

**MINUTES
CITY OF CANANDAIGUA
ZONING BOARD OF APPEALS
December 18, 2019**

PRESENT: Ryan Akin, Chair Julie Harris
James Davern Carol Henshaw
Susan Haller James Hitchcock

ABSENT: Joseph Bader, Vice Chairman

ALSO PRESENT: Richard E. Brown, Zoning Officer

CALL TO ORDER:

Chairman Akin called to order the regular meeting of the Zoning Board of Appeals at 7:02 P.M.

APPROVAL OF MINUTES:

Chairman Akin asked if anyone had any corrections or additions to the Regular Meeting Minutes of November 20, 2019. Ms. Harris moved to approve the minutes as written. Ms. Haller seconded the motion, which carried by unanimous voice vote (6-0).

REVIEW OF APPLICATIONS:

ITEM 1 Application #19-374: 250 North Bloomfield Road, GREATER CANANDAIGUA CIVIC CENTER requesting Area Variances necessary to install signage. In accordance with §850-75 (Sign Schedule) of the Zoning Ordinance of the City of Canandaigua, only one sign of 12 square feet is permitted and one temporary commercial flag may be displayed. The applicant proposes:

1. One wall sign of 192 square feet; and
2. One, digital, ground sign of 53 square feet; and
3. Three, temporary commercial flags

John Roberts, President of the Board of the Civic Center, represented the application.

They would like to install a digital, electronic sign on the northeast corner of the property that will allow them to easily promote the changing events being held at the facility, as well as public service messages. The size is needed in order for it to be read safely from a vehicle traveling at the posted speeds. They are also seeking approval for a 192 square ft wall sign that has been moved from the southeast corner of the building to the center of the east wall. In addition, they would like to be

able to place up to three temporary event flags on the property along the west side of North Bloomfield Road for seasonal events or when they have Open Skate or a Knight's Hockey game.

Chairman Akin opened the Public Hearing. There was no one wishing to speak, so the Public Hearing was closed.

Ms. Harris asked if the flags would still be needed if the digital sign were approved. Mr. Roberts explained that the flags draw attention, adding excitement and interest in events.

The board proceeded with questions to the applicant. Chairman Akin reminded the board to keep in mind that this is a request for an Area Variance and the board will be weighing the benefit of the variance to the applicant against the detriment of the variance to the neighborhood.

Beginning with question #1: *Show that the granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.*

Mr. Davern noted that the proposed electronic sign is not viewable from any residence.

Regarding question #2: *Show that the benefit sought by the applicant cannot be achieved by some other feasible method that would not require a variance.*

Chairman Akin feels the site requires a large sign to convey the necessary information.

Mr. Hitchcock believes the proposed signage is a better option than the portable signs that can blow over.

Regarding question #3: *Show that the requested variance is not substantial.*

Chairman Akin noted that the proposed signage is substantial, but relative to the size of the site and structure.

Ms. Haller believes the look of the signs is consistent to the use of the property.

Mr. Hitchcock noted there are similar signs displayed at the industrial properties across the street.

Regarding question #4: *Show that the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.*

Mr. Hitchcock said the sign has no aesthetic impact to residences.

Chairman Akin pointed out that the electronic sign is designed to minimize light pollution.

Regarding question #5: *Show that the alleged hardship is not self-created.*

Ms. Haller believes it is self-created.

Chairman Akin asked if there were any comments or questions.

Mr. Davern confirmed that the commercial flags would be displayed temporarily, during events only.

Ms. Harris asked if the flags are displayed prior to an upcoming event. Mr. Roberts stated that they are typically placed out the day before.

Chairman Akin asked if there were any other comments or questions. Hearing none, he called for a motion.

Mr. Davern moved that the board Approve the application as submitted and presented for the following reasons:

- #1. The granting of the variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
- #3. The variance is not substantial; and
- #4. The proposed variance will not have an adverse impact on the environmental conditions in the neighborhood.

Mr. Hitchcock seconded the motion, which *carried* with a roll call vote of (6-0):

Joseph Bader	Absent	
James Davern	Voting	YES
Julie Harris	Voting	YES
Carol Henshaw	Voting	YES
Susan Haller	Voting	YES
James Hitchcock	Voting	YES
Ryan Akin	Voting	YES

ADJOURNMENT:

Mr. Hitchcock moved to adjourn the meeting at 7:20 P.M., seconded by Mr. Davern and carried by unanimous voice vote (6-0).

Richard E. Brown, Secretary

Ryan Akin, Chairman