

T E N T A T I V E A G E N D A
BOARD OF APPEALS - TOWN OF BRIGHTON
MARCH 5, 2014

7:15 P.M.

CHAIRPERSON: Call the meeting to order.
 Announce location of exits and that the building is equipped with an alarm.

SECRETARY: Call the roll.

CHAIRPERSON: Approve the minutes of the February 5, 2014 meeting.

CHAIRPERSON: Announce that the public hearings as advertised for the BOARD OF APPEALS in the Brighton Pittsford Post of February 27, 2014 will now be held.

12A-04-13 Application of Buckingham Properties LLC, property manager, and 2600 Elmwood LLC, owner of property located at 2600 Elmwood Avenue, for 1) modification of a Use Variance (5A-07-97) to allow for frozen yogurt sales and a short order eatery in conjunction with bagel sales, and 2) modification of an Area Variance (5A-08-97) allowing for the continuation of less parking than that as required by code with a change in restaurant use as described in 1 above. All as described on application and plans on file. **1) Modification of Use Variance - Frozen Yogurt sales - Approved with conditions at the 2/05/14 meeting, Short Order Eatery - Tabled at the 2/05/14 meeting - Public hearing remains open, 2) Modification of Area Variance - Approved with conditions at the 2/05/14 meeting.**

1A-02-14 Application of Tops Markets, LLC, lessee, and DiMarco Group, owner of property located at 1900 South Clinton Avenue, for a Sign Variance from Section 207-32B(2) to allow for 319.88 sf of business identification signage in lieu of the maximum 150 sf allowed by code. All as described on application and plans on file. **POSTPONED TO THE MARCH 5, 2014 MEETING AT APPLICANTS REQUEST**

1A-03-14 Application of Joseph O'Donnell, architect, and Sherry Dampier, owner of property located at 3176 Elmwood Avenue, for Area Variances from Section 205-2 to 1) allow an addition to extend 4.48 ft. into the existing 14.48 ft. side setback (south side) where a 19.8 ft. side setback is required by code, and 2) allow a garage addition to extend 11.8 ft. into the 19.8 ft. side setback (north side) required by code and 5 ft. into the 40 ft. front setback required by code. All as described on application and plans on file. **TABLED AT THE FEBRUARY 5, 2014 MEETING - PUBLIC HEARING REMAINS OPEN**

1A-04-14 Application of FCJE Holdings, LLC, applicant, and Max M. Farash Land Co., LLC By Max M. Farash Declaration in Trust, owner of property located at 447 French Road, for a Use Variance from Section 201-13D(1) to allow for the construction of a driveway that will serve a principle building not located in the Town of Brighton (fully located in the Town of Henrietta) where not allowed by code. All as described on application and plans on file. **POSTPONED FROM THE FEBRUARY 5, 2014 MEETING AT APPLICANTS REQUEST**

- 2A-03-14 Application of New Cingular Wireless PCS, LLC, (AT&T) lessee, and Our Lady of Lourdes Church, owner, of property located at 166 Rhinecliff Drive, for 1) an Area Variance from Section 207-42C1(b) to allow cellular antenna support equipment to be located in an accessory structure placed on the roof of the building in lieu of inside the building as required by code; and 2) an Area Variance from Sections 203-9A(4) and 203-2.1B(6) to allow a standby emergency generator to be located on the roof of a building in lieu of in the rear yard behind the building as required by code. All as described on application and plans on file. **TABLED AT THE FEBRUARY 5, 2014 MEETING - WITHDRAWN BY APPLICANT**
- 3A-01-14 Application of John Samperi, contract vendee, and Rene and Carol Gignac, owners of property located at 2341 Monroe Avenue, for relief of conditions placed on the approval of a parking variance (6A-05-09) to allow for a change of use from a pharmacy to a flooring showroom. All as described on application and plans on file.
- 3A-02-14 Application of Cornella Wilson, contract vendee, and Edward Zonneyville, owner of property located at 3137 Elmwood Avenue, to allow for a change from one nonconforming use (custom wood furniture and cabinet maker) to another nonconforming use (custom woodworker) pursuant to Section 225-13C. All as described on application and plans on file.
- 3A-03-14 Application of Nick Cannizzo - Skylight Signs, agent, and REIT Management, owner of property located at 140 Canal View Blvd., for a Sign Variance from Section 207-26D to allow a logo to be 31% of the area of a business identification sign in lieu of the maximum 25% allowed by code. All as described on application and plans on file.
- 3A-04-14 Application of Paul Minor, architect, and Selvakumar and Miraba Chockalingham, owners of property located at 50 Indian Spring Lane, for Area Variances from Section 205-2 to 1) allow a vestibule to extend 6 ft. into the existing 52.75 ft. front setback where a 60 ft. front setback is required by code, and 2) allow livable floor area, after construction of additions, to be 4,472 sf in lieu of the maximum 3,698 sf allowed by code. All as described on application and plans on file.

CHAIRPERSON: Announce that public hearings are closed.

NEW BUSINESS:

NONE

OLD BUSINESS:

NONE

PRESENTATIONS: NONE

COMMUNICATIONS:

Letter from Kimberly Barnashuk, Phillips Lytle LLP, dated February 11, 2014 withdrawing application 2A-03-14.

PETITIONS: NONE