

ZONING BOARD OF APPEALS MINUTES
January 21, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-039-15-16:</u> To legalize a 600 sq. ft. expansion of high-impact retail use into adjacent Laundromat space.	1168 Dewey Avenue	Deny	0-4-0
<u>V-040-15-16:</u> To construct a high impact retail store that exceeds the maximum 6,000 sq. ft. permitted for a principal structure and that does not meet the rear yard setback requirement nor certain city-wide design standards.	715, 731, and 737 W. Main Street	Approve on Condition	4-0-0
<u>V-041-15-16:</u> To expand the existing driveway of a two-family dwelling, thereby creating front yard parking.	1661 N. Clinton Avenue	Deny	0-4-0
<u>V-042-15-16:</u> To legalize the driveway expansion of a two-family dwelling, thereby resulting in front yard parking.	320 Castleman Road	Deny	0-4-0
<u>V-043-15-16:</u> To waive certain lot, area, and yard requirements associated with the construction of a two-family dwelling and a two-car garage with a studio apartment above.	37 Eagle Street	Approve	4-0-0
<u>V-044-15-16:</u> To convert the first floor commercial space into two apartments, not meeting certain dwelling unit conversion standards.	114 Field Street	Approve on Condition	4-0-0
<u>V-045-15-16:</u> To convert a former school building to twelve apartments, not meeting certain dwelling unit conversion standards.	10 Prince Street	Approve	4-0-0
<u>V-081-13-14:</u> To legalize the expansion of a 3family dwelling into the third floor.	101-103 Vassar Street	Time Extension Request Denied	0-4-0

Zoning Board Members Present: D. Carr, D. O'Brien, M. Tilton, E. Van Dusen
Absent: R. Khaleel, J. O'Donnell

DISTRIBUTION:

L. Warren	B. Muhammed	D. Algarin	H. Washington	A. Guzzetta	Zoning Staff
G. Kirkmire	V. Wehbring	T. Mann	J. Brennan	NSC Administrators	

CONDITIONS:

V-040-15-16 (715, 731, and 737 W. Main Street)

The awnings along W. Main Street and Edgewood Park that are depicted in the elevation dated 05/08/15 must be installed.

V-044-15-16 (114 Field Street)

The variance is approved on condition that the ancillary parking lot associated with the proposed use is approved by the Planning Commission at their January 25, 2016 Hearing.

ZONING BOARD OF APPEALS MINUTES
February 18, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-046-15-16:</u> To consider the economic hardship associated with the proposal to store trucks and equipment on the vacant lot at 111 Industrial St. to serve the existing paving and trucking company at 100-106 Industrial St. Outdoor uses are prohibited in the District.	111 Industrial Street	Approved	4-2-0
<u>V-047-15-16:</u> To legalize a change in use from office to church on the first floor of this building.	130 White Street	Approved	6-0-0
<u>V-048-15-16:</u> To install a 3' x 5' internally illuminated attached sign for "Chester's" take-out food, which is located in a high-impact retail store with gas sales.	430 Mount Read Blvd	Approved on Condition	6-0-0
<u>V-049-15-16:</u> To remove the existing 24' tall pole sign and replace it with a 6' tall monument sign with LED gas pricing for Speedway.	771-777 Monroe Avenue 1849 East Avenue	Approved	6-0-0
<u>V-050-15-16:</u> To demolish a DBHV as part of a project that includes the construction of a new brewing facility and tank farm for the Genesee Brewery.	495 St. Paul Street	HELD by the Zoning Board of Appeals to the March 24, 2016 Hearing	
<u>V-051-15-16:</u> To renovate the front façade of the existing place of worship, not meeting the city-wide design standards.	490 North Goodman Street	Approved on Condition	6-0-0
<u>V-052-15-16:</u> To legalize the combination of two retail spaces in the Bull's Head Plaza resulting in a low-impact retail store of 8,200 sq. ft., thereby exceeding the size limitation.	835 West Main Street	Approved	6-0-0
<u>V-053-15-16:</u> To establish use of the property as a high-impact retail store, not meeting the distance separation requirements.	247 North Clinton Avenue	Denied	0-6-0
<u>V-054-15-16:</u> To waive certain sign requirements associated with the sign package for the proposed CVS pharmacy with drive-thru.	1431 Mount Hope Avenue	Approved with Lesser Relief and On Condition	5-0-0 (Khaleel recused)

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<p><u>V-033-15-16:</u> <i>The applicant requested that the floor plan of the 3rd floor be revised.</i> To establish use of the property as a multi-family dwelling. Request approved with lesser relief on 12/17/15: <i>The following configuration is approved: 1st floor, two 1-bedroom units; 2nd floor, two 1-bedroom units; 3rd floor, one studio unit. The 3rd floor attic studio can only occupy the front portion of the building, per the attached floor plan. The asphalt in the side yard that is reserved for snow removal must be removed per the attached drawing and the area restored to green space.</i></p>	<p>965 Monroe Avenue</p>	<p>Condition Modified and Approved</p>	<p>6-0-0</p>

Zoning Board Members Present: D. Carr, R. Khaleel, D. O'Brien, J. O'Donnell, M. Tilton, E. Van Dusen

DISTRIBUTION:

L. Warren B. Muhammed D. Algarin H. Washington A. Guzzetta Zoning Staff
 G. Kirkmire V. Wehbring T. Mann J. Brennan NSC Administrators

CONDITIONS:

V-048-15-16 (430 Mount Read Blvd):

The following signs are approved: 1) the existing "Gulf" signs on two sides of the gas canopy, 2) the existing signs on both sides of the gas pumps, and; 3) the proposed, internally-illuminated sign for "Chester's".

V-051-15-16 (490 N. Goodman Street):

The façade renovation must use the heaviest, reinforcing mesh EIFS available in order to reinforce the EIFS from the transom down. The 2' water table at the base of the building must be maintained according to the elevation submitted at the 02/18/16 hearing. The additional windows proposed in the elevation submitted at the 02/18/16 hearing are required.

V-054-13-14 (1431 Mount Hope Avenue):

The base of the monument sign must use brick that matches the building. The proposed sign on the west elevation (i.e. facing the parking lot) is denied.

