



Non-Conforming Flag Lot

**LOCATED AT:**

Pheasant Crossing Building Lots  
Farmington, NY 14425

**FOR:**

Residents of Pheasant Crossing For Town of Farmington - Zoning Board of Appeals  
1000 County Road 8  
Farmington, NY 14425

**BORROWER:**

None

**AS OF:**

March 5, 2024

**BY:**

Ruth Rowe Campbell, IFA  
Rowe Realty & Appraisal, Inc; DigginForDeals.com



SALES  
APPRAISAL



4040 West Walworth Road • Macedon, New York 14502 • Phone (315)986-9600

March 12, 2024

Town of Farmington  
Zoning Board of Appeals  
1000 County Road 8  
Farmington, NY 14425

Re: 029-013-01-05.200  
Non-Conforming Flag Lot

Ladies and Gentlemen:

At the request of residents of Pheasants Crossing I have investigated and reviewed documents pertaining to the non-conforming flag lot proposed at the property referenced above. A 2023 survey by Venezia Land Surveyors indicate three proposed lots, two along the road, plus a flag lot of 10.941 acres with road access. The zoning is RS-25 Residential Suburban District. The FEMA Flood Zones are C and A5, Community Panel No: 361299 0012B, dated 9/30/83.

Also reviewed were letters dated 4/4/23 by James A. LeGrett, Midland Appraisal Associates, Inc. and Sam J. Cretekos, Associate Broker with Howard Hanna RES. While I agree with both Mr. Cretekos and LeGrett that the addition of the proposed flag lot on Pheasants Crossing "in no way devalues any existing owner's property value" and that "the existing homes would not be negatively impacted (value and/or marketability) by the proposal noted above".

What both Mr. Cretekos and LeGrett fail to address is the proposed lot's terrain and environmental sensitivity. The site appears almost unbuildable with a sharp drop down a hillside to Mud Creek. Please see attached photos.

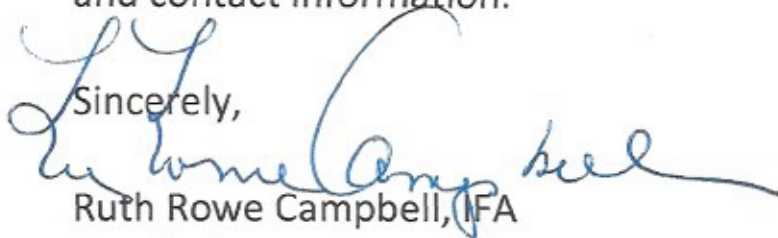
Land with a steep terrain is geographically challenging and may be considered unbuildable due to the difficulty of constructing safe and stable structures. The hillside down to the Mud Creek basin is obviously environmentally sensitive, with protected habitats or endangered species, and may be deemed unbuildable due to regulations restricting use and/or development to preserve the ecosystem.

After review of the proposed site division, my opinion is that this particular parcel of land is not suitable for Flag Lot construction, as proposed in the Venezia Survey, due to physical, environmental, regulatory and/or economic constraints.

Therefore, dividing the existing parcel strictly into two building sites, with road frontage and acreage, would attract high-end residential construction and, as both Mr. Cretekos and LeGrett point out, "positively influence Pheasants Crossing by adding a new and modern mix of homes into the development".

I own Rowe Realty & Appraisal, Inc. and serve as both a NYS Licensed Broker, Certified Appraiser and Auctioneer. My experience includes 30+ years of serving private individuals, government and financial institutions throughout Western, NYS. Please visit our website, [DigginForDeals.com](http://DigginForDeals.com), for qualifications and contact information.

Sincerely,

A handwritten signature in blue ink that reads "Ruth Rowe Campbell". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ruth Rowe Campbell, IFA  
Certified Appraiser

Enc.



