

TOWN OF CHESTER
ZONING BOARD OF APPEALS

RESOLUTION

Application of Daniel Steinberg and Catherine King-Steinberg, seeking a variance of Section 98-14 of the Zoning Ordinance of the Town of Chester, as it pertains to the applicants' property located at 125 Nancy Lane, Town of Chester, New York, also known as Section 4, Block 1, Lot 61 on the Tax Map of the Town of Chester, New York, for permission to erect a six foot (6') solid privacy fence on the side yard of the property when no fence over four feet (4') in height for open fences or three feet (3') for solid fences is permitted.

Members Present:

Dimitrios Lambros, Chairman
Julie Bell
Gregg Feigelson
Vincent Finizia

Others:

J. David Aikman, Esq.,
ZBA Attorney
Tanya McPhee,
ZBA Secretary

Whereas, the application consists of a Town of Chester Zoning Board of Appeals application form, an application for a building permit, surveys of the area, photographs depicting the premises in the area of the proposed fence and illustrations of the proposed fence from the manufacturer and

Whereas, the granting of the variance will not produce an undesirable change in the character of the neighborhood, and a detriment to nearby properties will not be created; and

Whereas, the applicants cannot achieve their objection via another reasonable alternative which does not involve the necessity of an area variance; and

Whereas, Ms. Bell and Mr. Finizia felt the variance sought by the applicants was not substantial in nature, while Mr. Lambros and Mr. Feigelson felt that it was substantial; and

Whereas, the variance will not have an adverse impact on physical or environmental conditions in the neighborhood; and

Whereas, the hardship is not self-created.

MOTION to grant the variance made by: DIMITRIOS LAMBROS

Second made by: VINCENT FINIZIA

Whereas the Board felt that this variance should be granted due to the special circumstances existing in this case as a result of ill will and conflict between the applicants and

their neighbor which have resulted in this request for a means to minimize contact between them.

The roll for the vote was as follows:

Members voting to grant the variance:

Dimitrios Lambros
Julie Bell
Greg Feigelson
Vincent Finizia

Members voting to deny the variance:

The Chairman declared the resolution PASSED 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, GRANTS the variance of Section 98-14 of the Zoning Ordinance of the Town of Chester, as it pertains to the applicants' property located at 125 Nancy Lane, Town of Chester, New York, also known as Section 4, Block 1, Lot 61 on the Tax Map of the Town of Chester, New York, for permission to erect a six foot (6') solid privacy fence on the side yard of the property when no fence over four feet (4') in height for open fences or three feet (3') for solid fences is permitted.

DATED: May_____, 2015
Chester, New York

Dimitrios Lambros, Chairman Date