V-033-15-16 (965 Monroe Avenue):

The following reconfiguration is approved: 1st floor, two 1-bedroom units; 2nd floor, two 1-bedroom units; 3rd floor, one studio unit. **The 3rd floor attic studio can only occupy the front portion of the building depicted on the attached floor plan (as submitted on 02/18/16).** The asphalt in the side yard that is reserved for snow removal must be removed per the attached drawing and the area restored to green space. **Exposed mechanical devices, including but not limited to, air conditioners, are not permitted on the facade of the building.**

ZONING BOARD OF APPEALS MINUTES
March 24, 2016

RECEIVED
 CITY OF ROCHESTER
 CLERK/COUNCIL OFFICE
 2016 MAY -5 PM 2:50
 RECORD
 OF VOTE

CASE #	ADDRESS	DECISION	RECORD OF VOTE
V-050-15-16: To demolish a DBHV as part of an expansion project at the Genesee Brewery.	495 St. Paul Street	Approved on Condition	4-0-0
V-055-15-16: To construct a 7,480 sq. ft. addition to the existing building, to be used as a meat market, thereby exceeding the 6,000 sq. ft. size limitation.	371 Averill Avenue	Postponed at the Request of the Applicant to the 04/21/16 Hearing	
V-056-15-16: To waive the front yard setback associated with the front porch enclosure.	234 Melville Street	Approved	4-0-0
V-057-15-16: To waive the width of the existing driveway.	80 Reservoir Avenue	Withdrawn by the City	
V-058-15-16: To legalize an attached storage shed in the rear yard of a single family dwelling and to legalize the paved rear yard.	824 S. Goodman Avenue	Approved on Condition	4-0-0
V-059-15-16: To establish the use of the property as a two-family dwelling that has lost its rights due to a period of vacancy of greater than nine months.	1058 Exchange Street	Approved	4-0-0
V-060-15-16: To establish the use of the property as a two-family dwelling that has lost its rights due to a period of vacancy of greater than nine months.	68 Clifford Avenue	Held by the Zoning Board to the 04/21/16 Hearing	
V-061-15-16: To legalize two internally illuminated signs for "Elder One".	800 Emerson Street	Approved on Condition	4-0-0
V-062-15-16: To install new signs for the "Walmart" gas station.	1490 Hudson Avenue	Withdrawn by the Applicant	
V-063-15-16: To legalize the existing 20' tall kiosk sign for "Delta Sonic" which includes a proposed LED display.	980 West Ridge Road	Postponed at the Request of the Applicant to the 04/21/16 Hearing	
V-064-15-16: To redevelop the existing Delta Sonic vehicle service operation and associated high-impact retail store.	718 East Main Street	Approved on Condition	4-0-0
V-054-15-16: Rehearing request regarding the sign package for the CVS pharmacy.	1431 Mount Hope Avenue	Re-hearing Request Granted	4-0-0

Zoning Board Members Present: D. Carr, D. O'Brien, J. O'Donnell, E. Van Dusen
Absent: R. Khaleel, M. Tilton

DISTRIBUTION:

L. Warren	B. Muhammed	D. Algarin	H. Washington	A. Guzzetta	Zoning Staff
G. Kirkmire	V. Wehbring	T. Mann	J. Brennan	NSC Administrators	

CONDITIONS:

V-050-15-16 (495 St. Paul Street):

The Designated Building of Historic Value located at 495 St. Paul Street must be commemorated on site in a manner to be approved by the Director of Planning and Zoning. The demolition permit and the building permit must be issued simultaneously (i.e. the building cannot be demolished until the new building is ready to be constructed in its place).

V-058-15-16 (824 S. Goodman Street):

The shed roof must be removed and replaced with a gable end roof. The shed and vestibule facing the driveway must be sided to match the house.

V-061-15-16 (800 Emerson Street):

The signs can only be illuminated from 7:00 am to 6:00 pm.

V-064-15-16 (718 E. Main Street):

The LED sign displays can only be changed once every 10 minutes. The LED signs must comply with the following sections of the City Code:

- 120-177(F)(6): No sign shall consist of strings of lights or contain blinking, flashing, intermittent, rotating, glaring, or moving lights or other attention-attracting devices.
- 120-177(F)(7): Any illuminated sign shall employ only lights emitting a light of constant intensity.

ZONING BOARD OF APPEALS MINUTES
April 21, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-066-15-16:</u> To modify a condition from the previously approved sign package.	1431 Mt. Hope Ave	Held at the request of the Applicant until the 05/19/16 Hearing	
<u>V-055-15-16:</u> To construct a 7,480 sq. ft. addition to be used as a meat market, thereby exceeding the 6,000 sq. ft. size limitation.	371 Averill Ave	Approve	4-0-0
<u>V-060-15-16:</u> To establish use of the property as a two-family that has lost its rights due to a period of vacancy greater than nine months.	68 Clifford Ave	Default Denial	1-3-0
<u>V-063-15-16:</u> To legalize existing 20' tall kiosk sign for "Delta Sonic", including a proposed LED display.	980 W. Ridge Rd	Held at the request of the Applicant until the 05/19/16 Hearing	
<u>V-065-15-16:</u> To install three internally illuminated signs for "Pet Supplies Plus".	527-531 Monroe Ave	Deny	0-4-0
<u>V-067-15-16:</u> To expand a place of worship by adding 600 sq. ft. of space and to demolish a single family dwelling at 275 Bernard Street in order to construct additional parking.	676 Hudson Ave	Approve	4-0-0
<u>V-068-15-16:</u> To construct a 266 sq. ft. addition to an existing one-bay vehicle repair operation.	800 Atlantic Ave	Held at the request of the Applicant until the 05/19/16 Hearing	
<u>V-069-15-16:</u> To consider the economic hardship associated with the legalization of an existing three-bay vehicle repair operation.	1628 Lyell Ave	Default Denial	1-3-0
<u>V-070-15-16:</u> To add live entertainment to a bar/restaurant and waive associated parking.	989 S. Clinton Ave	Held by the City until further notice	
<u>V-071-15-16:</u> To establish use of the property as a two-family dwelling that has lost its rights due to a period of vacancy greater than nine months.	28 Locust Street	Approve	4-0-0
<u>V-072-15-16:</u> To install new signs for "Walmart" gas station on the existing pole sign, canopy, kiosk, and pumps.	1490 Hudson Ave	Pole Sign: Deny Canopy, Kiosk, Pumps: Approve	0-4-0 4-0-0

Zoning Board Members Present: R. Khaleel, D. O'Brien, M. Tilton, E. Van Dusen
Absent: D. Carr, J. O'Donnell

DISTRIBUTION:

L. Warren	B. Muhammed	D. Algarin	H. Washington	A. Guzzetta	Zoning Staff
G. Kirkmire	V. Wehbring	T. Mann	J. Brennan	NSC Administrators	

ZONING BOARD OF APPEALS MINUTES
May 19, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-066-15-16:</u> To install a “Collegetown” sign on the south elevation of the CVS building and to modify a condition from the previously approved sign package.	1431 Mt. Hope Avenue	Withdrawn by Applicant	
<u>V-063-15-16:</u> To legalize and renovate the existing 20’ tall kiosk sign for “Delta Sonic”, which also includes the installation of an LED display.	980 W. Ridge Road	Held at the request of the Applicant to the June 16, 2016 Hearing	
<u>V-068-15-16:</u> To construct a 266 sq. ft. addition to an existing one-bay vehicle repair operation, thereby expanding a nonconforming use, and not meeting lot coverage, front and rear yard setback requirements.	800 Atlantic Avenue	Held by the City resulting from the need to evaluate the proposed re-design of the building	
<u>V-073-15-16:</u> To construct a 5-story mixed-use building not meeting the rear yard setback, and to construct a 4-story residential building not meeting certain Citywide Design Standards.	1176 – 1188 Mt. Hope Avenue, 10 - 24 Gold Street, 17 Langslow Street	Withdrawn by the City as a result of the Denial of the Ancillary Parking Lot by the City Planning Commission on May 16, 2016	
<u>V-074-15-16:</u> To expand an existing two-family dwelling into the third floor, thereby expanding a nonconforming use.	28 Sodus Street	Approved on Condition	7-0-0

Zoning Board Members Present: J. Best, L. Boose-Standford, D. Carr, M. Morales, J. O’Donnell, M. Tilton, E. Van Dusen

Zoning Board Members Absent: N/A

DISTRIBUTION:

L. Warren	B. Muhammad	D. Algarin	H. Washington	A. Guzzetta	Zoning Staff
G. Kirkmire	V. Wehbring	T. Mann	J. Brennan	NSC Administrators	

CONDITIONS:

V-074-15-16 (28 Sodus Street):

The enclosed porch must be re-opened. The front of the dwelling can only have two doors. There must be one window between the two front doors (size to be approved by Director of Planning and Zoning).

