

**PENFIELD ZONING BOARD OF APPEALS
NOTICE OF DECISIONS**

PLEASE TAKE NOTICE that a Public Hearing was held on Thursday, November 18, 2021, immediately following a work session meeting commencing at 6:30 PM local time by the Penfield Zoning Board of Appeals to consider each of the following applications. The Board's decisions are as follows:

Public Hearing Applications:

1. Amy Catalano/Vital Signs, 764 Ridge Road, Webster, NY, 14580 on behalf of Genesee Valley Physical Therapy requests approval for a Special Use Permit for signage under Section 250-10.3-A of the Code to allow a second building-mounted sign whereas a maximum of one building-mounted sign is permitted under Section 250-10.13-C of the Code at 2200 Penfield Road. The property is currently or formerly owned by Penn Fair Plaza, LLC and is zoned GB. SBL #140.01-1-3.1. Application #21Z-0057.

TABLED

2. Craig D. Smith, 1174 Penfield Center Road, Penfield, NY, 14526 requests Area Variances under Section 250-14.3 of the Code to allow a second accessory storage building whereas a maximum of one accessory storage building is permitted under section 250-5.1-D (4) of the Code that is also taller than permitted under Section 250-5.1-F (12) (c) of the Code at 1174 Penfield Center Road. The property is currently or formerly owned by Craig & Judy Smith and is zoned RR-1. SBL #110.01-1-68.1. Application #21Z-0058.

APPROVED WITH CONDITIONS

3. Kenneth Feicht, 4 Tall Tree Drive, Penfield, NY, 14526 requests an Area Variance under Section 250-14.3 of the Code to allow a larger accessory storage building than permitted under Section 250-5.1-F (12) (a) of the Code at 4 Tall Tree Drive. The property is currently or formerly owned by Kenneth & Mary Feicht and is zoned R-1-15. SBL #109.03-1-166. Application #21Z-0059.

APPROVED WITH CONDITIONS

4. Antonia & Alexander Poggi, 3839 Lake Avenue, Rochester, NY, 14612 request approval for a Conditional Use under Section 250-13.3 and Section 250-5.6-C (1) (a) of the Code to allow the operation of a restaurant (Capone's Bar & Italian Eatery) at 1517 Empire Boulevard. The property is currently or formerly owned by Josephine Joan DiVincenzo Living Trust and is zoned LB. SBL #108.06-1-5. Application #21Z-0060.

APPROVED WITH CONDITIONS

5. Peter Vars P.E./BME Associates, 10 Lift Bridge Lane East, Fairport, NY, 14450 on behalf of Luis Ribeiro requests an Area Variance under Section 250-14.3 of the Code to allow a greater density of residential units per acre than allowed under Section 250-5.12-I (1) of the Code

relating to the proposed development of Lot 3 (300 YMCA Way) and Lot 4 (100 YMCA Way) of the Penfield Square Mixed Use Development. The properties proposed for development are currently or formerly owned by Penfield Sq III, LLC and Penfield Sq IV, LLC and are zoned MUD. SBL #125.01-1-25.33 & #125.01-1-25.34. Application 21Z-0061.

WITHDRAWN BY APPLICANT

6. Jessica Rapach, 8 Scarborough Park, Rochester, NY, 14625 requests approval for a Special Use Permit for signage under Section 250-10.3-A of the Code to allow (2) subdivision identification signs within the right-of-way and with less setback then required under Section 250-10.16-B of the Code. The signs are proposed to be located at the entrances to the Piccadilly Park subdivision within the right-of-way adjacent to the properties located at 1620 Qualtrough Road and 1617 Scribner Road. The right-of-way is owned by the Town of Penfield and is located within the R-1-20 zoning district. Application #21Z-0062.

APPROVED WITH CONDITIONS

7. Jerry A. Goldman, Esq./Woods Oviatt Gilman, LLP, 1900 Bausch & Lomb Place, Rochester, NY, 14604 on behalf of WOVE, LLC requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.7-C (k) of the Code to allow the operation of a vehicle rental business (Avis Car Rental) at 1855 Empire Boulevard. The property is currently or formerly owned by WOVE, LLC and is zoned GB. SBL #093.11-1-36.1. Application #21Z-0063.

APPROVED WITH CONDITIONS

Amy Steklouf
Town Clerk, RMC/CMC