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TELEPHONE 748-1514
AREA CODE 607

Town of Vestal

605 VESTAL PARKWAY WEST
VESTAL, NEW YORK 13850

October 20, 1983

11-1-A-8
205.08-3-14

Edward W. McGowan, Inc.
c/o Thomas, Collison & Place
Attorneys at Law
1201 Monroe Street
Endicott, New York 13760

ATTENTION; STEVE ATKINSON, ESQ.

Gentlemen:

At a meeting duly scheduled for October 13, 1983, the Zoning Board of Appeals of the Town of Vestal held a public hearing to consider your application re premises Tax Map No. 11-1-A-8, Horseshoe Lane, Vestal, New York for a variance from Chapter 44, Article IV, Subchapter 44-IV-2, Section E (3) (a) the Code of the Town of Vestal, Broome County, New York (Zoning Ordinance) pertaining to front yard setbacks in a R1A1, One Family Residential District.

A copy of the Decision of the Board is herewith enclosed.

Very truly yours,

JFS/mat
Enc.

JOSEPH F. SAMSON, Chairman
Zoning Board of Appeals

cc: Town Clerk; Permit Officer; Town Attorney
Steve Atkinson, Esq.

THE TOWN OF VESTAL



A FULL SERVICE TOWN

TOWN OF VESTAL
ZONING BOARD OF APPEALS

In The Matter of the Application

of

EDWARD W. MCGOWAN

For a Variance From Chapter 44,
Article IV, Subchapter 44-IV-2,
Section E (3)(a) of the Code of
the Town of Vestal, Broome County,
New York (Zoning Ordinance)

DECISION

At a meeting duly scheduled for October 13, 1983, the Zoning Board of Appeals of the Town of Vestal held a public hearing to consider the application of Edward W. McGowan, Inc. re premises Tax Map No. 11-1-A-8, Horseshoe Lane, Vestal, New York for a variance from Chapter 44, Article IV, Subchapter 44-IV-2, Section E (3)(a) of the Code of the Town of Vestal, Broome County, New York (Zoning Ordinance) pertaining to front yard setbacks in a R1A, One Family Residential District.

Mr. Michael McGowan appeared on behalf of the application with his attorney, Steve Atkinson, Esq. No persons appeared in opposition to the proposed variance.

After due deliberation, the Zoning Board of Appeals makes the following findings of fact and conclusions of law:

The applicant is currently the owner of Lot No. 8 on Horseshoe Lane in the Town of Vestal. Recently a one-story house was constructed on this lot. A survey indicates that perpendicular to the cul-de-sac on Horseshoe Lane the property is

set back 27.1 feet. If the property were measured from the front of Horseshoe Lane, it would not require a variance. However, the Zoning Code of the Town of Vestal requires a measurement from the closest point of the street to the closest point of the lot line. Only a small corner of the house projects into the 30 foot required front yard setback. The requested variance is minimal in terms of the area which projects into the 30 foot front yard setback and the mistake which was made by the builder was inadvertent in that the measurement he made was made parallel to the front yard lines of the lot rather than from the closest point of the street to the closest point in the house. There would be no adverse impacts on any of the adjoining properties.

Based upon the foregoing, the requested variance is, therefore, GRANTED.

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

Dated: October 19, 1983

ZONING BOARD OF APPEALS
OF THE TOWN OF VESTAL

BY: _____
Joseph F. Samson, Chairman