ZONING BOARD OF APPEALS MINUTES
June 16, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-063-15-16:</u> To legalize and renovate the existing 20' tall kiosk sign for "Delta Sonic".	980 West Ridge Road	Approved on Condition	7-0-0
<u>V-075-15-16:</u> To legalize the expanded gravel parking area in the rear yard of a two-family dwelling.	312-314 S. Goodman Street	Held by the Zoning Board for more information (return date TBD)	
<u>V-076-15-16:</u> To legalize the expanded gravel parking area in the rear yard of a two-family dwelling.	16-18 Harper Street	Held by the Zoning Board for more information (return date TBD)	
<u>V-077-15-16:</u> To install four internally illuminated signs that are 7.5' x 5.5' each for "Perri's Pizzeria at the Brighton Pub".	1881 East Avenue	Denied	0-7-0
<u>V-078-15-16:</u> To install a 6' tall chain link fence along the entire length of the Brayer Street lot line.	529 Child Street	Approved on Condition	7-0-0
<u>V-079-15-16:</u> To install a 20' x 12' attached deck in the rear yard of a single family dwelling.	84 Boardman Street	Approved	7-0-0
<u>V-080-15-16:</u> To install an attached patio in the side yard of a single family dwelling.	237 S. Fitzhugh Street	Approved	7-0-0
<u>V-081-15-16:</u> To convert an existing office building into 26 apartments with support offices and a small cafe.	1307 E. Main Street	Withdrawn by the City as a result of the Denial by the City Planning Commission on June 13, 2016 for the new apartment building	
<u>V-082-15-16:</u> To re-establish use of the property as a three-family dwelling that has lost its rights due to a period of vacancy of greater than nine months.	200 Parkway	Approved on Condition	7-0-0

Zoning Board Members Present: J. Best, L. Stanford, D. Carr, M. Morales, J. O'Donnell, M. Tilton
Zoning Board Alternates Present: J. DeMott
Zoning Board Members Absent: E. Van Dusen

DISTRIBUTION:

L. Warren B. Muhammad D. Algarin H. Washington A. Guzzetta Zoning Staff
G. Kirkmire V. Wehbring T. Mann J. Brennan NSC Administrators

CONDITIONS:

V-063-15-16 (980 W. Ridge Road):

The LED sign displays can only be changed once every 10 minutes. The brightness or intensity of the LED sign must auto adjust for daytime and nighttime use.

V-078-15-16 (529 Child Street):

Barbed wire is not permitted on the proposed fence.

V-082-15-16 (200 Parkway):

The proposed three family dwelling must meet all requirements of the NY State Building Code, including ingress/egress and room size. The three windows on the Parkway façade must be replaced with larger windows that mimic the size and pattern of the windows on the second story of the building (final design to be approved by the Director of Planning and Zoning).

ZONING BOARD OF APPEALS DECISION GRID

July 14, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-001-16-17:</u> To legalize the parking in front of a single family dwelling on a parcel that also contains a two family dwelling.	22 Fleming Street	Approve with Lesser Relief	5-0-0
<u>V-002-16-17:</u> To establish use of the property as a two-family that has lost its rights due to a period of vacancy greater than nine months.	53 Van Stallen Street	Deny	0-5-0
<u>V-003-16-17:</u> To expand the existing driveway of a single family dwelling located on a corner parcel.	96 Rossiter Road	Deny	0-5-0
<u>V-004-16-17:</u> To install a 6' tall fence in the front yard of a single family dwelling on a corner parcel.	296 Genesee Park Boulevard	Approve on Condition	4-1-0
<u>V-005-16-17:</u> To legalize the installation of solar panels in the storefront windows of a proposed office use.	1118 Garson Avenue	Deny	0-5-0
<u>V-006-6-17:</u> To remove and replace an existing detached monument sign for "Rochester Regional Health".	81 Lake Avenue	Approve	4-1-0
<u>V-007-16-17:</u> To maintain an existing 24' tall attached pole sign for "LA Mini Mart".	460 Lake Avenue	Deny	0-5-0
<u>V-008-16-17:</u> To widen the existing driveway of a single family home, thereby creating front yard parking.	174 South Winton Road	Approve on Condition	4-1-0
<u>V-009-16-17:</u> To install a new sign and LED gas pricing on the canopy of "Kwik Fill".	85 Stonewood Avenue	"Kwik Fill" sign: Approve Gas price signs: Deny	5-0-0 0-5-0
<u>V-010-16-17:</u> To install an attached, illuminated sign on the building and a new sign and LED gas pricing on the canopy for "Kwik Fill".	1153 Hudson Avenue	"Kwik Fill" sign on building and canopy: Approve Gas price signs: Deny	5-0-0 0-5-0
<u>V-011-16-17:</u> To install new signs for "Walmart" gas station on the existing pole sign, canopy, kiosk, and pumps.	111 Adams Street	Deny	0-5-0
<u>V-073-15-16:</u> To construct a 5-story mixed use building not meeting the rear yard setback requirement.	1176 Mount Hope Avenue	Withdrawn as a result of the Denial of the Ancillary Parking Lot by the City Planning Commission on 07/11/16	

Zoning Board Members Present: L. Boose, M. Morales, J. O'Donnell, E. Van Dusen
Zoning Board Alternates Present: L. Jennings
Absent: D. Carr, M. Tilton, J. Best

DISTRIBUTION:

L. Warren	B. Muhammed	D. Algarin	H. Washington	A. Guzzetta	Zoning Staff
G. Kirkmire	V. Wehbring	T. Mann	J. Brennan	NSC Administrators	

CONDITIONS:

