

**FILE COPY**

**TOWN OF CHILI**  
3333 Chili Avenue, Rochester, NY 14624  
Tel: 889-889-6143 Fax: 889-8710  
[www.townofchili.org](http://www.townofchili.org)

9/26/23 X

RECEIVED

AUG 23 2023

TOWN OF CHILI  
BUILDING DEPARTMENT

APPEAL TO THE ZONING BOARD FOR AN  
AREA VARIANCE

**SECTION I: APPLICANT INFORMATION - PLEASE ANSWER THE FOLLOWING:**

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name:	Allison Schultz	> Same	
Address:	33 Jensen DR. Rochester, NY 14624		
Tel/Fax:	585-356-1574		
E-Mail:			

\* The application must be signed by the Property Owner(s). Attorneys/consultants/agents may not sign on behalf of the Property Owner.

**SECTION II: PROPERTY INFORMATION - PLEASE ANSWER THE FOLLOWING:**

- Property Address (No. & St.): 33 Jensen Drive Rochester, NY 14624
- Tax Parcel No.: 133.18-3-2
- Current Zoning District: Chili
- Has a previous ZBA application/appeal been filed for this property?  Yes?  No?  
If Yes, then: When: \_\_\_\_\_ For What: \_\_\_\_\_
- Is property located within (check all that apply)?  Flood Plain  Wetlands NO
- Is there a written violation notice or "stop work order" for this Property  Yes  No  
 If "Yes", then attach a copy of the violation notice(s) and stop work order(s).
- Has the work, use, or occupancy to which this appeal relates already begun?  Yes  No
- Brief description of the project: (include current and proposed use):  
10x12 Pressure Treated deck in front of house.

ZONING BOARD OF APPEALS APPLICATION FORM

8. Are there special circumstances such as lot size, slope, or other physical conditions of the property which make compliance with the zoning regulations challenging? If so, please explain:

NO

Horizontal lines for handwritten explanation.

SECTION III: AREA VARIANCE - PLEASE ANSWER THE FOLLOWING:

The applicant requests relief from the following sections and requirements of the Zoning Law:

Table with 4 columns: Section of Code\*, Concerning\*, Change From\*, Change To\*. Row 1: 500-13-D(1), Front setback required, 60'-0", 49'-0".

\*See example below:

Example table with 4 columns: 500-13(D)(1), Rear Yard Setback, 60 feet, 58 feet.

Criteria For Area Variance

To grant an area variance, the ZBA must balance the benefits to the applicant against the potential harm to the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Can the benefit sought by the applicant be achieved by other feasible means? Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

NO

Horizontal lines for handwritten explanation.

ZONING BOARD OF APPEALS APPLICATION FORM

X

2. Will granting the variance produce an undesirable change in the character of the neighborhood or a detriment to nearby properties? Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Front Deck For easier access into house

3. Is the requested variance substantial? The requested variance is not substantial for the following reasons:

NO, This will only add curb appeal to the property.

4. Will the variance have any adverse physical or environmental effects on neighborhood or district? The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

NO

5. Was the alleged difficulty self-created? (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

NO

DISCLOSURE

Does any Town officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  Yes  No If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

FILE COPY

X

**APPLICANT & PROPERTY OWNERS' CERTIFICATIONS:**

1. **Application to the Zoning Board:** I/we, the property owners of the land in question and the applicants hereby request an appearance before the Zoning Board of Appeals.
2. **Authorization to Enter Property:** I/we, the undersigned Property Owners, hereby authorize the members of the Zoning Board of Appeals and designated Town staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.
3. **Property Owner's Authorization of Applicant and Liability:** I/we certify that I/we, the undersigned Property Owners, am/are all of the Owners of the Property which is the subject of this application, that I/we have authorized the applicant to make this application and that **I/we agree to be bound by the application, the representations made by the applicant, and the decision of the Town.**
4. **Truth Required By Law:** I/we understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York

Sworn to before me this

August 1<sup>st</sup> 20 23

Stephanie R. Hahn  
Notary Public

X Allison Schuly  
Property Owner

X \_\_\_\_\_  
Property Owner

X Allison Schuly  
Applicant

X \_\_\_\_\_  
Applicant

STATE OF NEW YORK  
MONROE COUNTY  
Office of the Clerk of the  
Town of Chili

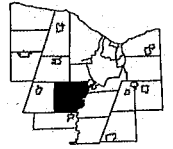
STEPHANIE R. HAHN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HA6178232  
Qualified in Monroe County  
My Commission Expires 11-26-2023

**FILE COPY**



# TOWN OF CHILI

STATE OF NEW YORK \* COUNTY OF MONROE  
ESTABLISHED IN 1822



David J Dunning  
Supervisor

Virginia L. Ignatowski  
Town Clerk

## BUILDING DEPARTMENT

Mark L. DeCory  
Michael S. Slattery  
Mary C. Sperr  
James V. Valerio  
Town Council Members

### DENIAL OF APPLICATION FOR LAND USE AND/OR BUILDING PERMIT

APPLICANT: Allison Schultz

PROPERTY ADDRESS: 33 Jensen Dr. Rochester, NY 14624

TAX PARCEL NO.: 133.18-3-2

ZONING DISTRICT: R-1-12

This applicant has applied to use the identified property within the Town of Chili for the following:  
*Applicant proposes to erect a 10'-0" x 12'-0" porch to the front of the existing dwelling thus reducing the front setback to 49'-0" (60'-0" required)*

This application is hereby denied upon the grounds that such use of the property would violate the Town Zoning Law article(s); III.

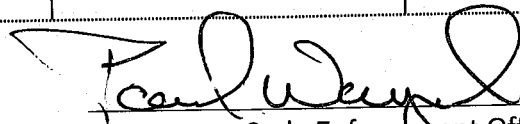
As such, the following relief would be required to proceed:

- Appeal of My Interpretation
- Use Variance to permit the following:
- Area Variance seeking the following relief:

Section of Code*	Concerning*	Change From*	Change To*
500-13-D(1)	Front setback required	60'-0"	49'-0"
500-			

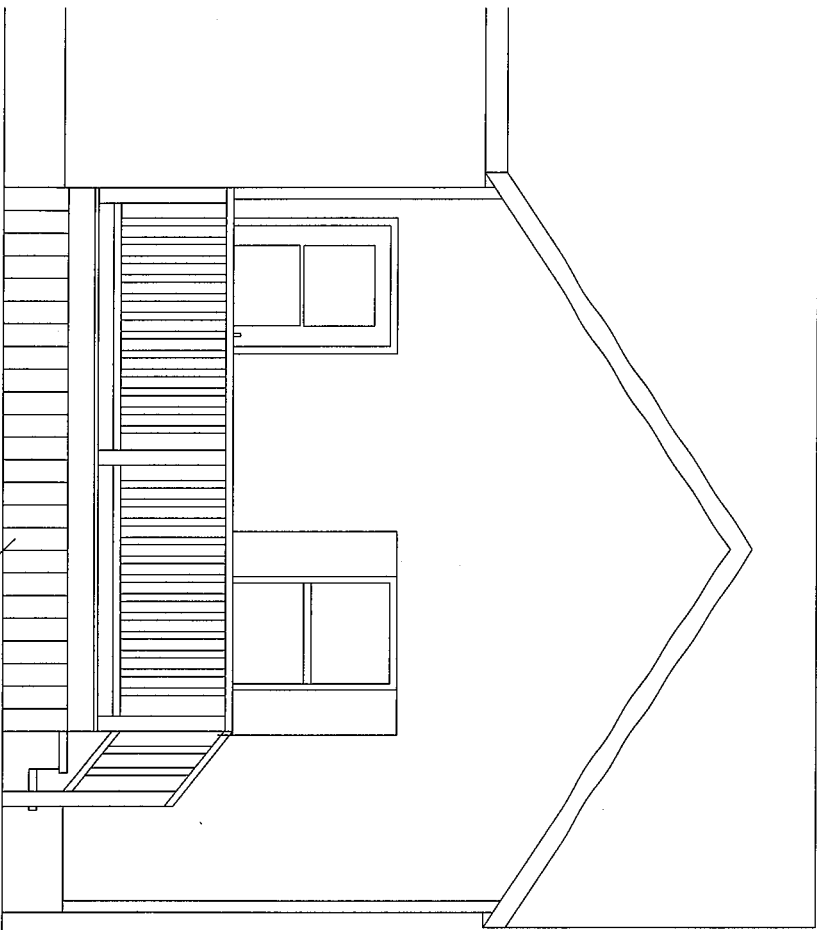
August 18, 2023

Date

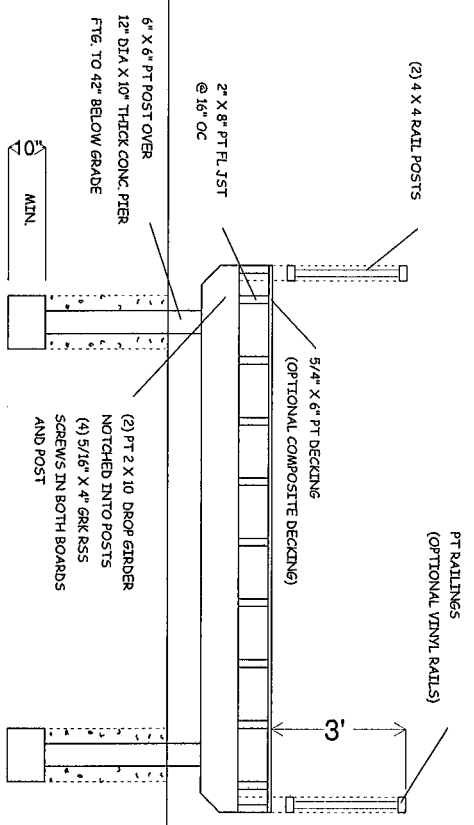
  
Code Enforcement Officer

X

# FRONT ELEVATION



# SECTION A - A



 EXIST. STRUCTURE

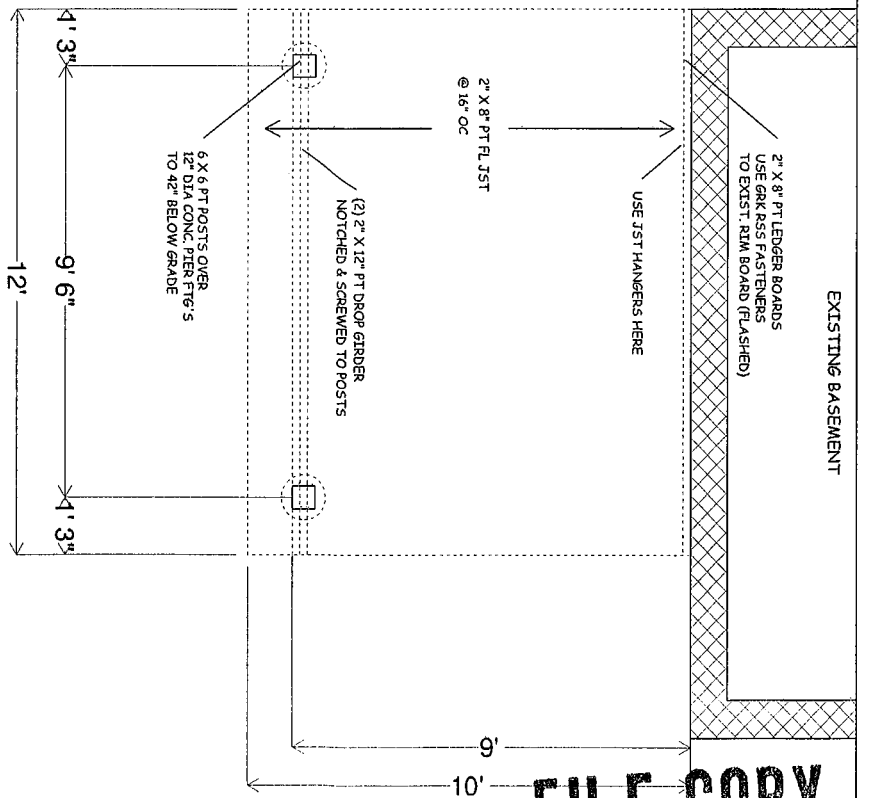
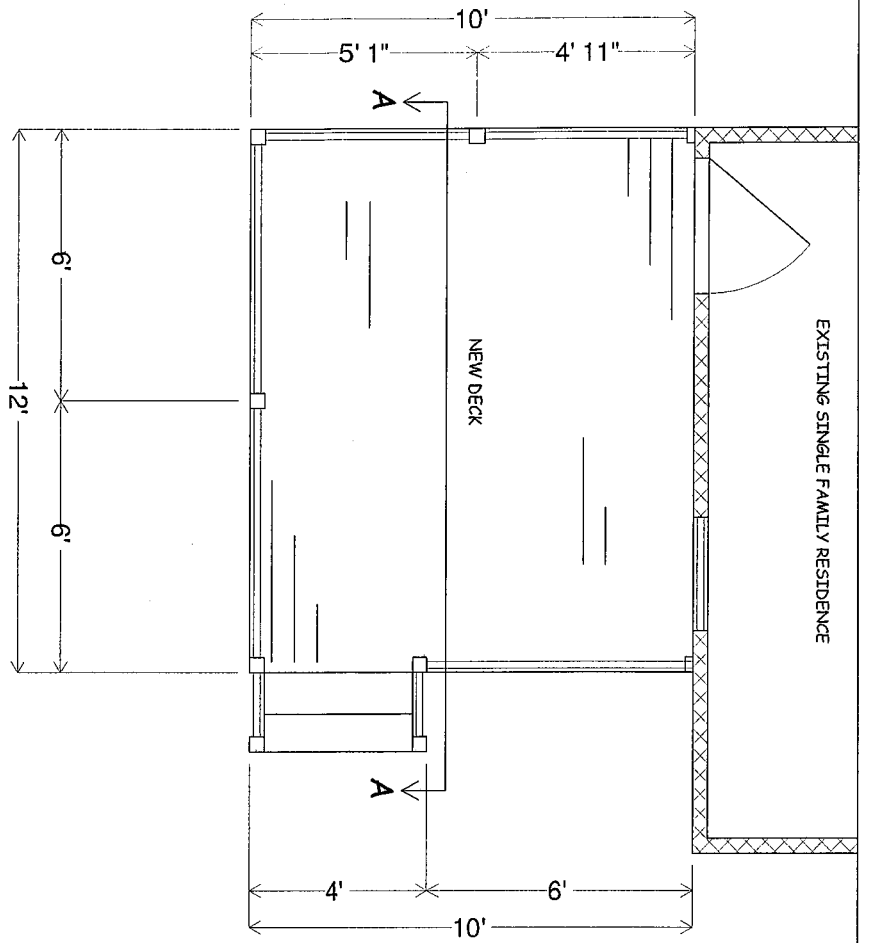
**THOMAS M. LANEY, PE**  
 304 WASHINGTON ST.  
 SPENCERPORT, NY 14559  
 (585) 319 - 9032

