



TOWN OF HENRIETTA
APPLICATION TO THE ZONING BOARD OF APPEALS
FOR AN AREA VARIANCE

Appeal No ZBA-2024-081

Date 7-31-2024

I (we) Bob's Discount Furniture of 790 Jefferson Rd.
Name of Applicant / Business Business (Number & Street)

Rochester, NY 14623 hereby appeal to the Zoning Board of Appeals from the decision
Town, State, Zip

of the Building Inspector, whereby the Building Inspector did deny grant a permit relating to the below property.

<u>790 Jefferson Rd.</u> <small>No. & Street</small>	<u>Rochester</u> <small>City</small>	<u>NY</u> <small>State</small>	<u>14623</u> <small>Zip Code</small>
<u>162.05-1-3.41</u> <small>Tax Map No.</small>	<u>B-1 Commercial</u> <small>Zoning District</small>		

PROVISION(S) OF THE ZONING ORDINANCE APPEALED, (Indicate the article, section and paragraph of the Zoning Ordinance being appealed) 224-8 B (2) 1
Number Only (Do not quote the ordinance)

Description of Proposal: Request to allow a third wall sign

whereas 2 wall signs are allowed

Applicant should answer all statements regarding this application on page 2. Incomplete applications shall not be acted upon.

Received by: CCM Agent / Application: Cima Network Inc. - Tyler Penhallow

Reviewed by: CCM MDW Address: 121 New Britain Blvd.

Date of Meeting: 9-04-2024 Chalfont, PA 18914

Phone #: [REDACTED]

Email: [REDACTED]

Signature: Tyler Penhallow
NOTE: If signature is other than owner, written authorization from owner must accompany application

APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT THE MEETING
PLEASE PRINT ALL INFORMATION

* previous variance approval allowed for a 2nd wall sign.

APPLICATION FOR ZONING BOARD OF APPEALS

Legal Notice to Read

Application Of

requesting a variance for a

whereas

is allowed by code on property located at

Application Information	
Meeting Date	<input type="text" value="September 4th, 2024"/>
Received By	<input type="text" value="CCM"/>
Date Received	<input type="text" value="July 31st, 2024"/>
Fee Amoun Paid	<input type="text" value="\$250.00"/>
Check #	<input type="text" value="53448"/>



**TOWN OF HENRIETTA
APPLICATION TO THE ZONING BOARD OF APPEALS
FOR AN AREA VARIANCE**

Appeal No ZBA-2024-082

Date JULY 31st, 2024

I (we) Bob's Discount Furniture of 790 Jefferson Rd.
Name of Applicant / Business Business (Number & Street)

Rochester, NY 14623 hereby appeal to the Zoning Board of Appeals from the decision
Town, State, Zip

of the Building Inspector, whereby the Building Inspector did deny grant a permit relating to the below property.

<u>790 Jefferson Rd.</u> <small>No. & Street</small>	<u>Rochester</u> <small>City</small>	<u>NY</u> <small>State</small>	<u>14623</u> <small>Zip Code</small>
<u>162-05-1-3.41</u> <small>Tax Map No.</small>	<u>B-1 COMMERCIAL</u> <small>Zoning District</small>		

PROVISION(S) OF THE ZONING ORDINANCE APPEALED, (Indicate the article, section and paragraph of the Zoning Ordinance being appealed) 224-8 B (2) (1)(A)
Number Only (Do not quote the ordinance)

Description of Proposal: increase allowance to 403 sq. ft.

side sign ("Bob's Discount Furniture" - 167.5 sq. ft.)

whereas 250 SF is allowed.

Applicant should answer all statements regarding this application on page 2. Incomplete applications shall not be acted upon.

Received by: CCM Agent / Application: Cima Network Inc. - Tyler Penhallow

Reviewed by: CCM MDW Address: 121 New Britain Blvd.

Date of Meeting: Sept 4th, 2024 Chalfont, PA 18914

Phone #: [REDACTED]

Email: [REDACTED]

Signature: [Signature]

NOTE: If signature is other than owner, written authorization from owner must accompany application

APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT THE MEETING
PLEASE PRINT ALL INFORMATION

APPLICATION FOR ZONING BOARD OF APPEALS

Legal Notice to Read

Application Of

requesting a variance for a

whereas

is allowed by code on property located at

Application Information	
Meeting Date	<input type="text" value="September 4th, 2024"/>
Received By	<input type="text" value="CCM"/>
Date Received	<input type="text" value="July 31st, 2024"/>
Fee Amoun Paid	<input type="text" value="\$100.00"/>
Check #	<input type="text" value="53456"/>

- 1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

Our application for proposed signage does not produce an undesirable change or detriment. In fact the previous tenant had an approved variance for a sign on the side elevation and we are looking to provide visibility from that viewpoint. We also feel it will make the shopping center safer by being visible in advance for safe motor vehicle operation including the exit lane to get into the shopping center.

- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue other than an area variance.

We do not feel that the benefit being sought can be achieved other than a variance. . In addition, the proposed sign is in line with the surrounding tenants, we do not believe that the approval will have an adverse effect on the neighborhood as it is a commercialized area, and our request is minimal and necessary for brand recognition to be a successful brick and mortar store in this shopping center.

- 3) Whether the requested area variance is substantial.

We do not believe the variance is substantial and is the minimal requirement for safety and brand recognition

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

We believe that our application will be an improvement and not a detriment to the surrounding area. We feel that our application does not produce an undesirable change or detriment to the surrounding area. Other tenants within the center have multiple signs and the previous tenant had a sign on the side elevation.

- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

Shopping centers do not have traditional way finding sign like malls or other mixed-use properties. Building signs represent the best way for vehicle and pedestrian traffic to navigate the environment safely. The National Safety Council reported one in five accidents happen in parking lots and that two-thirds of drivers pull into shopping centers distracted. Intuitively people see low speeds as a false sense of security which makes them more distracted, this type of behavior makes signage even more critical for safety, wayfinding, and safe navigation.

**Statement of Applicant and Owner with Respect to Reimbursement
of Professional and Consulting Fees**

In conjunction with an application made to the Town of Henrietta, the undersigned states, represents and warrants the following:

- 1) I/We am/are the applicant and owner with respect to an application to the Town of Henrietta.
- 2) I/We have been advised of, are aware of and agree to comply with the obligation to reimburse the Town of Henrietta for any and all professional and consulting fees incurred by the Town in conjunction with this and any other applications by me/us, including but not limited to engineering and/or legal fees, all as more fully set forth in the Henrietta Town Code.
- 3) I/We have been provided with, or have otherwise reviewed the Henrietta Town Code provisions related to the obligation to reimburse the Town with respect to professional and consulting fees, and agree to comply with the same.
- 4) I/We understand that this obligation shall not be dependent upon the approval or success of the application.
- 5) I/We further agree that in the event the Town of Henrietta is required to refer for collection an outstanding debt for such professional and/or consulting fees due to the Town of Henrietta, I/we shall be obligated to pay the reasonable attorney's fees incurred as a result of the Town's efforts to collect such fees. Reasonable attorney's fees shall also include any and all disbursements that may result from the commencement of litigation.
- 6) Each party to the application, including the applicant and the owner, shall be jointly and severally liable for all consulting and professional fees and expenses incurred in conjunction with the application.

Applicant/Business Owner: Cima Network Inc. on behalf of Bob's Discount Fu

By: Tyler Penhallow

Title: Project Coordinator

Dated: 7/15/2024

Signed: 

Property Owner: Benderson Development Company, LLC

By: Matthew J. Oates

Title: Director, Engineering

Dated: 07/31/2024

Signed: 



LETTER OF AUTHORIZATION

I, Andrew Tate owner or agent of the owner for the property located at 790 Jefferson Ave., Henrietta, NY do hereby authorize CIMA Network Inc, and /or their agents, to obtain all permits to install signage on the property listed above.

Property Owner Information:

Name: Andrew Tate, Director of Construction, Bob's Discount Furniture

Address: 434 Tolland Turnpike, Manchester, CT 06042

Phone: [REDACTED]

Email: [REDACTED]

Signature: _____ Date: 7/31/2024



LETTER OF AUTHORIZATION

I, Matthew J. Oates owner or agent of the owner for the property located at 790 Jefferson Road (Bob's Discount Furniture) do hereby authorize CIMA Network Inc, and /or their agents, to obtain all permits to install signage on the property listed above.

Property Owner Information:

Name: Benderson Development Company, LLC/Matthew J. Oates

Address: _____

Phone: [REDACTED]

Email: [REDACTED]

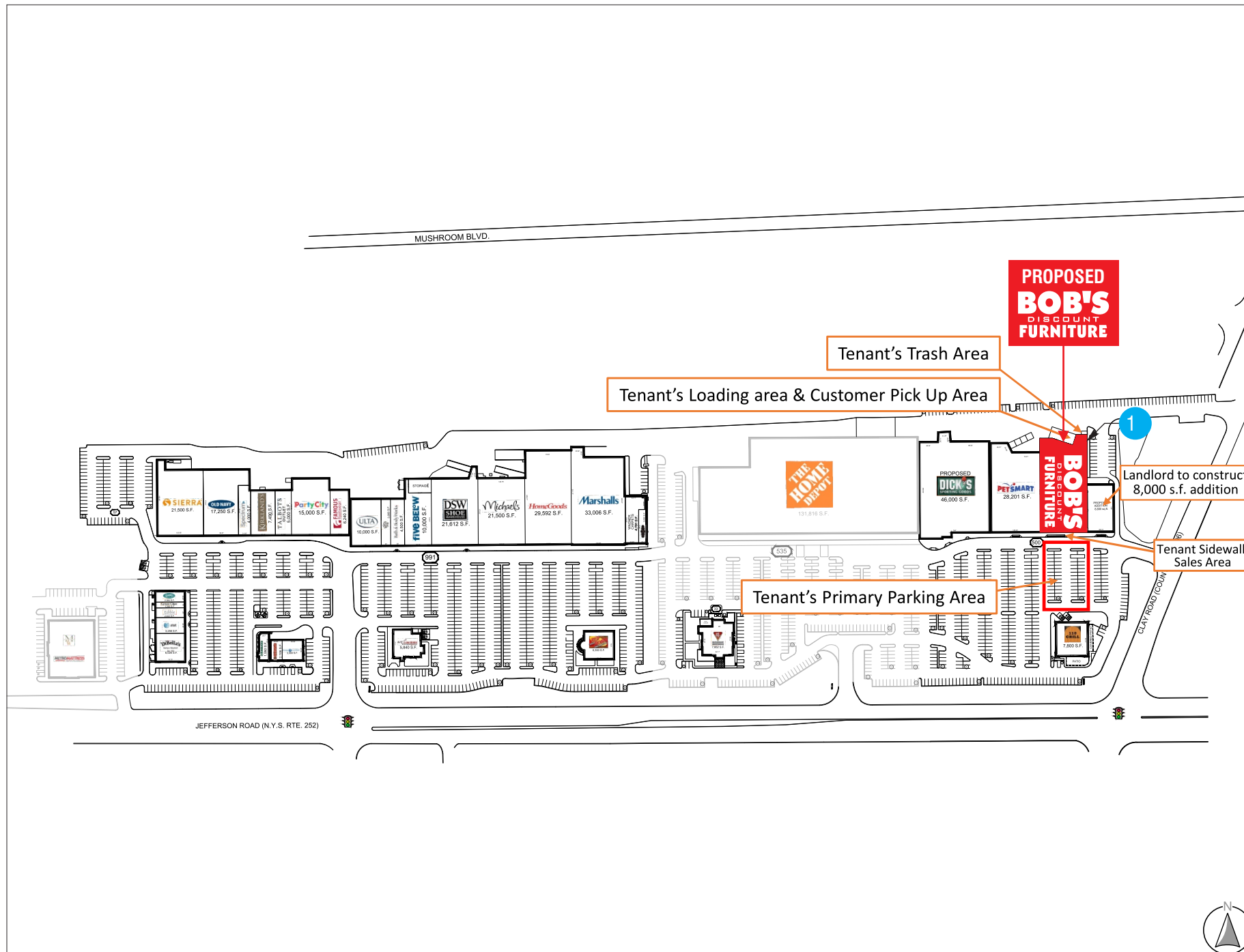
Signature: _____ Date: 07/31/2024

BOB'S DISCOUNT FURNITURE

BDF - Henrietta, NY
790 Jefferson Rd., Ste. 300,
Rochester, NY 14623

workscape

sign#	description	Sq. Ft.	quantity	weight	electrical	notes
1	51" BDF Channel Letters	167.5 ft ²	1	270 lbs	4.4" @ 120V	All Sigange NTE 489.0 ft ²



code

This drawing is based on the following code information:

Code Calculation:

NTE 4 SF per linear ft of building frontage, "Building frontage" is defined as the widest part of the building facing the road. SF is cumulative total for all tenant wall signs.

Calculation:

122'-3" (122.25') x 4 = 489.0 SF

document approval

reviewed by:
date:

approved
 approved as noted
 not approved

note

This drawing is based on the provided resources:

Architect:
Project:
Date:

The general contractor, client, architect, etc. are responsible for supplying updates to Cima as they occur. If there are drawing inaccuracies or questions concerning clarification on signage or signage requirements such as electrical & blocking, please contact:

Lindsey Lupino - Sr. Project Manager
llupino@cimanetwork.com

icon key

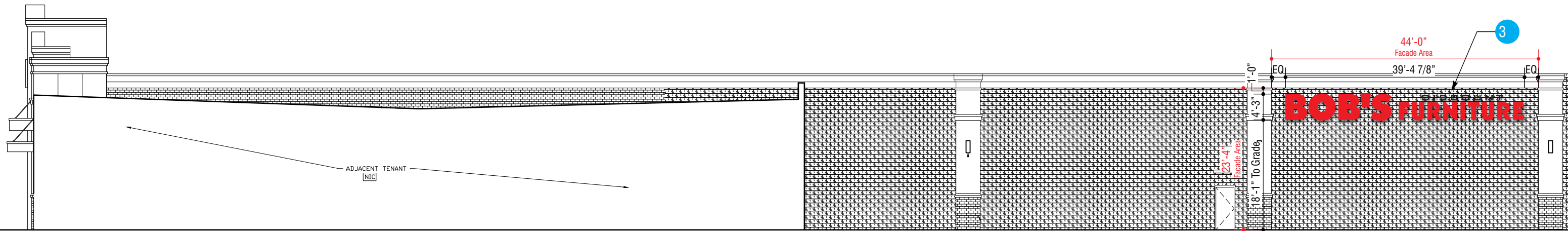
- Remove
- Primary Power J/B Location
- Primary Power Whip Location
- Power Supply Location
- Call 811 before you dig
- Survey Verified Dimension
- Code Compliance
- ADA Compliant Verified
- Field Verification Required
- Engineer Stamp Required
- Additional Info Required

revisions

rev #	date	by:	description
1	3.01.24	KG	Add interior raceway to S1. Update pylon panels.
2	3.08.24	KG	Update with notes.
3	4.09.24	KG	Add dimensions for S1-S3. Update pylon per survey.
4	4.18.24	KG	Fabrication. Add wireway to S2&S3.
5	7.23.24	KG	Variance package. Update site plan.
6			
7			
8			

This drawing, created by Cima. It is submitted for your exclusive review, for a project being proposed by Cima. It is not to be shown used, reproduced, copied or exhibited in any fashion without the expressed consent of Cima Network, Inc. Scan the QR Code for our website or call us at 267.308.0575

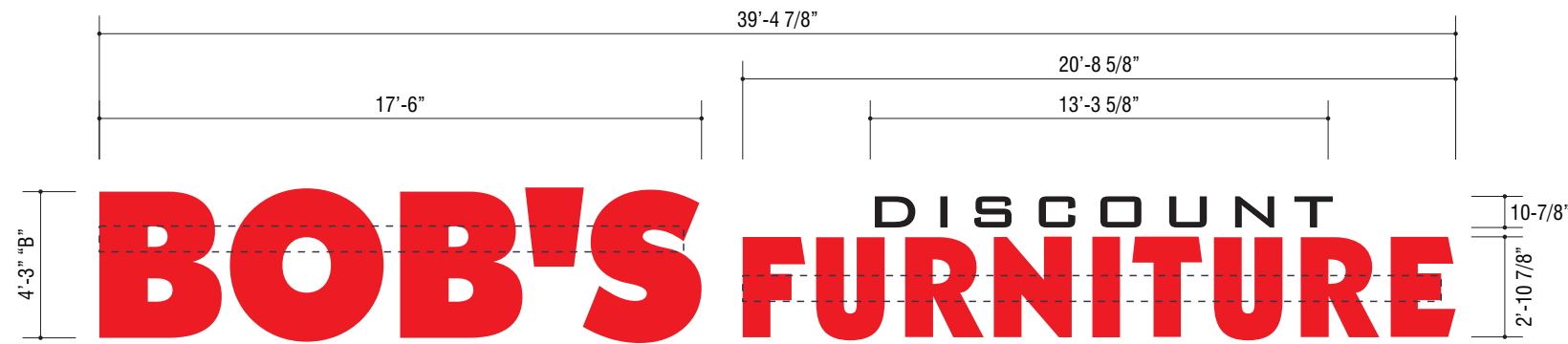
side elevation - architectural rendering



