

# APPLICATION TO BOARD OF APPEALS

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

Appeal No. 2022-059

Date 10/25/22

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

X I (we) Kristine M Baydas of 32 Hi View te WS 14224

\_\_\_\_\_, 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: \_\_\_\_\_

- 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 32 Hi View

3. State in general the exact nature of the permission required, Requesting 6' fence with 10' projection past house; 4' high fence allowed.

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\_\_\_\_.

X 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: \_\_\_\_\_

I am trying to create a sight, sound + privacy barrier so we are able to enjoy our front yard. I tried to use ornamental grass to rectify but did not work.

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: \_\_\_\_\_

X KBaydas  
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 120-39(B) Fences shall not exceed 4' in front yard.

Requesting 6' along driveway with 10' projection past front corner.

2. Zoning Classification of the property concerned in this appeal \_\_\_\_\_

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 D-B-

THIS MAP IS AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

MILL ROAD

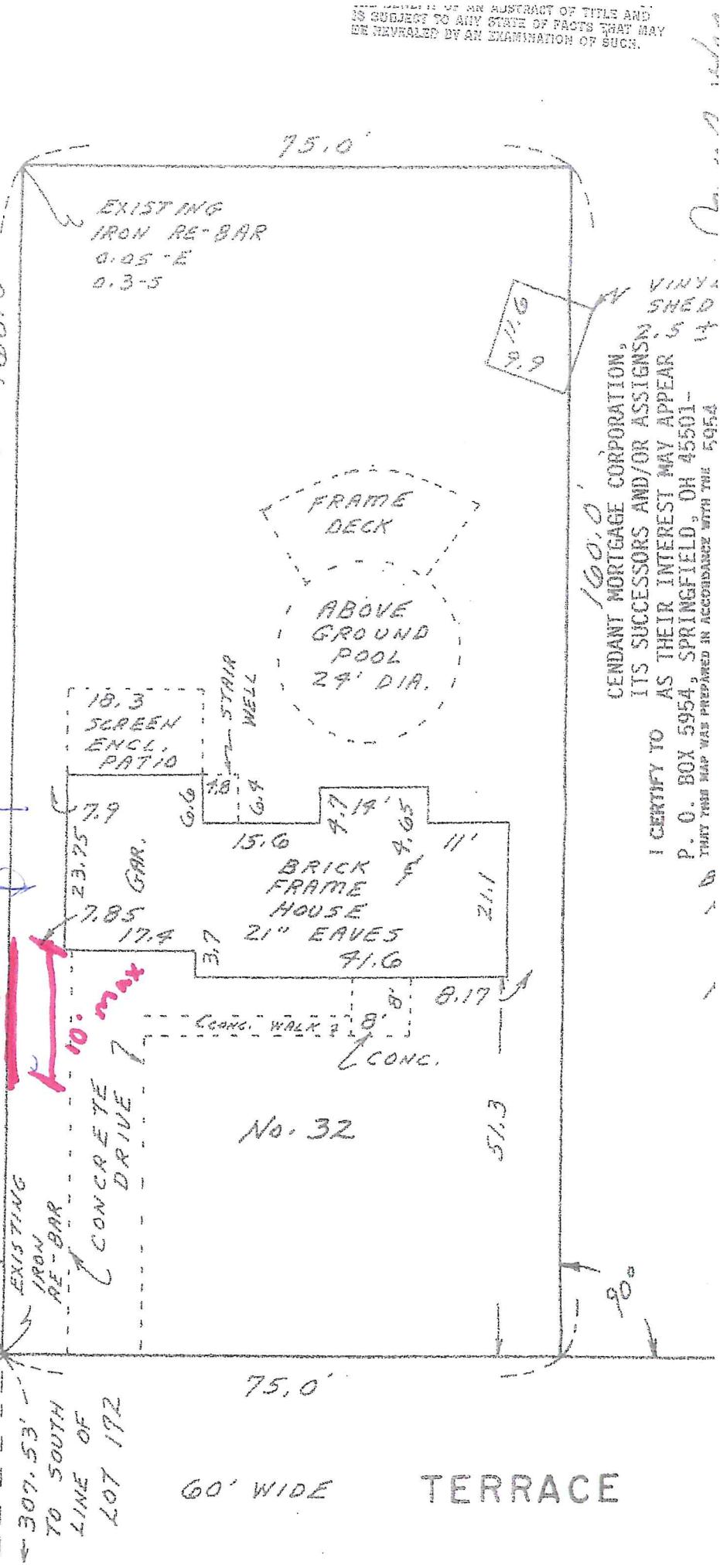
66' WIDE

ROAD



Requesting 6' Fence

HI-VIEW



256.98'

75.0'

160.0'

75.0'

EXISTING IRON RE-BAR  
0.05"E  
0.3-5

3.1  
FRAME GARAGE  
6" EAVES CLEAR  
3.05

FRAME DECK  
ABOVE GROUND POOL  
29' DIA.

