

**ZONING BOARD OF APPEALS AGENDA**

Public Hearing Application # 3

Application # 21Z-0034  
Brian Nizinsky  
29 Hilltop Drive

*See Pages to Follow*

# Letter of Intent



Penfield Town Board  
3100 Atlantic Ave, Penfield, NY 14526

5/13/2021

RE: 29 Hilltop Drive - Penfield Zoning Board Application - Front Porch Setback Variance

This letter of intent is addressing the request for a variance to the Penfield Zoning Board to construct a covered front porch in the front of our house. Please find our responses to the five (5) factors below:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
  - a. This will not be the case with our front porch. We are choosing design elements that match our existing home and are similar to surrounding homes. This will also line up with other homes on our street who have structures/additions that are closer to the road already.
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
  - a. This is not possible because our house is already at the 50' mark from the road so any addition to the front of our house will violate that rule without the variance.
3. Whether the requested area variance is substantial;
  - a. This addition is not sized bigger than it needs to be and will fit into the aesthetic of both our home and the neighboring homes.
4. Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district
  - a. This porch will not have any adverse affect on our property or our neighbors. It is being built with high quality materials, insulation, and modern windows.
5. Whether the alleged difficulty was self-created
  - a. No this difficulty is a result of town zoning laws.

Thank you for your time and consideration.

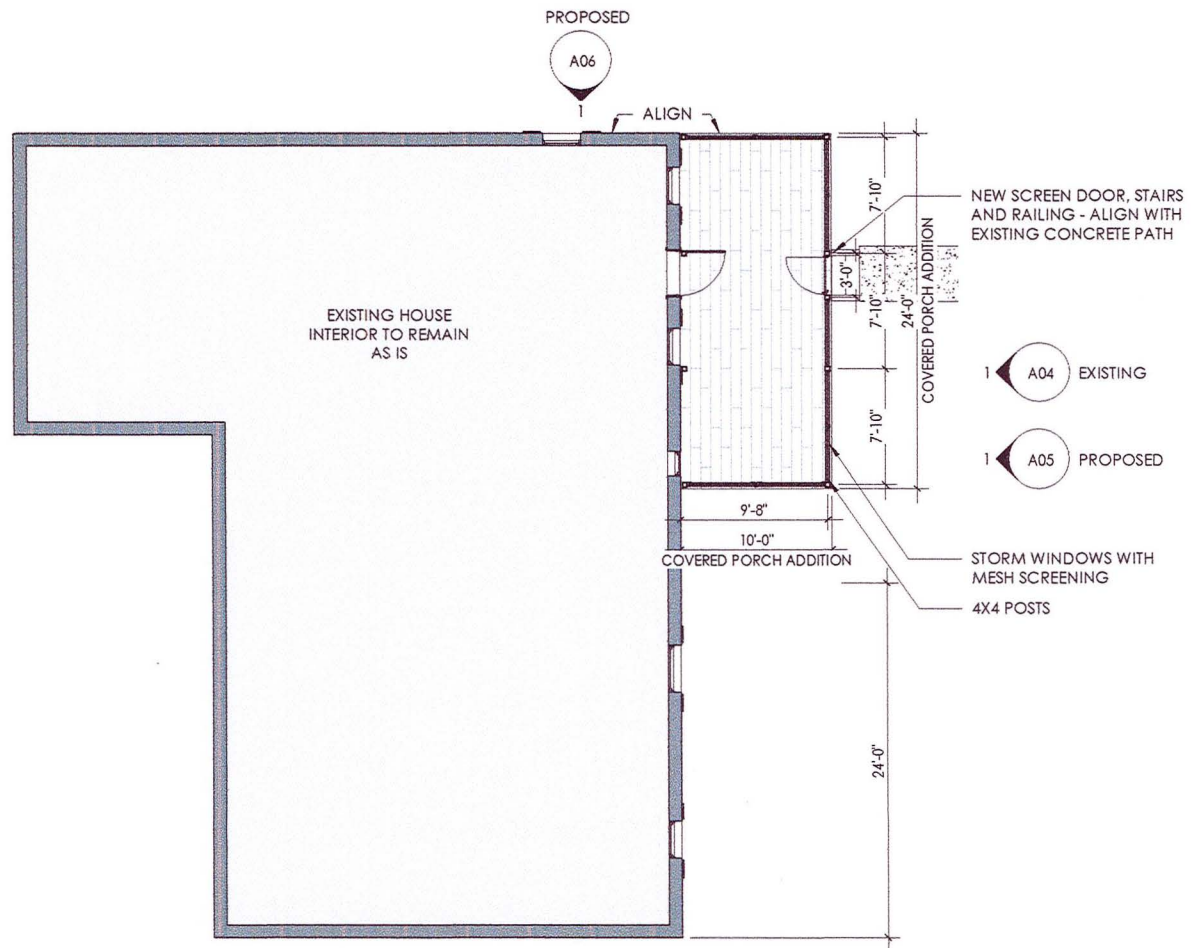
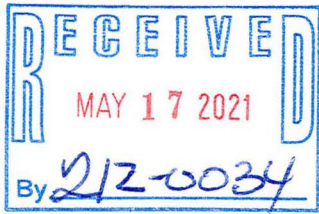
Sincerely,

