

Manuel Ochoa

2 Red Fox Run
Pittsford NY 14534
United States


July 24, 2026

Town of Perinton Zoning Board of Appeals
1350 Turk Hill Road
Fairport, NY 14450

Dear Members of the Zoning Board of Appeals:

Please accept this application for an area variance for the residential property located at 2 Red Fox Run, Pittsford, New York 14534. The request is to allow the existing shed to remain on the property line, where Town code requires a minimum setback of 5 feet under Section 208-14-G-2.

The shed was originally constructed and placed in 1997 by a prior owner of the property. The current owner purchased the home in April 2018 and was not informed at the time of purchase that a building permit from 1997 remained open or unresolved. The issue came to light only recently during preparation for the sale of the property.

Several factors support this request. The shed has existed in its current location for nearly 29 years. The condition was inherited and was not created by the current owner. Requiring relocation of the shed at this point would impose a significant and undue financial hardship on a homeowner who had no role in the original placement. In addition, granting the variance would not increase population density, would not alter the residential character of the neighborhood, and would not be detrimental to surrounding properties.

The applicant respectfully requests that the Board grant the area variance to permit the existing shed to remain in its present location. Thank you for your time and consideration.

Sincerely,



Manuel Ochoa

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2 Red Fox Run
Pittsford NY 14534
United States



July 24, 2026

Hardship and Timeline Statement

Property: 2 Red Fox Run, Pittsford, NY 14534

Tax Account No.: 179.05-3-37

The owner is requesting an area variance to allow the existing shed to remain on the property line, where the Town code requires a minimum 5-foot setback.

The shed was originally constructed and placed in 1997 by a prior owner of the property. The current owner purchased the home in April 2018 in good faith and was not informed at the time of purchase that a building permit from 1997 remained open or unresolved. The existence of that unresolved permit was discovered only recently during preparation for the sale of the property.

This condition was inherited and was not created by the current owner. The shed has remained in the same location for nearly 29 years, and its continued presence has not changed the residential character of the neighborhood or increased population density. The surrounding properties are residential, and allowing the existing shed to remain in place would not create a detriment to nearby properties.

Relocating the shed now would impose a significant and undue financial hardship on the current owner, who had no role in the original placement of the structure. The requested relief is limited to maintaining an existing long-standing condition rather than creating a new encroachment or expanding the use of the property.

New York area variance review considers factors such as neighborhood impact, feasible alternatives, substantiality, environmental effect, and whether the difficulty was self-created. In this case, the benefit of allowing the shed to remain in place outweighs any potential detriment to the neighborhood because the condition is long-standing, residential in nature, and not self-created by the current owner.

For these reasons, the owner respectfully requests that the Zoning Board of Appeals grant the requested area variance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Manuel Ochoa'.
Manuel Ochoa



TOWN OF PERINTON

1350 TURK HILL ROAD, FAIRPORT, NEW YORK 14450-8796
(585) 223-0770, Fax: (585) 223-3629, www.perinton.org

NUMBER 24-2026 FEE \$ 100
(verify fee with staff)

MEETING DATE 8/24/2026

APPLICATION FORM -AREA VARIANCE - RESIDENTIAL

Please see Zoning Board of Appeals Procedures and Application Requirements

1. APPLICANT

Name Manuel A Ochoa Phone [REDACTED]

Mailing address 2 Red Fox Run City Pittsford Zip 14534

Interest in Property: Owner X Lessee _____ Other _____

2. PROPERTY OWNER (if other than applicant)

Name _____ Phone _____

Mailing address _____ City _____ Zip _____

3. ATTORNEY (if represented)

Name _____ Phone _____

Mailing address _____ City _____ Zip _____

4. INTEREST: Does any officer or employee of the State of New York, County of Monroe, or Town of Perinton have any interest in the owner/applicant or the subject property?

Yes _____ No X

If yes, who?

Name _____ Address _____

INTEREST (explain):

5. LOCATION: Street Address OR tax id # if no street address given
2 Red Fox Run

6. SIZE OF PARCEL: 0.48 acres

7. PRESENT USE OF PROPERTY: Residential

8. ZONING DISTRICT: RES B TAX ACCOUNT # 179.05-3-37

9. APPLICATION FOR VARIANCE OF CODE SECTION(S):
208-14-G-2

10. DESCRIBE SPECIFICALLY THE NATURE OF YOUR REQUEST:
TO KEEP EXISTING SHED ON PROPERTY LINE

11. DESCRIBE THE LOCATION, USE AND SIZE OF STRUCTURES, AND OTHER LAND USES
WITHIN 100 FEET OF THE BOUNDARIES OF THE SUBJECT PROPERTY
RESIDENTIAL

12. HOW SUBSTANTIAL IS THE VARIANCE REQUESTED IN RELATION TO THE CODE?
CODE REQUIRES: SHED 5' FROM PROPERTY LINE
REQUEST IS: SHED ON PROPERTY LINE

13. WILL GRANTING YOUR REQUEST RESULT IN AN INCREASE IN POPULATION DENSITY?
NO X YES IF YES, WHAT EFFECT WILL THIS HAVE ON AVAILABLE GOVERNMENT
FACILITIES?

14. WILL YOUR REQUEST RESULT IN A SUBSTANTIAL CHANGE IN CHARACTER OR BE DETRIMENTAL TO SURROUNDING PROPERTIES? NO X YES _____

15. CAN THE DIFFICULTY WHICH LEADS YOU TO APPLY FOR THIS VARIANCE BE SOLVED IN ANOTHER MANNER? NO X YES _____ *If yes how?*

16. WHY DO YOU FEEL YOUR VARIANCE REQUEST IS PROPER?

This request is proper because the shed was originally constructed and placed in 1997 by a prior owner, I purchased it in April 2018 without any disclosure that a 1997 permit remained open or unresolved. The condition was inherited and not created by me. Relocating the shed now would create undue financial hardship.

17. IS THIS PROPERTY IN A LIMITED DEVELOPMENT DISTRICT? NO X YES _____

I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed and the premises used as stipulated in this request.

Signature of Applicant: Manuel Ochoa Date 7/23/2026

Printed name of Applicant Manuel Ochoa

Property Owner (If other than applicant)

I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

Signature of property owner Manuel Ochoa Date 7/23/2026

Printed Name of property owner Manuel Ochoa

REFERENCES:
= SUBJECT BOUNDARY
= ADJOINING BOUNDARY
= O.H. LINES AND UTILITY POLE
= PIPE FOUND

MAP OF AN INSTRUMENT SURVEY OF

2 RED FOX RUN

BEING

LOT 13 of the

UPLANDS SUBDIVISION, SECTION 1

SITUATE IN THE

TOWN OF PERINTON

COUNTY OF MONROE

STATE OF NEW YORK

SCALE 1 INCH = 30 FEET

DATE: MARCH 5, 2018

JAMES BATES & ASSOCIATES
406 WEST SPRUCE STREET
EAST RUCHESTER, NEW YORK
585-381-0021

UNAUTHORIZED ALTERATION OR ADDITION TO
A SURVEY MAP BEARING A LICENSED LAND
SURVEYOR'S SEAL IS A VIOLATION OF SECTION
7209, SUBDIVISION 2, OR THE NEW YORK STATE
EDUCATION LAW.

CERTIFICATIONS LISTED HEREON SIGNIFY THAT THIS
SURVEY WAS PREPARED IN ACCORDANCE WITH THE
EXISTING CODE OF PRACTICE FOR LAND SURVEYS
ADOPTED BY THE G.V.L.S.A. AND THE MONROE
COUNTY BAR ASSOCIATION.

REFERENCES:

1. CROSSROADS ABSTRACT SEARCH No. 432674, LAST DATED FEBRUARY 8, 2018.
2. LIBER 11638 OF DEEDS, PAGE 280.
3. MAP OF THE UPLANDS SUBDIVISION, SECTION 1, LIBER 135 OF MAPS, PAGE 78.
4. SUBJECT TO AN EASEMENT TO R.G. & E. PER LIBER 3086 OF DEEDS, PAGE 470.
(GAS LINES THROUGH AND ALONG THE STREETS)
5. SUBJECT TO AN EASEMENT TO R.G. & E. AND R.T.C. PER LIBER 3806 OF DEEDS,
PAGE 469. (ALONG THE REAR & SIDE BOUNDARIES
ALSO THROUGH & ALONG THE STREETS)

WE, JAMES BATES & ASSOCIATES DO HEREBY CERTIFY TO THE FOLLOWING;

1. MANUEL A. OCHOA;
2. CREAMY LAW GROUP, P.C.;
3. CNB MORTGAGE COMPANY, ITS SUCCESSORS AND/OR ASSIGNS;
4. GALLO & IACOVANGELO, LLP; and
5. FIRST AMERICAN TITLE INSURANCE COMPANY,

THAT THIS MAP WAS MADE FROM NOTES OF AN
INSTRUMENT SURVEY COMPLETED ON FEBRUARY 15, 2018.

JAMES E. BATES, Jr. LICENCE No. 49464



CR
WARRANTY DEED with Lien Covenant

This Indenture, made the 19 day of March, 2018.

Between

Ellen M. Howe, residing 2 Red Fox Run, Pittsford, NY 14534, Grantor(s)

And

Manuel A. Ochoa, residing at 12 Candlewood Drive, Pittsford, NY 14534, Grantee(s)

WITNESSETH, that the grantor, in consideration of One and More Dollars, and other valuable consideration, paid by the grantee, hereby grants and releases unto the grantee, the heirs or successors and assigns of the grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Perinton, County of Monroe and State of New York, known and described as being Lot #13 in the Uplands Subdivision, Section #1, as shown on a map thereof filed in the Monroe County Clerk's Office in Liber 135 of Maps, page 78.

Said Lot #13 fronts on the northwesterly side of Red Fox Run and is of the dimensions as shown on said map.

Subject to all covenants, easements and restrictions of record, if any, affecting said premises.

Being and hereby intending to convey the same premises conveyed to the Grantor by Warranty Deed dated December 1, 2015 and recorded in the Monroe County Clerk's Office on December 30, 2015 in Liber 11638 of Deeds, at page 280.

