

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

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CA 13-02124

PRESENT: SMITH, J.P., FAHEY, PERADOTTO, SCONIERS, AND VALENTINO, JJ.

IN THE MATTER OF OBSESSION BAR AND GRILL, INC.
AND JOAN ORTIZ, PETITIONERS-RESPONDENTS,

V

ORDER

ZONING BOARD OF APPEALS OF CITY OF ROCHESTER AND
CITY OF ROCHESTER, RESPONDENTS-APPELLANTS.

ROBERT J. BERGIN, CORPORATION COUNSEL, ROCHESTER (SARA L. VALENCIA OF
COUNSEL), FOR RESPONDENTS-APPELLANTS.

SANTIAGO BURGER ANNECHINO LLP, ROCHESTER (MICHAEL A. BURGER OF
COUNSEL), FOR PETITIONERS-RESPONDENTS.

Appeal from an amended judgment and order (one paper) of the Supreme Court, Monroe County (John J. Ark, J.), entered February 26, 2013. The amended judgment and order, among other things, determined that the decision of respondent Zoning Board of Appeals of City of Rochester limiting the weekday closing hours of petitioner Obsession Bar and Grill, Inc. is null and void.

It is hereby ORDERED that the amended judgment and order so appealed from is unanimously affirmed without costs for reasons stated in the decision at Supreme Court.

Entered: June 13, 2014

Frances E. Cafarell
Clerk of the Court