# FILE COPY

### ELEVATION & SECTION VIEWS

SCALE	1/2" = 1'
DATE	7/12/23
DRAWN BY	T. M. LANEY
REVISIONS	

APPROVED: **T. M. LANEY**  
 DECK FOR KEITH SCHULZ  
 33 JENSEN DR. ROCHESTER, NY



**FILE COPY**



FLOOR PLAN

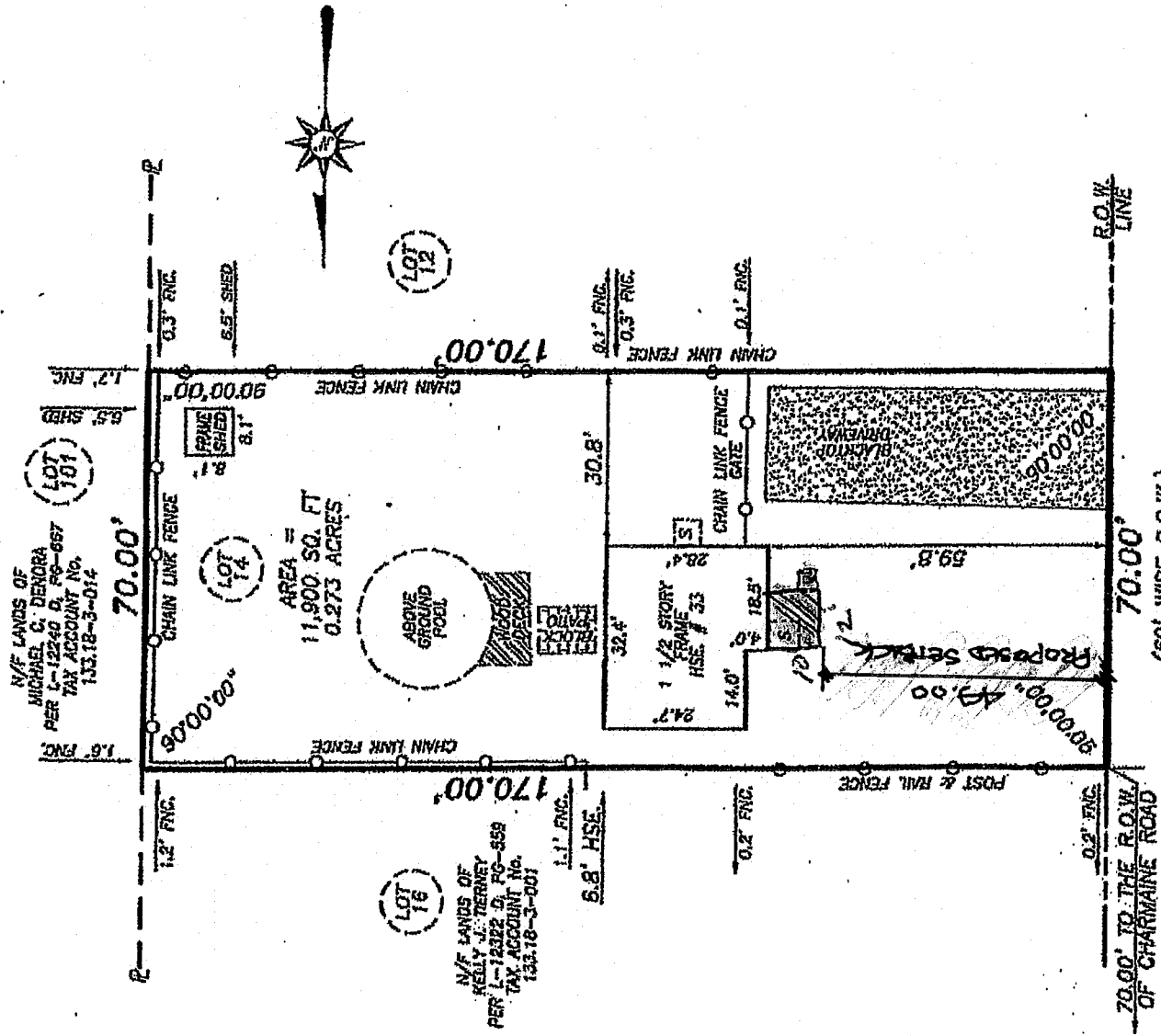


FOUND. PLAN

**THOMAS M. LANEY, PE**  
 304 WASHINGTON ST.  
 SPENCERPORT, NY 14559  
 (585) 319 - 9032

NOTE: ALL DIMENSIONS TO BE FIELD VERIFIED  
 AND REFERENCED FROM EXISTING BUILDING

FOUNDATION & FLOOR PLAN	
SCALE: 1/2" = 1'	APPROVED:
DRAWN BY: T. M. LANEY	DATE: 7/12/23
DESIGNED BY: T. M. LANEY	REVISIONS:
DECK FOR KEITH SCHULZ	
33 JENSEN DR. ROCHESTER, NY	
A1	2



**CERTIFICATION:**

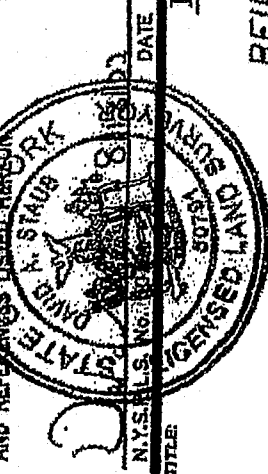
I, DAVID A. STAUB, HEREBY CERTIFY TO:  
 -ESL FEDERAL CREDIT UNION, ITS SUCCESSORS AND/OR ASSIGNS  
 -ABAP ABSTRACT  
 -ROBERT P. FREDRICK, ESQ.  
 -ALLISON M. SCHULZ

THAT THIS MAP WAS MADE AUGUST 18, 2022  
 FROM NOTES OF AN INSTRUMENT SURVEY  
 COMPLETED AUGUST 17, 2022  
 AND REFERENCES TO INSTRUMENTS

**REFERENCES:**

- 1.) LIBER 120 OF MAPS, PAGE 10.
- 2.) LIBER 8241 OF DEEDS, PAGE 25.
- 3.) ABSTRACT OF TITLE No. WTA-22-009584. (WEB-TITLE)
- 4.) EASEMENT TO R.G.&E. & R.T.C. PER LIBER 2823 OF DEEDS, PAGE 210. (ALONG SIDE & REAR LINES)
- 5.) EASEMENT TO R.G.&E. PER LIBER 2823 OF DEEDS, PAGE 208. (ALONG ROAD R.O.W.)

NOTES: 1.) PREMISES SUBJECT TO ALL EASEMENTS, RESTRICTIONS & COVENANTS OF RECORD NOT REFERENCED IN ABSTRACT OF TITLE.  
 2.) THE USE OF THIS MAP IN CONJUNCTION WITH AN AFFIDAVIT OF NO CHANGES RELEASES THE SURVEYOR OF ALL RESPONSIBILITY



N.Y.S. S.L.S. NO. 16157 DATE

**INSTRUMENT SURVEY MAP**

33 JENSEN DRIVE  
 BEING LOT No. 14 OF THE  
 O.K. RIDGE SUBDIVISION, SECTION No. 1,  
 TOWN OF CHILI, COUNTY OF MONROE, STATE OF NEW YORK

FILE COPY

Unauthorized alteration or omission to a survey may constitute a licensed land surveyor's act in violation of Section 1704, sub-section 2, of the New York State Education Law.

Only copies from the original of this survey marked with an original of the land surveyor's red ink seal shall be considered to be valid true copies.

Declarations indicated herein signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. It is the responsibility of the client to ensure that the person to whom the survey is prepared, and on his behalf to the client, is duly qualified to receive the same. The surveyor is not responsible for the consequences of the landowner's failure to obtain the necessary approvals from the appropriate authorities or subsequent owners.

\*An electronic file of this Plan, Land Surveying, LLC, can easily be accessed by the property of Triple Point Land Surveying, LLC. All electronic files may not be distributed or any other use for any purpose whatsoever.

**TRIPLE POINT LAND SURVEYING, LLC.**  
 16 EAST MAIN STREET, SUITE 320  
 ROCHESTER, NEW YORK 14614  
 PHONE (585) 263-9950  
 FAX (585) 263-3991  
 TRIPLEPOINTSURVEYING@YAHOO.COM

SCALE: 1" = 30'	TAX ACCOUNT: 133.18-3-002	JOB NO.: 1065-22	DATE: AUG. 18, 2022
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TOWN OF CHILI

3333 Chili Avenue, Rochester, NY 14624

Tel: 889-889-6143 Fax: 889-8710

www.townofchili.org

9/26/23

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TOWN OF CHILI BUILDING DEPARTMENT

APPEAL TO THE ZONING BOARD FOR AN AREA VARIANCE

SECTION I: APPLICANT INFORMATION – PLEASE ANSWER THE FOLLOWING:

<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name: <u>Albert W. Bulwinkel</u>	<u>SAME</u>	
Address: <u>24 Clifton Rd</u>		
Tel/Fax: <u>585-889-1639</u>	<u>Cell 585-750-7408</u>	
E-Mail: <u>SKIBULL29@yahoo</u>		

\* The application must be signed by the Property Owner(s). Attorneys/consultants/agents may not sign on behalf of the Property Owner.

SECTION II: PROPERTY INFORMATION – PLEASE ANSWER THE FOLLOWING:

- Property Address (No. & St.): 24 CLIFTON RD CHURCHVILLE N.Y 14428
- Tax Parcel No.: 174.04-2-58      3. Current Zoning District: RA-1.
- Has a previous ZBA application/appeal been filed for this property?  Yes?  No?  
If Yes, then: When: \_\_\_\_\_ For What: \_\_\_\_\_
- Is property located within (check all that apply)?:     Flood Plain     Wetlands
- Is there a written violation notice or "stop work order" for this Property  Yes  No  
 If "Yes", then attach a copy of the violation notice(s) and stop work order(s).
- Has the work, use, or occupancy to which this appeal relates already begun?  Yes  No
- Brief description of the project: (include current and proposed use):  
INSTALL A 12' X 24 STORAGE SHED. (SPT 288)

**ZONING BOARD OF APPEALS APPLICATION FORM**

8. Are there special circumstances such as lot size, slope, or other physical conditions of the property which make compliance with the zoning regulations challenging? If so, please explain:

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NO

AUG 14 2023

TOWN OF CHILT  
BUILDING DEPARTMENT

**SECTION III: AREA VARIANCE – PLEASE ANSWER THE FOLLOWING:**

The applicant requests relief from the following sections and requirements of the Zoning Law:

Section of Code*	Concerning*	Change From*	Change To*
500-60(F)	AREA OF AN ACCESSORY STRUCTURE DETACHED GARAGE.	1,200 SQ. FT ALLOWED	1,572 SQ. FT PROPOSED
500-			
500-			
500-			
500-			
500-			

\*See example below:

500-13(D)(1)	Rear Yard Setback	60 feet	58 feet
--------------	-------------------	---------	---------

**Criteria For Area Variance**

To grant an area variance, the ZBA must balance the benefits to the applicant against the potential harm to the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. **Can the benefit sought by the applicant be achieved by other feasible means?** Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

NO.

**ZONING BOARD OF APPEALS APPLICATION FORM**

**2. Will granting the variance produce an undesirable change in the character of the neighborhood or a detriment to nearby properties?** Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

*NO*

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AUG 14 2023

TOWN OF CHILI  
BUILDING DEPARTMENT

**3. Is the requested variance substantial?** The requested variance is not substantial for the following reasons:

*Yes*

**4. Will the variance have any adverse physical or environmental effects on neighborhood or district?** The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

*NO*

**5. Was the alleged difficulty self-created?** (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

*NO*

**DISCLOSURE**

Does any Town officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  Yes  No If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT & PROPERTY OWNERS' CERTIFICATIONS:

AUG 14 2023

TOWN OF CHILI  
BUILDING DEPARTMENT

1. **Application to the Zoning Board:** I/we, the property owners of the land in question and the applicants hereby request an appearance before the Zoning Board of Appeals.
2. **Authorization to Enter Property:** I/we, the undersigned Property Owners, hereby authorize the members of the Zoning Board of Appeals and designated Town staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.
3. **Property Owner's Authorization of Applicant and Liability:** I/we certify that I/we, the undersigned Property Owners, am/are all of the Owners of the Property which is the subject of this application, that I/we have authorized the applicant to make this application and that **I/we agree to be bound by the application, the representations made by the applicant, and the decision of the Town.**
4. **Truth Required By Law:** I/we understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York

Sworn to before me this

18th August 2023

Roxanne C. Lomando

Notary Public

**ROXANNE C. LOMANDO**  
Notary Public, State of New York  
Qualified in Monroe County  
No. 01LO6446137  
Commission Expires January 9, 2027

STATE OF NEW YORK  
MONROE COUNTY  
Office of the Clerk of the  
Town of Chili

X Albert W. Bullwinkel Jr  
Property Owner

X [Signature]  
Property Owner

X Albert W. Bullwinkel Jr  
Applicant

X [Signature]  
Applicant

24 Clifton Rd var app

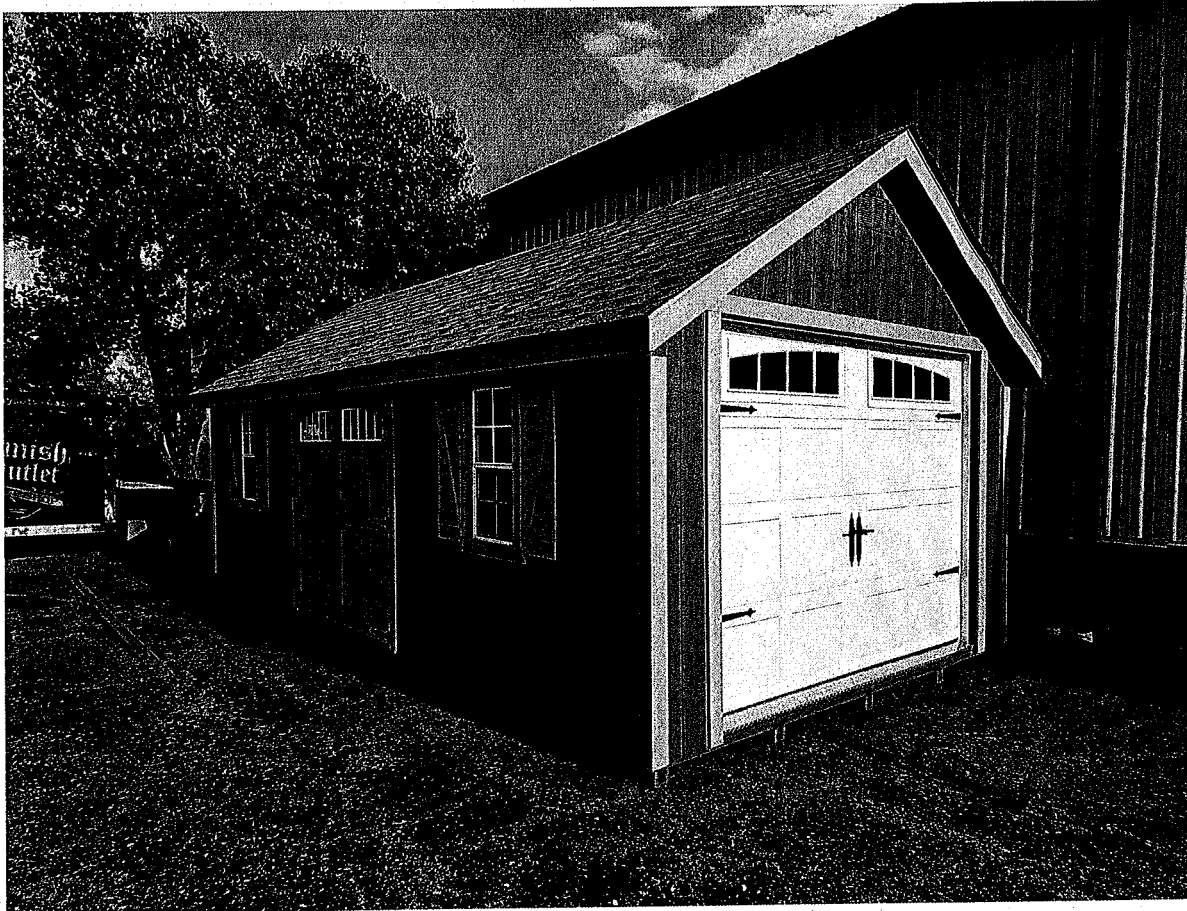
Albert Bullwinkel <skibull24@yahoo.com>

Mon 8/14/2023 2:09 PM

To:building <building@townofchili.org>

**FILE COPY**

This message was sent from outside the Town of Chili. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