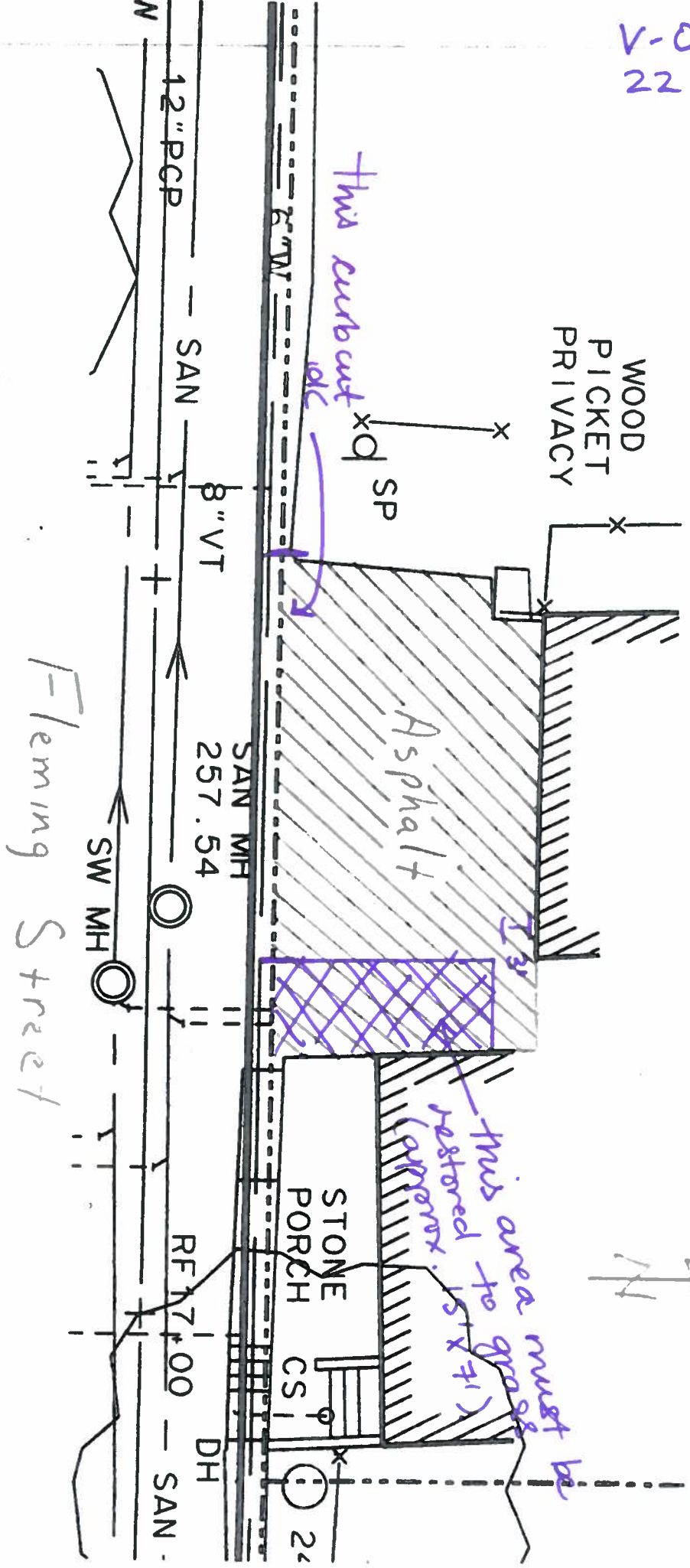
V-001-16-17 (22 Fleming Street): The front yard parking in front of the single family dwelling can remain. The paved area to the north of the single family dwelling (i.e. the area in front of the breezeway between the two structures) must be removed and restored to grass (area approximately 15' x 7'). See attached drawing.

V-004-16-17 (296 Genesee Park Boulevard): The fence must be one of the styles that were proposed at the hearing (see attached).

V-008-16-17 (174 S. Winton Road): The south edge of the driveway must be tapered from 16' wide down to 11' wide at the sidewalk (see attached drawing).

V-001-16-17
22 Fleming St.

N/F
IHOR
KORDA
22 FLEMING

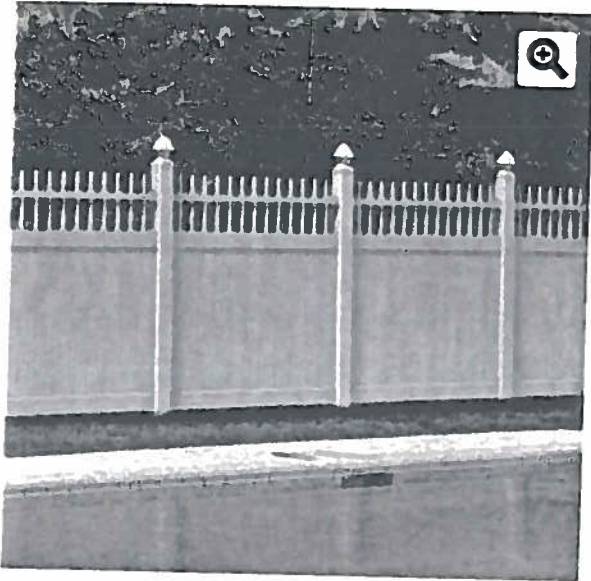




Your Store Henrietta
Open Until 10:00 pm



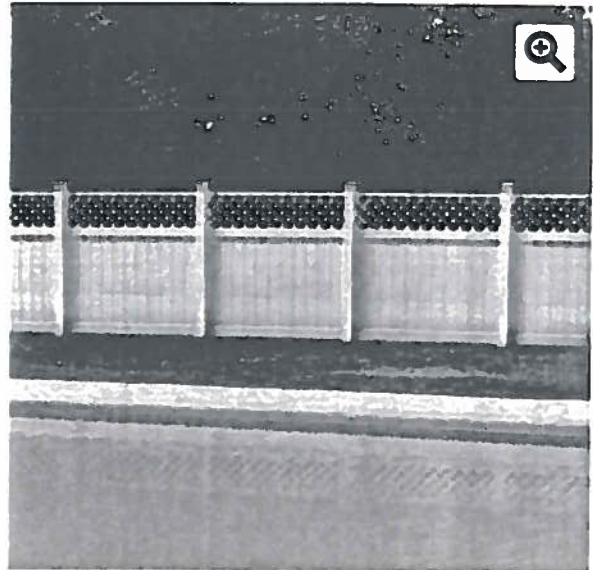
What can we help you find?



