

**CITY OF ROCHESTER  
30 CHURCH STREET**

**ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 8:45 am-9:30 AM  
CONFERENCE ROOM 223B  
Cases 1-5 PUBLIC HEARING BEGINS: 9:30 AM  
Cases 6-11 PUBLIC HEARING BEGINS: 11:30 AM  
CITY COUNCIL CHAMBERS 302A**

**JANUARY 17, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case 1**  
**File Number: V-017-12-13**  
**Case Type: Use and Area Variances**  
**Applicant: Frank Shumway, FRS Properties, LLC**  
**Address: 0 Hudson Avenue (AKA 0 Marina Drive-Town of Irondequoit)**  
**Zoning District: H-V Harbortown Village**  
**Quadrant: NW**  
**Purpose: To construct a single family dwelling; a prohibited use in the H-V district, and not meeting the side setback requirement. POSTPONED FROM DECEMBER 20, 2012 MEETING.**  
**Enforcement: No**  
**Lead Agency: Director of Planning and Zoning**

**Case 2**  
**File Number: V-043-12-13**  
**Case Type: Use Variance**  
**Applicant: Louis Asandrov**  
**Address: 109 Colvin Street**  
**Zoning District: R-1 Low Density Residential District**  
**Quadrant: NW**  
**Purpose: To retain the rights to a nonconforming 2-family dwelling that has lost its rights due to a period of vacancy greater than 9 months. POSTPONED FROM THE DECEMBER 20, 2012 MEETING.**  
**Enforcement: Yes**

**Case 3**  
**File Number: V-048-12-13**  
**Case Type: Area Variance**  
**Applicant: George Delvecchi, Owner**  
**Address: 623-625 Lake Avenue**  
**Zoning District: C-2 Community Center District**  
**Quadrant: NW**  
**Purpose: To change the use from a 1-family and 14 rooming units to 16 rooming units; expansion of a nonconforming use.**  
**Enforcement: Yes**  
**Lead Agency: Zoning Board of Appeals**

**Case** 4  
**File Number:** V-049-12-13  
**Case Type:** Area Variance  
**Applicant:** Thomas Brownell, Barrel of Dolls  
**Address:** 169-173 Anderson Avenue  
**Zoning District:** R-2 Medium-Density Residential District  
**Quadrant:** SE  
**Purpose:** To legalize excessive signage and exterior attention-getting devices; not meeting certain sign requirements in the residential district.  
**Enforcement:** Yes

**Case** 5  
**File Number:** V-050-12-13  
**Case Type:** Area Variance  
**Applicant:** Mary Vasalos, Owner  
**Address:** 510 Monroe Avenue  
**Zoning District:** C-2 Community Center District  
**Quadrant:** SE  
**Purpose:** To waive the off-street parking requirements associated with a change of use from retail to a restaurant at the former Pittsford Seafood.  
**Enforcement:** No  
**Lead Agency:** Zoning Board of Appeals

**Case** 6  
**File Number:** V-051-12-13  
**Case Type:** Area Variance  
**Applicant:** Dr. Neil Scheier, Dynamite Dollar  
**Address:** 780 Joseph Avenue  
**Zoning District:** C-1 Neighborhood Center District  
**Quadrant:** NE  
**Purpose:** To install two (2) internally illuminated signs; not meeting certain sign requirements.  
**Enforcement:** No

**Case** 7  
**File Number:** V-052-12-13  
**Case Type:** Use Variance  
**Applicant:** Tim Tompkins, Tompkins Enterprises  
**Address:** 74-76 Park Avenue  
**Zoning District:** R-2/O-B Medium Density Residential/Overlay Boutique Districts  
**Quadrant:** SE  
**Purpose:** To change the use from a 2-family to a 3-family dwelling by legalizing the 3<sup>rd</sup> floor unit; not meeting the dwelling unit conversion standards.  
**Enforcement:** No

**Case** 8  
**File Number:** V-053-12-13  
**Case Type:** Area Variance  
**Applicant:** Jon Schick, Architect  
**Address:** 34 Erion Crescent  
**Zoning District:** R-2 Medium Density Residential District  
**Quadrant:** SE  
**Purpose:** To construct a 2-car (tandem) attached garage for a single family dwelling; not meeting certain lot, area and yard requirements.  
**Enforcement:** No

**Case** 9  
**File Number:** V-054-12-13  
**Case Type:** Area Variance  
**Applicant:** Cory Anderson, Owner  
**Address:** 920 South Avenue  
**Zoning District:** R-1 Low Density Residential District  
**Quadrant:** SE  
**Purpose:** To expand the 2<sup>nd</sup> floor apartment into the 3<sup>rd</sup> floor, thereby expanding a nonconforming 2-family dwelling in the R-1 district.  
**Enforcement:** No

**Case** 10  
**File Number:** V-055-12-13  
**Case Type:** Use Variance  
**Applicant:** Lynne Betlem, ROC Property Management  
**Address:** 250 Birr Street  
**Zoning District:** R-1 Low Density Residential District  
**Quadrant:** NW  
**Purpose:** To retain the rights to a nonconforming 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-056-12-13  
**Case Type:** Area Variance  
**Applicant:** Hochan Son, Owner  
**Address:** 1280 Dewey Avenue  
**Zoning District:** C-1 Neighborhood Center  
**Quadrant:** NW  
**Purpose:** To waive certain sign and transparency requirements associated with the installation of window posters.  
**Enforcement:** Yes

**CITY OF ROCHESTER  
30 CHURCH STREET**

**ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 8:45 AM - 9:30 AM  
CONFERENCE ROOM 223B  
Cases 1-5 PUBLIC HEARING BEGINS: 9:30 AM  
Cases 6-10 PUBLIC HEARING BEGINS: 11:30 AM  
CITY COUNCIL CHAMBERS 302A**

**FEBRUARY 12, 2013  
(Revised 02/05/13)**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case 1**  
**File Number: V-043-12-13**  
**Case Type: Use Variance**  
**Applicant: Louis Asandrov**  
**Address: 109 Colvin Street**  
**Zoning District: R-1 Low Density Residential District**  
**Quadrant: NW**  
**Purpose: To retain the rights to a nonconforming 2-family dwelling that has lost its rights due to a period of vacancy greater than 9 months. (POSTPONED AT APPLICANT'S REQUEST TO 02/12/2013)**  
**Enforcement: Yes**

**Case 2**  
**File Number: V-052-12-13**  
**Case Type: Use Variance**  
**Applicant: Tim Tompkins, Tompkins Enterprises**  
**Address: 74-76 Park Avenue**  
**Zoning District: R-2/O-B Medium Density Residential/Overlay Boutique Districts**  
**Quadrant: SE**  
**Purpose: To change the use from a 2-family to a 3-family dwelling by legalizing the 3<sup>rd</sup> floor unit; not meeting the dwelling unit conversion standards. (POSTPONED AT APPLICANT'S REQUEST TO 02/12/2013)**  
**Enforcement: No**