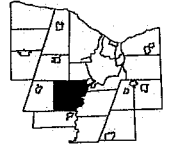


[Sent from Yahoo Mail on Android](#)



# TOWN OF CHILI

STATE OF NEW YORK \* COUNTY OF MONROE  
ESTABLISHED IN 1822



David J Dunning  
Supervisor

Virginia L. Ignatowski  
Town Clerk

## BUILDING DEPARTMENT

Mark L. DeCory  
Michael S. Slattery  
Mary C. Sperr  
James V. Valerio  
Town Council Members

### DENIAL OF APPLICATION FOR LAND USE AND/OR BUILDING PERMIT

APPLICANT: Albert W. Bullwinkle

PROPERTY ADDRESS: 24 Clifton Rd Churchville, NY 14428

TAX PARCEL NO.: 171.04-2-58

ZONING DISTRICT: RA-1

This applicant has applied to use the identified property within the Town of Chili for the following:  
*Applicant proposes to erect a 12'x24'(288 sq.ft.) detached garage.*

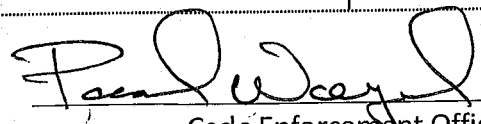
This application is hereby denied upon the grounds that such use of the property would violate the Town Zoning Law article(s); III.

As such, the following relief would be required to proceed:

- Appeal of My Interpretation     Use Variance to permit the following:  
 Area Variance seeking the following relief:

Section of Code*	Concerning*	Change From*	Change To*
500-60(F)	Area of accessory structure Detached garage	1,200 sq. ft. allowed	1,572 proposed
500-			

August 18, 2023  
Date

  
Code Enforcement Officer

PRELIMINARY  
PLANS

APPEAL TO THE ZONING BOARD FOR AN  
AREA VARIANCE

SECTION I: APPLICANT INFORMATION – PLEASE ANSWER THE FOLLOWING:

<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name: <u>SUSAN BUCKNER</u>	_____	_____
Address: <u>266 STOTTLE RD</u>	_____	_____
<u>SCOTTSVILLE NY 14546</u>	_____	_____
Tel/Fax: <u>585-889-7676</u>	_____	_____
E-Mail: <u>s.buckner@frontier.net</u>	_____	_____

\* The application must be signed by the Property Owner(s). Attorneys/consultants/agents may not sign on behalf of the Property Owner.

SECTION II: PROPERTY INFORMATION – PLEASE ANSWER THE FOLLOWING:

1. Property Address (No. & St.): 266 STOTTLE RD SCOTTSVILLE NY 14546
2. Tax Parcel No.: 158.04-1-28.11      3. Current Zoning District: PRD(A)
3. Has a previous ZBA application/appeal been filed for this property?  Yes?  No?  
 If Yes, then: When: 2010      For What: ACCESSORY STRUCTURES w/o PRINCIPAL STRUCTURE.  
NOTE: SINCE THEN 262 & 266 STOTTLE HAVE BEEN RESUBDIVIDED TO ONE LOT.
4. Is property located within (check all that apply)?     Flood Plain     Wetlands
5. Is there a written violation notice or “stop work order” for this Property     Yes     No  
 If “Yes”, then attach a copy of the violation notice(s) and stop work order(s).
6. Has the work, use, or occupancy to which this appeal relates already begun?     Yes     No
7. Brief description of the project: (include current and proposed use):  
8 FT DEER FENCE AROUND GARDENS  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**ZONING BOARD OF APPEALS APPLICATION FORM**

8. Are there special circumstances such as lot size, slope, or other physical conditions of the property which make compliance with the zoning regulations challenging? If so, please explain:

8' DEER FENCE AROUND GARDENS AND PLANT NURSERY

**SECTION III: AREA VARIANCE – PLEASE ANSWER THE FOLLOWING:**

The applicant requests relief from the following sections and requirements of the Zoning Law:

Section of Code*	Concerning*	Change From*	Change To*
500-5A-A.(2)	HEIGHT OF FENCE	6' ALLOWED	8' PROPOSED
500-			
500-			
500-			
500-			
500-			

\*See example below:

500-13(D)(1)	Rear Yard Setback	60 feet	58 feet
--------------	-------------------	---------	---------

**Criteria For Area Variance**

To grant an area variance, the ZBA must balance the benefits to the applicant against the potential harm to the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Can the benefit sought by the applicant be achieved by other feasible means? Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

No



**ZONING BOARD OF APPEALS APPLICATION FORM**

**2. Will granting the variance produce an undesirable change in the character of the neighborhood or a detriment to nearby properties?** Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

NO

**3. Is the requested variance substantial?** The requested variance is not substantial for the following reasons:

**4. Will the variance have any adverse physical or environmental effects on neighborhood or district?**  
The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

NO

**5. Was the alleged difficulty self-created?** (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

NO

**DISCLOSURE**

Does any Town officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  Yes  No If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

**APPLICANT & PROPERTY OWNERS' CERTIFICATIONS:**

1. **Application to the Zoning Board:** I/we, the property owners of the land in question and the applicants hereby request an appearance before the Zoning Board of Appeals.
2. **Authorization to Enter Property:** I/we, the undersigned Property Owners, hereby authorize the members of the Zoning Board of Appeals and designated Town staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.
3. **Property Owner's Authorization of Applicant and Liability:** I/we certify that I/we, the undersigned Property Owners, am/are all of the Owners of the Property which is the subject of this application, that I/we have authorized the applicant to make this application and that **I/we agree to be bound by the application, the representations made by the applicant, and the decision of the Town.**
4. **Truth Required By Law:** I/we understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York

Sworn to before me this

9th August 2023

Roxanne C. Lomando  
Notary Public

X Susan Becker  
Property Owner

X N/A  
Property Owner

X Susan Becker  
Applicant

X N/A  
Applicant

STATE OF NEW YORK  
MONROE COUNTY  
Office of the Clerk of the  
Town of Chili

**ROXANNE C. LOMANDO**  
Notary Public, State of New York  
Qualified in Monroe County  
No. 01LO6446137  
Commission Expires January 9, 2027

LOT 1

S.B.L. #158.04-1-30.1  
N/F SUSAN J. FINEAR & ANN MARIE ST. ROSE  
#260 STOTTLE RD  
L. 8541 D.P.G. 459  
GILLOTS RESUBDIVISION  
L. 283 M.P.G. 49

S89°30'56"E  
713.26' TO C/L  
680.25'

233.00' TO C/L

200.00'

HYDRANT

103.00'

S.B.L. #158.04-1-29  
N/F SUSAN E. BUCKNER  
#262 STOTTLE RD  
L. 12050 D.P.G. 619

AREA TO C/L  
23,764.84± SQ. FT.  
=0.5456± ACRES  
AREA TO R.O.W.  
20,396.24± SQ. FT.  
=0.4683± ACRES

103.00'  
200.04± SQ. FT.

METAL CLAD BARN  
CONCRETE

CENTER OF GRAVEL LANE

233.00' TO C/L  
N89°30'56"W

212.00'

200.00'

ASPHALT

CONCRETE

CONCRETE

CONCRETE

CONCRETE

CONCRETE

CONCRETE

CONCRETE

CONCRETE

CONCRETE

CONCRETE

CONCRETE

CONCRETE

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LOT 2

GILLOTS RESUBDIVISION  
L. 283 M.P.G. 49

S.B.L. #158.04-1-28.1  
N/F SUSAN E. BUCKNER  
#266 STOTTLE RD  
L. 12050 D.P.G. 619

AREA TO C/L  
127,590.94± SQ. FT.  
=2.9291± ACRES

AREA TO R.O.W.  
123,960.94± SQ. FT.  
=2.8458± ACRES

918'

8'-0" FENCE

681.70'

714.70' TO C/L  
N89°30'56"W

403'

182'

79'

1,120,850.84  
1,182,480.30

I.P. FOUND  
0.1' N.  
0.2' E.

A-C UNIT

CONCRETE PATIO

CONCRETE

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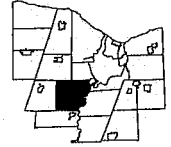
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# TOWN OF CHILI

STATE OF NEW YORK \* COUNTY OF MONROE  
ESTABLISHED IN 1822



David J Dunning  
Supervisor

Virginia L. Ignatowski  
Town Clerk

## BUILDING DEPARTMENT

Mark L. DeCory  
Michael S. Slattery  
Mary C. Sperr  
James V. Valerio  
Town Council Members

### DENIAL OF APPLICATION FOR LAND USE AND/OR BUILDING PERMIT

APPLICANT: Susan Buckner

PROPERTY ADDRESS: 266 Stottle Road

TAX PARCEL NO.: 158.04-1-28.11

ZONING DISTRICT: PRD (ac)

This applicant has applied to use the identified property within the Town of Chili for the following:  
*Applicant proposes to erect an 8'0" height fence to protect nursery and garden plants from deer, where a 6'-0" height fence is allowed per code.*

This application is hereby denied upon the grounds that such use of the property would violate the Town Zoning Law article(s); III.

As such, the following relief would be required to proceed:

- Appeal of My Interpretation     Use Variance to permit the following:  
 Area Variance seeking the following relief:

Section of Code*	Concerning*	Change From*	Change To*
500-54-A(2)	Height of fence	6'-0" permitted	8'-0" proposed
500-			

August 9, 2023

Date

Code Enforcement Officer



# TOWN OF CHILI PRELIMINARY PLANS

BUILDING DEPARTMENT  
3333 CHILI AVENUE, ROCHESTER, NY 14624  
PH: (585) 889-6143 FAX: (585) 889-8710

## BUILDING PERMIT APPLICATION



**Location of Work**

Address 40 EVERETT DR  
 City, State, Zip ROCHESTER, NY 14624

*For Official Use*

Zoning Classification \_\_\_\_\_  FPO  FW  
 Tax I.D. # \_\_\_\_\_

**Property Owner Information**

Name JAMES SEYMOUR  
 Address 40 EVERETT DR.  
 City, State, Zip ROCHESTER, NY 14624  
 Phone 585-733-9114  
 Email aqromech@rochester.ny.com

**PERMIT TYPE**  Residential  Commercial

**CHECK ALL THAT APPLY BELOW:**

<input checked="" type="checkbox"/> Shed	<input type="checkbox"/> Plumbing
<input type="checkbox"/> Deck	<input type="checkbox"/> New Building (Comm./ Indus.)
<input type="checkbox"/> Garage	<input type="checkbox"/> Apartment/ Townhouse Building
<input type="checkbox"/> Fireplace	<input type="checkbox"/> Addition
<input type="checkbox"/> Gas Insert	<input type="checkbox"/> Garage Addition
<input type="checkbox"/> Generator	<input type="checkbox"/> Dormer Addition
<input type="checkbox"/> Interior Remodel	<input type="checkbox"/> Demolition
<input type="checkbox"/> Exterior Remodel	<input type="checkbox"/> Egress Window
<input type="checkbox"/> Enclosed Porch	<input type="checkbox"/> Open Porch
<input type="checkbox"/> Gazebo	<input type="checkbox"/> Pergola
<input type="checkbox"/> Solar Panels	<input type="checkbox"/> Single Family Dwelling
<input type="checkbox"/> Cell Tower	<input type="checkbox"/> Ramp
<input type="checkbox"/> Pre-Existing Structure/Work (no permit on record)	
<input type="checkbox"/> Other: _____	

**BUILDING PERMITS ARE VALID FOR 18 MONTHS**

\*New York State Requires that the Town has on file a current certificate of insurance for both general liability and worker's compensation for the entity performing work prior to issuance of any building/plumbing permit\*

**Contractor Information**

Company Name \_\_\_\_\_  
 Contact Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Email \_\_\_\_\_

**Plumber Information**

Company Name \_\_\_\_\_  
 Contact Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Email \_\_\_\_\_

\*Plumber must be licensed in the Town of Chili\*

**Description of work**

CONSTRUCTION OF A 12x20'  
SHED

Estimated cost/value of project \$ 6,500.00

**The following must be submitted for a completed application to be reviewed (additional information may be required)**

- 2 sets of plans (The code official may require they be stamped by a licensed professional)
- A survey map which shows the property in detail, location of all buildings and structures, where the proposed structure will be located on the property in relation to other structures and the distances to lot lines.
- If trusses are being used, a completed truss identification form.

Owner/Reps. Signature Jamel Seymour Date 8/21/2023

**Inspections:** Inspections are required during the building process. **\*24 HOUR NOTICE IS REQUIRED WHEN SCHEDULING INSPECTIONS\*** When checked, the following inspections will be required for this project:

- Site Inspection  Footing  Storm Sewer (before backfill)  Wall (backfill)  Underground Plumbing (before covering)  Rough Framing
- Rough Plumbing  Roof (after ice shield is installed)  Fireplace/Stove (before clearances are blocked)  Insulation
- FINAL INSPECTION IS REQUIRED FOR ALL PROJECTS IN ORDER TO CLOSE OUT BUILDING PERMIT AND ISSUE A CERTIFICATE OF OCCUPANCY/COMPLIANCE**

**Electrical Inspections:** Any changes/ additions in the electrical service require an inspection for both rough and final electrical work prior to a final building inspection. Electrical inspections are scheduled by contacting any of the two agencies listed below:

Middle Dept. Insp. Agency 460 State street Rochester, NY 14608 (585) 454-5191	New York Elec. Insp. Agency 2767 Dewey Avenue Rochester, NY 14616 (585) 436-4460
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# TOWN OF CHILI

3333 Chili Avenue, Rochester, NY 14624

Tel: 889-889-6143 Fax: 889-8710

[www.townofchili.org](http://www.townofchili.org)

## APPEAL TO THE ZONING BOARD FOR AN AREA VARIANCE

### SECTION I: APPLICANT INFORMATION – PLEASE ANSWER THE FOLLOWING:

<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name: <u>JAMES SEYMOUR</u>		
Address: <u>40 EVERETT DRIVE</u>		
<u>ROCHESTER, NY 14624</u>		
Tel/Fax: <u>SBS-733-9114</u>		
E-Mail: <u>aeromech@rochester.fr.com</u>		

\* The application must be signed by the Property Owner(s). Attorneys/consultants/agents may not sign on behalf of the Property Owner.

