

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. 2016-037
Date 4/25/16

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

I (we) X STEVEN DWELWORTH of X 81 COLLINS AVE
WEST SENECA NY 14224, 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

- | | |
|--|---|
| <input checked="" type="checkbox"/> A PERMIT FOR USE | <input type="checkbox"/> A CERTIFICATE OF EXISTING USE |
| <input type="checkbox"/> A PERMIT FOR OCCUPANCY | <input type="checkbox"/> A CERTIFICATE OF ZONING COMPLIANCE |
| <input type="checkbox"/> A TEMPORARY PERMIT OR EXTENSION THEREOF | <input type="checkbox"/> AREA PERMIT |

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

2. LOCATION OF THE PROPERTY X 81 COLLINS AVE WEST SENECA NY 14224

3. State in general the exact nature of the permission required, Requesting 6' fence in
front and side yard (corner lot) 4' permitted

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. _____, dated _____, 20____.

5. REASON FOR APPEAL.

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: _____

See letter

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____, Section 120, Subsection 39, Paragraph B of the Zoning Ordinance, because: R district fences

4' permitted front and side yard 6' requested

X


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

TOWS Zoning Ordinance 120-39(B)

2. Zoning Classification of the property concerned in this appeal R 45

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. JG TR

Steven+Emily Duckworth

81 Collins Ave. West Seneca NY 14224 |

April 21, 2016

Town of West Seneca Zoning Board

1250 Union Rd

West Seneca NY 14224

Dear Board Members:

We are seeking approval of a variance to construct a six-foot white vinyl privacy fence on our property at 81 Collins Avenue, which is on a corner lot.

The fence would sit 38 feet from the curb (28 feet from the sidewalk) on the Collins Avenue side, 10 feet 8 inches from the curb on the Arcade Street side and would end after running 47.5 feet down the back side of our property, 1 foot from the property line. This will give enough line of sight to allow safe passage of traffic at this very low traffic intersection.

There are several reasons for constructing the fence:

- We have virtually no back yard. The side yard acts as our back yard, and a fence would provide privacy for dining and entertainment. We plan to pour a concrete patio if this is approved.
- The fence would act as a sound and litter barrier.
- There are people that cut through our yard, which presents security and liability concerns.
- We have pets that we would like to let out into the yard. Having a fence would make it easier to keep them contained.

Having this fence would allow much better use of the property. It also would raise the value of our home (and in turn the other properties surrounding it), and would definitely make the property more marketable in the future should it ever be sold- considering the improvements that would be a direct result of this being constructed. **Please advise if any of these measurements need to be tweaked (I.e. distance from the curb, distance from property line and/or height of fence at certain points). We are flexible and willing to cooperate within reason to gain approval.**

We are looking forward to coming to an amicable agreement that will ensure safety of the town residents while benefitting all involved parties.

Sincerely,

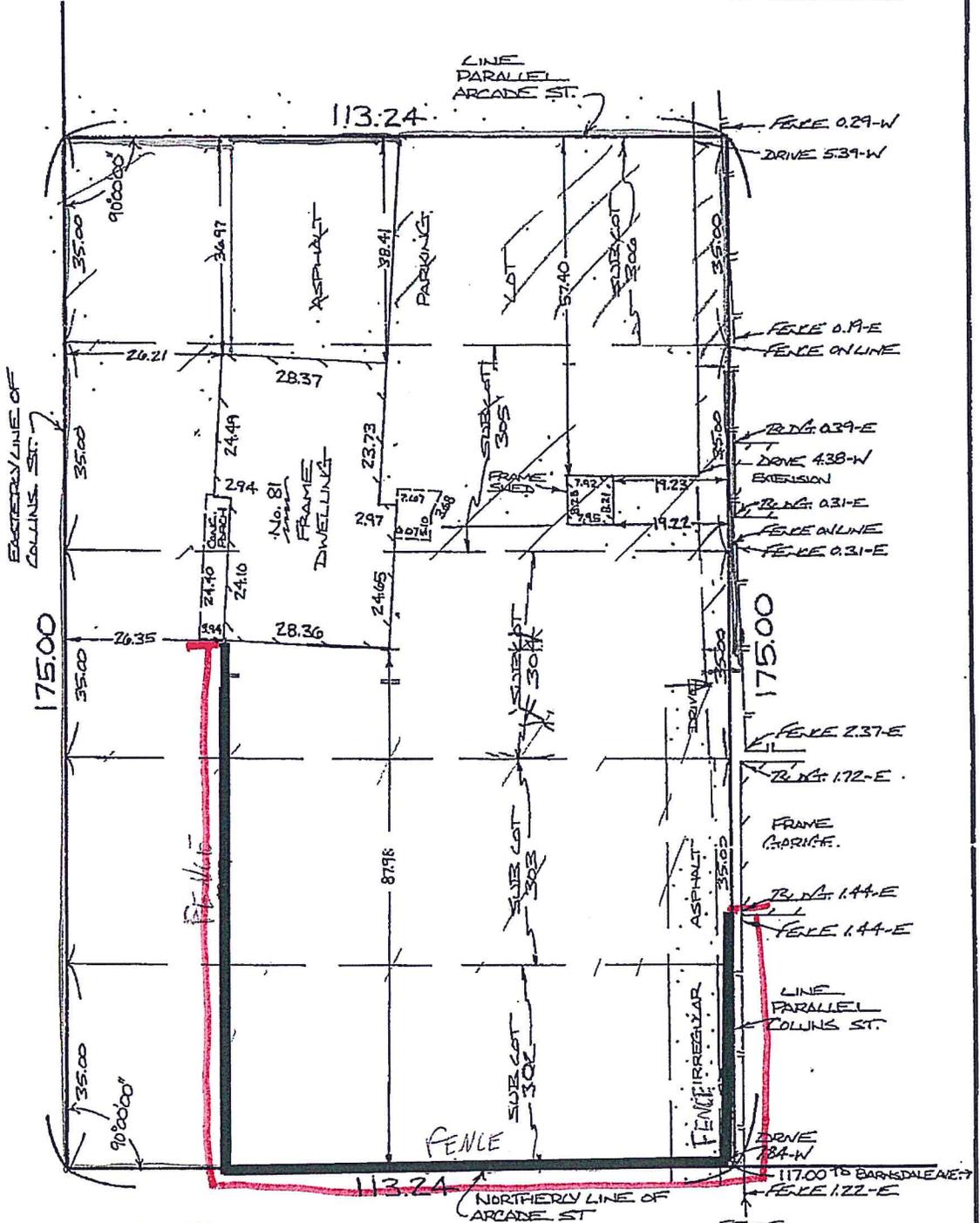


Steven Duckworth

6' fence in front and side

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STR OF FACT THAT MAY BE REVEALED BY AN EXAMINATION OF SAME

STREET COLLINS (6000 WIDE) STREET



THIS MAP VOID UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND

SURVEYORS SEAL NO. 050182

ARCADE (6000 WIDE) STREET

PREMISES SITUATED IN PART OF LOT-135, TOWNSHIP-10, RANGE-7 OF THE BUFFALO CREEK RESERVATION TOWN OF WEST SENeca, ERIE COUNTY, NEW YORK

BEING: SUBLOTS- 302, 303, 304, 305 & 306 MAP COVER- 1308

RE-SURVEY

RE-SURVEY

RE-SURVEY

Inches 1 2 3 4 5 6 7 8 9 10 11 12

Date of Survey AUGUST 31, 2009

HAROLD L. GANTZER KRAUSE & GANTZER CIVIL ENGINEERS & LAND SURVEYORS

