



**TOWN OF HENRIETTA
APPLICATION TO THE ZONING BOARD OF APPEALS
FOR AN AREA VARIANCE**

Appeal No. ZBA-2024-075

Date 6.25.24

I (we) JASON BASSMAN of 31 QUEENSWAY RD.
Name of Applicant / Business Business (Number & Street)
HENRIETTA, N.Y. 14623 hereby appeal to the Zoning Board of Appeals from the decision
Town, State, Zip

of the Building Inspector, whereby the Building Inspector did deny grant a permit relating to the below property.

<u>31 QUEENSWAY RD.</u> <small>No. & Street</small>	<u>ROCHESTER</u> <small>City</small>	<u>N.Y.</u> <small>State</small>	<u>14623</u> <small>Zip Code</small>
<u>162.19-3-9</u> <small>Tax Map No.</small>	<u>R-1-15</u> <small>Zoning District</small>		

PROVISION(S) OF THE ZONING ORDINANCE APPEALED, (Indicate the article, section and paragraph of the Zoning Ordinance being appealed) 295-10B(1)(b)
Number Only (Do not quote the ordinance)

Description of Proposal: GARAGE ADDITION TO FRONT & RIGHT SIDE OF
EXISTING GARAGE, MUD ROOM ADDED AT REAR OF
EXISTING GARAGE.

FRONT SETBACK OF 58' WHERE 60' IS REQUIRED

Applicant should answer all statements regarding this application on page 2. Incomplete applications shall not be acted upon.

Received by: CCM

Agent / Application: JASON BASSMAN

Reviewed by: CEM HOW

Address: 31 QUEENSWAY RD.

Date of Meeting: AUGUST 7th, 2024

ROCHESTER, N.Y. 14623

Phone #: [REDACTED]

Email: [REDACTED]

Signature: [Signature]

NOTE: If signature is other than owner, written authorization from owner must accompany application

**APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT THE MEETING
PLEASE PRINT ALL INFORMATION**

APPLICATION FOR ZONING BOARD OF APPEALS

Legal Notice to Read

Application ZBA-2024-075 Of Jason Gassman

requesting a variance for a Front setback of 58'

whereas 60'

is allowed by code on property located at 31 Queensway Rd. Rochester, NY 14623

Application Information	
Meeting Date	<u>August 7th, 2024</u>
Received By	<u>CCM</u>
Date Received	<u>July 2nd, 2024</u>
Fee Amoun Paid	<u>\$75.00</u>
Check #	<u>1757</u>



**TOWN OF HENRIETTA
APPLICATION TO THE ZONING BOARD OF APPEALS
FOR AN AREA VARIANCE**

Appeal No ZBA-2024-078

Date 7-3-24

I (we) Jason Gassman of 31 QUEENSWAY RD
Name of Applicant / Business Business (Number & Street)
Henrietta Rochester, NY 14623 hereby appeal to the Zoning Board of Appeals from the decision
Town, State, Zip

of the Building Inspector, whereby the Building Inspector did deny grant a permit relating to the below property.

<u>31 QUEENSWAY Rd</u> <small>No. & Street</small>	<u>ROCHESTER</u> <small>City</small>	<u>NY</u> <small>State</small>	<u>14623</u> <small>Zip Code</small>
<u>162.19-3-9</u> <small>Tax Map No.</small>	<u>R-1-15</u> <small>Zoning District</small>		

PROVISION(S) OF THE ZONING ORDINANCE APPEALED, (Indicate the article, section and paragraph of the Zoning Ordinance being appealed) 295-10C
Number Only (Do not quote the ordinance)

Description of Proposal: Garage addition to side of garage
to accomodate two vehicles

6' SIDE SETBACK WHERE 8' IS REQUIRED

Applicant should answer all statements regarding this application on page 2. Incomplete applications shall not be acted upon.

Received by: CCM Agent / Application: Jason Gassman

Reviewed by: CCM / HOW Address: 31 QUEENSWAY RD

Date of Meeting: AUGUST 7th, 2024 ROCHESTER NY 14623

Phone #: [REDACTED]

Email: [REDACTED]

Signature: [Signature]
NOTE: If signature is other than owner, written authorization from owner must accompany application

APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT THE MEETING
PLEASE PRINT ALL INFORMATION

APPLICATION FOR ZONING BOARD OF APPEALS

Legal Notice to Read

Application Of

requesting a variance for a

whereas

is allowed by code on property located at

Application Information	
Meeting Date	<input type="text" value="August 7th, 2024"/>
Received By	<input type="text" value="CCM"/>
Date Received	<input type="text" value="July 3rd, 2024"/>
Fee Amoun Paid	<input type="text" value="\$25.00"/>
Check #	<input type="text" value="Cash"/>

- 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.

