

January 20, 2011

AGENDA

- No. 1** V-036-10-11 366 Alexander Street
Applicant: Stu Chait
Zoning District: R-2 Medium Density Residential District
Quadrant: Southeast
Application Type: Use and Area Variance
Purpose: To establish use of an existing accessory structure as a dwelling unit, not meeting setback and dwelling unit conversion standards; and, to legalize an accessory parking lot, exceeding lot coverage limitations. **Hearing was adjourned from the 12/16/10 meeting because additional information is required from the applicant.**
Enforcement: **Yes**
- No. 2** V-037-10-11 959-961 N. Clinton Avenue
Applicant: Jonathan Love
Zoning District: C-2 Community Center District
Quadrant: Northeast
Application Type: Use and Area Variance
Purpose: To legalize a change in use from a store and one apartment to a store and 2 apartments, not meeting dwelling unit conversion standards; and, to waive the requirement that dwelling units be located on the second floor and above, associated with the legalization of the first floor apartment. **Application was postponed from the 12/16/10 hearing because the applicant did not attend the hearing.**
Enforcement: **Yes**
- No. 3** V-040-10-11 674-676 Monroe Avenue
Applicant: Lawrence Kasinowski
Zoning District: C-2 Community Center District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To legalize signs for the Royal Crown Pawn shop, exceeding size limitations and not meeting design standards. **Hearing was adjourned from the 12/16/10 meeting because additional information is required from the applicant.**
Enforcement: **Yes**

**Zoning Board of Appeals Agenda
January 20, 2011
Page 2, continued**

- No. 4** V-041-10-11 487-491 Monroe Avenue
Applicant: Reza Hourmanesh
Zoning District: C-2 Community Center District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To expand an existing nonconforming 24-hour sit-down restaurant (Marks' Texas Hots) into a portion of an existing apartment, thereby expanding a nonconforming use; to waive the requirements for off-street parking associated with the expansion; and, to waive the requirements of habitable floor area associated with reduction in the size of the affected apartment.

Enforcement: **Yes**
- No. 5** V-042-10-11 7 Zimbrich Street
Applicant: Bobbie Brown
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To waive certain height and fence type limitations associated with the legalization of a 4 ft. high chain link fence in the front yards of this corner lot.

Enforcement: **Yes**
- No. 6** V-044-10-11 862-864 Hudson Avenue
Applicant: Ali Nasher
Zoning District: C-1 Neighborhood Center District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To legalize one internally lit sign for the convenience store, not meeting certain sign design standards.

Enforcement: **Yes**
- No. 7** V-045-10-11 2222 Norton Street/2299-2303 Culver Road
Applicant: Kathleen Valone and Esq Realty
Zoning District: C-1 Neighborhood Center District
Quadrant: Northeast
Application Type: Use and Area Variance
Purpose: To allow the construction of an 1,800 sq. ft. Dunkin Donuts restaurant with a drive-thru facility, a use not permitted in the district; to waive height, setback, off-street parking, and transparency requirements associated with the proposed use; and, to waive sign requirements associated with the installation of the proposed signs.

Enforcement: **No**

**February 17, 2011
(REVISED January 25, 2011)**

AGENDA

- No. 1** V-046-10-11 470 Carter Street
Applicant: Siham Abdeldayem
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To expand the existing nonconforming convenience store by extending the hours of operation from the approved closing time of 6:00 pm to the proposed closing time of 12:00 am; and, to legalize signs for the store that do not meet sign requirements.

Enforcement: **Yes**
- No. 2** V-047-10-11 331-333 University Avenue
Applicant: Timothy Craft
Zoning District: R-2 Medium Density Residential District
Quadrant: Southeast
Application Type: Use Variance
Purpose: To change use of the front building from two apartments to three apartments, a use not permitted in the district and not meeting dwelling unit conversion standards.

Enforcement: **No**
- No. 3** V-048-10-11 896-902 S. Clinton Avenue
Applicant: Clinton Signs (Michael Mammano)
Zoning District: C-2 Community Center District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To waive sign requirements associated with the installation of sign(s) for the heating and cooling contracting business.

Enforcement: **No**
- No. 4** V-049-10-11 831 Genesee Street
Applicant: Raymond H. Fleming
Zoning District: R-1 Low Density Residential District
Quadrant: Southwest
Application Type: Area Variance
Purpose: To waive sign requirements associated with the installation of sign(s) for St. Monica Church.

Enforcement: **No**

**Zoning Board of Appeals Agenda
February 17, 2011
Page 2, continued**

- | | | |
|--------------|---|--|
| No. 5 | V-050-10-11
Applicant:
Zoning District:
Quadrant:
Application Type:
Purpose:

Enforcement: | 1765 Mt. Read Blvd.
Michael Mammano
M-1 Industrial District
Northwest
Area Variance
To waive sign requirements associated with the installation of sign(s) for The Show World.

No |
| No. 6 | V-051-10-11
Applicant:
Zoning District:
Quadrant:
Application Type:
Purpose:

Enforcement: | 797 Chili Avenue
Patrick Coley
R-1 Low Density Residential District
Southwest
Area Variance
To waive the requirements of habitable floor area associated with the legalization of the change in use of the first floor from one apartment to two apartments and the elimination of the third floor apartment.

Yes |
| No. 7 | V-052-10-11
Applicant:
Zoning District:
Quadrant:
Application Type:
Purpose:

Enforcement: | 1286-1290 Mt. Hope Avenue
Patrick Benfante
C-V Collegetown Village District
Southeast
Area Variance
To waive the requirement that all drive-through components be located in the rear yard in association with the establishment of a drive-through operation for the proposed Tim Hortons restaurant.

No |

March 17, 2011

AGENDA

(REVISED)

- No. 1** V-046-10-11 470 Carter Street
Applicant: Siham Abdeldayen
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To legalize signs for the convenience store that do not meet sign requirements. **On February 17, 2011, the Board granted the variance and extended the hours of operation for the store to 9:00 P.M.**

Enforcement: **Yes**
- No. 2** V-036-10-11 366 Alexander Street
Applicant: Stu Chait
Zoning District: R-2 Medium Density Residential District
Quadrant: Southeast
Application Type: Use and Area Variance
Purpose: To establish use of an existing accessory structure as a dwelling unit, not meeting setback and dwelling unit conversion standards; and, to legalize an accessory parking lot, exceeding lot coverage limitations. **Adjourned from the 12/16/10 hearing.**

Enforcement: **Yes**
- No. 3** V-053-10-11 585 Driving Park Avenue
Applicant: Frank A. Vella, Sr.
Zoning District: R-1 Low Density Residential District
Quadrant: Northwest
Application Type: Area Variance
Purpose: To legalize the enclosure of the front porch, thereby requiring a waiver of the requirement that no open porch visible from any public right-of-way shall be enclosed.

