



## ZONING BOARD OF APPEALS AGENDA May 22, 2012

### TABLED ITEM:

1. Application for a use variance to allow the construction of Townhouses in the MC District at 1070, 1076 and 1082 Hatch Road, Webster NY which use is not permitted pursuant to Webster Town Code §225-17A and have two or more residential uses as part of the same development which is not permitted pursuant to Webster Town Code §225-14 A; and the following area variances:
  - i. The entrance road resulting in a 26.5 foot buffer where a 50 foot buffer is required pursuant to Webster Town Code §225-14B(3)(a);
  - ii. 38.9 foot buffer to buildings No. 1, 2 and 3 where 50 feet is required pursuant to Webster Town Code §225-14B(3)(a);
  - iii. A 25 foot building separation between buildings 1 and 2; 2 and 3; 4 and 5; 6 and 8; 9 and 10 where 40 feet is required pursuant to Webster Town Code §225-14 B (3) (h);
  - iv. A 30 foot building separation between buildings 3 and 7 where 40 feet is required pursuant to Webster Town Code §225-14B(3)(h); by Jess D. Sudol of Passero Associates, 100 Liberty Pole Way, Rochester, NY 14604, on behalf of Peter J. Landers as agent for Landers Management LLC, PO Box 18554, Rochester, NY 14618. **Tabled to June 12<sup>th</sup> meeting.**

### SCHEDULED ITEMS:

1. Corrected notice for the application for an area variance to allow the construction of a house at 507 Lakeview Terrace, Webster, NY: item (i) of the April 27 Notice is restated as follows: (i) 55 foot front setback where 75 feet is required pursuant to Webster Town Code §225-9B(5)(a)[2]. All other items in the April 27 Notice remain the same. By Heidi Ames on behalf of the owner, 1110 Brick Landing Place, Webster, NY 14580. **Approved front and side setbacks only.**
2. Application for an area variance required for the approval of a Site Plan for the Blue Bay Subdivision located at 1078 and 1034 Glen Edith Drive, Webster, NY and the vacant parcel known as SBL# 078.18-056 to allow a zero (0) foot setback to the parking area where 15 feet is required pursuant to Webster Town Code §225-22-C(2)(b)[2] by John F. Caruso, Passero Associates agent for owner, 100 Liberty Pole Way, Rochester NY 14604. **Approved with conditions**

3. Application for an area variance to allow the construction of a parking area at 1070 Glen Edith Drive, Webster, NY having a zero (0) foot setback where 15 feet is required pursuant to Webster Town Code §225-22-C(2)(b)[2], by George Wolf, 1070 Glen Edith Drive, Webster, NY 14580. **Approved with conditions**
4. Application for an area variance to allow the construction of an addition to the garage and to allow the existing shed at 545 West Road, Webster NY as follows:
  - i. Garage: having a 10.25 foot side setback where 15 feet is required pursuant to Webster Town Code §225-11B(5)(b)[1]; and to allow the alteration of a pre-existing non-conforming structure which requires Zoning Board of Appeals approval pursuant to Webster Town Code §225-100
  - ii. Shed: having a 5.25 rear setback and a 6.7 foot side setback where 15 feet is required for each pursuant to Webster Town Code §225-48;By Anne L. Magar, 545 West Road Webster NY 14580. **Approved**
5. Application for an area variance to allow the existing fence and shed at 1187 Imperial Drive, Webster, NY 14580 which fence is 8 feet high and located 1.3 feet from the lot line where 20 feet is required pursuant to Webster Town Code §225.77C and the shed having a 9.7 foot setback where 15 feet is required pursuant to Webster Town Code §225-48 by Michael Fredericks, 1187 Imperial Drive, Webster, NY 14580. **Approved 38.0 feet length of fence**
6. Application for an area variance to allow the construction of a sun porch at 760 Bay Road, Webster, NY having a 28 foot rear setback where 50 feet is required pursuant to Webster Town Code §225-11B(5)(c) by Jackie Dunn 760 Bay Road Webster, NY 14580. **Approved requiring stake out and new survey as a conditions.**
7. Application for an area variance to allow the construction of a 12' x 25' deck at 476 Forest Drive, Webster, NY having a 13.5 foot side setback where 20 feet is required pursuant to Webster Town Code §225 9B(5)(b)[1] and to allow the alteration of a pre-existing non-conforming structure which is not permitted without Zoning Board of Appeals approval pursuant to Webster Town Code §225-100 by Raymond Schlegel, 476 Forest Drive, Webster NY 14580. **Approved with conditions**
8. Application for approval to conduct a Major Home Occupation at 770 Holt Road, Webster, for a moving business and sale of equipment to be conducted at the house which is not permitted without Zoning Board of Appeals approval pursuant to Webster Town Code §225-37 A(2) and 225-110 by Richard Colucci, 6 Stranaham Park, Rochester NY 14617. **Tabled to June 12<sup>th</sup> meeting, required additional variances.**
9. Application for an area variance to allow the construction of a roof over a 16' x 24' foot patio at 223 Longview Dr. Webster, NY having a 11.5 foot side setback where 15 feet is required pursuant to Webster Town Code §225-11B(5)(b)[1] by Dameion Bryant 223 Longview Dr. Webster NY 14580. **Approved.**

