

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. 2023-046

Date 9/8/2023

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

I (we) x Lorraine O'Shei of x 68 Crownland Circle

W. Seneca, NY, 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: construct 6' fence in side yard

- 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 47 Flohr Ave fence

3. State in general the exact nature of the permission required, 6 foot in front

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 enclosed

B. Interpretation of the Zoning Ordinance is requested because: R2 district 4 foot max permitted in front and side yard

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____, Section 120, Subsection 39, Paragraph B of the Zoning Ordinance, because: _____

Lorraine O'Shei
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

TOWS Zoning Ordinance 120-39B

2. Zoning Classification of the property concerned in this appeal R-50

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 JGB

To Whom It May Concern:

I am requesting a variance to the code for fence height at 47 Flohr Avenue. Instead of the regulatory 4', I would appreciate being able to erect a 6' privacy fence in the front and side of the yard.

Reasons for wanting this variance is as follows:

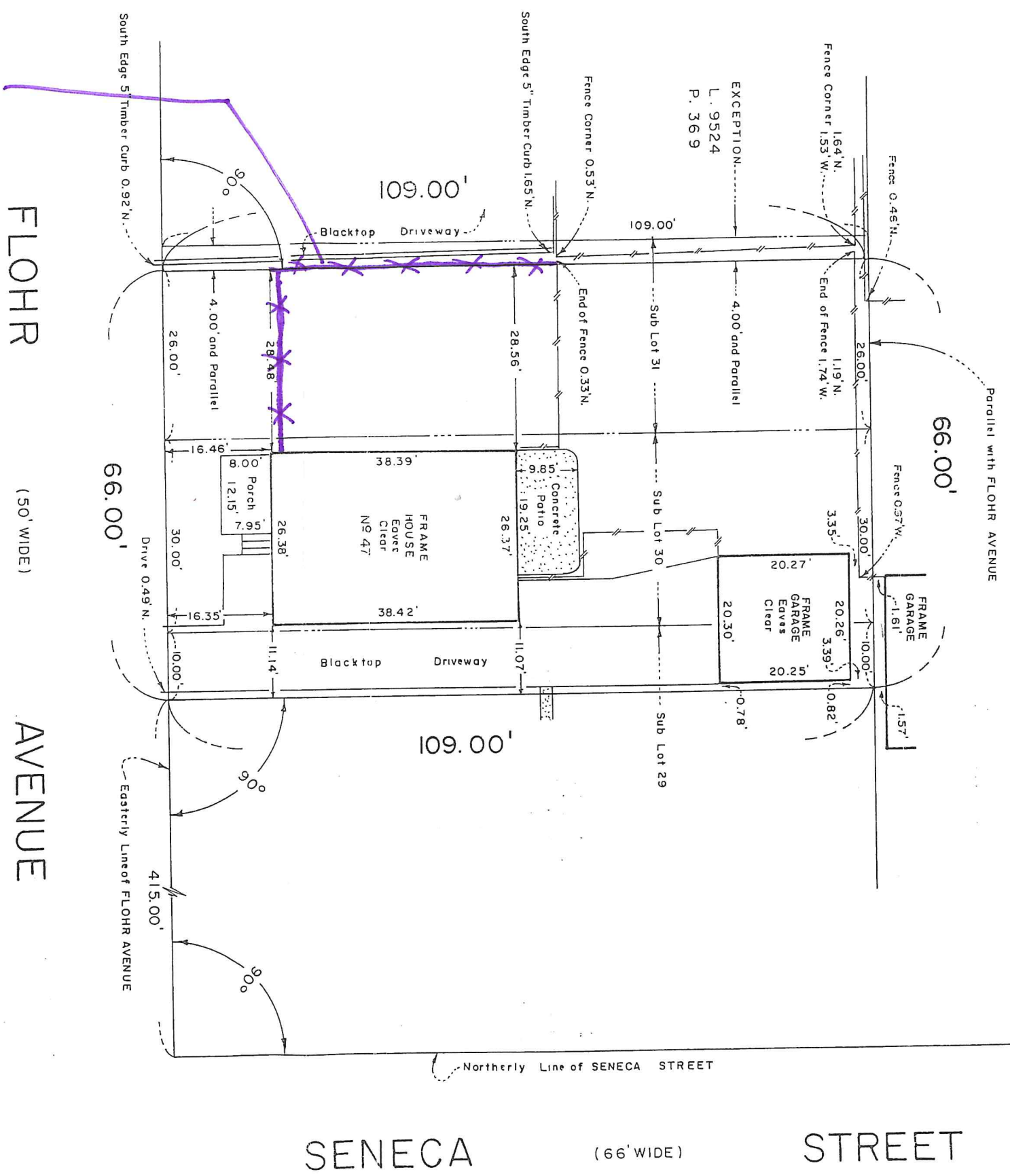
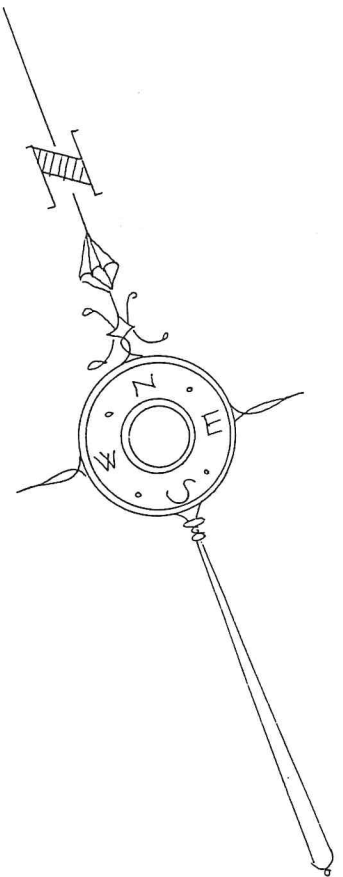
I own two German Shepherd dogs. One is my retired service dog, and the other is a working service dog for my disability. Within the last year I have encountered neighbor dogs jumping the fence and getting into my yard. This is a very unsafe occurrence that I have no way of controlling other than a higher privacy fence. My dogs are both trained and are naturally protective of me because of their job. I can not afford another dog injuring or possibly killing my dog. I have put many hours and money into training these dogs and would be unable to replace my present service dog. I have found unfamiliar dogs on numerous occasions in my yard and desperately need to fix this problem. Furthermore, the constant distractions of teasing from strangers walking by while I am training in my yard could make my dog reactive and show aggressiveness toward people he does not know. This could become a problem for me when he is working outside the house – seeing people as a threat.

Also, I reside across the street from a residential boarding house. Since the owners bought that property 2 years ago there have been numerous incidents the West Seneca Police have responded to. To the present date, I have witnessed drug transactions during all times of the day, persistent physical altercations, and threats being made to many of my neighbors including myself. I feel a privacy fence will tamper down the ability to see in my yard and shield my great nephew from witnessing situations he is too young to understand.

I appreciate your time in considering this variance and would also very much appreciate your approval.

Thank you,

Charlene Sparcino



*6' fence in side yard
4' fence permitted in side yard*

This Survey was prepared in accordance with the Code of Practice adopted in 1984 by the Niagara Frontier Land Surveyor's Association, Inc., and the Bar Association of Erie County.

Unauthorized alteration or addition to this Survey Map is a violation of Section 7209, Subdivision 2, of the New York State Education Law.

This Map Void Unless EMBOSSED with New York State Land Surveyor's Seal No. 043754

John N. Taylor

BEING PART OF LOT 196, T. 10, R. 7 OF THE BUFFALO CREEK RESERVATION —
BEING ALSO THE NORTHERLY 10,000' OF SUB LOT 29, ALL OF SUB LOT 30 AND THE
SOUTHERLY 26,000' OF SUB LOT 31, IN BLOCK "G" — MAP COVER 331
LOCATION TOWN OF WEST SENECA, COUNTY OF ERIE, N. Y.

SURVEY		JOB NO
APRIL 12, 1989		89-190
SEPTEMBER 12, 1991		91-245
SCALE 1 IN. : 20 FT.		DRAWING NO 89-190-B

JOHN N. TAYLOR, L.S., P.C.
Land Surveyor
N. Y. STATE LICENSE NO 043754
413 FRUITWOOD TERRACE
WILLIAMSVILLE, N. Y. 14221