

TOWN OF CHESTER
ZONING BOARD OF APPEALS

RESOLUTION

Application of Timothy Uhler, seeking a variance of Section 98-11 E of the Zoning Ordinance of the Town of Chester, as it pertains to the applicant's property located at 15 Davis Hill Road, Chester, New York, also known as Section 7 Block 1 Lot 51 on the Tax Map of the Town of Chester, New York, for permission to create living space in an accessory building.

Members Present:

Linda Ranni, Chairwoman
Gregg Feigelson
Vincent Finizia
Dorian DeHaan Rossi

Others:

J. Scott Bonacic, ZBA Attorney
Dot Wierzbicki, ZBA Secretary

Whereas, the application consists of a Town of Chester Zoning Board of Appeals application form and a photograph of the subject property; and

Whereas the applicant has not shown that, absent the variance, the applicant cannot realize a reasonable return on the use of his property, said lack of reasonable return not having been demonstrated by competent financial evidence.

MOTION made to grant the variance made by: Gregg Feigelson

Second made by: Linda Ranni

The roll for the vote was as follows:

Members voting to grant the variance

Members voting to deny the variance

Gregg Feigelson
Vincent Finizia
Linda Ranni

Member Dorian DeHann Rossi recuses herself from the vote.

The Chairwoman declared the resolution denied and directed the Clerk to file this resolution.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals of the Town of Chester, New York, denies the variance of Section 98-11 E of the Zoning

Ordinance of the Town of Chester, New York, as it pertains to the applicant's property located at 15 Davis Hill Road, Chester, New York, also known as Section 7 Block 1 Lot 51 on the Tax Map of the Town of Chester, for permission to create living space in an accessory building.

Pursuant to Section 98-38 (I) Of the Zoning Ordinance of the Town of Chester, New York, unless construction is commenced and diligently pursued within six months of the date of the granting of a variance, such variance shall become null and void.

Dated: November 18, 2010
Chester, New York

Linda Ranni 11/23/10
Linda Ranni, Chairwoman, Date