

\$150.00

# APPLICATION TO BOARD OF APPEALS

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

Appeal No. 2023-038

Date 8/1/23

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

I (we) STANISLAW SASECKI of 1340 SENECA CREEK RD WEST SENECA N.Y 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 1589 CENTRAL RD. W. SENECA NY

3. State in general the exact nature of the permission required, CONSTRUCT 2 FAMILY HOME ON LOT SMALLER THAN PERMITTED

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: \_\_\_\_\_

LOT I DID PURCHASE IS ZONE R-60A, THERE IS A LOT OF APARTMENT AROUND, I AM SHORT 900 Sq feet TO BULD 2 FAMILY HOUSE

B. Interpretation of the Zoning Ordinance is requested because: SHORT 900 SF

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: \_\_\_\_\_

Stanislaw Sasecki  
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 A - 15,000 SF LOT REQUIRED      120-30 30' Rear Yard Req.  
- 14,100 SF LOT REQUESTED      26' Rear Yard

2. Zoning Classification of the property concerned in this appeal R-60A      Requested.

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. OTHER DR  
IS ALL APARTMENTS

Building Inspector [Signature]

**-15,000 SF LOT REQUIRED**  
**-14,100 SF LOT**

NO EXCEPTIONS TAKEN     REVISE & RESUBMIT  
 FURNISH AS CORRECTED     REJECTED

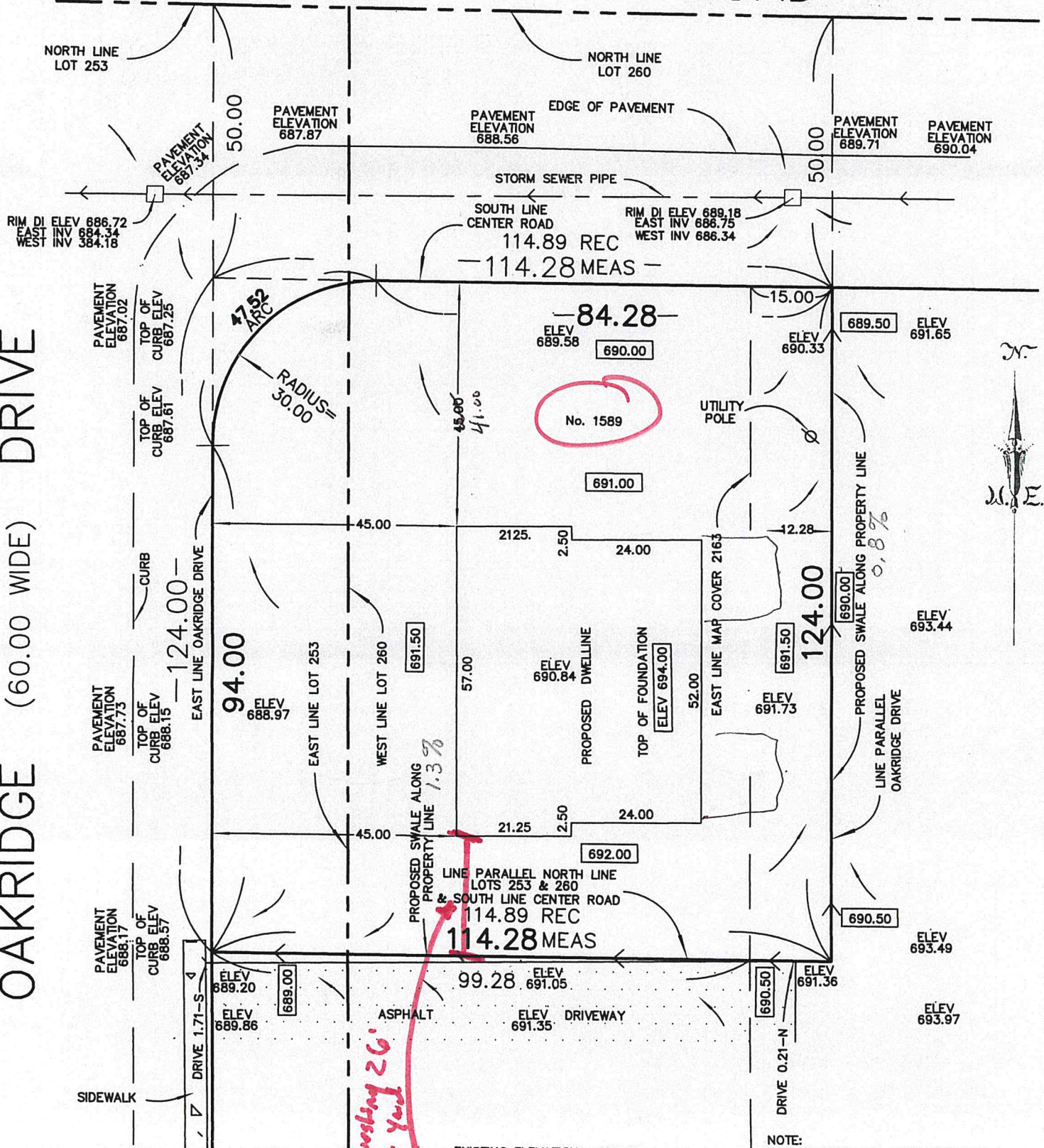
REVIEW IS FOR GENERAL COMPLIANCE WITH CONCEPT ONLY. THE CONTRACTOR SHALL REMAIN RESPONSIBLE FOR CONFORMING QUANTITIES, DIMENSIONS, FABRICATION, PROCESSES, TECHNIQUES COORDINATION.