Enforcement: **Yes**

Zoning Board of Appeals Agenda
March 17, 2011
Page 2, continued

- No. 4** V-055-10-11 420 Northland Avenue
Applicant: Franco Varone
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Use Variance
Purpose: To re-establish use of an abandoned beauty salon in a residentially designed structure, a use not permitted in the district and not meeting the off-street parking requirement.

Enforcement: **No**
- No. 5** V-056-10-11 1138-1144 Joseph Avenue
Applicant: Reza Hourmanesh
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To expand an existing accessory parking area to serve the nonconforming convenience food store, thereby expanding a nonconforming use in the district and not meeting lot coverage requirements. **POSTPONED TO APRIL 14, 2011 HEARING BY REQUEST OF APPLICANT.**

Enforcement: **Yes**
- No. 6** V-057-10-11 298-304 Bernard Street
Applicant: Rick Molina
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Use Variance
Purpose: To re-establish use of the property as a two family dwelling, a use not permitted in the district and not meeting dwelling unit conversion standards.

Enforcement: **Yes**
- No. 7** V-058-10-11 444-450 Brooks Avenue
Applicant: Timothy Lawler
Zoning District: R-1 Low Density Residential District
Quadrant: Southwest
Application Type: Use and Area Variance
Purpose: To change use of the first floor commercial space to one apartment, thereby converting the use of the property to a three family dwelling, a use not permitted in the district, and to develop an accessory parking lot at 444 Brooks Avenue to serve the proposed residential use, thereby exceeding lot coverage limitations.

Enforcement: **No**

Zoning Board of Appeals Agenda
March 17, 2011
Page 2, continued

- No. 8** V-059-10-11 647-651 South Avenue
Applicant: Michael Trojian
Zoning District: C-2 Community Commercial District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To waive the off-street parking requirement associated with an expansion of an existing bar/restaurant on the first floor into the vacant second floor space.

Enforcement: **No**
- No. 9** V-060-10-11 428 Ames Street
Applicant: Kadejah Williams
Zoning District: R-1 Low Density Residential District
Quadrant: Northwest
Application Type: Area Variance
Purpose: To waive the off-street parking requirement associated with the legalization of a change in use of the first floor from store/office to a church.

Enforcement: **Yes**
- No. 10** V-052-10-11 1286-1290 Mt. Hope Avenue
Applicant: Patrick Benfante
Zoning District: C-V Collegetown Village District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To waive the requirement that all drive-through components be located in the rear yard in association with the establishment of a drive-through operation for the proposed Tim Hortons restaurant. **Hearing was adjourned from the February 17, 2011 meeting.**

Enforcement: **No**

March 17, 2011

AGENDA

(REVISED)

- No. 1** V-046-10-11 470 Carter Street
Applicant: Siham Abdeldayen
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To legalize signs for the convenience store that do not meet sign requirements. **On February 17, 2011, the Board granted the variance and extended the hours of operation for the store to 9:00 P.M.**

Enforcement: **Yes**
- No. 2** V-036-10-11 366 Alexander Street
Applicant: Stu Chait
Zoning District: R-2 Medium Density Residential District
Quadrant: Southeast
Application Type: Use and Area Variance
Purpose: To establish use of an existing accessory structure as a dwelling unit, not meeting setback and dwelling unit conversion standards; and, to legalize an accessory parking lot, exceeding lot coverage limitations. **Adjourned from the 12/16/10 hearing.**

Enforcement: **Yes**
- No. 3** V-053-10-11 585 Driving Park Avenue
Applicant: Frank A. Vella, Sr.
Zoning District: R-1 Low Density Residential District
Quadrant: Northwest
Application Type: Area Variance
Purpose: To legalize the enclosure of the front porch, thereby requiring a waiver of the requirement that no open porch visible from any public right-of-way shall be enclosed.

Enforcement: **Yes**

Zoning Board of Appeals Agenda
March 17, 2011
Page 2, continued

- No. 4** V-055-10-11 420 Northland Avenue
Applicant: Franco Varone
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Use Variance
Purpose: To re-establish use of an abandoned beauty salon in a residentially designed structure, a use not permitted in the district and not meeting the off-street parking requirement.

Enforcement: **No**
- No. 5** V-056-10-11 1138-1144 Joseph Avenue
Applicant: Reza Hourmanesh
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To expand an existing accessory parking area to serve the nonconforming convenience food store, thereby expanding a nonconforming use in the district and not meeting lot coverage requirements. **Postponed to April 14, 2011 hearing at the request of the applicant.**

Enforcement: **Yes**
- No. 6** V-057-10-11 298-304 Bernard Street
Applicant: Rick Molina
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Use Variance
Purpose: To re-establish use of the property as a two family dwelling, a use not permitted in the district and not meeting dwelling unit conversion standards.

Enforcement: **Yes**
- No. 7** V-058-10-11 444-450 Brooks Avenue
Applicant: Timothy Lawler
Zoning District: R-1 Low Density Residential District
Quadrant: Southwest
Application Type: Use and Area Variance
Purpose: To change use of the first floor commercial space to one apartment, thereby converting the use of the property to a three family dwelling, a use not permitted in the district, and to develop an accessory parking lot at 444 Brooks Avenue to serve the proposed residential use, thereby exceeding lot coverage limitations.

Enforcement: **No**

Zoning Board of Appeals Agenda
March 17, 2011
Page 2, continued

- No. 8** V-059-10-11 647-651 South Avenue
Applicant: Michael Trojian
Zoning District: C-2 Community Commercial District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To waive the off-street parking requirement associated with an expansion of an existing bar/restaurant on the first floor into the vacant second floor space.

Enforcement: **No**
- No. 9** V-060-10-11 428 Ames Street
Applicant: Kadejah Williams
Zoning District: R-1 Low Density Residential District
Quadrant: Northwest
Application Type: Area Variance
Purpose: To waive the off-street parking requirement associated with the legalization of a change in use of the first floor from store/office to a church.

Enforcement: **Yes**
- No. 10** V-052-10-11 1286-1290 Mt. Hope Avenue
Applicant: Patrick Benfante
Zoning District: C-V Collegetown Village District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To waive the requirement that all drive-through components be located in the rear yard in association with the establishment of a drive-through operation for the proposed Tim Hortons restaurant. **Hearing was adjourned from the February 17, 2011 meeting.**

Enforcement: **No**

Other Items:

1. 8:30 am-9:30 am Discussion of the nonconformity legislation with the Director of Planning and Zoning.

2. At the February 17, 2011 meeting, the Zoning Board elected Joseph O'Donnell as chairperson for the 2011 calendar year. At the January 20, 2011 meeting, the Board elected Elizabeth Bosek as vice-chairperson for the 2011 calendar year.

