

**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 21, 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. Juan Mercado, 23 Country Lane, Penfield, NY, 14526 requests approval for an Area Variance under Section 250-14.3 of the Code to allow a detached garage with less front setback than required under Section 250-5.1-F (1) of the Code at 23 Country Lane. The property is currently or formerly owned by the Juan Mercado Living Trust and is zoned R-1-15. SBL #124.18-1-43. Application #23Z-0048.
2. Randy McKay/McKay Property Management, LLC, 625 Panorama Trail, Suite 2130, Rochester, NY, 14625 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.6-C (1) (e) of the Code to allow a combination residential, property management business at 1506 Empire Boulevard. The property is currently or formerly owned by Randy McKay and is zoned LB. SBL #108.07-1-2.1. Application 23Z-0053.
3. Julie & Ronald Zalone, 2649 Atlantic Avenue, Rochester, NY, 14625 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 under Section 250-5.1-F (1) of the Code at 2649 Atlantic Avenue. The property is currently or formerly owned by Julie & Ronald Zalone and is zoned R-1-20. SBL #123.08-2-56. Application 23Z-0054.
4. Sarah & Eric Moreau, 1 Peabody Circle, Penfield, NY, 14526 request approval for Area Variances under Section 250-14.3 of the Code to allow a storage shed with less side setback than required under Section 250-5.1-F (1) of the Code and less rear setback than required under Section 250-5.1-F (12) (b) of the Code at 1 Peabody Circle. The property is currently or formerly owned by Sarah & Eric Moreau and is zoned R-1-20. SBL #125.03-2-118. Application #23Z-0055.

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. Kenneth Martinez, 70 Whitespire Lane, webster, NY, 14580 requests approval for Area Variances under Section 250-14.3 of the Code to allow a shed with less side setback than required under Section 250-5.1-F (1) of the Code and less rear setback than required under Section 250-5.1-F (12) (b) of the Code at 70 Whitespire Lane. The property is currently or formerly owned by Kenneth & Aurora Martinez and is zoned RA-2. SBL #095.01-4-20. Application #23Z-0047.
3. 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.

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

Amy Steklof
Town Clerk, RMC/CMC