

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. 2024-17

Date 4/19/24

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

I (we) Aqite Cold Storage / Craig Cardwell of 3117 Athens Hwy.
Guinesville, GA 30507

, 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 3200 Clinton St

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 Attached)

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: _____

Craig Cardwell
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR 120-448(2)

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance
① 120-31C Front yard setback 35'; Requesting 11.6' ② Sidyard setback 10'
Requesting 1-4' ③ 120-41(D) 199 Parking Spaces Required; Requesting 21

2. Zoning Classification of the property concerned in this appeal M1

3. Type of Appeal:
- Variance to the Zoning Ordinance.
 - Interpretation of the Zoning Ordinance or Zoning Map.
 - Special or Temporary Permit or an xtension thereof under the Zoning Ordinance.

4. A statement of any other facts or data which should be considered in this appeal. _____

Building Inspector DJB

4/13/2024

West Seneca Zoning Board
1250 Union Road
West Seneca, NY. 14224

Dear Members of the Zoning Board:

On behalf of 3200 Clinton Street LLC. We respectfully request the following variances for our Cold Storage Warehouse, and Frozen Food Manufacturing facility in West Seneca. We have already received a height variance for the project, and after reviewing our site plans with our General Contractor we request the following variances.

Building Setbacks – Section 120-31C

Front yard building setback at North property line (along Empire Drive)

Required setback 35' – we provide 11.6' therefore we need to request a 23.4' variance.

~~Specific Standards – Section 120-28.8 A (4) (c) – Landscaping~~

20% of total site acreage – we provide 17%, therefore we need to request 3% variance for landscaping.

N/A

Parking Lot Setbacks – Section 12-44B (2)

Required setback 10' on side yards – we provide 1.4' from West property line to edge of pavement, therefore we need to request a 8.6' variance.

Required Off Street Parking – Section 120-41D (1)

199 required – we provide 21 spaces; therefore, we need to request a variance of 175 spaces.

The 3200 Clinton ST LLC (a entity of Agile Cold Storage) facility includes employees from both Agile and Rosina Foods. Agile employees will work in the Cold Storage part of the building two shifts during the week and one shift on the weekend. Consistent with other locations, first shift employees will be working 4 10-hour days and night shift will work 8 hours Monday – Friday. As

such, approximately 1/3 of hourly and salaried employees will be there at any one time. Rosina will use the processing area as needed with employees coming from their adjacent plant when demand requires them to use this area. As such, Rosina Foods employees will already be parked in their usual parking area at 3100 Clinton Street.

Agile Cold Storage employees will be using the 21 planned parking spaces as follows. 5 office and management employees working on day shift: 8 management and supervisor employees that are split between day, night, and weekend shifts. (2 hours between start and end of shifts): 30 warehouse employees split between day, night, and weekends. On the day shift we will have 5 management employees + 3 management/Supervisors + 12 warehouse employees for 20 total. On the night shift we will have 3 management/supervisors and 12 warehouse employees for 15 total. On weekends we will have 2 management/supervisors and 8 warehouse employees for 10 total.

If during building operation, we determine that additional parking is required we have space available on the property currently used for truck parking that may be repurposed for automobile parking (with permission from the Town of West Seneca) and or add additional car parking on the south side of the truck court.

We would like to thank you for your consideration of the variance requested, and we look forward to becoming part of the West Seneca business community.

Regards,



Craig Cardwell

Agile Cold Storage (3200 Clinton Street LLC)