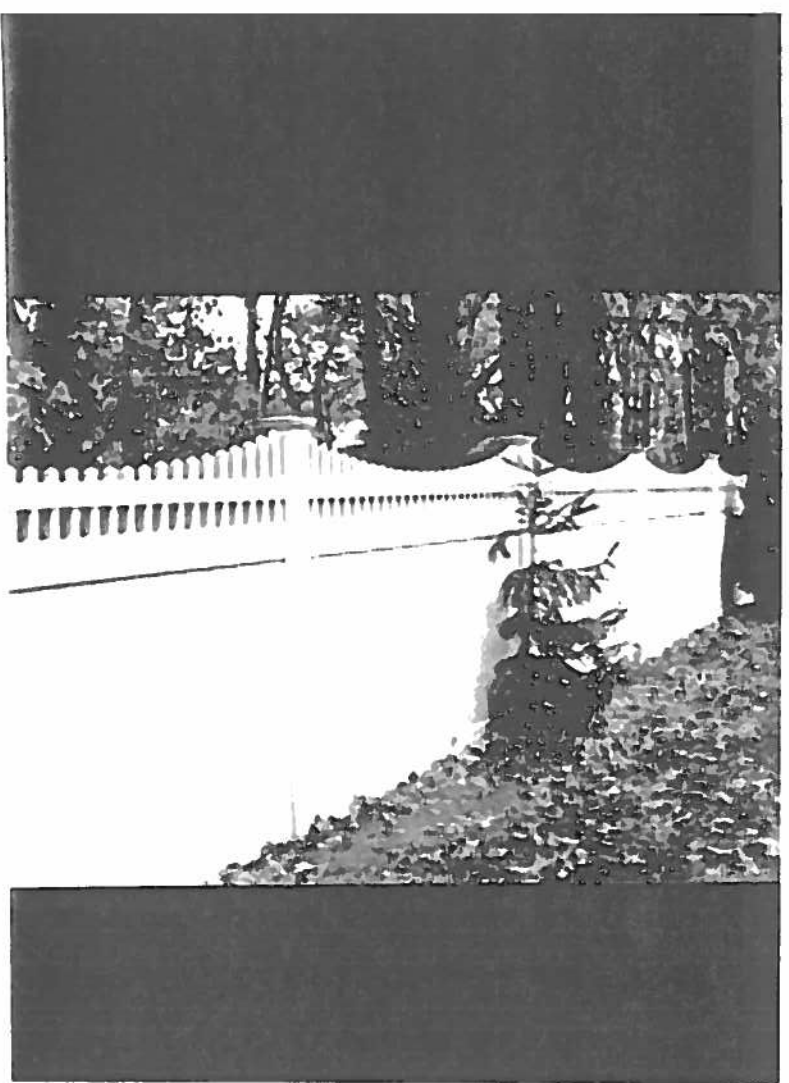
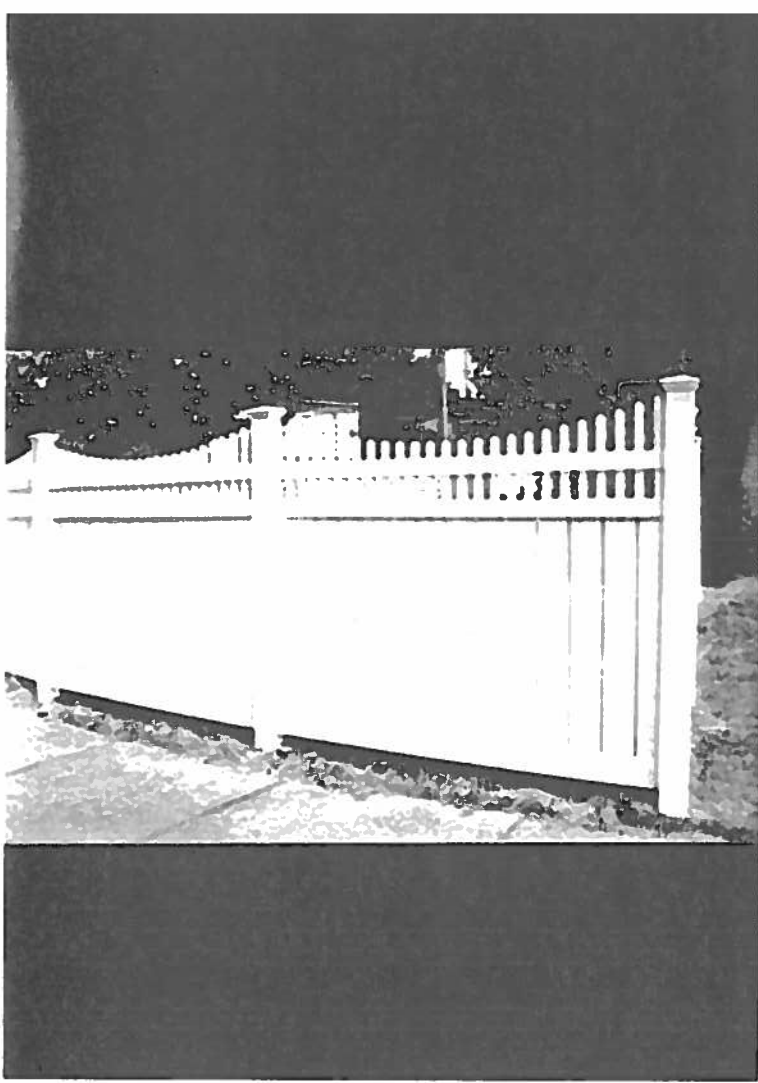
Your Store Henrietta
Open Until 10:00 pm



What can we help you find?



V-004-16-17
296 Genesee Park Blvd
Pg 1/2



Pg 2/2



FRONT VIEW SITE MAP

Proposed
area for
turn around

paved area must taper
from 15

V-008-16-17
174 S. Winton Rd

ZONING BOARD OF APPEALS DECISION GRID

August 11, 2016

***Amended 08/25/16**

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-012-16-17:</u> To legalize the existing digital price sign on the Walmart gas canopy.	1490 Hudson Avenue	Approve	6-0-0
<u>V-013-16-17:</u> To legalize the existing pole sign for "L&M Lanes".	873 Merchants Road	Default Denial*	3-3-0
<u>V-014-16-17:</u> To legalize a 6' tall stockade fence in the front yard of a single family dwelling.	45 Sunset Street	Approve	6-0-0
<u>V-015-16-17:</u> To expand a 2-family dwelling into the 3 rd floor.	239 Westminster Road	Deny	0-6-0
<u>V-016-16-17:</u> To widen the existing driveway of a single family dwelling from 9' to 19'.	99 Denise	Approve	6-0-0
<u>V-017-16-17:</u> To legalize the driveway expansion in the front yard of a two-family dwelling.	298 Westfield Street	Approve with Lesser Relief	6-0-0
<u>V-018-16-17:</u> To waive the lot coverage, fence requirements, and certain city-wide design standards associated with the construction of an addition to the church and the expansion of the existing parking lot.	118-124, 132, 134, 136, and 144 Reynolds Street	Approve on Condition	6-0-0
<u>V-019-16-17:</u> To install a deck and gravel driveway and parking area in the rear yard of a two-family dwelling.	28 Edmonds Street	Approve with Lesser Relief	5-1-0
<u>V-020-16-17:</u> To install a 5' tall solid wood fence along the Poplar Street frontage of a single family dwelling.	137 Linden Street	Approve on Condition	5-1-0
<u>V-021-16-17:</u> To re-establish use of the property as a two-family dwelling that has lost its rights.	301 Remington Street	Approve on Condition	6-0-0
<u>V-022-16-17:</u> To repair the sign for "Rowe Photography".	1737 Mount Hope Avenue	Approve	6-0-0
<u>V-068-15-16:</u> To construct an addition to an existing one-bay vehicle repair operation.	800 Atlantic Avenue	Approve on Condition	6-0-0

Zoning Board Members Present: J. Best, L. Boose, D. Carr, M. Tilton

Zoning Board Alternates Present: L. Jennings, J. DeMott

Absent: M. Morales, E. Van Dusen, J. O'Donnell

DISTRIBUTION:

L. Warren	B. Muhammed	D. Algarin	H. Washington	A. Guzzetta	Zoning Staff
G. Kirkmire	V. Wehbring	T. Mann	J. Brennan	NSC Administrators	

CONDITIONS:

V-017-16-17 (298 Westfield Street): Plan B, which was articulated in the variance application as follows, is approved: "obtain a variance to make my driveway 20' (width) and extend back to within 1' of the fence line, ~~then pave it and the sidewalks~~ and returning approximately 16' of grass area back to its original state."

