

**Town Of Chester Zoning Board of Appeals**  
**1786 Kings Highway, Chester, New York 10918**  
**Phone: (845) 469-7000, ext. 338 Fax: (845) 469-9242**

**APPLICATION TO THE ZONING BOARD OF APPEALS**

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

**DATE:** 8.27.2019

Property Location: 500 BELLVALE RD.

Owner(s) of Record: Full name(s) DANIEL POGANSKI

Home Phone#: (845) 469-8696 Work #: (845) 651-1880 Cell #: (845) 988-7353

Email address: TWOPOG02@aol.com

Mailing Address of Owners(s): 500 BELLVALE RD

City, State, Zip Code: CHESTER NY 10918

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

Agent Name: \_\_\_\_\_

Work #: ( ) - Cell #: ( ) -

Email address: \_\_\_\_\_

Mailing Address of Agent: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

**PART III: ATTORNEY INFORMATION**

Attorney for Applicant: \_\_\_\_\_

Mailing Address of Attorney: \_\_\_\_\_

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: \_\_\_\_\_ Section/Block/Lot 13 / 1 / 13.3

Zoning District: AR-3 Lot Size 2.02

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

☒ Area Variance

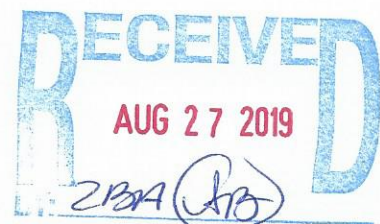
☐ Use Variance

☐ 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:

WE SEEK TO BUILD A GARAGE IN THE FRONT  
YARD

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

PROPERTY IS IRREGULAR SHAPE, FLAG LOT  
THERE IS NO OTHER LOCATION ON PROPERTY  
TO ACCOMMODATE THIS BUILDING

Describe any circumstances supporting this application:

FRONTAGE IS BELLEVUE RD  
HOME FACES KINGS HIGHWAY BYPASS

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
- ☐ Federal owned property

**ZONING BOARD OF APPEALS  
OWNERS AUTHORIZATION FOR A SITE VISIT**

I (Please print) DANIEL ROGANSKI

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:

500 BELLMORE RD.  
\_\_\_\_\_  
\_\_\_\_\_

Signed,



Date:

8/27/19



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OWNER AUTHORIZATION

STATE OF NEW YORK

COUNTY OF ORANGE

I, \_\_\_\_\_  
OWNER  
residing at \_\_\_\_\_  
OWNER ADDRESS  
being the owner of premises \_\_\_\_\_  
PROPERTY LOCATION  
also known as Orange County Tax Map #: \_\_\_\_\_  
TAX MAP  
hereby authorize \_\_\_\_\_  
AGENT  
whose mailing address is \_\_\_\_\_  
AGENT ADDRESS  
to appear on my behalf before the \_\_\_\_\_  
of the Town of Chester, and to file any documents required with reference to my  
application for \_\_\_\_\_

I hereby agree to allow my agent, whose name appears above, to act on my behalf and I further  
agree to abide by any requirements imposed by this Board as a condition of their approval.

\_\_\_\_\_  
OWNER SIGNATURE

Sworn to before me this \_\_\_\_\_

Day of \_\_\_\_\_, 20\_\_

Notary Public

**ZONING BOARD OF APPEALS  
INTER-COMMUNITY IMPACT FORM  
239 DISCLOSURE**

Applicant Name Daniel Roganski

Property Address 500 Bellvue Rd

The law requires that certain applications be provided to neighboring communities and to the County. Please state if any of the following are applicable:

1. This property is within 500 feet of any other municipality (including any other Town or Village)?  
NO \_\_\_\_\_ YES \_\_\_\_\_ if you answered yes, which other municipality or municipalities?

2. Is the property within 500 feet of any of the following?

\_\_\_\_\_ The boundary of any existing or proposed county or state park or any other recreation area

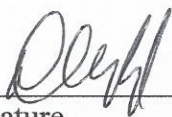
☒ The right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway; or

\_\_\_\_\_ The existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines; or

\_\_\_\_\_ The existing or proposed boundary of any county or state owned land on which a public building or institution is situated; or

☒ The boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law, except this subparagraph shall not apply to the granting of area variances.

Please note that the answers to these questions are needed in order to deem the application complete.

  
Applicant Signature

Name (please print): Daniel A. Roganski  
Date: 8/27/19

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**Interpretation Only**

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

WE SEEK TO BUILD A GARAGE IN THE  
FRONT YARD OF THE HOME, CONFORMING TO THE  
ZONING IN PLACE

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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?

*No*



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**Use Variance Only**

**Please answer the following:**

The applicant cannot realize a reasonable return, provided that the lack of return is substantial as demonstrated by competent financial evidence.

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The alleged hardship unique relating to the property in question, and does not apply to a substantial portion of the district or neighborhood.

IT IS AN IRREGULAR- FLAG LOT

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Will the use variance, if granted, alter the essential character of the neighborhood?

NO

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Has the alleged hardship been self-created?

NO

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**PROCEDURAL FORMAT FOR A PUBLIC HEARING**

**A Public Hearing must be held prior to issuing an interpretation or variance to the Town of Chester zoning laws. The applicant will be notified by the Chairman of the date and time of the public hearing. An ad must be placed in the newspaper along with sending certified mailings to each property owner within 300 feet of the proposed action. Please follow the below instructions carefully.**

**Failure to follow the procedures will automatically cancel the public hearing without exception.**

**Newspaper Publication**

The applicant will be responsible to publish a notice in the **Legal Notice Section** of the Middletown Times Herald Record. The Chairman must approve the notice prior to publication. This notice **MUST be published between 5 and 10** days prior to the public hearing. Typically, the newspaper requires that the notice be sent to them three days prior to the actual publishing date. **The applicant is responsible for all associated costs.**

**Please note that:** At the time of the hearing, the applicant is **required** to furnish the Zoning Board of Appeals with a **copy of the publicized legal notice and the date published.**

**Property Owner Notification**

The applicant will be responsible to notify all property owners within 300 ft. of the proposed action. The same notice published in the newspaper must be sent out to each individual property owner on the list, **and must be sent by certified mail with return receipt requested.** The official list of property owners within 300 feet is obtainable only from the **Town of Chester Zoning Board.** **The applicant is responsible for all associated costs.**

**Please note that:** At the time of the hearing, the applicant is required to furnish the Zoning Board of Appeals with the **proof of each certified mailing and any return receipts they may have received.** **Please organize the receipts in the same order as the list supplied by the Zoning Board.**