

RESOLUTION – Barkman Honey Interpretation
788 Old Dutch Road

DATE: 2-6-17
Appl. No. 3-Z-17

WHEREAS, an interpretation request by Daniel Jost of Barkman Honey, LLC, was received by the Secretary of the Zoning Board of Appeals on January 23, 2017, to determine if a small retail area within a honey processing and packaging building is a permitted use under the Victor Town Code §211-24 at 788 Old Dutch Road, which is in a light industrial zoned district.

WHEREAS, a Public Hearing was duly called for and published in “The Daily Messenger” on January 29, 2017, and whereby all property owners within 500 feet of the subject property were notified by U.S. Mail; and,

WHEREAS, this application is classified as a Type II action under the State Environmental Quality Review Act per Sections 617.5(c)(31) and therefore does not require further action; and,

WHEREAS, a Public Hearing was held on February 6, 2017, at which time _____ residents spoke *in favor/against* the requested use as being a permitted use; and,

WHEREAS, after reviewing the file, all of the testimony given at the February 6, 2017 Public Hearing of the Zoning Board of Appeals, and any and all evidence submitted by interested parties, after due deliberation, the Town of Victor Zoning Board of Appeals made the following findings:

FINDINGS

DECISION:

On motion made by _____, and seconded by _____:

NOW, THEREFORE BE IT RESOLVED, that the Town of Victor Zoning Board of Appeals determines that a small retail space will be a permitted use at 788 Old Dutch Road when it becomes a honey processing and packaging center, AND;

FURTHER

This resolution was put to a vote with the following results:

RESOLUTION – Six 50 – Monument Sign
7217 State Route 96

DATE: 2-6-17
Appl. No. 5-Z-17

WHEREAS, an application was received by the Secretary of the Zoning Board of Appeals on January 24, 2017 from Mauro Polidori, regarding 7235 Route 96 Inc. which is the corporation of the Six 50 restaurant located at 7217 State Route 96, Victor NY, requesting an area variance to place a monument sign with a 21 foot front setback, whereas §165-4B(6) states that the sign shall not be closer than 35 feet from the pavement of the public right-of-way; and,

WHEREAS, said application was referred by Alan Benedict, Code Enforcement Officer of the Town of Victor on the basis of the variance requested to the Town of Victor Code; and,

WHEREAS, a Public Hearing was duly called for and was published in "The Daily Messenger" on January 29, 2017 and whereby all property owners within 500 feet of the application were notified by U. S. Mail; and,

WHEREAS, the Ontario County Planning Board assigned the referral, ___-2016, as a _____ on _____, 2017 and returned it to the local board with a _____ recommendation of _____; and,

WHEREAS, this application is classified as a Type II action under the State Environmental Quality Review Act per section 617.5(c)(28) and therefore does not require further action; and,

WHEREAS, a Public Hearing was held on February 6, 2017 at which time _____ resident spoke *for/against* the application and one letter was received in favor of the application; and,

WHEREAS, after reviewing the file, the testimony given at the Public Hearing and after due deliberation, the Town of Victor Zoning Board of Appeals made the following findings of fact for the placement of a monument sign with a 21 foot front setback located at the Six 50 restaurant, 7217 State Route 96, Victor, NY 14564:

1. An undesirable change *would/would not* be produced in the character of the neighborhood or a detriment to nearby properties created by the granting of the area variance.

Justification:

2. The benefit sought by the applicant *can/cannot* be achieved by some method, feasible for the applicant to pursue, other than an area variance.

Justification:

3. The requested area variance *is/is not* substantial.

Justification:

4. The proposed variance *will/will not* have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Justification:

5. The alleged difficulty *is/is not* self-created. This consideration is relevant to the decision of the board, but shall not necessarily preclude the granting of the area variance.

NOW, THEREFORE BE IT RESOLVED that the application of Mauro Polidori, regarding 7235 Route 96 Inc. which is the corporation of the Six 50 restaurant located at 7217 State Route 96, Victor NY, requesting an area variance to place a monument sign 21 feet from the pavement of the right-of-way. BE *DENIED/APPROVED*:

AND BE IT FURTHER RESOLVED that the following conditions are imposed:

1. Building permits are required for work including, but not limited to, erecting structures, placing signs, pools, fences, mechanical systems, etc. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Planning and Building Department.

