

APPROVED MINUTES 112023

**TOWN OF PITTSFORD
ZONING BOARD OF APPEALS
NOVEMBER 20, 2023**

Minutes of the Town of Pittsford Zoning Board of Appeals meeting held on November 20, 2023 at 7:00PM 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, Jennifer Iacobucci, Jim Pergolizzi, Tom Kidera, Barbara Servé

ABSENT: Phil Castleberry

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

ATTENDANCE: There were 16 members of the public present.

Chairman George Dounce called the meeting to order at 7:00PM.

RETURNING PUBLIC HEARINGS:

20 Bromley Road – Tax ID 178.06-2-30

Applicant is requesting relief from Town Code Section 185-17 E. for the construction of a garage addition and covered rear patio within the side setback. This property is zoned Residential Neighborhood (RN).

Chairman Dounce stated that this is an open public hearing from October.

Josh Consler, of 20 Bromley Road, reintroduced the application. He stated that he met with the most affected neighbors, the Bradley's, and they were satisfied with the revised variance request of 0.7 feet. Mr. Consler stated that he and the neighbors will work out landscaping details during construction. He anticipates construction in the spring of 2024.

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

A written resolution to grant the area variance for 20 Bromley Road was moved by Chairman Dounce, seconded by Board Member Spennacchio-Wagner. The resolution was unanimously approved.

24 Whitestone Lane – Tax ID 137.20-2-33

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

Chairman Dounce stated that this is an open public hearing from October.

Dave Crowe, of HB Cornerstone, and Lindsey Loosen, of 24 Whitestone Lane, reintroduced the application. The applicant and Town have determined this project will not exceed the maximum impervious coverage allowed by Town Code.

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

A written resolution to grant the area variance for 24 Whitestone Lane was moved by Board Member Pergolizzi, seconded by Chairman Dounce. The resolution was unanimously approved.

NEW PUBLIC HEARINGS:

800 Allens Creek Road – Tax ID 138.13-1-41

Applicant is requesting relief from Town Code Section 185-17 E. for the construction of an attached shed within the side setback. This property is zoned Residential Neighborhood (RN).

Chairman Dounce opened the public hearing.

Brandon DiCesare, of 800 Allens Creek Road, introduced the application. He stated that he began construction and was stopped by a Town Building Inspector. He has not discussed with neighbors but has heard no concerns. Chairman Dounce asked for an estimated timeline for construction. Mr. DiCesare plans to complete construction as soon as possible.

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

A written resolution to grant the area variance for 800 Allens Creek Road was moved by Board Member Spennacchio-Wagner, seconded by Board Member Kidera. The resolution was unanimously approved.

9 Vincent Drive – Tax ID 164.16-1-54

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

Chairman Dounce opened the public hearing.

Kip Finley, of Victory Hill Land Company, introduced the application. Due to the location of the septic system and leach lines, there is no other feasible location for a bedroom addition. Chairman Dounce asked if neighbors were contacted. Mr. Finley stated that the applicants have not moved into the home yet, so they have not contacted neighbors. Board Member Spennacchio-Wagner contacted a neighbor, and they were not opposed. Chairman Dounce asked for an estimated timeline for construction. Mr. Finley anticipated construction in the spring of 2024.

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

A written resolution to grant the area variance for 9 Vincent Drive was moved by Board Member Kidera, seconded by Board Member Pergolizzi. The resolution was unanimously approved.

65 Alpine Drive – Tax ID 138.18-2-61

Applicant is requesting relief from Town Code Section 185-17 E. for the construction of an addition within the side setback. This property is zoned Residential Neighborhood (RN).

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Chairman Dounce opened the public hearing.

Paul Morabito, of Morabito Architects, and Adam Smith, of 65 Alpine Drive, introduced the application. Chairman Dounce asked for an estimated timeline for construction. Mr. Smith plans to complete construction as soon as possible. Chairman Dounce stated that the Board received a letter from the most affected neighbor regarding a tree. Board Member Pergolizzi asked if the tree would be removed. Mr. Smith stated that it is not guaranteed.

Mitch Bessette, of 75 Alpine Drive, asked if the applicant considered an 11-foot garage bay addition to avoid the variance request. Vice Chairwoman Servé stated that a 12-foot bay is requested to aesthetically match the other two existing garage bays. Mr. Smith confirmed. Michelle Bessette, of 75 Alpine Drive, stated she has no opposition to a three-car garage. She is concerned about the tree and its removal. Ms. Zurowski stated that the application and hearing is for the addition, not the tree. Tree concerns should be discussed between neighbors but are not connected to this variance request. Mr. Smith stated that the tree will be assessed during construction.

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

A written resolution to grant the area variance for 65 Alpine Drive was moved by Vice Chairwoman Servé, seconded by Chairman Dounce. The resolution was unanimously approved.

