

APPLICATION TO BOARD OF APPEALS

Tel. No. 100

Appeal No. 2024-025
Date 5/6/24

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

I (we) Jessica Dueringer of 257 Barnsdale Ave

West Seneca NY 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 257 BARNSDALE AVE W. SENECA

3. State in general the exact nature of the permission required, ALLOW A MINI PG ON SITE

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 DOCUMENTS

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 20-17 (2)(c) - FARM ANIMALS NOT PERMITTED

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. _____

Building Inspector [Signature]

Jessica Dueringer

257 Barnsdale Ave

West Seneca NY 14224

6May2024

To: Town of West Seneca

I am submitting this letter with the intent of keeping our pet mini pig Otis with a variance from the Town of West Seneca.

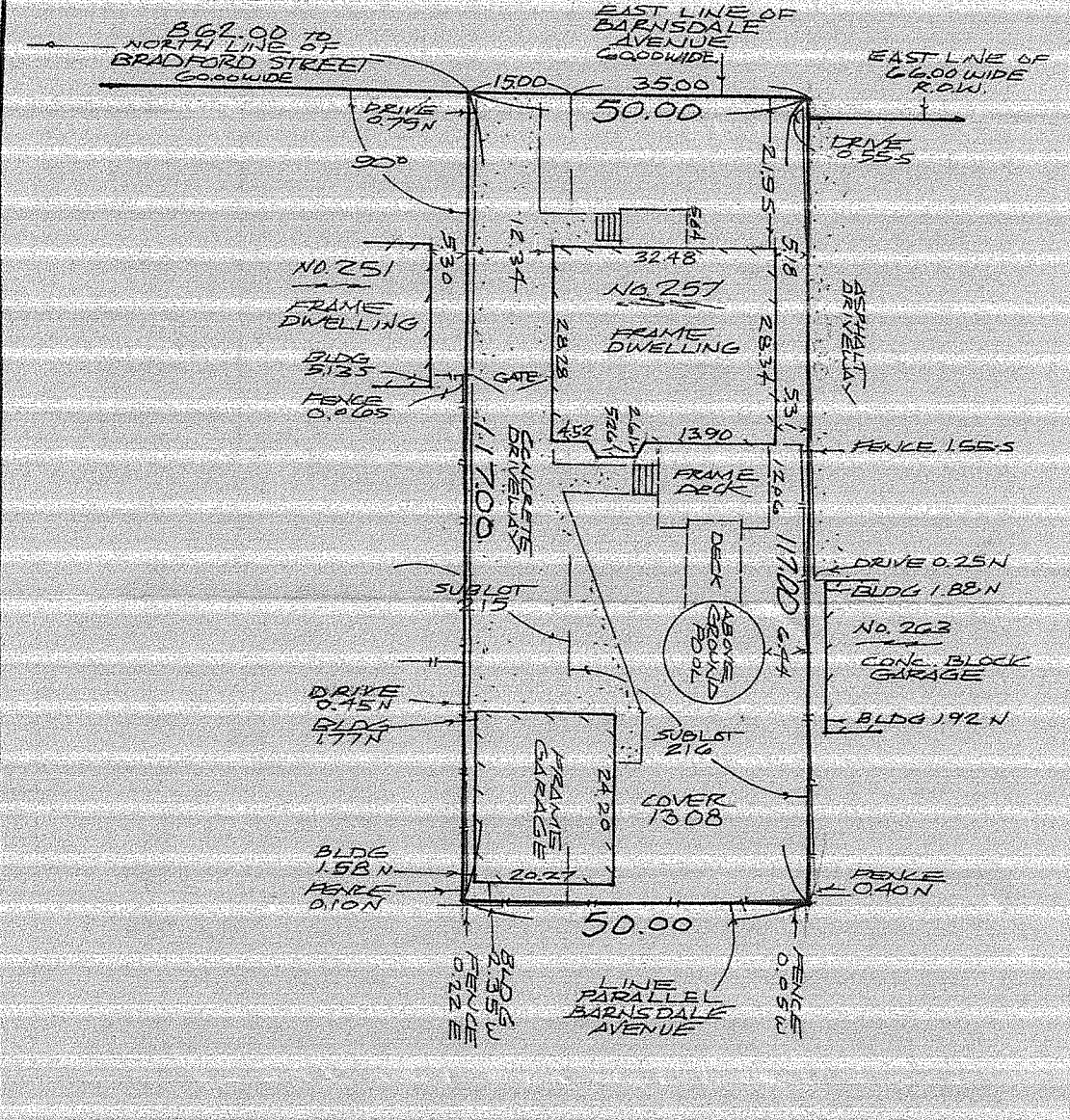
Firstly I would like to say Otis isn't just our pet; he has been a part of our family for 3yrs 7mo. We call him the neighborhood star because we have people always asking how he is and stopping in their vehicles to say hi when he eats on our front porch. The mailman brings him treats and every year the neighbor's come to see what he is dressed up for that Halloween. Not only does he attend holidays with our extended family member's but he loves camping and has taken numerous trips with my husband and I. My husband is a member at the winchester fire hall who's members have met Otis and love him.

