

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

ZBA Appeal Case 2019-01 Inglut Dated August 26, 2019

**To Joseph & Christina Inglut, Appellant
1325 Milestrip Rd - Brant, NY
SBL 284.00-514.2**

At a meeting of the Zoning Board of Appeals on August 26, 2019, 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 front property line setbacks to 16 and 31 feet.

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

WHEREAS, the Zoning Board of Appeals of the Town of Brant has received an application from Joseph and Christina Inglut for an area variance for side and front setbacks for construction of a 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 require a new driveway.
- C. The requested variance is not substantial in that the front set back is still 31 feet from the front property line and the side setback is still 16 feet from the side property line
- 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 Joseph and Christina Inglut for a front and side setback for a garage is **hereby granted** for the reasons stated above, subject to no addition conditions.

Frank Broughton
Chairman
Town of Brant Zoning Board of Appeals