



TOWN OF PENFIELD

3100 Atlantic Avenue, Penfield, NY 14526-9798

ZONING BOARD OF APPEALS AGENDA

Thursday, March 17, 2022 6:30 PM

Daniel DeLaus, Chairman presiding

Marie Cinti, Town Board Liaison

- I. Call to Order
- II. Approval of Minutes – February 17, 2022
- III. Work Session
- IV. Tabled Applications:
 1. Application 21Z-0057
2200 Penfield Road
Amy Catalano/Vital Signs
 2. Application 22Z-0005 - WITHDRAWN
3825 Atlantic Avenue
David Garritano
- V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
 1. Application 22Z-0013
1601 Penfield Road
Kimberly Krisher/Abundant Flowers, Inc
 2. Application 22Z-0014
1766 Empire Boulevard
Amira Smajlovic
 3. Application 22Z-0015
260 Embury Road
Arnold Smeenk/Smeenk Family Foundation, Inc.
 4. Application 22Z-0016
2140 Fairport Nine Mile Point Rd
Jeff Arnold/Splash Car Wash Fairport, LLC
- VI. Executive Session
- VII. Next Meeting: Thursday, April 21, 2022
- VIII. Adjournment

*This meeting will be video recorded and broadcast LIVE via the town's website www.penfield.org
and the Town's Government Access Cable Channel 1303
Questions regarding video coverage contact Penfield TV at (585) 340-8661.*

**A NOTICE OF PUBLIC HEARING, PENFIELD ZONING BOARD OF APPEALS
LEGAL NOTICE WITH TABLED MATTERS**

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, March 17, 2022, immediately following a work session meeting commencing at 6:30 PM local time. The board will discuss tabled matters and other business that may come before it during the work session, followed by a Public Hearing to consider each of the following applications.

Public Hearing Applications:

1. Kimberly Krisher/Abundant Flowers, Inc. 295 Lake Road, Ontario, NY, 14519 requests a recommendation of approval for the issuance of an Itinerant Vendor License under Section 162-6-E (1) (b) and Section 162-6-E (2) of the Code to allow the sales of potted flowers, vegetables, and herbs at 1601 Penfield Road. The property is currently or formerly owned by Penfield TK Owner, LLC and is zoned GB. SBL #138.08-1-2./PLZA. Application #22Z-0013.
2. Amira Smajlovic, 21 Black Duck Trail, Rochester, NY, 14626, requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.7-C (1) (a) of the Code to allow the operation of a restaurant (Billy's Homestead) at 1766 Empire Boulevard. The property is currently or formerly owned by Ranchick Corp and is zoned GB. SBL #093.15-1-54. Application #22Z-0014.
3. Arnold Smeenk/Smeenk Family Foundation, Inc., 3 Nightingale Woods, Fairport, NY, 14450 on behalf of the Rochester Christian School requests approval for the modification of a Conditional Use under Section 250-13.3 and Section 250-5.1-E (1) (k) of the Code to allow the construction of a replacement classroom addition at 260 Embury Road. The property is currently or formerly owned by Rochester Christian School, Inc. and is zoned R-1-20. SBL #108.11-1-1.1. Application #22Z-0015.
4. Jeff Arnold/Splash Car Wash Fairport, LLC, 472 Wheelers Farm Road, Milford, CT, 06461 requests approval for an Area Variance under Section 250-14.3 of the Code to allow a building addition with less front setback than required under Section 250-5.7-D (3) of the Code and approval for a Special Use Permit for signage under Section 250-10.3-A of the Code to allow signage with greater graphics, trademarks and logos than allowed under Section 250-10.11-E of the Code, more building signage than allowed under Section 250-10.13-C of the Code with greater total sign area than allowed under Section 250-10.13-B of the Code, a larger freestanding sign than allowed under Section 250-10.12-B (1) of the Code and larger traffic control signs than allowed under Section 250-10.17 of the Code at 2140 Fairport Nine Mile Point Road. The property is currently or formerly owned by Splash Holdings CC, LLC and is zoned GB. SBL #140.01-2-5.1. Application #22Z-0016.

Tabled Matters:

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.

2. David Garritano, 3825 Atlantic Avenue, Fairport, NY, 14450 requests an Area Variance under Section 250-14.3 of the Code to allow a larger detached garage than permitted under Section 250-2.2 of the Code at 3825 Atlantic Avenue. The property is currently or formerly owned by David Garritano and is zoned RA-2. SBL #111.03-1-16. Application #22Z-0005.

Please contact the Building and Zoning Department with any questions or concerns.

Amy Steklof
Town Clerk, RMC/CMC