Second I would like to educate those that are not familiar with mini pigs. Attached you will find several articles with mini pig facts many people may not be aware of. Mini Pigs differ from those found on farms because they were domesticated and bred as pets in Southeast Asia then introduced to the US in the 1990s. Otis' specific breed is Juliana which originated in Europe and is one of 14 recognized breeds of mini pigs. Yes – Otis weighs around 170lbs. Mini Pigs can be as heavy as 200lbs but average 70-150lbs. Otis has not grown in over a year and is on a diet from the vet to get him back down to 150lbs. Although that seems large there are many dogs that are much larger – such as an english mastiff, newfoundland, or a saint bernard. Pigs have been portrayed to the public as dirty, unintelligent animals that we eat. Pigs are very clean animals. They do not have sweat glands on their bodies – only on their nose. In order to cool off and provide sunscreen – they like to roll in mud. Otis prefers to stay indoors most of the year in the AC or Heat. He gets baths every few months and sleeps in his bed that's next to ours or at times with me on the floor. Pigs also have the mental capacity of a three year old. They can smile, feel happiness, sadness, and grieve for lost loved ones. If they trust and love you, they will come up to you and pant hot air towards you. He knows tricks such as sit, spin, kisses, back and touch. I am medically retired from the Airforce – so Otis spends most of his days

just being with me. Otis is harness and leash trained but as of over a year ago he no longer will leave our yard. Our yard is fenced in with a gate. When Otis is outside is always with me. Attached is our property survey. We have pet health insurance through nationwide and we take Otis to the Cornell University College of Veterinary Medicine. He attends Yearly vet visits there where he receives his required shots including rabies. Otis is also neutered and microchipped.

Otis has been with us for 3yrs 7mo. We have never had a complaint and our neighbors that we've had interactions with have always praised him. To our knowledge he has never been a nuisance. We checked the town code before we got him but could not find nor were aware of any violations. We are happy to pay any fees and comply with what the town requires. We love our home and our neighborhood – but Otis is our family member and we will always stay by his side. So in respect to everything that is happening we would like to stay in the Town of West Seneca and also keep Otis with us for his many years he has ahead of him.

BARNSDALE (60.00 WIDE) AVENUE



Part of Lot(s) 135 Section 10 Township 7 Range 7 Of The BUFFALO CREEK RESERVATION
 City (or Village) of _____, Town of WEST SENECA County of ERIE State of New York

Notes:
 1) This map is void unless embossed with New York State licensed Land Surveyors seal #050182.
 2) Altering any item on the map is in violation of the law, excepting as provided in section 7209 part 2 of the New York State Education Law.
 3) This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of same.
 Drawing Scale: 1" = 20'

Date of Survey MAY 20 2016 Signature Marshall L. Mill

MARSHALL L. MILL PLS
KRAUSE AND GANTZER
 LAND SURVEYORS
 13 OLEAN STREET
 EAST AURORA
 NEW YORK, 14052



Feet	Inches	Feet	Inches
0.08	1 inch	0.58	7 inches
0.17	2 inches	0.67	8 inches
0.25	3 inches	0.75	9 inches
0.33	4 inches	0.83	10 inches
0.42	5 inches	0.92	11 inches
0.50	6 inches	1.00	12 inches



General Facts About Mini-Pigs

Print Article

By Gregory Rich, DVM; Laurie Hess, DVM



There are many breeds of miniature pigs (mini-pigs), including the Vietnamese pot-

bellied pig. These mini-pigs are pets and are different from those found on farms. Vietnamese pot-bellied pigs (also called Asian or Chinese pot-bellied pigs) were first domesticated as pets in Southeast Asia and became popular in the United States in the 1990s.