April 14, 2011

AGENDA

- No. 1** V-023-10-11 510-524 Hudson Avenue
Applicant: Greg Prendergast and Shanya Beasley
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Use and Area Variance
Section of Code: 120-191B(4)(b)
Purpose: To legalize a towing operating as a principal use of the property, thereby establishing a prohibited use in the district. **At the October 28, 2010 hearing, the Board determined that the applicant had demonstrated an economic hardship. The Board will now make a determination on the Area Variance and the remaining portions of the use variance requests.**

SEQR: Unlisted Action
Violation: **Yes**
- No. 2** V-054-10-11 35 Parkdale Terrace
Applicant: David Mallo
Zoning District: R-1 Low Density Residential District
Quadrant: Northwest
Application Type: Area Variance
Purpose: To enclose a front porch, thereby requiring a waiver of the requirement that no open porch visible from any public right-of-way shall be enclosed.

Enforcement: **Yes**
- No. 3** V-056-10-11 1138-1144 Joseph Avenue
Applicant: Reza Hourmanesh
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To expand an existing accessory parking area to serve the nonconforming convenience food store, thereby expanding a nonconforming use in the district and not meeting lot coverage requirements. **Application was postponed from March 17, 2011 hearing at the request of the applicant.**

Enforcement: **Yes**

Zoning Board of Appeals Agenda

April 14, 2011

Page 2, continued

- No. 4** V-067-10-11 1143 Joseph Avenue
Applicant: Henry Soublet
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Section of Code: 120-199
Purpose: To construct a 25 ft. 4 in. X 28 ft. 2 in. one story addition to an existing check cashing/convenience store business; thereby expanding a nonconforming use in the district.

Enforcement: **No**
- No. 5** V-061-10-11 140 N. Winton Road
Applicant: Les Eisenberg
Zoning District: C-1 Neighborhood Center District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To legalize the installation of attached and detached signs for retail store, not meeting sign requirements

Enforcement: **Yes**
- No. 6** V-062-10-11 6 Portsmouth Terrace
Applicant: Joel Basciani
Zoning District: R-2 Medium Density Residential District
Quadrant: Southeast
Application Type: Use Variance
Purpose: To change use from a three family to a four family dwelling, a use not permitted in the district and not meeting dwelling unit conversion standards.

Enforcement: **Yes**
- No. 7** V-063-10-11 487-491 Monroe Avenue
Applicant: Reza Hourmanesh
Zoning District: C-2 Community Center Commercial District
Quadrant: Southeast
Application Type: Area Variance
Purpose: To construct a 110 sq. ft. one story addition to an existing 24-hour service sit-down restaurant, thereby expanding a non-conforming use in the district and not meeting off-street parking requirement.

Enforcement: **No**

Zoning Board of Appeals Agenda

April 14, 2011

Page 3, continued

- No. 8** V-064-10-11 1062 S. Plymouth Avenue
Applicant: Dorian Hall
Zoning District: R-1 Low Density Residential District
Quadrant: Southwest
Application Type: Use Variance
Purpose: To re-establish use of the property as a three family dwelling, a use not permitted in the district and not meeting dwelling unit conversion standards.

Enforcement: **Yes**
- No. 9** V-065-10-11 215 Alexander Street
Applicant: Nader Thabet
Zoning District: R-3/O-B High Density Residential/Overlay Boutique District
Quadrant: Southeast
Application Type: Use Variance
Purpose: To legalize use of the nonconforming front portion of the first floor as a general retail store/deli, thereby expanding a nonconforming use in this overlay boutique district.

Enforcement: **No**
- No. 10** V-045-10-11 2222 Norton Street/2299-2303 Culver Road
Applicant: Kathleen Valone and Esq Realty
Zoning District: C-1 Neighborhood Center District
Quadrant: Northeast
Application Type: Use and Area Variance
Purpose: To allow the construction of an 1,800 sq. ft. Dunkin Donuts restaurant with a drive-thru facility, a use not permitted in the district; to waive height, setback, off-street parking, and transparency requirements associated with the proposed use; and, to waive sign requirements associated with the installation of the proposed signs. **Application adjourned from the January 20, 2011 hearing.**

Enforcement: **No**

May 19, 2011

AGENDA

- No. 1** V-069-10-11 843 Ave D
Applicant: Julio Aguila
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Use Variance
Purpose: To re-establish use of the property as a two family dwelling due to extended period of vacancy, a use not permitted in the district.
Enforcement: **Yes**
- No. 2** V-070-10-11 1058 Clifford Avenue
Applicant: Lewis Henry
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To waive certain setback requirements and lot coverage limitation associated with the construction of a 1,030 sq. ft. one story addition to an existing church.
Enforcement: **No**
- No. 3** V-071-10-11 291 Thurston Road
Applicant: Rubye N. Roberts
Zoning District: R-1 Low Density Residential District
Quadrant: Southwest
Application Type: Area Variance
Purpose: To waive the requirement that no open porch visible from any public right-of-way shall be enclosed associated with the enclosure of the front open porch.
Enforcement: **Yes**
- No. 4** V-072-10-11 210-218 Portland Avenue/34-38 Central Park
Applicant: Cruz Iris Tapia
Zoning District: C-2 Community Center District
Quadrant: Northeast
Application Type: Use and Area Variance
Purpose: To expand an existing vehicle sales business at 210-218 Portland Avenue onto the properties at 34-38 Central Park, a use not permitted in the district and not meeting certain setback and screening requirements; and to legalize an existing fence, not meeting certain type, height and setback requirements.
Enforcement: **No**

Zoning Board of Appeals Agenda

May 19, 2011

Page 2, continued

- No. 5** V-073-10-11 820 Culver Road
Applicant: Gregg Protch
Zoning District: C-2 Community Center District
Quadrant: Northeast
Application Type: Area Variance
Purpose: To waive height, setback, transparency and sign requirements associated with the construction of a 4,100 sq. ft. one-story McDonald's restaurant with a drive-through facility.
Enforcement: **No**
- No. 6** V-026-10-11 125 McGuckin Street
Applicant: Deborah Malm
Zoning District: R-1 Low Density Residential District
Quadrant: Northwest
Application Type: Area Variance
Purpose: To waive the requirement that all detached accessory structures and uses shall be located in the rear yard associated with the legalization of a parking area expanded into the front yard.
Adjourned from November 18, 2010 hearing because additional information was needed.
Enforcement: **Yes**
- No. 7** V-074-10-11 500 Avis Street
Applicant: Charles Battle
Zoning District: M-1 Industrial District
Quadrant: Northwest
Application Type: Area Variance
Purpose: To construct a 13,000 sq. ft. one story addition to a manufacturing facility, not meeting certain setback, transparency and exterior building material requirements.
Enforcement: **No**

Decision Item:

V-067-10-11 1143 Joseph Avenue
Applicant: Henry Saublet
Zoning District: R-1 Low Density Residential District
Quadrant: Northeast
Application Type: Area Variance
Section of Code: 120-199
Purpose: To construct a 25 ft. 4 in. X 28 ft. 2 in. one story addition to an existing check cashing/convenience store business; thereby expanding a nonconforming use in the district.

