

# APPLICATION TO BOARD OF APPEALS

Tel. No. \_\_\_\_\_

Appeal No. 2013-019

Date 3/4/13

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

I (we) DAVID P. SHEARER of PALMATE AT 1800  
1800 UNION RD, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE

DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT NO. \_\_\_\_\_,

DATED \_\_\_\_\_, 20\_\_\_\_, WHEREBY THE BUILDING INSPECTOR DID DENY TO

- A PERMIT FOR USE
- A PERMIT FOR OCCUPANCY
- A TEMPORARY PERMIT OR EXTENSION THEREOF

- A CERTIFICATE OF EXISTING USE
- A CERTIFICATE OF ZONING COMPLIANCE
- AREA PERMIT

1. Applicant is the
- PROPERTY OWNER
  - CONTRACTOR FOR THE WORK CONCERNED HEREIN
  - PROSPECTIVE TENANT
  - OTHER (Describe)

2. LOCATION OF THE PROPERTY 1800 UNION RD. W. SENECA NY 14224

3. State in general the exact nature of the permission required, FACILITY TO HAVE LIVE MUSIC.

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect to this property, except the appeal made in Appeal No. NA, dated \_\_\_\_\_, 20\_\_\_\_.

### 5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district, or the variance would observe the spirit of the ordinance and would not change the character of the district because:

LIVE MUSIC ON WEEKEND NITE

B. Interpretation of the Zoning Ordinance is requested because: LIVE MUSIC NOT PERMITTED WITHOUT VARIANCE APPROVAL.

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article \_\_\_\_\_, Section \_\_\_\_\_, Subsection \_\_\_\_\_, Paragraph \_\_\_\_\_ of the Zoning Ordinance, because:

David P. Shearer  
Signature

### TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance 120-20 (8)(d) - EATING OR DRINKING ESTABLISHMENTS PERMITTED RADIO/RECORDED MUSIC - OWNERS REQUESTING LIVE MUSIC

2. Zoning Classification of the property concerned in this appeal C-2 (S)

### 3. Type of Appeal:

- Variance to the Zoning Ordinance.
- Interpretation of the Zoning Ordinance or Zoning Map
- Special or Temporary Permit or an extension thereof under the Zoning Ordinance.

4. A statement of any other facts or data which should be considered in this appeal.

VARIANCE APPLICANT REQUESTING FRIDAY + SATURDAY NIGHTS

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