

APPLICATION TO BOARD OF APPEALS

Tel. No. (716) 647-1436

Appeal No. 2024-004
Date 2/27/2024

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

I (we) DARYL K. MARTIN of DARYL MARTIN ARCHITECT, PC

3625 EGGERT RD, SUITE 201 ORCHARD PARK 14127, 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) ARCHITECT

2. LOCATION OF THE PROPERTY 425 POTTER ROAD

3. State in general the exact nature of the permission required, TO CONSTRUCT NEW ENCLOSED DINING STRUCTURE WHERE THERE IS EXIST PATIO

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_____.

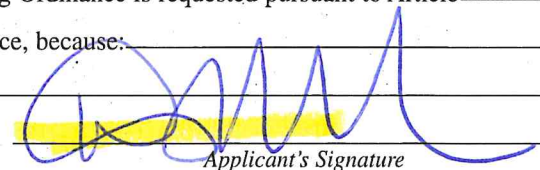
5. REASON FOR APPEAL.

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:

CURRENTLY THERE IS AN EXISTING OUTSIDE DINING AREA. NEW STRUCTURE WOULD BE SIMILAR IN SIZE. NEW STRUCTURE WOULD REMOVE NASTY IN THE SUMMER AND HELP WITH OPERATION OF BUSINESS AND KEEP STAFF.

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: _____


Applicant's Signature

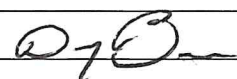
TO BE COMPLETED BY THE BUILDING INSPECTOR

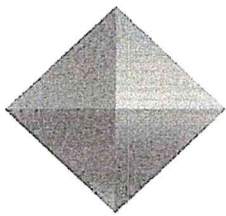
1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance
120-31 Required front yard setback 40' Requesting 11-14'
Required side yard setback 25' Requesting 1-9'

2. Zoning Classification of the property concerned in this appeal R60A

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. Per Existing Patio location

Building Inspector 



DARYL MARTIN ARCHITECT P.C.

Architects and Planners

February 23, 2024

Town of West Seneca
Zoning Board
1250 Union Road
West Seneca, NY 14224

Attn: Zoning Board of Appeals Chairman

Re: Potter's Field Bar/Restaurant
425 Potter Road

Dear Sir or Madam:

This letter is to inform you of our intentions for the work on the parcel of 425 Potter Road. The owner Mr. Goodwin is proposing to enclose the existing exterior patio dining space.

This enclosure will be of wood frame with a composite siding and trim by Celest. A parapet will be constructed to hide the flat roof. There will also be no new pavement because we are trading impervious surface areas for roof and will control the rainfall via interior roof drains.

We are proposing to match the same footprint of the existing patio which is currently only approximately 11.14 feet from the front property line and 1.9 feet from the side property line. The present zoning for the land is R-60A and only allows for 40 foot front yard setback and 25 feet for the side yard setback. This will also keep the front of the new interior dining room at the same plane as the existing restaurant. Presently all land uses surrounding the area are of the same zoning and as far as use, are of the similar nature. We would appreciate the opportunity to be reviewed by the Zoning Board of Appeals.

