

# TOWN OF WEST SENECA

## APPLICATION FOR REZONING - SPECIAL PERMIT

### TO BE COMPLETED BY APPLICANT

DATE 3/27/22

FILE # 2022-002

PROJECT NAME \_\_\_\_\_

PROJECT LOCATION (Include address and distance to nearest intersection) 301 Lein Rd

APPLICANT Eugene Staychock

PH/FAX 716-523-4865

ADDRESS 359 Lein Road

PROPERTY OWNER Same as above

PH/FAX \_\_\_\_\_

ADDRESS Same as above

ENGINEER/ ARCHITECT \_\_\_\_\_

PH/ FAX \_\_\_\_\_

ADDRESS \_\_\_\_\_

SBL # 135.16-2.17.1

PROJECT DESCRIPTION (Include all uses and any required construction)

REZONE TO PERMIT A SINGLE FAMILY HOME

SIZE OF LOT (acres) 90x225

ACREAGE TO BE REZONED 1.75

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

NA

EXISTING ZONING M-1 PROPOSED ZONING R-90

EXISTING USE(S) ON PROPERTY Vacant land

PROPOSED USE(S) ON PROPERTY building lot, single family home

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET

RESIDENTIAL - NORTH

COMMERCIAL - SOUTH + WEST

PUBLIC SEWER YES  NO

PUBLIC WATER YES  NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

NONE

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION OF ALL REQUIREMENTS LISTED HEREIN

### TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED \_\_\_\_\_ BY \_\_\_\_\_

PLANNING BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD MEETING DATE \_\_\_\_\_

TOWN BOARD RESOLUTION DATE \_\_\_\_\_

3/27/22

To whom it may concern,

The purpose of this letter is to request the property at 301 Lein Road have a zoning changed from M-1 to R-90. Current survey shows a section that will be sold for a building lot for a single family home.

Thank you

Core Stoychak

716-523-4865 cell

716-674-4864 Home

716-675-2333 work

# This Indenture,

Made the

7th

day of

November  
Between

Nineteen Hundred and Ninety-Four

HENRY NIESPODZINSKI AND FLORENCE NIESPODZINSKI, his wife  
residing at 370 Lein Road, West Seneca, NY 14224

parties of the first part, and

EUGENE STAYCHOCK AND CHERYL STAYCHOCK, his wife  
residing at 359 Lein Road, West Seneca, NY 14224

parties of the second part,

**Witnesseth**, that the parties of the first part, in consideration of -----  
One and more ----- Dollars (\$1.00 & more

lawful money of the United States,

paid by the parties of the second part, do hereby grant and release unto the parties of the  
second part, their heirs and assigns forever,

## All that Tract or Parcel of Land,

situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot Number three hundred fifty-six (356) of the Ebenezer Lands, so-called, bounded and described as follows:

BEGINNING at a point in the easterly line of Lein Road, five hundred ninety-six and ninety-three hundredths (596.93) feet south of the south line of Schultz Road, as measured along the easterly line of Lein Road which point of beginning is two hundred thirty (230.00) feet south of the northwest corner of lands conveyed to Henry S. Niespodzinski by deed recorded in the Erie County Clerk's Office in Liber 8673 of Deeds at page 465 on July 25, 1978; running thence south along the east line of Lein Road and the west line of Niespodzinski, a distance of fifty-seven and thirty-seven hundredths (57.37) feet to a point; thence east at right angles, seven (7) feet to a concrete monument in the new east line of Lein Road; thence south along the new east line of Lein Road, forty-nine and sixty-two hundredths (49.62) feet to a point; running thence easterly along a line parallel to the north line of lands conveyed to Lee C. Murray by deed recorded in the Erie County Clerk's Office in Liber 8222 of Deeds at page 399, a distance of seven hundred twenty and sixty-seven hundredths (720.67) (plus or minus) feet to the east line of Lot Number three hundred fifty-six (356); running thence north along the east line of Lot Number three hundred fifty-six (356), a distance of one hundred eight and ninety-three hundredths (108.93) feet to a point; running thence west at an exterior angle of 95 degrees 35'05" to the east line of Lot Number three hundred fifty-six (356) and along a line parallel with the north line of Lot Number three hundred fifty-six (356), a distance of seven hundred twenty-seven and seventy hundredths (727.70) plus or minus feet to the east line of Lein Road, being the place of beginning.

**Together** with the appurtenances and all the estate and rights of the parties of the first part in and to said premises,

**To have and to hold**, the above granted premises unto the said parties of the second part, their heirs and assigns forever.