Purebred pot-bellied pigs are typically all black with straight tails and upright ears. In addition to pot-bellied pigs, the term mini-pig includes an additional 14 recognized breeds of small pigs, including Julianas, KuneKunes, and several others.

How big do mini-pigs get?

Vietnamese pot-bellied pigs typically weigh between 70–150 pounds (32–45 kg) but can be as heavy as 200 pounds (90kg), with a height of 14–20 (35–51 cm) at the shoulders. The adult size and weight of other mini-pig breeds is more variable. Typically, the size of a mini-pig may be estimated from the size of its parents. Mini-pigs reach about half their adult size and weight by one year of age, but will continue to grow until four to five years of age.

How long do mini-pigs live?

Pot-bellied pigs typically live for 14–21 years, with an average of 15–18 years. To reach maximum lifespan, they must be fed a nutritionally complete diet and receive proper medical care.

What is the best housing for mini-pigs?

The optimum environmental temperature for a mini-pig is 60°F–75°F (16°C–24°C) with a humidity around 50%. Since pigs do not have sweat glands, they can easily overheat when temperatures get above 85°F (29°C). Shallow pools or a covered pen are essential for pigs housed outdoors.

If you intend to keep your pig indoors, place child-safety locks on all cabinet doors. Mini-pigs love to root around and investigate, so care

How do mini-pigs communicate?

Mini-pigs communicate both with sounds and with body language. They make at least 20 different calls, including barks, squeals, grunts, and screams. They typically make low-pitched grunts when they are contacting each other, while high-pitched squeals and screams indicate more urgency, and barks indicate alarm or play.

Auditory (sound) and olfactory (smell) cues are much more important in pig communication than are visual signals. Aggression in pigs is typically communicated by thrusting the head upward or sideways against another pig and sometimes by biting. Submission is indicated by turning the head away. Young pigs explore their environments by rooting (digging) and mouthing newly encountered objects.

Can mini-pigs live with other pets?

Pigs in the wild are prey species, while dogs and cats are classified as predators. Therefore, while dogs and cats can be trained to live harmoniously with mini-pigs, they may cause a predatory response, especially in dogs. When frightened, a mini-pig will run away from trouble and/or squeal. Because of this, mini-pigs should never be left alone unsupervised, even with the friendliest of potentially predatory pets, like dogs and cats.

Can mini-pigs be trained?

Mini-pigs are very smart and can be trained to walk on a leash/harness and to sit, stay, come, and retrieve objects. They also can be trained to walk up a ramp into a car or a pet carrier and to roll over on to their backs so that their hooves can be trimmed.

Pigs are very food-motivated, so low-calorie treats, such as juicy pieces of fruit and vegetables, can be used for training (see handout "Feeding Mini-Pigs" for more information). These food items should only be offered as rewards during training, or the pig will not be motivated to work for them.

Share

Keywords

Preventive Care & Wellness



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Learn more

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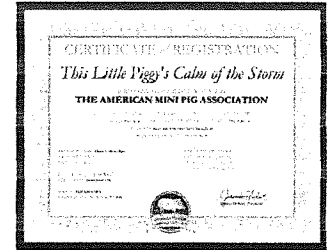
We use cookies to personalize content and ads, to provide social media features and to analyze our traffic. See our [cookie policy](#). You can use cookie settings to change your preferences.

The American Mini Pig Association has compiled the following information and research to help you! Share [this blog link](#)

OR

Download the free 56 page [AMPA Pet Mini Pig Zoning Packet](#) to take with you to your meeting or email the attachment to your city council. This packet includes:

- Steps to change your city's zoning ordinance
- Letter of Recommendation from the American Mini Pig Rescue
- Letter of Recommendation from the American Mini Pig Association
- 5 Letters of Recommendation from AMPA Registered Veterinarians
- FACTS of Owning Pigs As Pets
- Sample American Mini Pig Registered Pet Pig Certificate
- Federal Definitions of "livestock"
- Letter from USDA
- Letter from State of Pennsylvania Proclaiming Pigs as Pets
- Mini Pigs in the News
- City Ordinance Tips from the American Mini Pig Association
- 13 Example Ordinances from Cities Allowing Mini Pigs
- List of Cities Across the Nation that Allow Mini Pigs
- The History of Mini Pigs



Myth: Pigs are not pets

We beg to differ! Pigs have been pets since the 1980s. A rapidly growing number of owners across the United States, Canada, and beyond, claim their dedication to pet mini pigs. The numbers continue to spike as more families fall in love with the charms and challenges of these unique pets. Follow the American Mini Pig Association on [Facebook](#) or view the massive educational [website](#) dedicated to mini pigs as family pets.



