

# APPLICATION TO BOARD OF APPEALS

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

Appeal No. 2020-41

Date \_\_\_\_\_

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

I (we) JOHN + SUSAN YEA of 328 DUYER ST  
W. SENECA NY

\_\_\_\_\_, 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 328 DUYER ST W. SENECA

3. State in general the exact nature of the permission required, REPLACE GARAGE, SAME LOCATION

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 LETTER

B. Interpretation of the Zoning Ordinance is requested because: ONCE BUILDING REMOVED, IT MUST THEN MEET CURRENT ZONING REQUIREMENTS

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: \_\_\_\_\_

VIA MAIL

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 (A) (3) - 3' SETBACK REQUIRED ON SIDE + REAR  
- 1.5' ON SIDE + 2.5' ON REAR REQUESTED

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]

June 8, 2020

Dear Planning Board Members,

We are requesting a building variance for the property at 328 Dwyer St. We are looking to replace free standing garage that was erected on the property in 1955, and is in dire need of replacement. Apparently the existing footprint does not meet the current minimum setback required by the town.

Approximately 30 years ago the land owner to the west, (Louie's Hotdogs), erected a privacy fence which left slightly over 10' of land between this fence and the garage with the understanding that the homeowners in the adjacent properties could maintain this property as they wish.

We hope this request satisfies the Planning Boards requirements to grant a variance.

Sincerely,

John and Susan Yea

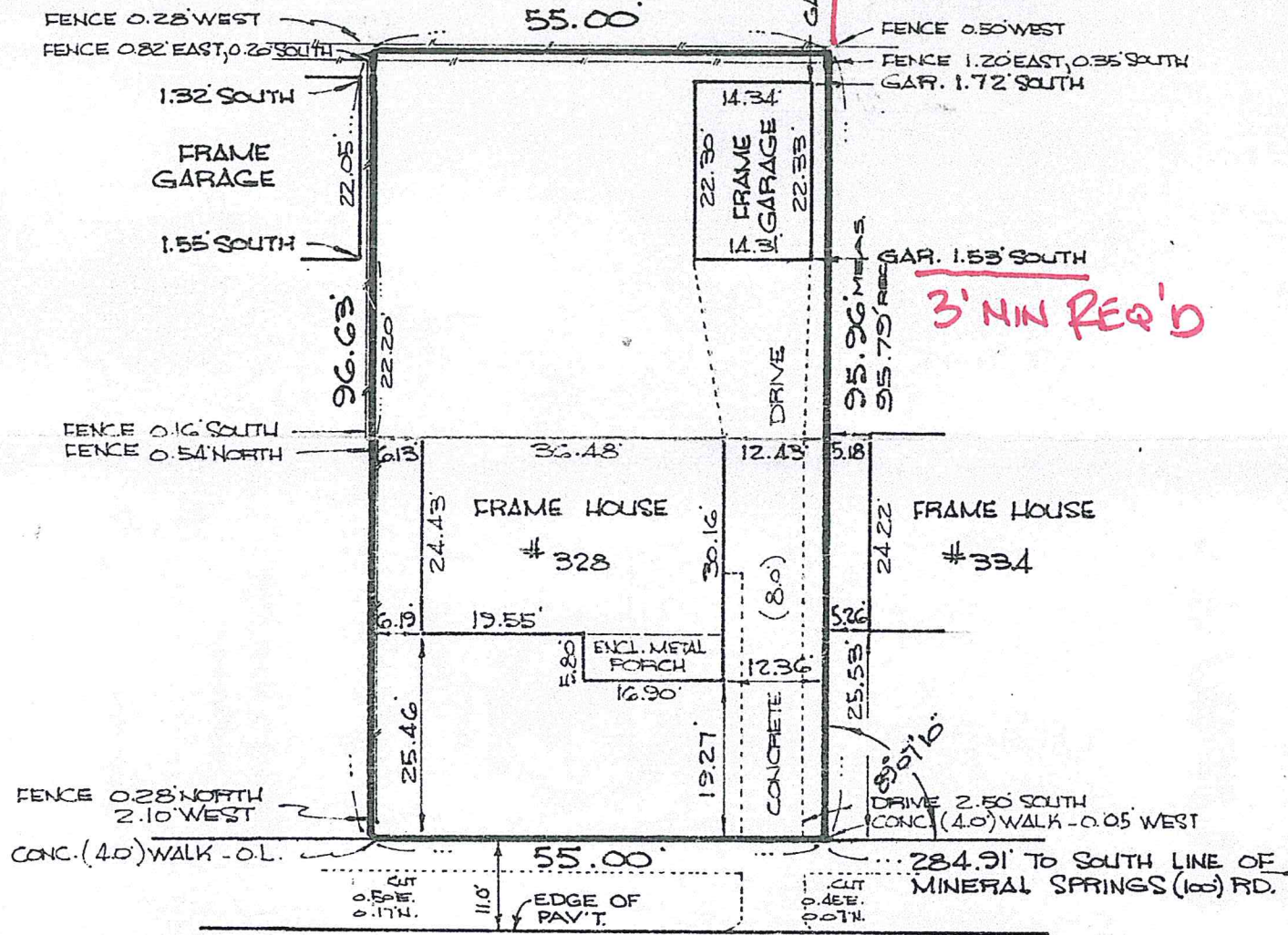
328 Dwyer St.