**Case 3**  
**File Number: V-053-12-13**  
**Case Type: Area Variance**  
**Applicant: Jon Schick, Architect**  
**Address: 34 Erion Crescent**  
**Zoning District: R-2 Medium Density Residential District**  
**Quadrant: SE**  
**Purpose: To construct a 2-car (tandem) attached garage for a single family dwelling; not meeting certain lot, area and yard requirements. (POSTPONED AT APPLICANT'S REQUEST TO 02/12/2013)**  
**Enforcement: No**

**Case** 4  
**File Number:** V-057-12-13  
**Case Type:** Use and Area Variance  
**Applicant:** Reza Hourmanesh, Architect  
**Address:** 450-452 North Street  
**Zoning District:** C-2 Community Center District  
**Quadrant:** NE  
**Purpose:** To establish vehicle sales with accessory repair; a prohibited use in the C-2 district not meeting certain additional requirements for specified uses.  
**Enforcement:** Yes  
**Lead Agency:** Director of Planning & Zoning

**Case** 5  
**File Number:** V-058-12-13  
**Case Type:** Area Variance  
**Applicant:** Reza Hourmanesh, Architect  
**Address:** 752 Avenue D  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** NE  
**Purpose:** To legalize the infill of two windows and a door along the Bauman Street side of the property, not meeting city-wide design standards relating to transparency.  
**Enforcement:** Yes

**Case** 6  
**File Number:** V-059-12-13  
**Case Type:** Area Variance  
**Applicant:** Jacob Daniels, Irr Supply, Inc.  
**Address:** 1800 E. Main Street  
**Zoning District:** C-2 Community Center District  
**Quadrant:** SE  
**Purpose:** To waive certain city-wide design standards relating to transparency associated with façade renovations.  
**Enforcement:** Yes

**Case** 7  
**File Number:** V-060-12-13  
**Case Type:** Use Variance  
**Applicant:** Michael Kadysh, Owner  
**Address:** 410 Webster Avenue  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** SE  
**Purpose:** To retain the rights to a nonconforming 2-family dwelling that has lost its rights due to a period of vacancy greater than 9 months.  
**Enforcement:** Yes

**Case** 8  
**File Number:** V-061-12-13  
**Case Type:** Area Variance  
**Applicant:** George Jarrett, Monro Muffler Brake  
**Address:** 834 E. Main Street  
**Zoning District:** C-2 Community Center District  
**Quadrant:** NE  
**Purpose:** To replace a detached sign, not meeting certain sign requirements in the C-2 district.  
**Enforcement:** No

**Case** 9  
**File Number:** V-062-12-13  
**Case Type:** Use Variance  
**Applicant:** Alfonse Maiorino, Owner  
**Address:** 257 Park Avenue  
**Zoning District:** R-2/O-B Medium-Density/Overlay Boutique  
**Quadrant:** SE  
**Purpose:** To change the use from a store and 2-family to a 3-family dwelling, not meeting the dwelling unit conversion standards.  
**Enforcement:** Yes

**Case** 10 **WITHDRAWN**  
**File Number:** V-063-12-13  
**Case Type:** Area Variance - Rehearing  
**Applicant:** Ronald Christenson, Rochester Riverfront Properties, LP  
**Address:** 1500 S. Plymouth Avenue and 1000 and 1006 Genesee Street  
**Zoning District:** Brooks Landing Urban Renewal District  
**Quadrant:** SW  
**Purpose:** To review proposed building material changes, thereby modifying a previous area variance request associated with the construction of an 11-story, mixed-use building (Request for Rehearing granted on December 20, 2012).

**CITY OF ROCHESTER  
30 CHURCH STREET**

**ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 8:45 AM - 9:30 AM  
CONFERENCE ROOM 223B  
Cases 1-5 PUBLIC HEARING BEGINS: 9:30 AM  
Cases 6-9 PUBLIC HEARING BEGINS: 11:30 AM  
CITY COUNCIL CHAMBERS 302A**

**MARCH 21, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case: 1**  
**File Number: V-064-12-13**  
**Case Type: Area Variance**  
**Applicant: Michael Mammano, Clinton Signs Co. on behalf of Starbucks**  
**Address: 1394 Mt. Hope Avenue**  
**Zoning District: C-V Collegetown Village District**  
**Quadrant: SE**  
**Purpose: To waive certain sign requirements associated with a sign package for a proposed Starbucks restaurant with a drive-through.**  
**Enforcement: No**

**Case: 2**  
**File Number: V-065-12-13**  
**Case Type: Area Variance**  
**Applicant: John Diamatopoulos, Preps**  
**Address: 729-733 Park Avenue**  
**Zoning District: C-2 Community Center District**  
**Quadrant: SE**  
**Purpose: To establish an operation that is not conducted entirely within an enclosed building.**  
**Enforcement: No**

**Case: 3**  
**File Number: V-066-12-13**  
**Case Type: Area Variance**  
**Applicant: Phil Leger, Highland Contractors**  
**Address: 620 S. Clinton Avenue**  
**Zoning District: C-2 Community Center District**  
**Quadrant: SE**  
**Purpose: To replace a 6' high solid wood fence with a 6' high decorative metal fence along S. Clinton Avenue and Averill Avenue not meeting certain fencing requirement.**  
**Enforcement: No**

**Zoning Board of Appeals**

**March 21, 2013**

**Page 2**

**Case:** 4  
**File Number:** V-067-12-13  
**Case Type:** Area Variance  
**Applicant:** Akram Mashba, Convenience Express, Inc.  
**Address:** 1680 N. Goodman Street  
**Zoning District:** R-1 Low Density Residential District  
**Quadrant:** SE  
**Purpose:** To expand the hours of operation of a convenience store with gas sales from 7:00 am to 10:00 pm to 6:00 am to 12:00 am, thereby expanding a nonconforming use in the residential district.  
**Enforcement:** No

**Case:** 5  
**File Number:** V-068-12-13  
**Case Type:** Use Variance  
**Applicant:** Khanthaly Ninnasopha, Owner  
**Address:** 14 Maryland Street  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** NW  
**Purpose:** To retain the rights to a nonconformity 2-family dwelling 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:** 6  
**File Number:** V-069-12-13  
**Case Type:** Area Variance  
**Applicant:** Joe Ardieta, P.E. on behalf of Harry Coates  
**Address:** 371 Whitney Street  
**Zoning District:** M-1 Industrial District  
**Quadrant:** NW  
**Purpose:** To waive certain setback and parking requirements associated with the construction of a vehicle (bus) repair facility.  
**Enforcement:** No

**Case:** 7  
**File Number:** V-070-12-13  
**Case Type:** Area Variance  
**Applicant:** Todd Hartman, Exscape  
**Address:** 640-644 Monroe Avenue  
**Zoning District:** C-2 Community Center District  
**Quadrant:** SE  
**Purpose:** To waive certain sign requirements associated with the installation of an attached sign.  
**Enforcement:** No

**Zoning Board of Appeals**

**March 21, 2013**

**Page 3**

**Case: 8**  
**File Number: P-001-12-13**  
**Case Type: Appeal**  
**Applicant: Marvin Maye, Owner**  
**Address: 660-668 W. Main Street**  
**Zoning District: C-2 Community Center District**  
**Quadrant: SW**  
**Purpose: To appeal the decision of the Director of Planning and Zoning that the subject property is a Designated Building of Historic Value.**  
**Enforcement: Yes**

