

TOWN OF CHESTER
ZONING BOARD OF APPEALS

RESOLUTION

Application of Leke Vataj seeking an area variance of Section 98-7, Schedule of Use and Area Requirements for Suburban-Residential District (SR-2) of the Zoning Ordinance of the Town of Chester, as it pertains to the applicant's property located at 79 South Side Drive, Town of Chester, New York, also known as Section 10, Block 9, Lot 3.1 on the Tax Map of the Town of Chester, New York, seeking an area variance to permit a two-family dwelling located on the property where Section 98-7, Schedule of Use and Area Requirements for Suburban-Residential District (SR-2) requires one (1) acre (43,560 square feet) minimum lot size and the applicant's lot is 9,440 square feet. Applicant seeks a 34,120 square foot area variance for use as a two-family dwelling in SR-2 district.

Members Present:

Vincent Finzia, Acting Chairman
Julie Bell
Gregg Feigelson
Konrad Mayer
Bob Garstak

Others:

David L. Gove, Esq.,
ZBA Attorney
Tanya McPhee,
ZBA Secretary

Whereas, the application consists of a Town of Chester Zoning Board of Appeals application form, a letter dated June 3, 2015 from the Town of Chester Building Department, with three (3) Orders to Remedy Violations dated June 3, 2015 from the Building Department, a letter dated September 20, 1999 from the Town of Chester Clerk, and a letter dated August 24, 1999 from Barretta Research LLC; and

Whereas, a Public Hearing was scheduled for August 20, 2015 at 7:00p.m.; and

Whereas, said Public Hearing was posted with notice provided in compliance with Chester Town Code § 98-38; and

Whereas, a Public Hearing was held on August 20, 2015; and

Whereas, the Public Hearing was held open and scheduled to continue on September 17, 2015; and

Whereas, said Public Hearing was posted with notice provided in compliance with Chester Town Code § 98-38; and

Whereas, a Public Hearing was held on September 17, 2015; and

Whereas, the members of the Zoning Board of Appeals took into consideration the benefit to the applicant if the variance was granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant; and

Whereas, the matter was called to a vote on the granting of the variance; and

Whereas, the Board voted to deny the variance.

The roll for the vote was as follows:

Members voting to grant the variance:

Greg Feigelson
Konrad Mayer

Members voting to deny the variance:

Julie Bell
Vincent Finizia
Bob Garstak

The Acting Chairman 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 area variance of Section 98-7, Schedule of Use and Area Requirements for Suburban-Residential District (SR-2) of the Zoning Ordinance of the Town of Chester as it pertains to the applicant's property located at 79 South Side Drive, Town of Chester, New York, also known as Section 10, Block 9, Lot 3.1 on the Tax Map of the Town of Chester, New York, seeking an area variance to permit a two-family dwelling located on the property, where Section 98-7, Schedule of Use and Area Requirements for Suburban-Residential District (SR-2) requires one (1) acre (43,560 square feet) minimum lot size and the applicant's lot is 9,440 square feet. Applicant seeks a 34,120 square foot area variance for use as a two-family dwelling in SR-2 district, which is hereby denied.

DATED: September _____, 2015
Chester, New York

Vincent Finizia, Acting Chairman Date