF PITTSFORD		
MONROE COUNTY, NEW YORK		
CLIENT	PAUL F. BENDER, ESQ.	
SCALE	DATE	PROJECT NO.
1" = 50'	04/18/2014	2014-0304



May 8, 2024

To whom it may Concern, Town of Pittsford Board Members:

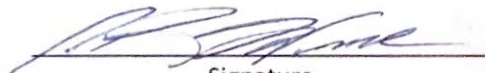
We live at 30 Van Voorhis Rd, Pittsford, NY 14534. We wanted to express the fact that we do not have any issues with our neighbors at 40 Van Voorhis Rd, Pittsford, NY 14534, Todd and Lena Brockmann, building a pole barn on their property.

We understand that they are requesting to build a barn that is 40' x 48'-50' with 12' walls and a peak of approximately 18'-20'. This will be built on our side of their property next to their pool house that is currently there. We do not have any issues with the proposed size, square footage or location of the structure given that our properties are both approximately 3 acres each.

Please consider this letter of acceptance from us to approve their plans and permit for the size of the proposed barn that they would like to build.


Sincerely,

Josh Harmon


Signature

5/8/24
Date

Buraq Amin


Signature

5-8-24
Date

May 4, 2024

Town of Pittsford Zoning Board of Appeals

11 S. Main Street

Pittsford, NY 14534

Subject: Support for the Area Variance Application by Todd and Lena Brockmann

Dear Members of the Zoning Board of Appeals,

We are Erin and Oliver Masaba, residing at 50 Van Voorhis Rd, Pittsford, NY 14534. We write to express our full support for the application for area variance submitted by our neighbors, Todd and Lena Brockmann, of 40 Van Voorhis Rd.

The Brockmanns have proposed the construction of a new structure, approximately 40 feet by 50 feet in size with 12-foot walls, and a peak height of 19-20 feet. This structure is intended to be attached to their existing pool house and is designed to be situated behind their home, thereby minimizing visibility from the road.

We believe this addition will not only enhance the value and enjoyment of their property but also maintain the aesthetic integrity of our neighborhood. The design and location have been thoughtfully chosen to ensure that it does not disrupt the existing character and appearance of the area. The structure will be largely obscured from view by a row of tall trees between our properties and given the setback of our home compared to theirs, it poses no detriment to our property or view.

As such, we see no undesirable change to the neighborhood character nor any detriment to nearby properties. We respectfully ask that you consider and approve the Brockmanns' application, recognizing the careful consideration they have given to community standards and neighborly perspectives.

Thank you for considering our views on this matter. We trust that our support will be helpful in your decision-making process.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is more fluid and cursive, while the one on the right is more structured and blocky. Both appear to be the names of the signatories, Erin and Oliver Masaba.

Erin Masaba & Oliver Masaba

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
MAY 20, 2024**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on May 20, 2024 at 6:30PM local time. The meeting took place in the Lower-Level Meeting Room of Pittsford Town Hall, 11 S. Main Street.

PRESENT: George Dounce, Mary Ellen Spennacchio-Wagner, Jim Pergolizzi, Barbara Servé, Phil Castleberry, Jennifer Iacobucci

ABSENT: Tom Kidera

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

ATTENDANCE: There were 15 members of the public present.

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

NEW PUBLIC HEARINGS:

33 Merryhill Lane – Tax ID 163.16-2-21

Applicant is requesting relief from Town Code Sections 185-113 B. (1) and (3) for the construction of a 220 square-foot oversized pool house forward of the rear wall of the main structure. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Nick Shotwell, of 33 Merryhill Lane, introduced his application. He stated that the pool house will be partially enclosed for storage and partially unenclosed for a shaded patio. Chairman Dounce asked if additional landscaping is proposed to hide the pool house. Mr. Shotwell confirmed that the existing tree line will be extended to shield the pool house from view of Merryhill Lane. Chairman Dounce asked if the applicant heard of any neighbor opposition. Mr. Shotwell stated that he contacted his only immediate neighbor, and no opposition was expressed. Chairman Dounce asked the applicant when he plans to complete construction. Mr. Shotwell stated that the contractor plans to begin in the fall.

Chairman Dounce asked for public comment. Hearing none, Board Member Spennacchio-Wagner motioned to close the public hearing, seconded by Board Member Iacobucci, none opposed.

A written resolution to grant the area variance for 33 Merryhill Lane was moved by Vice Chairperson Servé, seconded by Chairman Dounce. The resolution was unanimously approved.

11 Pin Hook Lane – Tax ID 150.15-2-38

Applicant is requesting relief from Town Code Section 185-113 B. (3) for the construction of a deck forward of the rear wall of the main structure. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Kevin Fiore, on behalf of Kim Salvato, of 11 Pin Hook Lane, introduced the application. The applicant is requesting to construct a deck to cover the existing concrete patio on the side of the house.

Chairman Dounce asked the applicant when he plans to complete construction. Mr. Fiore stated that the contractor will start as soon as possible. Chairman Dounce noted that he spoke with a neighbor on site and no opposition was heard. Board Member Iacobucci thanked the applicant for spray painting the grass where the deck will be placed, as it provided a helpful visual.

Chairman Dounce asked for public comment. Hearing none, Board Member

Castleberry motioned to close the public hearing, seconded by Chairman Dounce, none opposed.