CITY OF ROCHESTER
30 CHURCH STREET

ZONING BOARD OF APPEALS
MEETING WITH STAFF: 8:45 A.M. – 9:30 A.M.
CONFERENCE ROOM 124B
PUBLIC HEARING: 9:30 A.M.
CITY COUNCIL CHAMBERS 302A

JUNE 23, 2011

I. MEETING WITH STAFF

II. Informational Meeting/Public Hearing

Case 1
File Number: V-075-10-11
Case Type: Area Variance
Applicant: Peter Saxe, NW Neighborhood Service Center
Address: 1477 Dewey Avenue
Zoning District: C-2 Community Center Commercial District
Quadrant: NW
Purpose: To install a detached LED message sign exceeding the height requirement in a C-2 district.
Enforcement: No

Case 2
File Number: P-004-10-11
Case Type: Administrative Appeal
Applicant: Richard Dillon
Address: 775 Park Avenue
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To appeal the determination of the Director of Planning and Zoning to allow the establishment of a retail store at 775 Park Avenue known as “Devil May Care”.
Enforcement: N/A

Case 3
File Number: V-056-10-11 - Rehearing
Case Type: Area Variance
Applicant: Reza Hourmanesh
Address: 1134-1144 Joseph Avenue
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: To expand an existing accessory parking area to serve the nonconforming convenience food store, thereby expanding a nonconforming use in the district and not meeting lot coverage requirements.
Enforcement: Yes

Zoning Board of Appeals
June 23, 2011
Agenda
Page 2

Case 4
File Number: V-060-10-11 - Modification
Case Type: Area Variance
Applicant: Kadejah Williams
Address: 428 Ames Street
Zoning District: R-1 Low Density Residential District
Quadrant: NW
Purpose: To modify the condition of the March 17, 2011 area variance approval by waiving a 15-space off-street parking requirement associated with the legalization of a church.
Enforcement: Yes

Case 5
File Number: V-072-10-11 POSTPONED UNTIL JULY 21, 2011
Case Type: Use and Area Variance
Applicant: Cruz Iris Tapia
Address: 38 Central Park
Zoning District: C-2 Community Center District
Quadrant: NE
Purpose: To expand an existing vehicle sales business at 210 and 218 Portland Avenue and 34 Central Park onto the property at 38 Central Park, a use not permitted in the district and not meeting certain setback and screening requirements; and to legalize an existing fence, not meeting certain type, height and setback requirements. (HELD FROM THE MAY 19, 2011 ZONING BOARD HEARING)
Enforcement: Yes

Case 6
File Number: V-052-10-11
Case Type: Area Variance
Applicant: Patrick Benfante, Owner
Address: 1286-1290 Mt. Hope Avenue, 814 Elmwood Avenue and 19 Cook Street
Zoning District: C-V Collegetown Village
Quadrant: SE
Purpose: To waive the requirement that all drive-through components be located in the rear yard in association with the establishment of a Tim Horton's Restaurant.
Enforcement: No

Case 7
File Number: V-076-10-11
Case Type: Use and Area Variance
Applicant: Scott Fiske, Pardi Architects
Address: 1680 N. Goodman Street
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: To redevelop a vacant vehicle service station by changing the use from vehicle repair to a convenience store, expanding the gas sales from 4 to 8 fueling stalls, and constructing a gas canopy with signage; a use not permitted in the district and not meeting certain setback and sign requirements.
Enforcement: Yes

Case 8
File Number: V-078-10-11 **POSTPONED UNTIL JULY 21, 2011**
Case Type: Area Variance
Applicant: Saleh K. Saleh, Legends
Address: 865 Hudson Avenue
Zoning District: C-1 Neighborhood Center District
Quadrant: NE
Purpose: To legalize roll down security shutters on windows and door of clothing store; a prohibited alteration under the non-residential building standards relating to transparency requirements.
Enforcement: Yes

Case 9
File Number: V-079-10-11
Case Type: Area Variance
Applicant: R. Jon Schick, Architect
Address: 43 East Blvd.
Zoning District: R-1 Low-Density Residential District
Quadrant: SE
Purpose: To install a decorative metal gate with masonry piers at driveway entrance with an overall height of 9'9"; thereby exceeding the maximum 3' height requirement for fencing in the front yard.
Enforcement: No

Case 10
File Number: V-080-10-11
Case Type: Area Variance
Applicant: Chris Amesbury, Owner
Address: 528 S. Goodman Street
Zoning District: R-2 Medium-Density Residential
Quadrant: SE
Purpose: To waive the maximum lot coverage requirement associated with the installation of a vehicle turnaround in the rear yard of a two family dwelling.
Enforcement: Yes

Case 11
File Number: V-081-10-11
Case Type: Area Variance
Applicant: Vincent Batz, Owner
Address: 1450 Hudson Avenue
Zoning District: C-3 Regional Destination Center
Quadrant: NE
Purpose: To waive the landscaping, setback and sign requirements associated with the legalization of a vehicle sales operation.
Enforcement: Yes

Case 12
File Number: V-082-10-11
Case Type: Use and Area Variance
Applicant: Shane Bartholf, Empire Living, LLC
Address: 103-105 Anderson Avenue
Zoning District: R-2 Medium-Density Residential
Quadrant: SE
Purpose: To establish a sit-down restaurant, a use not permitted in the district, and not meeting the off-street parking requirement.
Enforcement: Yes

CITY OF ROCHESTER
30 CHURCH STREET

ZONING BOARD OF APPEALS
MEETING WITH STAFF: 8:45 A.M. – 9:30 A.M.
CONFERENCE ROOM 124B
Cases 1-5 PUBLIC HEARING: 9:30 A.M.
Case 6-10 PUBLIC HEARING: 11:30 A.M.
CITY COUNCIL CHAMBERS 302A