EN an Mini Pig advocates for responsible owner, breeder, rescue, and veterinary practices. Mini pigs are



being registered as pets through the official AMPA registry.

Myth: Pigs will make us sick

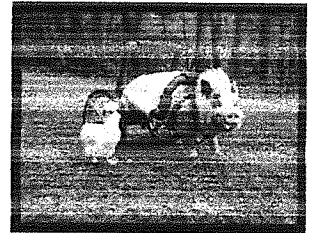
Pet pigs present a very low zoonotic risk to humans. You are far more likely to get sick from your child's classmates or a stranger at the grocery store than from a pet pig. Pigs living as pets are not exposed to the conditions and diseases of commercial farm hogs.



The CDC states: "Almost all influenza cases in humans are caused by human flu viruses, not viruses from swine."

and

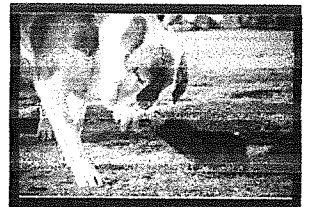
"At this time, there are three main flu viruses that circulate in U.S. pigs: H1N1, H1N2 and H3N2. These viruses do not usually infect people and are genetically different from the H1N1 and H3N2 viruses that commonly circulate in people."




According to the North Carolina Swine Veterinary Group, even on commercial pig farms, people are more at risk from mechanical or electrical injury than microorganisms.



To further protect against zoonotic diseases, mini pigs should be vaccinated yearly against erysipelas and regularly dewormed with Ivermectin to prevent mange mites as recommended by the Merck Veterinary Manual. This is similar to the vaccine and parasite control routine that is standard for dogs, cats, and other pets. Some cities require a rabies vaccine in pet pigs as an added precaution.



Myth: Pigs are HUGE!

Mini pigs average in height from 12 to 18 inches tall at maturity. They are short and heavy. They are very similar in height to English Bulldogs or Cocker Spaniels. Mini pigs  EN 150 lbs in weight when full grown, very similar in weight to medium to large dogs but the pigs are much



shorter in height than a dog with similar weight. A 70 pound mini pig will take up less space on the couch than his 70 pound Labrador Retriever brother!

Comparing pigs and dogs:

Mini Pigs

12 to 18 inches average
50 to 150 pounds average



English Mastiff dog

30 inches MINIMUM according to the [Mastiff Club](#)
343 pounds on [record](#)



Newfoundland dog

36 inches tall on [record](#)
260 pounds on [record](#)

Great Dane dog

44 inches tall on [record](#)
230 pounds on [record](#)

Neapolitan Mastiff dog

31 inches according to [AKC Breed Standard](#)
200 pounds according to [Dog Breed Info](#)



Irish Wolfhound dog

34 inches according to [AKC Breed Standard](#)
120+ pounds according to [AKC Breed Standard](#)

Saint Bernard

35 inches inches according to [Dog Guide](#)
357 pounds on [record](#)

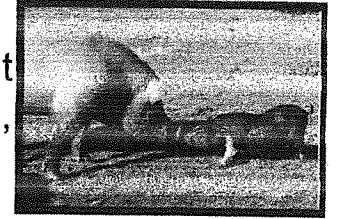
While no one can guarantee the size of any animal, choosing an AMPA Registered Breeder will ensure pet owners are not deceived. These breeders have been pre-
roven measurements of the breeding pigs, and
code of Ethics to ensure happy, healthy, socialized



mini pigs. AMPA Registered Breeders will make sure your neighborhood doesn't accidentally end up with an Esther sized pig!

Myth: All pigs are the same

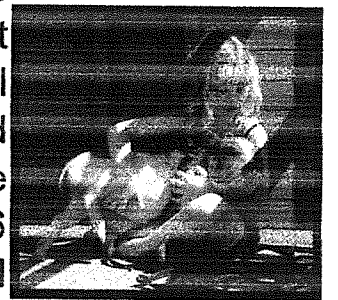
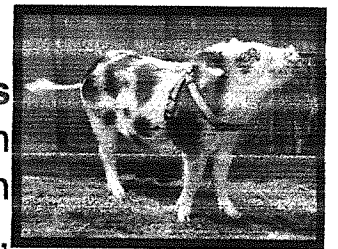
Pigs come in a variety of shapes and sizes, bred for different purposes. There are three distinctions of pigs: pets, livestock, and medical research.



