

ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS & DECISION

Applicant: Mary Herbert

Appeal Concerns Property at the following address:

11380 Main St. Medina, NY 14103

County Tax Map Section: Block Lot

Zoning District Classification: Hamlet

Application No. AV- 15-2

Date of Application: 7-8-15
(Postmarked or Hand Delivered)

Date of Public Hearing: 8-4-15

Date notice Published: 7-28-15

Date of County Referral: N/A

Date of Final Action: 8-4-15

Date of Filing Decision with the
Municipal Clerk: 8-5-15

Requirements for which Variance is Requested:

B&B sign not to exceed 2’x2’

Applicable Section of Town Zoning Code: 705 F

TEST: No area variance will be granted without a consideration by the board of the following factors:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: YES NO **X**
Reasons: **Proposed sign of 3x4 is in character with home-nicely done.**
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance:
YES NO **X**
Reasons:
3. Whether the requested variance is substantial: YES **X** NO
Reasons: **A variance of 8 sq. ft is requested. Only 4 sq. ft is allowed.**
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: YES NO **X**
Reasons: **Proposed signage will have no detriment.**
5. Whether the alleged difficulty was self-created: YES **X** NO
Reasons:

DETERMINATIONS OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, find that:

_____ the benefit to the Applicant DOESNOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

___**X**___ the benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community

Reasons: **The proposed signage will be an asset to the community.**

The ZBA further finds that a variance of **8 sq. ft** from section **705 F** of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because.

Any signage larger would be out of character with the area.

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impact upon the neighborhood or community, for the reasons following:

Condition NO. 1: **Any lighting be so as to not shine off premises.**

Adverse impact to be minimized: **Lights shining off site.**

Condition No. 2:

Adverse impact to be minimized:

Craig C Lacy
Chairman, Zoning Board of Appeals

08/04/15
Date

RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	Craig	X	
Secretary	Patti	X	
Member	Thurston	X	
Member	Larry	X	