1 Side Elevation - Proposed Rendering
2 Scale: 1/16" = 1'-0"

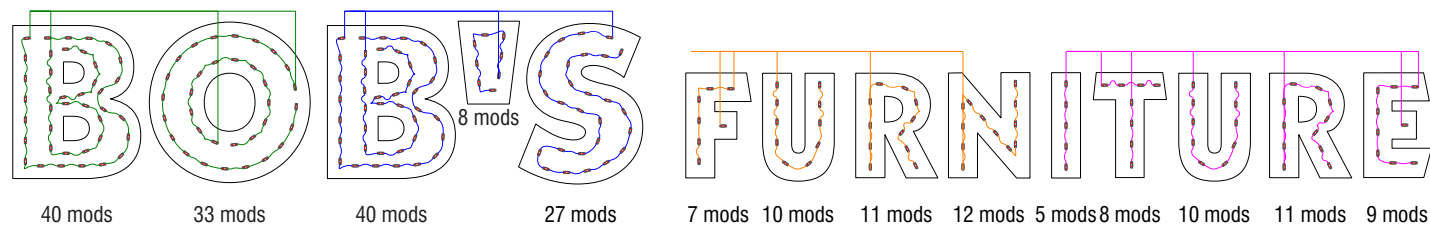
- Survey Notes:**
- Verify red dimensions on elevation rendering, survey unclear.

Additional Information Req'd.
info rest.o



3 **1** 51" BDF Channel Letters **167.5 sf**
 Scale: 3/16" = 1'-0"
 (1 Required)

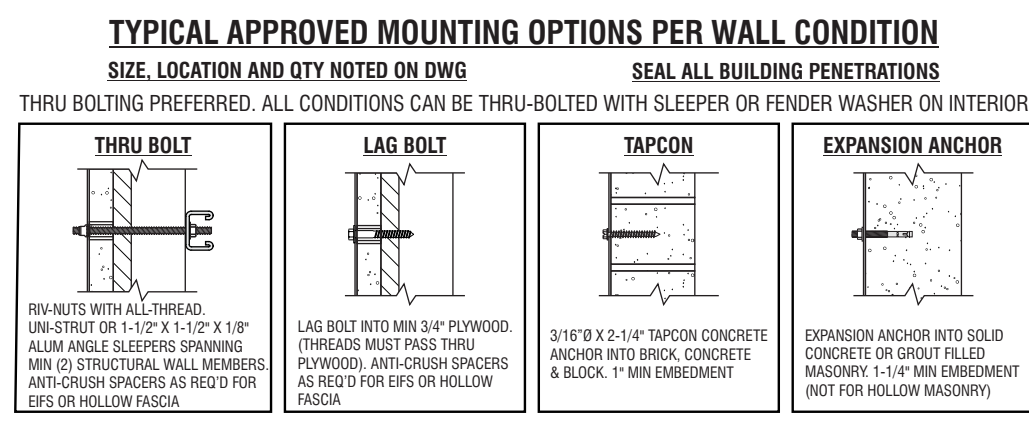
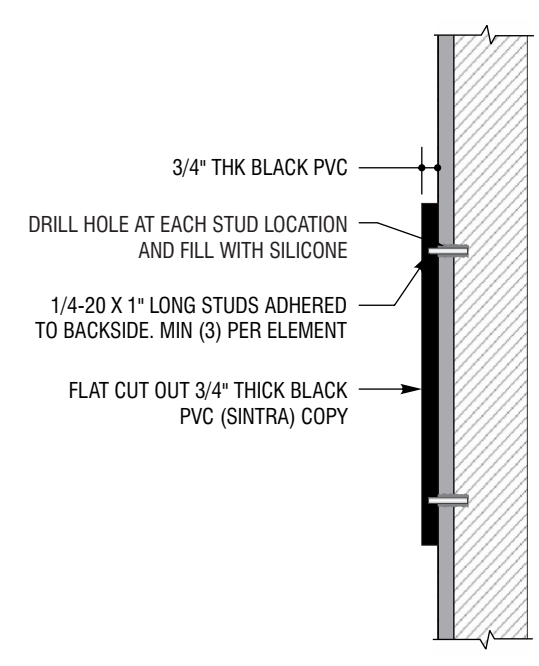
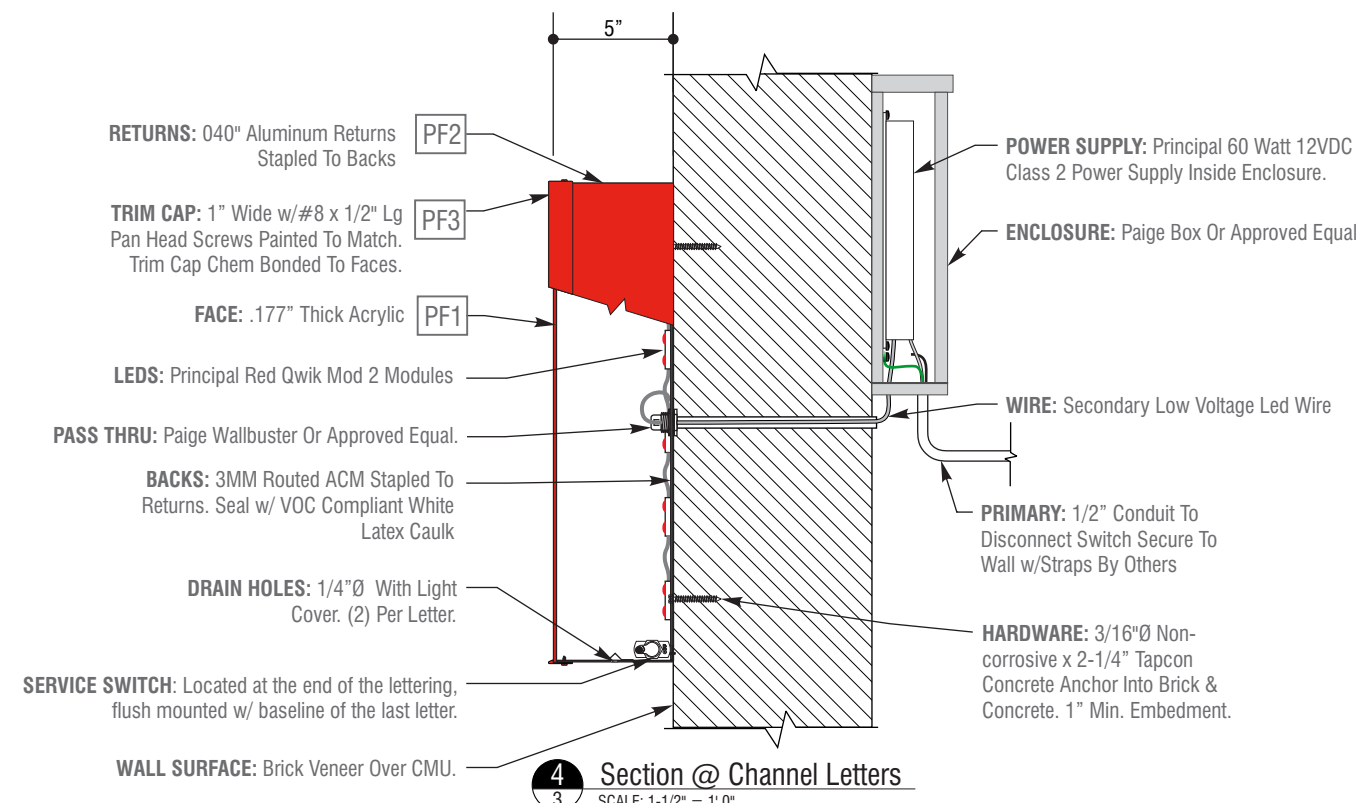
2 Side View
 Scale: 1/4" = 1'-0"