25 Greylock Ridge – Tax ID 164.15-2-12

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).

Chairman Dounce opened the public hearing.

Frank Sudore, contractor for the project, introduced the application. He stated that the original submission included a total of three variance requests, two for a deck in the side and rear setbacks and one for an oversized pergola. Since submission, neighbor opposition has been discussed and the two variances to accommodate the deck have been withdrawn. The applicant is now requesting one variance for an oversized pergola. Chairman Dounce asked for an estimated timeline for construction. Mr. Sudore plans for construction in spring 2024. Vice Chairwoman Servé thanked the applicant for working out concerns with their neighbor. Board Member Iacobucci thanked the applicant and neighbors for their efforts.

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

A written resolution to grant the area variance for 25 Greylock Ridge was moved by Board Member Iacobucci, seconded by Board Member Spennacchio-Wagner. The resolution was unanimously approved.

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OTHER DISCUSSION:

Chairman Dounce motioned to approve the minutes of October 16, 2023, as submitted. Following a unanimous voice vote, the minutes were approved, none opposed.

Chairman George Dounce closed the meeting at 8:11PM.

Respectfully submitted,

April Zurowski
Planning Assistant

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

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

RE: 20 Bromley Road

**Tax Parcel: 178.06-2-30
Applicant: Josh & Jenny Consler
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 E. to allow a garage addition and covered rear patio 9.3 feet from the south lot line where 10 feet is required by code, at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on October 16, 2023, and continued through November 20, 2023, at which time it was closed, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(16) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

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

FINDINGS OF FACT

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

The proposed variance will result in no undesirable change in the neighborhood or create a detriment to nearby properties. The proposal for a three-car garage is uncommon for the neighborhood but is not atypical for the Town. The change will allow the removal of a large storage trailer adjacent to the garage and will increase needed covered space behind the garage for outdoor activities. The applicant has reduced the original request from 2.7 feet to 9 inches.

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

The benefit sought by the applicant cannot be achieved by other feasible means. The existing garage has insufficient space for the storage requirements of the applicants. There are four passenger cars, a classic sports car, and 8 motorcycles currently located at the premises and the adjacent container is needed for motorcycle storage. The proposed garage addition is the best way to remove the container. The additional covered space behind the garage will replace and extend the existing deteriorated covered patio/deck to allow more three-season activities outdoors.

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

The request for a 0.7-foot variance (7%) is not considered substantial and is mitigated by the front roofline being lower than the existing garage roofline and the side gable over the deck area.

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

The requested variance will have no impact on the physical and/or environmental conditions in the neighborhood.

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

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the relatively lower rooflines and lack of neighborhood opposition, so the variance is not precluded.

CONDITIONS OF APPROVAL

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

1. This variance is granted only for the plans submitted and prepared by the applicant revised November 17, 2023, and attached hereto as Exhibit A.
2. All construction of the garage addition and covered patio must be completed by December 31, 2023. The trailer must be removed by the completion of the project.

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

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

The Zoning Board of Appeals adopted the above resolution on November 20, 2023.

