

Action of the Zoning Board of Appeals Town of Brant, NY

ZBA Appeal Case 2021-01 ETU Dated January 21, 2021

To **Matthew Etu, Appellant**
120 Oval St - Brant, NY
SBL 281.06-1.29

At a meeting of the Zoning Board of Appeals on March 1, 2021, the referenced appeal was considered and the action below was taken on your request for an area variance to the Town of Brant Zoning Ordinance for the following: Front yard setback of which 60ft is required, approved to 54.79 ft. The eastern side yard set back of which 10ft is required, approved to 5.22ft. Total side yard combined setback of which 25ft is required, approved to 19.29ft. The building square footage of which 920sf minimum is required, approved to 880sf.

A motion to approve was made by Chairman Broughton who moved its adoption, and seconded by Joe Gardyjan and was approved 5-0 by the board to wit:

WHEREAS, the Zoning Board of Appeals of the Town of Brant has received an application from Matthew Etu for an area variance for side and front setbacks, and minimum square footage for a single family home expansion and renovation

; and

WHEREAS, in connection with such application, the Zoning Board has received and reviewed the application, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The requested variance will not create an undesirable change in the character of the neighborhood or detriment to nearby properties. The area fits well with the other properties, which also contain such buildings. The neighbors were notified with no objections.
- B. The benefits sought by the applicant cannot be achieved by some other feasible method because the house fits within a current non conforming property layout.
- C. The requested variance is not substantial in that the front set back is still 55 feet from the front property line and the side setbacks are close to the current measurements.
- D. The proposed variance will not have an adverse effect or impact on the physical and environmental conditions of the neighborhood or district. The area effected is not wet lands, it does not create any fire hazards, and it does not create any sight line problems.
- E. The difficulty was not self-created.
And;
- F. The board also considered the opinion of the Town Planning Board, who suggested the variance be approved,

NOW, THEREFORE, BE IT RESOLVED that the application of Matthew Etu for side and front setbacks, and minimum square footage for a single family home expansion and renovation **is hereby granted** for the reasons stated above, subject to no addition conditions.

Frank Broughton
Chairman Town of Brant Zoning Board of Appeals
March 4, 2021