

TOWN OF CHILI

3333 Chili Avenue, Rochester, NY 14624

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

www.townofchili.org

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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:

APPLICANT(S)*

OWNER(S) (If not applicant)

ATTORNEY/AGENT

Name: Samuel Cocilova
Address: 880 Brook Road
Scottsville NY 14546
Tel/Fax: [REDACTED]
E-Mail: [REDACTED]

* 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.): 880 Brook Road
- Tax Parcel No.: 159.03-1-2
- Current Zoning District: Chili
- Has a previous ZBA application/appeal been filed for this property? ☒ Yes? ☐ No?
If Yes, then: When: SEPT 22, 1981 For What: COMBINING TWO UNDERSIZED LOTS, LOT WIDTH (276'), 44.10' SIDE SETBACK / 11.44' FRONT (OLD 2 RD ROAD) / 6.7' REAR SETBACK.
- 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):
30' x 40' Metal Garage with 3 garage doors
on front, one garage door on the rear, one
window and man door on side facing the house.
All on a 5" concrete slab. This garage is
being used to park my vehicles in.

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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:

~~For~~ My residence is only 10 feet off of the road and currently has no garage. The property is not flat and slopes to the back of the property. There is a small hill on the right side of the property. Therefore, there are limits to where the garage can be located.

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- 27(F)(4)	FRONT SETBACK STREET LINE = PROP LINE	100.00' REQ'D	40.00' 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.

NO, because of the topography of the property.

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:

Current homes/trees are a distance away from proposed garage. Few residents are located near property. Farm land located across from property.

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

The variance is not substantial because I spoke with ~~my~~ neighbor's and they don't have a problem with it.

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:

This will be a free standing structure, that will not produce any kind of waste/pollution that will effect the nearby landscape.

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, trying to be the most efficient with the land I have to work with.

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.

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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

15th December 2023

Roxanne C. Lomando

Notary Public

X Samuel C Cocilova

Property Owner

X Denise C Davis

Property Owner

X Samuel C Cocilova

Applicant

X Samuel C Davis

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

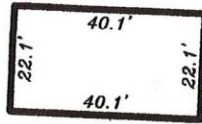
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BENT PIPE
FOUND

S 80°30'00" E

270.00'

40.1'



BLOCK
BARN

AREA=
87,120 SQ. FT.
2.000 ACRES

LOT 1
LINDA MORRISON
SUBDIVISION
L 220 MP 62

FORMER TITLE LINE

300.18'
S 16°32'30" W 325.12' TO CENTERLINE

METAL
SHED



162.2'

90'

25'

2 STORY
FRAME
#880

WELL
COVER

DECK

BILCO
DOOR

WIRES

CONC.

ASPHALT

STREET

BENT PIPE
FOUND

CENTERLINE

N 80°30'00" W

270.00'

BROOK (49.5' WIDE) ROAD

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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: Samuel Cocilova

PROPERTY ADDRESS: 880 Brook Rd Scottsville, NY 14624

TAX PARCEL NO.: 159.03-1-2

ZONING DISTRICT: PRD

This applicant has applied to use the identified property within the Town of Chili for the following:
Applicant proposes to erect a 30.00' deep x 40.00' wide pole barn to use as a detached garage space. Note property has no existing garage

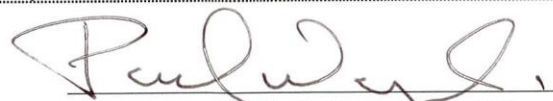
This application is hereby denied upon the grounds that such use of the property would violate the Town Zoning Law article(s); III.

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*
500-27(F)(4)	Front Yard setback	100.00 ft required	40.00 ft proposed
500-			

December 14, 2023
Date


Code Enforcement Officer

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