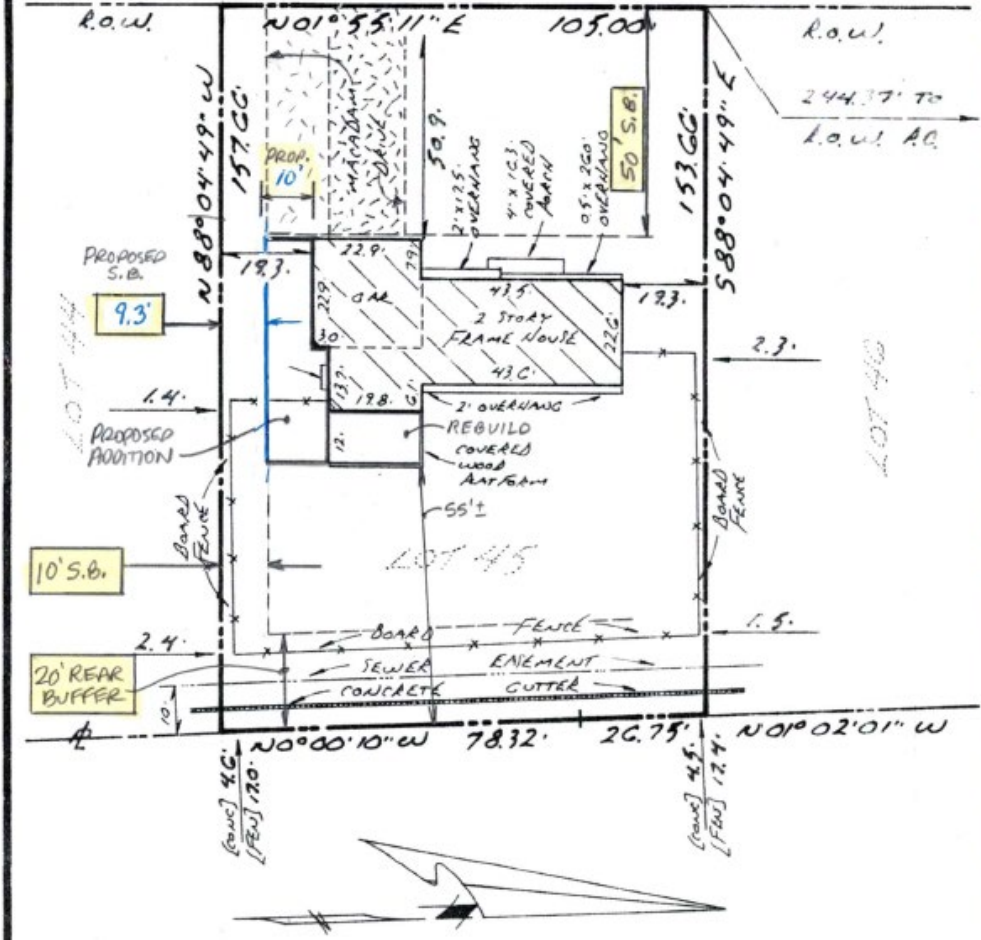
April Zurowski
Planning Assistant

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

Revised 11/17/2023

Kip Finley, PE
 Victory Hill Land Company
 868 Winslow Road
 Churchville, NY 14428

(585) 451-6538
 kip.finley@gmail.com



FRONT SB WILL REMAIN @ 50.9'

SOUTH SB IS PROPOSED @ 25' 9.3'

AREA VARIABLE REQUIRED FOR 0.12 A.C. (27% REDUCTION) 7%

COMBINED PROPOSED SB = 25' + 9.3' = 34.3' > 25'

REAR SB WILL REMAIN @ ≥ 55'

PROPOSED LOT COVERAGE

- EXIST. PAV'T = 1647 ♂
- EXIST. HOUSE = 2146 ♂
- PROP. ADDITION = 644 ♂ 552 ♂
- PROP. PAV'T. = 200 ♂ 0

4642 ♂ 4,345 ♂

10,275 ♂ LOT

= 28.5% < 40%

26.7% MAX.

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

RE: 24 Whitestone Lane

**Tax Parcel: 137.20-2-33
Applicant: Lindsey and Sean Loosen
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant to the above applicant relief from Town Code Section 185-113 B. (1) and (2) to allow for the construction of an oversized pavilion (450 sqft where 180 is permitted by code) with an over-height chimney (14' where 12' is permitted by code) at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on October 16, 2023, and continued through November 20, 2023, at which time it was closed, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(12) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

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

FINDINGS OF FACT

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

The construction of an oversized pavilion with an over-height chimney will not produce an undesirable change in the neighborhood or detriment to nearby properties. The proposed structure will be part of an expanded outdoor living space and is consistent with the aesthetics and improvements in the neighborhood. It has been designed to create as open and transparent a structure as possible. Several neighbors wrote letters of support for the project, including the most affected neighbor at 22 Whitestone Ln.

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

The benefit sought by the applicant cannot be achieved by other feasible means. The pavilion would not serve its intended purpose as an outdoor living space, rain or shine, for the applicants' family of six without the requested variances.

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

The requested size variance is substantial (150%) but mitigated by the open design of the pavilion and its location in the rear of the backyard, far from view from the street. The requested height variance (17%) is not substantial.

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

The requested variance will not have an adverse impact on the physical or environmental conditions in the neighborhood. All drainage will be properly captured and directed, and landscaping will be added to enhance the view from neighboring properties. The construction of the proposed backyard project will result in 38% impervious coverage.

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

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision.
2. The need for the requested variance is self-created but does not preclude granting of the variance and is mitigated by the location of the pavilion away from adjacent streets.

CONDITIONS OF APPROVAL

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

1. This variance is granted only for the plans submitted and prepared by the Applicant dated September 15, 2023, and attached hereto as Exhibit A.
2. All construction of the pavilion is to be completed by December 31, 2025.