\*Unauthorized alteration or addition to a map bearing a Licensed Professional Engineer's or Professional Land Surveyor's seal in any way is a Violation of Section 7207

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REVISIONS			
NO	Date	Description	By
1	01/20/05	Update Plan Per Town of Farington Ethics	AA
2	01/20/05	Add Professional Engineer's Seal	AA
3	02/20/05	Update Plan Per Town of Farington Ethics	AA
4	02/20/05	Add Site & New Home Location	AA



**Deed Reference:**

Jennifer R. Fowler to Fowler Family Trust  
 n/a by Deed filed April 1, 2019 in Liber 11...  
 of Deeds at Page 658

**Abstract Reference:**

This survey is subject to any facts an  
 updated abstract of title may reveal

**Map Reference:**

Final Plan Phasants Crossing Subdivision filed as Ontario  
 County map No. 24640-1 & 24640-2

**Site Details:**

- Existing Zoning is Residential Suburban District (RS-25)
- Minimum Lot Size: 25,000 SQ FT
- Minimum Lot Width: 125 FT
- Front Setback: 50 FT
- Rear Setback: 15 FT
- Side Setback: 12 FT
- Maximum Building Height: 35 FT
- Maximum Lot Coverage: 25%

**Contour Datum:**

North American Vertical Datum 1988  
 (NAVD 88) Source: Ontario County Lidar

FEMA Flood Zones C & A5 per Flood Rate Insurance  
 Map, Community Panel Number 361299 0012 B, Effective  
 Date September 30, 1983.

Prior to issuing a building permit for development on  
 any approved re-subdivided lot, a park and recreation fee  
 is to be made to the Town Clerk's Office and a copy of  
 said receipt is to be placed in the property file in the  
 Town Development Office.

No building permits for the construction of  
 structures on the 3 proposed lots being created. No utility fees  
 action shall be issued until Final Site Plan & Final  
 have been granted by the Planning Board.

N/T Soil & Clearing Licence  
 105-101-2  
 Issue Date: 03/05/05  
 Licence No: 105-101-0102



**Planning Board Chairperson**

Town Engineer

Town Water & Sewer Superintendent

Town Highway & Parks Superintendent

Date



Vicinity Map

NTS

For Permit Only



Anthony A. Venezia  
 Licensed Professional Land Surveyor  
 License No. 150004



Preliminary Re-Subdivision Plat

Lots R5-A and R5-B, Phasants Crossing  
 Subdivision Tract

Tax Map# 29 13 1 & 2  
 Scale 1" = 80'  
 Job # 20051

Town of Farington

County of Ontario

State of New York

E-mail: rocco@veneziasurvey.com

Fax No. (585) 396-0131

(585)396-3247

Canandaigua New York, 14424

5120 Laura Lane

www.veneziasurvey.com

SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: None	File No.: Pheasant Crossing
Property Address: Pheasants Crossing Building Lots	Case No.: 029-013-01-05.200
City: Farmington	State: NY
Lender: N/A	Zip: 14425



FRONT VIEW OF  
SUBJECT PROPERTY

March 5, 2024



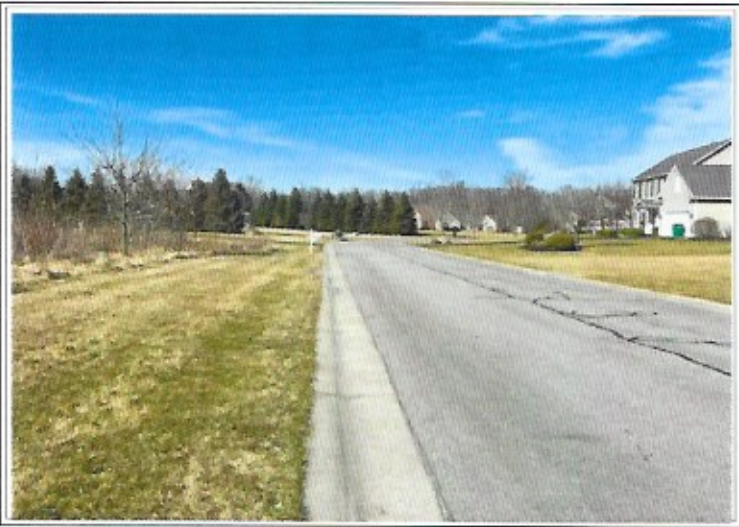
REAR VIEW OF  
SUBJECT PROPERTY



STREET SCENE



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Pheasants Crossing  
Farmington, NY 14425