JULY 21, 2011

I. MEETING WITH STAFF

II. Informational Meeting/Public Hearing

Case	1	
File Number:	V-072-10-11	POSTPONED UNTIL AUGUST 18TH
Case Type:	Use and Area Variance	
Applicant:	Cruz Iris Tapia	
Address:	38 Central Park	
Zoning District:	C-2 Community Center District	
Quadrant:	NE	
Purpose:	To expand an existing vehicle sales business at 210 and 218 Portland Avenue and 34 Central Park onto the property at 38 Central Park, a use not permitted in the district and not meeting certain setback and screening requirements; and to legalize an existing fence, not meeting certain type, height and setback requirements. (HELD FROM THE MAY 19, 2011 ZONING BOARD HEARING)	
Enforcement:	Yes	
Case	2	
File Number:	V-077-10-11	
Case Type:	Area Variance	
Applicant:	Saleh K. Saleh, Legends	
Address:	865 Hudson Avenue	
Zoning District:	C-1 Neighborhood Center District	
Quadrant:	NE	
Purpose:	To legalize roll down security shutters on windows and door of a clothing store; a prohibited alteration under the non-residential building standards relating to transparency requirements.	
Enforcement:	Yes	

Case 3
File Number: V-023-10-11 **POSTPONED UNTIL AUGUST 18TH**
Case Type: Area Variance – Modification of Conditions
Applicant: Greg Prendergast, Tow Buster Towing
Address: 510 Hudson Avenue
Zoning District: R-1 Low-Density Residential
Quadrant: NE
Purpose: **To modify the condition of the April 28, 2011 area variance approval to retain an existing 7' high chainlink fence along Hudson Avenue and Mark Street in lieu of the approved 6' chainlink fence.**
Enforcement: Yes

Case 4
File Number: V-001-11-12
Case Type: Area Variance
Applicant: Rev. Howard Johnson, Sr., Church of His Saving Grace
Address: 463-465 and 469 Jefferson Avenue and 147 and 149 Cady Street
Zoning District: R-1 Low Density Residential District
Quadrant: SW
Purpose: **To waive the maximum height requirement and fence type associated with the installation of a 6' high decorative fence in the front yard on Jefferson Avenue and a 6' high chainlink fence in the front yard of Cady Street.**
Enforcement: Yes

Case 5
File Number: V-002-11-12
Case Type: Area Variance
Applicant: James and Yvette Brown, Owner
Address: 480 and 484-490 Hudson Avenue
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: **To waive the maximum height requirement and fence type associated with installation of a 6' high chainlink fence in the front yard along Hudson Avenue and Reed Park.**
Enforcement: No

Case 6
File Number: V-003-11-12
Case Type: Area Variance
Applicant: Patricia Woodward, Owner
Address: 105 Middlesex Road
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To waive the requirement that detached accessory structures shall be located in the rear yard associated with the installation of a hot tub in the side yard.
Enforcement: No

Case 7
File Number: V-004-11-12
Case Type: Area Variance
Applicant: Hilary Cholhan, Owner
Address: 141 San Gabriel Drive
Zoning District: R-1 Low-Density Residential District
Quadrant: SE
Purpose: To waive the side setback requirement associated with the construction on an attached garage at the rear of a single family dwelling.
Enforcement: No

Case 8
File Number: V-005-11-12
Case Type: Area Variance
Applicant: Rasheema Vick, Owner
Address: 28 Isabelle Street
Zoning District: R-1 Low-Density Residential District
Quadrant: NW
Purpose: To waive the side setback requirement associated with the construction of an addition at the rear of the single family dwelling.
Enforcement: No

Case 9
File Number: V- 006-11-12
Case Type: Area Variance
Applicant: Lethi Be Walters, Owner
Address: 1378-1394 Mt. Hope Avenue
Zoning District: C-V Collegetown Village
Quadrant: SE
Purpose: To waive the minimum height requirement associated with the construction of a multi-tenant commercial building.
Enforcement: No

**Zoning Board of Appeals
July 21, 2011
Agenda
Page 4**

Case	10	POSTPONED UNTIL AUGUST 18TH
File Number:	V-007-11-12	
Case Type:	Use Variance	
Applicant:	Jeffrey Reddish, Jeremiah's Tavern	
Address:	1104-1112 Monroe Avenue	
Zoning District:	C-1 Neighborhood Center District	
Quadrant:	SE	
Purpose:	To add live entertainment to Jeremiah's Tavern.	
Enforcement:	No	

CITY OF ROCHESTER
30 CHURCH STREET

ZONING BOARD OF APPEALS
MEETING WITH STAFF: 8:45 A.M. – 9:30 A.M.
CONFERENCE ROOM 124B
Cases 1-6 PUBLIC HEARING: 9:30 A.M.
Case 7-12 PUBLIC HEARING: 11:30 A.M.
CITY COUNCIL CHAMBERS 302A

August 18, 2011

I. MEETING WITH STAFF

II. Use Variance Economic Hardship Determination

Case 1
File Number: V-008-11-12
Case Type: Use Variance – Hardship Determination
Applicant: Vincent DiRaimo, DiRaimo Enterprises
Address: 1369 Lyell Avenue
Zoning District: C-2 Community Center District
Quadrant: NW
Purpose: To review the financial information for the property to determine if an economic hardship exists in conjunction with the change of use from a bottle and can redemption center to vehicle sales.
Enforcement: Yes

III. Informational Meeting/Public Hearing

Case 2
File Number: V-072-10-11
Case Type: Use and Area Variance
Applicant: Cruz Iris Tapia
Address: 38 Central Park
Zoning District: C-2 Community Center District
Quadrant: NE
Purpose: To expand an existing vehicle sales business at 210 and 218 Portland Avenue and 34 Central Park onto the property at 38 Central Park, a use not permitted in the district and not meeting certain setback and screening requirements; and to legalize an existing fence, not meeting certain type, height and setback requirements. (POSTPONED FROM JULY 21, 2011 ZONING BOARD HEARING)
Enforcement: Yes

Zoning Board of Appeals
August 18, 2011
Agenda
Page 2

Case 3
File Number: V-077-10-11
Case Type: Area Variance
Applicant: Saleh K. Saleh, Legends
Address: 865 Hudson Avenue
Zoning District: C-1 Neighborhood Center District
Quadrant: NE
Purpose: To legalize roll down security shutters on windows and door of a clothing store; a prohibited alteration under the non-residential building standards relating to transparency requirements.
Enforcement: Yes

Case 4
File Number: V-023-10-11
Case Type: Area Variance – Modification of Conditions
Applicant: Greg Prendergast, Tow Buster Towing
Address: 510 Hudson Avenue
Zoning District: R-1 Low-Density Residential
Quadrant: NE
Purpose: To modify the condition of the April 28, 2011 area variance approval to retain an existing 7' high chainlink fence along Hudson Avenue and Mark Street in lieu of the approved 6' chainlink fence. (POSTPONED FROM JULY 21, 2011 ZONING BOARD HEARING)
Enforcement: Yes