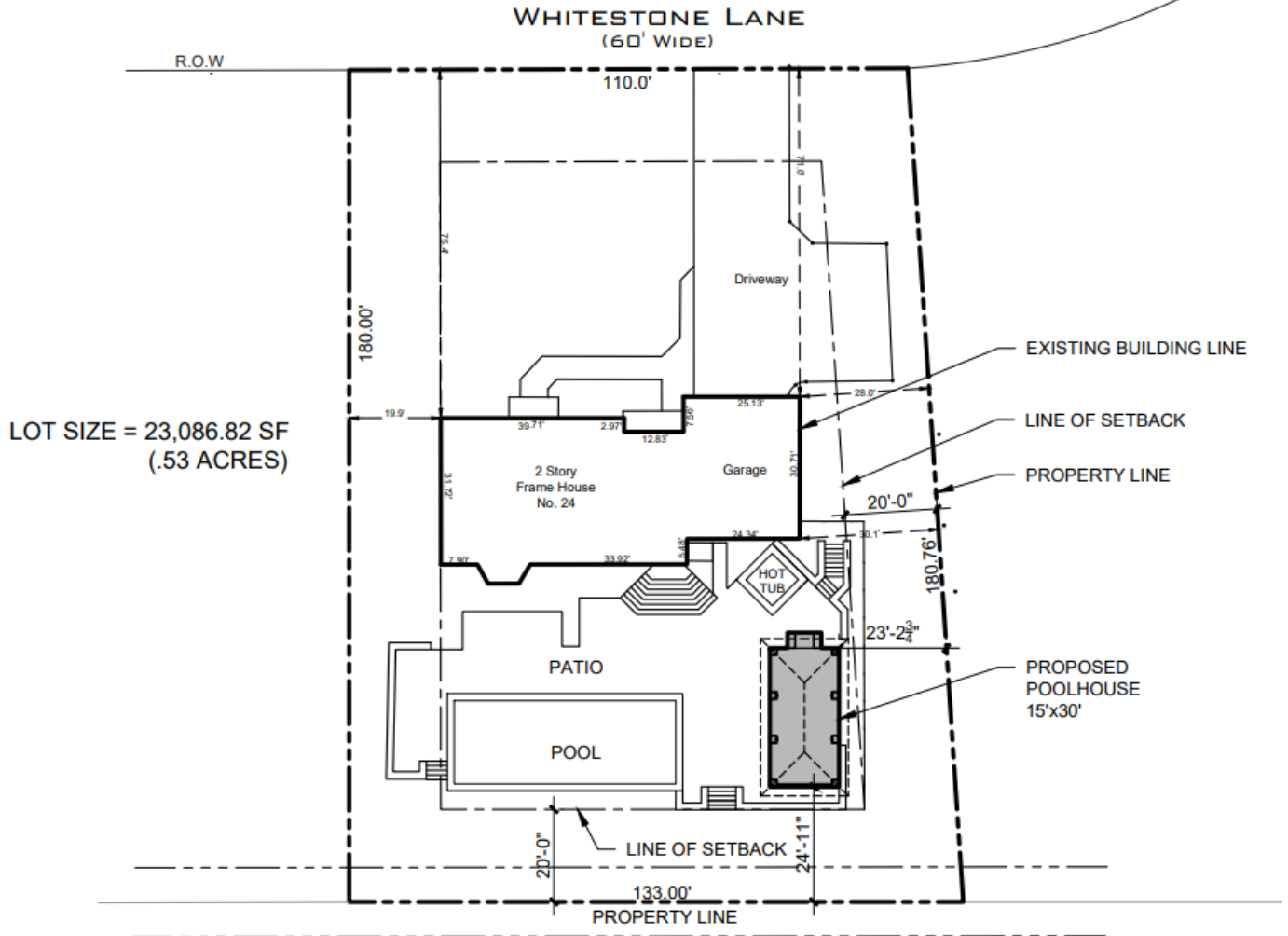
The within Resolution was moved by Zoning Board of Appeals Member James Pergolizzi, seconded by Chairman George Dounce, and voted upon by the Board, as follows:

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

The Zoning Board of Appeals adopted the above resolution on November 20, 2023.

April Zurowski
Planning Assistant

EXHIBIT A



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

RE: 800 Allens Creek Rd

**Tax Parcel: 138.13-1-41
Applicant: Brandon DiCesare
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 E. to allow for the construction of an attached shed within the side setback by 0.6 feet, resulting 9.4 feet from the property line where 10 feet is required by code, at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on November 20, 2023 and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(16) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

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

FINDINGS OF FACT

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

The storage shed will not produce an undesirable change or detriment to the neighborhood. There are other accessory structures in this neighborhood. There is no opposition from the most affected neighbors to this project.

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

The applicant represents a family of 6. The 2-car garage is used for vehicles. There is a need for reliable storage space for lawn and garden equipment/furniture, athletic gear, and bicycles. The attached shed is currently being constructed at the location. The site is conducive to easy access for the homeowners. The owners intend to landscape the front of the shed to minimize the view from the street. The siding will match the house. Therefore, the benefits of increasing storage provided by the attached shed at the location cannot be achieved without the granting of the requested variance.

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

The applicant is requesting to construct the attached shed 9.4' from the property line where Pittsford Town Code requires a 10' side setback. This necessitates a 0.6' right setback variance (6%). This is not considered a substantial variance.

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

The variance will have no adverse effect or impact on the physical or environmental conditions in the neighborhood.

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

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the practical need for additional storage.

