

VILLAGE OF HONOEYE FALLS ZONING BOARD OF APPEALS May 30, 2001

MEMBERS PRESENT: C. Harold Gaffin, Chairman **MEMBERS ABSENT:** Charlie Dekar
Henry Besanceney
James Hoh
Theresa Markham

ALSO PRESENT: James Turner, Village Code Enforcement Officer; Michael Mammano III,
Clinton Signs; John Weldon

Chairman Gaffin called the meeting to order at 7:35 p.m.

**PUBLIC HEARING : SIGN VARIANCE : 105 WEST MAIN STREET: DORSCHEL
AUTOMOTIVE**

Chairman Gaffin opened the public hearing at 7:36 p.m. The variance application was read, and the applicant signed affidavit. The application stated that Dorschel Automotive wished to erect a freestanding sign that would not be in compliance with side setback regulations. Mr. Mammano stated that the variance was requesting the sign be allowed to be 6 feet closer to the property line than permitted by code. Mr. Mammano stated that if the sign were to be placed in compliance with setback regulations, it would be in the middle of the dealership's driveway, and that the owners wished to put the sign in a non-trafficked area of the property. Mr. Mammano stated that the sign would be non-illuminated, would meet square footage requirements as per sign regulations. Mr. Mammano stated the side setback issue was the only area of non-compliance with the sign ordinance for this sign.

A discussion of design features and placement of the sign ensued. Ms. Markham noted the sign was to be placed perpendicular to West Main Street. Mr. Gaffin inquired if feedback was received from neighboring businesses regarding the proposed sign. Mr. Mammano stated that Clinton Signs had not solicited or received feedback, but was unsure if Dorschel had contacted neighbors regarding the proposed sign. Mr. Besanceney inquired as to how far the sign was set back from the front property line; Mr. Mammano stated it was approximately 30 feet from the front property line. Mr. Mammano stated that placement of the sign on the side of the lot was preferable to the front, as it would be in the middle of the parking lot, resulting in loss of parking spaces, and also would not provide enough visual appeal.

Mr. Gaffin inquired as to the expiration of the current sign ordinance regarding freestanding signs. Mr. Turner stated that the ordinance would expire in the year 2006, and eliminate freestanding signs. Mr. Gaffin suggested that the reasons for the sign variance be examined, with a possible outcome that a variance could be granted until 2006 when the ordinance would change.

Mr. Gaffin inquired if there were any comments from the public.

John Weldon, 84 West Main Street

Mr. Weldon examined the plans for the proposed sign.

**PUBLIC HEARING : SIGN VARIANCE : 115 WEST MAIN STREET : MOLYE
CHEVROLET/OLDS/BUICK**

As no representative was present from Molye, the Board reviewed the application for a variance from Molye to make a change to their existing freestanding front pole sign. Mr. Turner explained that the dealership wished to replace the existing panel in their sign with a similar one to include the word "Buick". The Board noted the application stated that the insert would be the same height and width as the existing panel. Mr. Besanceney noted that any changed to the sign would be temporary until 2006 when all signs

would have to be in compliance. Mr. Hoh noted that there was no substantive change to the sign, as the applicants proposed to change one panel for another of the same size. Mr. Turner noted that this application was consistent with a previously approved variance for a sign change by Dorschel Automotive.

Mr. Gaffin inquired if there were any additional comments from the public. As none were noted, the public hearing was closed at 7:48 pm.

ACTION ON THE PUBLIC HEARING ITEMS

Chairman Gaffin opened the regular business meeting at 7:49 p.m.

AREA VARIANCE : 105 WEST MAIN STRET : DORSCHEL

Mr. Hoh inquired if the sign would inhibit visibility for drivers upon exiting form the driveway. Mr. Turner stated that the 20' setback would provide sufficient visibility. Mr. Turner stated that the neighboring Canandaigua National Bank would have a clock in front of the building, but not a freestanding sign that would contribute to visual obstruction.

A discussion regarding the use of contingencies to allow for feedback from neighbors ensued. After much discussion, it was determined that contingencies were not necessary. A discussion of the changes in the sign ordinance in the year 2006 followed. Mr. Gaffin stated that the sign ordinance should standardize all business signs so as to avoid unfair competitive advantage. Mr. Hoh suggested the sign be reviewed in the year 2006 when the sign regulations would change. The Board also discussed the option of using halo lighting in future signs after the new sign regulations take effect.

WHEREAS, Dorschel Automotive and Clinton Signs, Inc. have applied to the Zoning Board of Appeals for a variance from the requirements for freestanding signs for property situated at 105 West Main Street in the Village; namely to allow relief from side setback requirements, and

WHEREAS, a public hearing was conducted on May 30, 2001 pursuant to public notice, and

WHEREAS, the Board after due consideration of the application and the applicant's presentation, finds that

1. The variance will not alter the character of the neighborhood
2. The variance is not substantial

NOW BE IT RESOLVED THAT the application for an area variance for the proposed sign be granted based upon the above, pursuant to plans received, with the stipulation that the variance will expire in the year 2006.

ROLL CALL VOTE:

Besanceney: AYE
Hoh: AYE
Markham: AYE
Gaffin: AYE

Motion unanimously carried.

SIGN VARIANCE : 115 WEST MAIN STREET : MOLYE

WHEREAS, Molye Chevrolet/Olds/Buick has applied to the Zoning Board of Appeals for a variance from the requirements for freestanding signs for property situated at 115 West Main Street in the Village; namely to allow alteration to a non-compliant sign, and

WHEREAS, a public hearing was conducted on April 23, 2001 pursuant to public notice, and

WHEREAS, the Board after due consideration of the application and the applicant's presentation, finds that

3. The variance will not alter the character of the neighborhood
4. The variance is not substantial

NOW BE IT RESOLVED THAT the application for an area variance for the proposed sign be granted based upon the above, pursuant to plans received.

ROLL CALL VOTE:

Besanceney: AYE
Hoh: AYE
Markham: AYE
Gaffin: AYE

APPROVE MINUTES

Motion by Henry Besanceney, seconded by Theresa Markham to approve the minutes as corrected.

Motion carried.

ADJOURN

Motion by Theresa Markham, seconded by Jim Hoh to adjourn the meeting at 8:15 p.m.

Motion carried, meeting adjourned.

Respectfully submitted,

*Sheila Coleman
Secretary, Zoning Board of Appeals*