

# APPLICATION TO BOARD OF APPEALS

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

Appeal No. 2022-40  
Date 7/11/22

J Palumbo @ BLOCKandLargo.com  
TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

I (we) Jeff Palumbo of 9276 Main St Ste 3

Clarence NY 14031, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING INSPECTOR DID DENY PERMIT TO:

- |  |   |
|--|---|
| <input 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 checked="" type="checkbox"/> AREA PERMIT             |

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

2. LOCATION OF THE PROPERTY Lot #5 152.05-6-10.1 152.05-6-14 152.05-6-21.1

3. State in general the exact nature of the permission required, Queens Landing Subdivision

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. 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 Attached)

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 \_\_\_\_\_, Subsection \_\_\_\_\_, Paragraph \_\_\_\_\_ of the Zoning Ordinance, because: \_\_\_\_\_

Jeff Palumbo  
Applicant's 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  
120-29 Lot width 50' required; Requesting 52.5' Lot area 8000  
sq. ft required; Requesting 4337 sq ft. 120-30 Side setback 5' required.  
Requesting 0'
2. Zoning Classification of the property concerned in this appeal R50
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. \_\_\_\_\_

Building Inspector [Signature]



Block, Longo, LaMarca  
& Brzezinski, P.C.

ATTORNEYS | SINCE 1933

9276 MAIN STREET, CLARENCE, NY 14031  
OFFICE: (716) 320-3150

WWW.BLOCKANDLONGO.COM

**PARTNERS:**

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BRITTNEY M. MCMAHON, ESQ.

**CLARENCE OFFICE STAFF:**

JEFFERY D. PALUMBO, SPECIAL COUNSEL  
TRACY A. MURRAY, PARALEGAL

July 8, 2022

**Via Email ([jschieber@TWSNY.ORG](mailto:jschieber@TWSNY.ORG))**

Jeffrey Schieber, Code Enforcement Officer  
Town of West Seneca  
1250 Union Road, Room 210  
West Seneca, NY 14224

**Re: Queens Landing Subdivision**

Dear Jeff:

Thank you for discussing this matter with me. As you know, the Town Board has now rezoned the property to R-50. As you indicated in your email, we now need to move forward with the variance application to the Zoning Board of Appeals. We will be requesting variances for:

- 1) lot width;
- 2) lot size; and
- 3) zero setback for common walls.

As you are also aware, this is a continuation of a previously fully approved subdivision. I have attached the Queens Landing Subdivision Exhibit 1 Map prepared by Nussbaumer & Clarke, Inc.

I have also attached Queens Landing 2-Unit Building Foundation Plan dated 7/8/2022 prepared by Nussbaumer & Clarke, Inc. for your review. Please confirm this matter will be on the Zoning Board of Appeals agenda of July 27, 2022.

If you need additional information, please advise.

Very truly yours,

*s/ Jeffery D. Palumbo*

Jeffery D. Palumbo

JDP:bae  
Enclosures

# "QUEENS LANDING SUBDIVISION"

TOWN OF WEST SENeca, COUNTY OF ERIE,  
STATE OF NEW YORK  
PART OF LOTS 426 & 427,  
TOWNSHIP 10, RANGE 7,  
OF THE BUFFALO CREEK RESERVATION  
34.0± ACRES  
150 SUBLOTS  
MAP COVER 3835