A written resolution to grant the area variance for 11 Pin Hook Lane was moved by Board Member Spennacchio-Wagner, seconded by Vice Chairperson Servé. The resolution was unanimously approved.

94 Coventry Ridge – Tax ID 177.04-3-49

Applicant is requesting relief from Town Code Section 185-113 B. (1) for the construction of a 351 square-foot oversized pool house. This property is zoned Incentive Zoning (IZ).

Chairman Dounce opened the public hearing.

Nate Esh, of Keystone Custom Decks, introduced the application. He stated that the pool house will be partially enclosed for storage and partially unenclosed for a shaded patio. Chairman Dounce asked the applicant when he plans to complete construction. Mr. Esh stated that construction is anticipated for late July. Board Member Spennacchio-Wagner thanked the applicant for using existing patio space as an area to place the shed. Board Member Iacobucci noted that the requested size is nearly twice the size allowed by code which is a significant variance. She asked if the applicant spoke to his neighbors. Phil Gurbaki, of 94 Coventry Ridge, stated that he spoke with neighbors and no opposition was heard. Board Member Iacobucci asked if the land behind this property could be developed in the future. Ms. Zurowski confirmed this land is open space and is not to be developed.

Chairman Dounce asked for public comment. Hearing none, Vice Chairperson

Servé motioned to close the public hearing, seconded by Board Member Iacobucci, none opposed.

A written resolution to grant the area variance for 94 Coventry Ridge was moved by Chairman Dounce, seconded by Board Member Iacobucci. The resolution was unanimously approved.

39 Knollwood Drive – Tax ID 138.13-1-9

Applicant is requesting relief from Town Code Section 185-17 E. for the installation of a freestanding air-conditioner within the side setback and not meeting the total side setback requirements. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Jack Sigrist, as architect for the project, introduced the application. The applicant is proposing to install one new AC unit behind the existing AC unit on the south side of the home. He stated that the plans submitted show a second AC unit on the north side of the home, which has been moved in front of the home. Ms. Zurowski stated that this inconsistency was discovered on Friday and the applicant

was notified that a new area variance application will be required for placement of an AC unit in front of the front wall of the home.

Chairman Dounce asked for public comment. Hearing none, Board Member Pergolizzi motioned to close the public hearing, seconded by Board Member Castleberry, none opposed.

A written resolution to grant the area variance for 39 Knollwood Drive was moved by Chairman Dounce, seconded by Board Member Pergolizzi. The resolution was unanimously approved.

259 Tobey Road – Tax ID 164.17-1-1.2

Applicant is requesting relief from Town Code Section 185-121 A. for the installation of a 4-foot-tall fence in front of a front setback. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Rohit Gupta, of 259 Tobey Road, introduced his application. He stated that his property is a flag lot, and the fence is proposed for the front yard. He spoke with the neighbor in front of the property and no opposition was heard. Vice Chairperson Servé asked why this fence is requested, as the backyard is already fenced in. Mr. Gupta stated that the backyard is hilly and that he would like a flat area for his kids and pets to play. Vice Chairperson Servé asked if the split-rail wooden fence will be removed. Mr. Gupta stated that it will not be removed. Chairman Dounce asked the applicant when he plans to complete construction. Mr. Rohit anticipates fence installation this summer.

Chairman Dounce asked for public comment. Hearing none, Board Member Iacobucci motioned to close the public hearing, seconded by Vice Chairperson Servé, none opposed.

A written resolution to grant the area variance for 259 Tobey Road was moved by Board Member Castleberry, seconded by Board Member Spennacchio-Wagner. The resolution was unanimously approved.

44 Saddle Brook – Tax ID 164.03-1-62

Applicant is requesting relief from Town Code Section 185-120 A. for the construction of a shed within the front setback on Mendon Center Road. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Riley Wheaton, of 44 Saddle Brook, introduced his application. His property is located between two road frontages, and he is looking to place a shed within the front setback on Mendon Center Road.

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

A written resolution to grant the area variance for 44 Saddle Brook was moved by Board Member Pergolizzi, seconded by Board Member Castleberry. The resolution was unanimously approved.

2490 Lehigh Station Road – Tax ID 177.01-2-8.11

Applicant is requesting relief from Town Code Section 185-121 A. for the installation of a 4.5-foot-tall fence in front of front setbacks. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Kody Young, of 2490 Lehigh Station Road, introduced his application. His property has three road frontages, and he is requesting installation of a fence to create a safe area for his family to enjoy the yard. He recently subdivided his property and has spoken with all future neighbors. No opposition was heard. Chairman Dounce asked the applicant when he plans to complete construction. Mr. Young anticipates fence installation within two months. PC close, MS second.

Chairman Dounce asked for public comment. Hearing none, Board Member Castleberry motioned to close the public hearing, seconded by Board Member Spennacchio-Wagner, none opposed.

A written resolution to grant the area variance for 2490 Lehigh Station Road was moved by Board Member Iacobucci, seconded by Board Member Spennachio-Wagner. The resolution was unanimously approved.

OTHER DISCUSSION:

Chairman Dounce motioned to approve the minutes of April 15, 2024. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman George Dounce closed the meeting at 7:34PM.

Respectfully submitted,

April Zurowski
Planning Assistant

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