V-018-16-17 (118-124, 132, 134, 136, and 144 Reynolds Street): The 4' fence cannot be chain link; an alternate fence type must be approved by the Director of Planning and Zoning. A door must be installed on the façade of the existing building along Dr. Samuel McCree Way (if this is not feasible, the door may be installed along the Reynolds Street façade); the final design is to be approved by the Director of Planning and Zoning.

V-019-16-17 (28 Edmonds Street): The revised proposal which includes a 12' x 12' deck and an angled parking area in the rear yard is approved (see attached survey map). Both the deck and the expanded parking area must be installed at the same time.

V-20-16-17 (137 Linden Street): The fence style must be concave, board-on-board.

V-021-16-17 (301 Remington Street): The second floor must comply with the requirements of the NYS Building Code.

V-068-15-16 (800 Atlantic Avenue): The façade renovation must use the heaviest, reinforcing mesh EIFS available. The first 2' at the base of the building must be constructed of concrete or other durable material, not including EIFS.

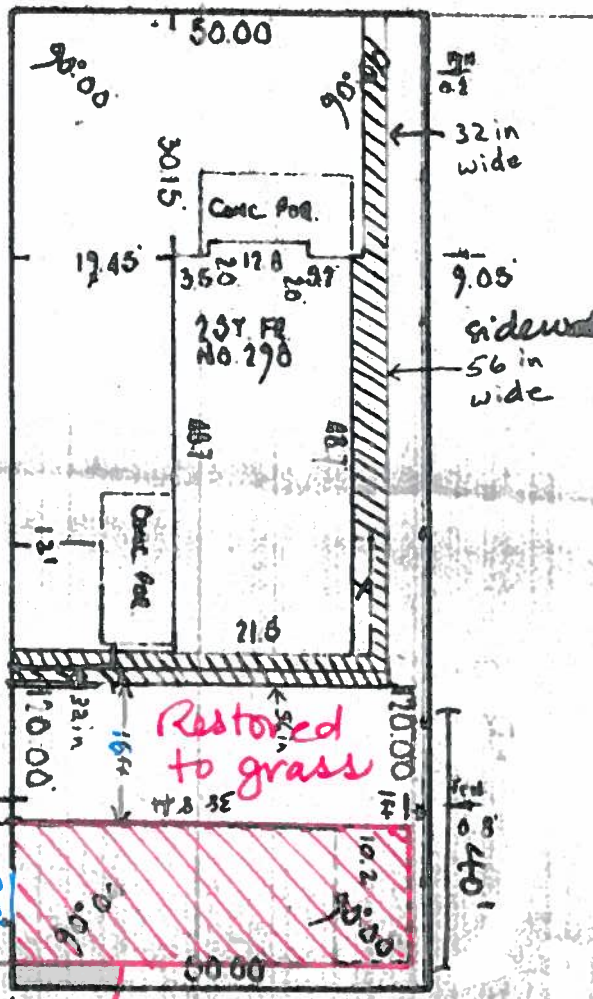
*** V-013-16-17 (873 Merchants Street):** This variance application failed to reach four concurring votes of the Board, and is therefore deemed a denial pursuant to Zoning Code Section 120-186(D)(1) requiring no further findings of fact.

(298 Westfield St.)

WESTFIELD (50) STREET

RATBURN

AVENUE



Enlargement



1/16 in = 1.46 ft.

lot. 6000 SF

previous coverage : 2221 (37%)

current coverage : 3371 (56%)

driveway 20' x 50'

I HEREBY CERTIFY THAT THIS MAP WAS COMPLETED ON APRIL 6, 1992 FROM THE NOTES OF AN INSTRUMENT SURVEY

James M. Parker
JAMES M. PARKER 15-89302

CERTIFIED TO WAYNE F. DEJOND, JOHN P. SCHULTZ, JANE R. SCHULTZ

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 2809 OF THE NEW YORK STATE EDUCATION LAW

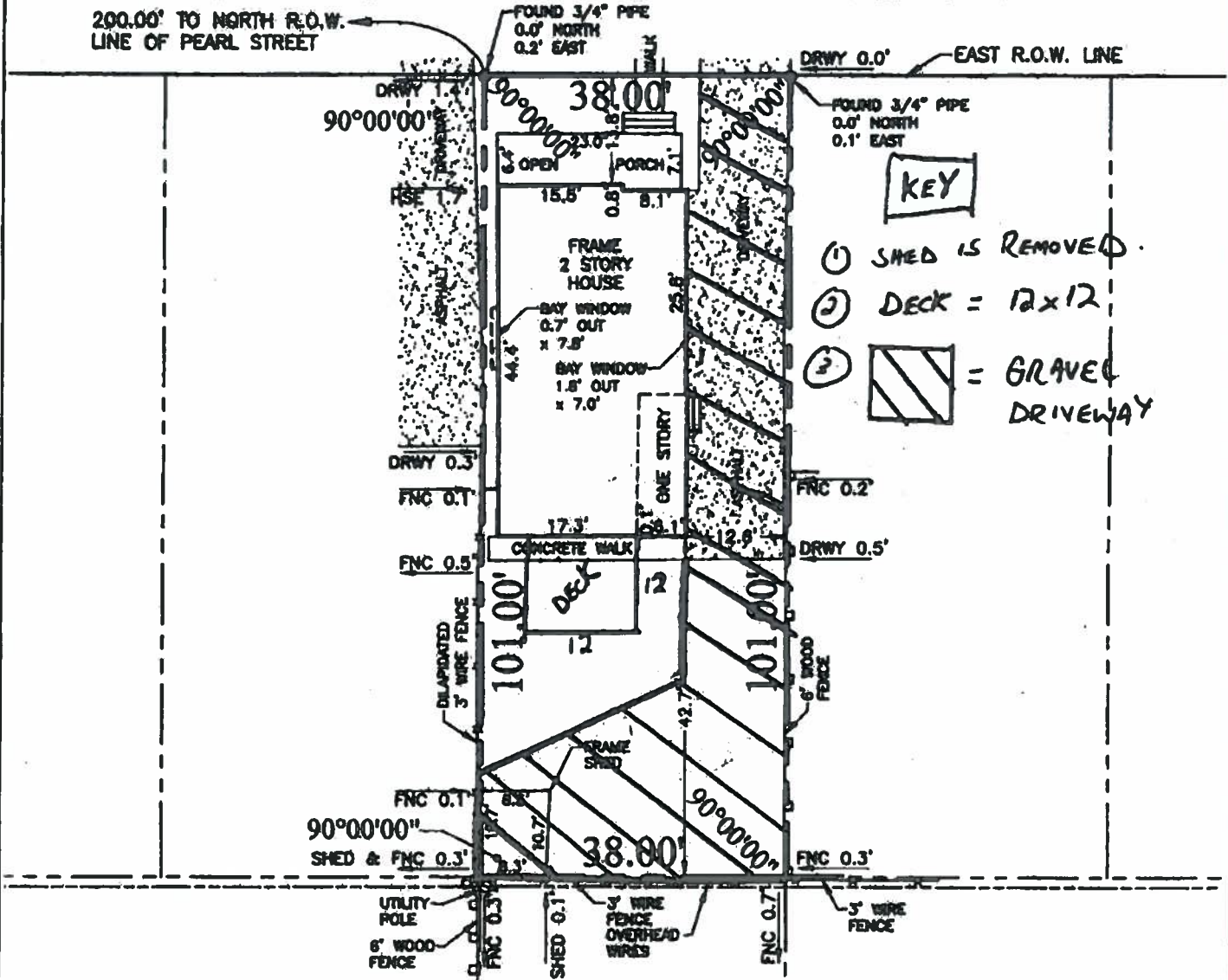
QUARANT PERSON COMPANY AND YES CERTIFI SUBSECU

Site plan approved for V-017-10-17 (28 Edmonds St.)