West Seneca, NY 14224



3' MIN REQ'D

3' MIN REQ'D



DWYER (50') STREET

NOTE

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 SUCH

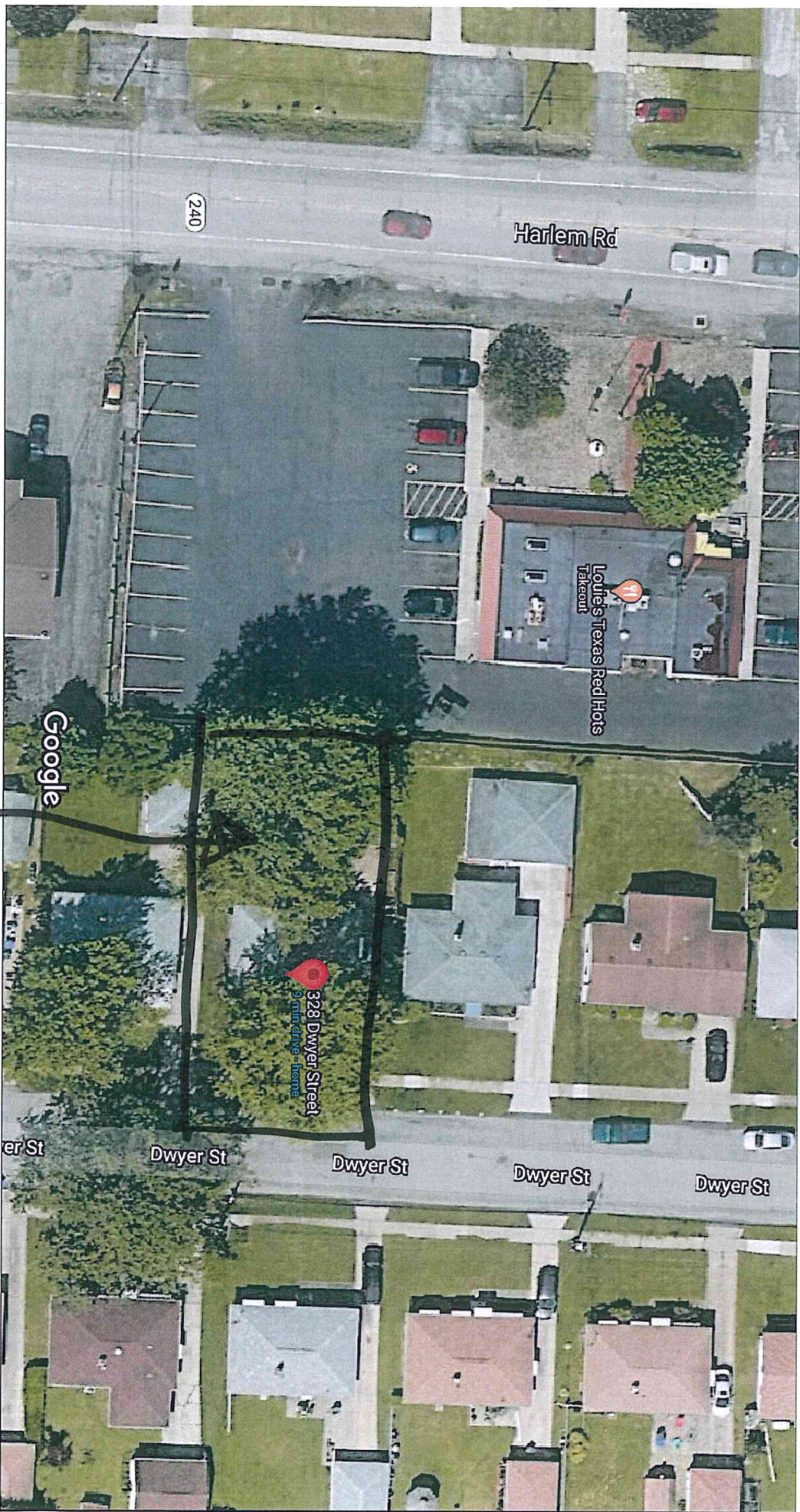
"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law." This map is void unless embossed with New York State Land Surveyor seal



PART OF LOT 125, T.10 R.7

SURVEY OF		SUBLOT 26		M.C. 1815	
LOCATION TOWN OF WEST SENECA, ERIE CO., N.Y.					
DATE AUGUST 2-1977		SCALE 1"=20'		<p>MILLARD &amp; MAC KAY Land Surveyors 150 AERO DRIVE BUFFALO, NY 14225</p>	
RESURVEYED					
REVISED 8-29-77					
SURVEY 1-31-84					
4-8-87					
STREET ADDRESS: 328 DWYER STREET, TOWN OF WEST SENECA, No. 124.53-5-7					

124.53-5-7



Location of Property