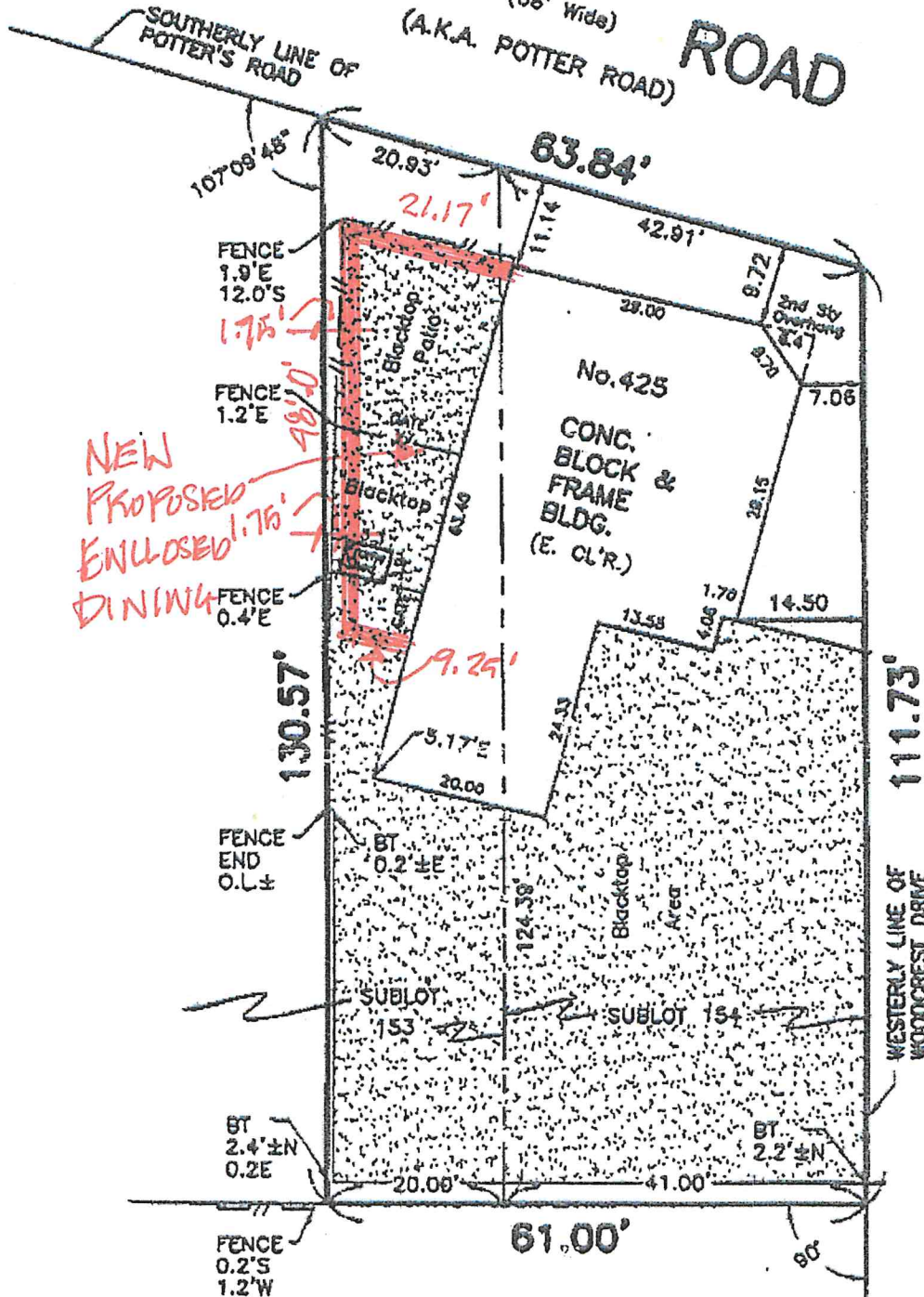
If you have any questions regarding this matter, or if you need any further information, please feel free to call my office (716) 667-1436.

Very Truly Yours,

Daryl K. Martin R.A.
Architect

POTTER'S ROAD

(86' Wide)
(A.K.A. POTTER ROAD)



WOODCREST DRIVE (60' Wide)

SITE PLAN



TOWN OF WEST SENECA

TOWN SUPERVISOR
GARY A. DICKSON

TOWN COUNCIL
ROBERT J. BREIDENSTEIN
JOSEPH J. CANTAFIO
SUSAN K. KIMS
JEFFREY A. PIEKAREC

CODE ENFORCEMENT OFFICE
"BUILDING SAFETY IS NO ACCIDENT"

Applicant name: DARYL MARTIN ARCHITECT Property address: 425 POTTER RD.
FOR POTTER'S FIELD

Dear Neighbor,

I am writing to inform you that I am requesting from the Town of West Seneca a variance to:

