



**TOWN OF VESTAL
ZONING BOARD OF APPEALS**
605 Vestal Parkway West
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ZBA BOARD MEMBERS:

Chairman: Mark Tomko
Members: Clayton Ellis
Jerry Schultz
Eugene Burns.
Pat MacPherson
Alternate: John Taylor
Attorney: Matthew Butler

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VESTAL CODE

Sign Review Board Decision.

Hearing Date: February 9, 2023

Hearing Time: 6:20 PM

Business / Applicant Name: Emma Cheek, JAX Signs/ Neurosciences & Spine Group

Person(s) appearing on behalf of applicant: Emma Cheek, JAX Signs

Business Address: 1020 Vestal Parkway East, Vestal, NY 13850

BCTM#: 157.16-1-1

Town Code Section Appealed: Chapter 5, Article V, Division 3, Section 5-127.3(a)(8)(c)

Narrative of the Code: Pertaining to the total allowed square footage of signage in a "C-1", General Shopping Zoning District.

Current Permitted Sign Sq. Footage: 112.5 sq. ft.

Current on-site Sq. Footage: 0 sq. ft.

Requested Sq. Footage Increase: 12.4 sq. ft.

Total Sq. Footage Requested: 124.9 sq. ft.

Requested Interpretation/Determination: Request to install plastic channel letters on the building above the front entrance spelling out the business name and replace the existing circular panel sign with their logo.

Points of discussion by Board Members:

The sign Review Board must take into account the following:

- Are there other means to achieve the goal or benefit requested?
- Is this difficulty self created?
- Will the visual impact have an adverse effect on the environment?
- Is this a minimal or substantial request?
- Will the variance produce an undesirable change for the neighbors?

Discussion:

The applicant is requesting to install approximately 26 sq. ft. internally lit, low voltage LED plastic channel letters spelling out the business name above the front entrance of the building AND replacing the approximately 32 square foot circular back lit wall sign with their logo on the front of the building facing the Vestal Parkway. The applicant has already been approved to replace the current monument signage totaling 66.9 square feet. The increase in total square feet is due to the length of the name of the practice and any smaller lettering would be hard to read and could cause a traffic situation on the parkway if people are not able to read the letters. The Board questioned whether the building had this much signage previously, and it was remembered that the monument sign and circular wall sign were always at that size and the entrance did have lettering above it as well. The applicant is using all existing signs, just replacing them with new names and logo.

Decision:

Motion by: Clayton Ellis

2nd by: Eugene Burns

Motion: To approve a variance of 12.4 sq. ft. of signage at BCTMP # 157.16-1-1 a.k.a. 1020 Vestal Parkway East, Vestal, NY 13850 to allow a total of 124.9 sq. ft. as presented to the Board.

Conditions to Motion: There are no conditions to the motion.

| Vote: | Aye | Nay | | |
|-------|--------------|-----|----------------------|-----------------------|
| MT: | <u> X </u> | ___ | | |
| CE: | <u> X </u> | ___ | | |
| JS: | ___ | ___ | | |
| EB: | <u> X </u> | ___ | | |
| PM: | <u> X </u> | ___ | | |
| JT: | ___ | ___ | Passed: <u> X </u> | Failed: <u> </u> |

Dated: February 09, 2023

The Code Enforcement Officer is herewith authorized to take the necessary action to carry out the provisions of this Decision.

Dated: February 20, 2023

ZONING BOARD OF APPEALS
OF THE TOWN OF VESTAL

BY: 
Mark Tomko, Chairman