THE GARAGE ADDITION WILL NOT BE A DETRIMENT TO NEARBY PROPERTIES. THE PROPERTY SITS ON A BEND IN THE ROAD WITH NEIGHBORS VIEW NOT OBSTRUCTED.

THE ADDITION WILL HAVE A GABLE ROOF PERPENDICULAR TO THE MAIN ROOF.

- 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.

THE GARAGE ADDITION NEEDS TO COME FORWARD $\frac{1}{2}$ TO THE SIDE TO CREATE A GARAGE FOR 2 CARS $\frac{1}{2}$ NOT IMPACT THE CURRENT DECK $\frac{1}{2}$ SUN ROOM OFF THE REAR OF THE GARAGE.

- 3) Whether the requested area variance is substantial.

THE SPACE REQUESTED FOR THE 2 CAR GARAGE IS NOT MORE THAN A STANDARD GARAGE SIZE. (TOTAL GARAGE SIZE).

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

THE PROPOSED VARIANCE WILL NOT HAVE AN ADVERSE EFFECT ON THE ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD. THE NEW GARAGE ROOF WILL SHED WATER TO THE EXISTING GUTTERS $\frac{1}{2}$ DOWNSPOUTS.

- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

THE WAY THE HOUSE IS SITUATED ON THE LOT IS DETERMINING HOW MUCH OF A VARIANCE IS REQUIRED. THE ADDITION OF A NEEDED MUD ROOM $\frac{1}{2}$ 2 CAR GARAGE WITH THE LAYOUT OF THE EXISTING HOUSE $\frac{1}{2}$ DECK LEFT NO OTHER OPTIONS TO ACHIEVE THIS GOAL.

**Statement of Applicant and Owner with Respect to Reimbursement
of Professional and Consulting Fees**

In conjunction with an application made to the Town of Henrietta, the undersigned states, represents and warrants the following:

- 1) I/We am/are the applicant and owner with respect to an application to the Town of Henrietta.
- 2) I/We have been advised of, are aware of and agree to comply with the obligation to reimburse the Town of Henrietta for any and all professional and consulting fees incurred by the Town in conjunction with this and any other applications by me/us, including but not limited to engineering and/or legal fees, all as more fully set forth in the Henrietta Town Code.
- 3) I/We have been provided with, or have otherwise reviewed the Henrietta Town Code provisions related to the obligation to reimburse the Town with respect to professional and consulting fees, and agree to comply with the same.
- 4) I/We understand that this obligation shall not be dependent upon the approval or success of the application.
- 5) I/We further agree that in the event the Town of Henrietta is required to refer for collection an outstanding debt for such professional and/or consulting fees due to the Town of Henrietta, I/we shall be obligated to pay the reasonable attorney's fees incurred as a result of the Town's efforts to collect such fees. Reasonable attorney's fees shall also include any and all disbursements that may result from the commencement of litigation.
- 6) Each party to the application, including the applicant and the owner, shall be jointly and severally liable for all consulting and professional fees and expenses incurred in conjunction with the application.

Applicant: _____

By: _____

Title: _____

Dated: _____

Signed: _____

Owner: Jason Gassman

By: _____

Title: Owner

Dated: 7/15/24

Signed: J Gassman

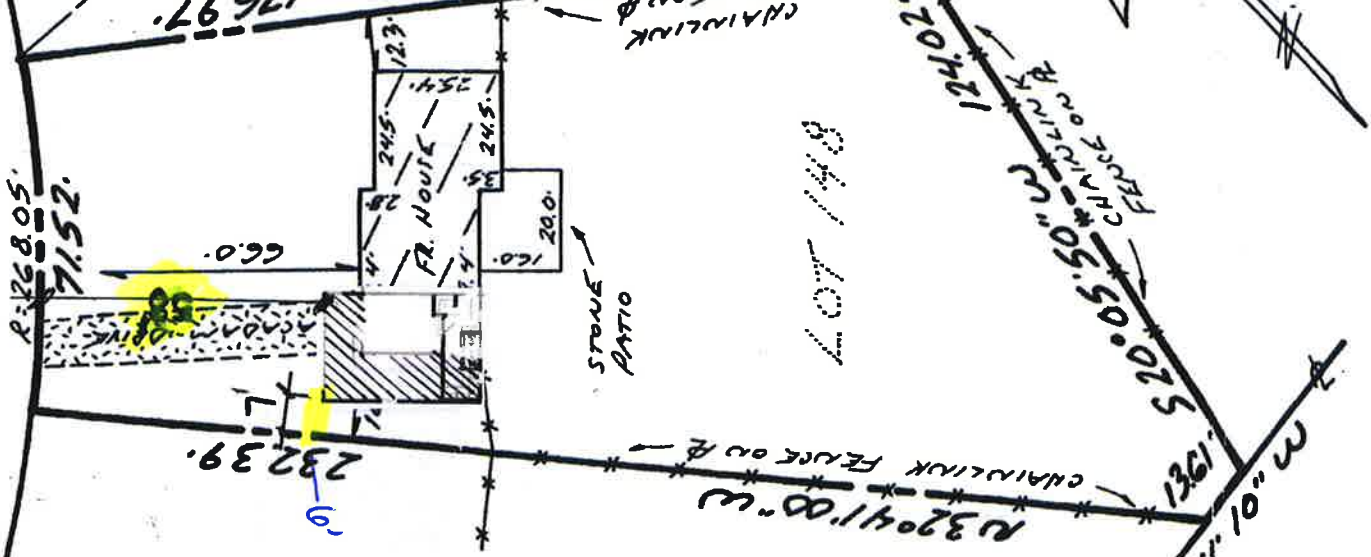
QUEENSWAY (50' R.O.W.) RD.