Case 5 **POSTPONED UNTIL**
File Number: V-007-11-12 **SEPTEMBER 22, 2011**
Case Type: Use Variance
Applicant: Jeffrey Reddish, Jeremiah's Tavern
Address: 1104-1112 Monroe Avenue
Zoning District: C-1 Neighborhood Center District
Quadrant: SE
Purpose: To add live entertainment to Jeremiah's Tavern. (POSTPONED FROM JULY 21, 2011 ZONING BOARD HEARING)
Enforcement: No

Case 6
File Number: V-004-11-12
Case Type: Area Variance
Applicant: Hilary Cholhan, Owner
Address: 141 San Gabriel Drive
Zoning District: R-1 Low-Density Residential District
Quadrant: SE
Purpose: To waive the side setback requirement associated with the construction on an attached garage at the rear of a single family dwelling. (POSTPONED FROM JULY 21, 2011 ZONING BOARD HEARING)
Enforcement: No

Case 7
File Number: V-009-11-12
Case Type: Area Variance
Applicant: Richard & Janet Courtright, Owner
Address: 510 Newbury Street
Zoning District: R-1 Low Density Residential District
Quadrant: NW
Purpose: To legalize a front yard parking area associated with the conversion of the attached garage to living space.
Enforcement: No

Case 8
File Number: V-010-11-12
Case Type: Area Variance
Applicant: Dorothy Lochner
Address: 462 Newbury Street
Zoning District: R-1 Low Density Residential District
Quadrant: NW
Purpose: To legalize a front yard parking area associated with the conversion of the attached garage to living space.
Enforcement: No

Case 9
File Number: V-011-11-12
Case Type: Use Variance
Applicant: Johnny Kegler, Owner
Address: 206 Edinburgh Street
Zoning District: R-3 High Density Residential District
Quadrant: SW
Purpose: To change the use from a single family to a two family dwelling, not meeting the dwelling unit conversion standards.
Enforcement: No

**Zoning Board of Appeals
August 18, 2011
Agenda
Page 4**

Case 10
File Number: V-012-11-12
Case Type: Area Variance
Applicant: Gabriel Siftar, Owner
Address: 227 Nunda Blvd.
Zoning District: R-1 Low-Density Residential District
Quadrant: **SE**
Purpose: **To waive the requirement that no open porch visible from any public right-of-way shall be enclosed.**
Enforcement: **No**

Case 11
File Number: V-013-11-12
Case Type: Use Variance
Applicant: Peter Lazeska, Re/Max First
Address: 886 S. Plymouth Avenue
Zoning District: R-1 Low-Density Residential District
Quadrant: **SW**
Purpose: **To legalize the use of the property as a 2-family dwelling, a prohibited use in the R-1 Low Density Residential District.**
Enforcement: **Yes**

Case 12
File Number: V-014-11-12
Case Type: Area Variance
Applicant: Ted Wood, Ibero-American Development Corp.
Address: 54-56 Waverly Place
Zoning District: R-2 Medium Density Residential District
Quadrant: **SW**
Purpose: **To legalize a front yard parking area.**
Enforcement: **No**

CITY OF ROCHESTER
30 CHURCH STREET

ZONING BOARD OF APPEALS
MEETING WITH STAFF: 8:45 A.M.-9:30 A.M.
CONFERENCE ROOM 124B
Cases 1-6 PUBLIC HEARING: 9:30 A.M.
Cases 7-13 PUBLIC HEARING: 11:30 A.M.
CITY COUNCIL CHAMBERS 302A

September 22, 2011

I. MEETING WITH STAFF

II. Informational Meeting/Public Hearing

Case: 1 **INFORMATIONAL MEETING**
File Number: V-007-11-12
Case Type: Use Variance
Applicant: Jeffrey Reddish, Jeremiah's Tavern
Address: 1104-1112 Monroe Avenue
Zoning District: C-1 Neighborhood Center District
Quadrant: SE
Purpose: To add live entertainment to Jeremiah's Tavern.
(POSTPONED FROM JULY 21, 2011 ZONING BOARD HEARING)
Enforcement: No

Case 2
File Number: V-015-11-12
Case Type: Area Variance
Applicant: Brian Burri, Bergmann Associates on behalf of Sunoco, Inc.
Address: 1441 Dewey Avenue
Zoning District: C-2 Community Center District
Quadrant: NW
Purpose: To waive the requirement that no accessory uses shall be established or constructed until a primary use or structure is constructed, in conjunction with the relocation of a shed and dumpster enclosure from 1431 Dewey Avenue for Sunoco, Inc.
Enforcement: No

Case 3
File Number: V-016-11-12
Case Type: Use Variance
Applicant: Julia Olin, Lighthouse Management, LLC
Address: 18 Weld Street
Zoning District: R-2 Medium-Density Residential District
Quadrant: NE
Purpose: To retain the rights to a 3-family dwelling, a nonconforming use in the R-2 Medium Density Residential District that has lost its rights due to a period of vacancy greater than 9 months.
Enforcement: Yes

Zoning Board of Appeals
September 22, 2011
Agenda
Page 2

Case 4
File Number: V-017-11-12
Case Type: Area Variance
Applicant: Zong Peng Ouyang, Owner
Address: 634-640 Lake Avenue
Zoning District: C-2 Community Center District
Quadrant: NW
Purpose: To waive certain size and height requirements associated with the legalization of the installation of a 2'4" x 16' (37.3 sq. ft.) attached sign and replacement of the 4' x 6' sign faces on an existing 14' detached sign for Yummy Garden.
Enforcement: Yes

Case 5
File Number: V-018-11-12
Case Type: Area Variance
Applicant: Robert Schmidhammer on behalf of Solid Rock Pilgrim Tabernacle
Address: 58 Sherman Street
Zoning District: R-1 Low Density Residential District
Quadrant: NW
Purpose: To waive the off-street parking requirement associated with the legalization of a church in the rear nonresidential one-story building.
Enforcement: Yes
Lead Agency: Zoning Board of Appeals

Case 6
File Number: V-019-11-12
Case Type: Area Variance
Applicant: Ayman Atallah, Owner
Address: 1009-1013 S. Plymouth Avenue
Zoning District: R-1 Low-Density Residential District
Quadrant: SW
Purpose: To legalize the expansion of a nonconforming use, a grocery store, into the adjacent storefront on the 1st floor of a mixed-use structure.
Enforcement: Yes

Case 7
File Number: P-001-11-12
Case Type: Administrative Appeal
Applicant: Dave W. Bonis, Owner
Address: 553 Chili Avenue
Zoning District: C-1 Neighborhood Center District
Quadrant: SW
Purpose: To appeal two interpretations relating to outdoor storage and vehicle sales, filed on June 24, 2011, by the Director of Planning and Zoning.
Enforcement: Yes

Case 8
File Number: V-020-11-12 **APPLICATION WITHDRAWN**
Case Type: Area Variance
Applicant: Abby McCarthy, Owner
Address: 165 Barrington Street
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To construct a 1-car front yard parking area.
Enforcement: No

