

Village of Monroe

Zoning Board of Appeals

March 9th, 2010

The Regular monthly meeting of the Zoning Board of Appeals was held on February 9th, 2010 in the Board Room of the Village Hall of Monroe, 7 Stage Rd. Monroe, New York. Present: Chairman Baum, Members: Vitarelli, Margotta, McCarthy, Wright, Assistant Building Inspector Cocks, Pledge of Allegiance
Chairman Baum called the meeting to order at 8pm and led in the Pledge of Allegiance.

MINUTE APPROVAL: January 12th, February 9th, 2010,

On a motion by Chairman Baum and seconded by Member Margotta, with all in favor, action on the Draft “Minutes” of January 12th, and February 9th were postponed to the meeting on April 13th, 2010 to allow the Board time to further review them.

Freeman’s Auto Service, 330 Stage Rd.

Tax Map No. 213-1-30, 32.

A continuation on the application of Freeman’s Auto Service 330 Stage Road from October 13th, 2009. The applicant is seeking interpretation of Section 200-97-A of the Village Code as to whether or not the towing and storage of impounded vehicles has either A) been part of the long standing non conforming use at this site, or B) would be deemed to be an included activity as an automobile sales and

service facility. **ZBA Chairman Baum made a motion to adopt the interpretation, seconded by Member McCarthy and uniamously carried, it was RESOLVED,** that “this Board is authorized pursuant to Village Code Section 200-97(A) (1) to determine the meaning of any portion of the text of this chapter or any condition or requirement specified or made under the provisions of this chapter.

In reviewing the testimony of the individuals who testified, either the applicant and at the Public Hearing the documentary evidence submitted by the applicant concerning the history of the usage of the property, persons testifying on behalf of the applicant, including a member of the trade who testified concerning the prior usage of the property and the comments of Richard Suradjin, Esq. representing Loyal Tire and Apple Auto Body, this Board finds that towing and storage of towed motor vehicles is an included activity of automobile sales and service facilities.”

Retro Fitness of Monroe
785 RT 17M Tax Map No. 203-2-5.

The application of Retro-Fitness of Monroe requesting an “area Variance” of Section 200-50(A&B) of the Zoning Code to install an exterior mounted “Retro Fitness” sign 38’-2” which is 18’-2” square feet, more than permitted under the Zoning Code, which permits one square foot of sign for each front foot of the

tenant space. The applicants Helen Fedun, Karen Sheehan, and Scott Edgar presented to the board the sign that they would like the Board to approve is a bigger sign than what meets the Village Code Section 200-50(a&b). Helen Fedun stated "that Retro Fitness is a franchise and they have to meet certain standards in accordance with their corporate office. The sign is the Retro Fitness Logo". Helen Fedun stated "that the sign that meets the Village Code is small and gets lost." After the board reviewed the permit and the violation there was some confusion on why they were issued the same day. From the documentation that the Zoning Board of Appeals had they realized that the building permit for a temporary sign and a denial of the permanent sign were issued on the same date and a violation went out to Centro properties the same date. Since these permits were all issued on the same date the Board felt that the applicant may have been confused as to what extent the temporary approval was issued by the building department. Member Vitarelli wanted to know if the sign they have up today was what they thought to be a temporary sign. Karen Sheehan said yes. Member Margotta stated that the sign looks very permanent that it has lights and is attached to the building. Member Baum expressed that basically you put this sign up thinking it was the temporary sign and with the hope and anticipation of coming to the Board tonight the sign would get approved. Karen Sheehan said "yes". Member Wright questioned the Building Department "what does the temporary permit state a temporary sign consists of?" Assistant Building Inspector Cocks stated it states that building permit was issued to Retro Fitness allowing for a temporary sign for 60 days. After further discussion Member Wright recommended that the Building Department be more specific about "Temporary signage". At this time Chairman Baum opened the hearing for public

comment. Chairman Tom Sullivan AARB wanted to let the Zoning Board of Appeals know that the AARB did approve the style and color of the sign and was here to make the suggestion that the larger sign would look more appropriate with the rest of the signage across the whole building. The AARB stated that the applicant was told that they needed to go to the Zoning Board of Appeals to obtain a variance. No further comment, Public Hearing was closed.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Appeals of the Village of Monroe hereby grants an area variance to the applicant; Retro fitness of Monroe for the continuation of the usage of the sign previously installed totaling 38.2 sq. ft.

This Resolution was moved by THEODORE WRIGHT and seconded by DICK McCarthy.

Respectfully submitted,

Courtney Budrow
Secretary ZBA.