312.10' TO P.O.W. P.C.

LOT 149

LOT 147

- REFERENCES:
- 1) ABSTRACT OF TITLE N° 6458
 - 2) LIDER 140 OF MAPS, PAGE 74-76 - ROYAL MEADOW SUBD, SECT. 2
 - 3) TRACT RESTRICTIONS - LIDER 3176 OF DEEDS, PAGE 506
 - 4) EASEMENT TO TOWN OF MONROE - LIDER 3176 OF DEEDS, PAGE 504
 - 5) EASEMENT TO R.G. & E. LIDER 3172 OF DEEDS, PAGE 57 (ROAD R.O.W.)
 - 6) EASEMENT TO R.G. & E. LOCAL TELE CORP. - LIDER 3176 OF DEEDS, PG. 478
 - 7) TAX ACCOUNT N° 162.190-03-009
 - 8) (SIDE & REAR R.R.'S)



CERTIFICATION:

I hereby certify to:
 JASON & KRISTA GASSMAN;
 NORTHWEST MORTGAGE OF NEW YORK, D/B/A NORTHWEST MORTGAGE, ITS
 SUCCESSORS AND/OR ASSIGNS;
 HAPTER, SECREST & EMERY, P.C.;
 RISA JUERGENS, ESQ.;
 FIRST AMERICAN TITLE INSURANCE COMPANY

that this map was made APRIL 22, 1993
 from notes of an Instrument Survey
 completed APRIL 22, 1993 and references
 listed above:

Ronald W. Staub
 RONALD W. STAUB, NYS.L.S. # 44621



"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 2309, sub-division 2, of the New York State Education Law."

"Only copies from the original of this survey marked with an original of the land surveyor's embossed 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 Professional Land Surveyors. Said certifications shall run only to 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."

TITLE:

INSTRUMENT SURVEY MAP

#31 QUEENSWAY ROAD
LOT 148 - ROYAL MEADOW SUBDIVISION, SECTION 2
TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK

CLIENT:

JOSEPH & KAREN RISTAU
 % RISA A. JUERGENS, ETO.
 3 UPTON STREET
 MILTON NEW YORK 14468



RONALD W. STAUB
LAND SURVEYORS
 400 Reynolds Arcade
 Rochester, N.Y. 14614

SCALE:

1 inch = 40 FEET

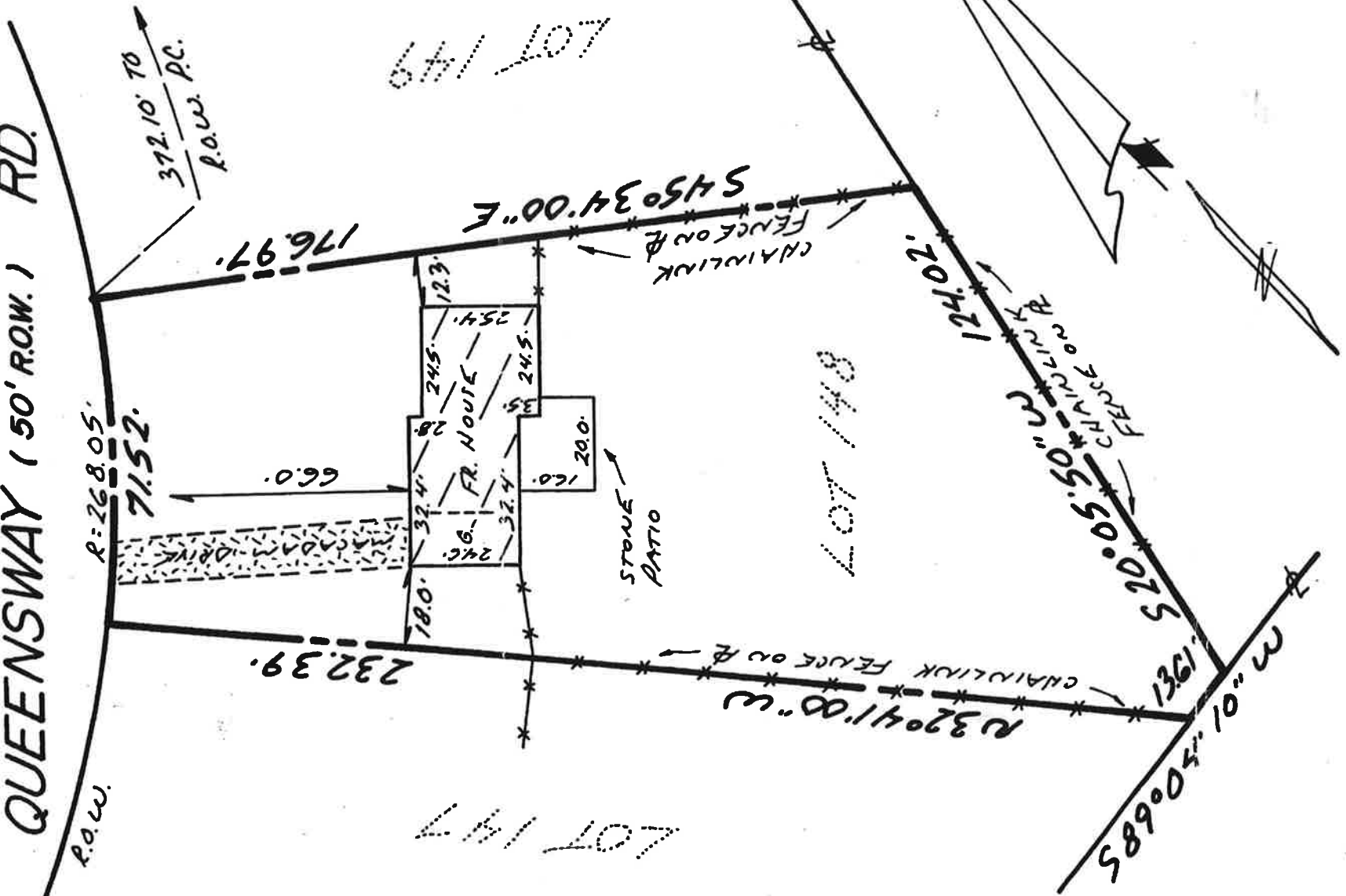
FILE NO:

JOB NO:

REDATE: 85-09-26

DATE: APRIL 22, 1993

QUEENSWAY (50' ROW.) RD.



- REFERENCES:
- 1) ABSTRACT OF TITLE N° 6458
 - 2) LIBER 140 OF MAPS PAGE 74-76 - ROYAL MEADOWS SUBD, SECT. 2
 - 3) TRACT RESTRICTIONS - LIBER 3176 OF DEEDS, PAGE 506
 - 4) EASEMENT TO TOWN OF MONROE - LIBER 3176 OF DEEDS, PAGE 504
 - 5) EASEMENT TO R.G. & E. - LIBER 3172 OF DEEDS PAGE 57 (ROAD R.O.W.)
 - 6) EASEMENT TO R.G. & E. POOL, TELE. CORP. - LIBER 3176 OF DEEDS, P. 498
 - 7) TAX ACCOUNT N° 162.190-03-009
 - 8) TAX ACCOUNT N° 162.190-03-009 (SIDE & REAR R.'S)

CERTIFICATION:

I hereby certify to:
 JASON & KRISTA GASSMAN;
 NORWEST MORTGAGE OF NEW YORK, D/B/A NORWEST MORTGAGE, ITS
 SUCCESSORS AND/OR ASSIGNS;
 HARPER, SECREST & EMERY, P.C.;
 RISA JUERGENS, ESQ.;
 FIRST AMERICAN TITLE INSURANCE COMPANY
 that this map was made APRIL 22, 1993
 from notes of an Instrument Survey
 completed APRIL 22, 1993 and references
 listed above.

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



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TITLE:

INSTRUMENT SURVEY MAP
#31 QUEENSWAY ROAD

LOT 148 - ROYAL MEADOW SUBDIVISION, SECTION 2
 TOWN OF HENRIETTA, MONROE COUNTY, NEW YORK

CLIENT:

JOSEPH & KAREN RISTAU
 % RISA R. JUERGENS, ETO.
 3 UPTON STREET
 MILTON, NEW YORK 14468



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 LAND SURVEYORS
 400 Reynolds Arcade
 Rochester, N.Y. 14614

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 1" = 40 FEET

FILE NO:

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 APRIL 22, 1993