

APPLICATION TO BOARD OF APPEALS

X Tel. No. _____

Appeal No. 2020-16
Date 3/9/20

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

X I (we) James Schmidt of 4316 Clinton St
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 *See*
 CONTRACTOR FOR THE WORK CONCERNED HEREIN
 PROSPECTIVE TENANT
 OTHER (Describe) _____

X 2. LOCATION OF THE PROPERTY 4316 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: _____

James Schmidt
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 yards. Requesting 6'

2. Zoning Classification of the property concerned in this appeal R45A

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

March 6, 2020

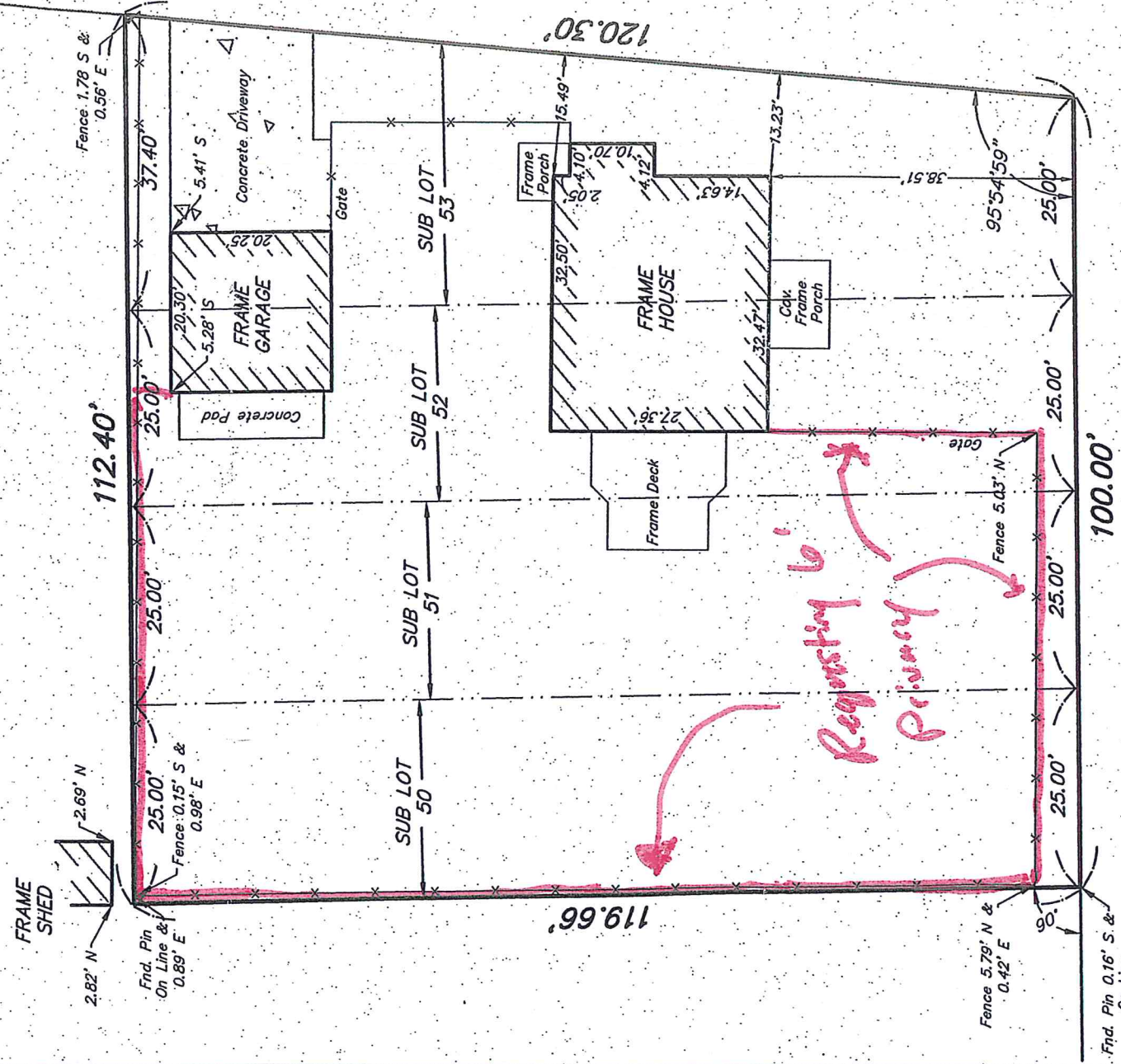
James Schmidt
Homeowner
4316 Clinton St.
West Seneca, NY 14224

To Whom it may concern,

My name is James Schmidt and I reside at 4316 Clinton St. The corner house at Clinton St and Broadway St. I am writing you today to request that a variance be issued for a six-foot wooden fence to be erected . Currently, my property is bordered by a four-foot fence that has succumbed to wind and time. This fence requires a replacement. I have two small children that spend a substantial amount of time outdoors in the backyard during the warm, summer months. They enjoy swimming in our pool and other outdoor activities. I would like for them to be afforded the opportunity of privacy, while they engage in such activities that they enjoy. As you travel east bound down Clinton street, my backyard is completely open to viewing and with a four-foot fence, provides no privacy. The past couple of summers, I have had multiple pedestrians approach my fence and engage in conversation with my children. Upon confronting these individuals, I found no malicious intent and found no reason to notify law enforcement other than my belief that it was inappropriate to engage with my children. However, because it is my responsibility to afford my children a safe and enjoyable space to play, I would like the board to accept and approve this variance.

Sincerely,

A handwritten signature in cursive script that reads "James Schmidt". The signature is written in black ink and is positioned below the word "Sincerely,".



CLINTON STREET
(66' WIDE)
(FORMERLY KNOWN AS CLINTON ROAD)

INSTRUMENT(S) UTILIZED IN DETERMINING LOCATION OF BOUNDARY LINES: Liber 10879 of Deeds Page 8879
 THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED IN SAID ABSTRACT.
 NOTE: PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY. NOTE: THIS SURVEY WAS PERFORMED UNDER SEVERE SNOW AND ICE CONDITIONS.

© COPYRIGHT 2017 BY:	Millard, Mackay & Delles LAND SURVEYORS, LLP 150 AERO DRIVE BUFFALO, NEW YORK 14225 PHONE (716) 631-5140 ~ FAX 631-3811	AMEND: SURVEY DATE: 1-18-17 © DRAWING DATE: 1-19-17 SCALE: 1" = .20' " ALL RIGHTS RESERVED "
THIS SURVEY MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR LAND SURVEYS ADOPTED BY THE BAR ASSOCIATION OF ERIE COUNTY AT THE REQUEST OF Sargent & Collins, LLP	Francis C. Delles NYSPLS No. 050477	THIS MAP VOID UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL. ALTERING ANY ITEM ON THIS MAP IS A VIOLATION OF THE LAW EXCEPT AS PROVIDED IN SECTION 7209, PART 2, OF THE NEW YORK STATE EDUCATION LAW.
SUB LOTS 50-53 ~ BLOCK "C" ~ MAP COVER 1424 PART OF LOT 322 SECTION 10 RANGE 7 OF THE: Buffalo Creek Reservation SURVEY - Erie COUNTY, N.Y.		SBL No. 125.72-4-15.1

