

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

August 15, 2018

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:

Chairman:	Joe Wolniewicz
Members:	Timothy O'Neal Kate Moody Jamie Raynor Marc Gentner
Also Present:	Mike Kaleta, CEO/Building Inspector Alan Chamberlin, Trustee Olivia Emerling Sandy Emerling
Clerk:	Kellie Grube

Chairman Wolniewicz called the meeting to order at 7:03 p.m. to hear the petition of ECHO Property Management, 116 Barnstead Dr., Springville, New York, **File #8557** for an Area Variance.

Due to the applicant's property being located within a RM Zoning District, the applicable section for File #8557 of the Village Code is § 200-33.

**§ 200-33 Sign Regulations-Residence Districts**

**B. Other than home occupation and home professional office, businesses lawfully operating in a residential district may be permitted to have a single building-mounted sign. Such signs shall not exceed 12 square feet in area and may only be illuminated indirectly.**

At 7:04 pm Chairman Wolniewicz opened the Public Hearing.

Chairman Wolnowicz asked who was present on behalf of the applicants. Miss Olivia Emerling was on hand to answer any questions the Zoning Board of Appeals may have. Ms. Emerling explained that the sign would be at the entrance of the apartments opposite of the mailboxes. Ms. Emerling had also supplied a picture of the proposed sign. The sign is 32 sqft. in area and in this particular Zoning the allowed signage is to have a single building mounted sign that does not exceed 12 sqft. The property owners located at 34 Barnstead Ave. have recently acquired an Area Variance for a sign similar to this proposed sign.

Chairman Wolniewicz closed the Public Hearing to go into Board discussion.

After some discussion, Chairman Wolniewicz declared the SEQR for File #8557 a Type II requiring no further action; therefore a negative declaration was determined.

At this time, the Zoning Board of Appeals 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(5)
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes \_\_\_ No x(5)
3. Whether the requested variance is substantial: Yes x(5) No \_\_\_
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes \_\_\_ No x(5)
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(5) 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 benefit to the applicant DOES outweigh the detriment to the neighborhood or community. With keeping in mind that the Variance is within the character of the neighborhood and doesn't impact the environment, the variance request is approved.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	NO VOTE
JOE WOLNIEWICZ	<u>  x  </u>	_____	_____
TIMOTHY O'NEAL	<u>  x  </u>	_____	_____
KATE MOODY	<u>  x  </u>	_____	_____
JAMIE RAYNOR	<u>  x  </u>	_____	_____
MARC GENTNER	<u>  x  </u>	_____	_____

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With there being no other Public Hearings this evening, Chairman Wolniewicz asked the Members if there were any changes or concerns with the July 11, 2018 minutes. It was noted that there were some corrections that had to be made and as of this time have been done and updated. There was discussion also of the possibility of changing some of the Code and requirements per Zoning District regarding signage. Chairman Wolniewicz presented what he would like to see. CEO Mike Kaleta has some information that he will put together to share with the Zoning Board of Appeals to help them decide what it is they would like to see regarding signage. At this time, a motion was made to table their discussion regarding signage to next month's meeting, all in favor, none opposed. This will allow them some time to review the information that Mr. Kaleta sends them.

Chairman Wolniewicz asked for a motion to accept the July 11, 2018 minutes with corrections. Member Marc Gentner made the motion, seconded by Jeremy Raynor. All in favor, none opposed.

At 7:41 p.m. Chairman Wolniewicz made a motion to adjourn the meeting. All in favor, none opposed. Meeting adjourned.

Respectfully Submitted,

Kellie R. Grube