

VICTOR ZONING BOARD OF APPEALS MEETING

MONDAY, MARCH 6, 2017

DRAFT RESOLUTION PACKET

*“Zoning Board of Appeals Draft Resolutions are in **draft** form and are subject to change prior to or during the public meeting. Additional information may be obtained in the Planning & Building Office.”*

TABLED PUBLIC HEARINGS

SIX 50 MONUMENT SIGN *(Tabled at the 2/6/2017 meeting)*
7217 State Route 96
Appl. No. 05-Z-2017 – Area Variance

Applicant is requesting a 21 foot front setback for a monument sign, whereas §165-4B(6) indicates that the sign shall not be closer than 35 feet from the pavement of the public right-of-way.

(draft resolution attached)

RESOLUTION – Six 50 – Monument Sign
7217 State Route 96

DATE: 3-6-17
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 as a Class 1, AR-1 on February 1, 2017, referral no. 28-2017, and returned it to the local board indicating they will make no formal recommendation to deny or approve the application; 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, Public Hearings were held on February 6, 2017 and March 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 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.