

RESOLUTION – Taco Bell – Monument sign
7457 State Route 96

DATE: 1-22-13
Appl. No. 1-Z-13

WHEREAS, an application was received by the Secretary of the Zoning Board of Appeals on January 3, 2013 requesting an area variance to allow a monument sign which allows changeable copy; and,

WHEREAS, said application was referred by Alan Benedict, Code Enforcement Officer of the Town of Victor on the basis that the freestanding monument sign may only identify the name of the building or plaza, but does not identify any specific business; and,

WHEREAS, a Public Hearing was duly called for and was published in "The Daily Messenger" on January 11, 2013 and whereby all property owners within 500 feet of the application were notified by U. S. Mail; and,

WHEREAS, a Public Hearing was held on January 22, 2013 at which time ____ one spoke against the application; and,

WHEREAS, the Ontario County Planning Board referred the application back to the referring agency on January 22, 2013 recommending denial; 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:

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 Indus KFNY, Inc., 1170 Pittsford-Victor Road, Pittsford, New York, for an area variance to the Sign Code to allow a freestanding monument sign to include changeable copy whereas monument signs shall only

identify the name of the building or plaza, BE approved/denied; and, be it

FURTHER RESOLVED that the following conditions are imposed to minimize any adverse impact such variance may have on the neighborhood or community: