



Department of Planning, Housing, & Community Development

RECEIVED

Mayor, Matthew T. Ryan
Director, Tarik Abdelazim

MAR 1 3 2013

OFFICE OF THE CITY CLERK
CITY OF BINGHAMTON

Zoning Board of Appeals Official Decision

TO: Angela Fagerstrom, City Clerk and Tom Costello, Building Bureau
DATE: March 11, 2013
RE: 10 Glenwood Avenue (Cost Cutters); Area Variances for Signage
TAX ID: 143.84-2-24
PETITIONER: 3i Graphics & Displays, Inc.
CASE #: ZBA 2013-01

Area variance for Maximum Number of Signs and Maximum Projection of a Wall Sign in the C-1, Service Commercial District.

A public hearing was held on March 5, 2013 at 5:22 p.m., at a regularly scheduled meeting of the Zoning Board of Appeals, as required by Section 410-94(A) of the Zoning Ordinance. The petitioner presented proof of service by certified mail and by publication as required by Section 410-94(B) of the Zoning Ordinance and paid the required filing fee. The petitioner also posted the public notice sign as required.

At this meeting, Eric Olsen presented information on the proposed project. No one spoke in favor or in opposition of the proposed project. No letters were received in favor or in opposition of the proposal. The public hearing was then closed.

After due deliberation, JoAnn Mastronardi made a motion, seconded by Robert Warholic, to declare the proposed action an Unlisted action under the State Environmental Quality Review Act. The Zoning Board of Appeals voted 4-0 on the motion. The following members voted to approve the motion: JoAnn Mastronardi, Robert Warholic, Matthew Stiles, and J. Kelly Donovan. No one voted against the motion. No one was absent.

After due deliberation, JoAnn Mastronardi made a motion, seconded by Robert Warholic, to declare intent for the Zoning Board of Appeals to act as Lead Agency under the State Environmental Quality Review Act. The Zoning Board of Appeals voted 4-0 on the motion. The following members voted to approve the motion: JoAnn Mastronardi, Robert Warholic, Matthew Stiles, and J. Kelly Donovan. No one voted against the motion. No one was absent.

After due deliberation, JoAnn Mastronardi made a motion, seconded by Robert Warholic, for the Zoning Board of Appeals to make a **Negative Declaration** under SEQR. The Zoning Board of Appeals voted 4-0 on the motion. The following members voted to approve the motion: JoAnn Mastronardi, Robert Warholic, Matthew Stiles, and J. Kelly Donovan. No one voted against the motion. No one was absent.

After due deliberation, JoAnn Mastronardi made a motion, seconded by Robert Warholic, to approve the requested area variances. The Zoning Board of Appeals voted 4-0 on the motion. The following members

voted to approve the motion: JoAnn Mastronardi, Robert Warholc, Matthew Stiles, and J. Kelly Donovan. No one voted against the motion. No one was absent.

Comments/Findings:

1. The Zoning Board of Appeals determined that the requested area variances would not produce an undesirable change in the character of the neighborhood.
2. The Zoning Board of Appeals determined that for the applicant's proposed use there was not a reasonable alternative.
3. The Zoning Board of Appeals determined that the variances requested were not substantial.
4. The Zoning Board of Appeals determined that the requested variances would not have an adverse impact on the physical and environmental conditions in the neighborhood.
5. The Zoning Board of Appeals determined that the alleged difficulty could be considered self-created, but that should not preclude the granting of the requested variances.

PETITION: The request for area variances for Maximum Number of Signs and Maximum Projection of a Wall Sign were APPROVED.

A transcript of this meeting will be filed with the City of Binghamton Planning Department.

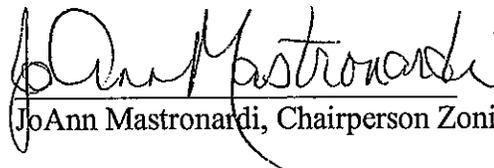
Petition Number: ZBA 2013-01

Reviewed and Approved:

Date: 3/12/13


Allison Sosa, Assistant Corporation Counsel

Date: 3/13/13


JoAnn Mastronardi, Chairperson Zoning Board of Appeals