

# APPLICATION TO BOARD OF APPEALS

Tel. No. \_\_\_\_\_

Appeal No. 2019-58

Date 8/13/19

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

I (we) Brian and Jamie Whittington of 160 Northwood 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 NO. \_\_\_\_\_, DATED \_\_\_\_\_, 20\_\_\_\_, WHEREBY THE BUILDING INSPECTOR DID DENY TO

- |  |   |
|--|---|
| <input 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 160 Northwood

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 letter

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: \_\_\_\_\_

Jamie Whittington  
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) Fences shall not exceed 4' in front/side yard.

Fences shall not project more than 10' past house

2. Zoning Classification of the property concerned in this appeal R45

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.

Day B...

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

Corner lot

August 12, 2019

To Whom It May Concern:

The purpose of this letter is to ask the Town of West Seneca for permission to maintain a fence that was added to our residential address located at 160 Northwood Avenue in West Seneca. We have recently purchased this home as of July 2, 2019.

The fence company had provided us with an estimate in which we brought to the Town office in order to obtain the fence permit. The permit was then issued. It was brought to our attention, after the fence project had begun, that the wrong permit was issued in error. The permit that was issued was for a replacement fence. The property did have one side that had an existing fence on it, which was being replaced according to the estimate. The Town Building Inspector had contacted me to go over what had happened and explained the misunderstanding. After further discussion, we then were given the go ahead to complete as the fence company was there building the fence as we were speaking.

The Town Building Department has been wonderful to work with and has been very helpful with providing further explanation and assistance to us during this process. We have discussed the fence with our neighbors and have received agreement in that due to the busy corner of both Forest and Northwood, they would too like a fence around their yard if they lived there with their children and pets.

Attached is a copy of the search and survey along with the measurements and location of the fence. The fence is a Wooden Privacy Fence measuring at 6 feet. There is a 4 feet chain link fence which was expanded further than the driveway to allow for additional viewing of the sidewalks and street for added precaution when leaving the driveway.

The reason we are seeking approval for the fence is for the safety and privacy of our two children, currently ages 3 years old and 11 weeks old and also for the safety of our family dog.

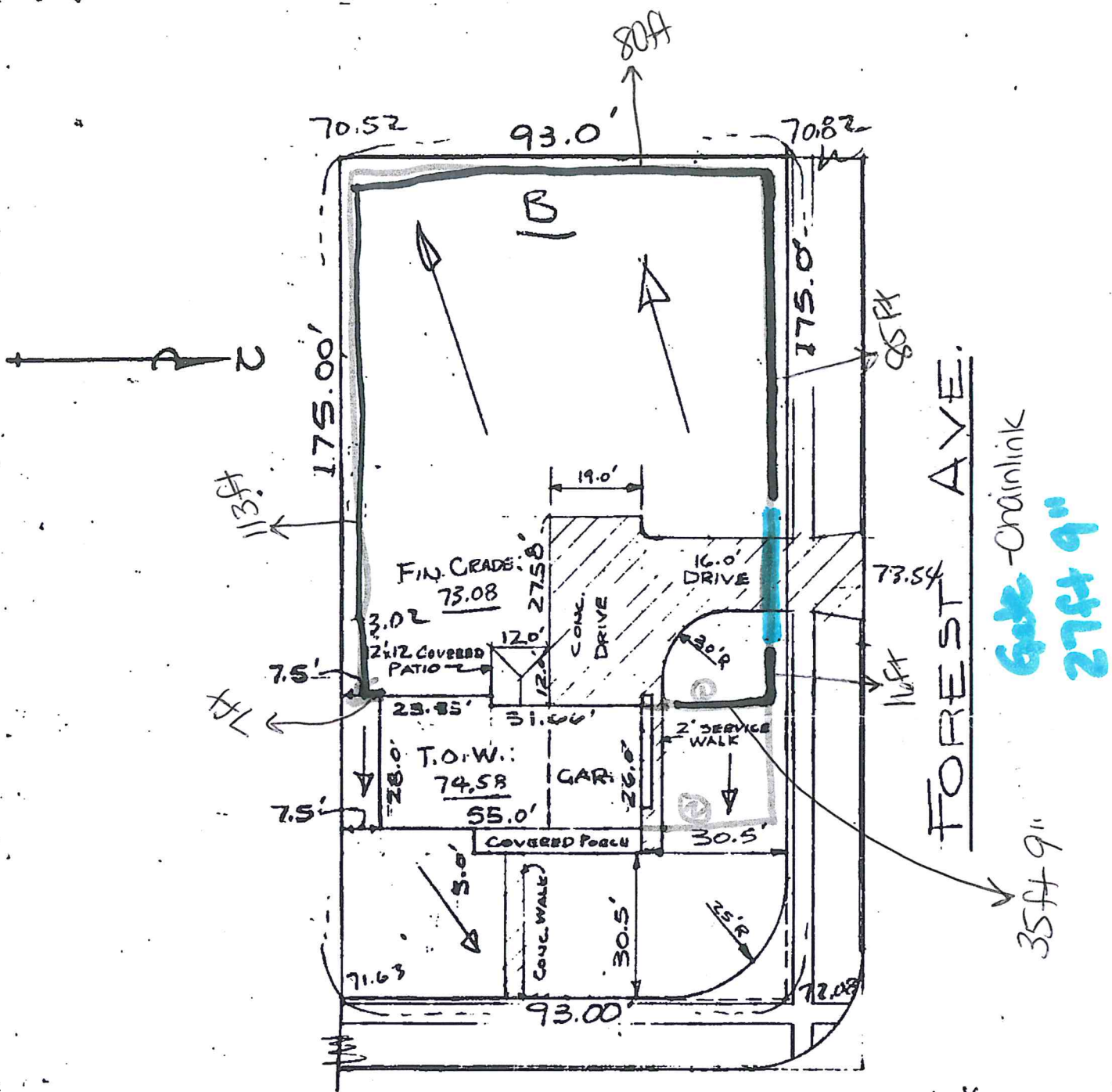
Thank you for taking the time to review this request.



Brian Whittington



Jamie Whittington



NORTHWOOD

BETH-ANNE (R.H)

# 110 80

ADDRESS: #160 NORTHWOOD

SUBLOT #95

MAP COVER #2317

PLOT PLAN  
SCALE 1" = 30'-0"

KEY:

/// = CONCRETE WORK