Variance Notice



View of Lot to Road at Top of Sharp Drop Off



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Front Portion of Lot



Flat Area of Lot



Looking Towards Rear of Lot



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Hillside



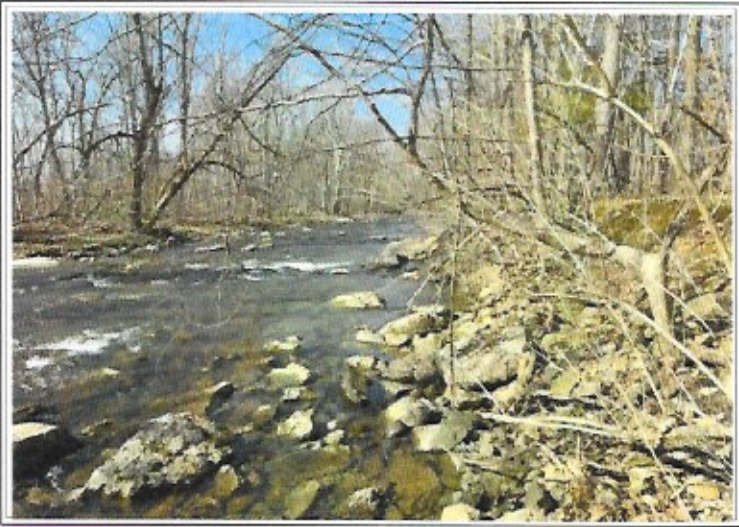
Hillside



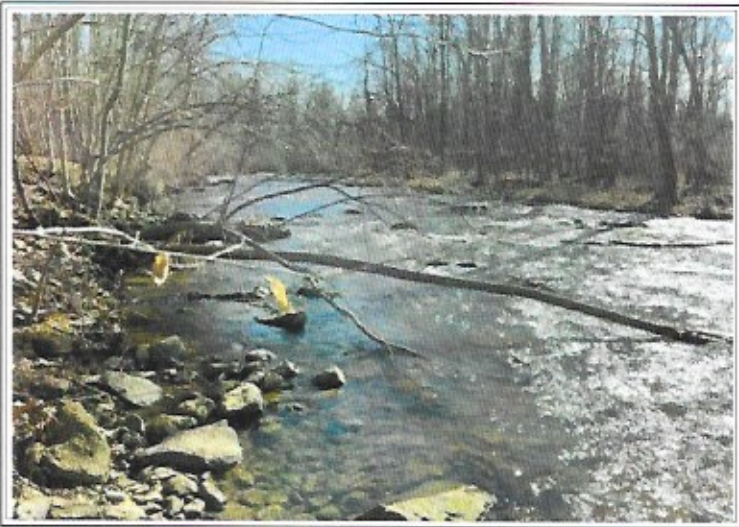
Hillside



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Mud Creek



Mud Creek

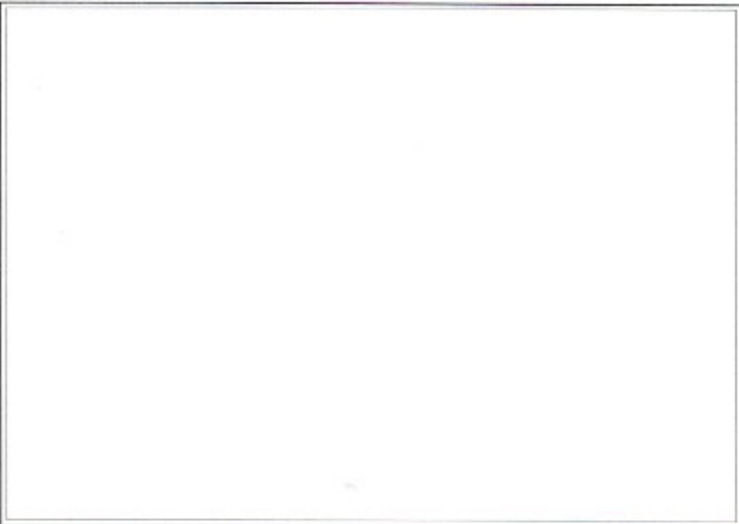


Mud Creek

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Mud Creek





MIDLAND APPRAISAL ASSOCIATES, INC. REAL ESTATE COUNSELING & APPRAISAL SERVICES

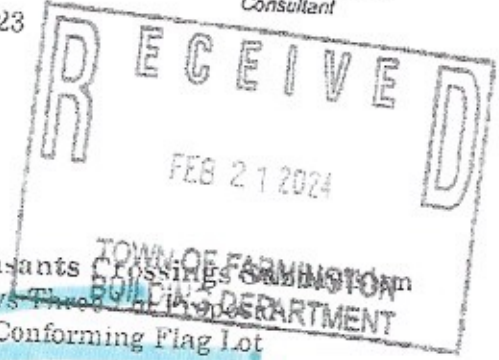


Jay J. Loson, MAI  
James A. LeGrett  
Stephen V. Ferrara, SRA  
David H. Rogachefsky, MAI, SRA  
Jeffrey S. James, MAI  
David R. Ciroula  
Nathan T. Gabbert, SRA, IAO