3 Channel Letter LED Layout
 Scale: 3/16" = 1'-0"

(1) 60W	(1) 60W	(1) 60W	(1) 60W	231 Modules: Principal LED - Qwik Mod 2 - PL-QM2-RD37-P
Load: 96.1%	Load: 98.7%	Load: 52.6%	Load: 56.6%	4 Power Supplies: Energizer Series Universal 60W - P-OH060-12-EC
Modules: 73	Modules: 75	Modules: 40	Modules: 43	
Watts: 55.9	Watts: 58.5	Watts: 31.2	Watts: 33.5	

SIGN COMPANY MUST CALL BDCI REPRESENTATIVE TO SCHEDULE INSTALLATION AND FOR ACCESS TO THE PROPERTY AT 716.878.9379. UPON ARRIVAL TO THE JOB SITE, IF THE SIGN INSTALLER FINDS ANY DIFFERENCES BETWEEN BDCI DRAWINGS & THE ACTUAL PHYSICAL CHARACTERISTICS OF THE BUILDING WHICH MAY REQUIRE REPOSITIONING OF THE SIGN, THEY ARE REQUIRED TO CONTACT BDCI AT THE NUMBER LISTED ABOVE FOR AUTHORIZATION PRIOR TO INSTALLATION. IF AUTHORIZATION IS NOT OBTAINED, THE INSTALLER WILL BE RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE RELOCATION OF THE SIGN TO THE CORRECT LOCATION & THE REPAIRS & REPAINTING OF THE BUILDING FACADE.



- Sign Installer Notes:**
- To Supply & Utilize appropriate installation hardware to meet actual wall conditions; determined @ survey or time of install.
 - Complete Final Hookup to Signage, if local code allows & supply is provided @ time of Installation.
 - All Visible Wiring & Conduit to be Run in Straight Lines & 90° Sweeps.
- General Contractor Note:**
- G.C. to provide FR.T. blocking or Sheet metal strapping at signage location as specified by Cima.
 - G.C. to provide Primary Power Junction Box @ remote location. Verify final location of Junction Box meet the requirements of permanently accessible for service, & within 5'-0" from signage location.
 - G.C. to provide access hatch for sign wiring.

finish specifications

Exterior Fabricated FCO Letters & Face Lit LED Channel Letters w/ Trimcap Mounted To EFIS Wall System

EST WEIGHT: 284 lbs
 EST ELECT LOAD: (4.4) Amps @120 Volt
 ELECT REQUIREMENTS: (4) 20 Amp/120 Volt Circuits