**Case: 9**  
**File Number: V-071-12-13**  
**Case Type: Area Variance**  
**Applicant: Torben Arend, Gilbane Development on behalf of Collegetown Rochester, LLC**  
**Address: 1325-1401 Mt. Hope Avenue, 683 Elmwood Avenue and 72-170 Crittenden Blvd.**  
**Zoning District: C-V Collegetown Village District**  
**Quadrant: SE**  
**Purpose: To waive certain setback and city wide design standards associated with the construction of the mixed-use, multi-building development known as "Collegetown."**  
**Enforcement: No**

**III. Other:**

**To consider a request for rehearing at 34 Erion Crescent (V-053-12-13), to construct a 2-car tandem garage.**

**CITY OF ROCHESTER  
30 CHURCH STREET**

**ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 5:00 PM – 5:30 PM  
CONFERENCE ROOM 223B  
PUBLIC HEARING BEGINS: 5:30 PM  
CITY COUNCIL CHAMBERS 302A**

**APRIL 18, 2013  
SPECIAL MEETING**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case: 1**  
**File Number: V-072-12-13**  
**Case Type: Area Variance**  
**Applicant: Andrew Barnett**  
**Address: 291 Dewey Avenue**  
**Zoning District: M-1 Industrial District**  
**Quadrant: NW**  
**Purpose: Remove and replace sign cabinet on existing, detached nonconforming sign for 7-Eleven, exceeding the 6' height limitation.**  
**Enforcement: No**

**Case: 2**  
**File Number: V-073-12-13**  
**Case Type: Area Variance**  
**Applicant: Andrew Barnett**  
**Address: 1325 Dewey Avenue**  
**Zoning District: C-1 Neighborhood Center District**  
**Quadrant: NW**  
**Purpose: Remove and replace sign cabinet on existing, detached sign and to remove and replace an attached sign for 7-Eleven, not meeting certain sign requirements.**  
**Enforcement: No**

**Case: 3**  
**File Number: V-074-12-13**  
**Case Type: Area Variance**  
**Applicant: Andrew Barnett**  
**Address: 233 E. Ridge Road**  
**Zoning District: C-2 Community Center District**  
**Quadrant: NE**  
**Purpose: Remove and replace sign cabinet on existing, detached nonconforming sign for 7-Eleven, exceeding the 4' height limitation.**  
**Enforcement: No**

**Zoning Board of Appeals  
April 18, 2013 – SPECIAL MEETING  
Page 2**

**Case:** 4  
**File Number:** V-075-12-13  
**Case Type:** Area Variance  
**Applicant:** Andrew Barnett  
**Address:** 2280 Culver Road  
**Zoning District:** C-1 Neighborhood Center District  
**Quadrant:** SE  
**Purpose:** Remove and replace sign cabinet on existing, detached nonconforming sign for 7-Eleven, exceeding the 4' height limitation.  
**Enforcement:** No

**Case:** 5  
**File Number:** V-076-12-13  
**Case Type:** Area Variance  
**Applicant:** Andrew Barnett  
**Address:** 1691 Culver Road  
**Zoning District:** C-1 Neighborhood Center District  
**Quadrant:** SE  
**Purpose:** Remove and replace the sign faces for 7-Eleven on an existing, detached nonconforming shared sign, not meeting certain sign requirements.  
**Enforcement:** No

**Case:** 6  
**File Number:** V-077-12-13  
**Case Type:** Area Variance  
**Applicant:** Andrew Barnett  
**Address:** 1475 N. Goodman Street  
**Zoning District:** C-1 Neighborhood Center District  
**Quadrant:** NE  
**Purpose:** Remove and replace sign cabinet on existing, detached nonconforming sign for 7-Eleven, exceeding the 4' height limitation.  
**Enforcement:** No

**Case:** 7  
**File Number:** V-078-12-13  
**Case Type:** Area Variance  
**Applicant:** Andrew Barnett  
**Address:** 923 S. Clinton Avenue  
**Zoning District:** C-2 Community Center District  
**Quadrant:** SE  
**Purpose:** Remove and replace the sign faces for 7-Eleven on two (2) existing, detached nonconforming shared signs, not meeting certain sign requirements.  
**Enforcement:** No

**CITY OF ROCHESTER  
30 CHURCH STREET**

**ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 8:45 AM - 9:30 AM  
CONFERENCE ROOM 223B  
PUBLIC HEARING BEGINS: 9:30 AM  
CITY COUNCIL CHAMBERS 302A**

**APRIL 25, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case:** 1  
**File Number:** V-079-12-13  
**Case Type:** Area Variance  
**Applicant:** Gregory Prendergast  
**Address:** 760 Atlantic Avenue  
**Zoning District:** R-1 Low Density Residential District  
**Quadrant:** SE  
**Purpose:** To legalize a 2-space front yard parking area, not meeting certain off-street parking requirements.  
**Enforcement:** Yes

**Case:** 2  
**File Number:** V-080-12-13  
**Case Type:** Area Variance  
**Applicant:** Victor M. Rodriguez  
**Address:** 463 North Street  
**Zoning District:** C-2 Community Center District  
**Quadrant:** NE  
**Purpose:** To waive the off-street parking requirements associated with a change of use from a store to a sit-down restaurant.  
**Enforcement:** Yes

**Case:** 3  
**File Number:** V-081-12-13  
**Case Type:** Area Variance  
**Applicant:** Tom Renner  
**Address:** 665 Atlantic Avenue  
**Zoning District:** M-1 Industrial District  
**Quadrant:** SE  
**Purpose:** To legalize an existing internally lit awning and sign not meeting certain sign requirements.  
**Enforcement:** Yes

**Zoning Board of Appeals**

**April 25, 2013**

**Page 2**

**Case:** 4  
**File Number:** V-082-12-13  
**Case Type:** Area Variance  
**Applicant:** Amer Haroon  
**Address:** 21 Portsmouth Terrace  
**Zoning District:** R-2 Medium Density Residential District  
**Quadrant:** SE  
**Purpose:** To expand 2<sup>nd</sup> floor front apartment into 3<sup>rd</sup> floor to create a mezzanine, thereby expanding a nonconforming use.  
**Enforcement:** Yes

**Case:** 5  
**File Number:** V-083-12-13  
**Case Type:** Use Variance  
**Applicant:** Robert Thayer  
**Address:** 297-299 Parsells Avenue  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** SE  
**Purpose:** To retain the rights to a nonconforming 4-family dwelling that has lost its rights due to a period of vacancy greater than 9 months.  
**Enforcement:** Yes

**Case:** 6  
**File Number:** V-084-12-13  
**Case Type:** Area Variance  
**Applicant:** Judy Cocuzzi  
**Address:** 342 Seneca Avenue  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** NE  
**Purpose:** To legalize and expand front yard parking area, not meeting certain off-street parking requirements.  
**Enforcement:** No