### SECTION II: PROPERTY INFORMATION – PLEASE ANSWER THE FOLLOWING:

- Property Address (No. & St.): 40 EVERETT DRIVE
- Tax Parcel No.: 262200 133.15-2-41 3. Current Zoning District: R-1-20
- Has a previous ZBA application/appeal been filed for this property?  Yes?  No?  
If Yes, then: When: \_\_\_\_\_ For What: \_\_\_\_\_
- Is property located within (check all that apply)?  Flood Plain  Wetlands
- Is there a written violation notice or "stop work order" for this Property  Yes  No  
 If "Yes", then attach a copy of the violation notice(s) and stop work order(s).
- Has the work, use, or occupancy to which this appeal relates already begun?  Yes  No
- Brief description of the project: (include current and proposed use):  
CONSTRUCTION OF A 12x20 SHED (240sq ft)  
CONVENTIONAL LUMBER CONSTRUCTION SET ON 15 EA. 4x4x48"  
PIERS SET IN CONCRETE.

# ZONING BOARD OF APPEALS APPLICATION FORM

8. Are there special circumstances such as lot size, slope, or other physical conditions of the property which make compliance with the zoning regulations challenging? If so, please explain:

No

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## SECTION III: AREA VARIANCE – PLEASE ANSWER THE FOLLOWING:

The applicant requests relief from the following sections and requirements of the Zoning Law:

Section of Code*	Concerning*	Change From*	Change To*
500-13(B)2	AREA OF ACCESSORY STRUCTURE.	192' ALLOWED	240 SQ FT PROPOSED
500-			
500-			
500-			
500-			
500-			

\*See example below:

500-13(D)(1)	Rear Yard Setback	60 feet	58 feet
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### Criteria For Area Variance

To grant an area variance, the ZBA must balance the benefits to the applicant against the potential harm to the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Can the benefit sought by the applicant be achieved by other feasible means? Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

SNEED IS FOR STORAGE AND NON-COMMERCIAL WORKSHOP PURPOSES  
 SQUARE FOOTAGE LESS THAN THE REQUESTED 240-SQ FT WOULD BE TOO  
 CRAMPED FOR THESE PURPOSES.

**ZONING BOARD OF APPEALS APPLICATION FORM**

2. Will granting the variance produce an undesirable change in the character of the neighborhood or a detriment to nearby properties? Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

IT WILL REPLACE AN EXISTING SHED THAT WAS FALLEN INTO DISREPAIR. THERE WILL BE AN IMPROVEMENT TO THE CHARACTER OF THE NEIGHBORHOOD

3. Is the requested variance substantial? The requested variance is not substantial for the following reasons:

IT ONLY REQUESTS 484<sup>2</sup> (4'x12') MORE THAN THE STANDARD 192 04<sup>2</sup>.

4. Will the variance have any adverse physical or environmental effects on neighborhood or district?

The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

NO DIFFERENCE IN THE ENVIRONMENT UNLESS YOU CONSIDER AN IMPROVEMENT TO THE APPEARANCE OF THE PROPERTY.

5. Was the alleged difficulty self-created? (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

NO, IT WAS NOT SELF CREATED.

**DISCLOSURE**

Does any Town officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  Yes  No If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.



**APPLICANT & PROPERTY OWNERS' CERTIFICATIONS:**

1. **Application to the Zoning Board:** I/we, the property owners of the land in question and the applicants hereby request an appearance before the Zoning Board of Appeals.
2. **Authorization to Enter Property:** I/we, the undersigned Property Owners, hereby authorize the members of the Zoning Board of Appeals and designated Town staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.
3. **Property Owner's Authorization of Applicant and Liability:** I/we certify that I/we, the undersigned Property Owners, am/are all of the Owners of the Property which is the subject of this application, that I/we have authorized the applicant to make this application and that I/we agree to be bound by the application, the representations made by the applicant, and the decision of the Town.
4. **Truth Required By Law:** I/we understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York

Sworn to before me this

August 18 2023

ANN MARIE MACKS  
Notary Public

ANN MARIE MACKS  
NOTARY PUBLIC STATE OF NEW YORK  
MONROE COUNTY  
LIC. #01MA4892616  
COMM. EXP. FEB. 24, 2026

STATE OF NEW YORK  
MONROE COUNTY  
Office of the Clerk of the  
Town of Chili

X Jamel Johnson  
Property Owner

X \_\_\_\_\_  
Property Owner

X Jamel Johnson  
Applicant

X \_\_\_\_\_  
Applicant

**BUILDING INSPECTOR DENIAL  
OF APPLICATION FOR LAND USE AND/OR BUILDING PERMIT**

APPLICANT: \_\_\_\_\_ TAX PARCEL No.: \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_ ZONING DISTRICT: \_\_\_\_\_

This applicant has applied to use the identified property within the Town of Chili for the following:

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

This application is hereby denied upon the grounds that such use of the property would violate the Town Zoning Law article(s) \_\_\_\_\_

As such, the following relief would be required to proceed:

- Appeal of My Interpretation
- Use Variance to permit the following: \_\_\_\_\_

Area Variance seeking the following relief:

Section of Code*	Concerning*	Change From*	Change To*
500-			
500-			
500-			
500-			
500-			
500-			

\*See example below:

500-13(D)(1)	Rear Yard Setback	60 feet	58 feet
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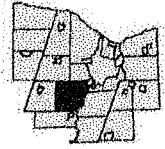
\_\_\_\_\_ 20\_\_\_\_\_  
Date

\_\_\_\_\_  
Code Enforcement Officer



# TOWN OF CHILI

STATE OF NEW YORK \* COUNTY OF MONROE  
ESTABLISHED IN 1822



David J. Dunning  
Supervisor

Virginia L. Ignatowski  
Town Clerk

## BUILDING DEPARTMENT

Mark L. DeCory  
Michael S. Slattery  
Mary C. Sperr  
James V. Valerio  
Town Council Members

### DENIAL OF APPLICATION FOR LAND USE AND/OR BUILDING PERMIT

APPLICANT: James Seymour

PROPERTY ADDRESS: 40 Everett Dr. Rochester, NY 14624

TAX PARCEL NO.: 133.15-2-41

ZONING DISTRICT: R-1-20

This applicant has applied to use the identified property within the Town of Chili for the following:  
*Applicant proposes to erect a 12'-0" x 20'-0" accessory structure (240 sq. ft. proposed) where 192 sq. ft. is allowed.*

This application is hereby denied upon the grounds that such use of the property would violate the Town Zoning Law article(s); III.

As such, the following relief would be required to proceed:

- Appeal of My Interpretation
- Use Variance to permit the following:
- Area Variance seeking the following relief:

Section of Code*	Concerning*	Change From*	Change To*
500-13-D(1)	Area of an accessory structure	192 sq. ft.	240 sq. ft.
500-			

August 18, 2023

Date

Code Enforcement Officer

NO. 40 EVERETT DRIVE

BEING LOT NO. 3 OF THE E.J. HANCOCK SUBDIVISION, SECTION 1

TOWN OF CHILI

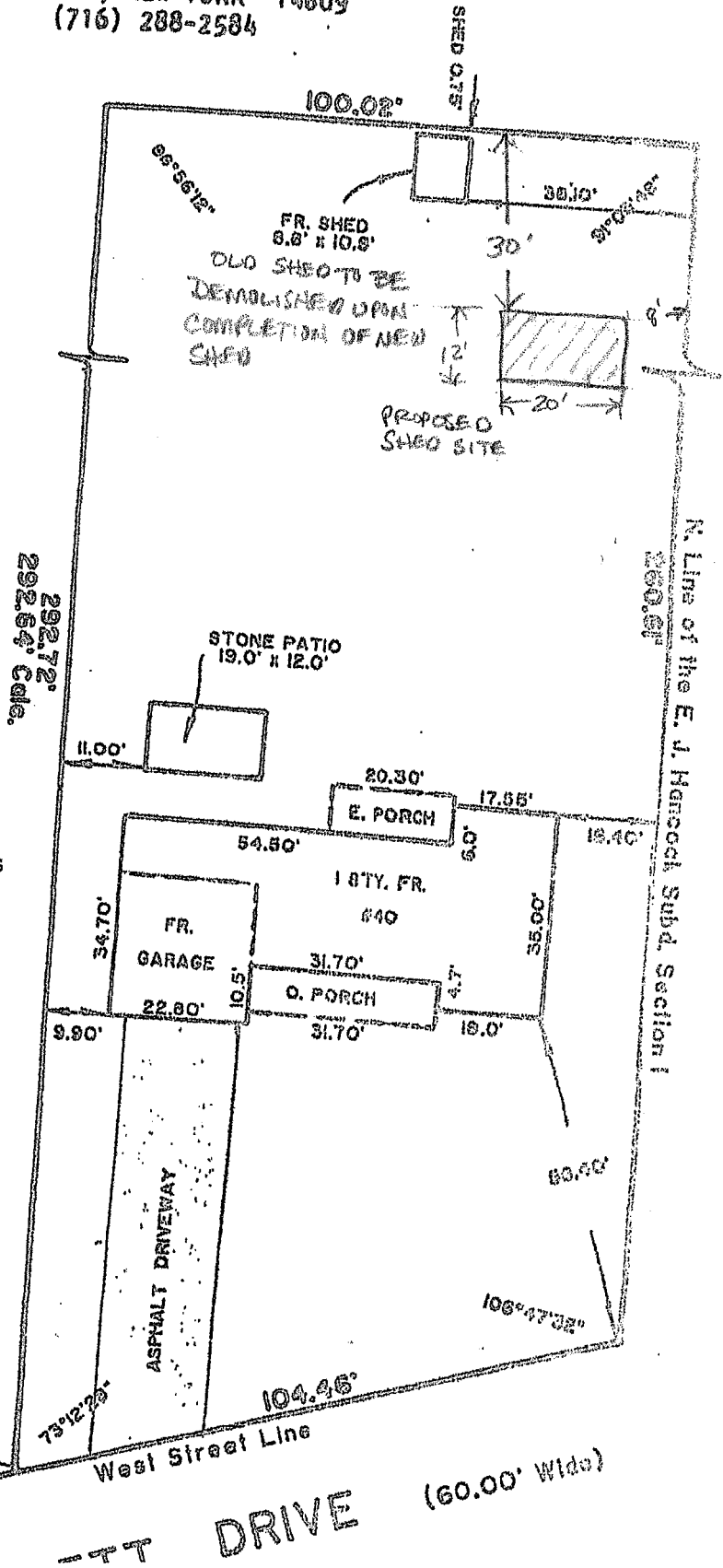
COUNTY OF MONROE

STATE OF NEW YORK

SCALE 1" = 30'

SEPTEMBER 9, '992

EDWARD M. BARG  
PROFESSIONAL LAND SURVEYOR  
165 HIGH POINT TRAIL  
ROCHESTER, NEW YORK 14609  
(716) 288-2584



Subject To:

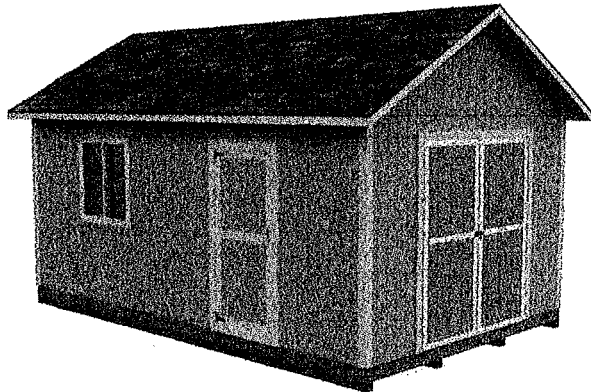
per L2787/P545 to RG&E or purposes through and along

per L2787/P546 to RG&E for purposes through and along

NOTICE TO:

First Mortgage Corporation, its  
agents and/or assigns  
Lakes Land Co., LTD  
Vigdor, Reeves, Hellbronner  
& Co., Esqs.  
Seymour & Carol S. Seymour  
J. Pheterson, Esq.

# OVERVIEW AND DIMENSIONS

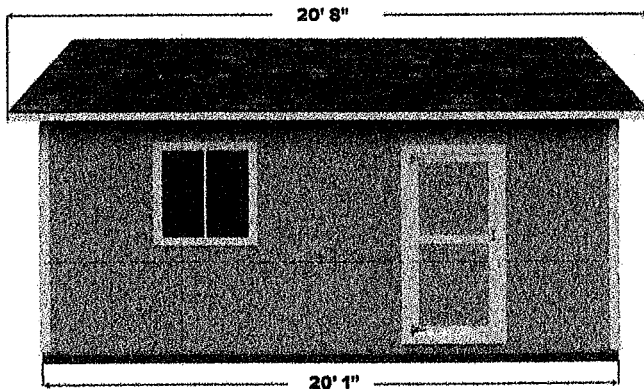
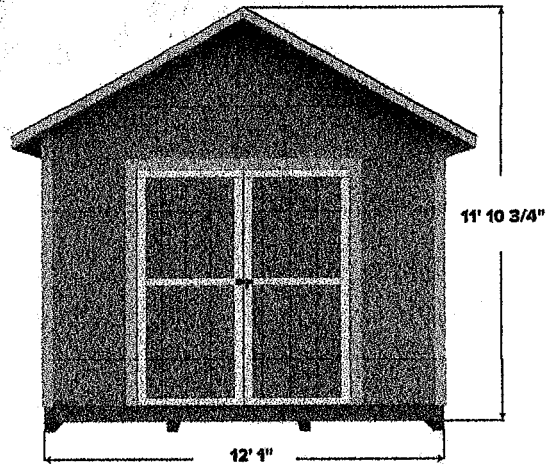


## 12'x20' Gable Shed

The simple to follow instructions makes building this shed effortless. Instructions for door, window and installing shingles also included. You can paint your shed how you like. We will start by building the foundation first before moving onto the walls. The most time-intensive part of this build is building the roof, however all aspects of this build are straightforward with this shed plan.

