

11/16/17.

3. Will the requested variance, if granted, alter the essential character of the neighborhood?
4. Is the alleged hardship self-created?

Town Of Chester Zoning Board of Appeals  
1786 Kings Highway, Chester, New York 10918  
Phone: (845) 469-7000, ext. 308 Fax: (845) 469-9242

**APPLICATION TO THE ZONING BOARD OF APPEALS**

**PART I: OWNER INFORMATION** - Please type or print below

DATE: 11/9/17

Property Location: 72 West Ave Chester NY 10918  
Owner(s) of Record: Full name(s) John Barton, Kristina Barton  
Home Phone#: ( ) - Work #: ( ) - Cell #: (845) 674 6375  
Email address: Kristinamh1030@gmail.com  
Mailing Address of Owners(s): 72 West Ave  
City, State, Zip Code: Chester NY 10918

**PART II: AGENT INFORMATION** - If applicable (Please attach Owner Authorization letter)

Agent Name: \_\_\_\_\_  
Work #: ( ) - Cell #: N/A -  
Email address: \_\_\_\_\_  
Mailing Address of Agent: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

**PART III: ATTORNEY INFORMATION**

Attorney for Applicant: \_\_\_\_\_  
Mailing Address of Attorney: N/A  
City, State, Zip Code: \_\_\_\_\_ Phone # ( ) -

**PART IV: APPLICATION DETAILS**

**Note: If this application is being made by someone other than the owner, the owner must sign the owner's authorization attached to this document.**

Orange County Tax Map Number: 2-6 Section/Block/Lot 6 / 1 / 6 + 5  
Zoning District: SR-6 Lot Size \_\_\_\_\_

**Type of Variance Sought:** (check one or more)

- ☒ Area Variance  
☐ Use Variance  
☒ Interpretation

**Referred by:** \_\_\_\_\_

☒ Planning Board

☐ Code Enforcement Officer

State in factual terms the exact manner in which applicant seeks from the Zoning Board of Appeals:

I am requesting an area variance & an interpretation of "home occupation."

A summary statement of the practical difficulty because of the existing zoning regulations for the subject premises as follows:

Existing zoning regs. require 1 acre for a home business and my 2 lots combined are short by about .20 acres.

Describe any circumstances supporting this application:

Has a variance or special exception use ever been applied for on this property?

☐ Yes ☒ No

If yes, indicate the Zoning Board of Appeals date of decision: \_\_\_\_\_

Is the subject property located within 500 feet of any of the following?

☐ Town or Village boundary line (if yes, indicate which Town or Village : \_\_\_\_\_)

☐ State road, park, or other recreational facility

☐ County Road or right of way

ZONING BOARD OF APPEALS


OWNERS AUTHORIZATION FOR A SITE VISIT

I (Please print) Kristina Barton

grant permission for members of the Zoning Board of Appeals and/or representatives of same Board to make a site visit on my property should they deem it necessary to review my application. The property location is:

72 West Ave  
Chester NY 10918

Signed,



Date:

11/9/17

Town of Chester  
Zoning Board of Appeals  
1786 Kings Highway,  
Chester, New York 10918  
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**Interpretation Only**

**A request for an interpretation is made for the following reason:**

See attached



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**Area Variance Only**

**Please answer the following:**

Will there be an undesirable change in the character of the neighborhood, or a detriment to nearby properties if this variance is granted?

*No. Neighborhood will be unaffected.*

Can you achieve your goals via a reasonable alternative which does not involve the necessity of an area variance?

*No.*

Is the variance is substantial?

*No. The variance is about .2 acres or less.*

Will the variance have an adverse impact on physical or environmental conditions in the neighborhood or district?

*No. Physical / environment impacts will be unchanged from current circumstances.*

Is this a self-created difficulty?

*No. I have not sold or subdivided my property*

Kristina Barton  
Variance/Interpretation Application  
11/09/2017

A request for an interpretation is made for the following reason:

I am requesting an interpretation of the term "home occupation" as is noted in the Accessory Use section of the Schedule of Use and Area Requirements for the SR-6 District zone (Chapter 98 Attachment 2).

The Definitions and Word Usage of the Zoning Code defines home occupation as:

*Any gainful occupation customarily conducted within a dwelling by the residents thereof, clearly secondary to the use of the dwelling for living purposes and which does not change the character of the structure as a residence. Examples of home occupations are provided and include physician and dentist.*

Although my plan of a private practice psychotherapy office as a home occupation is similar to that of a physician or dentist, it is not specifically identified in this list and I would like clarification that my plan would be appropriately classified as such. There is no intention or ability for this private practice home occupation to ever function as a clinic or hospital.

*K. Barton*

*11/9/17*