

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

ZBA Case 2018-01 Riker Dated April 24, 2018

To **David Riker, Appellant**  
**10194 Hammond Rd**  
**Angola, NY 14006**

At a meeting of the Zoning Board of Appeals on June 28, 2018, the referenced appeal was considered and the action taken below was taken on your request for an area variance to the Town of Brant Zoning Ordinance to reduce the required side and rear setbacks from 50 feet to 10 feet for a two car garage.

The following resolution was offered by Board Member Paul Cesana, who moved its adoption, and seconded by Board Member Joe Gardyjan, to wit:

WHEREAS, the Zoning Board of Appeals of the Town of Brant has received applications from David Riker for an area variances for side and rear setbacks for construction of a two car garage

; 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 garage fits in within the current driveway configuration and any other location would be a hardship as it would interfere with the existing septic system.
- C. The requested variance is not substantial in that the set back is still 10 feet from the rear and side property lines
- 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 is an open grassy area. 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 David Riker for a rear and side setback for a two car garage **is hereby granted** for the reasons stated above, subject to no addition conditions.

Frank Broughton  
Chairman  
Town of Brant Zoning Board of Appeals