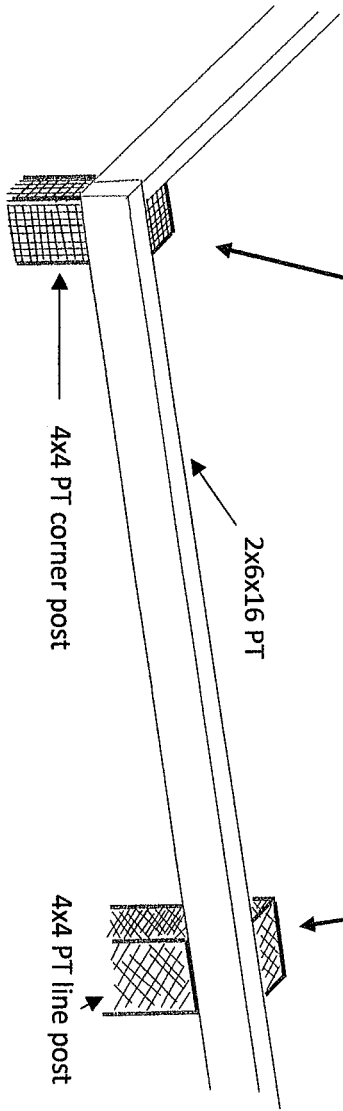
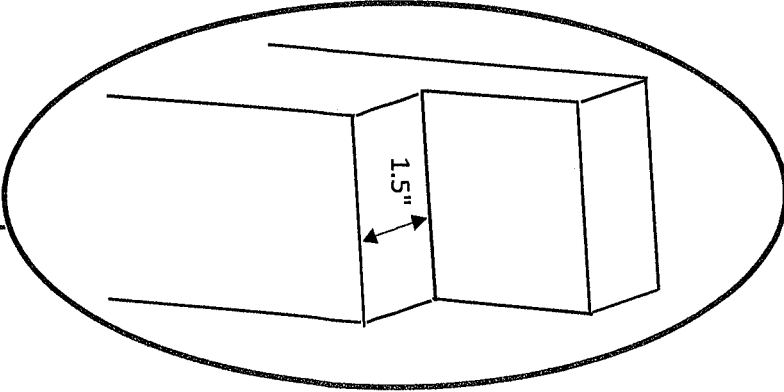
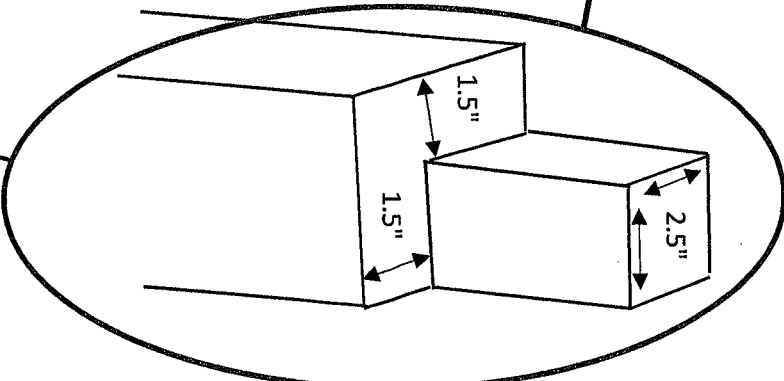
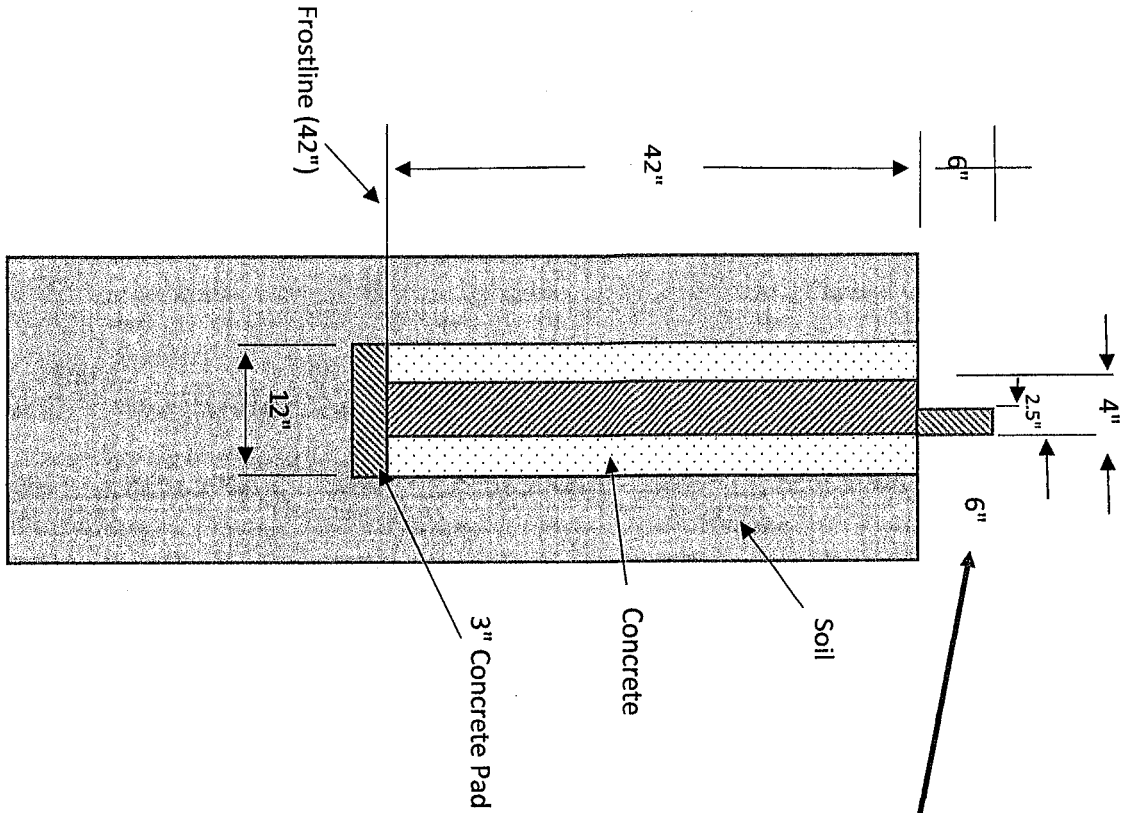
### Side View

The right side of the 12'x20' gable shed is home to a 6' 10" high and 6' 6" wide garage door. The side of the shed measures 12' 1" wide. The total height of this shed is 11' 10 3/4"



### Front View

The front side of the shed is home to a door and window for natural light. The door measures 3' wide and 6' 4 1/2" tall. The length of the shed measured from the trim is 20' 1" while the length of the shed measured from the roof including overhang is 20' 8".





**Workers' Compensation Board**

**Certificate of Attestation of Exemption**  
from New York State Workers' Compensation and/or  
Disability and Paid Family Leave Benefits Insurance Coverage

**\*\*This form cannot be used to waive the workers' compensation rights or obligations of any party.\*\***

The applicant may use this Certificate of Attestation of Exemption **ONLY** to show a government entity that New York State specific workers' compensation and/or disability and paid family leave benefits insurance is not required. The applicant may **NOT** use this form to show another business or that business's insurance carrier that such insurance is not required. **Please provide this form to the government entity from which you are requesting a permit, license or contract. This Certificate will not be accepted by government officials one year after the date printed on the form.**

<p align="center"><b>In the Application of (Legal Entity Name and Address):</b></p> <p>James P Seymour 40 Everett Dr Rochester, NY 14624 PHONE: 585-733-9114 FEIN: XXXXX1523</p>	<p align="center"><b>Business Applying For: Building Permit</b></p> <p><b>From: Town of Chili</b></p> <p>The location of where work will be performed is <b>40 Everett Drive, Rochester, NY 14624.</b></p> <p>Estimated dates necessary to complete work associated with the building permit are from <b>July 31, 2023 to October 31, 2023.</b></p> <p>The estimated dollar amount of project is <b>\$0 - \$10,000</b></p>
--	--

**Workers' Compensation Exemption Statement:**

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE SPECIFIC WORKERS' COMPENSATION INSURANCE COVERAGE** for the following reason:

The applicant is a homeowner serving as the general contractor for a primary/secondary owner-occupied residence. The homeowner has **ONLY** uncompensated friends and family working on his/her residence or is hiring individuals a total of less than 40 aggregate hours per week and has a current homeowners insurance policy that covers the property.

**Disability and Paid Family Leave Benefits Exemption Statement:**

The above named business is certifying that it is **NOT REQUIRED TO OBTAIN NEW YORK STATE STATUTORY DISABILITY AND PAID FAMILY LEAVE BENEFITS INSURANCE COVERAGE** for the following reason:

The applicant is a homeowner serving as the general contractor for his/her primary/secondary personal residence. The homeowner has not employed one or more individuals on at least 30 days in any calendar year in New York State. (Independent contractors are not considered to be employees under the Disability and Paid Family Leave Benefits Law.)

I, James P. Seymour, am the Homeowner with the above-named legal entity. I affirm that due to my position with the above-named business I have the knowledge, information and authority to make this Certificate of Attestation of Exemption. I hereby affirm that the statements made herein are true, that I have not made any materially false statements and I make this Certificate of Attestation of Exemption under the penalties of perjury. I further affirm that I understand that any false statement, representation or concealment will subject me to felony criminal prosecution, including jail and civil liability in accordance with the Workers' Compensation Law and all other New York State laws. By submitting this Certificate of Attestation of Exemption to the government entity listed above I also hereby affirm that if circumstances change so that workers' compensation insurance and/or disability and paid family leave benefits coverage is required, the above-named legal entity will immediately acquire appropriate New York State specific workers' compensation insurance and/or disability and paid family leave benefits coverage and also immediately furnish proof of that coverage on forms approved by the Chair of the Workers' Compensation Board to the government entity listed above.

<b>SIGN HERE</b>	Signature:	Date: <b>8/15/2023</b>
<b>Exemption Certificate Number 2023-049996</b>		<b>Received July 10, 2023 NYS Workers' Compensation Board</b>

July 31, 2023

Zoning Board  
Town Hall  
3333 Chili Avenue  
Rochester, NY 14624

# PRELIMINARY PLANS

Re: Cormany Application for Area Variance @ 12 Creekview Dr. Rochester, NY 14624

To the Zoning Board of the Town of Chili, New York,

Krumsieg Architecture is applying for an Area Variance at the property located at 12 Creekview Drive, Rochester, NY 14624 on behalf of Noel Cormany and Elizabeth Kopetka.

Several weeks ago, Noel and Elizabeth engaged Krumsieg Architecture to develop drawings for the design, bid and construction of an addition to improve and expand their property. During the design phase it was identified that proposed addition's roof overhang, soffit and gutter at the Northeast corner, appeared to extend into the side setback. This is the setback at the property line shared with their neighbor to the North, at 14 Creekview Drive.

Several options to adjust the design were considered, but ultimately the preferred design which extended into the side set back was desired and we are now seeking your consideration to adjust the side setback from 10'-0" to 8'-0".

Please find the attached documents as Noel Cormany's request for an Area Variance, (1) Original and (7) Copies of the following:

- Application Form – signed, dated and notarized.
- Denial letter per review by the Town of Chili Building Department
- Survey, copy of the property owner's survey.
- Existing & Proposed Site Diagram – showing the conflict at the side setback.
- FEMA, Firmette showing the property's designation as Zone X
- Zoning Map, Snip of the property's designation / Town of Chili's interactive zoning map.
- Pictures, of the property and surrounding areas, taken on 7/24/23.
- 3D view from the side yard of the addition compared to a similar picture taken on 7/24/23.
- 3D diagram showing the area of conflict at the roof overhang.
- Plans & Elevations of the proposed addition.
- Signed letter, from Neighbor at 14 Creekview Drive, expressing support for Noel and Elizebeth's request for an Area Variance.

Sincerely,



Daryl R. Krumsieg, AIA, NCARB





**ZONING BOARD OF APPEALS APPLICATION FORM**

8. Are there special circumstances such as lot size, slope, or other physical conditions of the property which make compliance with the zoning regulations challenging? If so, please explain:

The existing lot is non-conforming per Town Code 500-13. The minimum width of the existing lot is 67.2' which is less than 90' as indicated.

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**SECTION III: AREA VARIANCE – PLEASE ANSWER THE FOLLOWING:**

The applicant requests relief from the following sections and requirements of the Zoning Law:

Section of Code*	Concerning*	Change From*	Change To*
500- 13(D)(1)	Side Yard Setback	10 feet	8 feet
500-			
500-			
500-			
500-			
500-			

\*See example below:

500-13(D)(1)	Rear Yard Setback	60 feet	58 feet
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**Criteria For Area Variance**

To grant an area variance, the ZBA must balance the benefits to the applicant against the potential harm to the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. **Can the benefit sought by the applicant be achieved by other feasible means?** Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

We considered reducing the size of the addition by depth. We considered shifting the expansion to be out of plane with the side of the house, we considered jogging the expansion, each option either complicated the build, and/or degraded the use of spaces inside the home, and/or reduced the flow and function of the home.

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**ZONING BOARD OF APPEALS APPLICATION FORM**

**2. Will granting the variance produce an undesirable change in the character of the neighborhood or a detriment to nearby properties?** Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The expansion to the home is located at the rear of the house. Dimensional criteria of the existing home is being maintained and continued with the expansion, for example the soffit width is being matched at the addition. Exterior finishes, window style, treatment, elevation heights are consistent with the existing home, and other characteristics of the existing house are being maintained at the addition.

**3. Is the requested variance substantial?** The requested variance is not substantial for the following reasons:

We are seeking relief for the most rear corner portion of the expansion, such that the roof overhang and associated gutter would be in compliance.

**4. Will the variance have any adverse physical or environmental effects on neighborhood or district?**

The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

We are seeking dimensional relief from a side setback, where there is a pinch point at one corner of the proposed expansion. All other requirements within the district would be maintained. We would not expect that this relief would lead to any other adverse effects within the district or open up this property to something less desirable in the future.

**5. Was the alleged difficulty self-created?** (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

Yes, it was self created as we are looking to expand the interior area of the home.

**DISCLOSURE**

Does any Town officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?  Yes  No If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

**APPLICANT & PROPERTY OWNERS' CERTIFICATIONS:**

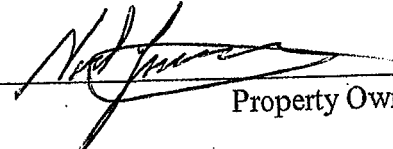
1. **Application to the Zoning Board:** I/we, the property owners of the land in question and the applicants hereby request an appearance before the Zoning Board of Appeals.
2. **Authorization to Enter Property:** I/we, the undersigned Property Owners, hereby authorize the members of the Zoning Board of Appeals and designated Town staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.
3. **Property Owner's Authorization of Applicant and Liability:** I/we certify that I/we, the undersigned Property Owners, am/are all of the Owners of the Property which is the subject of this application, that I/we have authorized the applicant to make this application and that **I/we agree to be bound by the application, the representations made by the applicant, and the decision of the Town.**
4. **Truth Required By Law:** I/we understand that false statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law of the State of New York

SUZANNE M. CAMARATA #01CA6142208  
Notary Public, State of New York  
Qualified in Monroe County  
My Commission Expires Mar. 13, 20 26

Sworn to before me this

August 3rd 2023

Suzanne M. Camarata  
Notary Public

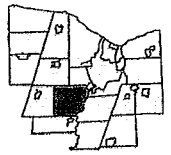
X  Property Owner  
X \_\_\_\_\_ Property Owner  
X \_\_\_\_\_ Applicant  
X \_\_\_\_\_ Applicant

STATE OF NEW YORK  
MONROE COUNTY  
Office of the Clerk of the  
Town of Chili



# TOWN OF CHILI

STATE OF NEW YORK \* COUNTY OF MONROE  
ESTABLISHED IN 1822



David J Dunning  
Supervisor

Virginia L. Ignatowski  
Town Clerk

## BUILDING DEPARTMENT

Mark L. DeCory  
Michael S. Slattery  
Mary C. Sperr  
James V. Valerio  
Town Council Members

### DENIAL OF APPLICATION FOR LAND USE AND/OR BUILDING PERMIT

APPLICANT: Krumsieg Architecture c/o Noel Cormany/Elizabeth Kopetka

PROPERTY ADDRESS: 12 Creekview Dr Rochester, NY 14624

TAX PARCEL NO.: 145.17-1-36

ZONING DISTRICT: R-1-15

This applicant has applied to use the identified property within the Town of Chili for the following:  
*Applicant proposes to erect an addition to the existing structure which will project 2'-0" (8'-0" proposed) into the North side setback (10'-0" required).*

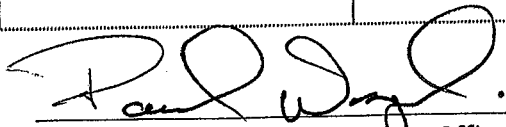
This application is hereby denied upon the grounds that such use of the property would violate the Town Zoning Law article(s); III.

