

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

ZBA Appeal Case 2023-01 Dated May 11, 2023

To **Megan Gasta, Appellant**  
**30 Lotus Bay Rd - Brant, NY**  
**SBL 265.04-1.47**

At a meeting of the Zoning Board of Appeals on June 26, 2023, 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 30ft.

A motion to approve was made by ZBA Member Paul Cesana who moved its adoption, and seconded by Chris Czech 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 Megan Gasta for an area variance front setoff for a single family home.

; 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 of an existing garage which would be a hardship to tear down and replace.
- C. The requested variance is not substantial in that the front set back is still 30 feet from the front 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 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 Megan Gasta for front setoff for a single family home **is hereby granted** for the reasons stated above, subject to no addition conditions.

Frank Broughton  
Chairman Town of Brant Zoning Board of Appeals  
June 27, 2023