**And** said Parties of the first part covenant as follows:

**First**, that the parties of the second part shall quietly enjoy the said premises;

**Second**, that said Parties of the first part will forever **Warrant** the title to said premises.

**Third**, that this conveyance is subject to the trust fund provisions of section thirteen of the lien law.

**In Witness Whereof**, the parties of the first part have hereunto set their hand(s) and seal(s) the day and year first above written.

**In Presence of**

Henry Niespodzinski ls  
HENRY NIESPODZINSKI  
Florence Niespodzinski ls  
FLORENCE NIESPODZINSKI  
\_\_\_\_\_  
\_\_\_\_\_

**State of New York**  
**County of ERIE** } ss.

On this 7 day of November Nineteen Hundred and Ninety-Four  
before me, the subscriber, personally appeared  
Henry Niespodzinski and Florence Niespodzinski

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.

Edward L. Sobel

**State of New York**  
**County of** } ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ Nineteen Hundred and \_\_\_\_\_  
before me, the subscriber, personally appeared

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.

## OVERALL PARCEL

### **S.B.L. 135.12-5-6 & 135.16-2-17.1 (359 Lein Road & Vacant Lot, Town of West Seneca)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot 356 of the Ebenezer Lands, bounded and described as follows:

BEGINNING at a point on the easterly line of Lein Road as a 66-foot right-of-way, distant 446.93 feet southerly from its intersection with the southerly line of Schultz Road, said point of beginning being distant 180.00 feet southerly from the southwest corner of lands conveyed to Robert F. Mejak and Dorothy, his wife, by deed recorded in the Erie County Clerk's Office in Liber 9168 of Deeds at page 300;

RUNNING THENCE EASTERLY along a line drawn parallel with the northerly line of Lot 356, a distance of 725.90 feet to the easterly line of Lot 356;

THENCE SOUTHERLY along said easterly line of Lot 356, a distance of 258.81 feet to the southeast corner of lands conveyed to Eugene Staychock and Cheryl Staychock, his wife, by deed recorded in said Clerk's Office in Liber 10879 of Deeds at page 5071;

THENCE WESTERLY along the southerly line of said lands conveyed to Staychock, a distance of 720.67 feet to the southwest corner thereof on the easterly line of Lein Road as appropriated by the State of New York Department of Public Works for the Aurora Expressway, Contract I (Map 191, Parcel 199);

THENCE NORTHERLY along said easterly line of Lein Road as appropriated, a distance of 49.62 feet to a concrete monument at the northeast corner of said appropriation;

THENCE WESTERLY along the northerly line of said appropriation, a distance of 7.00 feet to the northwest corner thereof on said easterly line of Lein Road as a 66-foot right-of-way;

THENCE NORTHERLY along said easterly line of Lein Road as a 66-foot right-of-way, a distance of 207.37 feet to the point of beginning.

Said parcel containing an area of 4.28 acres, more or less.

## **PROPOSED 0.47-ACRE PARCEL**

### **Part of 135.16-2-17.1 (Vacant Lot South of 359 Lein Road, Town of West Seneca)**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie and State of New York, being part of Lot 356 of the Ebenezer Lands, bounded and described as follows:

COMMENCING at a point on the easterly line of Lein Road as a 66-foot right-of-way, distant 446.93 feet southerly from its intersection with the southerly line of Schultz Road, said point of beginning being distant 180.00 feet southerly from the southwest corner of lands conveyed to Robert F. Mejak and Dorothy, his wife, by deed recorded in the Erie County Clerk's Office in Liber 9168 of Deeds at page 300;

CONTINUING THENCE SOUTHERLY along said easterly line of Lein Road, a distance of 166.99 feet to the TRUE POINT OF BEGINNING;

CONTINUING THENCE SOUTHERLY along said easterly line of Lein Road, a distance of 40.38 feet to the northwest corner of lands appropriated by the State of New York Department of Public Works for the Aurora Expressway, Contract I (Map 191, Parcel 199);

THENCE EASTERLY along the northerly line of said appropriation, a distance of 7.00 feet to a concrete monument at the northeast corner thereof;

THENCE SOUTHERLY along the easterly line of said appropriation, a distance of 49.62 feet to the southwest corner of lands conveyed to Eugene Staychock and Cheryl Staychock, his wife, by deed recorded in said Clerk's Office in Liber 10879 of Deeds at page 5071;

THENCE EASTERLY along the southerly line of said lands conveyed to Staychock, a distance of 225.00 feet to a point;

THENCE NORTHERLY along a line drawn parallel with said easterly line of Lein Road, a distance of 90.00 feet to a point;

THENCE WESTERLY, a distance of 231.97 feet to the TRUE POINT OF BEGINNING.

Said parcel containing an area of 0.47 acres, more or less.