

# APPLICATION TO BOARD OF APPEALS

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

Appeal No. 2023-023

Date 6/2/23

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

I (we) Joe + Jacqueline D. Gesare of 42 Lakeside Dr

\_\_\_\_\_, 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 42 Lakeside Dr.

3. State in general the exact nature of the permission required, \_\_\_\_\_

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 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: \_\_\_\_\_

Joe D. Gesare  
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' height in front/side yard; Requesting 6'  
Fences shall not project more than 10' past house; Requesting 28'

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

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. Corner lot

Building Inspector \_\_\_\_\_

D. J. De

S.H. CV #7210

42 Lakeside Drive  
West Seneca, NY 14224

June 2, 2023

Code Enforcement Office  
West Seneca Town Hall  
1250 Union Road  
West Seneca, NY 14224

Subject: Request for variance approval for fence installation

Dear Sir/Madam:

We are asking for permission to build a fence on our property at 42 Lakeside Drive.

We are in the process of getting an inground pool and a fence is required in the town. Our neighbor behind us was already approved for a similar fence variance.

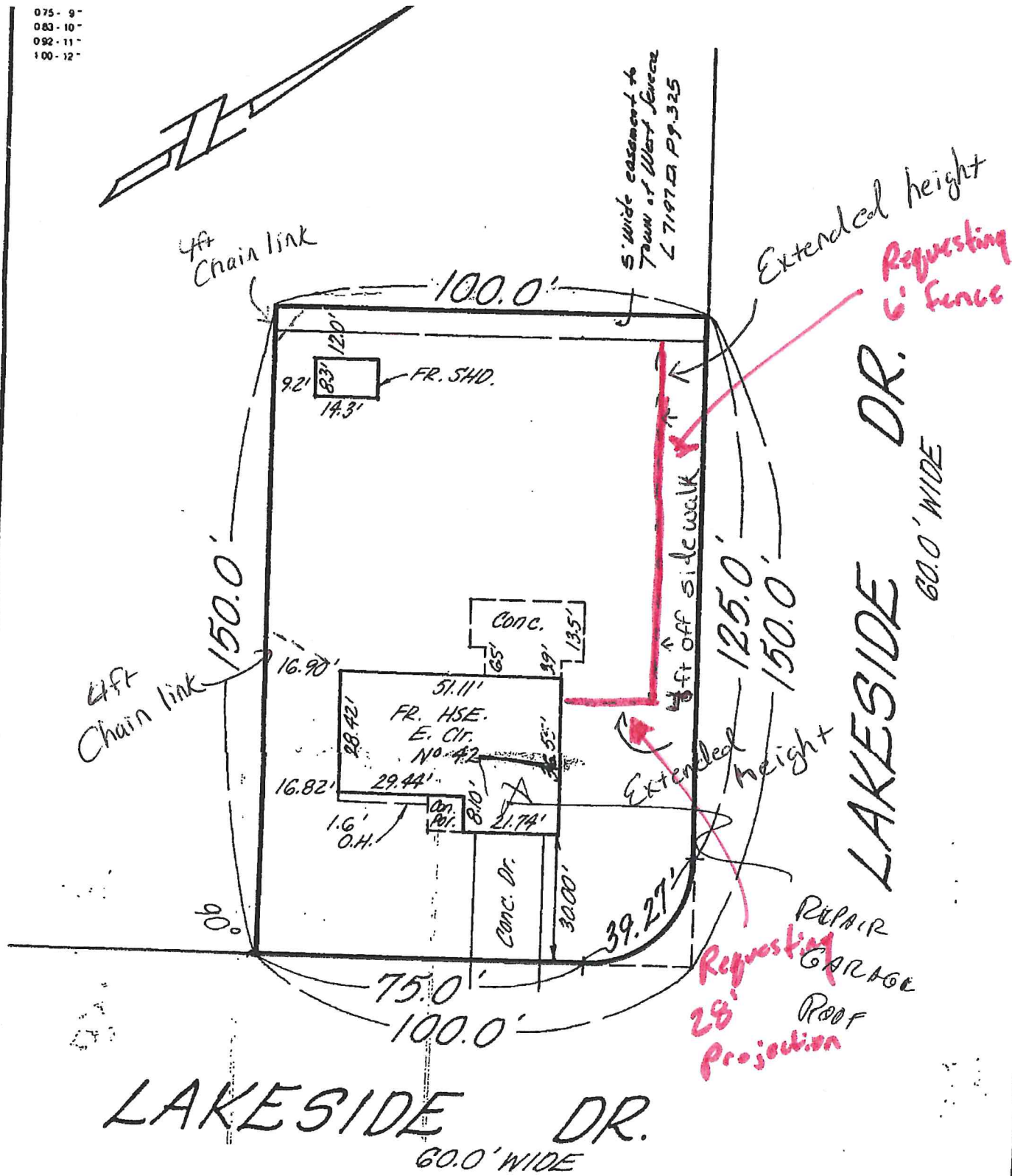
So, our fence request would enclose the entire backyard. Enclosing the spaces located to the adjoining homes with the standard 4 ft chain link fence. Then installing an extended height fence along the side of Lakeside Drive and then coming in to attach near the rear of the home.

We feel that this would be the safest and most aesthetically appealing for the neighborhood.

Respectfully,

Joseph & Jacqueline (McCarthy) Di Gesare

075-9"  
083-10"  
092-11"  
100-12"



Legend  
 --- denotes fence line

*Charles F. Denver*

SURVEY DATE	7-1-96	SCALE:	SBL NO.	CHARLES F DENVER
LOCATION	Town of West Geneva	111-901	107 10	