Street 28 EDMONDS STREET Subdivision BOARDMAN TRACT
 Reference Data: Liber 3 of Maps, Page 59; Liber 11009 of Deeds, Page 172
 Abstract ABAR ABSTRACT NO. 10531, DATED NOVEMBER 2, 2015 Lot No. 24
 Note: If a current abstract of the title was not provided, this parcel is subject to any easements that a current abstract of title may disclose.



EDMONDS (VARIABLE WIDTH R.O.W.) STREET



KEY

- ① SHED IS REMOVED
- ② DECK = 12x12
- ③ = GRAVEL DRIVEWAY

SCALE: 1"=20'

JOB NO.: 121.58-03-029
 P.B. No.: 109 PAGE 12

"Certifications indicated herein shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed herein, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."
 "Only copies from the original of this survey marked with an original of the land surveyor's inked seal or his embossed seal shall be considered to be valid true copies."
 "Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law."



I hereby certify to the following that this map was made from notes of an Instrument Survey:

ZONING BOARD OF APPEALS DECISION GRID

September 15, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-023-16-17:</u> To legalize the enclosure of an open front porch.	181 Cottage Street	Approve	5-1-0
<u>V-024-16-17:</u> To waive the distance separation, landscaping, screening, and fencing requirements associated with the legalization of a vehicle repair operation and a contractor's business.	174 Colvin Street	Approve on Condition	6-0-0
<u>V-025-16-17:</u> To change the use of the first floor from a print shop and accessory storage to an office, not meeting the transparency requirements.	645 Norton Street	Approve on Condition	6-0-0
<u>V-026-16-17:</u> To re-establish use of the property as a three-family dwelling that has lost its rights due to a period of vacancy greater than nine months.	294 Clay Avenue	Approve with Lesser Relief and on Condition	6-0-0
<u>V-027-16-17:</u> To legalize the expanded parking area in the rear yard of a mixed-use building, thereby exceeding the lot coverage requirement.	200 Warner Street	Approve on Condition	6-0-0
<u>V-028-16-17:</u> To construct a 50' x 30' warehouse/storage building, not meeting the front or rear yard setback requirement; and to install a 6' tall chain link fence, not meeting the landscape setback requirement.	121 Pool Street	Approve on Condition	6-0-0
<u>V-029-16-17:</u> To re-establish use of the property as a two-family dwelling that has lost its rights due to a period of vacancy greater than nine months.	14 Vetter Street	Approve	6-0-0
<u>V-046-15-16:</u> To establish use of the property for truck and equipment storage to serve the existing paving and trucking company located at 100-106 Industrial Street.	111 Industrial Street	Default Denial*	3-3-0
<u>V-042-15-16:</u> Rehearing request to legalize the driveway expansion of a two-family dwelling.	320 Castleman Street	Rehearing Request Denied	1-5-0
<u>V-077-15-16:</u> Rehearing request to install four internally illuminated signs for "Perri's Pizzeria at the Brighton Pub".	1881 East Avenue	Rehearing Request Approved	6-0-0

ATTENDANCE:

Zoning Board Members Present: J. Best, J. O'Donnell, M. Tilton
Zoning Board Alternates Present: J. DeMott, L. Jennings, P. O'Neill
Zoning Board Members Absent: L. Boose, D. Carr, M. Morales, E. Van Dusen

DISTRIBUTION:

Mayor Warren	B. Muhammed	K. Washington	City Council Members	A. Guzzetta	H. Washington
NSC Administrators	Zoning Staff	J. Brennan	V. Wehbring	T. Mann	G. Kirkmire

CONDITIONS:

174 Colvin Street (V-024-16-17): The barbed wire along the existing chain link fence must be removed.

645-647 Norton Street (V-025-16-17): The two windows with the sliders on the first floor facing Norton Street must be removed and replaced with a bay window (per the 1995 photo of the building, below), which aligns with the second story bay window.



294 Clay Avenue (V-026-16-17): The property is approved as a two-family, as follows: first floor, one family; second floor, one family; no third floor occupancy. The kitchen and bathroom must be removed from the third floor. The fire escape to the third floor must be removed. The exterior staircase that has been enclosed facing the driveway must be removed. The entrance to the second floor apartment will be from the interior staircase only.

200 Warner Street (V-027-16-17): The tree stump in the middle of the paved area must be removed. The paving area must be reduced and grass restored to the perimeter of the yard, per the attached site plan. Parking may be provided for up to three vehicles. The paving must be done in one, uniform material.

121-127 Pool Street (V-028-16-17): The location of the storage/warehouse is approved on condition that some green space is restored to the property (see attached site plan).

***111 Industrial Street (V-046-15-16):** This variance application failed to reach four concurring votes of the Board, and is therefore deemed a denial pursuant to Zoning Code Section 120-186(D)(1) requiring no further findings of fact.

ZONING BOARD OF APPEALS DECISION GRID

***REVISED**

October 20, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-075-15-16:</u> To legalize the expanded gravel parking area in the rear yard of a two-family.	312-314 S. Goodman Street	Approve with Lesser Relief and on Condition	5-0-0
<u>V-076-15-16:</u> To legalize the expanded gravel parking area in the rear yard of a two-family.	16-18 Harper Street	Approve with Lesser Relief and on Condition	5-0-0
<u>V-030-16-17:</u> To re-establish use of the property as a two-family dwelling that has lost its rights due to a period of vacancy greater than nine months.	33 Mead Street	Default Denial*	2-3-0
<u>V-031-16-17:</u> To install a 4' tall picket fence along the Lawndale Terrace and Rocket Street frontage of a single family dwelling.	16 Lawndale Terrace	Approve with Lesser Relief and on Condition	5-0-0
<u>V-032-16-17:</u> To install new sign faces for "Pet Supplies Plus" in the vacant spaces of the existing pole signs.	527 Monroe Avenue	Held at the Request of the Applicant	
<u>V-033-16-17:</u> To expand two of the three existing apartments into the third floor of a three-family, thereby expanding a nonconforming use.	216 S. Goodman Street	Deny	0-5-0
<u>V-034-16-17:</u> To legalize the deck and pool in the rear yard of a single family.	93 Weston Road	Approve	5-0-0
<u>V-035-16-17:</u> To widen the existing driveway of a single family from 10' to 16'.	983 Glide Street	Approve on Condition	5-0-0
<u>V-036-16-17:</u> To legalize the expansion of the second floor apartment into the third floor of a three family.	1279 Park Avenue	Approve	4-1-0
<u>V-037-16-17:</u> To install four internally illuminated signs on the third floor dormers and one non-illuminated pendant sign for "Perri's Pizzeria".	1881 East Avenue	Approve with Lesser Relief	5-0-0