COLORS & FINISHES

- Interior Of All Letters To Be Finished White
- PF1. **FACE:** Red Acrylic
 - PF2. **RETURNS:** Precoat Hunter Red
 - PF3. **TRIM CAP:** Red Jewlite
 - PF4. **FCO LETTERS:** Black Sintra

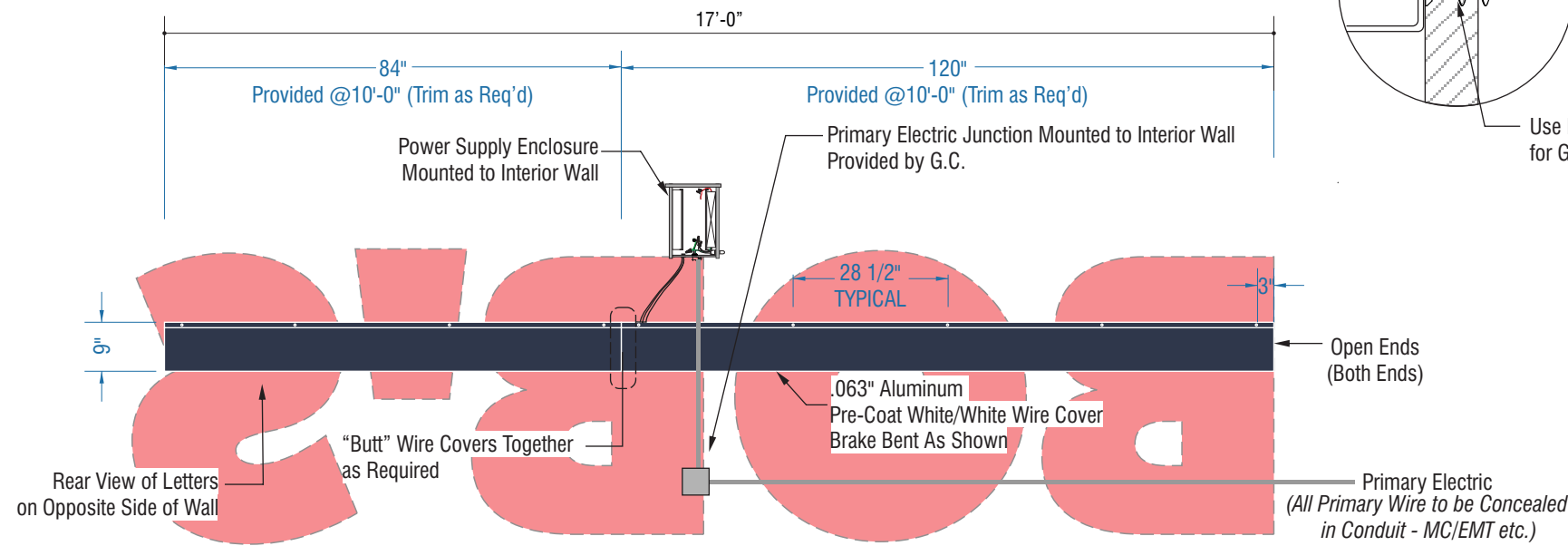
additional specifications

- Individual channel letters to be flush mounted to the canopy sign band area.
- Disconnect switch to be located at the end of the lettering, flush mounted with the baseline of the last letter.
- No exposed mounting hardware, brackets, bracing, or electrical wire/conduit permitted.
- Install as per BDCI elevation drawing. Also see below note in red.
- All wall penetrations must be filled with exterior grade, expansive caulking to create a water right seal.
- UL labels visible.
- Subject to municipal approval.