As such, the following relief would be required to proceed:

- Appeal of My Interpretation     Use Variance to permit the following:  
 Area Variance seeking the following relief:

Section of Code*	Concerning*	Change From*	Change To*
500-13-(D)(1)	Side setback	10'-0" required	8'-0" proposed
500-			

August 3, 2023  
Date

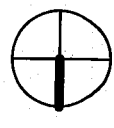
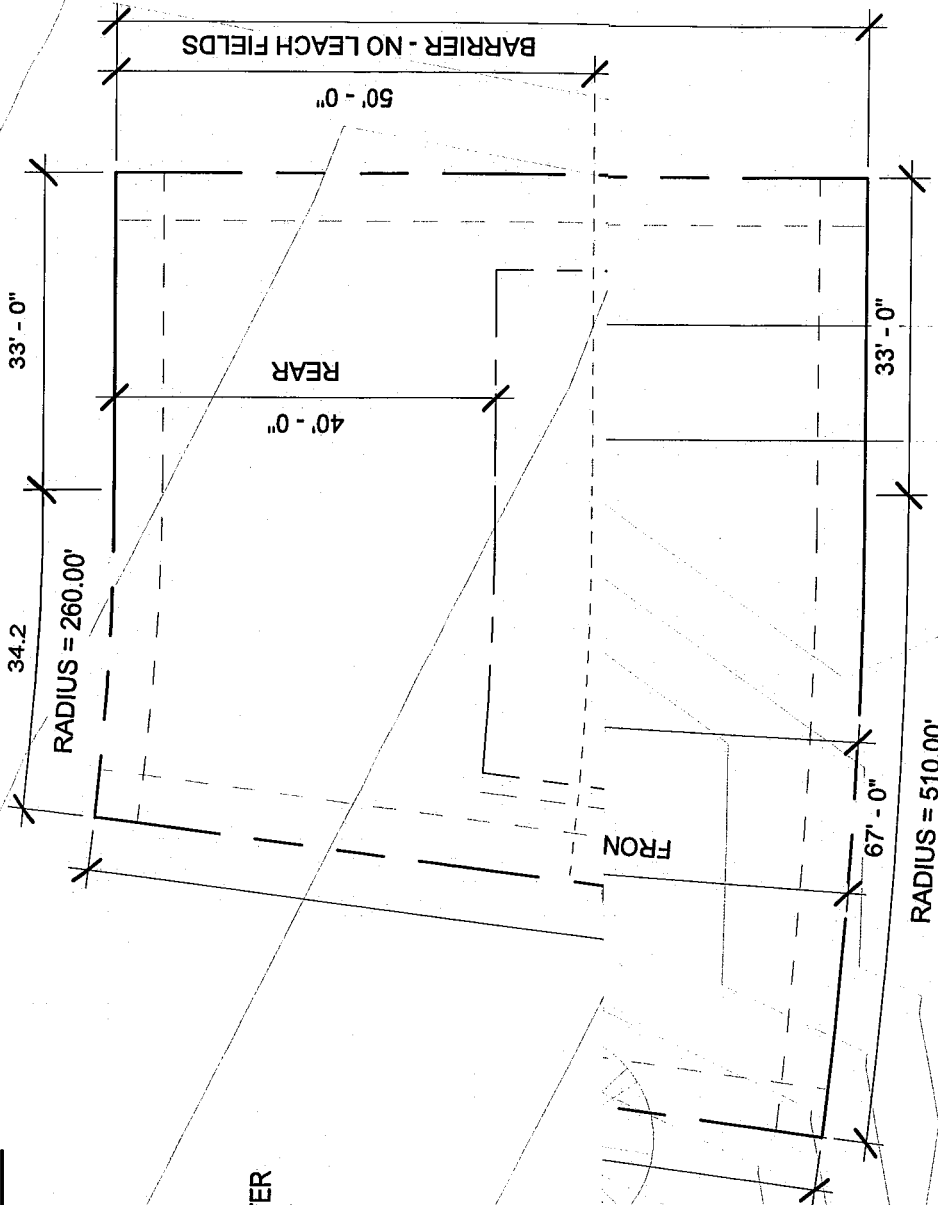
  
Code Enforcement Officer





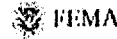
**SHEET NOTES**

- 01 EXISTING HOUSE
- 02 PROPERTY LINE
- 03 5.0' EASEMENT L. 2813 P. 17
- 04 SETBACK
- 05 PROPOSED ADDITION
- 06 NEIGHBOR' HOUSE 14 CREEKVIEW DRIVE
- 07 ROOF OVERHANG, SOFFIT, FASCIA AND GUTTER EXTENDS OVER SIDE SET BACK. THIS IS THE AREA IN WHICH WE ARE SEEKING RELIEF

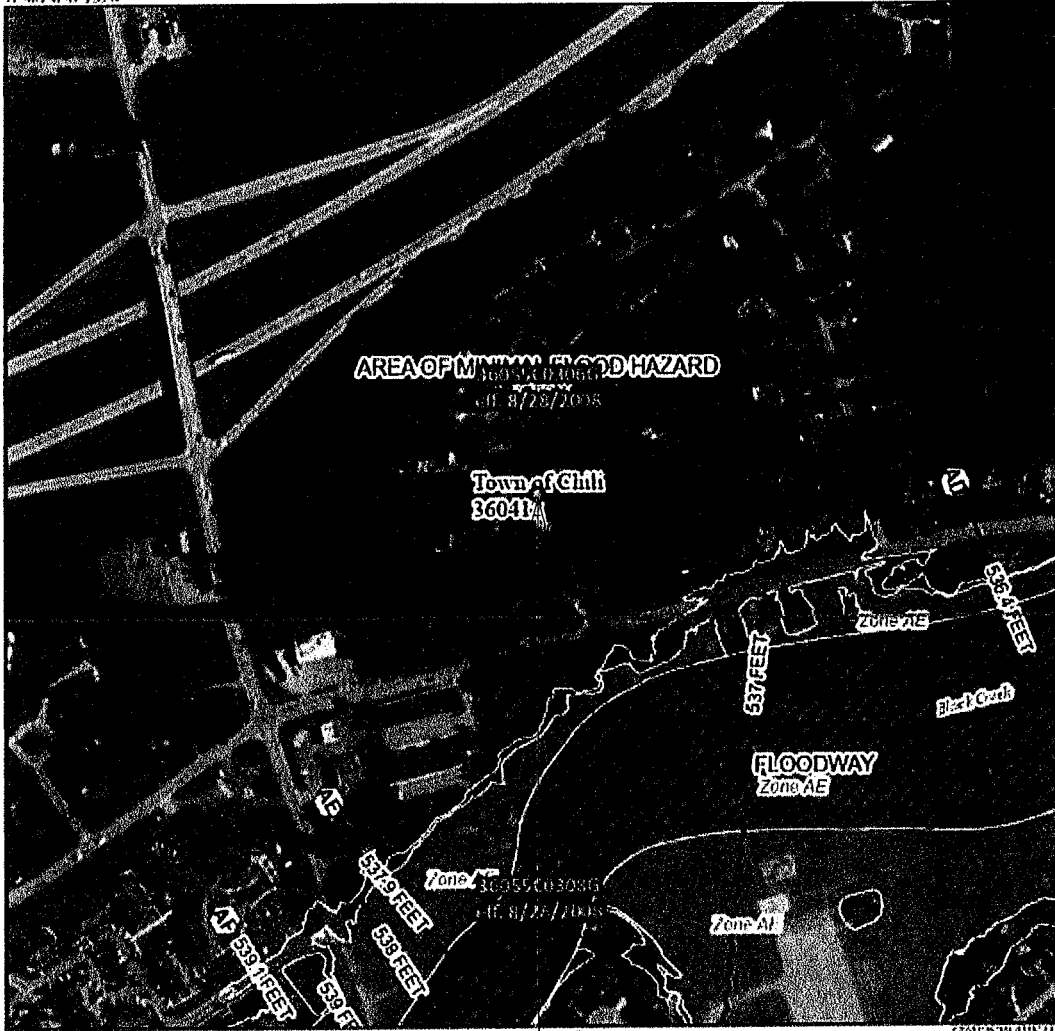




# National Flood Hazard Layer FIRMette



77°48' W 41°52' N



0 250 500 1,000 1,500 2,000 Feet  
1:6,000

Basemap Imagery Source: USGS National Map 2023

## Legend

SEE FIRMette FOR DETAILED LEGEND AND INDEX MAP FOR FOUR PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone AE-1
	With BFE or Depth Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
	Future Conditions 1% Annual Chance Flood Hazard
	Area with Reduced Flood Risk due to Levee, See Notes
	Area with Flood Risk due to Levee
OTHER AREAS	Area of Minimal Flood Hazard
	Effective LOMRA Area of Undersound Flood Hazard
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
	OTHER FEATURES
Coastal Transect	
Base Flood Elevation Line (BFE)	
Limit of Study	
Jurisdiction Boundary	
Coastal Transect Baseline	
MAP PANELS	Digital Data Available
	No Digital Data Available
	Unmapped

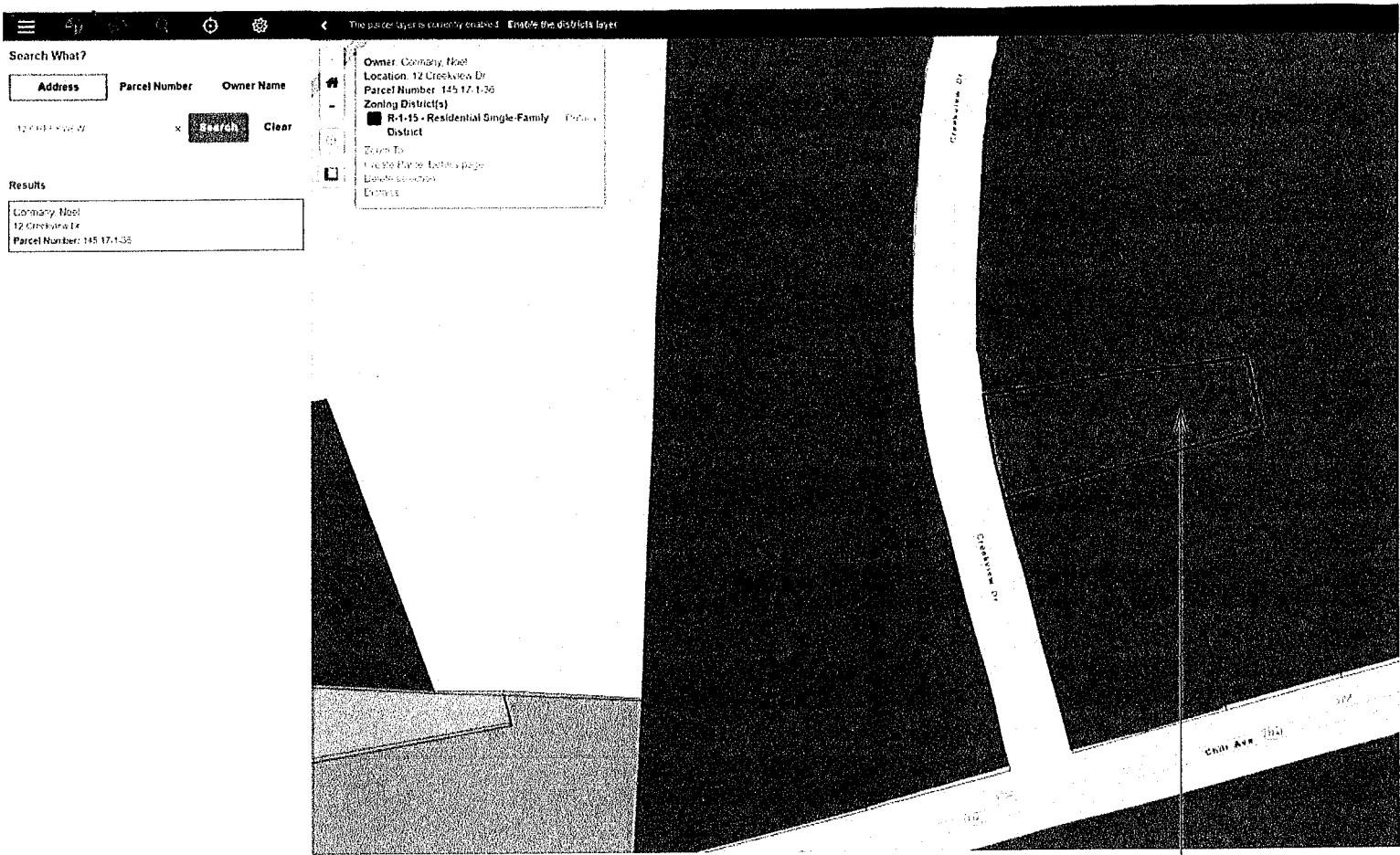
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shows complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was updated on 7/19/2023 at 9:46 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRMette panel number, and FIRMette effective date. Map images for unmapped and unadministered areas cannot be used for regulatory purposes.

PIN INDICATES  
LOCATION OF HOUSE

12 CREEVIEW DR.  
ROCHESTER, NY 14426



**R-1-15 Residential Single-Family District** Clear

**District Description** Expand

**Dimensional Standards for District** Collapse

**Lot Requirements**

**Minimum Lot Area (square feet/ acres):** 15,000 square feet.  
See § 500-53. Lot size for more detailed information on lot size.

**Minimum Lot Width (feet):** 90 feet.  
See § 500-53. Lot size for more detailed information on lot size.

**Maximum Aggregate Area Lot Coverage (percent):** 25%.  
See § 500-53. Lot size for more detailed information on lot size.

**Setback Requirements**

**Front Yard Setback (feet):** 60 feet.  
**NOTE:** 75 feet is the minimum front yard setback only for those lots fronting along the affected major highways listed in § 500-59D of this chapter. On a corner lot both sides abutting a street shall have a front yard setback.  
See § 500-64. Front yard for more detailed information on front yards.  
See § 500-59. Special setback requirements for more detailed information on setbacks.

**Rear Yard Setback (feet):** 40 feet.  
In a residential district, a side or rear yard may be reduced to eight feet for an accessory structure erected more than 55 feet from any street, other than an alley, provided that the structure is detached. In no case shall an accessory structure be located in the front yard.  
See § 500-59. Special setback requirements for more detailed information on setbacks.

