

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

Board Members:

**Vincent Finizia
David Gove**

**Chairman
Attorney (Greenwald & Partners)**

**Julie Bell
Gregg Feigelson
Konrad Mayer
Walter Popailo**

**Alternate Members: Bob Garstack, Dan Doellinger
Alexa Burchianti- Zoning/Planning Board Clerk**

Variances: Relief from the Town's Zoning Ordinance are granted by the Zoning Board of Appeals in accordance with NYS Town Law 267 and Town of Chester Zoning Law Section 98-36. The board of appeals shall, in the granting of variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance or local law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community. The following criteria are used for the granting of variances.

FEES:

Residential Area Variance or Interpretation	\$175
Commercial/Industrial Variances	\$275
Use Variance	\$350
Mailing List	\$75 (first 25 names) \$ 1 (per name after 25)
Work Session	\$ 75 <u>each</u> work session (up to a half hour)

Requests for Interpretations

An interpretation is a request to interpret an order, requirement, decision, or determination made by an administrative official or a request by any official, board, or agency to decide any of the following questions:

- Determination of the meaning or requirement of any portion of the Town of Chester Zoning Laws.
- Determination of the exact location of any district boundary shown on the zoning map.

Area Variance

An Area Variance is a granting of relief from the dimensional requirements of the zoning ordinance. An area variance is heard where lot size, width, setbacks, number and size of structures, sign ordinances, etc. are involved.

An Area Variance application must address the balance between the benefit to the applicant versus the detriment to the health, safety and welfare of the neighborhood, should the variance be granted. The Zoning Board of Appeals must consider the following criteria when "balancing" the request for relief.

1. Will granting this variance produce an undesirable change in character or a detriment to the neighborhood?
2. Can the benefit sought by the applicant be gained by any other feasible alternatives?
3. Is the relief requested substantial to the Ordinance requirements?
4. Will the relief requested have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?
5. Is the relief requested a result of a self-created difficulty?

Use Variance

A Use Variance is a granting of relief to allow a use not otherwise allowed under the Zoning Ordinance.

A Use Variance application must demonstrate, to the Zoning Board of Appeals, an unnecessary hardship. Demonstration of such hardship includes responses to the following criteria. Responses must address each and every permitted use listed, under current zoning, for the property in question.

1. Can a reasonable return be realized if the land is used as zoned?
If the answer is no, this claim must be substantiated by competent financial evidence.
2. Is the alleged hardship unique to the property in question?

☐ Planning Board

☐ Code Enforcement Officer

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

Seeking variance for an extension of an existing structure.

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

95 Hidden Drive was built in 1937 prior to 1957 when zoning laws and building codes were established. This building was "Grandfathered" in so building is non-compliant with codes.

Describe any circumstances supporting this application:

I want to expand the building by 170 square feet in accordance with the sketches supplied and attached to 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: N/A

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) Silas Bowman

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:

95 Hidden Drive
Monroe, NY, 10950

Signed,

Silas Bowman

Date:

27 August 2016

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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

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

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

No

Is this a self-created difficulty?

Yes