

VILLAGE OF PENN YAN
MEETING MINUTES

MARCH 28, 2011

ZONING BOARD OF APPEALS

111 Elm Street
7:00 pm ROOM 202

PRESENT: STEVE OWENS-Chairman, ARTHUR PIKE, RUTH DAVIS, ED LAURSEN, JR.,
JAMES McELHENNY,
LYNN DURYEA-Recording Secretary

PUBLIC PRESENT: James Odell, Sarah Vestal

MOTION: Art Pike to approve the 2-28-11 minutes.

SECOND: Ruth Davis. All in favor - 5. Carried

FIRST ISSUE: Application from James Odell for signage at 460 North Main Street.

MOTION to accept the application as presented Ed Laursen.

SECOND: Art Pike

Jim Odell was present and explained that he proposed to update the existing signage by covering the old one with a 'skin', depicting the new name. He described at length the Zenith business that his father had established in 1963, when the existing sign was installed. He stated that the Zenith signage was no longer suitable since the company had integrated with 'LG'.

Chairman Owens asked if the proposed sign would be lit or if it would change in any way.

Mr. Odell said the sign was not changing in any way other than the name, logo, and graphics.

The board members discussed the cause for the applicant's zoning compliance appeal. It was determined that the Zenith sign was installed before the existing sign code was established and was therefore non-conforming in a residential zone. Changing the sign compelled the business owners to apply for the variance.

The Board proceeded to the Balance Test.
From the application the Board found;

1. Benefit could not be achieved by other means since signage of the same size and location had been at that business since 1963.

2. There were no neighbors present to express opposition either in writing or verbally.
3. The sign would not cause an undesirable change in the neighborhood character or to nearby properties.
4. The sign would not have any adverse physical or environmental effects.
5. The alleged difficulty had not been self-created since the signage code was not in effect when the original sign was erected, and a comparatively similar business was still active on the site.

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OTHER BUSINESS: Acquaint Sarah Vestal with the Board members.