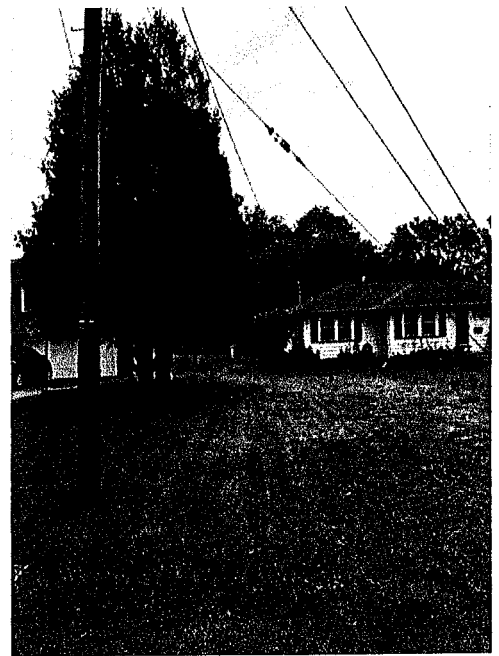
**Side Yard Setback (feet):** 10 feet.  
In a residential district, a side or rear yard may be reduced to eight feet for an accessory structure erected more than 55 feet from any street, other than an alley, provided that the structure is detached. In no case shall an accessory structure be located in the front yard.  
See § 500-59. Special setback requirements for more detailed information on setbacks.

12 CREEVIEW DR.

LOT APPEARS TO BE NON-CONFORMING TO R-1-15 - RESIDENTIAL SINGLE FAMILY DISTRICT, IN THAT THE REQUIRED MINIMUM LOT WIDTH IS LESS THAN 90 FEET.



FRONT VIEW 12 CREEKVIEW DR.



BETWEEN 12 & 14 CREEKVIEW DR.



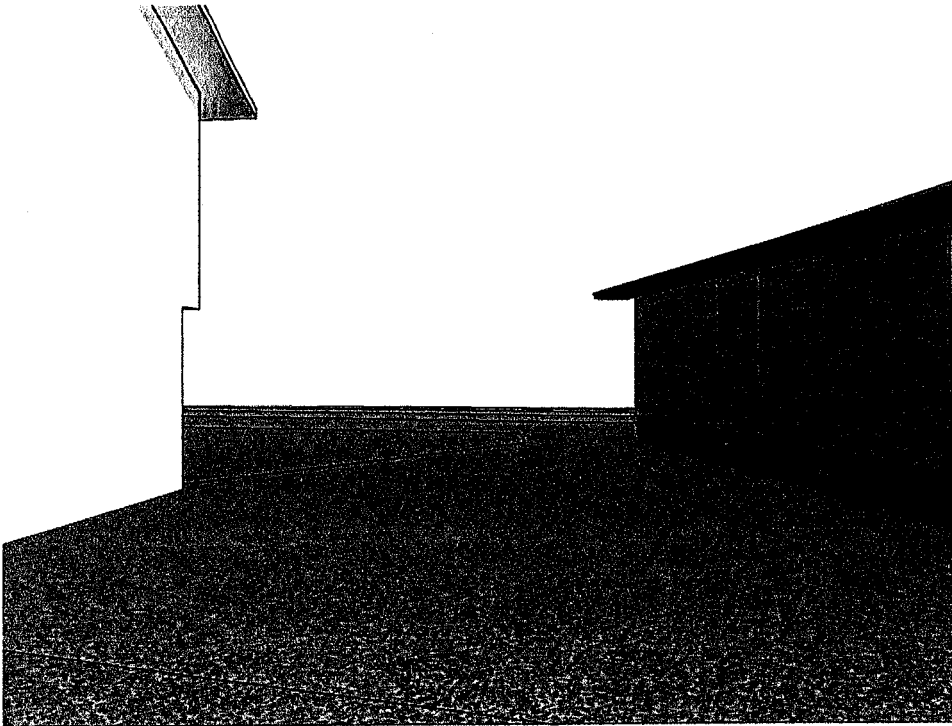
FRONT VIEW 14 CREEKVIEW DR.



SIDE YARD 14 CREEKVIEW DR.



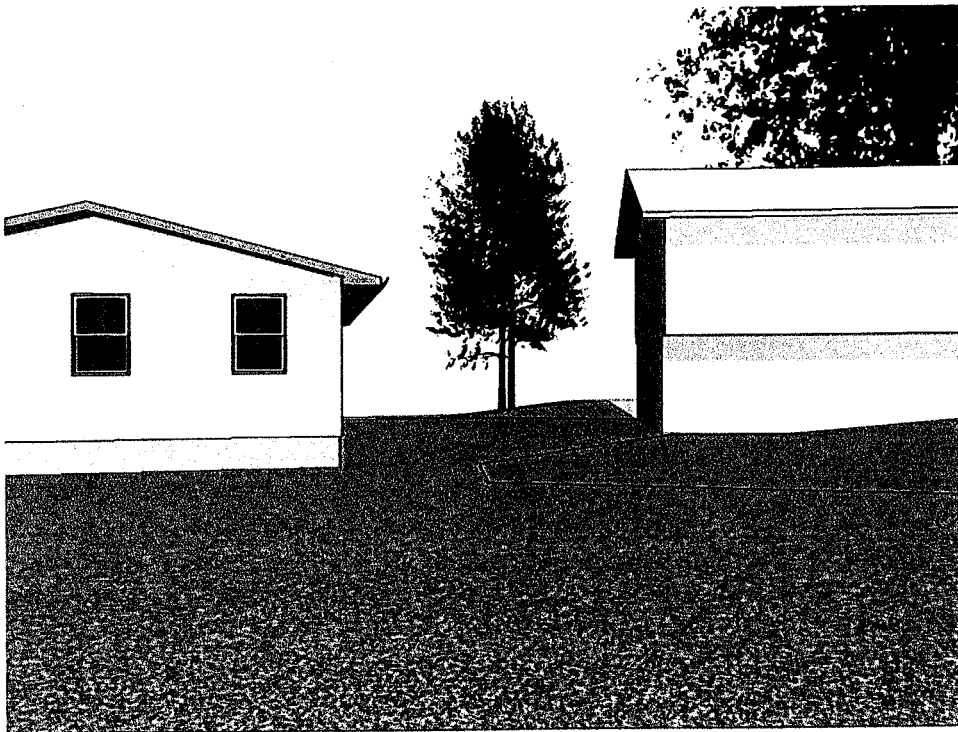
EXISTING CONDITIONS



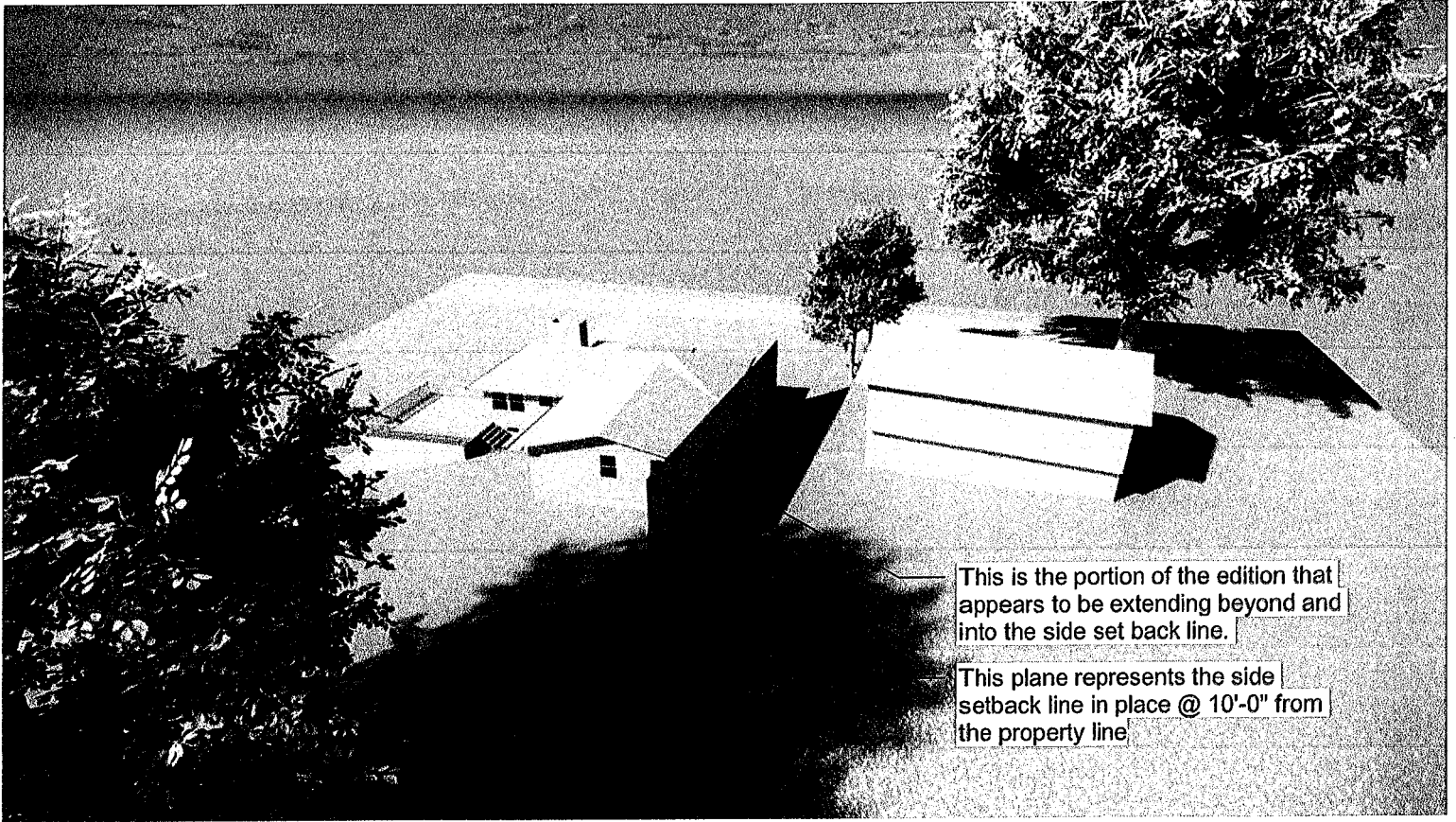
SAME CONDITION WITH PROPOSED ADDITION IN PLACE



EXISTING CONDITIONS

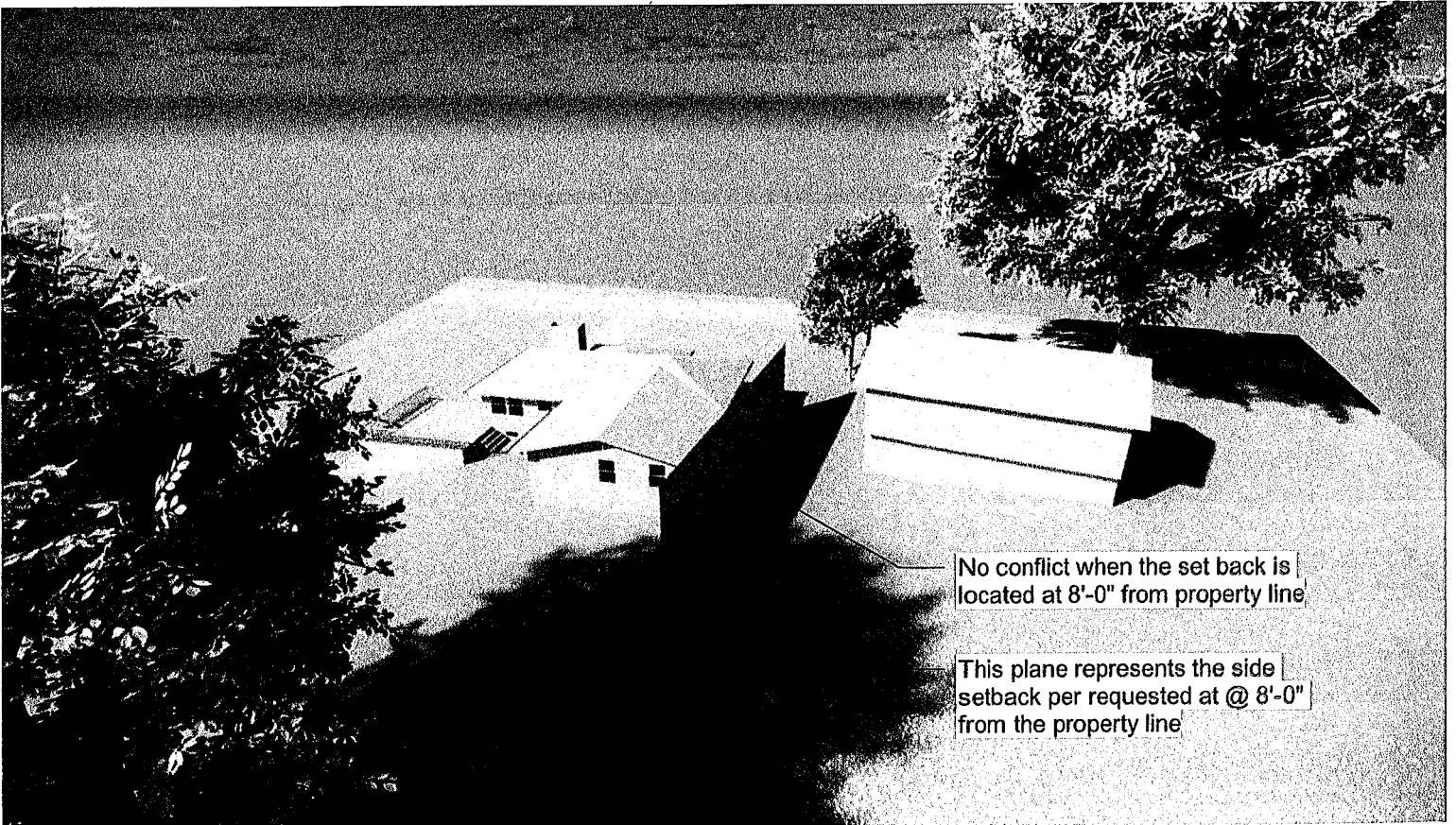


SAME CONDITION WITH PROPOSED ADDITION IN PLACE



This is the portion of the edition that appears to be extending beyond and into the side set back line.

This plane represents the side setback line in place @ 10'-0" from the property line.

