

**LEGAL NOTICE
VILLAGE OF HAMBURG
ZONING BOARD OF APPEALS**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Village of Hamburg Zoning Board of Appeals at 7:00 p.m. on Thursday, January 4, 2024 at Village Hall, 100 Main Street, Hamburg, New York 14075 regarding the following:

MATTER #1

Application No. 2023-01302 by American Legion Post #527, 1-2 Memorial Drive, for eight (8) area variances for the re-facing of a pre-existing, non-conforming sign. Mixed Use Redevelopment (MU-R). The Code of the Village of Hamburg, Zoning thereof: **Section §250-35.17B Sign regulations.** Non-conforming signs. Nonconforming signs must be brought into compliance ... under the following conditions: (1) the sign is altered in any way, including, but not limited to words, logo, business name, size, design, structure or type of illumination” Code: Non-conforming sign not allowed when alterations made. Proposed: Update/alter an existing, internally illuminated (non-conforming) pole sign. Variance requested: Update but keep an existing non-conforming pole sign. **Section §250-35.13(G) Prohibited signs.** Any sign that is internally illuminated or that uses digital or LED screen technology. Code: Internally illuminated signs are prohibited. Proposed: An internally illuminated sign. Variance requested: An internally illuminated sign. **Section §250-35.13M Prohibited signs.** Any permanent sign using a single pole for support or a monopole sign. Code: Single pole signs prohibited. Proposed: Reface and keep an existing single pole sign. Variance requested: Keep an existing single pole sign. **Section §250-35.13E Prohibited signs.** Signs located off premises from the structure they serve. Code: Sign located off premises from the structure it serves is not allowed. Proposed: To have sign on Erie County’s property. Variance requested: Allow signage on Erie County property. **Section §250-35.9F Location (of signs).** No freestanding sign or any part thereof exceeding 3’... shall be located within the designated clear-sight triangle of any intersecting streets. Code: No freestanding signs in the clear-sight triangle. Proposed: To allow sign to remain in the 30’ – 30’ triangle Variance requested: Allow sign to remain in clear-sight triangle. **Section §250-35.9A Location (of signs).** No sign may be posted on public property or within a public right-of-way... encroaching upon or projecting over the public right-of-way shall require Village Board approval. Code: No signs allowed on, overhanging or encroaching on the public right-of-way without Board approval. Proposed: sign encroaching on the public right-of-way. Variance requested: Allow sign to stay at its current location on county property. **Section §250-35.9D Location (of signs).** All signs shall be located on the site being promoted, identified, or advertised. Code: Sign must be located on the property that is being identified, promoted or advertised. Proposed: Sign location is off of Legion property. Variance requested: Allow sign to stay at its current location on county property. **Section §250-35.16C Regulations by sign type.** Code: *Maximum height of a pole sign in MU-R District is 8’ and maximum area of the sign is 16 sq. ft. *Reduces 2 sq. ft. for every foot over 4’. Therefore only 4 sq. ft. of signage is allowed (current sign is 10’ in height). Proposed: Sign that exceeds 8’ maximum height. Variance requested: Allow for a sign that exceeds 8’ in height and also exceeds the maximum allowable square footage. **Section §250-35.16B Regulations by sign type.** Code: Ground signs have a maximum allowable height of 6’ in the MU-R district. Proposed: Sign height that exceeds max allowable height of 6’ (current sign is 10’ in height). Variance requested: Allow for a sign that exceeds 6’ height maximum. Subject premises is known as 1-2 Memorial Drive, S.B.L.195.12-1-1.111.

FURTHER NOTICE IS HEREBY GIVEN that at such hearing all persons interested in the subject matter of any of the foregoing matters will have an opportunity to be heard.

FURTHER NOTICE IS HEREBY GIVEN that the appellant/applicant or his duly authorized representative must be present at the hearing.

DATED: December 22, 2023

Richard Stumpf
Chairman