Pet Mini Pigs are a miniature size of pig as recognized and registered by the American Mini Pig Association. These pigs are usually mixed with several breeds Juliana, Gottengin/Guttengin, African Pygmy, Yucatan Micro, Swedish White, and various mixes of these breeds. Mini pigs average in height from 12 to 18 inches and 50 to 150 pounds at maturity when they are 5 years old. Mini pigs are bred and sold as pets. Breeders focus on temperament, personality, size, and structural soundness avoiding genetic faults or aggression. These pigs are often used as Therapy Animals in hospitals, nursing homes and schools and as Emotional Support Animals (ESA) due to their intelligence and bonds with their owners/families. **The purpose of these animals is to be family companions as pets.**



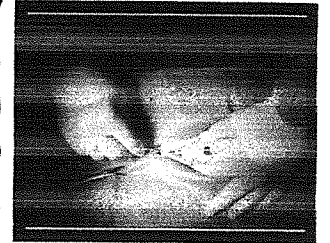
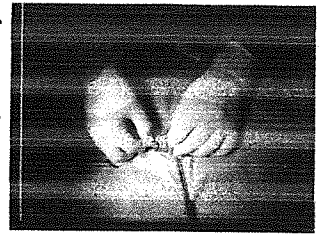
Livestock are defined by Merriam-Webster as **farm animals kept for use and profit**. Pigs in terms of livestock are often referring to as "farm hogs" or "full size hogs". Common livestock breeds of swine are Landrace, Yorkshire, Berkshire, Tamworth, Red Wattle, Large Black, Large White, Mulefoot, Duroc, Guinea Hog, and Old Spot. These animals are raised as a food source on a small or large scale, both at farms and commercial facilities. Livestock farm hogs will typically grow in excess of 700-1,000 pounds when allowed to mature. However, the vast majority of farm hogs are slaughtered by the time they reach 250 pounds around 6 months of age. **The purpose of livestock pigs is financial**



EN

gh food production.

Medical research has long used swine in laboratories for medical advances to benefit human health care. According to the American College of Veterinary Pathologists, the most common miniature breeds available in the United States are the Hanford, Yucatan, Yucatan micro, Sinclair, and Göttingen (from largest to smallest). Swine have been an integral part of surgical training, pharmaceuticals and medicine development, testing the safety of medications, toxicology testing, organ transplantation, bioprosthetic organs, cardiovascular research, wound healing, burn victim treatments, and regenerative medicine. Swine have also been used in studies involving ulcers, cancers, diabetes, and alcoholism. Swine involved in medical research are bred, born, and raised in closed facilities that are highly regulated for genetic background and disease control. **The purpose of medical research pigs is to further the scientific progress in health care for humans.**



Resources:

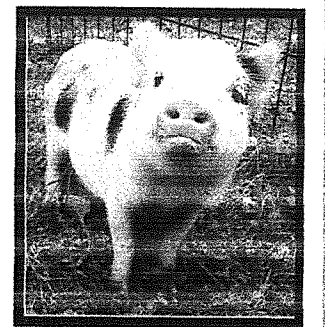
[American College of Veterinary Pathology](#)

[Göttingen Mini Pigs](#)

[National Anti-Vivisection Society](#)

Myth: Pigs are noisy

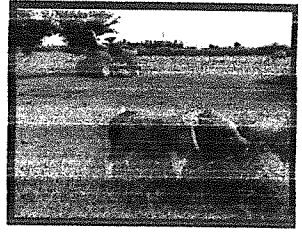
Pigs are animals and do make noise as they communicate, just as all animals and humans do. A well cared for pet pig will not cause any disruption to the neighborhood. Many pet pigs live happily in their home or in their yard with only soft grunting and quiet communications of contentment. If you're lucky you'll hear an oof oof or a funny bark if they get excited that sounds a lot like a dog! High volume obnoxious sounds are more connected to commercial farm settings with many, animals similar to a dog kennel or shelter. This is a different scenario than a single pet mini pig or



single pet dog. A pet mini pig does not face the same challenges as a large scale commercial farm.



