

Village of Geneseo  
Zoning Board of Appeals  
Lee Chiropractic & Athletic Training, PLLC  
72 East South Street  
Tax Id #: 81.13-2-31  
March 03, 2015; 4:45 p.m.

Present:

Carolyn Meisel, Chair  
Robert Meyers  
Thomas Wilson

Code Enforcement Officer:

Ronald Maxwell

Secretary:

Debra Lund

Absent:

Marlene Hamilton  
Paul Schmied

Applicant:

Jeremy & Michelle Lee,  
Lee Chiropractic & Athletic Training, PLLC

Public Present:

None

Chair C. Meisel noted the meeting continued and the public hearing opened at 4:45 p.m. The purpose of the hearing was a request for a sign that fails to meet Section 130-89 of the Village of Geneseo Code which does not allow a freestanding sign and a variance is requested to allow a freestanding sign that meets all requirements of Section 130-90 B4 of the Village of Geneseo Code.

The legal notice was published and copies were sent to all property owners within one-hundred (100') feet of the property lines. The appropriate municipalities were notified. Livingston County responded that the application has no significant countywide or inter-municipal impact in regard to existing County plans, programs, and activities, therefore granting of the variance is a matter of local option. Five (5) legal notices were sent and five green cards were returned. Chair Meisel invited the Lees to state their case.

J. Lee stated he would like to erect a five (5') foot wide x two and one-half (2 ½ ') foot high sign with a maximum height of five foot five inches (5'5") on the property to advertise his business. He would like to place it six (6') foot in from the property line. The sign would need to be ten foot (10') from the line to meet the code for MU-2 district that surrounds the property. He is asking to be allowed to place the sign on the property that is in the R-1 district as this property is surrounded by the MU-2 district.

C. E. O. R. Maxwell commented the sign meets the MU-2 district sign regulations although it is in the R-1 district.

T. Wilson asked why the sign could not be placed at the allowed ten (10') foot from the property line. J. Lee responded it would not be seen from the street. There is a light pole and fire hydrant blocking it and the angle of the road creates lack of visibility at the ten (10') foot mark. The sign would not affect traffic as it will be behind the line of sight.

C. E. O. R. Maxwell stated the Village Planning Board had reviewed the sign and did not have any problems with it at their February meeting.

With no further discussion, the questions were reviewed.

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance? Yes \_\_\_\_\_ No X
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? Yes \_\_\_\_\_ No X
3. Is the requested variance substantial? Yes \_\_\_\_\_ No X 40% setback

Approved: 06-02-2015

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? Yes \_\_\_\_\_ No  X
5. Is the alleged difficulty self-created? Yes  X  No \_\_\_\_\_

This is an area variance and a type two action that does not require a SEQR. It was so noted that the proposed action has been considered under SEQR; per regulation #12 – granting of an area variance(s) for individual setback and lot line variances are not subject to review under SEQR, and has met the requirements for a Type II action: the proposed action is not environmentally significant.

R. Meyers moved to grant the requested variance for the erection of a sign that fails to meet Section 130-89 of the Village of Geneseo Code which does not allow a freestanding sign where said sign meets the requirements for a freestanding sign per Section 130-90 B4 and additionally, to grant a four (4') foot variance from the front property line for placement of the sign.

T. Wilson seconded the motion. The vote was as follows: Chair C. Meisel, aye; R. Meyers, aye; and T. Wilson, aye. The motion carried.

The Lees thanked the Board and exited the meeting at 5:00 p.m.

The minutes of the January 6, 2015 B & B Consolidated representing T. Everett minutes were reviewed. T. Wilson moved to approve the minutes with a second from R. Meyers. The vote was as follows: Chair C. Meisel, aye; R. Meyers, aye; and T. Wilson, aye. The motion carried.

The minutes of the January 06, 2015 O'Donnell and Associates representing owner T. Thielges were reviewed. T. Wilson moved to approve the minutes with a second from R. Meyers. The vote was as follows: Chair C. Meisel, aye; R. Meyers, aye; and T. Wilson, aye. The motion carried.

R. Meyers moved to close the Public Hearing and the meeting. T. Wilson seconded the motion. The vote was as follows: Chair C. Meisel, aye; R. Meyers, aye; and T. Wilson, aye. The motion carried.

The public hearing and the meeting closed at 5:10 p.m.

Debra Lund