Case 9
File Number: V-021-11-12
Case Type: Area Variance
Applicant: Grazina Myers
Address: 115 Long Acre Road
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: To legalize a 1-car front yard parking area.
Enforcement: Yes

Case 10
File Number: V-022-11-12
Case Type: Area Variance
Applicant: Patrick Doyle, Rapp Signs, Inc.
Address: 1404 Norton Street
Zoning District: C-2 Community Center District
Quadrant: NE
Purpose: Remove and replace the Citgo signs on the canopy, gas pumps and the detached sign structure due to a corporate graphics change, signs not meeting the requirement in the C-2 District.
Enforcement: No

Case 11
File Number: V-023-11-12
Case Type: Area Variance
Applicant: Patrick Doyle, Rapp Signs Inc.
Address: 1430 N. Clinton Avenue
Zoning District: C-2 Community Center District
Quadrant: NE
Purpose: Remove and replace the Citgo signs on the canopy, gas pumps and the detached sign structure due to a corporate graphics change, signs not meeting the requirement in the C-2 District.
Enforcement: No

Case 12
File Number: V-024-11-12
Case Type: Area Variance
Applicant: Dan Kinsella, Culver Auto
Address: 1385 Culver Road
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To expand an existing vehicle repair operation by constructing a 1-story addition to the rear of the structure, a nonconforming use in the district not meeting certain setback and lot coverage requirements; to waive certain requirements associated with signage; and to waive the off-street parking requirement.
Enforcement: No

Case 13
File Number: V-025-11-12
Case Type: Area Variance
Applicant: Jeffrey Smith, Woodstone Custom Homes, Inc.
Address: 1170 Genesee Street and 53, 57, 63 and 69 Oak Hill View (former Valley Court)
Zoning District: R-1 Low Density Residential District
Quadrant: SW
Purpose: To waive certain lot area, setback and building coverage requirements associated with the subdivision of 5 properties, approximately 4.5 acres, into a 29-lot single family residential development with a proposed public street.
Enforcement: No

**CITY OF ROCHESTER
30 CHURCH STREET**

**ZONING BOARD OF APPEALS
MEETING WITH STAFF: 8:45 A.M.-9:30 A.M.
CONFERENCE ROOM 124B
Cases 1-6 PUBLIC HEARING: 9:30 A.M.
Cases 7-11 PUBLIC HEARING: 11:30 A.M.
CITY COUNCIL CHAMBERS 302A**

October 20, 2011

I. MEETING WITH STAFF

II. Informational Meeting/Public Hearing

Case 1
File Number: V-008-11-12
Case Type: Use and Area Variances
Applicant: Vincent DiRaimo, DiRaimo Enterprises
Address: 1369 Lyell Avenue
Zoning District: C-2 Community Center District
Quadrant: NW
Purpose: To establish a vehicle sales operation not meeting certain lot, area, yard and parking lot design standards.
Enforcement: Yes

Case 2
File Number: V-026-11-12
Case Type: Area Variance
Applicant: MaryAnn Zutes, Owner
Address: 4 Wellesley Street
Zoning District: R-2 Medium Density Residential District
Quadrant: SE
Purpose: To legalize a front yard parking area.
Enforcement: No

Case 3
File Number: V-027-11-12
Case Type: Area Variance
Applicant: Andy Cardot, Owner
Address: 565 Chili Avenue
Zoning District: C-1 Neighborhood Center District
Quadrant: SW
Purpose: To legalize the partial enclosure of two front porches.
Enforcement: No

Case 4
File Number: V-028-11-12
Case Type: Area Variance
Applicant: Steve Santacroce, Owner
Address: 65-67 and 69-71 Woodlawn Street
Zoning District: R-2 Medium Density Residential District
Quadrant: SE
Purpose: To waive the maximum lot coverage requirement associated with the installation of a common driveway, and parking area at the rear of the properties, at 65-67 & 69-71 Woodlawn Street.
Enforcement: No

Case 5
File Number: V-029-11-12
Case Type: Area Variance
Applicant: Andrew Shepanski, Skylight Sign Company
Address: 780 Joseph Avenue
Zoning District: C-1 Neighborhood Center District
Quadrant: NE
Purpose: To install two attached signs for a proposed pharmacy; not meeting certain sign requirements in the C-1 district.
Enforcement: No

Case 6
File Number: V-030-11-12
Case Type: Area Variance
Applicant: Andrew Shepanski, Skylight Sign Company
Address: 246 W. Ridge Road
Zoning District: PD#12 Eastman Business Park
Quadrant: NW
Purpose: To install two attached signs for "Pace Energy"; not meeting certain sign requirements in the PD#12.
Enforcement: No

Case 7
File Number: V-031-11-12
Case Type: Area Variance
Applicant: Scott Donaldson, Owner
Address: 900 E. Main Street
Zoning District: C-2 Community Center District
Quadrant: NW
Purpose: To construct a detached sign for the Main Street Armory; not meeting certain sign requirements in the C-2 district.
Enforcement: No

Case 8
File Number: V-032-11-12
Case Type: Use Variance
Applicant: Andrea Olivier, Owner
Address: 1040 S. Clinton Avenue
Zoning District: C-1 Neighborhood Center District
Quadrant: SE
Purpose: To legalize an apartment on the first floor of a mixed-use structure; not meeting the dwelling unit conversion standards.
Enforcement: Yes

Case 9
File Number: V-033-11-12
Case Type: Use Variance
Applicant: Jess Peters
Address: 33 Avenue D
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: To retain the rights to a 2-family dwelling, a nonconforming use in the R-1 Low Density Residential District that has lost its rights due to a period of vacancy greater than 9 months.
Enforcement: Yes

Case 10
File Number: V-034-11-12
Case Type: Use Variance
Applicant: Jess Peters
Address: 354-356 Avenue B
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: To retain the rights to a 4-family dwelling, a nonconforming use in the R-1 Low Density Residential District that has lost its rights due to a period of vacancy greater than 9 months.
Enforcement: Yes

Case 11
File Number: V-035-11-12
Case Type: Area Variance
Applicant: Robert Kalnitz, Owner
Address: 153 Middlesex Road
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To enclose an open front porch.
Enforcement: Nos

November 17, 2011

I. MEETING WITH STAFF

II. Rehearings & Adjournments

Case 1
File Number: V-025-11-12
Case Type: Area Variance
Applicant: Jeffrey Smith, Woodstone Custom Homes, Inc.
Address: 1170 Genesee Street and 53, 57, 63 and 69 Oak Hill View
(former Valley Court)
Zoning District: R-1 Low Density Residential District
Quadrant: SW
Purpose: The request for a rehearing was granted on October 20, 2011 to review new deficiencies in setback and lot coverage requirements associated with floor plan modifications and the introduction of a fourth building plan.
Enforcement: No

