

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. 2018 - 43

Date 7/11/18

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

I (we) Timothy Clark of 595 Union Rd

_____, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE
DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT NO. _____,
DATED _____, 20____, WHEREBY THE BUILDING INSPECTOR DID DENY TO

- | | |
|--|---|
| <input checked="" type="checkbox"/> A PERMIT FOR USE | <input type="checkbox"/> A CERTIFICATE OF EXISTING USE |
| <input type="checkbox"/> A PERMIT FOR OCCUPANCY | <input type="checkbox"/> A CERTIFICATE OF ZONING COMPLIANCE |
| <input type="checkbox"/> A TEMPORARY PERMIT OR EXTENSION THEREOF | <input type="checkbox"/> AREA PERMIT |

1. Applicant is the PROPERTY OWNER
 CONTRACTOR FOR THE WORK CONCERNED HEREIN
 PROSPECTIVE TENANT
 OTHER (Describe) _____

2. LOCATION OF THE PROPERTY 595 Union Rd

3. State in general the exact nature of the permission required. Requesting an 8' fence in rear and side yard, 6' permitted in rear 4' permitted in side

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 letter

B. Interpretation of the Zoning Ordinance is requested because: R district fences
6 foot permitted in rear yards, 4 foot permitted in front and side

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: _____

X Timothy Clark
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 120-39 B

2. Zoning Classification of the property concerned in this appeal R-75 A

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. [Signature]

July 11, 2018

I am respectfully asking for a variance of the Town of West Seneca Zoning Law to allow for the erection of an 8 foot high wooden fence in the rear yard of 595 Union Road that would replace an existing 4-foot high chain link fence.

The reasons for asking for this variance are as follows:

1) Sound Reduction - The busy nature of Union Road traffic leads to louder than normal levels of road noise from trucks, motorcycles and noisy automobiles. The leading real estate website Zillow.com reports that "an 8-foot fence can significantly reduce the noise of a busy highway by 6-10 decibels."

2) Deer Avoidance - The deer problem in my yard has become increasingly bad. Replacement of trees and other vegetation has been costly and the New York State Department of Environmental Conservation has commented that an 8-foot fence is a reliable deterrent for deer in search of food.

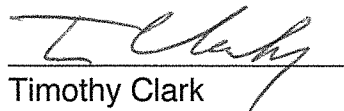
3) Privacy - The adjacent home (*at 585 Union*) is only 16 feet from the side of my home and the bedroom windows at that home are higher than normal because of the elevation. A higher fence would alleviate the privacy concerns of both neighbors.

Please note the design element will be appealing. The plan is to erect a custom board on board fence using high quality Larch lumber from a local sawmill (in Barker, NY). It will be treated and stained with a color that blends in and is agreeable to the adjacent neighbors. It will be attractive, well constructed and designed to enhance the character of the neighborhood and add to the home's overall appeal.

I would also like to ask for permission to allow the 8-foot height to extend into the side yard next to the garage (south side of the property). That section is mostly screened from the road by bushes but is also designed to be appealing in case it is seen from the sidewalk or roadway during winter months when leaves are absent.

All adjacent neighbors have been consulted and are in favor and all plan to augment their side of the proposed fence with deer resistant landscaping and vegetation.

Respectfully Submitted:



Timothy Clark
595 Union Road
West Seneca, NY 14224

July 11, 2018
Date

Proposed
8 foot Fence

LOT NO. - [REDACTED]



UNION ROAD

PLOT PLAN

SCALE 1" = 30'

HOME PLAN FOR
MR. & MRS. CLARK

DRAWN BY
C.J.D. - B.D.S.

DATE
6-21-51

SCALE
AS NOTED

SHEET
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