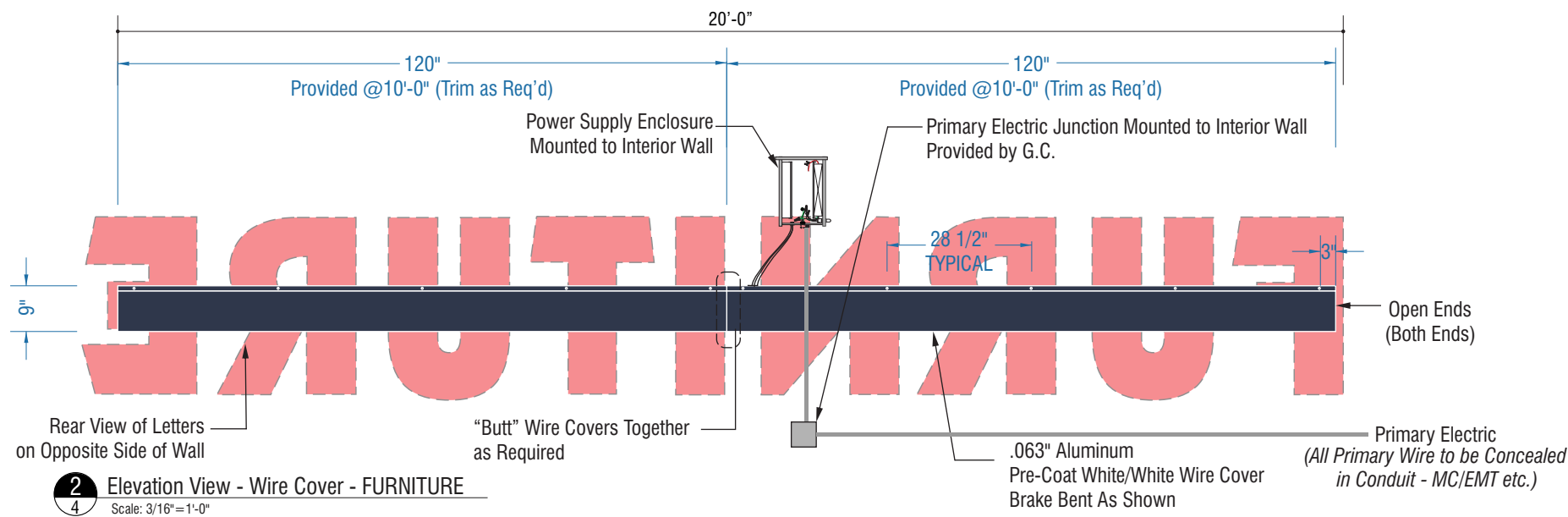
sign 3.a - interior wireway

**NOTE: WIREWAYS PROVIDED IN 120" LENGTHS
FIELD TRIMMED TO LENGTH**

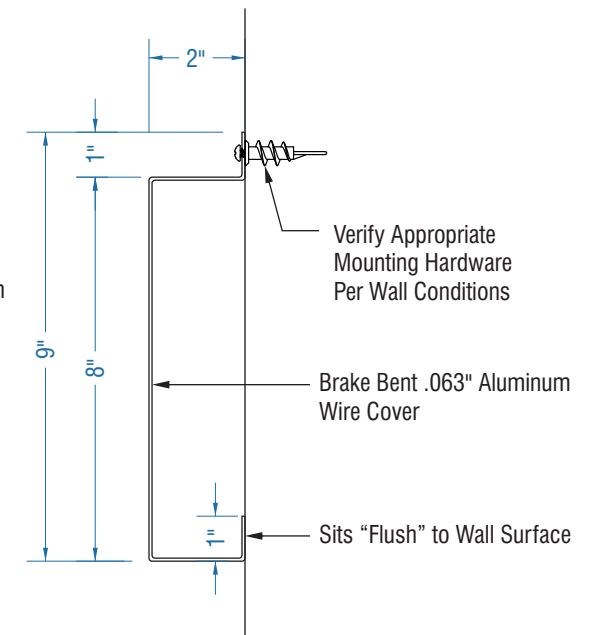
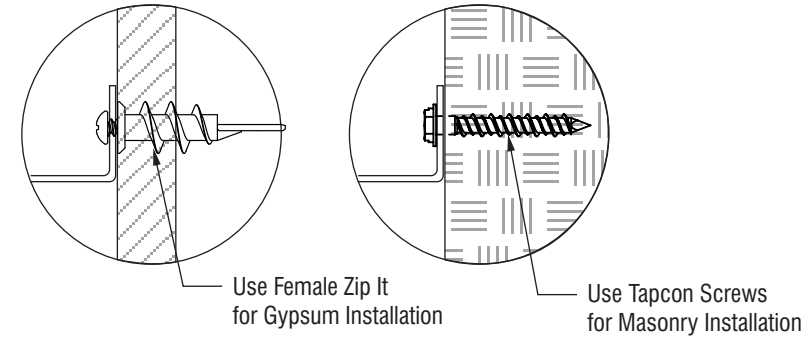
Use .063" Aluminum Wire Cover to Conceal ALL Secondary Wire & Blow Out From Drilling