CONDITIONS OF APPROVAL

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

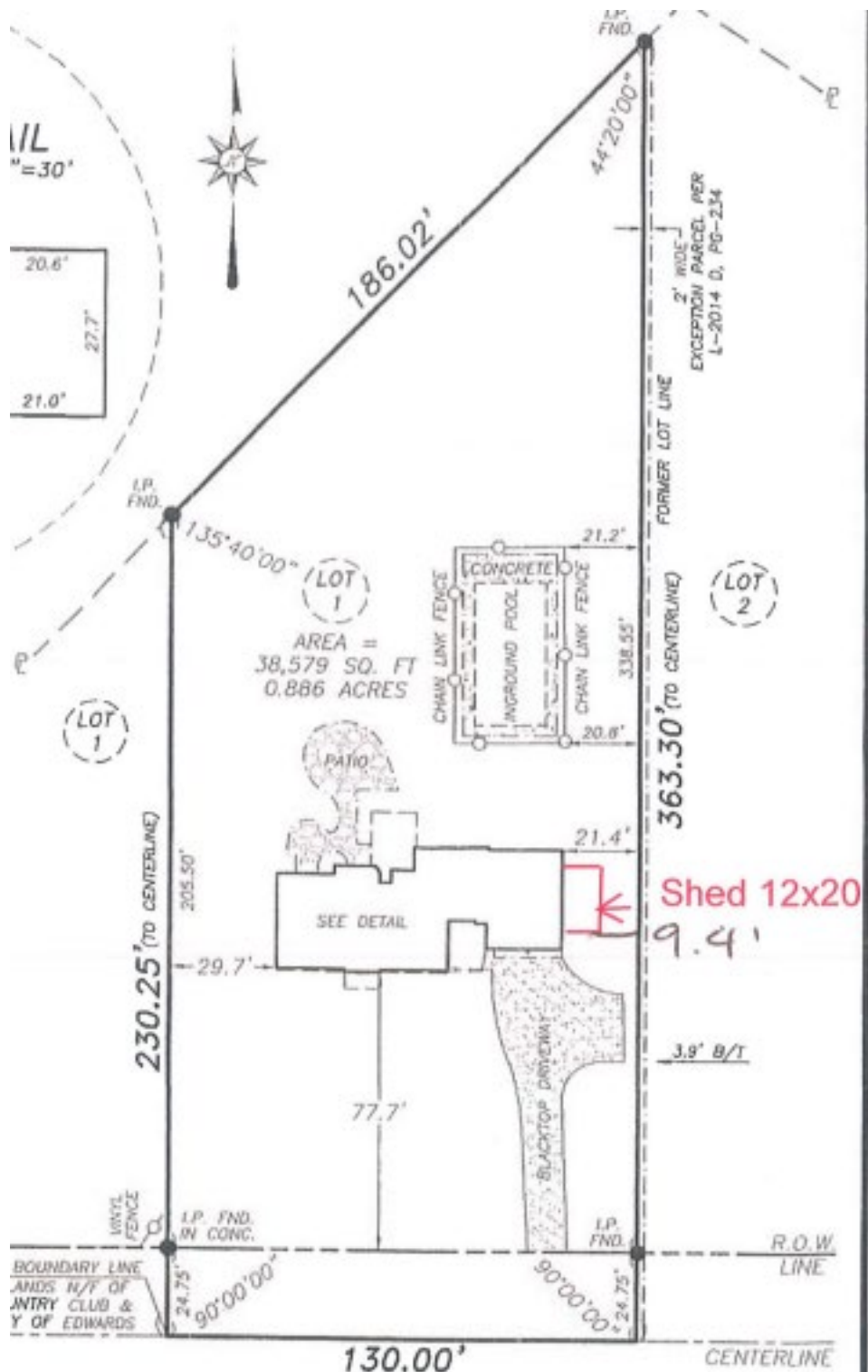
1. This variance is granted only for the attached plans submitted and prepared by the applicant dated September 21, 2023, and attached hereto as Exhibit A.
2. All construction of the attached shed must be completed by December 31, 2025.

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

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

The Zoning Board of Appeals adopted the above resolution on November 20, 2023.

April Zurowski
Planning Assistant



ANY
 ORS AND/OR ASSIGNS
ALLENS CREEK ROAD
 (49.5' WIDE R.O.W.)

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

RE: 9 Vincent Drive

**Tax Parcel: 164.16-1-54
Applicant: Donald and Judith Cornwell
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 B. (1) to allow for the construction of an addition and a covered porch 41.4 feet from the front property line where a 50-foot setback is required by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on November 20, 2023 and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(16) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

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

FINDINGS OF FACT

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

This variance will not create an undesirable change in the neighborhood or any detriment to nearby properties. The architectural design of these additions will be compatible with the existing ranch style of the house and the neighboring residences. Converting a front stoop into a more useful porch and extending the master bedroom will add value to this residence and to the neighborhood. The existing setback in the front yard will remain over 40 feet on this corner lot, with a 50-foot setback on the other front yard. These two setbacks will leave the large front and side lawns mostly intact and will greatly reduce any noticeable changes caused from this variance.

