

VILLAGE OF SPRINGVILLE  
MINUTES OF THE MEETING OF ZONING BOARD OF APPEALS

May 27, 2015

7:00 P.M.

A meeting of the Zoning Board of Appeals of the Village of Springville was held at the Municipal Building, 65 Franklin Street, Springville, New York at the above date and time. Present were:

Chairwoman:	Sue Owen
Members:	Christine Greene Joe Wolniewicz (absent) Timothy O'Neal David Guadagna
Also Present:	Mike Kaleta, CEO/Building Inspector Alice Roth
Clerk:	Kellie Grube

Zoning Board Chairwoman Sue Owen called the meeting to order at 7:04 p.m. for a Public Hearing this evening. This Public Hearing is to hear the petition of Z & M Ag and Turf, SBL 336.10-1-4, 336 Vaughn St., Springville, New York, **File #7376** for an Area Variance for signage in a R8.5 Zoning District.

Applicable section for File #7376 of the Village Code is Section 200- 33B, other than home occupation and home professional office, businesses lawfully operating in a residential district may be permitted to have a single mounted sign. Such signs shall not exceed 12 square feet in area and may only be illuminated indirectly.

At 7:07 pm Chairwoman Owen opened the Public Hearing.

Notification for the Town of Concord and Erie County Planning was not required. All other public notifications were completed and this Public Hearing announcement was published in the Springville Journal.

Chairwoman Sue Owen asked CEO/ Building Inspector Mike Kaleta to explain what the applicant wanted to do as far as the size and placement of the signs that Z & M are seeking the area variance for.

Mr. Kaleta stated that the applicants would like to have various dealer signs as well as the actual Z & M Ag and Turf sign on the building. He said that a 3 x 6 feet "Stihl" sign, a 3 x 6 feet "Honda Power Products" sign, one possibly two, 4 x 4 feet "John Deere" signs and finally a 2 x 12 feet "Z & M Ag and Turf" sign would be on the building. The big Z & M Ag and Turf sign would be placed over the front customer entryway and have gooseneck lights hanging over it. The other signs would be lit internally and would be spaced evenly along the building, Mr. Black said in a letter to Mr. Kaleta that most likely the signs would be placed above each window.

Chairwoman Sue Owen declared the SEQR for File #7376 a Type II requiring no further action.

The Zoning Board, after some more discussion, decided to go over the factors considered when decision making for an Area Variance. They need to make sure that they have sufficient documentation to support the factors considered:

At this time, Chairwoman Sue Owen closed the Public Hearing to go into Board discussion. After a little discussion, the Zoning Board went over the factors considered in their decision:

**FACTORS CONSIDERED:**

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes \_\_\_ No x
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes \_\_\_ No x
3. Whether the requested variance is substantial: Yes \_\_\_ No x
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes \_\_\_ No x
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals but shall not necessarily preclude the granting of the area variance: Yes x No \_\_\_

**DETERMINATION OF THE ZONING BOARD of APPEALS BASED ON THE ABOVE FACTORS:**

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

The applicant has proved unnecessary hardship through the application of the tests required by the state statues. Therefore the variance request is approved.

MEMBER NAME	RECORD OF VOTE		
	AYE	NAY	NO VOTE
SUE OWEN	<u>  x  </u>	<u>      </u>	<u>      </u>
JOE WOLNIEWICZ	<u>      </u>	<u>      </u>	<u>  Absent  </u>
TIMOTHY O'NEAL	<u>  x  </u>	<u>      </u>	<u>      </u>
CHRISTY GREENE	<u>  x  </u>	<u>      </u>	<u>      </u>
DAVE GUADAGNA	<u>  x  </u>	<u>      </u>	<u>      </u>

Lastly, Chairwoman Sue Owen asked for a motion to approve the minutes from the February 4, 2015 meeting. Dave Guadagna made the motion, seconded by Tim O'Neal. All in favor, none opposed.

At 7:32 p.m. Chairwoman Owen asked for a motion to adjourn the meeting.

Respectfully Submitted,

Kellie R. Grube