A handwritten signature in blue ink, appearing to read "Brian Nizinsky".

Brian Nizinsky

29 Hilltop Drive, Penfield NY, 14526

SCANNED



**COVERED PORCH ADDITION**

29 HILLTOP DRIVE  
PENFIELD, NY

**PROPOSED FLOOR PLAN**

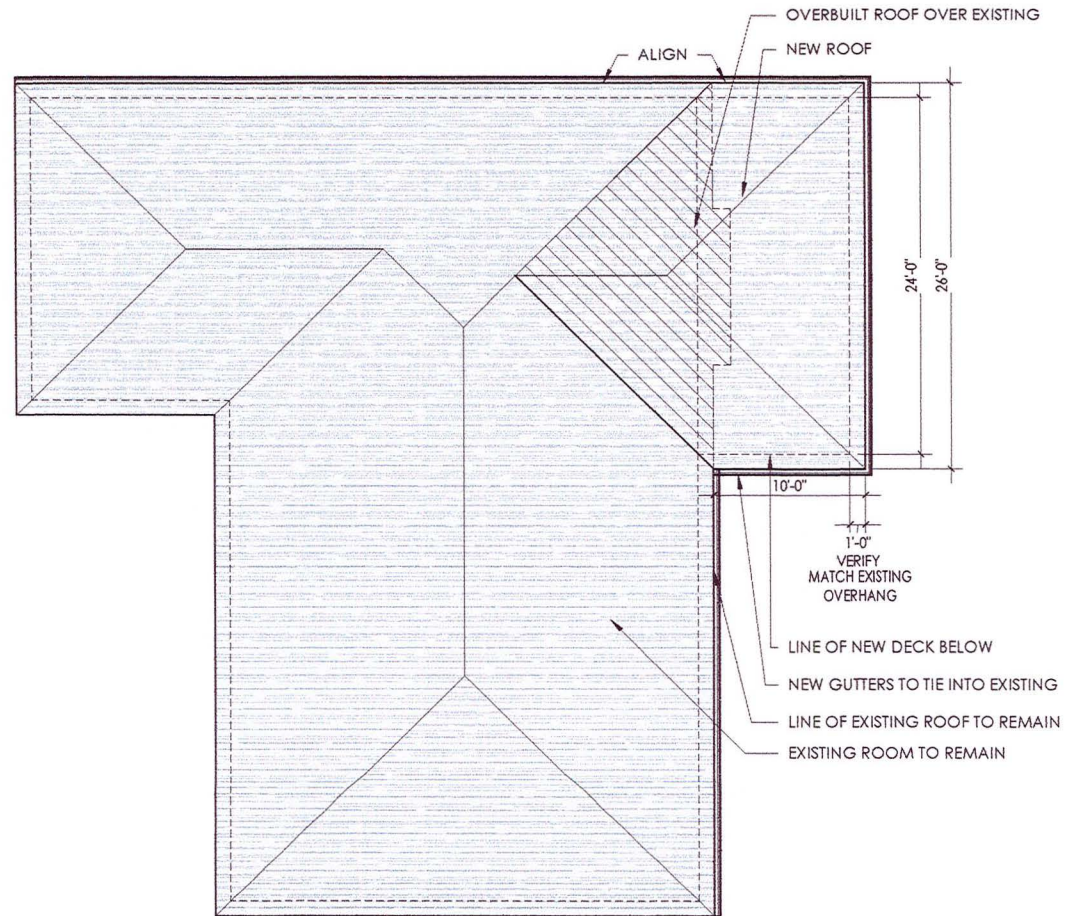
MARCH 8, 2021  
1/8" = 1'-0"



**A01**

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212-0034



**COVERED PORCH ADDITION**

29 HILLTOP DRIVE  
PENFIELD, NY

**ROOF PLAN**

MARCH 8, 2021  
1/8" = 1'-0"

