

VILLAGE OF HONEOYE FALLS ZONING BOARD OF APPEALS August 29, 2011

MEMBERS PRESENT: Hank Besanceney, Mark Donahoe , Jim Hoh, Stephanie Tolan

MEMBERS ABSENT: Hal Gaffin

ALSO PRESENT: Maria & Jack Bolster, Ken Tomaszewski, Colleen Boyce

Acting Chair Donahoe called the meeting to order at 7:27 PM.

AREA VARIANCE: 17 N MAIN ST

Maria Bolster presented plans to erect a sign at her business (Fiberant Arts & Framing), located at 28 N. Main St. Discussion ensued on the purpose of the sign and various options for placement. Mrs. Bolster explained that the sign was previously on her business in Lima and she would like to use the same sign since it was custom designed for her business.

The proposed sign is 15 feet long. The maximum length allowed by code (based on building size) is 13 feet. Mrs. Bolster is asking for a variance of two feet (16%).

There were no comments from the public and Acting Chair Donahoe closed the public hearing at 7:37 PM.

SPECIAL EXCEPTION USE: 28 EAST ST

Kenneth Tomaszewski presented plans to open a nursery school at his 28 East St address. The building is currently used for one-to-one tutoring of older children and is therefore vacant during the day. They would like to open a nursery for 9-12 preschoolers (3-4 yr olds) between the hours of 9am and 12pm Monday-Friday. There will be two staff members.

Mr. Tomaszewski explained that, although the site was less than the required one acre, he felt it was adequate since the children would be indoors. He also stated that he had five off-street parking spaces available for the school.

There were no comments from the public and Acting Chair Donahoe closed the public hearing at 8:00 PM.

AREA VARIANCE: 17 N MAIN ST

Motion by Hank Besanceney, seconded by Jim Hoe, to grant a variance to allow the 15 foot sign.

ROLL CALL VOTE

- H. Besanceney – Aye
- M. Donahoe – Aye
- J. Hoh – Aye
- S. Tolan – Aye

ALL IN FAVOR, MOTION CARRIED, VARIANCE GRANTED

SPECIAL EXCEPTION USE: 28 EAST ST

Motion by Jim Hoe, seconded by Mark Donahoe, to grant a special exception use variance to allow the nursery school with the following contingency:

This variance is valid for one year only. Mr. Tomaszewski (or his agent) must return to the ZBA in August 2012 to review the variance.

ROLL CALL VOTE

- H. Besanceney – Aye
- M. Donahoe – Aye
- J. Hoh – Aye
- S. Tolan – Aye

ALL IN FAVOR, MOTION CARRIED, VARIANCE GRANTED WITH CONTINGENCIES

The Board filled out the Area Determination and the Special Exception Uses Worksheets (see attached).

Motion by Jim Hoe, seconded by Hank Besanceney, to adjourn the meeting at 8:18 PM.

ALL IN FAVOR, MOTION CARRIED

Meeting adjourned at 8:18 PM.

Village of Honeoye Falls
ZONING BOARD OF APPEALS
SPECIAL EXCEPTION USES DETERMINATION

Applicant/Owner:

Property Address:

Special Exception Use Requested:

In order for the ZBA to grant a special exception use, an applicant must prove that the special exception use will be in harmony with and promote the general purposes and intent of the Village Code as stated in chapter §190-2.

The Zoning Board made the following findings:

1. THE PLOT AREA **IS** **IS NOT** SUFFICIENT, APPROPRIATE AND ADEQUATE FOR THE USE AND REASONABLY ANTICIPATED OPERATION AND EXPANSION THEREOF. *EXPLAIN:*

2. THE PROPOSED USE **WILL** **WILL NOT** PREVENT THE ORDERLY AND REASONABLE USE OF ADJACENT PROPERTIES AND/OR DISTRICTS (*this includes providing of all required buffer yard screening as if it were an allowable use*). *EXPLAIN:*

3. THE SITE **IS** **IS NOT** SUITABLE FOR THE LOCATION OF SUCH USE IN THE COMMUNITY AND THE CHARACTERISTICS OF THE PROPOSED USE **ARE** **ARE NOT** SUCH THAT ITS PROPOSED LOCATION IS UNSUITABLY NEAR TO A CHURCH, SCHOOL, RECREATIONAL THEATER OR OTHER PLACE OF PUBLIC ASSEMBLY. *EXPLAIN:*

4. THE SPECIAL EXCEPTION USE **WILL** **WILL NOT** HAVE ANY ADVERSE PHYSICAL OR ENVIRONMENTAL EFFECTS ON THE NEIGHBORHOOD OR DISTRICT. *EXPLAIN:*

Zoning Board Decision: Based upon the above findings, the Zoning Board
GRANTS **DENIES** the area variance application.

Chairman Signature

Date