

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

**ALSO PRESENT:** Danny Bassette, Shirley Roeser, Marg Osterling, Andrew Embrosky, Brian Gibbs, Glenn Limburg, Julie Miller

Chair Besanceney called the meeting to order at 7:30 PM.

**SPECIAL EXCEPTION USE: 105 W. MAIN ST**

Mr. Gibbs and Mr. Embrosky (attorney for Mr. Gibbs) and presented an application for a Special Exception Use at 105 W. Main St. Mr. Gibbs would like to open an auto repair business which will also sell used cars. Mr. Embrosky explained that their project 40-50 cars for repair at any one time and no more than 75 used cars for sale.

They are not expecting marked increase in traffic during business hours as most cars for repair will be dropped off late at night or in the early morning. The hours of operation will be 7:00 AM until 9:00 PM Monday-Friday and 9:00 AM until 5:00 PM on Saturdays. They will not be open on Sunday.

The property currently has two driveways. Chair Besanceney asked if Mr. Gibbs would be willing to make one drive an entrance only and the other an exit only. Mr. Gibbs said he would be willing to do this with the eastern driveway as an entrance and the western driveway as an exit.

Chair Besanceney opened the discussion to the public at 8:00 PM. One resident spoke in favor of the plan. There were no additional comments and Chair Besanceney closed the public hearing at 8:03 PM.

**AREA VARIANCE: 48 MONROE ST**

Mr. Limburg and Ms. Miller presented an application to extend their 6' privacy fence by 20' so it is flush with the front end of their deck. There is an existing fence which they will remove to install the new fence.

The deck is approximately 2' from grade so this section of the fence will be 8' high.

Chair Besanceney opened the discussion to the public at 8:12 PM. There were no comments and the public hearing was closed.

**SPECIAL EXCEPTION USE: 105 W. MAIN ST**

Motion by Jim Hoh, seconded by Mark Donahoe to grant the Special Exception Use with the following contingencies:

- The eastern driveway (next to CNB) will be used as an entrance only and the western driveway (next to Molye) will be used as an exit only.
- Your business will be open no later than 9:00 PM Mon-Fri and 6:00 PM on Saturdays.
- There will be no more than 50 cars at a time on the lot waiting for repairs.
- You will replace the pavement in the front of the building with greenspace.
- This approval must be reviewed in 12 months. It is your responsibility to contact the ZBA for this review.

**ALL IN FAVOR, MOTION CARRIED, SPECIAL EXCEPTION USE GRANTED**

**AREA VARIANCE: 48 MONROE ST**

Motion by Mark Donahoe, seconded by Stephanie Tolan to grant a variance to extend the fence 20' to the front edge of the deck and return back to the house for a maximum of 8'.

**ALL IN FAVOR, MOTION CARRIED, SPECIAL EXCEPTION USE GRANTED**

The Board filled out the Area Determination Worksheet (see attached).

Motion by Stephanie Tolan, seconded by Jim Ho to adjourn the meeting at 9:45 PM.

**ALL IN FAVOR, MEETING ADJOURNED at 8:40 PM.**

Respectfully submitted,  
Judi Barrett, Clerk

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

Village of Honeoye Falls  
ZONING BOARD OF APPEALS  
AREA VARIANCE DETERMINATION

Applicant/Owner:  
Property Address:  
Zoning Ordinance(s):  
Variance(s) Requested:

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

The Zoning Board made the following findings:

1. **THE BENEFIT SOUGHT BY THE APPLICANT**    **CAN**    **CANNOT** BE ACHIEVED BY OTHER FEASIBLE MEANS.  
**EXPLAIN:**
  
  
  
  
  
  
  
  
  
  
2. **GRANTING OF THE VARIANCE**    **WILL**    **WILL NOT** PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES. **EXPLAIN:**
  
  
  
  
  
  
  
  
  
  
3. **THE REQUESTED VARIANCE**    **IS**    **IS NOT** SUBSTANTIAL. **EXPLAIN:**
  
  
  
  
  
  
  
  
  
  
4. **THE VARIANCE**    **WILL**    **WILL NOT** HAVE ANY ADVERSE PHYSICAL OR ENVIRONMENTAL EFFECTS ON THE NEIGHBORHOOD OR DISTRICT. **EXPLAIN:**
  
  
  
  
  
  
  
  
  
  
5. **THE ALLEGED DIFFICULTY**    **WAS**    **WAS NOT** SELF-CREATED. **EXPLAIN:**

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

\_\_\_\_\_  
Chairman Signature

\_\_\_\_\_  
Date