

# APPLICATION TO BOARD OF APPEALS

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

Appeal No. 2022-056  
Date 10/5/22

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

I (we) DAVID RZO of 457 LEYDEN RD WEST SENECA,  
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) \_\_\_\_\_

2. LOCATION OF THE PROPERTY 457 LEYDEN RD. WEST SENECA NY 14224

3. State in general the exact nature of the permission required, 6 FT FENCE DOWN SIDE OF HOUSE

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: \_\_\_\_\_

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

[Signature]  
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  
20-39(B) - 4 FT FENCE WITH 10 FT PROJECTION PERMITTED  
- 6 FT FENCE WITH 10 FT PROJECTION REQUESTED

2. Zoning Classification of the property concerned in this appeal R-75A

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. \_\_\_\_\_

[Signature]  
Building Inspector

October 5, 2022

Town of West Seneca  
Zoning Board of Appeals  
1250 Union Road  
West Seneca, New York 14224

**Subject: Fence Variance for 457 Leydecker Road**

To Whom It May Concern:

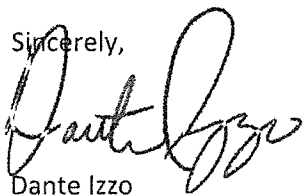
We request a variance to allow for a six (6) foot tall fence along north side of property and adjacent to house in lieu of the town code four (4) foot fence. Our request is to provide privacy, protect vegetation from deer damage, and minimize interaction with neighbor.

Our backyard is in full view from our neighbor's property where a four (4) foot fence would normally be installed. In addition, our neighbor uses this side of his property for storage and splitting of logs for fire wood, storage of split fire wood, storage of light construction equipment, and along with other miscellaneous yard equipment.

In addition, over the last few years we have planted trees that have seen significant deer damage over the winter months. It is a necessity to provide temporary deer fencing which is easily damaged.

Our request for a 6' fence would aid in reducing the amount of deer fence protection needed as well as minimize any neighbor interactions when it comes to repair of the deer fencing and their storage and splitting of firewood.

Sincerely,



Dante Izzo

