



**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:** Jennifer Kakusian  
**Members:** Mark Tomko  
Tom Smallcomb  
Paul Houle  
**Alternates:** Eugene Burns  
Thomas Jackson, Jr.  
John Taylor  
**Attorney:** Phillip Grommet

TOWN OF VESTAL ZONING BOARD OF APPEALS

In the Matter of the Application of:

John Cordi & Amy Brown  
309 Manchester Rd.  
Vestal, NY 13850  
BCTM#: 159.15-2-14

For variances as required by:

- Chapter 24, Article IV, Division 2, Section 24-180(b)(2)(a) pertaining to having in excess of the maximum permitted lot coverage in an RA-1, Single-family Residential District.
- Chapter 24, Article IV, Division 2, Section 24-180(b)(3)(b) pertaining to having less than the required side yard setback in an RA-1, Single-family Residential District.
- Chapter 24, Article IV, Division 2, Section 24-180(b)(3)(c) pertaining to having less than the required rear yard setback in an RA-1, Single-family Residential District.

At a meeting duly scheduled for April 25, 2019 the Zoning Board of Appeals of Town of Vestal held a public hearing to consider the application of John Cordi & Amy Brown regarding premises situated at 309 Manchester Rd. (BCTM#: 159.15-2-14) for a variance for the three non-conformity issues noted above.

Jennifer Kakusian, ZBA Chairman, asked if all members were familiar with the property. All board members had stated that they visited the site or were familiar with the character and nature of the area. Discussion ensued regarding the history of the property and the renovations that Mr. Cordi & Ms. Brown envisioned for the property. There were no letters of opposition to the case.

The floor was open for discussion at 6:39PM. None being heard the floor was closed at 6:39PM.

**Chapter 24, Article IV, Division 2, Section 24-180(b)(2)(a) pertaining to having in excess of the maximum permitted lot coverage in an RA-1, Single-family Residential District.**

After due deliberation the Zoning Board of Appeals makes the following finding of facts and conclusions of law:

1. Whether undesirable change would be produced in character of neighborhood or would be a detriment to nearby properties: **NO**
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: **NO**
3. Whether the requested variance is substantial: **NO**  
1% is not substantial
4. Whether the variance would have an adverse impact on the physical or environmental conditions in the neighborhood: **NO**

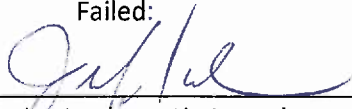
5. Whether the alleged difficulty was self-created: **NO**  
Family has resided at this location for twenty years

A motion was made by Mark Tomko seconded by John Taylor to allow one hundred thirty one +/- (131) sq ft. or one-percent (1) of Chapter 24, Article IV, Division 2, Section 24-180(b)(2)(a) pertaining to having in excess of the maximum permitted lot coverage in an RA-1, Single-family Residential District, as presented to the board.

Conditions to Motion: None

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>
JK	x	
MT	x	
TS	x	
TJjr	ABSENT	
EB	ABSENT	
JT	X	

Passed: X Failed: \_\_\_\_\_ Dated: April 25, 2019

Affirmed:   
 (Jennifer Kakusian, ZBA Chairman)

**Chapter 24, Article IV, Division 2, Section 24-180(b)(3)(b) pertaining to having less than the required side yard setback in an RA-1, Single-family Residential District.**

After due deliberation the Zoning Board of Appeals makes the following finding of facts and conclusions of law:

- Whether undesirable change would be produced in character of neighborhood or would be a detriment to nearby properties: **NO**
- Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: **NO**  
Based on architect rendering & lack of cost effectiveness
- Whether the requested variance is substantial: **NO**  
Only 9 inches +/-
- Whether the variance would have an adverse impact on the physical or environmental conditions in the neighborhood: **NO**
- Whether the alleged difficulty was self-created: **NO**

A motion was made by Mark Tomko seconded by Tom Smallcomb to approve variance of nine (9) inches +/- of Chapter 24, Article IV, Division 2, Section 24-180(b)(3)(b) pertaining to having less than the required side yard setback in an RA-1, Single-family Residential District, as presented to the board.

Conditions to Motion: None

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>
JK	x	
MT	x	
TS	x	
TJjr	ABSENT	
EB	ABSENT	
JT	X	

Passed: X Failed:

Dated: April 25, 2019

Affirmed:   
(Jennifer Kakusian, ZBA Chairman)

**Chapter 24, Article IV, Division 2, Section 24-180(b)(3)(c) pertaining to having less than the required rear yard setback in an RA-1, Single-family Residential District.**

After due deliberation the Zoning Board of Appeals makes the following finding of facts and conclusions of law:

- 1. Whether undesirable change would be produced in character of neighborhood or would be a detriment to nearby properties: **NO**
- 2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: **NO**  
Addition would not achieve intended goals
- 3. Whether the requested variance is substantial: **YES**  
Based on architectural rendering – cost effectiveness dictates the needs To be as such
- 4. Whether the variance would have an adverse impact on the physical or environmental conditions in the neighborhood: **NO**
- 5. Whether the alleged difficulty was self-created: **NO**

A motion was made by John Taylor seconded by Mark Tomko to allow a variance of fifteen and one-half feet (15.5) +/- of Chapter 24, Article IV, Division 2, Section 24-180(b)(3)(c) pertaining to having less than the required rear yard setback in an RA-1, Single-family Residential District, as presented to the board.

Conditions to Motion: None

<u>Vote:</u>	<u>Aye</u>	<u>Nay</u>
JK	x	
MT	x	
TS	x	
TJjr	ABSENT	
EB	ABSENT	
JT	X	

Passed: X Failed:

Dated: April 25, 2019

Affirmed:   
(Jennifer Kakusian, ZBA Chairman)