**Case:** 7  
**File Number:** V-085-12-13  
**Case Type:** Area Variance  
**Applicant:** Family Dollar Stores  
**Address:** 668 W. Ridge Road  
**Zoning District:** C-3 Regional Destination Center District  
**Quadrant:** NW  
**Purpose:** To replace an attached sign for Family Dollar exceeding certain sign limitations.  
**Enforcement:** Yes

**Zoning Board of Appeals**

**April 25, 2013**

**Page 3**

**Case:** 8  
**File Number:** V-086-12-13  
**Case Type:** Area Variance  
**Applicant:** Betsy Brugg, Esq., Fix Spindelman Brovitz & Goldman on behalf of 550 East Avenue LLC  
**Address:** 546 East Avenue (East Avenue Preservation District)  
**Zoning District:** R-3/O-O High-Density Residential District and Office-Overlay  
**Quadrant:** SE  
**Purpose:** To construct a 1,400 square foot addition on the west side of the Strathallan Hotel to create a banquet facility, thereby expanding a nonconforming use and to waive certain set-back requirements associated with said expansion.  
**Enforcement:** No

**CITY OF ROCHESTER  
30 CHURCH STREET**

**ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 8:45 AM - 9:30 AM  
CONFERENCE ROOM 223B  
Cases 1-4 PUBLIC HEARING BEGINS: 9:30 AM  
Cases 5-9 PUBLIC HEARING BEGINS: 11:30 AM  
CITY COUNCIL CHAMBERS 302A**

**MAY 23, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case: 1**  
**File Number: V-053-12-13**  
**Case Type: Area Variance - Rehearing**  
**Applicant: Jon Schick, Architect**  
**Address: 34 Erion Crescent**  
**Zoning District: R-2 Medium Density Residential District**  
**Quadrant: SE**  
**Purpose: A rehearing was granted by the Zoning Board of Appeals on March 21, 2013 to construct a 2-car (tandem) attached garage for a single family dwelling; not meeting certain lot, area and yard requirements.**

**Enforcement: No**

**Case: 2**  
**File Number: V-086-12-13**  
**Case Type: Area Variance**  
**Applicant: Betsy Brugg, Esq., Fix Spindelman Brovitz & Goldman on behalf of 550 East Avenue LLC**  
**Address: 546 East Avenue (East Avenue Preservation District)**  
**Zoning District: R-3/O-O High-Density Residential District and Office-Overlay**  
**Quadrant: SE**  
**Purpose: To construct a 1,400 square foot addition on the west side of the Strathallan Hotel to create a banquet facility, thereby expanding a nonconforming use and to waive certain set-back requirements associated with said expansion. (POSTPONED from the April 25, 2013 hearing due to a lack of a quorum).**

**Enforcement: No**

**Case: 3**  
**File Number: V-087-12-13**  
**Case Type: Use Variance**  
**Applicant: Michael Mercier, Antiquity Capital**  
**Address: 46 Prince Street**  
**Zoning District: C-2 Community Center District**  
**Quadrant: SE**  
**Purpose: To establish an internet lender (pawnbroker) to provide loans that are collateralized by fine art, high-end jewelry, vehicles and fine wine collections. The office operations are to occur at 46 Prince Street and the merchandise is to be stored entirely off-site.**

**Enforcement: No**

**Zoning Board of Appeals**

**May 23, 2013**

**Page 2**

**Case:** 4  
**File Number:** V-088-12-13  
**Case Type:** Area Variance  
**Applicant:** Zig Hakiel  
**Address:** 565 North Winton Road  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** SE  
**Purpose:** To legalize a deck in the front yard of a single family dwelling.  
**Enforcement:** Yes

**Case:** 5  
**File Number:** V-089-12-13  
**Case Type:** Area Variance  
**Applicant:** Joseph Bascom  
**Address:** 41 Pullman Avenue  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** NW  
**Purpose:** To change the use of two first floor commercial storefronts to two apartments not meeting certain dwelling unit conversion standards.  
**Enforcement:** No

**Case:** 6  
**File Number:** V-090-12-13  
**Case Type:** Area Variance  
**Applicant:** Clifford Beikirch  
**Address:** 40 Southampton Drive  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** NW  
**Purpose:** To expand the existing driveway of a single-family dwelling, thereby enabling front yard parking.  
**Enforcement:** No

**Case:** 7  
**File Number:** V-091-12-13  
**Case Type:** Area Variance  
**Applicant:** Terry Glenn  
**Address:** 77 Jackson Street  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** NE  
**Purpose:** To establish use of third floor mezzanine in conjunction with second floor apartment, thereby expanding a nonconforming use.  
**Enforcement:** Yes

**Zoning Board of Appeals**

**May 23, 2013**

**Page 3**

**Case:** 8  
**File Number:** V-092-12-13  
**Case Type:** Area Variance  
**Applicant:** Shenise Wright, The Arnett Café  
**Address:** 332 Arnett Boulevard  
**Zoning District:** C-1 Neighborhood Center District  
**Quadrant:** SW  
**Purpose:** To waive the off-street parking requirement associated with a change of use from a store to a sit-down restaurant.  
**Enforcement:** No

**Case:** 9  
**File Number:** V-093-12-13  
**Case Type:** Use Variance  
**Applicant:** Tom Jansen, ELJ Properties  
**Address:** 56 Flower City Park  
**Zoning District:** R-1 Low-Density Residential District  
**Quadrant:** NW  
**Purpose:** To retain rights to a nonconforming 2-family dwelling that has lost its rights due to a period of vacancy greater than 9 months.  
**Enforcement:** No

Written comments may be submitted or mailed to: Jill Symonds, City of Rochester, Bureau of Planning & Zoning, 30 Church Street, Room 125B, Rochester, NY 14612, or [jill.symonds@cityofrochester.gov](mailto:jill.symonds@cityofrochester.gov)

**June 20, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

Case: 1  
File Number: V-065-12-13  
Case Type: Area Variance – Rehearing  
Applicant: John Diamatopoulos, Preps  
Address: 729-733 Park Avenue  
Zoning District: C-2 Community Center District  
Quadrant: SE  
Purpose: To modify a condition of the variance approval to allow the outdoor bar to operate until 2:00 AM instead of the approved 11:00 PM. (Re-hearing granted on May 23, 2013)  
Enforcement: Yes

Case: 2  
File Number: V-090-12-13  
Case Type: Area Variance  
Applicant: Clifford Beikirch  
Address: 40 Southampton Drive  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NW  
Purpose: To expand the existing driveway of a single-family dwelling, thereby enabling front yard parking. (HELD from the May 23, 2013 meeting)  
Enforcement: No

Case: 3  
File Number: V-094-12-13; V-032-09-10  
Case Type: Area Variance  
Applicant: Julie Earnhart on behalf of Jeremiah's  
Address: 1104-1112 Monroe Avenue  
Zoning District: C-1 Neighborhood Center District  
Quadrant: SE  
Purpose: To legalize an outdoor smoker, a use not within a fully enclosed building and an expansion of a nonconforming use, and; to rescind conditions of a previous variance approval (V-032-09-10) relating to screening, landscaping and directional signage.  
Enforcement: Yes

**Zoning Board of Appeals**

**June 20, 2013**

**Page 2**

Case: 4  
File Number: V-095-12-13  
Case Type: Area Variance  
Applicant: Randy Benedetto  
Address: 590 Broad Street  
Zoning District: M- 1 Industrial District  
Quadrant: NW  
Purpose: To waive transparency requirements for mini storage in an M-1 district.  
Enforcement: No

Case: 5  
File Number: V-096-12-13  
Case Type: Area Variance  
Applicant: Masood Ahmed, Publix Mart  
Address: 2179 Clifford Ave  
Zoning District: C- 1 Neighborhood Center District  
Quadrant: SE  
Purpose: To add internal illumination to an existing permitted sign, and; to extend the hours of operation from 6:00 AM to 11:00 PM to 6:00 AM to 1:00 AM Sunday through Thursday, and 6:00 AM to 2:00 AM on Friday and Saturday, thereby expanding a nonconforming high impact retail use.  
Enforcement: Yes

Case: 6  
File Number: V-097-12-13  
Case Type: Area Variance  
Applicant: Nathanael Beshaw, UN Café  
Address: 999-1007 South Clinton Avenue  
Zoning District: C-1 Neighborhood Center District  
Quadrant: SE  
Purpose: To expand the restaurant area of the Hookah Lounge into an adjacent retail space, thereby expanding a nonconforming use in the district, and; to waive the off-street parking requirement associated with this change of use.  
Enforcement: Yes

Case: 7  
File Number: V-098-12-13  
Case Type: Use Variance  
Applicant: Chris Catone  
Address: 1839, 1841, 1845 and 1851 Lyell Avenue  
Zoning District: C-2 Community Center District  
Quadrant: NW  
Purpose: To establish use of the properties for vehicle sales, a use not permitted in the district.  
Enforcement: No

**Zoning Board of Appeals**  
**June 20, 2013**  
**Page 3**

**Written comments may be submitted or mailed to: Jill Symonds, City of Rochester, Bureau of Planning & Zoning, 30 Church Street, Room 125B, Rochester, NY 14612, or [jill.symonds@cityofrochester.gov](mailto:jill.symonds@cityofrochester.gov)**

**CITY OF ROCHESTER  
30 CHURCH STREET**

**ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 8:45 AM - 9:30 AM  
CONFERENCE ROOM 223B  
PUBLIC HEARING BEGINS: 9:30 AM  
CITY COUNCIL CHAMBERS 302A**

**JULY 18, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

Case: 1  
File Number: V-001-13-14  
Case Type: Area Variance  
Applicant: Scott Garceau on behalf of Catholic Family Center  
Address: 100 Liberty Pole Way  
Zoning District: CCD-B Center City District – Base District  
Quadrant: SW  
Purpose: Residential care facilities cannot be located within a ¼ mile of another residential care facility. This requirement must be waived for the establishment of a 24-hour supervised residential care facility.  
  
Enforcement: No  
Code Section: 120-146  
SEQR: Type 2

Case: 2  
File Number: V-002-13-14  
Case Type: Area Variance  
Applicant: Razy Kased on behalf of As-Sunnah Masjid Inc.  
Address: 490 North Goodman Street  
Zoning District: C-2 Community Center District  
Quadrant: SE  
Purpose: To waive the off-street parking requirements associated with a change of use to a place of worship.  
  
Enforcement: Yes  
Code Section: 120-173  
SEQR: Unlisted

Case: 3  
File Number: V-003-13-14  
Case Type: Area Variance  
Applicant: David C. King, Esq. on behalf of the estate of Jean A. Bisnett  
Address: 504 La Grange Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NW  
Purpose: To legalize the conversion of a one-car attached garage to living space thereby creating front yard parking.  
  
Enforcement: No  
Code Section: 120-173  
SEQR: Type 2

**Zoning Board of Appeals**

**July 18, 2013**

**Page 2**

Case: 4  
File Number: V-004-13-14  
Case Type: Area Variance  
Applicant: Coleen Bracci on behalf of Victor A. Nezu  
Address: 354 Avenue B  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NE  
Purpose: To legalize the installation of a 4' x 120' chain link fence in two front yards of a single-family dwelling.  
Enforcement: Yes  
Code Section: 120-167  
SEQR: Type 2

Case: 5  
File Number: V-005-13-14  
Case Type: Area Variance  
Applicant: David Dworkin on behalf of RG Accounts LLC  
Address: 1653-1691 Mount Hope Avenue  
Zoning District: C-2 Community Center District  
Quadrant: SE  
Purpose: To waive the size limitation for attached signs for "Hera Beauty Hair & Wigs".  
Enforcement: Yes  
Code Section: 120-177  
SEQR: Type 2

Case: 6  
File Number: V-006-13-14  
Case Type: Area Variance  
Applicant: David Dworkin on behalf of RG Accounts LLC  
Address: 1653-1691 Mount Hope Avenue  
Zoning District: C-2 Community Center District  
Quadrant: SE  
Purpose: To waive the size limitation for attached signs for "Abyssinia Restaurant".  
Enforcement: Yes  
Code Section: 120-177  
SEQR: Type 2

**III. Other:**

To consider a request for rehearing at 760 Atlantic Avenue (V-079-12-13) to legalize a 2 space front yard parking area, not meeting certain off-street parking requirements.

**Written comments may be submitted by 4:00 PM on July 17<sup>th</sup> to: Jill Symonds, City of Rochester, Bureau of Planning & Zoning, 30 Church Street, Room 125B, Rochester, NY 14612, or [Jill.Symonds@cityofrochester.gov](mailto:Jill.Symonds@cityofrochester.gov)**

REVISED

AUGUST 15, 2013

I. Meeting with Staff

II. Public Hearings:

Case: 1  
File Number: V-007-13-14  
Case Type: Area Variance  
Applicant: Scott Fiske  
Address: 973 North Clinton Avenue  
Zoning District: C-2 Community Center District  
Quadrant: NE  
Purpose: To install an externally illuminated sign for "El Pilo'n Criollo" on both street frontages that are approximately 48 square feet each where 10 square feet is permitted on North Clinton Avenue and 23 square feet is permitted on Flower Street.  
Enforcement: No  
Code Section: 120-177  
SEQR: Type 2

Case: 2 **REMOVED BY STAFF/NO VARIANCE REQUIRED**  
File Number: V-008-13-14  
Case Type: Area Variance  
Applicant: Frank Di Cesare  
Address: 25 Buckingham Street  
Zoning District: R-3 High-Density Residential District  
Quadrant: SE  
Purpose: To waive the lot coverage requirement associated with establishing on-site parking of up to 6 spaces to serve the uses on the property.  
Enforcement: Yes  
Code Section: 120-28  
SEQR: Type 2

Case: 3  
File Number: V-009-13-14  
Case Type: Area Variance  
Applicant: Gretchen Gerbic  
Address: 26 Avondale Park  
Zoning District: R-2 Medium-Density Residential District  
Quadrant: SE  
Purpose: To legalize a parking lot in the rear yard that exceeds lot coverage limitations by 27%.  
Enforcement: Yes  
Code Section: 120-20  
SEQR: Type 2

