PLEASE TAKE NOTICE that a Public Hearing was held at the Penfield Town Hall Monday, May 14, 2007 at 7:00 PM local time by the Penfield Zoning Board of Appeals to consider the following applications. All persons in favor of or opposed to said applications were heard.

Public Hearing applications:

1. Gary Gokey, 2181 Carter Road, Fairport, New York 14450 requests an Area Variance from Article III-3-35-B of the Code to allow a second garage at 2181 Carter Road. The property is owned by Rachel and Gary Gokey and is zoned RR-1. SBL # 140.02-1-25.14. Application # 07Z-0019.

   **Withdrawn**


   **Approved with Conditions**

3. Gregory Ugine, 612 Embury Road, Rochester, New York 14625 requests an Area Variance from Article III-3-37-A of the Code to allow an existing shed with less setback at 612 Embury Road. The property is owned by Gregory and Erin Ugine and is zoned R-1-20. SBL #108.12-2-85. Application #07Z-0022.

   **Approved with Conditions**

4. Paul Bardanis, 22 Woodfield Drive, Webster, New York 14580 requests an Area Variance from Article III-3-35-F of the Code to allow an existing basketball court with less setback at 22 Woodfield Drive. The property is owned by Paul and Joan Bardanis and is zoned R-1-20. SBL #093.20-1-53.111. Application # 07Z-0027.

   **Approved with Conditions**

5. Steven Carini-Carini Engineering Designs, P.C., 6800 Pittsford-Palmyra Road, Fairport, New York 14450 on behalf of House of Prayer Ukrainian Pentecostal Church requests an Area Variance from Article III-3-37-I and Article IV-4-2-F of the Code to allow a church with less setback and buffer at 3768 Atlantic Avenue. The property is owned by Betty and Stepan Babchuk and is zoned RA-2. SBL #111.03-1-11.2. Application # 07Z-0017.

   **Setback Variance- Approved with Conditions**
   **Buffer Variance- Approved with Conditions**

6. Robert Keiffer-FRA Engineering PC, 530 Summit Point Drive, Henrietta, NY 14467 on behalf of Richard Gollel requests an Area Variance from Article III-3-73-C and Article IV-4-2-A of the Code to allow the construction of two (2) commercial buildings with less setback and buffer at 1 Self Storage Way. The property is owned by Ridgeway Development Corp and is zoned LB. SBL #093.15-1-2.113. Application #07Z-0012.

   **Setback Variance- Approved with Conditions**
   **Buffer Variance- Approved with Conditions**
7. Jin Lian Lin-Joy Luk Restaurant, 1601 Penfield Road, Rochester, New York 14625 requests a Conditional Use Permit under Article X-10-4 from Article III-3-77-A of the Code to allow the continued operation of a restaurant at 1601 Penfield Road. The property is owned by DDR Panorama Plaza LLC and is zoned GB. SBL #138.08-1-2. Application # 07Z-0023.

    Approved with Conditions

8. William Wickham-Wickham Farms, 1276 School Road, Victor, New York 14564 requests a Special Permit for Signage under Article VII-7-3 from Article VII-7-15-B of the Code to allow greater signage at 1821 Fairport Nine Mile Point Road. The property is owned by William Wickham and is zoned RA-2. SBL #125.01-1-25.3. Application #07Z-0025.

    Denied

9. David Bast, 729 Mariner Circle, Webster, New York 14580 requests a Special Permit for Signage under Article VII-7-3 from Article VII-7-12-B and Article VII-7-12-E of the Code to allow greater signage with less setback at 1181 Bay Road. The property is owned by David and Amy Bast and is zoned LB. SBL #093.11-1-45. Application #07Z-0026.

    Larger Sign - Approved with Conditions
    Less setback - Approved with Conditions

10. Anthony Tsymbal, 518 Apple Orchard Lane, Webster, New York 14580 requests a Conditional Use Permit under Article X-10-4 from Article III-3-77-A of the Code to allow a restaurant at 1217 Bay Road. The property is owned by Snapfinger, Wood Medical Building, LLC and is zoned GB. SBL #093.11-1-53. Application #07Z-0024.

    Adjourned

11. Amerigas, 2256 County Rte 8, Oswego, New York 13126 request a Special Permit for Outside Storage and Display under Article IV-4-24-B of the Code to allow a Propane Exchange Vending Machine at 750 Panorama Trail South. The property is owned by Home Depot USA Inc and is zoned GB. SBL # 138.08-1-41.1. Application # 07Z-0028.

    Adjourned

12. John Orlando-Costich Engineering, P.C., 217 Lake Avenue, Rochester, New York 14608 on behalf of Pepper Ridge Associates, LLC requests an Area Variance from Article III-3-37-D and Article IV-4-7-D of the Code to allow the development of two lots with less lot depth and width and a private roadway with more than 6 lots at Preston Park Subdivision. The property is owned by Pepper Ridge Associates, LLC and is zoned R-1-15. SBL #139.07-3-1.1. Application #07Z-0021.

    Less Lot width on lot 1 - Tabled
    Less Lot depth on lot 1 - Tabled
    Less Lot depth on lot 2 – Tabled
    Private Roadway with more than 6 single-family residences - Tabled

Tabled applications:

1. Edwin Summerhays, 2509 Browncroft Blvd, Rochester, NY 14625 on behalf of Oakwood Cemetery Association requests an Area Variance from Article III-3-37-I and Article IV-4-2-F of the Code to allow the construction of a Mausoleum with less setback and buffer than required by Code at 1975 Baird Road. The property is owned by Oakwood Cemetery Association and is zoned R-1-20. SBL #124.15-2-1. Application #07Z-0009. Approved with Conditions

2. Andrew Spencer-BME Associates, 10 Lift Bridge Lane, Fairport, NY 14450 on behalf of Michael Sullivan requests an Area Variance from Article III-3-37-73-Bof the Code to allow a convenience mart with gasoline sales at 480 Plank Road. The property is owned by John Marcello and zoned LB. SBL # 093.19-1-46. Application # 07Z-0018.

    Approved with Conditions