

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

December 12, 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 Angela Shaver
Clerk:	Kellie Grube

Chairman Wolniewicz called the meeting to order at 7:02 p.m. to hear the petition of Ang Shaver, 500 S. Cascade Dr., Springville, New York, **File #8649** for an Area Variance.

Due to the applicant's property being located within a CIP Zoning District, the applicable section for File #8649 of the Village Code is **§ 200 Article VIII Sign Regulations, § 200-30, 31 & 32.**

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

Chairman Wolniewicz asked Ms. Shaver, who was present, to come up and explain her request. This same day, Ms. Shaver provided drawings and paperwork to CEO/Building Inspector Mike Kaleta. Due to this, the Zoning Board of Appeals needs to review all provided paperwork at this time. They need to determine if the signage that is already in existence on the barn is included in the overall total of allowed signage or not. The new proposed sign is 18'-6" x 8' equaling 148 sqft. in area. The opening isn't that big though, the 10 x 10 frame posts can be subtracted. This would take the sign to 17'-8" x 8' equaling 142 sqft in open area on pylon. As far as the sign height goes, it is 18'-6" plus 3' equaling 21'-6", 25 feet is what is allowed in this particular Zoning. This should allow 3' clear at the ground. The sign on the barn's side is approximately 7 x 7, equaling approximately 49 sqft. The Zoning Board of Appeals did agree that there are signs in the vicinity that do exceed what this applicant is requesting.

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

After some discussion, Chairman Wolniewicz declared the SEQR for File #8649 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 \_\_\_ No x(5)
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 variances for:

1. Has 142 sqft on pylon sign, 65 feet is what is allowed.
2. Allowed 2 sqft/linear feet of building (70') for a total of 140 sqft. Applicant has 142 sqft from new sign and sign on the building is 49 sqft for a total variance of 191 sqft.

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>	_____	_____

With there being no other Public Hearings this evening, Chairman Wolniewicz asked the Members if there were any changes or concerns with the October 10, 2018 minutes. With there

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being none, Chairman Wolniewicz asked for a motion to approve the minutes. Member Jamie Raynor made the motion, seconded by Member Marc Gentner. All in favor, none opposed.

At 7:45 p.m., Chairman Wolniewicz asked for a motion to adjourn the meeting. Member Tim O'Neal made the motion, seconded by Member Jamie Raynor. All in favor, none opposed. Meeting adjourned.

Respectfully Submitted,

Kellie R. Grube