Case: 4  
File Number: V-010-13-14  
Case Type: Area Variance  
Applicant: Antonio Cilino  
Address: 455-485 Lake Avenue  
Zoning District: R-3 High-Density Residential District  
Quadrant: NW  
Purpose: To install a decorative fence in the front yard of this townhome complex that is 6' in height rather than the permitted in 3'.  
Enforcement: No  
Code Section: 120-167  
SEQR: Type 2

Case: 5  
File Number: V-011-13-14  
Case Type: Area Variance  
Applicant: Richard Maira  
Address: 1653-1691 Mount Hope Avenue  
Zoning District: C-2 Community Center District  
Quadrant: SE  
Purpose: To install an internally illuminated sign for "Sultan Restaurant" that is 36 square feet where 11 square feet is permitted.  
Enforcement: Yes  
Code Section: 120-177  
SEQR: Type 2

Case: 6  
File Number: V-012-13-14  
Case Type: Area Variance  
Applicant: Sherman Hardy  
Address: 191 Jefferson Avenue  
Zoning District: R-2 Medium-Density Residential District  
Quadrant: SW  
Purpose: To install a decorative wrought iron fence in the front yard of Troup Street and Jefferson Avenue that is 4' in height rather than the permitted in 3'.  
Enforcement: Yes  
Code Section: 120-167  
SEQR: Type 2

Case: 7  
File Number: P-001-13-14  
Case Type: Appeal  
Applicant: John Diamantopoulos  
Address: 284 Oxford Street (aka 363 Park Avenue)  
Zoning District: C-1 Neighborhood Center District  
Quadrant: SE  
Purpose: To appeal the interpretation of the Director of Planning and Zoning relating to the extension of hours of operation in the C-1 zone.  
Enforcement: Yes  
Code Section: 120-195  
SEQR: Type 2

Case: 8  
File Number: V-013-13-14  
Case Type: Use Variance  
Applicant: James McIntyre  
Address: 556-562 Tremont Street  
Zoning District: R-2 Medium-Density Residential District  
Quadrant: SW  
Purpose: To change the use of a single family home to a two-family home, not meeting the dwelling unit conversion standards.  
Enforcement: N0  
Code Section: 120-19; 120-166  
SEQR: Type 2

Case: 9  
File Number: V-014-13-14  
Case Type: Use Variance  
Applicant: Tracy Williams  
Address: 1733 Norton Street  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To establish use of vacant commercial space as a bar/restaurant with amusement devices and hours of operation of 11 am to 10 pm Sunday to Thursday and from 11 am to 11 pm Friday and Saturday, thereby establishing a use of greater intensity than the previous non-conforming use (Mama Rosa's).  
Enforcement: Yes  
Code Section: 120-199  
SEQR: Unlisted

**Written comments may be submitted by August 14<sup>th</sup> to: Jill Symonds, City of Rochester, Bureau of Planning & Zoning, 30 Church Street, Room 125B, Rochester, NY 14612, or [Jill.Symonds@CityofRochester.gov](mailto:Jill.Symonds@CityofRochester.gov)**

CITY COUNCIL CHAMBERS 302A

Cases 1-5 Public Hearing Begins: 9:30 AM

Cases 6-8 Public Hearing Begins: 11:30 AM

**SEPTEMBER 19, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case: 1** *Held from the 08/15/13 hearing*  
File Number: V-014-13-14  
Case Type: Use Variance  
Applicant: Tracy Williams  
Address: 1733 Norton Street  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To establish use of vacant commercial space as a bar/restaurant with amusement devices and hours of operation from 11:00 am to 10:00 pm Sunday to Thursday and from 11:00 am to 12:00 am on Friday and Saturday, thereby establishing a use of greater intensity than the previous non-conforming use (Mama Rosa's).  
Enforcement: Yes  
Code Section: 120-199  
SEQR: Unlisted

**Case: 2**  
File Number: V-015-13-14  
Case Type: Area Variance  
Applicant: Sikandar Shaikh  
Address: 161 Crittenden Boulevard  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To legalize a parking lot in the rear yard that exceeds lot coverage limitations by 31%.  
Enforcement: Yes  
Code Section: 120-173  
SEQR: Type 2

**Case: 3**  
File Number: V-016-13-14  
Case Type: Area Variance  
Applicant: Luis M. Rivera  
Address: 894 Chili Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SW  
Purpose: To enclose a front porch, thereby waiving the requirement that front porches must not be enclosed.  
Enforcement: No  
Code Section: 120-160  
SEQR: Type 2

**Zoning Board of Appeals**  
**September 19, 2013**  
**Page 2**

**Case:** **4**  
File Number: V-017-13-14  
Case Type: Area Variance  
Applicant: Chantal Lischer  
Address: 160 Westmoreland Drive  
Zoning District: R-3 High-Density Residential District  
Quadrant: NW  
Purpose: To install a decorative 124' vinyl fence in the front yard that is 6' in height rather than the permitted 3'; and to legalize the existing 20' wide driveway, thereby resulting in front yard parking.  
Enforcement: No  
Code Section: 120-167; 120-173  
SEQR: Type 2

**Case:** **5**  
File Number: V-018-13-14  
Case Type: Area Variance  
Applicant: Laura Baranes, Premier Sign Systems  
Address: 1979-1985 East Main Street  
Zoning District: C-1 Neighborhood Center District  
Quadrant: SE  
Purpose: To install an internally illuminated sign for "Salvatore's Pizzeria" that is 24 sq. ft. Internal illumination is prohibited in the C-1 zone, and only 22.5 sq. ft. of signage is permitted.  
Enforcement: No  
Code Section: 120-177  
SEQR: Type 2

**Case:** **6**  
File Number: V-019-13-14  
Case Type: Area Variance  
Applicant: Gilbert Tegg  
Address: 671 Brooks Avenue  
Zoning District: M-1 Industrial District  
Quadrant: SW  
Purpose: To replace sign panels for Mobil with new sign panels and to install two (2) LED price displays, thereby prolonging the life of a nonconforming pole sign structure.  
Enforcement: No  
Code Section: 120-199  
SEQR: Type 2

**Zoning Board of Appeals**  
**September 19, 2013**  
**Page 3**

**Case:** 7  
File Number: V-020-13-14  
Case Type: Area Variance  
Applicant: Jeffrey Lambert  
Address: 67 Marion Street  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To construct a second story bedroom addition to a single family dwelling not meeting side-yard setback requirements.  
Enforcement: No  
Code Section: 120-11  
SEQR: Type 2

**Case:** 8  
File Number: V-021-13-14  
Case Type: Area Variance  
Applicant: Robert Bodzon  
Address: 2244 Clifford Avenue  
Zoning District: C-1 Neighborhood Center District  
Quadrant: SE  
Purpose: To legalize the expansion of a driveway into the front yard, thereby resulting in front yard parking.  
Enforcement: Yes  
Code Section: 120-173  
SEQR: Type 2

**Written comments may be submitted by September 18<sup>th</sup> to: Jill Symonds, City of Rochester, Bureau of Planning & Zoning, 30 Church Street, Room 125B, Rochester, NY 14612, or [Jill.Symonds@CityofRochester.gov](mailto:Jill.Symonds@CityofRochester.gov)**

