

9160

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. 2024-024

Date 5/6/24

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

I (we) JOHN + MARY NAYDA of 157 CENTURY 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 157 CENTURY DR W. SENECA NY 14224

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. 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: _____

SEE ENCLOSED LETTERS + PHOTOS.

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: _____

[Signature]
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) - 4 FT FENCE PERMITTED IN FRONT AND SIDE YARD
- 6 FT REQUESTED IN FRONT + SIDE YARD

2. Zoning Classification of the property concerned in this appeal R-65

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 [Signature]

Date: 06 May 2024
To: West Seneca Zoning Board
From: Property Owners John and Mary Nayda
Address: 157 Century Drive West Seneca, NY 14224
Phone: (716)674-3768 Home
(716)597-4656 Cell

Subject: Application for Variance – Fencing

Our house is located on a corner lot, and we understand that there are unique fence height restrictions for corner lot properties. In our case, the restriction is that the fence height cannot exceed 4 feet for areas extending from the frontal corner of the house to the rear corner of the house and from the rear corner of the house to the frontal corner of our garage.

We are seeking to enclose our backyard area with a continuous 6 foot perimeter fence with two entry gates. There are two sections of fencing that would be in conflict with the current fence height code of 4 feet:

- An approximate 19 foot section (with entry gate) that would connect the rear corner of the dwelling to the frontal corner of the garage
 - Currently, there is an existing 4 ft chain link fence with entry gate
- An approximate 19 foot (18.94, see survey) section of fence beginning at the frontal enclosed porch area to the rear corner of the porch area. The frontal post would also include an entry gate into the back yard
 - Currently, there is an existing 4 ft chain link fence with entry gate
 - There are also existing hedges that are approximately 7 feet in height. These will be removed prior to fence installation

The 6 foot high fencing that would be adjacent to our neighbor on 151 Century Drive would not obstruct any window areas or cause any visibility issues for our neighbor.

The fencing that we are planning is vinyl fencing manufactured by BuffTech. Specifically, we will be using their Chesterfield design “Weathered Blend” color.

We have discussed this intent with our neighbors at 137 Bayberry and 151 Century Drive and everyone is in agreement that this particular fencing would be aesthetically appealing, offer privacy, and there is no objection to the fence height.

We are retired and are trying to beautify our backyard area and eliminate the maintenance associated with our existing shrubs which require constant maintenance and have exceeded their appeal.

All fencing would be well within our backyard and not cause any visual obstruction to vehicles or to pedestrians (there are no sidewalks).

Pictures of the existing conditions are included.













AVE.

LOFT FENCE
VARIANCE

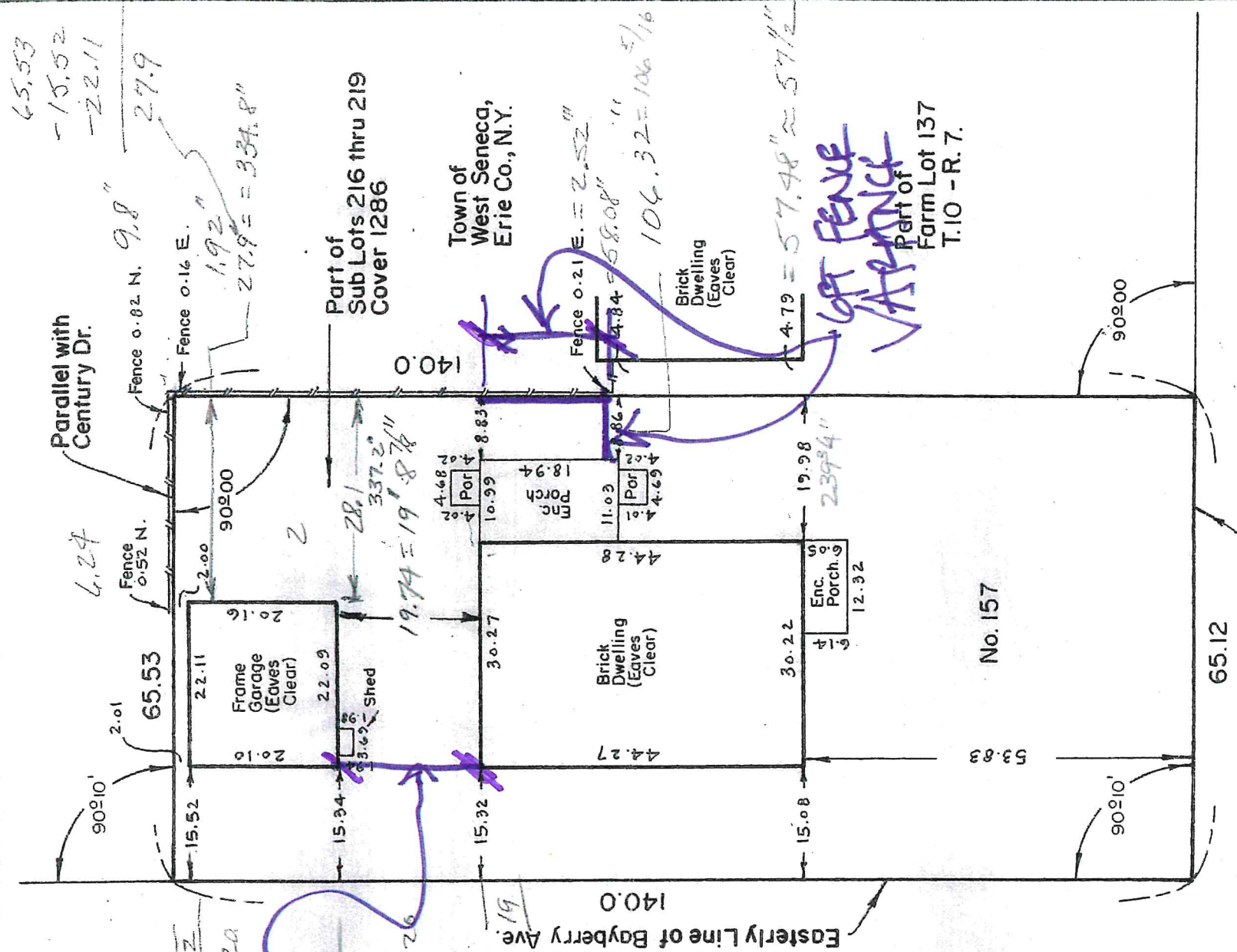
611

(As Shown Under Cover 1286)
(50' Wide)

BAYBERRY



6/18



Northerly Line of Century Drive as shown Under Cover 1770 & Produced Westerly

CENTURY

DRIVE

(70' Wide)

SURVEY
made for

MATTHEW X. WAGNER, JR., Atty.
Suite 600 - 69 Delaware Avenue

Buffalo, N.Y.

Jan - 7 - 1983

53.83
44.27
20.16
2.00
120.26

140.0
- 120.26

19.74

12"
x .84
10.32 inches = 10 9/16
19.74' distance from Eaves of house TO THE GARAGE

65.53
- 15.52
- 22.11
27.9

1.92"
27.9' = 337.8"

Part of
Sub Lots 216 thru 219
Cover 1286

Town of
West Seneca,
Erie Co., N.Y.

Fence 0.21 E. = 2.52"
4.84' = 58.08"

106.32 = 106 5/16

4.79' = 57.48" ≈ 57 1/2"

LOFT FENCE
VARIANCE

Part of
Farm Lot 137
T.10 - R. 7.

No. 157

90°00'

90°10'

65.12

90°00'

Survey of ...