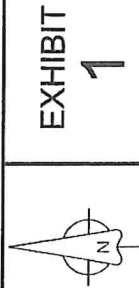
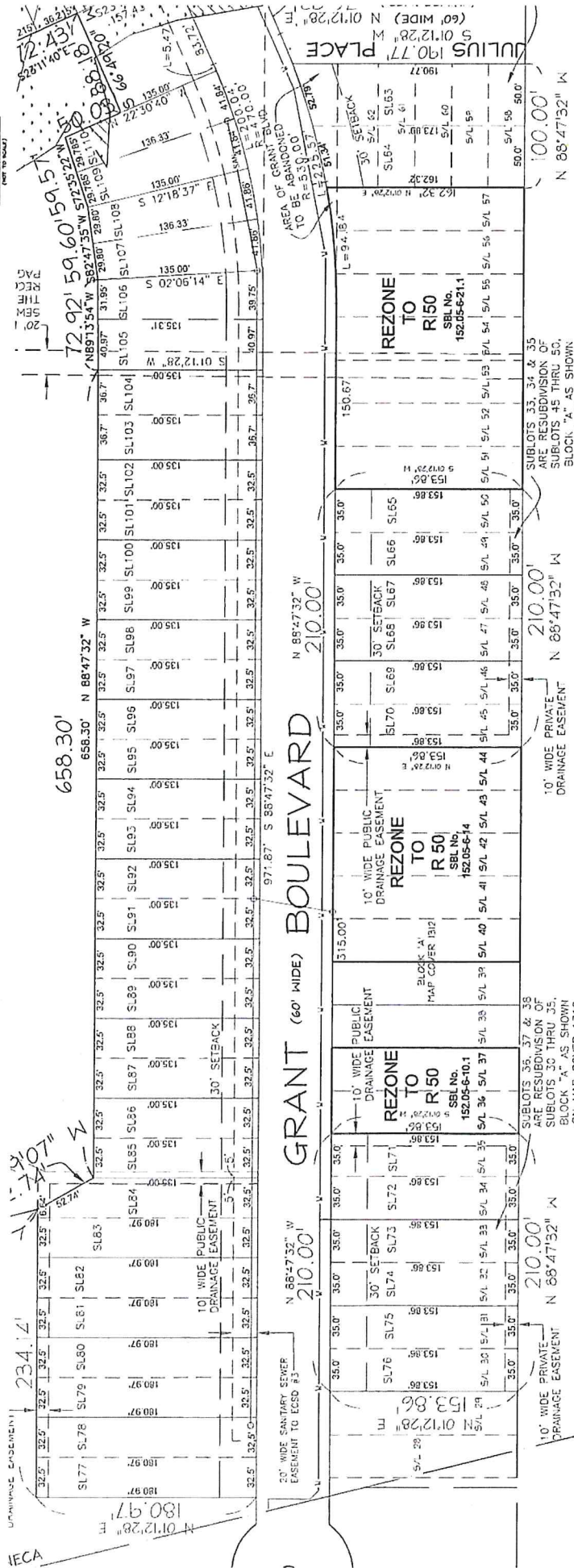
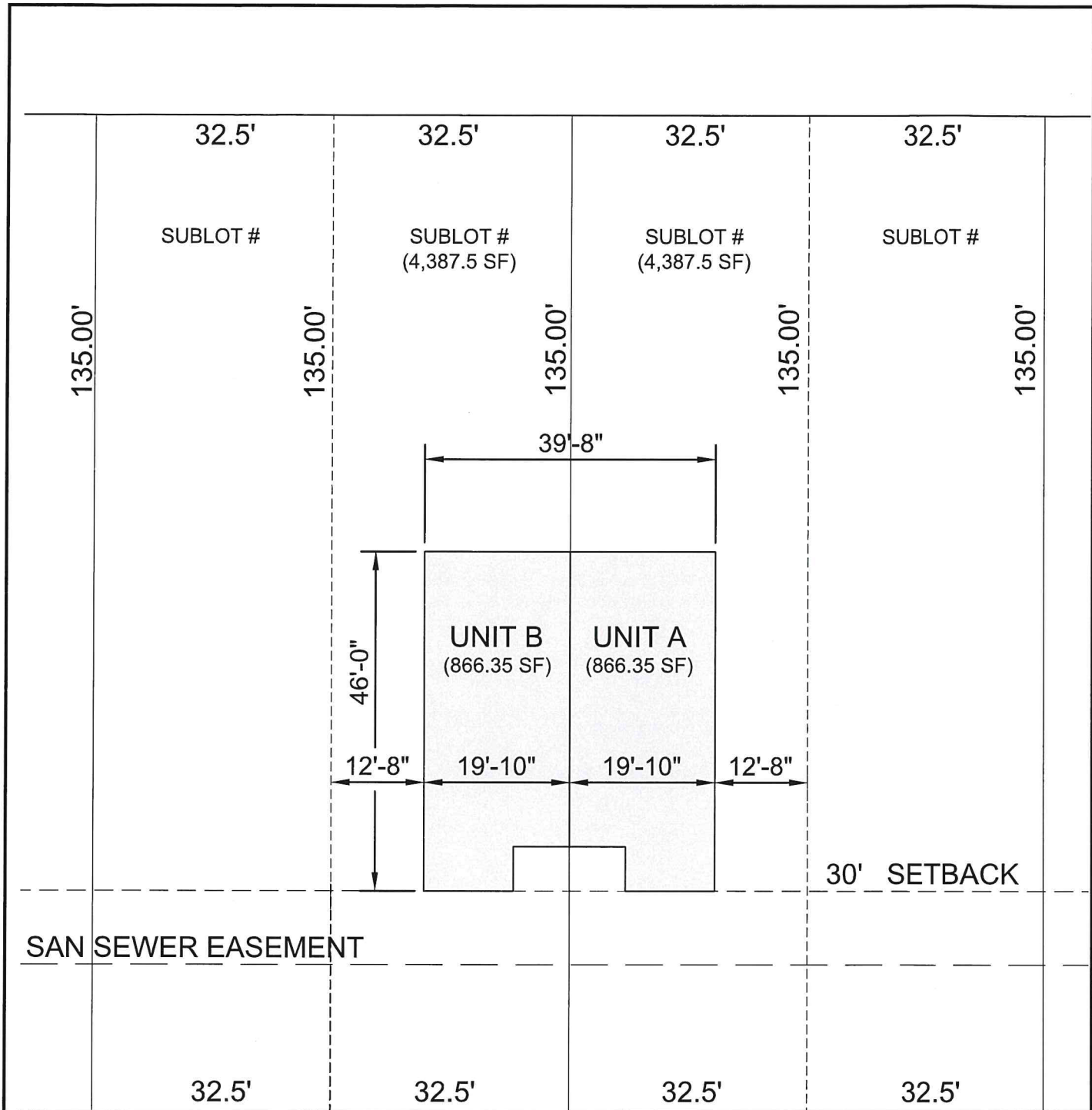


EXHIBIT  
1

## QUEENS LANDING SUBDIVISION REZONING EXHIBIT

2556 Lake Shore Road, Suite 200  
Buffalo, NY 14225  
(716) 837-7700  
www.russellandcurrie.com

Map Cover 3835 - Queens - Grant Revised (Drawings) [Base Drawings] [LDCS-0041 Map Cover with Division Lines KEY for Tr. Assessment 4-30-21] [PMSET 030822 100 SCALE and REZONE] 3/22/2022



**GRANT (60' WIDE) BOULEVARD**

SCALE: 1" = 20'-0"



**QUEENS LANDING  
2-UNIT BUILDING FOUNDATION PLAN  
GRANT BOULEVARD  
TOWN OF WEST SENECA  
ERIE COUNTY, NEW YORK**

**EXHIBIT  
1  
JULY 8, 2022  
PROJECT NO. 08J5-0041**

H:\Land Development\08\08J5-0041 - Capretto - Queen's Grant Revised\Drawings\Working Drawings\08J5-0041 WD Lot Lines Rezone.dwg 7/8/2022 TBOYLE