



**TOWN OF VESTAL
ZONING BOARD OF APPEALS**

605 Vestal Parkway West
Vestal • New York • 13850-1486
Telephone (607) 786-0980 Ext. 201
Fax (607) 786-0984

ZBA BOARD MEMBERS:

Chairman: Mark Tomko
Members: Clayton Ellis
Jerry Schultz
Eugene Burns
Pat McPherson
Alternate: John Taylor
Carolyn Aimy
Attorney: Matthew Butler

Sign Review Board Decision.

Hearing Date: March 28, 2024

Hearing Time: 6:37 PM

Business / Applicant Name: Emma Cheek/JAX Sign for Hillcrest CARSTAR

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

Business Address: 2813 Vestal Road, Vestal, NY 13850

BCTM#: 158.10-1-4.1

Town Code Section Appealed: Chapter 5, Article V, Division 4, Section 5-127.3(a)(8)(c) and Chapter 5, Article V, Division 3, Section 5-124(r) of the Code of the Town of Vestal, Broome County, New York.

Narrative of the Code: Pertaining to having more than the allowed maximum square footage of signs having more than the allowed maximum number of signs in an I, Industrial zoning district.

Current Permitted Sign Sq. Footage: 122 sq. ft.

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

Requested Sq. Footage Increase: 121.65 sq. ft.

Total Sq. Footage Requested: 243.65 sq. ft.

Requested Interpretation/Determination: The applicant is requesting to install 243.65 sq. ft. of signage where 122 sq. ft. is allowed and is also requesting 8 total signs where 6 are allowed.

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 is requesting to install a new wall sign to replace and existing wall sign which is in disrepair. The reason for the variance is that when the applicant went to the Code dept. it was discovered that the business is currently over the total square footage and number of signs allowed by code. Replacing the current sign with the new sign is a swap out in total sq. ft. of 91 sq. ft. The applicant is not sure of when the other signs were installed, but that these signs are all necessary for their business. Pictures of the signs and the sq. ft. calculations are included with the package.

The applicant states that the Geico and Penske wall signs are all needed and will not be replaced, and the Carstar, Geico, and Progressive signs mounted on the ground pole sign are permitted and not going to be replaced. The current vinyl Carstar sign above the door and the Carstar sign on the front glass door will also remain. The Board members discussed if the need for these 3 signs, almost identical and all next to each other, were really necessary.

The meeting was opened to the public for comment. No one from the public present was wishing to speak so the public portion of the meeting was closed as no other members of the public were present or wished to be heard.

Decision:

Motion by: Pat McPherson

2nd by: Jerry Schultz

Motion: To allow 7 signs where 6 are permitted by code and to allow 194.78 +/- sq. ft. of signage where 122 sq. ft. is permitted by code at BCTMP # 158.10-1-4.1 a.k.a. 2813 Vestal Road, Vestal, NY 13850 as presented and modified by;

Replacing the Hillcrest Collision lettering sign with the new Carstar lighted sign as presented and removing the vinyl Carstar sign above the door and replacing it with street numbers.

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

The request for the **above variances** is hereby **GRANTED** by a 6-0 unanimous vote.

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

Dated: April 2, 2024

ZONING BOARD OF APPEALS
OF THE TOWN OF VESTAL

BY: 
Mark Tomko, Chairman