

***Village of Monroe Zoning Board of Appeals
Application of Stage Development LLC C/O Joel Weiss
330 Stage Road, Monroe, NY 10950
SBL 213-1-30***

Project Description

The applicant owns the subject approximate 15,340.00 square feet of commercial space located at 330 Stage Road in the Village of Monroe in the Village's GB (General Business District). The Applicant is in front of the planning board for a change of use to use of the existing one-story mix uses commercial building. The Owner proposes to use the existing building as a mixed-use commercial building with space for two (2) tenants. Proposed uses include a ground level furniture store and a basement level day care. Parking area to be expanded to accommodate the proposed uses. New 12200 outdoor play area for day care use.

On May 6, 2025, we received an interpretation from the new building inspector Chris Watson that the loading area should be regulated by sec 200-44(I) general provision, even we already received two interpretations from the previous building inspector Jim Cocks one on using the existing loading area that we are preexisting nonconformance and we will not require any variance from sec. 200-44(I) and after moving the loading area we again sent a request to the previous building inspector Jim Cocks on Feb. 10 2025, below is the exact wording:

“Applicant to address loading.

The revised plan appears to eliminate the existing loading bay door. The applicant to address loading for the furniture store and its potential impact on site circulation. Per 200-44 (I) loading spaces are to be located more than 200 feet from the residential district boundary. “

And he confirmed with his letter dated Feb. 10, 2025, that it's still considered preexisting nonconforming.

the Applicant is seeking an Interpretation of the current building inspectors decision and confirming with the previous building inspector that a variance is not required according sec 200-44(I), in the event that the ZBA is agreeing with the current building inspectors decision, we are asking for an area variance from sec 200-44(I) since this is an existing building and was in place before the residential building was built and before the zoning was changed and all doors were used as a loading area.

Area Variance Criteria:

1. ***The variance will not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.*** The requested variance will not produce an undesirable change in the character of the neighborhood as this has been an existing conforming building since 1978, until zoning changes were implemented and the neighborhood was changed from CB to SR10.
2. ***The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue, other than an area variance.***

The Applicant in this case cannot achieve to comply with sec. 200-44(I) since this is an existing building and no other location will meet the 200 setbacks.

3. ***The requested area variance is not substantial based on the totality of the circumstances.*** The requested area variances are not substantial in this case, because no changes are being made to this property besides the use.
4. ***The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.*** Since the building is there for many years and all doors have been used for loading area.it will not impact on the physical or environmental conditions of the neighborhood or district.
5. ***The hardship has not been self-created.*** The Applicant respectfully submits that the hardship is not self-created, because the building is an existing building and no new construction will be done.

Based on the foregoing, the Applicant has established that the benefit to the applicant outweighs any perceived detriment or no impacts to the health, safety and welfare of the community that the grant of the variances will have. The Applicant respectfully requests that the Zoning Board of Appeals grants the variances as requested.