

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

ZONING BOARD OF APPEALS

Tuesday, March 17, 2015, 6:00 p.m.

MEETING AGENDA

MEETING CALLED BY: Terence Robinson, Chairperson
BOARD MEMBERS: David Emery, Bob Hilliard, Kelly La Voie, Chip Sahler
ALTERNATE MEMBER: Carol Ingle
SECRETARY: Cheryl Berry
STAFF MEMBERS: Amanda Catalfamo, Development Office
Douglas Finch, Director of Development
Christian Nadler, Attorney

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS: *None at this time*

NEW PUBLIC HEARINGS:

CPN-008-15 Ontario County Signs, representing Westside Professional Associates, owner of property at 3200 West Street, TM#97.02-1-19.000, is requesting an area variance to place a ground sign in the RB-1 zoning district.

CLOSED PUBLIC HEARINGS: *None at this time*

BOARD BUSINESS:

1. Approval of February 17, 2014 Meeting Minutes
2. Review of Next Month's Agenda (April 21, 2015)
3. Requests for Rehearing: *None at this time*

Town of Canandaigua

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Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

Zoning Board of Appeals Decision Notification

Public Hearing Opened: 3/17/2015

Meeting Date: 3/17/2015

Public Hearing Closed: 3/17/2015

Project: 008-15

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Ontario County Signs 4028 NYS Route 5 & 20 Canandaigua, NY 14424	Westside Professional Associates 3200 West Street Canandaigua, NY 14424	Place a ground sign - Canandaigua Surgical Care	3200 West Street	97.02-1-19.000

TYPE OF APPLICATION:

Area Variance Use Variance Interpretation Rehearing Type I Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to place a ground sign with a front setback to the road right of way of 7.5 feet when 15' is required? Applicant is requesting a 7.5' area variance in the RB-1 zoning district.

SEQR:

Unlisted
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

APPLICANT REQUEST:

Granted Denied Continued to:
 See attached resolution(s)

VOTING:

Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
David Emery	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Carol Ingle	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input type="checkbox"/> AYE	<input checked="" type="checkbox"/> NAY	<input type="checkbox"/> Abstained

REASONS/CONDITIONS:

The benefit to the applicant does not outweigh the detriment to the neighborhood, therefore the variance is denied. The Board's decision is based upon the facts as presented during the Public Hearing as well as information received February 9 and March 9, 2015. Hardship is self-created. While there are other signs with similar setbacks, they are much less substantial in construction than the one being requested (and already erected). Sign was placed in its current location due to a mistake in measuring distance from the right-of-way by the installer. Applicant did not provide sufficient reasons or evidence to warrant the granting of this variance. The applicant can achieve the desired results within code. Granting this variance would create an undesirable precedent.

Certified By: _____
Chairperson, Zoning Board of Appeals

Date: _____

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Canandaigua Zoning Board of Appeals Resolution

SEQR Resolution Determination of Significance – TYPE II Action

FILE # CPN-008-15

APPLICANT: ONTARIO COUNTY SIGNS REPRESENTING WESTSIDE
PROFESSIONAL ASSOCIATES, 3200 WEST STREET

WHEREAS, The Town of Canandaigua Zoning Board of Appeals, hereinafter referred to as ZBA, has determined the above referenced Action to be a Type II under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations;

NOW, THEREFORE, BE IT RESOLVED that the ZBA in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Kelly LaVoie and seconded by Chairman Robinson at a regularly scheduled meeting of the ZBA held on Tuesday, March 17, 2015. Following discussion therein, the following roll call vote was taken and recorded:

<u>VOTING:</u>	Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Carol Ingle	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

I, Cheryl Berry, Secretary of the ZBA, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the Minutes of the Canandaigua ZBA for the March 17, 2015 meeting.

Cheryl Berry, Secretary of the ZBA