

**PENFIELD ZONING BOARD OF APPEALS
NOTICE OF DECISIONS**

PLEASE TAKE NOTICE that a Public Hearing was held on Thursday, October 19, 2023, immediately following a work session meeting commencing at 6:00 PM local time by the Penfield Zoning Board of Appeals to consider each of the following applications. The Board's decisions are as follows:

Public Hearing Applications:

1. Anthony & Cara Sgroi, 27 Mt. Eagle Drive, Penfield, NY, 14526 request approval for an Area Variance under Section 250-14.3 of the Code to allow a storage shed with less side setback than required by Section 250-5.1-F (1) of the Code at 27 Mt. Eagle Drive. The property is currently or formerly owned by Anthony T. & Cara L. Sgroi and is zoned R-1-20. SBL #109.01-2-314. Application #23Z-0057.

Decision: APPROVED WITH CONDITIONS

Board Vote: DeLaus: Aye
Eichenseer: Aye
Flansburg: Aye
Piston: Aye
Silins: Aye

2. Anthony & Kara Galante, 1437 Plank Road, Webster, NY, 14580 request approval for a Conditional Use under Section 250-13.3 and Section 250-5.1-E (1) (k) of the Code to allow a mini-pig rescue and Area Variances under Section 250-14.3 of the Code to allow an accessory storage building that is larger than the residence (principal structure) as required under Section 250-2.2 of the Code, larger than permitted under Section 250-5.1-F (12) (a) of the Code, and taller than permitted under Section 250-5.1-F (12) (c) of the Code at 1437 Plank Road. The property is currently or formerly owned by Anthony J. & Kara Galante and is zoned RA-2. SBL #095.04-1-23.2. Application #23Z-0058.

Decision: ADJOURNED

Board Vote: DeLaus: Aye
Eichenseer: Aye
Flansburg: Aye
Piston: Aye
Silins: Aye

3. Mark N. DiPaola, 61 Samala Circle, Rochester, NY, 14625 requests approval for an Area Variance under Section 250-14.3 of the Code to allow a swimming pool with less rear setback than required under section 250-5.1-D (6) of the Code at 61 Samala Circle. The property is currently or formerly owned by Mark N. & Katherine Lee DiPaola and is zoned R-1-20. SBL #108.15-1-46. Application #23Z-0059.

Decision: APPROVED WITH CONDITIONS

Board Vote: DeLaus: Aye
Eichenseer: Aye
Flansburg: Aye
Piston: Aye
Silins: Aye

4. Mark S. Loysen, 1350 Hudson Avenue, Rochester, NY, 14621 on behalf of Gene & Tracy Richardson requests approval for an Area Variance under Section 250-14.3 of the Code to allow a pool cabana with less side setback than required under Section 250-5.1-F (1) of the Code at 28 Starcrest Lane. The property is currently or formerly owned by Eugene F. & Tracy L. Richardson and is zoned R-1-20. SBL #093.02-3-32. Application #23Z-0060.

Decision: APPROVED WITH CONDITIONS

Board Vote: DeLaus: Aye
Eichenseer: Aye
Flansburg: Aye
Piston: Aye
Silins: Aye

5. James R. Edell, 1327 Penfield Center Road, Penfield, NY, 14526 requests approval for an Area Variance under Section 250-14.3 of the Code to allow an accessory storage building with less setback than required under Section 250-5.1-F (12) (b) of the Code at 1327 Penfield Center Road. The property is currently or formerly owned by James R. Edell and is zoned RA-2. SBL #110.03-1-6. Application #23Z-0061.

Decision: APPROVED WITH CONDITIONS

Board Vote: DeLaus: Aye
Eichenseer: Aye
Flansburg: Aye
Piston: Aye
Silins: Aye

Tabled Matters:

1. Greg Grillo/Flower City Arcade, 1676 Penfield Road, Rochester, NY, 14625 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.6-C (1) (c) of the Code to allow an expansion of an existing arcade and Area Variances under Section 250-14.3 of the Code to allow an existing building and proposed addition with less setbacks than required under Section 250-5.6-D (3) of the Code with less parking then required under Section 250- 7.7-D of the Code at 1676 Penfield Road. The property is currently or formerly owned by Nicholas Agnello and is zoned LB. SBL #139.05-1-56. Application # 23Z-0019.

Decision: CONTINUED TABLED

Board Vote: DeLaus: Aye
Eichenseer: Aye
Flansburg: Aye
Piston: Aye
Silins: Aye

2. Woods, Oviatt, Gillman, LLP, 1900 Bausch and Lomb Place, Rochester, NY, 14604 on behalf of Michael Maida/K-9 Resorts Luxury Pet Hotels requests approval for an Area Variance under Section 250-14.3 of the Code to allow a taller fence than permitted under Section 250-7.1-D (4) of the Code at 2222 Penfield Road. The property is currently or formerly owned by 2226 Penfield Road, LLC and is zoned LB. SBL #140.01-1-7.2. Application #23Z-0050.

Decision: APPROVED WITH CONDITIONS

Board Vote: DeLaus: Aye
Eichenseer: Aye
Flansburg: Aye
Piston: Aye
Silins: Aye

Please contact the Building and Zoning Department with any questions or concerns.

Amy Steklof
Town Clerk, RMC/CMC

FILED
PENFIELD, N.Y.
2023 OCT 20 PM 2: 25
AMY A. STEKLOF
TOWN CLERK