10. Application for area variance to allow the shed, enclosed porch and deck to remain in their current locations at 533 Forest Lawn Road, Webster, NY as follows:
- i. Front Deck: having a 14.8 foot front setback where 75 feet is required pursuant to Webster Town Code §225-9 B(5)(a) and an 8 foot side setback where 20 feet is required pursuant to Webster Town Code §225-9B(5)(b)[1];
  - ii. Enclosed Porch: having a 14 foot front setback where 75 feet is required pursuant to Webster Town Code §225-9B(5)(a) and a 54 foot rear setback where 60 feet is required pursuant to Webster Town Code §225-9B(5)(c);
  - iii. Shed: having a 7.7 foot rear setback where 15 feet is required pursuant to Webster Town Code §225-48;
  - iv. Alteration of a pre-existing, non-conforming structure which requires Zoning Board of Appeals approval pursuant to Webster Town Code §225-100

By Kevin Clancy 533 Forest Lawn Road, Webster, NY 14580.

**Approved. Shed to be painted by June 30<sup>th</sup>**

11. Application for an area variance to allow the construction of a 10.5'x 24' garage addition at 260 Princeton Road, Webster, NY having a 7 foot side setback where 15 feet is required pursuant to Webster Town Code §225-11B(5)(b)[1] by Mark J. Monrad, 260 Princeton Road Webster, NY 14580. **Tabled to June 12<sup>th</sup> meeting for re-advertising**

12. Application for area variances for the approval of the Site Plan of 1021 Five Mile Line Road Webster, NY as follows:
- i. Having a lot area of 32,234 square feet where 62,500 square feet is required pursuant to Webster Town Code §225-19 B(1); **Approved**
  - ii. Having a lot width of 100 feet where 250 feet is required pursuant to Webster Town Code §225-19 B(3); **Approved**
  - iii. Having a 25 foot front setback where 75 feet is required pursuant to Webster Town Code §225-19 B-5(a); **50 feet approved**
  - iv. Having a 10 foot side setback where 25 feet is required pursuant to Webster Town Code §225-19 B-5(b); **15 feet approved**
  - v. Having a 10 foot side buffer where 25 feet is required pursuant to Webster Town Code §225-19 B-6(b) **15 feet approved**

By Walter F. Baker, D.S.B. Engineers and Architects, P.C., agent for Ince Halden, 2394 Ridgeway Avenue, Suite 201, Rochester, NY 14626  
**Conditioned with no auto sales, body shop and repair.**

13. Application for a modification of a Use Variance granted to 819 Ridge Road, Webster, NY to remove the following conditions (numbers below reference conditions set forth in prior Use Variance) of Use Variance granted on June 11, 1968 by Resolution #925 for 819 Ridge Road, Webster, NY:
- i. #1 & #2 restricting the variance to specific plans, specifications, and landscaping then submitted;
  - ii. #5 requiring a covenant regarding adjacent property;
  - iii. #6 regarding preservation of a certain purple beech tree;
  - iv. #7 requiring specific signs;
  - v. #10 prohibiting sale of products other than gas, oil and minor car accessories;
  - vi. #11 restricting outside sale to gasoline and oil;

- vii. #14 limiting outdoor parking to no more than 6 vehicles;
- viii. #15 requiring refuse enclosure to be attached to the structure;
- ix. #16 limiting hours of operation.

By Betsy Brugg, agent for owner, Fix Spindelman Brovitz & Goldman,  
295 Woodcliff Drive, Suite 200, Fairport, NY 14450. **Approved**

**Corrine Volo, Secretary**  
**Webster Zoning Board of Appeals**