1 Elevation View - Wire Cover - BOB'S
Scale: 3/16"=1'-0"

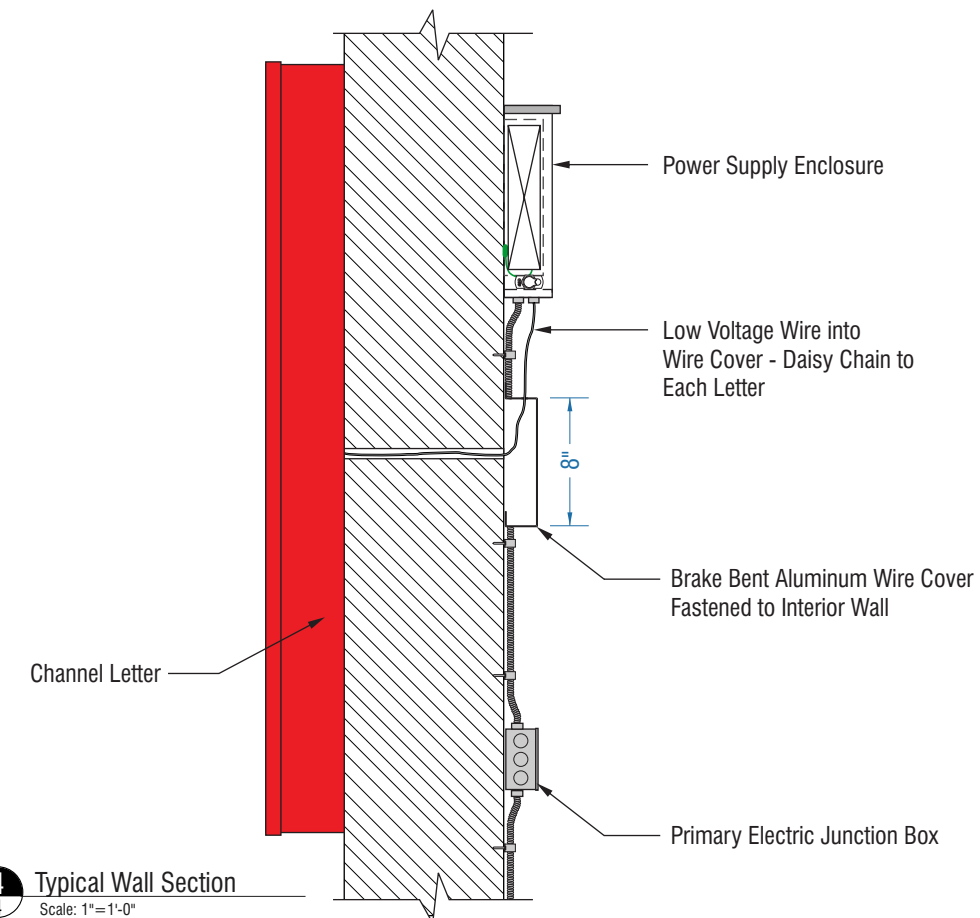


2 Elevation View - Wire Cover - FURNITURE
Scale: 3/16"=1'-0"



3 Profile View - Bend Profile
Scale: 3"=1'-0"

**NOTE: SHOWN IS A TYPICAL CONFIGURATION
ELECTRIC & POWER SUPPLY LOCATIONS WILL VARY**



4 Typical Wall Section
Scale: 1"=1'-0"

finish specifications

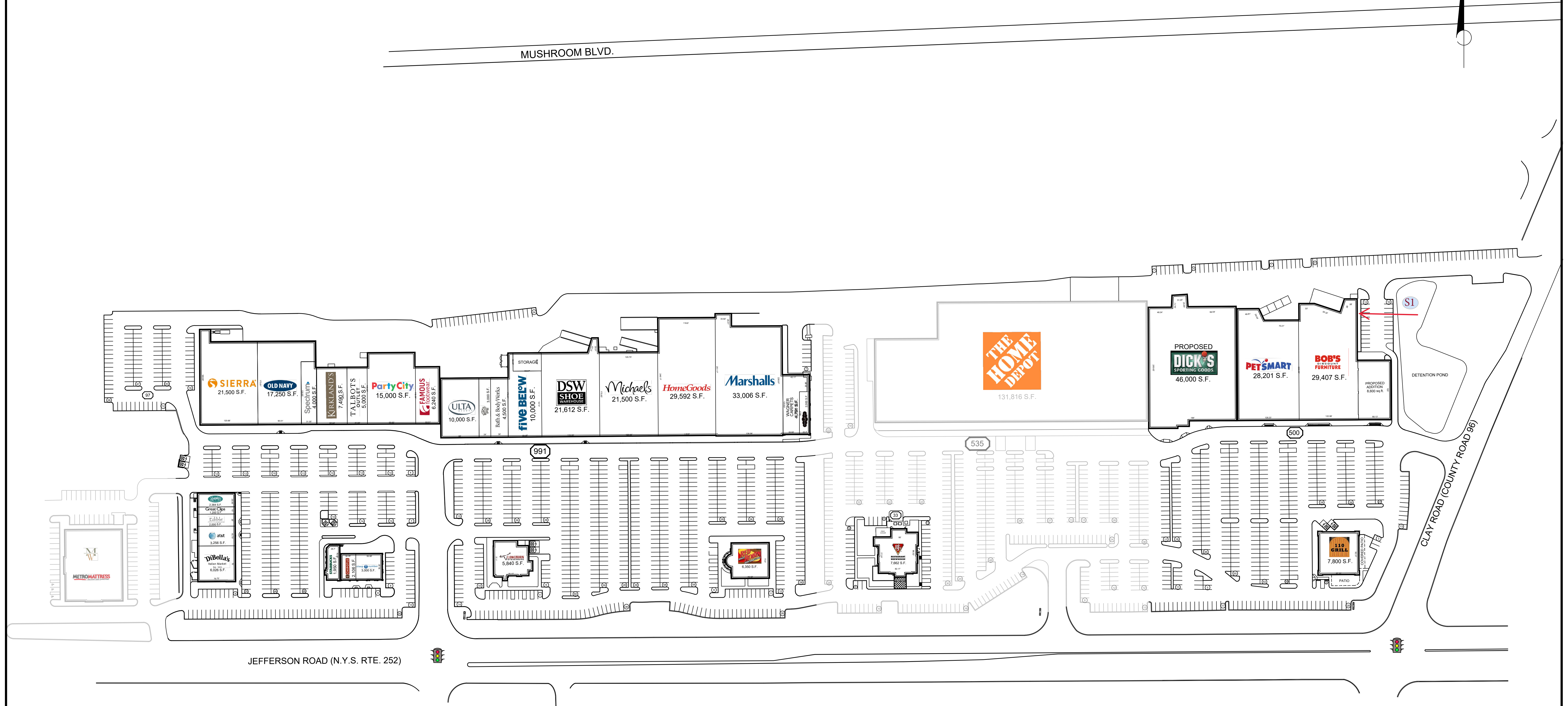
Interior Raceway

COLORS & FINISHES

P1. **INTERIOR RACEWAY:** BM Old Navy



MUSHROOM BLVD.



JEFFERSON ROAD (N.Y.S. RTE. 252)

MARKET SQUARE

620, 700, 760, 780, & 790 JEFFERSON RD.
HENRIETTA, NY 14623

PROPERTY ID#: 3845 BASE MARKETING PLAN

MARCH 7, 2024

THE SOLE PURPOSE OF THIS DRAWING IS TO ILLUSTRATE THE APPROXIMATE DIMENSIONS AND LAYOUT OF THE DERIVED PREMISES. NO OTHER WARRANTY OR REPRESENTATION, EXPRESSED OR IMPLIED, IS MADE WITH RESPECT TO THE ILLUSTRATION.

BENDERSON DEVELOPMENT COMPANY, LLC
 570 DELAWARE AVENUE, BUFFALO, NY 14202
 Phone (716) 886-6211 Fax (716) 856-7791
 www.Benderson.com

BASE MARKETING PLAN

DRAWN BY: TCA SCALE: NTS