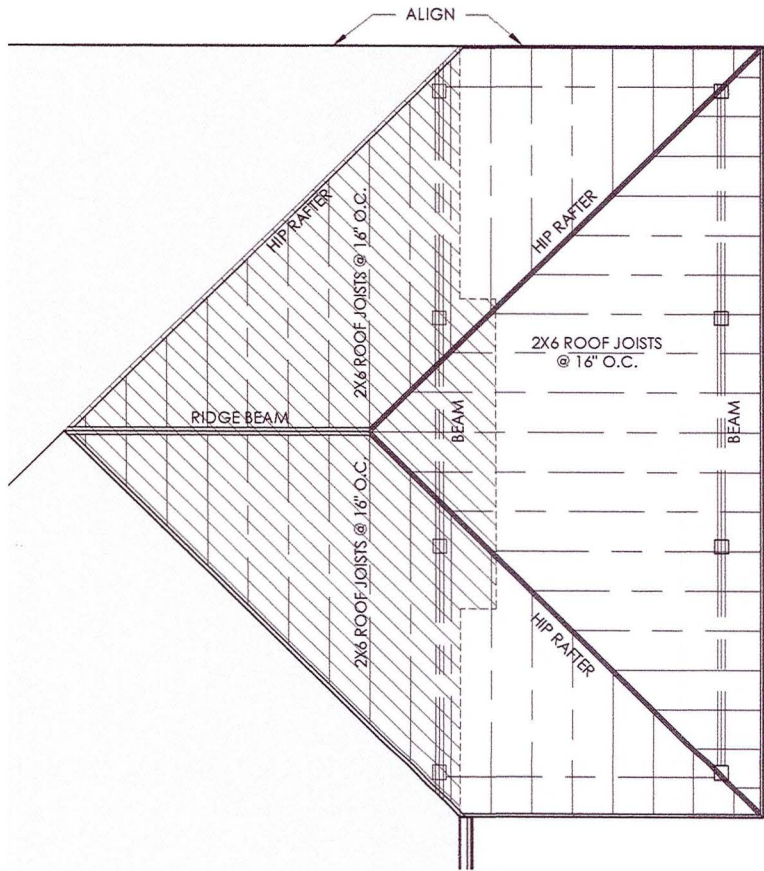


NORTH

**A02**

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212-0034

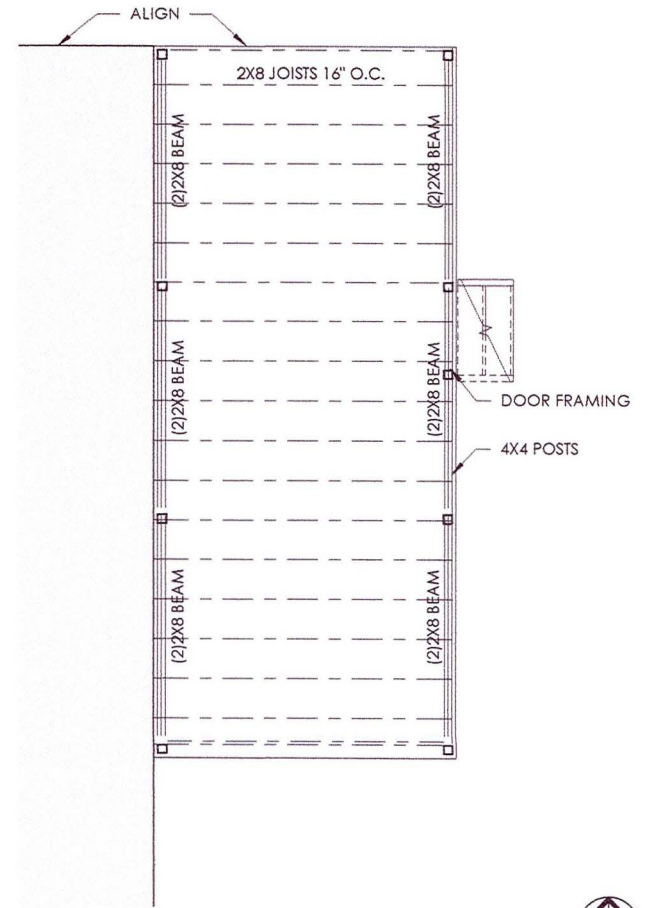


REFER TO A07 FOR  
HEADER SCHEDULE AND  
FRAMING NOTES

② ROOF FRAMING PLAN  
1/4" = 1'-0"

### COVERED PORCH ADDITION

29 HILLTOP DRIVE  
PENFIELD, NY



① DECK FRAMING PLAN  
1/4" = 1'-0"

### FRAMING PLANS

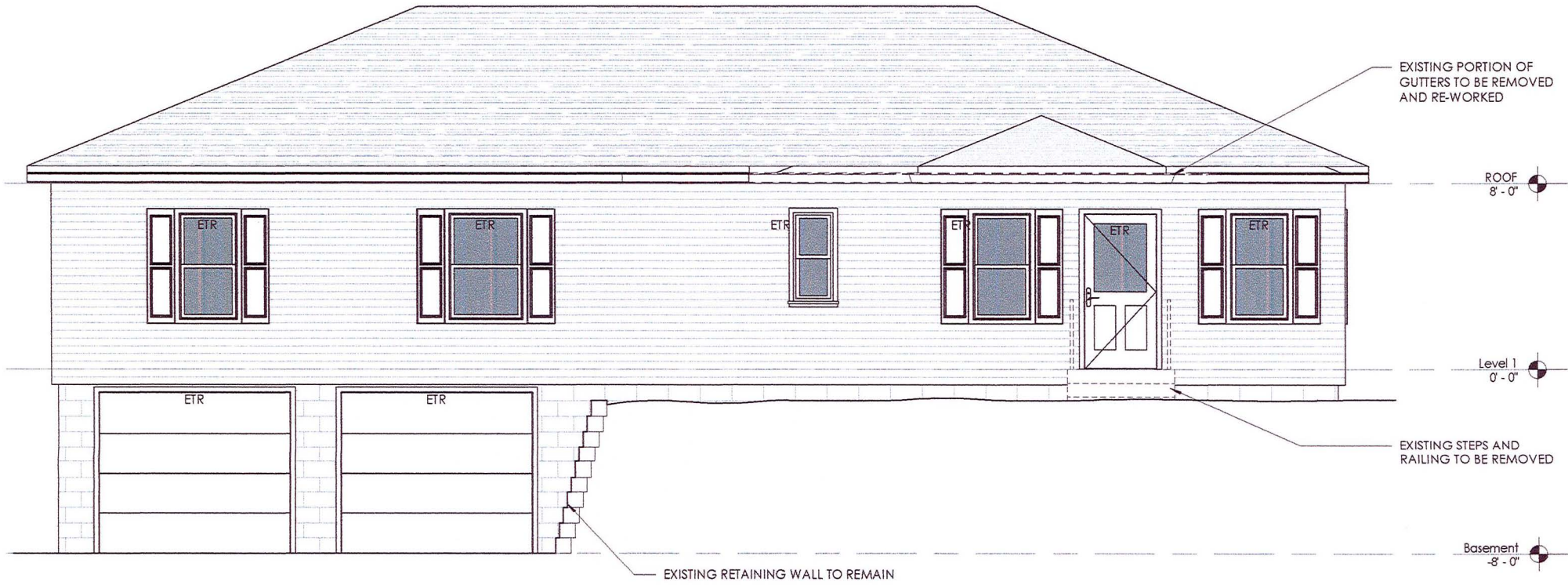
MARCH 8, 2021  
1/4" = 1'-0"