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

The benefit sought by the applicant cannot be achieved by other feasible means. The existing septic system is located on the rear and the north side of the house, which is the only alternative location for the additional bedroom space. Moving the septic system is an unreasonable and expensive option. The location of the current front door and stoop cannot be upgraded to a more useful porch without the requested variance either.

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

The requested 8.6-foot variance for both the front porch and the bedroom addition do represent a substantial variance from the 50-foot setback required by Code (17%).

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

The requested variance will not adversely impact the physical or environmental conditions in the neighborhood. This property is on a corner lot and the 50-foot setback on the other road frontage will remain as is. The remaining area of yard in the front, connected with the large side yard, leaves the appearance of the lawn mostly unchanged and is consistent with the size of neighboring yards. The ranch style design of this home, which is the predominant style in the neighborhood, will remain unchanged by this variance. The expected increase in value to this home, due to this variance, will also have a positive impact in the neighborhood.

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

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is justified by the location of the existing septic system which prohibits an alternative location for this addition, as well as the limited visual impact the variance has on the remaining sizeable side and front lawns, so the variance is not precluded.

CONDITIONS OF APPROVAL

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

1. This variance is granted only for the plans submitted and prepared by the applicant dated October 10, 2023, and attached hereto as Exhibit A.
2. All construction of the porch and bedroom additions must be completed by December 31, 2025.

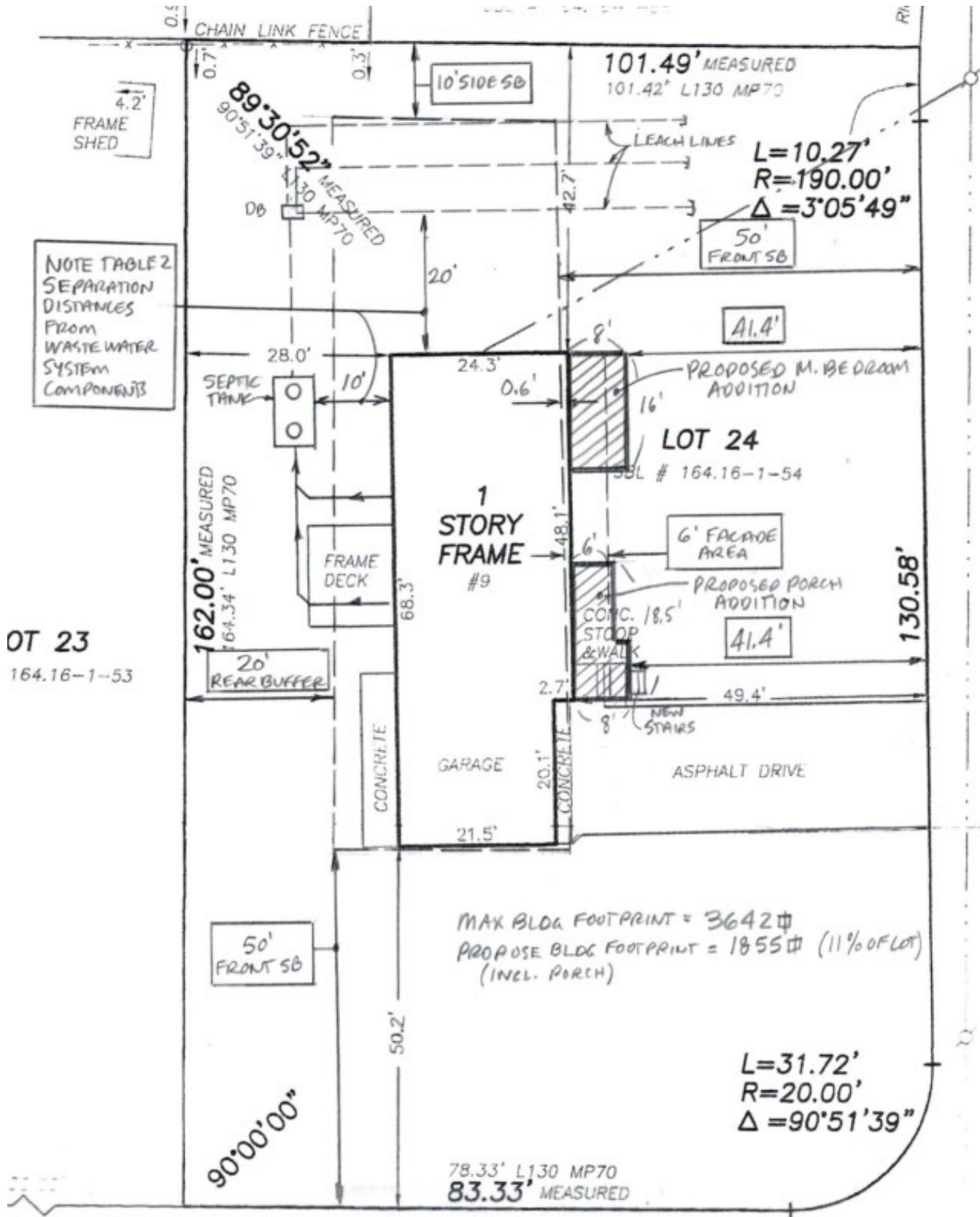
The within Resolution was moved by Zoning Board of Appeals Member Thomas Kidera, seconded by Board Member Jim Pergolizzi, and voted upon by the Board, as follows:

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

The Zoning Board of Appeals adopted the above resolution on November 20, 2023.

April Zurowski
Planning Assistant

EXHIBIT A



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

RE: 65 Alpine Drive

**Tax Parcel: 138.18-2-61
Applicant: Adam & Kate Smith
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-17 E. to allow a garage addition 9.1 feet from the left property line where 10 feet is required by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on November 20, 2023, and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(16) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

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

FINDINGS OF FACT

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

There will be no undesirable change produced in the neighborhood by the granting of this variance. The applicant is requesting a variance of less than 1 foot to allow a three-car garage addition on the east side of their present home.

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

The garage addition is achievable by other feasible means. The applicant could reduce their request for a 12-foot garage bay to a 10-foot garage bay and would not need a variance. The proposed addition to the rear of the home meets the 10-foot setback. Though this garage addition can be achieved by other feasible means, the two existing garage bays are 12-foot-wide, so the applicant's request for three aesthetically matching garage bays cannot be achieved without the granting of the requested variance.

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

The requested variance is not a substantial variance from code. The applicant is requesting a 0.9-foot variance (9%).

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

There will be no adverse impact on the physical and/or environmental conditions in the neighborhood by granting this variance.

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

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the practical need for additional garage storage and the minimal request, so the variance is not precluded.

CONDITIONS OF APPROVAL

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

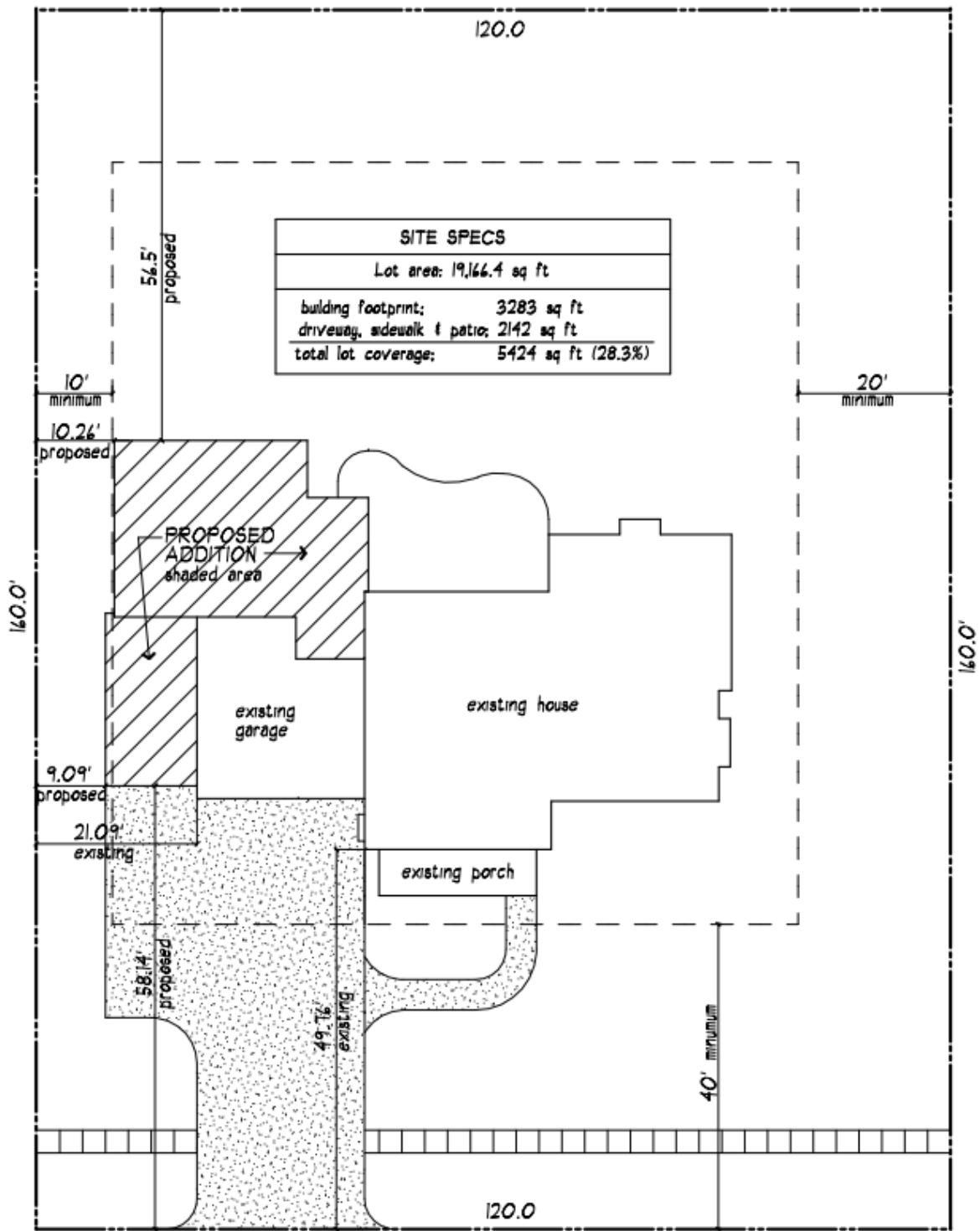
1. This variance is granted only for the plans submitted and prepared by the applicant dated October 24, 2023, and attached hereto as Exhibit A.
2. All construction of the garage addition must be completed by December 31, 2025.

