

**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, June 15, 2023, immediately following a work session meeting commencing at 6:00 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. Jeremy & Elizabeth Kelpin, 43 Kings Mill Court, Penfield, NY, 14526 request approval for an Area Variance under Section 250-14.3 of the Code to allow a shed with less setback than required under Section 250-5.1-F (12) (b) of the Code at 43 Kings Mill Court. The property is currently or formerly owned by Jeremy & Elizabeth Kelpin and is zoned R-1-20. SBL #094.18-1-45. Application #23Z-0039.
2. Jared & Michelle McNutt, 1740 Sweets Corners Road, Fairport, NY, 14450, request approval for an Area Variance under Section 250-14.3 of the Code to allow a second accessory storage building whereas a maximum of one accessory storage building is allowed under Section 250-5.1-D (4) of the Code at 1740 Sweets Corners Road. The property is currently or formerly owned by Jared & Michelle McNutt and is zoned RA-2. SBL #126.01-1-15.3. Application #23Z-0032.
3. Timothy & Elizabeth Mulroy, 1194 Shoecraft 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 taller than permitted under section 250-5.1-F (12) (c) of the Code with less setback than required under Section 250-5.1-F (12) (b) of the Code at 1194 Shoecraft Road. The property is currently or formerly owned by Timothy & Elizabeth Mulroy and is zoned RR-1. SBL #094.02-1-1.5. Application 23Z-0033.
4. Wholly Foods, LLC (Donutchew), 1 Woodbury Boulevard, Apt 205, Rochester, NY, 14604 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.7-C (1) (a) of the Code to allow the operation of a restaurant at 1900 Empire Boulevard. The property is currently or formerly owned by DiMarco Baytowne Associates, LLC and is zoned GB. SBL #093.02-1-23.111. Application #23Z-0034.
5. Polly Sadler, 1690 Kennedy Road, Webster, NY, 14580, requests approval for an Area Variance under Section 250-14.3 of the Code to allow a garage that is larger than the residence (principal structure) as required by Section 250-2.2 of the Code at 1690 Kennedy Road. The property is currently or formerly owned by Polly Sadler and is zoned RA-2. SBL #111.01-1-7.2. Application 23Z-0035.
6. Outlet Rod & Gun Club, Inc., 3202 Atlantic Avenue, Penfield, NY, 14526, 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 3214 Atlantic Avenue. The property is currently or formerly owned by the Outlet Rod & Gun Club and is zoned RA-2. SBL #110.03-1-26.1. Application #23Z-0036.

7. Dustin Mandell, 10 Heather Drive, Rochester, NY, 14625, requests approval for Area Variances under Section 250-14.3 of the Code to allow a shed with less setback than required under Section 250-5.1-F (12) (b) of the Code and an existing concrete slab with less setback than required under Section 250-5.1-F (1) of the Code at 10 Heather Drive. The property is currently or formerly owned by Srikripa Kartik & Dustin Mandell and is zoned R-1-15. SBL #138.08-1-14. Application # 23Z-0037.
8. Scott Spencer, 1176 Bay Road, Webster, NY, 14580, requests approval for an Area Variance under Section 250-14.3 of the Code to allow a shed that is larger than permitted under Section 250-5.1-F (12) (a) of the Code at 1176 Bay Road. The property is currently or formerly owned by Scott Spencer and is zoned R-1-20. SBL #093.07-2-15. Application #23Z-0038.

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.
2. Michael & Molly Stagnitta, 2 Alden Glen Drive, 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, larger than the principal structure as required by Section 250-2.2 of the Code, and taller than permitted under Section 250-5.1-F (12) (c) of the Code at 2 Alden Glen Drive. The property is currently or formerly owned by Michael & Molly Stagnitta and is zoned RR-1. SBL #094.02-1-43.102. Application #23Z-0026.
3. Valeriy & Inna Poprozhuk, 60 Hampstead Drive, 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 allowed under Section 250-5.1-F (12) (a) of the Code, with less setback than required under Section 250-5.1-F (12) (b) of the Code, and taller than allowed under Section 250-5.1-F (12) (c) of the Code at 60 Hampstead Drive. The property is currently or formerly owned by Valeriy Poprozhuk and is zoned RR-1. SBL #094.04-1-76. Application #23Z-0029.

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

Amy Steklof
Town Clerk, RMC/CMC