18.3  
SCREEN ENCL. PATIO

STAIR WELL

7.9  
23.75  
7.85  
17.4  
GAR.

15.6  
9.7  
9.65  
11'  
BRICK FRAME HOUSE  
21" EAVES  
9.6

CONC. WALK  
CONC.

CONCRETE DRIVE

No. 32

51.3

EXISTING IRON RE-BAR

90°

90°

307.53'  
TO SOUTH LINE OF LOT 172

60' WIDE

TERRACE

11.6  
9.9

160.0'  
VINYLA SNED  
5.5  
4  
PENDANT MORTGAGE CORPORATION,  
ITS SUCCESSORS AND/OR ASSIGNS  
AS THEIR INTEREST MAY APPEAR  
P. O. BOX 5954, SPRINGSFIELD, OH 45501-  
THIS MAP WAS PREPARED IN ACCORDANCE WITH THE 5954

I CERTIFY TO  
AS THEIR INTEREST MAY APPEAR  
P. O. BOX 5954, SPRINGSFIELD, OH 45501-  
THIS MAP WAS PREPARED IN ACCORDANCE WITH THE 5954

Handwritten signature or initials in the top right corner.



**APPLICATION**  
**TOWN OF SENECA - ZONING BOARD OF APPEALS**

The undersigned, being the Applicant(s) hereby petition the Zoning Board of Appeals for a/an:

- |   |   |
|---|---|
| <input type="checkbox"/> Area Variance      | <input type="checkbox"/> Appeal of a decision by Zoning Officer |
| <input type="checkbox"/> Use Variance       | <input type="checkbox"/> Interpretation                         |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Other _____                            |

according to the provisions of the Ordinance, Local Laws, Rules and Regulations constituting the Zoning and Planning Ordinances and Regulations of the Town of Seneca.

Location of Property 32 Hi View Terrace WS 14224

Tax Map No. \_\_\_\_\_ Zoning District \_\_\_\_\_

Applicant Kristine Bajdas Signature KBajdas

Address 32 Hi View Terrace Phone 675-6339

Property Owner (If different than Applicant) _____	
Address _____	Phone _____
Signature _____	Date _____

<i>To be completed by Zoning Officer.</i>			
Building permit application denied by Zoning Officer because _____			
Area Variance Information:			
	Required	Actual	Variance Request
Frontage:	_____	_____	_____
Front Setback:	_____	_____	_____
Side Setback:	_____	_____	_____
Rear Setback:	_____	_____	_____
Lot Size:	_____	_____	_____
Other: _____	_____	_____	_____
Action requested: _____			
Application No. _____ Date _____ Fee _____			
Zoning Officer Signature _____			

For Area Variance Only:

To enable the Zoning board of appeals to grant an area variance, the applicant should address the five factors listed below. Attach additional sheets if necessary. The Zoning Board of Appeals will consider these five factors when balancing two elements: (1) the benefit to the applicant from the variance and (2) the detriment to the health, safety, and welfare of the community or neighborhood that would occur if the variance were to be granted.

Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the grant of the variance.

No - benefit to all. They can see their yards on their side & I can enjoy my property without dealing with those items.

ZBA Determination \_\_\_\_\_

Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.

a 4' fence would not mitigate any of these issues, a 6' fence would. We have been subjected to untidy property (trailer, boat, weeds/tall grass) loud music/parties & would just like some peace & privacy.

ZBA Determination \_\_\_\_\_

Whether the requested variance is substantial.

I am trying to create a buffer for noise, light, sight & privacy. We tried with ornamental grass to mitigate but not achieved.

ZBA Determination \_\_\_\_\_

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or the district.

installing requested fence will not affect anything adversely

ZBA Determination \_\_\_\_\_

Whether the alleged difficulty was self-created.

No, this has been a nuisance issue for over 20 years. We have installed fencing in the backyard because of their garbage/ladders/tractor in the rear yard. Now we are having issues in the front yard.

ZBA Determination \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

K Baydas

Date: \_\_\_\_\_

10/25/22