The noise of a pig can be compared to the noise of a dog, in that typically they are very quiet, but can raise their voice when they are hurt, scared, or lonely, and each is an individual with its own personality. Some dogs are very quiet and some are a regular nuisance to their neighbors.



A pig's most extreme squeal can reach 110 decibels, which is a very short burst of panic noise. Similarly, a dog kennel of barking dogs can reach 100-108 decibels of nonstop barking, as referenced by Perdue. Some things commonly heard in a neighborhood that are louder than a pig's brief squeal are circular saw, chain saw, and firecrackers, as referenced here.

Myth: Pigs stink and create too much waste


Mini pigs have no body odor when they are spayed and neutered. They have very few functioning sweat glands, instead relying on water or mud to cool them off. Most pet pigs enjoy a nice roll in a kiddie pool! That is, when they aren't snoozing in front of the TV.

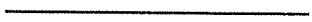


Intact boars (males that have not been neutered) do have a musky odor that is used to attract females. The American Mini Pig Association recommends all pet pigs be spayed or neutered before 6 months of age. A neutered pet pig will not have the odor of a boar.



All pets create waste, but pigs create fertilizer! Pig's manure can be composted to feed the garden. Swine manure contains several essential plant nutrients giving a higher crop yield than inorganic fertilizers, as shown in this study.

All pet waste should be managed by owners. For pigs,  EN regularly and disposing of the waste or composting, there is no smell or odor.

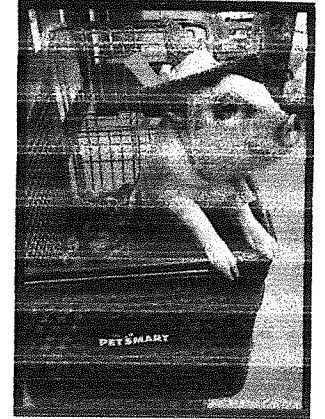


Myth: Pigs are dangerous

Pigs are affectionate, intelligent, excellent communicators, and very much loved as family pets across the world. There is no reason to fear them. These small pigs are very similar in size to a bulldog. If a male mini pig grows tusks past the lip line, these can be easily trimmed by a veterinarian as described by the [Merck Veterinary Manual](#).

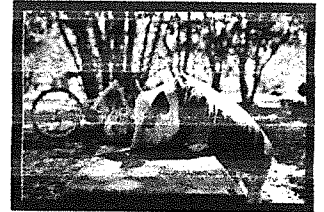
Statistics vary by locality, but residents are far more likely to be bitten by a dog or cat in the neighborhood than a pet pig.

To reduce any concern, zoning regulations may include requirements for pet pigs to be spayed, neutered, microchipped with a permanent identification, vaccinated against rabies, and contained in a fence or on a leash.



Myth: Property values will decrease

There is absolutely no evidence that property values will decrease by having a pet pig in the community. On the contrary, mini pigs tend to bring a lot of positive attention, sometimes even media coverage! These special pets are opening the eyes of people everywhere.



Meet Skooter, the Mini Pig Hero that saved his little boys life by alerting his mom to an incident in the bathtub that left the boy nearly unconscious.

Meet Pearl the Mini Pig Hero that teaches children responsibility at school.

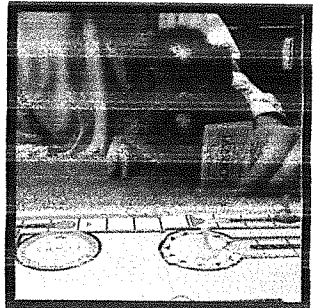
Meet Bacon Bit the Mini Pig Hero that detects seizures.

Meet Addy the Mini Pig Hero that visits nursing homes.

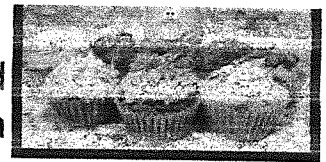
Meet Hamlet the Mini Pig Hero that brings joy to the Human Department of Children Services.