BY \_\_\_\_\_ DATE **7/28/23**  
 TOWN OF WEST SENECA  
 ENGINEERING DEPARTMENT

1250 UNION ROAD  
 WEST SENECA, NY 14224 (716) 674-5600

# CENTER (83.00 WIDE) ROAD

# OAKRIDGE DRIVE (60.00 WIDE)



**Requesting 26' Rear Yard**

EXISTING ELEVATION— 000.00  
 PROPOSED ELEVATION— 000.00

NOTE: DOWNSPOUTS AND SUMP PUMP TO CONNECT TO STORM PIPE AT CENTER ROAD

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.  
AND REPLY TO MUNICIPALITY**

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE

Case No.: 435-ZR-23

Postmark/Delivery Date: 8/9/23

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 l - m  
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

**Description of Proposed Action**

1. Name of Municipality: Town of West Seneca

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.

If the county fails to reply within such period, the referring body may take final action.

However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)

The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: Date 08/23/23 Time 6:00pm Location 1300 Union Rd, West Seneca

3. Action is before:  Legislative Body  Board of Appeals  Planning Board

4. Action consists of:  New Ordinance  Rezone/Map Change  Ordinance Amendment

Site Plan  Variance  Special Use Permit  Other: \_\_\_\_\_

5. Location of Property:  Entire Municipality  Address: 1589 Center Rd  
West Seneca NY 14224

5a. S.B.L. of Property: 135.15-4-7

6. Referral required as site is within 500' of:  State or County Property/Institution  Municipal Boundary  Farm Operation located in an Agricultural District

Expressway  County Road  State Highway  Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: construction of a 2-family home on 14,100-sf lot with a 26' rear yard  
*(specify the action, such as the scope of variances or site plans)* (15,000-sf lot required; 30' rear yard required)

8. Other remarks: \_\_\_\_\_


9. Submitted by: Amy Kobler, Town Clerk Email: akobler@twsny.org

10. Return Address: 1250 Union Rd, West Seneca NY 14224

**Reply to Municipality by Erie County Division of Planning**

Receipt of the above-described proposed action is acknowledged on 8/9/23. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1.  The proposed action is not subject to review under the law.
2.  Comment on proposed action is attached hereto.
3.  The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4.  No Recommendation; proposed action has been reviewed and determined to be of local concern.

By the Division of Planning:  Date: 8/9/23

## Amy Kobler

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**From:** Amy Kobler  
**Sent:** Wednesday, August 9, 2023 9:56 AM  
**To:** dot.sm.r05.SEQR@dot.ny.gov  
**Subject:** Variance request 66 Summit Avenue and 1589 Center Road  
**Attachments:** 66 summit ave20230809092015.pdf; 1589 center rd20230809094232.pdf

**Importance:** High

Please see the attached variance requests for the 8/23 meeting (66 Summit Ave and 1589 Center Rd) – please advise if you have any comments.

**Amy Kobler**  
**West Seneca Town Clerk**  
**1250 Union Road, Room 212**  
**West Seneca, NY 14224**  
**716-558-3215**