# A03

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212-0034



**COVERED PORCH ADDITION**

29 HILLTOP DRIVE  
PENFIELD, NY

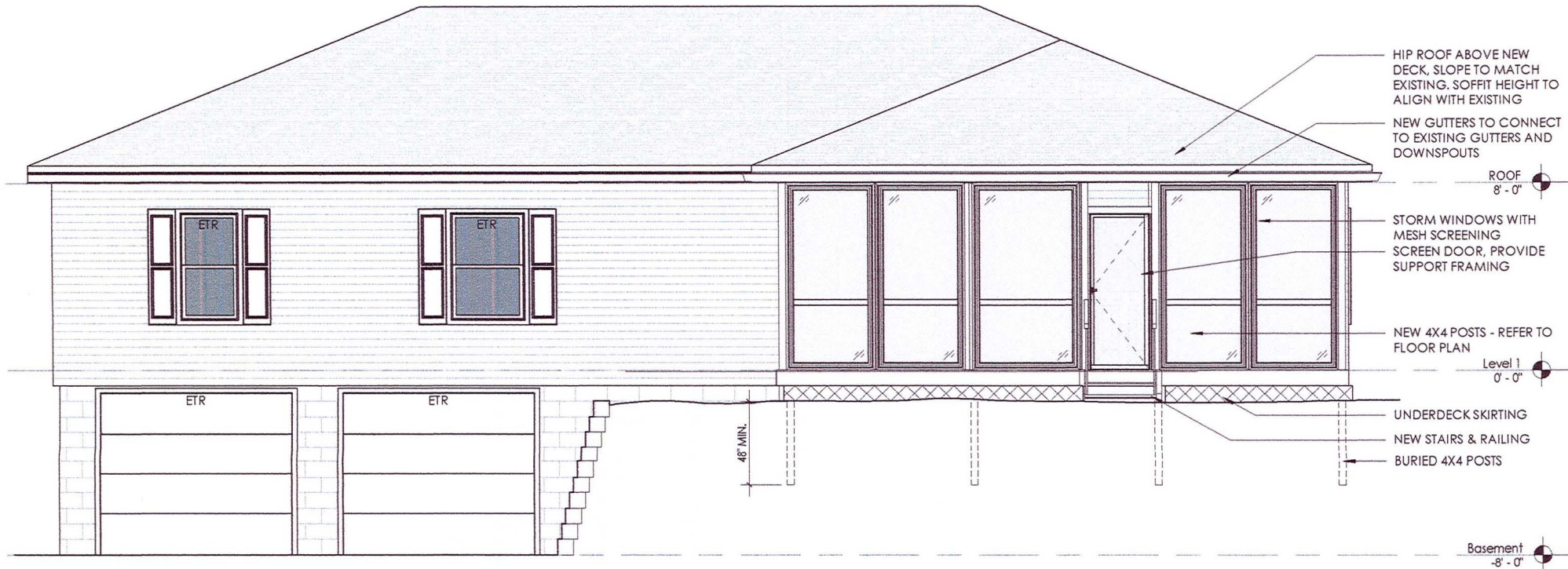
**EXISTING EAST ELEVATION**

MARCH 8, 2021  
1/4" = 1'-0"

**A04**

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21Z-0034



**COVERED PORCH ADDITION**

29 HILLTOP DRIVE  
PENFIELD, NY

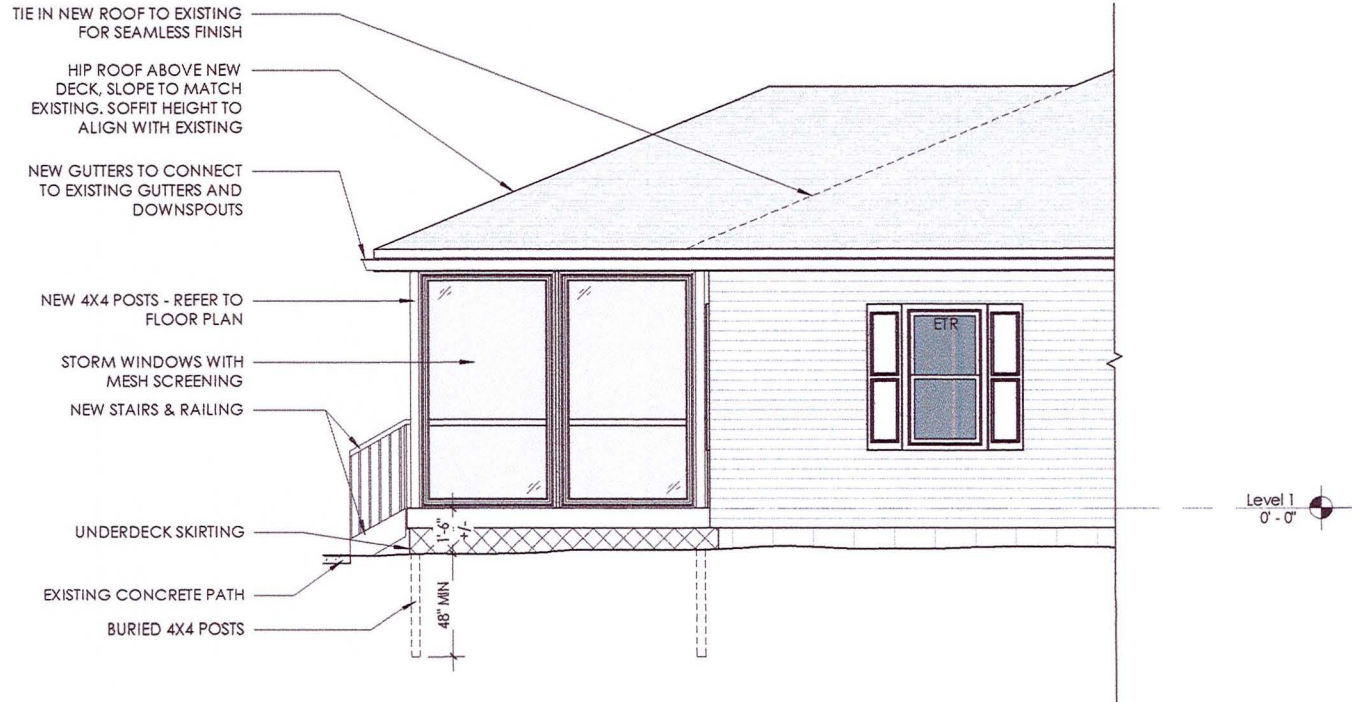
**PROPOSED EAST ELEVATION**

MARCH 8, 2021  
1/4" = 1'-0"

