

**RUSH ZONING BOARD OF APPEALS  
PUBLIC HEARING & WORKSHOP  
APPROVED MINUTES  
APRIL 13, 2006**

A regular meeting of the Rush Zoning Board of Appeals was held on April 13, 2006 at the Rush Town Hall, 5977 East Henrietta Road, and was called to order at 7:00 P.M.

**BOARD MEMBERS PRESENT:** Mr. Don Van Lare, Chairman  
Mr. David Eddy  
Mr. Dan Taylor  
Mrs. Amber Corbin  
Mr. Robert Weiler

**OTHERS PRESENT:** Mrs. Lisa Sluberski, Town Board Liaison  
Mr. Tom Doupe, Town Board Member  
Mr. Scott Pundt, Dorschel Automotive  
Mrs. Laura Baranes, Pride Signs  
Mr. Gerald Kusse, Code Enforcement Officer  
Mr. Jason DiPonzio Esq.  
Mr. David Ferries, 692 Rush West Rush Road

**WORKSHOP:**

**Application 2006-01 Z** by David Ferries for an Area Variance to build a 40' x 50' barn 15 feet from the property line. Proposed structure does not comply with property line set back requirement of 25 feet. Location is at 692 Rush West Rush Road. Property is located in an R-30 Zoning District.

The Board Members suggested alternatives for the placement of the proposed barn by asking Mr. Ferries if he could move it forward to reduce the amount of variance needed. Possibly eliminating the need for a rear set back variance. The angle of the side lot line and its dimension was discussed; the back corner of the proposed barn would require the greatest amount of variance. The location of the septic system leach lines was of concern for the location of the proposed barn.

Mr. Ferries was asked what the barn would be used for. Mr. Ferries stated that he was going to use it for storage of his personal possessions.

Mr. Ferries will stake out the site for the proposed barn placement.

The Public Hearing for this Application will be held on May 11, 2006

**Application 2006-02 Z** by Pride Signs acting as Agent for Richard Dorschel for a Sign Variance for the renewal of the expired permit for the signs on the building located at 7283 West Henrietta Road. Property is located in a Commercial Zoning District.

Mrs. Baranes submitted a copy of the approval received on 6/29/05 from Mr. Gerald Kusse, Building Inspector for the Town of Rush for the service sign to be located on the east side of the building. At the time of installation this sign was referred to Mr. Kusse as a directional sign not an advertising sign. Directional signs according to the Code of The Town of Rush do not require a permit. There was a discussion regarding this matter.

The Board Members and the Applicant discussed the following:

1. The square footage of the total number of signs on the building.
2. The roof sign, which refers to the "Dorschel's Rochester Thunder" sign.
3. The number of signs on the property.
4. If a Variance is required for the "Service" sign, because of its height and size.

Mr. DiPonzio asked if there had been any complaints regarding the signs on the property. Mr. Kusse answered the question by stating that he has not had any complaints about the building signs, the only complaints have been regarding the parking lot lights. Adjustments have been made to the angle of the parking lot lights. The only complaints have been the length of time the lights are left on after the close of business.

The Public Hearing for this Application will be held on May 11, 2006

#### **APPROVAL OF MINUTES:**

The Minutes of March 9, 2006 were reviewed.

Mr. Weiler made a Motion to approve the Minutes of March 9, 2006 as submitted.

Mr. Van Lare seconded the motion and the Board Members polled:

Roll:	Mr. Taylor	aye	
	Mr. Eddy	aye	
	Mr. Van Lare	aye	
	Mr. Weiler	aye	
	Mrs. Corbin	aye	carried.

#### **INFORMAL DISCUSSION:**

Proposed changes to the Sign Ordinance. The Board Members discussed the following:

1. Sign illumination.
2. Existing signs without permits, how to address them.
3. The possibility of eliminating the permit renewal process.

4. Providing a photo of all signs.
5. Dropping the sign height of freestanding signs from 25 feet, to a height of 15 feet.  
Or to eliminate freestanding signs.
6. The square footage of signs on corner lots.
7. Roof signs.

**APPLICATION ASSIGNMENTS:**

Mr. Eddy has been assigned **Application 2006-01 Z** by David Ferries.

Mr. Van Lare has been assigned **Application 2006-02 Z** by Pride Signs acting as Agent for Richard Dorschel.

There were no further discussions and the Meeting was adjourned at 9:05 P.M.

Respectfully submitted,

Darlene Pilarski  
Deputy Town Clerk