David C. Schwane  
Consultant

April 4, 2023

Town of Farmington  
Zoning Board of Appeals  
1000 County Road 8  
Farmington, NY 14425



RE: Pheasants Crossings Subdivision  
Two vs Three Lot Proposal  
Non-Conforming Flag Lot

Zoning Board of Appeals:

At the request of the Fowler Family Trust, a request was made as to the impact on market value of the existing homes in the Pheasants Crossing Subdivision with the following conditions:

1. Proposal to create a third building lot vs the current two lot configuration
2. In the three-lot proposal, the creation of one non-conforming (road frontage) "flag" building site.

A review of the proposed lots along with a drive-by of existing homes in the subdivision, rendered an opinion that the existing homes would not be negatively impacted (value and/or marketability) by the proposal(s) noted above.

This determination was based upon 39 years of residential appraisal experience in the Finger Lakes region of NY. With the addition of the new homes, the value of the subdivision might be positively influenced by adding a new and modern mix of homes into the development.

Please contact me if you have any for questions regarding this matter.

Very truly yours,  
MIDLAND APPRAISAL ASSOCIATES, INC.

James A. LeGrett  
Managing Partner, Residential Division



April, 7 2023

James Fowler  
6176 Hunter's drive  
Farmington, NY 14425

Re: Pheasant's Crossing

Dear Mr. Fowler,



Per your request, I have investigated the site that you are in the process of re-subdividing as well as the surrounding areas. In general, I have found that the market values in the immediate neighborhood have remained very stable. There have been no sales in Pheasant Crossing in the past 2 years. In fact, the only turnover that would affect values was in the adjacent subdivision to the north. The property on a flag lot at 1336 Mertensia Rd. has sold twice since October 2021. It sold for \$359,900 and again a year later for \$440,000. This is a very good indication that values are appreciating and further illustrates that there is enough demand for homes in the area on flag lots that an individual made over 22% in one year on one.

I have been in the Real Estate business in the Victor Farmington area for over 40 years. I have been asked to evaluate whether a change on an adjacent property affects other owner's values many times. Each case is different but by and large, the change usually has a positive effect. I feel that the same is true in your case. The manner that you are adding the additional lot will have no negative affect on any of the current owner's property values. In fact, I predict that the end result will be a further appreciation in value. The two home sites on the "frontage lots" will be substantially the same as the average lot with regard to lot width at the road but will both be significantly larger than any other existing lot. The value of the homes to be built on them will be substantially higher than existing neighbors as the cost of development and construction has increased exponentially since existing homes were built. In addition, the ratio of lot cost to final price will yield a higher final price as the builder will have to pay a premium for these larger lots.

I also feel that the additional lot will add to the value of all homes in the neighborhood for the same reasons. Whether you build your own home on that site or sell it, the resulting home will be set back in a manner that existing homeowners will not be affected. They will benefit by the additional value that the home adds to the community. The sale price will be used by appraiser's when considering mortgageability of existing homes.

I have been involved in many developments in the area and understand that there are many ways to approach developing land. I know that you could choose to try to purchase land or development rights



to adjacent property. You can attempt to maximize the number of building lots on the land that you own using other methods like incentive zoning or clustering. I believe that allowing you to add one flag lot to make the project financially feasible is a very reasonable request. It in no way devalues any existing owner's property value. It may even improve it! It also adds to the overall value of the community and increases the tax base. Alleviating the hardship that increased development and construction cost have caused with only positive benefits to all is definitely a win-win-win!

Please let me know if I can be of any further assistance.

Sincerely,



Sam J. Cretekos, ABR, CRS, GRI, CSP, SFR  
Broker-Associate, Howard Hanna RES