

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

RE: ZBA Appeal Case 2024-02 - 69 Oval St, Dated March 20, 2024

To Susan Holmes, Appellant
69 Oval St - Brant, NY
SBL 281.06-1-80

At a meeting of the Zoning Board of Appeals on April 29, 2024, 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: a side setback area variance where 10' side setback is minimum and combined setback is 25' minimum. Requests if for 7' setback on the north side and 17' for north and south combined.

A motion to approve was made by ZBA Member Paul Cesana who moved its adoption, and seconded by Hannah Broughton and was approved 4-0 by the board to wit:

WHEREAS, the Zoning Board of Appeals of the Town of Brant has received an application from Susan Holmes for an area variance side and total side yard setbacks for an addition on the existing home using part of the existing foundation.

; 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 addition fits well in this neighborhood of summer cottages mostly converted to full season homes. The addition is actually bring this part of the home up to current code.
- B. The benefits sought by the applicant cannot be achieved by some other feasible method because it is using most of the existing footprint of the current home with part of its existing foundation.
- C. The requested variance is not substantial in that the side setback is 7ft from the required 10ft and the total side rear setback is 17ft from the required 25ft.
- 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. There are no drainage issues as the run off will be the same as the existing home and this property lies lower than the neighboring proerties. The neighbors were notified with no objections.
- 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 Susan Holmes for a 7ft side yard setback and a 17ft total side yard for a new addition to the home **is hereby granted** for the reasons stated above, subject to no additional conditions.

Frank Broughton
Chairman Town of Brant Zoning Board of Appeals
May 2, 2024