



**TOWN OF VESTAL
ZONING BOARD OF APPEALS**
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ZBA BOARD MEMBERS:
Chairman - Mark S. Johnson
Mark Tomko
Tom Smallcomb
Paul Houle
George Gerner
Attorney - Matt Butler, ESQ.
Alternate: Eugene Burns

TOWN OF VESTAL
ZONING BOARD OF APPEALS

In the Matter of the Application of

NATLIE SLUZAR

For a variance as required by Chapter 24,
Article IV, Division 2, Section 24-180 (b) (3) (a)
of the Code of The Town of Vestal, Broome County,
New York (Zoning Ordinance)

RECEIVED

JAN 04 2017

**TOWN CLERK
VESTAL, NY**

DECISION

At a meeting duly scheduled for December 8, 2016, the Zoning Board of Appeals of the Town of Vestal held public hearing to consider the application of Natalie Sluzar, regarding premises situate at 616 Delano Ave., (tax map no.: 173.40-1-18) for a variance as required by Chapter 24, Article IV, Division 2, Section 24-180 (b) (3) (a) of the Code of The Town of Vestal, Broome County, New York (Zoning Ordinance), pertaining to having less than the required front yard setback in an "RA-1", Single Family Residence District, so that a new extension to an existing garage can be constructed 21'6" from the front property boundary. Appearing in support of the application was the property owner, Natalie Sluzar. No one appeared in opposition. In support of the variance, the applicants provided the Board with a letter explaining the need for the variance, a detailed plot map, elevation drawings and GIS photographs. Applicant advised that she is now residing in her parent's old house and would like the utility of having a garage to park her car in. As retro-fit in the 80's to incorporate a laundry room, there is no place to park a vehicle.

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

Applicant is requesting this Board's permission to construct an extension onto the existing garage of the home. When applicant's parents purchased the home in the 1980's, they converted the back 2/3's of the garage into a laundry room. The laundry room adds utility to the home, so the applicant would like it to remain. However, she would like a garage to park her car in so she can protect it from the weather and avoid having to clean ice and snow off her vehicle every day. The proposed location is the only viable option for the garage that would allow it to appear original to the home and not be just an add on to the side, etc. She indicated that Bill Dwyer would be the contractor for the construction.

Board member Mark Johnson, Chairman, Eugene Burns, Paul Houle, George Gerner and Mark Tomko stated that they had visited the site and were familiar with the character and nature of the area.

The hearing was opened to the public, and after no person requested to be heard, comments, the public portion of the hearing was closed.

This is a Type II area variance.

A motion was made by Mark Tomko to grant a 8 foot 6 inch +/- front yard setback variance to allow for the construction of an extension to the existing garage situate at 616 Delano Ave, Vestal, as presented to the Board. The motion was seconded by George Gerner. A vote was called and:

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Therefore, in consideration of the above, and in balancing the factors of 1.) Change in character of locality; 2.) Alternate methods to achieve what the applicant desires; 3.) The degree of variance sought; 4.) Effect on the physical conditions existing in the locality; and 5.) Any self-created difficulties, the request for **8 foot 6 inch +/-** front yard setback variance to allow for construction of an extension to the existing garage at 616 Delano Ave. is hereby **GRANTED** by a **5-0** vote.

The variance was unanimously granted with the votes cast as follows: Chairman Mark Johnson-AYE, Paul Houle-AYE, Eugene Burns-AYE, Mark Tomko-AYE and George Gerner-AYE.

In the event that construction is not commenced within four months from the date hereof, then the variance granted by this Decision shall be deemed revoked.

The Code Enforcement Officer is herewith authorized to take the necessary action to carry out the provisions of this Decision, and ensure that the construction is performed to the requirements of the Code.

Dated: JAN 3, 2016 ²⁰¹⁷

ZONING BOARD OF APPEALS
OF THE TOWN OF VESTAL

BY: 
Mark Johnson, Chairman