**\*REVISED\***

**CITY COUNCIL CHAMBERS 302A**

**Cases 1-5 Public Hearing Begins: 9:30 AM**

**Cases 6-9 Public Hearing Begins: 11:30 AM**

**OCTOBER 24, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case: 1**  
File Number: V-022-13-14  
Case Type: Area Variance  
Applicant: Hannah Ward  
Address: 252 Castleman Road  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To legalize the conversion of a garage and construction of addition in front of garage as unheated three season room, thereby creating front yard parking; to widen driveway from 11' to 16' to allow space for two parked cars.  
Enforcement: Yes  
Code Section: 120-173  
SEQR: Type 2

**Case: 2**  
File Number: V-023-13-14  
Case Type: Area Variance  
Applicant: Mary Ann Yannacone  
Address: 140 Rossiter Road  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To legalize a parking lot in the rear yard that exceeds lot coverage limitations by 20%.  
Enforcement: Yes  
Code Section: 120-173  
SEQR: Type 2

**Case: 3**  
File Number: V-024-13-14  
Case Type: Area Variance  
Applicant: Gretchen Gerbic  
Address: 32 Avondale Park  
Zoning District: R-2 Medium-Density Residential District  
Quadrant: SE  
Purpose: To legalize a parking lot in the rear yard that exceeds lot coverage limitations by 8%.  
Enforcement: Yes  
Code Section: 120-20  
SEQR: Type 2

**Case: 4**  
File Number: V-025-13-14  
Case Type: Area Variance  
Applicant: Matthew Haskins  
Address: 113 Dunsmere Drive  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NW  
Purpose: To install a deck in the front yard and to legalize an existing front yard parking area.  
Enforcement: No  
Code Section: 120-163; 120-173  
SEQR: Type 2

**Case: 5**  
File Number: V-026-13-14  
Case Type: Area Variance  
Applicant: Sarah A. McMahan, Amos Evans  
Address: 94 Frost Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SW  
Purpose: To construct a 12' x 22' attached garage for a single family dwelling, not meeting side yard setback requirements.  
Enforcement: No  
Code Section: 120-11  
SEQR: Type 2

**Case: 6**  
File Number: V-027-13-14  
Case Type: Area Variance  
Applicant: Reverend Elias Nieves  
Address: 975 Joseph Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NE  
Purpose: To demolish the existing building and construct a new 9,000 square foot building for church use, not meeting certain lot, setback and parking requirements.  
Enforcement: Yes  
Code Section: 120-11; 120-173  
SEQR: Type 2

**Case: 7**  
File Number: V-028-13-14  
Case Type: Use and Area Variances  
Applicant: Dario Delkic  
Address: 22 Winston Place  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To legalize the change in use from a print shop to a health club, a use not permitted in the R-1 zone; to maintain use of front yard parking, not meeting certain parking lot design requirements.  
Enforcement: Yes  
Code Section: 120-8; 120-173  
SEQR: Unlisted

**Case:** 8  
File Number: P-002-13-14  
Case Type: Appeal  
Applicant: Michael Lebowitz  
Address: 759 East Avenue (aka 10 Vick Park A)  
Zoning District: R-3 High-Density Residential District  
Quadrant: SE  
Purpose: To appeal the interpretation of the Director of Planning and Zoning relating to the change in use from an office to a low-impact retail sales operation on the first floor of the carriage house.  
Enforcement: No  
Code Section: 120-195  
SEQR: Type 2

**Case:** 9 **\*POSTPONED UNTIL NOVEMBER 21, 2013\***  
File Number: V-029-13-14  
Case Type: Area Variance  
Applicant: Damianos Stefanou  
Address: 830 South Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To construct an addition to an existing commercial building in order to establish a specially permitted full-line food store; an expansion of a nonconforming use in the R-1 district and not meeting certain setback and lot coverage requirements.  
Enforcement: No  
Code Section: 120-199  
SEQR: Type 2

**Case:** 10 ***Held from the 09/19/13 hearing***  
File Number: V-014-13-14  
Case Type: Use Variance  
Applicant: Tracy Williams  
Address: 1733 Norton Street  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To establish use of vacant commercial space as a bar/restaurant with amusement devices and hours of operation from 11:00 am to 10:00 pm Sunday to Thursday and from 11:00 am to 12:00 am on Friday and Saturday, thereby establishing a use of greater intensity than the previous non-conforming use (Mama Rosa's).  
Enforcement: Yes  
Code Section: 120-199  
SEQR: Unlisted

Written comments may be submitted by October 23<sup>rd</sup> to: Jill Symonds, City of Rochester, Bureau of Planning & Zoning, 30 Church Street, Room 125B, Rochester, NY 14612, or [Jill.Symonds@CityofRochester.gov](mailto:Jill.Symonds@CityofRochester.gov)

CITY OF ROCHESTER  
30 CHURCH STREET

ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 8:45 AM - 9:30 AM  
CONFERENCE ROOM 223B

CITY COUNCIL CHAMBERS 302A  
Cases 1-6 Public Hearing Begins: 9:30 AM  
Cases 7-10 Public Hearing Begins: 11:30 AM

## NOVEMBER 21, 2013

### I. Meeting with Staff

### II. Public Hearings:

**Case:** 1  
File Number: V-030-13-14  
Case Type: Use Variance  
Applicant: Ken Register  
Address: 508 Garson Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To retain rights to a nonconforming 2-family dwelling that has lost its rights due to a period of vacancy greater than 9 months.  
Enforcement: Yes  
Code Section: 120-199  
SEQR: Type 2

**Case:** 2  
File Number: V-031-13-14  
Case Type: Use Variance  
Applicant: Richard Molina  
Address: 298 Bernard Street  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NE  
Purpose: To retain rights to a nonconforming 2-family dwelling that has lost its rights due to a period of vacancy greater than 9 months.  
Enforcement: Yes  
Code Section: 120-199  
SEQR: Type 2

**Case:** 3  
File Number: V-032-13-14  
Case Type: Area Variance  
Applicant: Dolores Clarke  
Address: 38 Sobieski Street  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NE  
Purpose: To install a 4' chain link fence and gate in the front yard of a single family home and to legalize the existing chain link fence in the front yard.  
Enforcement: No  
Code Section: 120-167  
SEQR: Type 2

**Case:** 4  
File Number: V-033-13-14  
Case Type: Area Variance  
Applicant: Ilia Baez  
Address: 225 Summit Grove Park  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NW  
Purpose: To remove existing triple track windows in an existing enclosed porch and replace with smaller slider windows.  
Enforcement: Yes  
Code Section: 120-160  
SEQR: Type 2

**Case:** 5  
File Number: V-034-13-14  
Case Type: Area Variance  
Applicant: Robert M. VanDuyn, Green Shores Property Management LLC  
Address: 236 Henrietta Road  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To legalize the expansion of the second floor apartment into a newly created third floor loft, thereby expanding a nonconforming use.  
Enforcement: Yes  
Code Section: 120-199  
SEQR: Type 2