**A05**

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212-0034



① NORTH ELEVATION  
1/4" = 1'-0"

**COVERED PORCH ADDITION**

29 HILLTOP DRIVE  
PENFIELD, NY

**NORTH ELEVATION**

MARCH 8, 2021  
1/4" = 1'-0"

**A06**

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## HEADER SCHEDULE

### SUPPORTING ONE FLOOR, CEILING, AND ROOF

OPENING	UP TO 5'-0"	UP TO 7'-0"	UP TO 8'-0"	UP TO 9'-0"	UP TO 12'-0"	REMARKS
2X6 WALL	-	(3) 2X6	(3) 2X8	(3) 2X10	(3) 2X12	W/ (2) 1/2" PLYWOOD GUSSETS
2X4 WALL	(2) 2X6	(2) 2X8	(2) 2X10	(2) 2X12	-	W/ (2) 1/2" PLYWOOD GUSSETS

### SUPPORTING ONLY CEILING AND ROOF

OPENING	UP TO 6'-0"	UP TO 8'-0"	UP TO 10'-0"	UP TO 12'-0"	UP TO 16'-0"	REMARKS
2X6 WALL	-	(3) 2X6	(3) 2X8	(3) 2X10	(3) 2X12	W/ (2) 1/2" PLYWOOD GUSSETS
2X4 WALL	(2) 2X6	(2) 2X8	(2) 2X10	(2) 2X12	-	W/ (2) 1/2" PLYWOOD GUSSETS

NOTE: ALL HEADERS SHALL BE GLUED AND NAILED.

## FRAMING NOTES

- FRAMING LUMBER SHALL BE HEM-FIR SELECT STRUCTURAL NO. 2 OR BETTER, KILN-FRIED WITH A MAXIMUM 19% MOISTURE CONTENT, UNLESS OTHERWISE NOTED. OTHER SPECIES OF LUMBER WITH THE EQUAL OR GREATER STRESS VALUES AS RECOMMENDED BY THE NATIONAL FOREST PRODUCTS ASSOCIATION, MAY BE SUBSTITUTED FOR THAT SHOWN.
- ALL FRAMING SHALL BE ERECTED AND BRACED IN ACCORDANCE WITH THE NATIONAL FOREST PRODUCTS ASSOCIATIONS SPECIFICATIONS LATEST REVISION.
- ALL WOOD IN CONTACT WITH EARTH, CONCRETE, MASONRY, OR WITHIN 12" OF GRADE SHALL BE PRESSURE PRESERVATIVE TREATED.
- MICRO-LAM BEAMS SHALL BE LP SOLIDSTART, 2400FB, 1.7E LVL OR GREATER. ALL MULTIPLE HEADERS MUST BE GLUES AND NAILED PER MANUFACTURES REQUIREMENTS.