Case 2
File Number: V-030-11-12
Case Type: Area Variance
Applicant: Steven Abramson, Pace Windows and Doors
Address: 246 W. Ridge Road
Zoning District: PD#12 Eastman Business Park
Quadrant: NW
Purpose: To install two attached signs for "Pace Energy"; not meeting certain sign requirements in the PD#12. (Adjourned from the October 20, 2011 meeting)
Enforcement: No

Case 3
File Number: V-031-11-12
Case Type: Area Variance
Applicant: Scott Donaldson, Owner
Address: 900 E. Main Street
Zoning District: C-2 Community Center District
Quadrant: NW
Purpose: To construct a detached sign for the Main Street Armory; not meeting certain sign requirements in the C-2 district. (Adjourned from the October 20, 2011 meeting)
Enforcement: No

II. Rehearings & Adjournments (continued)

Case 4
File Number: V-035-11-12
Case Type: Area Variance
Applicant: Robert Kalnitz, Owner
Address: 153 Middlesex Road
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To enclose an open front porch and to waive certain setback requirements. (Adjourned from the October 20, 2011 meeting)
Enforcement: No

III. Informational Meeting/Public Hearing

Case 5
File Number: V-036-11-12
Case Type: Area Variance
Applicant: Adrian Cruz, Owner
Address: 131 Portage Street
Zoning District: R-1 Low Density Residential District
Quadrant: NW
Purpose: To construct two covered patios in the rear yard; thereby exceeding the maximum lot coverage requirements in the R-1 Low Density Residential District.
Enforcement: Yes

Case 6
File Number: V-037-11-12
Case Type: Area Variance
Applicant: William Muratore, Lyell Video Center, Inc.
Address: 1322-1370 Lyell Avenue (aka 1338 Lyell Avenue)
Zoning District: C-2 Community Center District
Quadrant: NW
Purpose: To legalize a 55 sq. ft. attached sign for Lyell Video and News.
Enforcement: No

Case 7
File Number: V-038-11-12
Case Type: Area Variance
Applicant: Ian Rogers, Owner
Address: 458 Chili Avenue
Zoning District: R-1 Low Density Residential District
Quadrant: SW
Purpose: To legalize the expansion of a 3-family dwelling into the 3rd floor; a nonconforming use and structure in the R-1 Low Density Residential District.
Enforcement: Yes

Case 8
File Number: V-039-11-12
Case Type: Area Variance
Applicant: Dale Meier, Contractor
Address: 775 Melville Street
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To waive the front setback requirement associated with the construction of an attached garage.
Enforcement: No

Case 9
File Number: V-040-11-12
Case Type: Area Variance
Applicant: John R. Stensrud, Owner
Address: 36-38 Chamberlain Street
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To legalize the expansion of a 4-family dwelling into the 3rd floor by raising the roof, thereby enlarging a nonconforming use and structure in the R-1 Low Density Residential District.
Enforcement: No

Case 10
File Number: V-041-11-12
Case Type: Use Variance
Applicant: Luis Davila
Address: 546 Grand Avenue
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To retain the rights to a 2-family dwelling that has lost its rights due to a period of vacancy greater than 9 months.
Enforcement: Yes

Case 11
File Number: V-042-11-12
Case Type: Use Variance
Applicant: Rafael Minlley, Owner
Address: 1008 Avenue D
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: To change the use from a clothing store to a grocery store with hours of operation from 7:00 PM to 11:00 PM; a change of use from one nonconforming use to a more intense nonconforming use in the R-1 district.
Enforcement: No

Case 12
File Number: V-043-11-12
Case Type: Use Variance
Applicant: Laura Travis, Brothers Club
Address: 1172 S. Plymouth Avenue
Zoning District: C-1 Neighborhood Center
Quadrant: SW
Purpose: To establish a bar/restaurant with live entertainment and hours of operation until 2:00 AM.
Enforcement: Yes

Case 13
File Number: V-044-11-12
Case Type: Area Variance
Applicant: Ugur Ozturkoglu, Owner
Address: 101-103 Vassar Street
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To legalize the expansion of a 3-family dwelling into the 3rd floor; a nonconforming use and structure in the R-1 Low Density Residential District.
Enforcement: No

Case 14
File Number: V-045-11-12
Case Type: Area Variance
Applicant: Jason Wallace
Address: 746-758 Monroe Avenue
Zoning District: C-2 Community Center
Quadrant: SE
Purpose: To install one attached sign and one detached sign not meeting certain sign requirements in the C-2 district.
Enforcement: Yes

December 15, 2011

I. MEETING WITH STAFF

II. Informational Meeting/Public Hearing

- Case 1
File Number: V-046-11-12
Case Type: Use Variance
Applicant: Jess Peters
Address: 354-356 Avenue B
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: To retain the rights to a 4-family dwelling, a nonconforming use in the R-1 Low Density Residential District that has lost its rights due to a period of vacancy greater than 9 months.
Enforcement: Yes
- Case 2
File Number: V-047-11-12
Case Type: Area Variance
Applicant: Thomas Piecuch, Owner
Address: 216 Magee Avenue
Zoning District: R-1 Low Density Residential District
Quadrant: NW
Purpose: To construct an exterior stair on the rear of the structure not meeting the side yard setback requirements, and to legalize the expansion of a 2-family dwelling into the 3rd floor; thereby expanding a nonconforming use in the R-1 Low Density Residential District.
Enforcement: Yes
- Case 3
File Number: V-048-11-12
Case Type: Use Variance
Applicant: Otto Beltre, Owner
Address: 114 Scranton Street
Zoning District: R-1 Low Density Residential District
Quadrant: NE
Purpose: To retain the rights to a 2-family dwelling, a nonconforming use in the R-1 Low Density Residential District that has lost its rights due to a period of vacancy greater than 9 months.
Enforcement: Yes

Case 4
File Number: V-049-11-12
Case Type: Area Variance
Applicant: Renee Runyan, Owner
Address: 259 Benton Street
Zoning District: R-1 Low Density Residential District
Quadrant: SE
Purpose: To waive certain lot, area and yard requirements associated with the construction of a 15' 9" x 12' 9" enclosed porch on the rear of the single family dwelling.
Enforcement: No

Case 5
File Number: V-050-11-12 **INFORMATIONAL MEETING**
Case Type: Area Variance
Applicant: Mark Minunni, North American Breweries
Address: 13 Cataract Street
Zoning District: CCD-R Center City District-Riverfront
Quadrant: NE
Purpose: To demolish a structure identified in the City of Rochester's list of Designated Buildings of Historic Value; a prohibited request pursuant to Section 120-65B of the Zoning Code.
Enforcement: No