**Case:** 6  
File Number: V-035-13-14  
Case Type: Area Variance  
Applicant: Glenn Palmer  
Address: 136 Castleman Road  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To legalize the conversion of a one-car attached garage to living space, thereby creating front yard parking and to legalize the expansion of the driveway to 19' in width.  
Enforcement: No  
Code Section: 120-173  
SEQR: Type 2

**Case:** 7  
File Number: V-036-13-14  
Case Type: Area Variance  
Applicant: James Hemmerich  
Address: 553 North Winton Road  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To legalize a parking lot in the rear yard that exceeds lot coverage limitations by 3%.  
Enforcement: Yes  
Code Section: 120-20  
SEQR: Type 2

**Case:** 8  
File Number: V-037-13-14  
Case Type: Area Variance  
Applicant: Peter Damico  
Address: 2245-2255 Culver Road  
Zoning District: C-1 Neighborhood Center District  
Quadrant: SE  
Purpose: To construct a 1,900 sq. ft. addition for “New to You” furniture store not meeting certain setback and bulk requirements.  
Enforcement: No  
Code Section: 120-36; 120-37  
SEQR: Unlisted

**Case:** 9  
File Number: V-038-13-14  
Case Type: Area Variance  
Applicant: David Quintana  
Address: 330 and 334-336 Scio Street  
Zoning District: R-2 Medium-Density Residential District  
Quadrant: NE  
Purpose: To legalize existing 6’ chain link fence and gate in front yard; to legalize existing parking area for up to seven vehicles, not meeting certain parking lot design and lot coverage requirements.  
Enforcement: Yes  
Code Section: 120-167; 120-173  
SEQR: Type 2

**Case:** 10 **\*POSTPONED FROM OCTOBER 24, 2013\***  
File Number: V-029-13-14  
Case Type: Area Variance  
Applicant: Damianos Stefanou  
Address: 830 South Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To construct an addition to an existing commercial building in order to establish a specially permitted full-line food store; an expansion of a nonconforming use in the R-1 district and not meeting certain setback and lot coverage requirements.  
Enforcement: No  
Code Section: 120-199  
SEQR: Type 2

CITY OF ROCHESTER  
30 CHURCH STREET

ZONING BOARD OF APPEALS  
MEETING WITH STAFF: 8:45 AM - 9:30 AM  
CONFERENCE ROOM 223B

CITY COUNCIL CHAMBERS 302A  
Cases 1-6 Public Hearing Begins: 9:30 AM  
Cases 7-10 Public Hearing Begins: 11:30 AM

**REVISED**

**DECEMBER 19, 2013**

**I. Meeting with Staff**

**II. Public Hearings:**

**Case: 1**  
File Number: V-039-13-14  
Case Type: Area Variance  
Applicant: Dana Helms  
Address: 52 & 56 Copeland Street  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To install a 4' chain link fence and gate in the front yard of a single family home.  
Enforcement: No  
Code Section: 120-167  
SEQR: Type 2

**Case: 2**  
File Number: V-040-13-14  
Case Type: Use and Area Variances  
Applicant: Anthony Sofia  
Address: 364 Alexander Street  
Zoning District: R-2 Medium-Density Residential District  
Quadrant: SE  
Purpose: To legalize the conversion of a four-family to a five-family dwelling not meeting the dwelling unit conversion standards, and to legalize the paving in the rear yard that exceeds lot coverage limitations.  
Enforcement: Yes  
Code Section: 120-20; 120-166  
SEQR: Unlisted

**Case: 3**  
File Number: V-041-13-14  
Case Type: Area Variance  
Applicant: Mike Schrader  
Address: 712 Meigs Street  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To legalize the third floor space in conjunction with one of the existing apartments, thereby expanding a non-conforming use.  
Enforcement: Yes  
Code Section: 120-199  
SEQR: Type 2

**Case: 4**  
File Number: V-042-13-14  
Case Type: Area Variance  
Applicant: Stephen Coppola  
Address: 262 Yarmouth Road  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To expand the existing driveway from 11' to 18' to allow for side-by-side parking in the front yard of a single family dwelling.  
Enforcement: No  
Code Section: 120-173  
SEQR: Type 2

**Case: 5**  
File Number: V-043-13-14  
Case Type: Area Variance  
Applicant: Anthony Palermo  
Address: 44 Schum Lane  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To expand the existing driveway from 10' to 21' to allow for side-by-side parking in the front yard of a single family dwelling.  
Enforcement: No  
Code Section: 120-173  
SEQR: Type 2

**Case: 6**  
File Number: V-044-13-14  
Case Type: Area Variances  
Applicant: Charles Kelly  
Address: 720 Beach Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: NW  
Purpose: To demolish an existing single family home and construct a new single family home, not meeting certain requirements for building coverage, lot coverage, setbacks, garage location and setback, patio location and front yard parking.  
Enforcement: Yes  
Code Section: 120-11; 120-163; 120-173  
SEQR: Type 2

**Case:** 7  
File Number: V-045-13-14  
Case Type: Area Variance  
Applicant: Muhammad Khan  
Address: 98 Lyell Avenue  
Zoning District: C-2 Community Center District  
Quadrant: NW  
Purpose: To waive certain requirements for landscaping and parking associated with a change of use from vehicle repair to high-impact retail.  
Enforcement: No  
Code Section: 120-154; 120-173  
SEQR: Unlisted

**Case:** 8  
File Number: V-046-13-14  
Case Type: Use and Area Variances  
Applicant: Chris Leva  
Address: 7 Granger Place  
Zoning District: R-3 High-Density Residential District  
Quadrant: SE  
Purpose: To legalize use of the rear carriage house as a single family dwelling not meeting certain lot coverage and setback requirements.  
Enforcement: No  
Code Section: 120-199  
SEQR: Type 2

**Case:** 9 *\*Held from the 11/21/13 hearing\**  
File Number: V-029-13-14  
Case Type: Area Variance  
Applicant: Damianos Stefanou  
Address: 830 South Avenue  
Zoning District: R-1 Low-Density Residential District  
Quadrant: SE  
Purpose: To construct an addition to an existing commercial building in order to establish a specially permitted full-line food store; an expansion of a nonconforming use in the R-1 district and not meeting certain setback and lot coverage requirements.  
Enforcement: No  
Code Section: 120-199  
SEQR: Type 2

<b>Case:</b>	<b>10</b>	<b>*REMOVED FROM AGENDA BY STAFF*</b>
File Number:	V-036-13-14	
Case Type:	Area Variance	
Applicant:	James Hemmerich	
Address:	553 North Winton Road	
Zoning District:	R-1 Low-Density Residential District	
Quadrant:	SE	
Purpose:	To legalize a parking lot in the rear yard that exceeds lot coverage limitations by 3%.	
Enforcement:	Yes	
Code Section:	120-20	
SEQR:	Type 2	

**Written comments may be submitted by December 18<sup>th</sup>, 2013 to: Jill Symonds, City of Rochester, Bureau of Planning & Zoning, 30 Church Street, Room 125B, Rochester, NY 14612, or [Jill.Symonds@CityofRochester.gov](mailto:Jill.Symonds@CityofRochester.gov)**