



TOWN OF PENFIELD
3100 Atlantic Avenue, Penfield, NY 14526-9798

ZONING BOARD OF APPEALS AGENDA

Thursday, September 19, 2024, 5:30 PM
Daniel DeLaus, Chairman presiding
Kevin Berry, Town Board Liaison

- I. Call to Order
- II. Approval of Minutes – August 15, 2024
- III. Work Session
- IV. Tabled Applications:
 - Application 24Z-0036
1099 State Road
Michael and Sarah Ciaburri
- V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
 1. Application 24Z-0040
2480 Browncroft Boulevard
RichSam Properties, Inc
 2. Application 24Z-0042
199 Willow Pond Way
Bryan and Jilian Bleier
 3. Application 24Z-0043
1998 Empire Boulevard
Omar Garcia Quero
 4. Application 24Z-0045
863 Penfield Road
Tara Litchfield
 5. Application 24Z-0046
1704 Qualtrough Road
Stephanie Maier
 6. Application 24Z-0047
1900 Empire Boulevard
Joshua Stein
 7. Application 24Z-0048
12 Valley View Drive
Kevin and Lauren Lindsay

8. Application 24Z-0049
970 Panorama Trail South
Katrina Ruggiero/Big Oak Driving Range and Golf Shop
9. Application 24Z-0050
2209 Penfield Road
Huong Nguyen

- VI. Executive Session
- VII. Next Meeting: Thursday, October 17, 2024
- VIII. Adjournment

A NOTICE OF PUBLIC HEARING, PENFIELD ZONING BOARD OF APPEALS LEGAL NOTICE WITH TABLED MATTERS

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, September 19, 2024, immediately following a work session meeting commencing at 5:30 PM local time. The board will discuss tabled matters and other business that may come before it during the work session, followed by a Public Hearing to consider each of the following applications.

Public Hearing Applications:

1. Richard Samuel/RichSam Properties, Inc., 555 Mosely Road, Fairport, NY, 14450 requests approval for Area Variances under Section 250-14.3 of the Code to allow an accessory storage building with less setbacks than permitted under Section 250-5.6-D (3) of the Code and less buffer than permitted under Section 250-7.2 (A) of the Code at 2480 Browncroft Boulevard. The property is currently or formerly owned by RichSam Properties, Inc. and is zoned LB. SBL #123.07-1-21./2480. Application #24Z-0040.
2. Bryan and Jillian Bleier, 199 Willow Pond Way, Penfield, NY, 14526 request approval for Area Variances under Section 250-14.3 of the Code to allow an in-ground swimming pool and patio with less setback than permitted under Section 250-5.4-C (3) (d) of the Code at 199 Willow Pond Way. The property is currently or formerly owned by Bryan Bleier and is zoned PD. SBL #139.12-2-46. Application # 24Z-0042.
3. Omar Garcia Quero, 1529 Victor Road, Macedon, NY, 14502 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.6-C (1) (a) of the Code to allow the operation of a restaurant (Mecate Mexican Restaurant) at 1998 Empire Boulevard. The property is currently or formerly owned by Empire Park Management, LLC and is zoned LB. SBL #093.02-1-12.002. Application #24Z-0043.
4. Tara Litchfield, 863 Penfield Road, Rochester, NY, 14625 requests approval for Area Variances under Section 250-14.3 of the Code to allow an existing residence and proposed addition with less setback than permitted under Section 250-5.1-F (1) of the Code at 863 Penfield Road. The property is currently or formerly owned by Tara Litchfield and is zoned R-1-20. SBL #123.18-3-42. Application #24Z-0045.
5. Stephanie Wierl (Maier), 1704 Qualtrough Road, Rochester, NY, 14625 requests approval for Area Variances under Section 250-14.3 of the Code to allow a second accessory storage building whereas a maximum of one accessory storage building is permitted under Section 250-5.1-D (4) of the Code and to allow an existing and proposed accessory storage building with less setback than permitted under Section 250-5.1-F (12) (b) of the Code at 1704 Qualtrough Road. The property is currently or formerly owned by Stephanie Maier and is zoned R-1-20. SBL #108.20-2-44. Application #24Z-0046.
6. Joshua Stein, 633 Klem Road, Webster, NY, 14580 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.7-C (1) (k) of the Code to allow a board gaming store/lounge/restaurant (Gametopia) and a Special Permit for signage under Section 250-10.3-A of the Code to allow a larger building-mounted sign than permitted under Section 250-10.13-B of the Code at 1900 Empire Boulevard. The property is currently or formerly owned by DiMarco Baytowne Associates, LLC and is zoned GB. SBL #093.02-23.111. Application #24Z-0047.

7. Kevin F. Lindsay, 12 Valley View Drive, Penfield, NY, 14526 requests approval for Area Variances under Section 250-14.3 of the Code to allow a proposed deck with less setback than permitted under Section 250-5.1-F (2) of the Code and an existing residence with less setback than permitted under Section 250-5.1-F (1) and Section 250-5.1-F (2) of the Code at 12 Valley View Drive. The property is currently or formerly owned by Kevin and Lauren Lindsay and is zoned R-1-15. SBL #139.11-3-80. Application #24Z-0048.
8. Katrina Ruggiero/Big Oak Driving Range & Golf Shop, 441 North Washington Street, Rochester, NY, 14625 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 970 Panorama Trail South. The property is currently or formerly owned by The Harmony Group, LLC and is zoned R-1-15. SBL #139.09-1-57.1. Application #24Z-0049.
9. Huong Nguyen, 2209 Penfield Road, Penfield, NY, 14526 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.5-C (1) (f) of the Code to allow a combination business/single-family residential use and an Area Variance under Section 250-14.3 of the Code to allow a parking lot with less buffer than permitted under Section 250-7.2-A of the Code at 2209 Penfield Road. The property is currently or formerly owned by Huong Nguyen and Quang Tran and is zoned BN-R. SBL #140.01-2-7. Application #24Z-0050.

Tabled Matters:

1. Michael and Sarah Ciaburri, 1099 State Road, Webster, NY, 14580 request approval for Area Variances under Section 250-14.3 of the Code to allow an accessory storage building that is larger than permitted under Section 250-5.1-F (12) (a) of the Code with less setbacks than permitted under Section 250-5.1-F (12) (b) of the Code at 1099 State Road. The property is currently or formerly owned by Michael Ciaburri and is zoned RR-1. SBL #094.02-1-84. Application #24Z-0036.

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

Amy Steklof
Town Clerk, RMC/CMC