The within Resolution was moved by Zoning Board of Appeals Member Barb Servé, seconded by Chairman George Dounce, and voted upon by the Board, as follows:

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

The Zoning Board of Appeals adopted the above resolution on November 20, 2023.

April Zurowski
Planning Assistant



SITE SPECS	
Lot area: 19,166.4 sq ft	
building footprint;	3283 sq ft
driveway, sidewalk & patio;	2142 sq ft
total lot coverage;	5424 sq ft (28.3%)



PLOT PLAN

SCALE: 1" = 20'-0"

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

RE: 25 Greylock Ridge

**Tax Parcel: 164.15-2-12
Applicant: Sandeep Krishnan
Zoned: Residential Neighborhood (RN)**

I move that the Town of Pittsford Zoning Board of Appeals grant the above applicant relief from Town Code Section 185-113 B. (1) to allow the construction of a 224 square-foot pergola where 180 square feet is maximum allowed by code at the above location and bearing the above tax parcel number. The within resolution follows a public hearing held on November 20, 2023 and review by the Board of all written and oral submissions, together with due deliberation and consideration.

This application is a Type II Action under 6-NYCRR §617.5(c)(12) and, therefore, is not subject to Environmental Review under SEQRA. This application is exempt from review by the Monroe County Planning Department based on an agreement with Monroe County dated October 7, 2008.

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

FINDINGS OF FACT

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

The requested variance will not produce an undesirable change in the character of the neighborhood. As a preliminary matter, this lot is a pie shaped lot bordered by several residences to the rear. The Town Zoning Code allows for up to a 180 square-foot accessory structure and the applicant is proposing a 224 square-foot structure, resulting in a variance request of 44 square feet. Despite the magnitude of the variance requested, the applicant has revised originally submitted plans to avoid two other variances in an attempt to bring the entire project more in line with the code. The size of the pergola will not create an undesirable change to the neighborhood or detriment to other properties. The neighbors at 3 Barnswallow Drive are not opposed.

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

The pergola could be made smaller, but it would not achieve the applicant's overall goal for outdoor entertaining space. As noted, the changes made to the initial plan have reduced the need for two other variances to accommodate neighbor requests.

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

The requested variance is a substantial variance from provisions of the Town Code (25%), but the substantial variance is mitigated by the fact that the lot borders few residences and sits well above the grade of the properties to the rear.

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

The requested variance will not have an adverse effect on the physical or environmental conditions of this neighborhood. The pergola will be visible from few houses but is only 44 square-feet larger than one permitted by the code without a variance.

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

1. The Board understands that, under New York State Town Law Section 267-b (3)(b), the issue of self-created hardship is relevant to the Board's decision, but shall not, necessarily preclude the granting of a requested variance.
2. The need for this variance is self-created but is mitigated by the existing foliage and pie-shaped nature of the property, so the variance is not precluded.

CONDITIONS OF APPROVAL

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

1. This variance is granted only for the plans submitted and revised by the applicant dated November 8, 2023, attached hereto as Exhibit A.
2. All construction of the pergola must be completed by December 31, 2025.

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

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

The Zoning Board of Appeals adopted the above resolution on November 20, 2023.

April Zurowski
Planning Assistant

Revised
11.8.23

Sandeep; Shyla Krishnan
25 Graylock Ridge
Pittsford N.Y. 14934
1/4" = 1'