RESOLUTION–Valentown Plaza, Lot#3, 300 High St.
Extension of time for Building Permit

DATE: 2-6-17
Appl. No. 4-Z-17

WHEREAS, in a letter dated January 23, 2017 from BME Associates, on behalf of 46 North Ave. Associates, an extension of time was requested for a building permit for Valentown Plaza, Lot #3; and,

WHEREAS, Section 83-4I, Building Permit Time Limits, indicates that building permits shall become invalid unless the authorized work is commenced within six months following the date of issuance. Building permits shall expire 12 months after the date of issuance. A building permit which has become invalid or which has expired pursuant to this subsection may be renewed upon application by the permit holder for up to two twelve-month extensions upon payment of the applicable fee and approval of the application by the Code Enforcement Officer. Any extensions thereafter may only be granted by the Zoning Board of Appeals upon application and payment of applicable fee; and,

WHEREAS, two extensions have been granted by the Code Enforcement Officer;

NOW THEREFORE BE IT RESOLVED that the Town of Victor Zoning Board of Appeals grants an extension of time until _____ for building permit BP2015-0442 ((with a fee of _____))for the construction of a 24,704 square foot building shell at Valentown Plaza, Lot#3, 300 High Street, Victor, NY 14564.

RESOLUTION – 6405 Erica Trail
Two Side Setbacks

DATE: 2-6-17
Appl. No. 2-Z-17

WHEREAS, an area variance application was received by the Secretary of the Zoning Board of Appeals on January 23, 2017 from Ryan Homes of 1 Fisher Rd, Pittsford, NY requesting two lot line side setbacks of eight feet each in order to build a 50 foot wide house with one foot overhangs in a 70 foot wide lot at 6405 Erica Trail, Victor, NY, whereas the Planning Board Chairman signed the Ballerina Court Final Subdivision Plans, Phase 2 on July 28, 2016, and the Drawing Titles, Overall Plan and Plat Plan – Phase Two, each indicate a minimum lot side setback of ten feet; and,

WHEREAS, said application was referred by Alan Benedict, Code Enforcement Officer of the Town of Victor on the basis of the variance requested to the Town of Victor Code; and,

WHEREAS, a Public Hearing was duly called for and was published in "The Daily Messenger" on January 29, 2017 and whereby all property owners within 500 feet of the application were notified by U. S. Mail; and,

WHEREAS, this application is classified as a Type II action under the State Environmental Quality Review Act per Section 617.5(c)(12) and therefore does not require further action; and,

WHEREAS, a Public Hearing was held on February 6, 2017 at which time _____ resident spoke *for/against* the application; and,

WHEREAS, after reviewing the file, the testimony given at the Public Hearing and after due deliberation, the Town of Victor Zoning Board of Appeals made the following findings of fact for two lot line side setbacks of eight feet each at 6405 Erica Trail, Victor, NY 14564, whereas the Ballerina Court Final Subdivision Plans, Phase 2 indicates a minimum lot side setback of ten feet.

1. An undesirable change *would/would not* be produced in the character of the neighborhood or a detriment to nearby properties created by the granting of the area variance.

Justification:

2. The benefit sought by the applicant *can/cannot* be achieved by some method, feasible for the applicant to pursue, other than an area variance.

Justification:

3. The requested area variance *is/is not* substantial.

Justification:

4. The proposed variance *will/will not* have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Justification:

5. The alleged difficulty *is/is not* self-created. This consideration is relevant to the decision of the board, but shall not necessarily preclude the granting of the area variance.

NOW, THEREFORE BE IT RESOLVED that the application of Ryan Homes of 1 Fisher Rd, Pittsford, NY requesting two lot line side setbacks of eight feet each in order to build a 50 foot wide house with one foot overhangs in a 70 foot wide lot at 6405 Erica Trail, Victor, NY, whereas the Planning Board Chairman signed the Ballerina Court Final Subdivision Plans, Phase 2 on July 28, 2016, and the Drawing Titles, Overall Plan and Plat Plan – Phase Two, each indicate a minimum lot side setback of ten feet, BE *DENIED/APPROVED*:

FURTHER RESOLVED that the following conditions are imposed:

Building permits are required for work including, but not limited to, erecting structures, placing signs, pools, fences, mechanical systems, etc. No person shall commence any work for which a building permit is required without first having obtained a building permit from the Planning and Building Department.