## COVERED PORCH ADDITION

29 HILLTOP DRIVE  
PENFIELD, NY

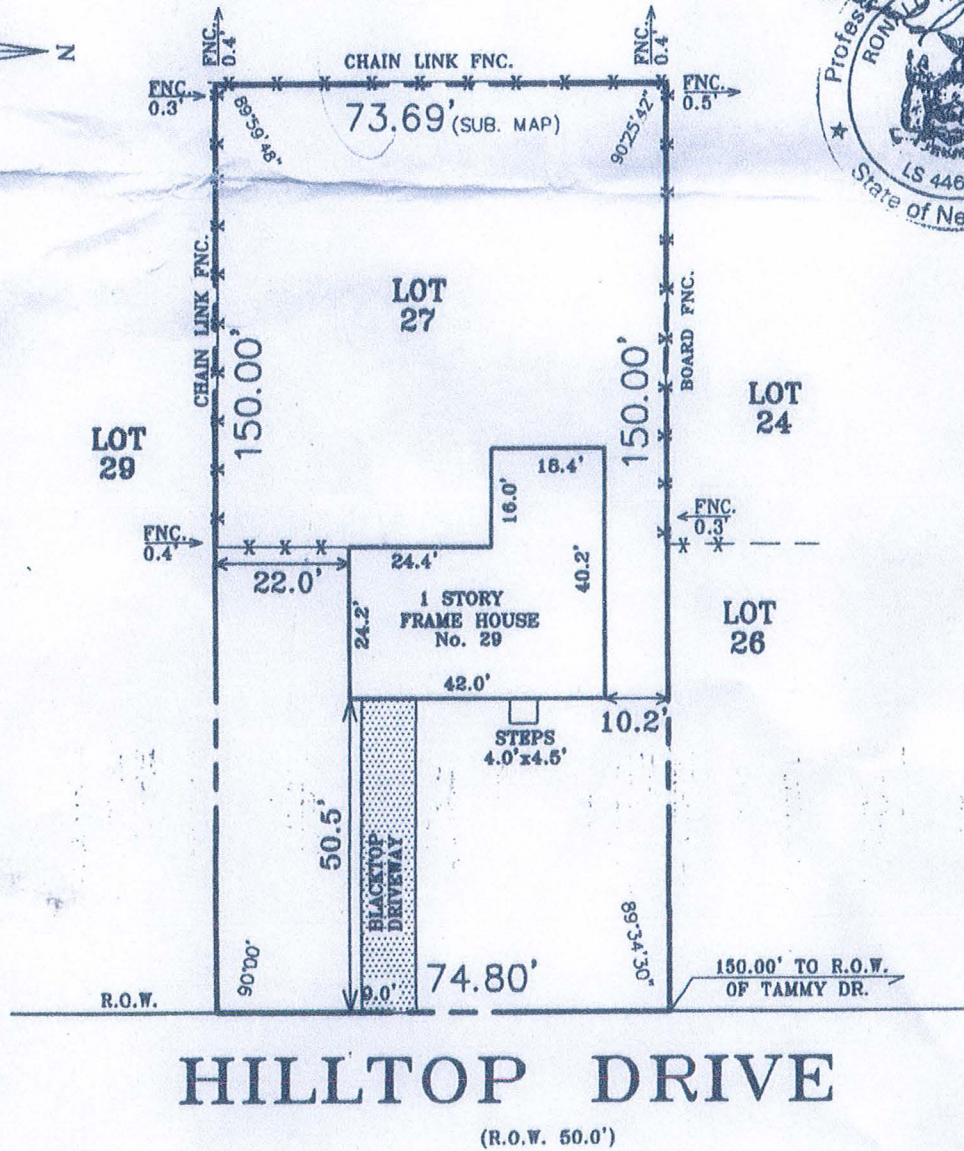
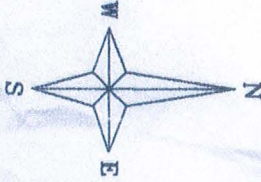
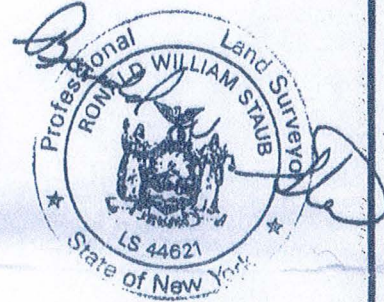
## FRAMING NOTES

MARCH 8, 2021

A07

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**RECEIVED**  
 MAY 17 2021  
 By 217-0034



- REFERENCES:**
- 1.) ABSTRACT OF TITLE No.
  - 2.) LIBER 102 OF MAPS, PAGE 34
  - 3.) LIBER 9660 OF DEEDS, PAGE 68
  - 4.) TAX ACCOUNT No. 139.110-0003-003

**HILLTOP DRIVE**  
 (R.O.W. 50.0')

**CERTIFICATION:** I hereby certify to:

- 1.) STEVE BUTCHER, SR., ESQ.
- 2.) DOLLINGER ASSOCIATES, P.C.
- 3.) FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK
- 4.) HSBC MORTGAGE CORPORATION (USA), ITS SUCCESSORS AND/OR ASSIGNS
- 5.) THE SECRETARY OF HOUSING & URBAN DEVELOPMENT, ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTEREST MAY APPEAR
- 6.) BRIAN NIZINSKY & MELISSA PLETSCHER-NIZINSKY

that this map was made MAR. 13, 2003  
 from notes of an Instrument Survey  
 completed MAR. 12, 2003 and references  
 listed above:

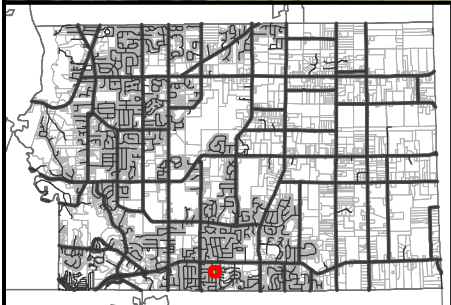
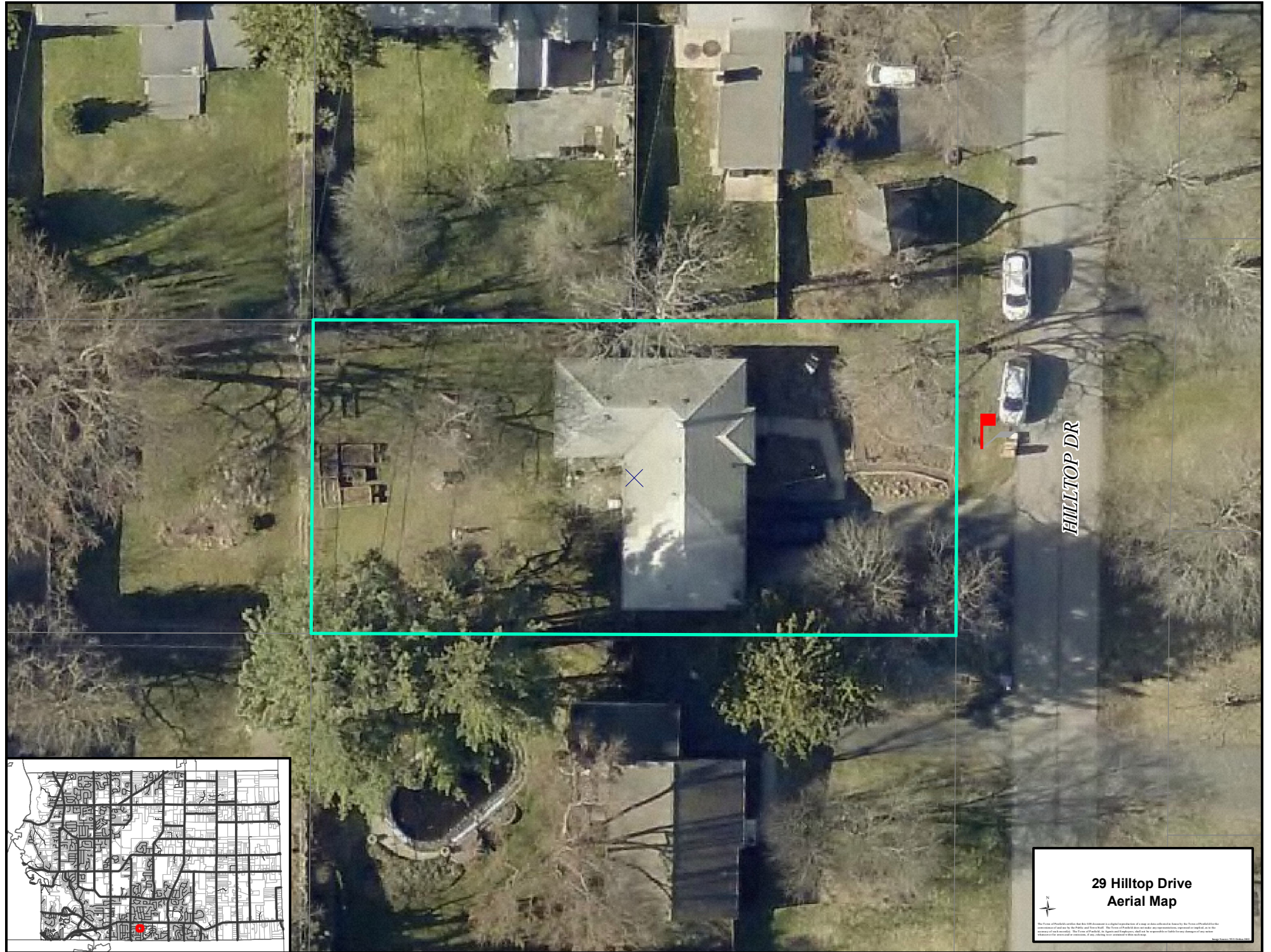
*Ronald W. Staub*

RONALD W. STAUB, N.Y.S.L.S. # 44621

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 "Only copies from the original of this survey marked with an original land surveyors seal shall be considered to be valid true copies."  
 "Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Land Surveyors. Said certifications shall run only for the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution listed hereon, and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners."

**INSTRUMENT SURVEY MAP**  
**29 HILLTOP DRIVE**  
**LOT 27 OF THE PENFIELD MEADOWS SUBDIVISION**

**SCANNED**



**29 Hilltop Drive  
Aerial Map**

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