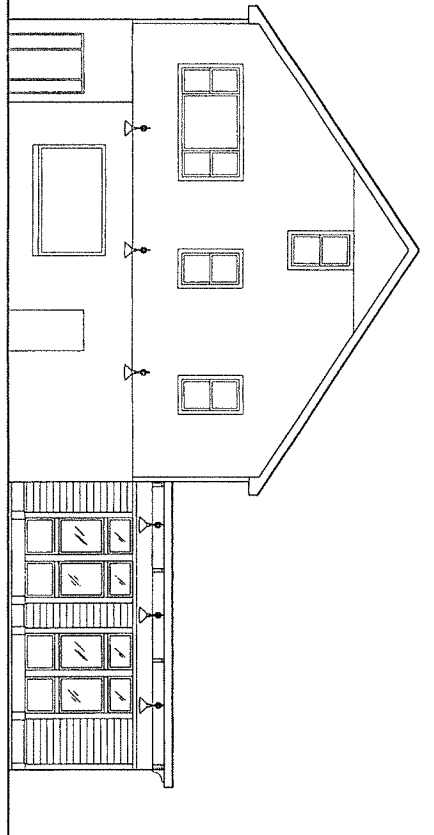
ALLOW THE EXISTING NON-CONFORMING FRONT AND SIDE
YARD SETBACKS FOR THE NEW ENCLOSURE OF THE EXIST. PATIO.

If you do not have any objections to the additions to our property as described above and shown in the attached plans, please print and sign your name below and include your address.

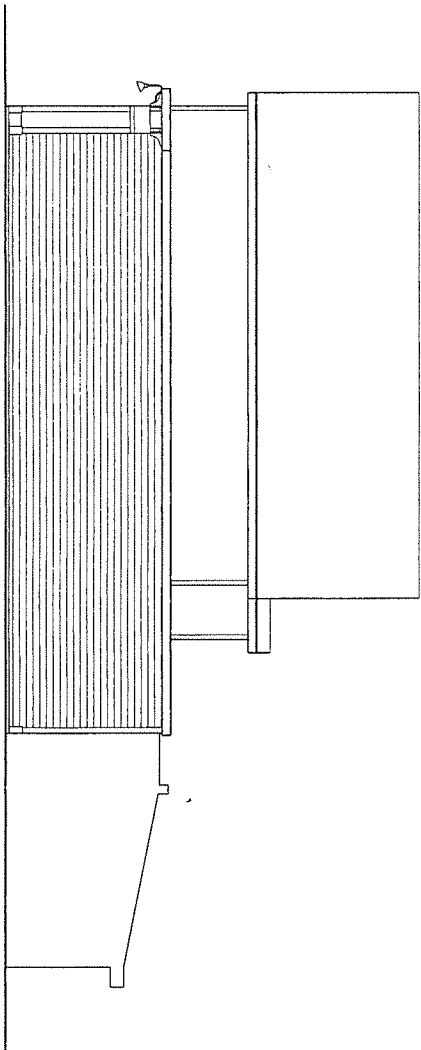
Meeting date: 3/27/24 6:00 PM. Community Center Building
1300 Union Road

Name	Signature	Address
✓ <u>Marc Nyhlen</u>	✓ <u><i>Marc Nyhlen</i></u>	✓ <u>419 POTTER RD</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sincerely,



FRONT ELEVATION



RIGHT SIDE ELEVATION

NOT TO SCALE
 ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE
 ALL MATERIALS TO BE SPECIFIED BY ARCHITECT
 ALL FINISHES TO BE SPECIFIED BY ARCHITECT
 ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS
 ALL WORK TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS

REVISIONS

PH: (716) 667-1188
 FAX: (716) 667-2000
 WWW.DARYLMARTINARCHITECT.COM

DARYL MARTIN
 ARCHITECT PC
 882 First Road, Buffalo, NY 14202

ELEVATIONS
 ADDITION for:
 POTTER'S FIELD
 425 POTTER RD.
 WEST SENECA, NEW YORK

DATE: 3/19/2014
 DRAWN BY: SCS
 CHECKED BY: DSM

SHEET NUMBER
A-2