TAX ACCOUNT NO.: 179.05-3-37
PROPERTY ADDRESS: 2 Red Fox Run, Perinton, New York 14534
MAILING ADDRESS: 2 Red Fox Run, Pittsford, New York 14534

RL → Together with the appurtenances and all the estate and rights of the grantor in and to said premises.

To have and to hold the premises herein granted unto the grantee, the heirs or successors and assigns of the grantee forever. And the grantor covenants as follows:

First. The grantee shall quietly enjoy the said premises;

Second. The grantor will forever warrant the title to said premises;

This deed is subject to the trust provisions of Section 13 of the Lien Law. The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

2018 APR -5 PM 3:34
MONROE COUNTY CLERK

RECORDED

In Witness Whereof, the grantor has executed this deed the day and year first above written.

In Presence of:

Ellen Howe L.S.
Ellen M. Howe

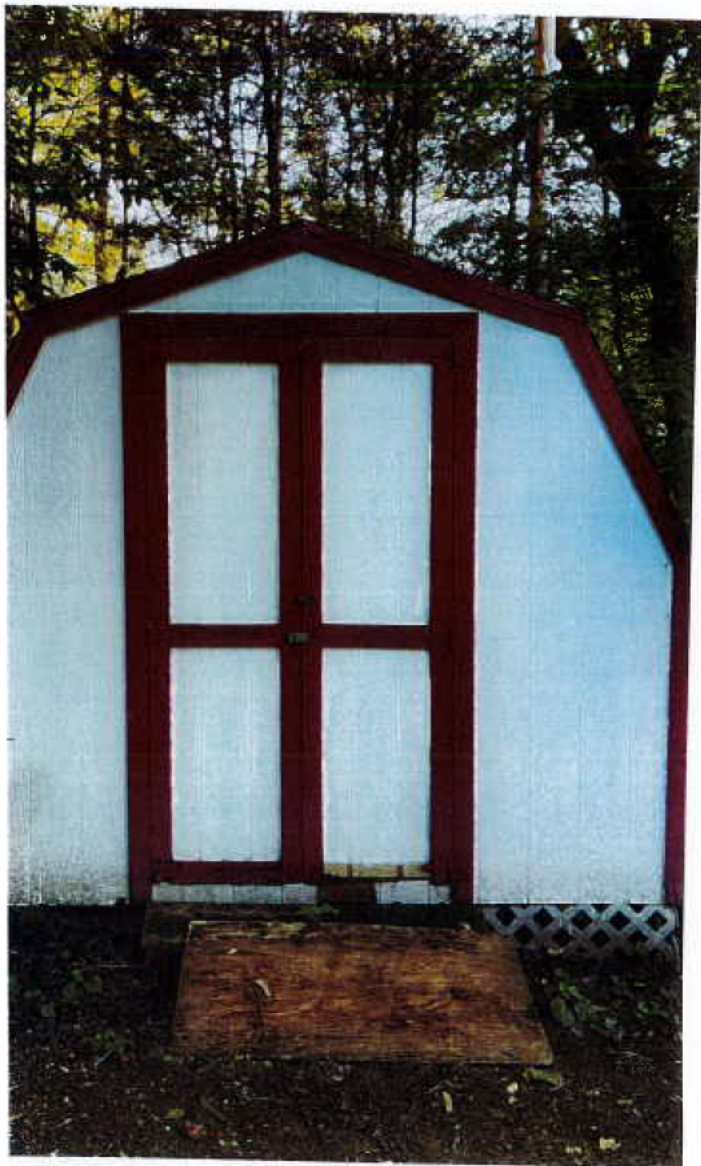
State of New York)

County of Monroe) ss:

On the 19 day of March, in the year 2018, before me, the undersigned, personally appeared Ellen M. Howe personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) are(is) subscribed to the within Instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signature(s) on the instrument, the individual(s), or the person(s) upon behalf of which the individual(s) acted, executed the instrument.

[Signature]
Notary Public

RHONDA L. MALDONADO
Notary Public, State of New York
Monroe County, Reg #01MA6033445
Commission Expires November 15, 2021







HUNTERS (60' R.O.W.) RUN

RED FOX (60' R.O.W.) RUN



- REFERENCES:**
1. ABSTRACT OF TITLE NOT PROVIDED.
 2. LIBER 8994 OF DEEDS, PAGE 443.
 3. LIBER 135 OF MAPS, PAGE 78.

CERTIFICATION:

I hereby certify to:
 ABN AMRO MORTGAGE GROUP, INC., ITS SUCCESSORS AND/OR ASSIGNS;
 THE TITLE INSURANCE COMPANY INSURING THE MORTGAGE;
 CREARY & CREARY ATTORNEYS, P.C.;
 JOHN SEKOL;

that this map was made JUN. 2, 2004 from notes of an Instrument Survey completed MAY 28, 2004 and from references listed hereon.

[Signature]



TIES TO SHED SHOWN TO SHED

Tax Account No.
 179.050-03-037

NOTE: Property corners should only be set by a licensed professional land surveyor.