

T E N T A T I V E A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
FEBRUARY 5, 2014

7:15 P.M.

CHAIRPERSON: Call the meeting to order.
 Announce location of exits and that the building is equipped with an alarm.

SECRETARY: Call the roll.

CHAIRPERSON: Approve the minutes of the December 4, 2013 meeting.

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Brighton Pittsford Post of January 30, 2014 will now be held.

12A-04-13 Application of Buckingham Properties LLC, property manager, and 2600 Elmwood LLC, owner of property located at 2600 Elmwood Avenue, for 1) modification of a Use Variance (5A-07-97) to allow for frozen yogurt sales and a short order eatery in conjunction with bagel sales, and 2) modification of an Area Variance (5A-08-97) allowing for the continuation of less parking than that as required by code with a change in restaurant use as described in 1 above. All as described on application and plans on file. **TABLED AT THE DECEMBER 4, 2013 MEETING - PUBLIC HEARING REMAINS OPEN**

1A-01-14 Application of Daniel Mossien, architect, and John Thomas Galvin, Jr., owner of property located at 1468 Monroe Avenue, for Appeal of the Historic Preservation Commission's denial of a Hardship Application (12H-03-13 - roof replacement) pursuant to Section 224-10. All as described on application and plans on file. **WITHDRAWN BY APPLICANT**

1A-02-14 Application of Tops Markets, LLC, lessee, and DiMarco Group, owner of property located at 1900 South Clinton Avenue, for a Sign Variance from Section 207-32B(2) to allow for 319.88 sf of business identification signage in lieu of the maximum 150 sf allowed by code. All as described on application and plans on file. **POSTPONED TO THE MARCH 5, 2014 MEETING AT APPLICANTS REQUEST**

1A-03-14 Application of Joseph O'Donnell, architect, and Sherry Dampier, owner of property located at 3176 Elmwood Avenue, for Area Variances from Section 205-2 to 1) allow an addition to extend 4.48 ft. into the existing 14.48 ft. side setback (south side) where a 19.8 ft. side setback is required by code, and 2) allow a garage addition to extend 11.8 ft. into the 19.8 ft. side setback (north side) required by code and 5 ft. into the 40 ft. front setback required by code. All as described on application and plans on file.

1A-04-14 Application of FCJE Holdings, LLC, applicant, and Max M. Farash Land Co., LLC By Max M. Farash Declaration in Trust, owner of property located at 447 French Road, for a Use Variance from Section 201-13D(1) to allow for the construction of a driveway that will serve a principle building not located in the Town of Brighton (fully located in the Town of Henrietta) where not allowed by code. All as described on application and plans on file. **POSTPONED TO THE MARCH 5, 2014 MEETING AT APPLICANTS REQUEST**

- 2A-01-14 Application of Frank, Jr. And Jennifer Mazzerella, owners of property located at 52 Sandringham Road, for an Area Variance from Section 209-10 to allow liveable floor area to increase from 3,709 sf to 3,790 sf where a maximum 3,353, sf is allowed by code. All as described on application and plans on file.
- 2A-02-14 Application of New Cingular Wireless PCS, LLC, (AT&T) lessee, and the Jewish Community Center of Rochester, Inc., owner of property located at 1200 Edgewood Avenue, for an Area Variance from Section 205-2.1B(6) to allow a standby emergency generator to be located in a side yard in lieu of the rear yard behind the building as required by code. All as described on application and plans on file.
- 2A-03-14 Application of New Cingular Wireless PCS, LLC, (AT&T) lessee, and Our Lady of Lourdes Church, owner, of property located at 166 Rhinecliff Drive, for 1) an Area Variance from Section 207-42C1(b) to allow cellular antenna support equipment to be located in an accessory structure placed on the roof of the building in lieu of inside the building as required by code; and 2) an Area Variance from Sections 203-9A(4) and 205-2.1B(6) to allow a standby emergency generator to be located on the roof of a building in lieu of in the rear yard behind the building as required by code. All as described on application and plans on file.
- 2A-04-13 Application of Jack Sigrist, architect, and Jean Joseph, owner of property located at 426 French Road, for an Area Variance form Section 205-2 to allow for the expansion of an attached garage from 1,075 sf to 1,416 sf where a maximum 900 sf is allowed by code. All as described on application and plans on file.
- 2A-05-14 Application of Anthony DiMarco, contract vendee, and Bonnie Hoepel, owner of property located at 2370 Monroe Avenue, for an Area Variance from Section 205-7 to allow an accessible ramp to extend 3.8 ft. into the existing 45.8 ft. rear setback where a 50 ft. rear setback is required by code. All as described on application and plans on file.
- 2A-06-14 Application of Tim Tyskiewicz, architect, and Matt and Courtney Winslow, owners of property located at 6 Elmwood Hill Lane, for 1) an Area Variance from Section 209-10 to allow liveable floor area to be 6,380 sf, after construction of a 2,107 sf addition, in lieu of the maximum 5,580 sf allowed by code; 2) an Area Variance from Section 203-2.1B(3) to allow a detached garage to be 864 sf in lieu of the maximum 600 sf allowed by code; and 3) an Area Variance from Section 207-11A to allow an in-ground swimming pool to be partially located in a side yard where not allowed by code. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

NONE

PRESENTATIONS:

NONE

COMMUNICATIONS:

Letter from Paul Colucci, DiMarco Group, dated January 14, 2014, requesting postponement of application 1A-02-14 to the March 5, 2014 meeting.

Letter from Meredith Silverman, dated January 23, 2014, withdrawing application 1A-01-14.

PETITIONS:

NONE