

BRIGHTON LEGAL NOTICE  
NOTICE OF PUBLIC HEARINGS

PLEASE TAKE NOTICE that public hearings will be held by the BOARD OF APPEALS of the TOWN OF BRIGHTON, County of Monroe, at a meeting to be held at the Town Hall at 2300 Elmwood Avenue, Rochester, New York, 14618 on Wednesday February 5, 2014 at 7:15 P.M. (E.S.T.) for the purpose of considering, modifying, approving, or disapproving the following: (Meeting review at 6:45 P.M.)

- 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.
- 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.
- 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.

The Board of Appeals, at said time and place, will hear all persons in support of such matters or any objections thereto. Those individuals needing a sign language interpreter must notify the Receptionist at Town Hall, (585)784-5250, at least 72 hours in advance that they are in need of such accommodation. BY ORDER OF THE BOARD OF APPEALS OF THE TOWN OF BRIGHTON.

Rick DiStefano, Secretary  
BOARD OF APPEALS  
January 30, 2014