**MOBIL DETERMINATION-BUILDING SIGN**

Mr. Wright moved, seconded by Mr. Thorp, that the application by 7067 Rush Lima LLC, 2697 Lakeville Road, Suite 1, Avon, NY 14414, NY for an area variance at 7067 Rush Lima Road Mobil Station. Property is near the Sibley Road intersection, consisting of 0.92 acres and bearing Tax Account No 221.03-2-31, located in an RS-30,000 zone, to install 2 building mounted signs on an existing 1 story convenience store, whereas Town Code does not allow signs in a residential zone be approved based on the following findings of fact and conclusions of law, with a condition:

FINDINGS OF FACT

1. Adam Freeman of Land Tech, and Ken Forrelli, owner, 7067 Rush Lima LLC, appeared before the Zoning Board of Appeals on October 23 and November 13, 2014.
2. This application represents a re-branding of this existing convenience store and gas station. It formerly was branded as a Valero gas station and now will become a Quicklee’s and Mobil convenience store and gas station.
3. The applicants proposed that the new signage for Qicklee’s be mounted on the roof facade of the building. The previous signage was wall mounted; in discussion with the ZBA at the public hearing, the applicants indicated that they would not be adverse to mounting the sign on the wall of the building rather than on the roof facade.
4. The signage will be backlighted, will not reflect or project onto Rush Lima Road, and will only be illuminated during the hours of business (5AM-10PM).
5. No members of the general public appeared at the public hearing (although the CFO of Quicklee’s, a Mendon resident, did attend the meeting).

CONCLUSIONS OF LAW

1. The benefit 7067 Rush Lima LLC is attempting to achieve cannot be achieved by other means.
2. The granting of this variance will not create an undesirable change in neighborhood character or to nearby properties.
3. The request is not substantial.
4. The request will not have adverse physical or environmental effects.
5. The difficulty is not self-created.
6. This is Type II action under SEQR.

CONDITION

That the Quicklee’s convenience store identification signs be wall mounted, rather than roof mounted, in the same general position as the previous convenience store sign locations..