ATTENDANCE:

Zoning Board Members Present: J. Best, L. Boose, J. O'Donnell, M. Tilton

Zoning Board Alternates Present: J. DeMott

Zoning Board Members Absent: D. Carr, M. Morales, E. Van Dusen

DISTRIBUTION:

Mayor Warren	B. Muhammed	K. Washington	City Council Members	A. Guzzetta	H. Washington
NSC Administrators	Zoning Staff	J. Brennan	V. Wehbring	T. Mann	G. Kirkmire

CONDITIONS:

312-314 S. Goodman Street (V-075-15-16) and 16-18 Harper Street (V-076-15-16):

- 1) Four parking spaces are approved in the rear yards; two at 312-314 S. Goodman Street and two at 16-18 Harper Street.
- 2) The garage at 312-314 S. Goodman Street cannot be removed.
- 3) The expanded parking area must be paved with asphalt and striped.
- 4) The aisle between the parking spaces on the two parcels must be 20'.
- 5) Additional landscaping is required, per the attached site plan.
- 6) The applicants must submit drawings prepared by a certified engineer, which address drainage.

***33 Mead Street (V-030-16-17):** This variance application failed to reach four concurring votes of the Board, and is therefore deemed a denial pursuant to Zoning Code Section 120-186(D)(1) requiring no further findings of fact.

16 Lawndale Terrace (V-031-16-17): The fence must be a white, picket fence, which is to be approved by the Director of Planning and Zoning. The location of the fence is approved in accordance with the attached site plan.

983 Glide Street (V-035-15-16): The driveway expansion must be asphalt and the sidewalk leading from the dwelling to the public sidewalk must be concrete.

1881 East Avenue (V-037-15-16): The pendant sign facing East Avenue is approved. A sign on the shed facing 490 is approved. A sign on the second floor of the building on the East and West facades is approved. Final design and location of all signs to be approved by the Director of Planning and Zoning.

ZONING BOARD OF APPEALS DECISION GRID
November 17, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
V-032-15-16: To modify the existing pole signs by installing new sign faces for "Pet Supplies Plus" in the vacant spaces and by lowering them from 26' to 17' in height.	527 Monroe Avenue	0-7-0	Deny
V-038-16-17: To legalize the third floor apartment in an existing two-family dwelling.	318 Smith Street	Held by the Board to the 12/14/16 Public Hearing	
V-039-16-17: To consider the economic hardship associated with the legalization of an existing three-bay vehicle repair operation, a use not permitted in the district.	1628 Lyell Avenue	Postponed until the 12/14/16 Public Hearing at the Request of the Applicant	
V-040-16-17: To enclose an open front porch on a single family dwelling.	38 Priscilla Street	7-0-0	Approve on Condition
V-041-16-17: To legalize the parking area in the rear yard which exceeds the lot coverage limitations and number of spaces permitted for a single family dwelling.	512 Mt. Hope Avenue	7-0-0	Approve with Lesser Relief and on Condition
V-042-16-17: To install a 5' tall solid wood fence in the front yard of a single family dwelling.	264 Humboldt Street	7-0-0	Approve on Condition

ATTENDANCE:

Zoning Board Members Present: J. Best, L. Boose, D. Carr, M. Morales, J. O'Donnell, E. Van Dusen
Zoning Board Alternates Present: P. O'Neill
Zoning Board Members Absent: M. Tilton

DISTRIBUTION:

Mayor Warren B. Muhammed K. Washington City Council Members A. Guzzetta H. Washington
NSC Administrators Zoning Staff J. Brennan V. Wehbring T. Mann G. Kirkmire

CONDITIONS:

38 Priscilla Street (V-040-16-17): The front porch can be enclosed and the awning above the porch can remain. The size of the existing openings must be maintained as much as possible (i.e. minimize framing). The architectural character of the porch must be maintained, which means the significance of the columns cannot be diminished (i.e. windows must be set back slightly from columns). The final design of the porch must be approved by the Director of Planning and Zoning (see below for an example).



512 Mt. Hope Avenue (V-041-16-17): The rear yard parking area must be reduced to allow for only three parking spaces. The drainage on the property must be resolved. A revised site plan, prepared by a licensed professional must be submitted for approval by the Director of Planning and Zoning. This variance request is subject to Rochester Preservation Board approval.

264 Humboldt Street (V-042-16-17): The applicant must install fence style #3, as depicted below.



ZONING BOARD OF APPEALS DECISION GRID

December 14, 2016

CASE #	ADDRESS	DECISION	RECORD OF VOTE
<u>V-038-16-17:</u> To legalize the third floor apartment in an existing two-family dwelling.	318 Smith Street	4-3-0	Approve
<u>V-039-16-17:</u> To consider the economic hardship associated with the legalization of an existing three-bay vehicle repair operation, a use not permitted in the district.	1628 Lyell Avenue	7-0-0	Approve Economic Hardship Standard*
<u>V-043-16-17:</u> To legalize an internally illuminated sign for "Effortlessly Healthy".	1925 South Avenue	7-0-0	Approve
<u>V-044-16-17:</u> To legalize the parking area in the rear yard of a 4-family dwelling.	316 Meigs Street	Postponed to the 01/19/17 Hearing at the Request of the Applicant Pending a Revised Site Plan	
<u>V-045-16-17:</u> To legalize the parking area in the rear yard of a 4-family dwelling.	320 Meigs Street	Postponed to the 01/19/17 Hearing at the Request of the Applicant Pending a Revised Site Plan	
<u>V-046-16-17:</u> To legalize an 18' x 14' gravel parking area in the front yard of a single family dwelling.	464 Grand Avenue	2-5-0	Deny
<u>V-047-16-17:</u> To install a 9' x 20' parking area in the front yard of a two-family dwelling.	461 Linden Street	0-7-0	Deny
<u>V-048-16-17:</u> To legalize the parking area in the front yard of a 3-family dwelling.	90 Prince Street	7-0-0	Approve with Lesser Relief
<u>V-049-16-17:</u> To install a 6' tall wood fence along the Bleile Terrace frontage and a 4' tall decorative aluminum fence along the Hollenbeck Terrace frontage of a vacant corner parcel.	151 Hollenbeck Street	7-0-0	Approve
<u>V-050-16-17:</u> To convert an existing building into 26 apartments, not meeting certain dwelling unit conversion standards.	1307 E. Main Street	7-0-0	Approve

ATTENDANCE:

Zoning Board Members Present: J. Best, L. Boose, D. Carr, M. Morales, J. O'Donnell, M. Tilton, E. Van Dusen

DISTRIBUTION:

Mayor Warren B. Muhammed K. Washington City Council Members A. Guzzetta H. Washington
 NSC Administrators Zoning Staff J. Brennan V. Wehbring T. Mann G. Kirkmire

CONDITIONS:

1628 Lyell Avenue (V-039-16-17): The Zoning Board of Appeals approved the economic hardship use variance standard only. The next step in this process is to submit an application for site plan review.

90 Prince Street (V-048-16-17): The driveway on the north side of the property must be 10' wide and any additional area must be restored to grass.