



TOWN OF PENFIELD
3100 Atlantic Avenue, Penfield, NY 14526-9798

ZONING BOARD OF APPEALS AGENDA

Thursday, January 16, 2025 6:00 PM
Daniel DeLaus, Chairman presiding
Kevin Berry, Town Board Liaison

- I. Call to Order
- II. Approval of Minutes – November 21, 2024 and December 19, 2024
- III. Work Session
- IV. Tabled Applications:
 1. Application 24Z-0050
2209 Penfield Road
Huong Nguyen
- V. Public Hearing Applications. Opportunities for Public Participation and Board Deliberations Following Each Applicant Presentation.
 1. Application 25Z-0001
1900 Empire Boulevard
Kevin Yi - Thai'd Up
 2. Application 24Z-0058
2051 Fairport Nine Mile Point Rd
Chic-Fil-A
- VI. Session
- VII. Next Meeting: Thursday, February 20, 2025
- VIII. Adjournment

A NOTICE OF PUBLIC HEARING, PENFIELD ZONING BOARD OF APPEALS LEGAL NOTICE WITH TABLED MATTERS

PLEASE TAKE NOTICE that a Public Hearing will be held on Thursday, January 16, 2025, immediately following a work session meeting commencing at 6:00 PM local time. The board will discuss tabled matters and other business that may come before it during the work session, followed by a Public Hearing to consider each of the following applications.

New Public Hearing Applications:

1. Kevin Yi, 8480 Warbonnet Way, Las Vegas, NV, 89113 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.7-C (1) (a) of the Code to allow the operation of a restaurant and claw machine arcade at 1900 Empire Boulevard. The property is currently or formerly owned by DiMarco Baytowne Associates, LLC and is zoned GB. SBL #093.02-1-23.111. Application #25Z-0001.

Public Hearing Application (Left Open from Previous Meeting on 12/19/24):

1. Chick-Fil-A, 520 Buffington Road, Atlanta, GA, 30349 requests approval for Area Variances under Section 250-14.3 of the Code to allow the construction of a new restaurant with drive-thru and associated site improvements with less setback than required under Section 250-5.6-D (3) of the Code, less buffer than required under Section 250-7.2-A of the Code, less parking than required under Section 250-7.7-D of the Code, and greater lot coverage/less green space than required under Section 250-6.3-F (2) of the Code at 2051 Fairport Nine Mile Point Road. The applicant is also requesting approval for a Special Permit for Signage under Section 250-10.3-A of the Code to allow more building signage than permitted under Section 250-10.13-C of the Code, signage with greater graphics, trademarks, or logos than permitted under Section 250-10.11-E of the Code, and a larger freestanding sign than permitted under Section 250-10.12-B (1) of the Code with less setback than permitted under Section 250-10.12-D of the Code. The property is currently or formerly owned by No Look Landing, LLC and is zoned Limited Business (LB). SBL # 125.17-1-9. Application #24Z-0058.

Tabled Matters:

1. Huong Nguyen, 2209 Penfield Road, Penfield, NY, 14526 requests approval for a Conditional Use under Section 250-13.3 and Section 250-5.5-C (1) (f) of the Code to allow a combination business/single-family residential use and an Area Variance under Section 250-14.3 of the Code to allow a parking lot with less buffer than permitted under Section 250-7.2-A of the Code at 2209 Penfield Road. The property is currently or formerly owned by Huong Nguyen and Quang Tran and is zoned BN-R. SBL #140.01-2-7. Application #24Z-0050.

Please contact the Building and Zoning Department with any questions or concerns.

Amy Steklof
Town Clerk, RMC/CMC