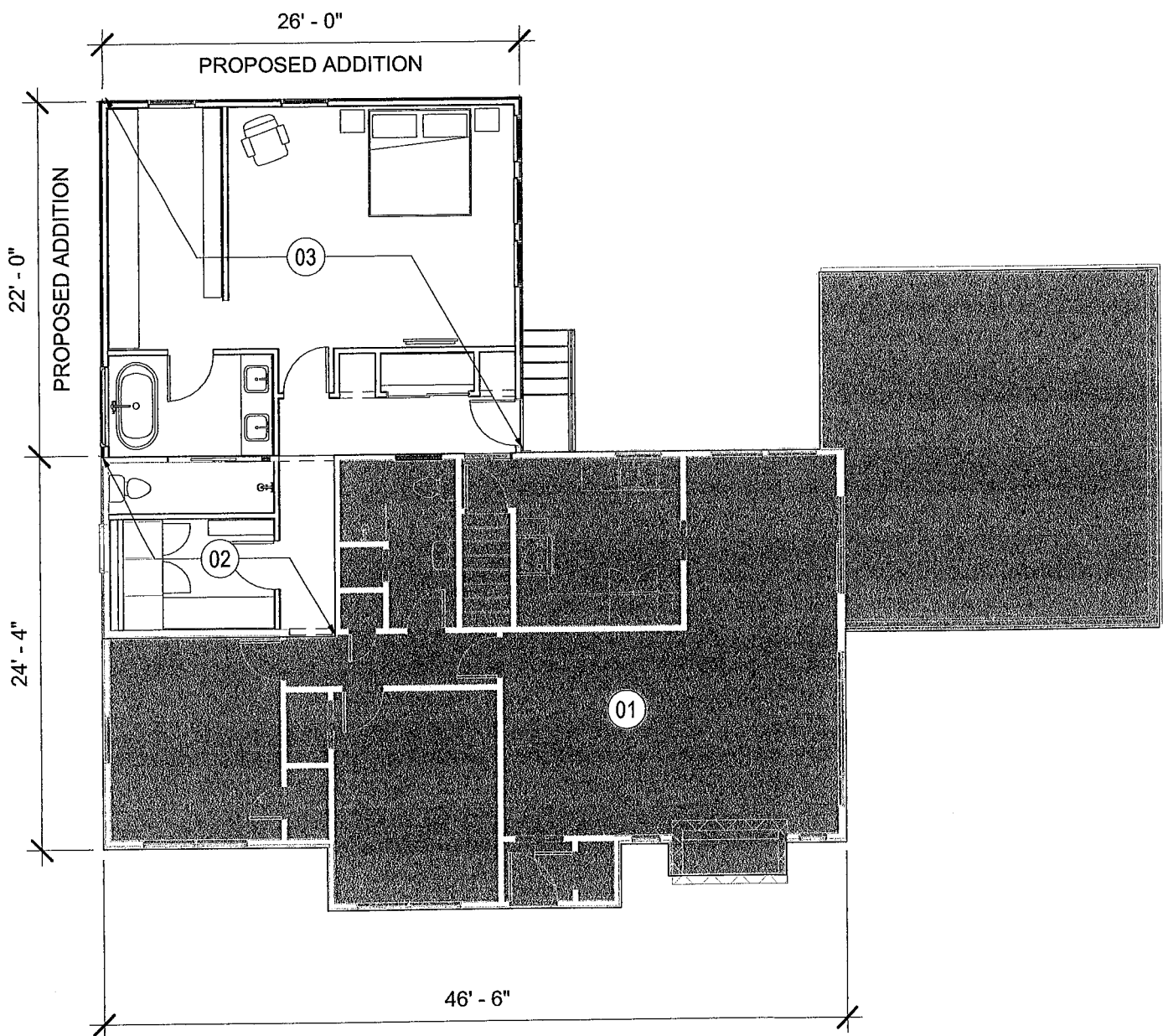


No conflict when the set back is located at 8'-0" from property line

This plane represents the side setback per requested at @ 8'-0" from the property line

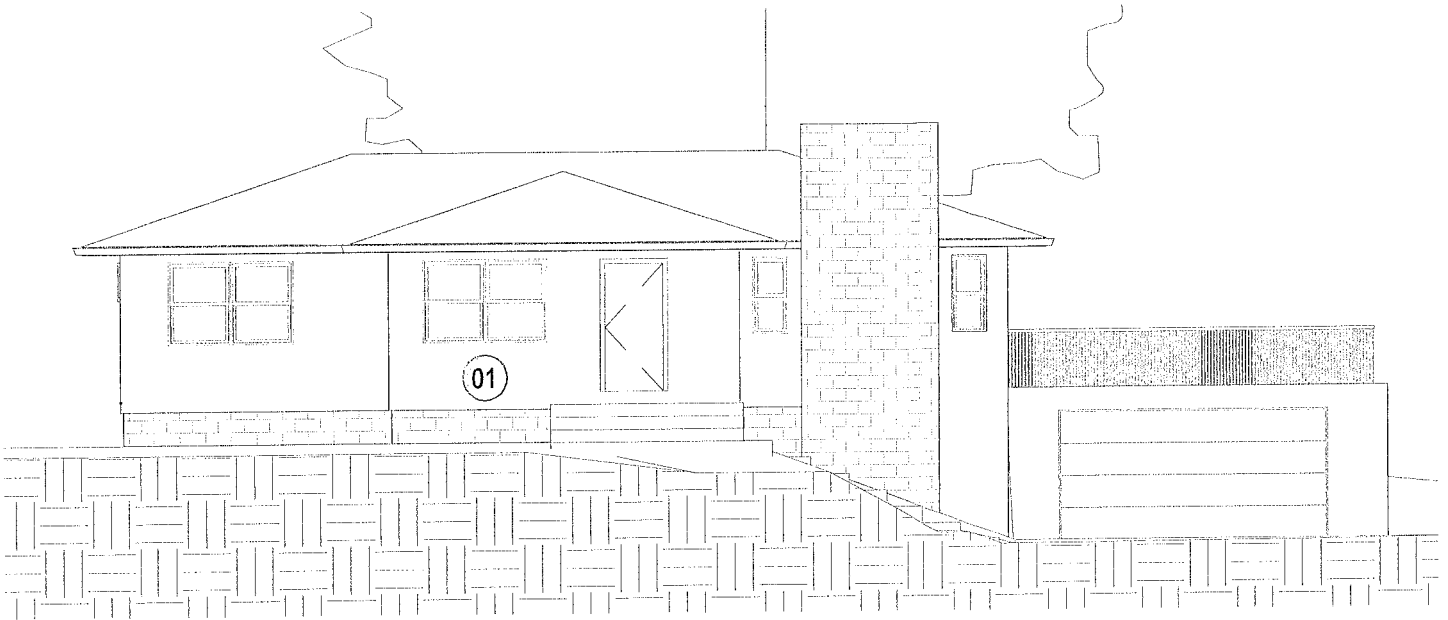
## SHEET NOTES

- 01 EXISTING HOUSE, TYPICAL
- 02 EXISTING HOUSE AREA BEING RENOVATED
- 03 PROPOSED ADDITION

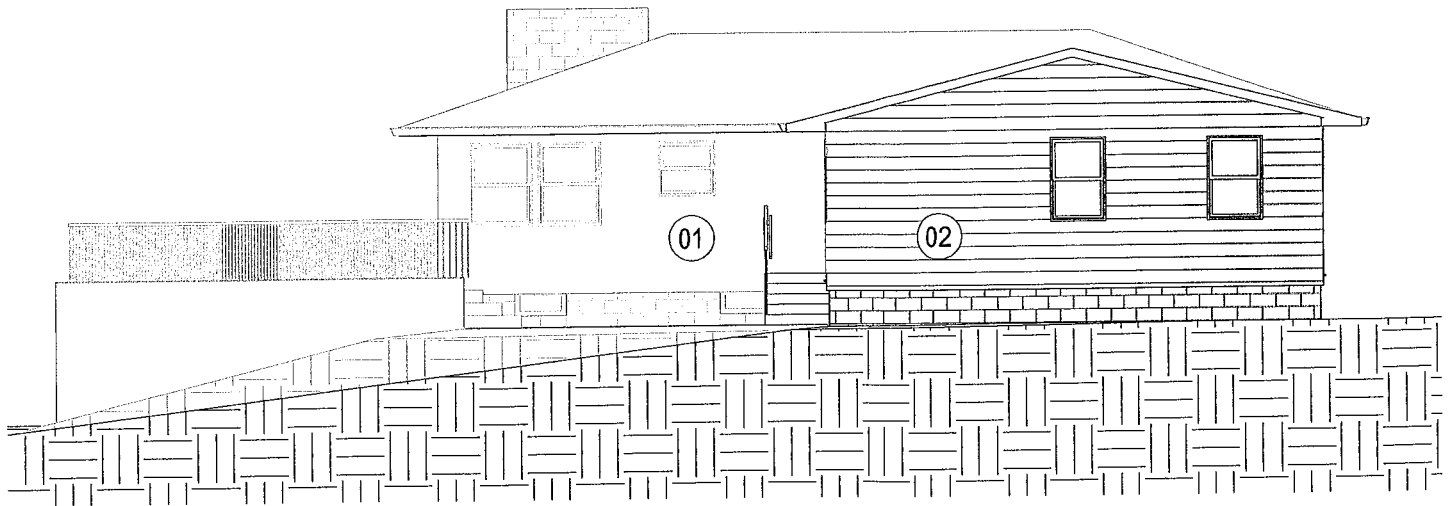


**SHEET NOTES**

- 01 EXISTING HOUSE, TYPICAL
- 02 PROPOSED ADDITION



WEST ELEVATION - FRONT VIEW 12 CREEKVIEW DR.

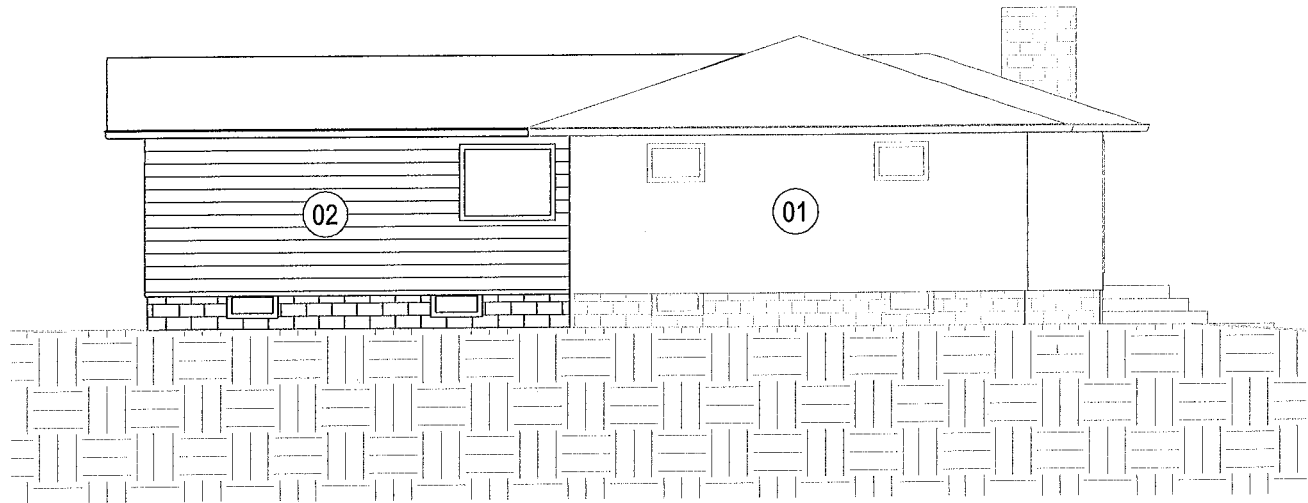


EAST ELEVATION - REAR VIEW 12 CREEKVIEW DR.

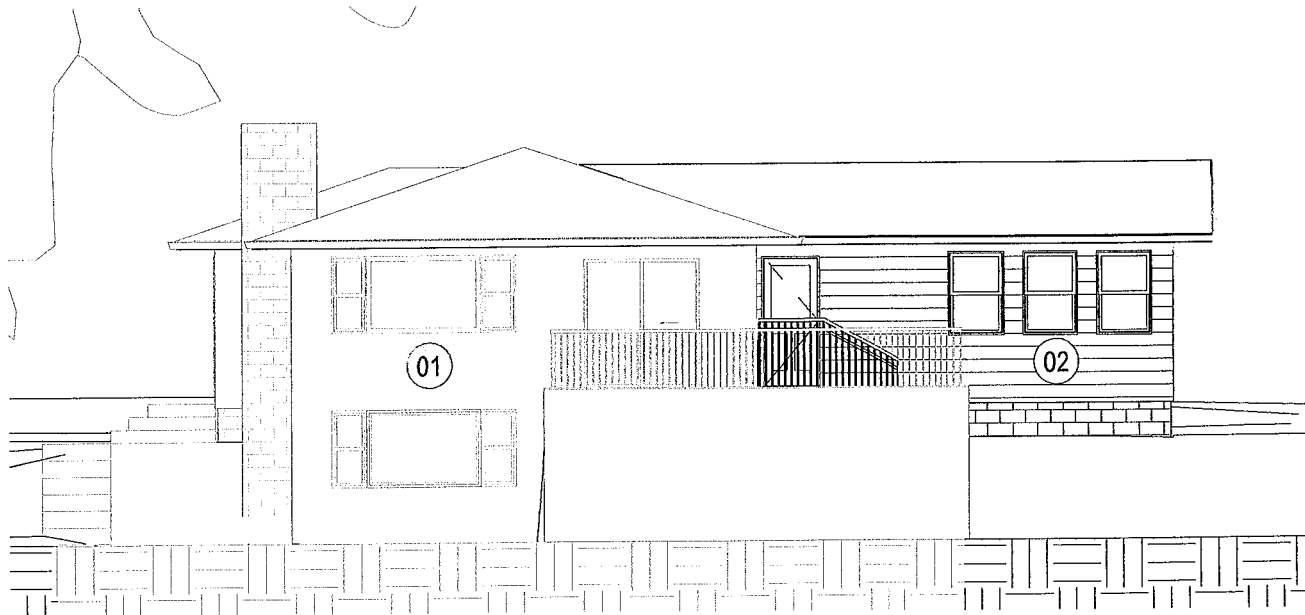


**SHEET NOTES**

- 01 EXISTING HOUSE, TYPICAL
- 02 PROPOSED ADDITION



NORTH ELEVATION - SIDE VIEW 12 CREEKVIEW DR.



SOUTH ELEVATION - SIDE VIEW - 12 CREEKVIEW DR.

July 26, 2023

Pamela Cantleberry  
14 Creekview Drive  
Rochester, NY 14624

Zoning Board  
Town Hall  
3333 Chili Avenue  
Rochester, NY 14624

Re: Neighbor support for Cormany Side Setback Variance request

To the Zoning Board of the Town of Chili, New York,

I am writing this letter to express my full support for the variance request submitted by my neighbor, Noel Cormany and Elizabeth Kopetka, regarding their property located at 12 Creekview Drive, Rochester NY 14624.

Having lived next to Noel and Elizabeth for the last several years, I have gotten to know them and their commitment to our neighborhood and community.

Elizabeth recently shared with me their plans to improve their property by creating an addition to the rear of their home. Additionally, I reviewed the details of their request for a side setback variance adjustment which would make this improvement to their property possible. Let it be known that I have no concern with their variance request. I feel as though it aligns with the existing character of our neighborhood and it will not compromise the integrity of the surrounding properties.

Moreover, Noel and Elizabeth have demonstrated their commitment to our community with their thoughtful and considerate approach to their proposed addition. These proposed improvements to their home, appear to reinforce and compliment the overall appearance of our neighborhood.

In conclusion, I strongly urge you to consider Noel and Elizabeth's request for a side set back variance and I encourage you to grant their request!

Sincerely,

  
Pamela Cantleberry