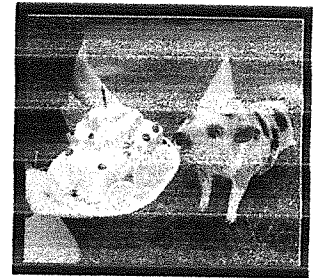
Myth: Pigs are fed garbage or waste scraps



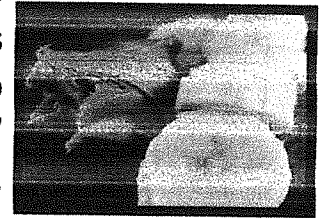
Mini pigs are considered family pets with all the comforts and care that other family pets are given, including top notch nutrition and sanitary care.



Mazuri and other companies have formulated a complete pelleted diet to meet the specific needs of mini pigs. In addition to their pellets, mini pigs often enjoy a daily salad of fruits and vegetables along with a few healthy snacks or treats such as popcorn, cheerios, or raisins.



Mini pigs should NEVER be fed garbage or waste scraps. While this *may* be the case with some farmers that raise large hogs for slaughter, they do this to grow the hog to market size as cost effectively as possible. Mini pig families are not raising pigs to slaughter and they are not looking to cut cost. Pet pigs are family and often claimed to "eat better" than their humans! Many pet pig owners go to great lengths to feed their pigs a fresh assortment of organic vegetables and whole, fresh foods. Learn more about Mazuri mini pig food [here](#).

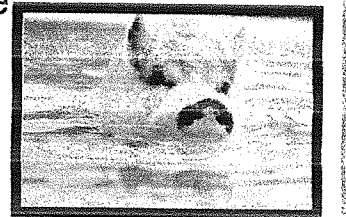


Myth: Pigs cannot live indoors



Mini pigs are very happy to live indoor/outdoor just like the family dog, as stated by the Merck Veterinary Manual. If pigs are housed outside, they should be given proper fencing and protection from the elements as addressed in the American Mini Pig Association Owner Code of Ethics.



Mini pigs can be trained to use a litter box like a cat, or to go outside into the yard to use the bathroom just like the family's dog. Read more about potty training pet pigs.



Myth: Pigs are dumb livestock

Mini pigs are highly intelligent companion pets. Classifying a  EN as livestock would be similar to classifying a  pet bunny as livestock because they are commonly

raised in rabbitries in the meat/fur industry and shown at livestock shows. Mini pigs are raised and treated as family pets. There is no correlation to the livestock swine industry. Penn State classify rabbits as livestock, [here](#), while stating "Rabbit farming has grown from raising a few rabbits for family consumption to large commercial operations with hundreds of rabbits. Investment in a rabbitry, including breeding stock, can be quite modest." Yet, this classification does not stop families from owning a rabbit as a family pet.

Mini pigs are so smart they learn to move levers and switches to get food and water. They have high level social cognitive abilities and self-awareness. Furthermore, pigs have shown a variety of emotions and feelings as shown by the Humane Society.



Mini pigs have been certified nationwide by the 501c3 nonprofit organization [Pet Partners](#) alongside dogs as Animal Assisted Therapy volunteers. This certification requires the right temperament and plenty of training. These mini pigs and their handlers are invited to hospitals, schools, nursing homes and other community centers to provide therapy to the residents. Mini pigs are also used as Emotional Support Animals to comfort their owners with emotional disorders. www.petpartners.org

The American Mini Pig Association offers a therapy pet certification program. [The AMPA training course information can be found here.](#)

Meet [Skooter](#), the Mini Pig Hero that saved his little boys life by alerting his mom to an incident in the bathtub that left the boy nearly unconscious.

Meet [Pearl](#) the Mini Pig Hero that teaches children responsibility at school.

Meet [Bacon Bit](#) the Mini Pig Hero that detects seizures.



EN the Mini Pig Hero that vis



Meet Hamlet the Mini Pig Hero that Department of Children Services.

Mini pigs have been trained to:

- Sit
- Stay
- Spin
- Bow or Curtsy
- Crawl
- Back up
- Take treats gently
- Clicker train
- Walk on a harness
- Relax for hoof trims
- Come to their name
- No
- Out or leave it
- Shake hands
- Wave
- Push a ball
- Pick up objects
- Paint
- Solve puzzles
- Honk a bike horn
- Play a piano
- Play guitar
- Kiss
- Obstacle course
- Swim
- Ride a skateboard
- Ring a bell to go potty outside
- Unroll the red carpet
- Step up onto an object
- Jump through a hula hoop
- Use a doggy door
- Run through a tunnel
- Use stairs
-  EN  a ramp
- Understand sign language

