

APPLICATION TO BOARD OF APPEALS

Tel. No. X

Appeal No. 2020-58

Date X 8-3-20

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

I (we) X Ashley Smolen of X 76 Orchard Ave.

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: 4 foot fence in front yard corner lot

- 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 X 76 Orchard Ave

3. State in general the exact nature of the permission required, 4 foot high fence in front yard on corner lot

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 Enclosed

B. Interpretation of the Zoning Ordinance is requested because: TOWS 120-39B

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: _____

X Ashley Smolen
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
TOWS Zoning Ordinance 120-39B
R district fence only 10 feet into set back permitted

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

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 JGR

To: West Seneca Zoning Board of Appeals

1250 Union Road

West Seneca, NY 14224

From: Ashley J Smolen

76 Orchard Ave

West Seneca, NY 14224

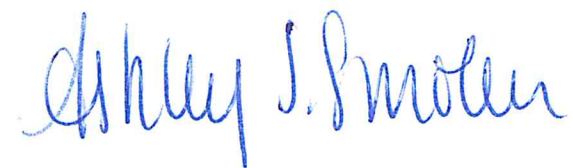
RE: Letter of Intent for Variance of Residential Fence Construction

Date: Monday August 3rd, 2020

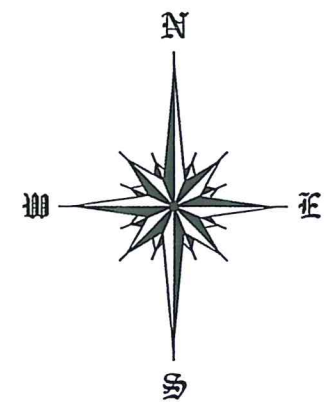
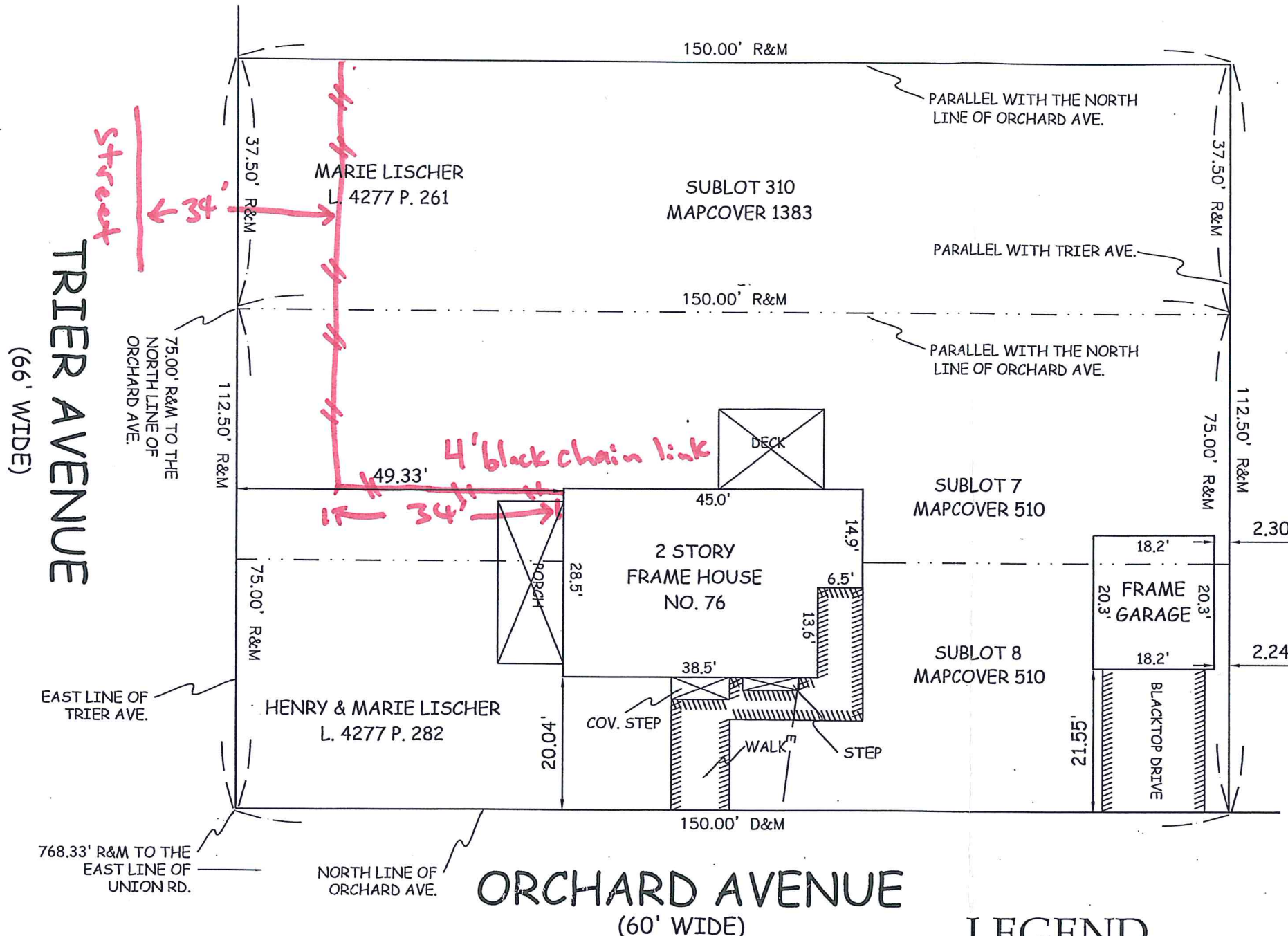
To Whom It May Concern:

I am writing this to request approval of a variance to the existing fence requirements as I am seeking to obtain a permit. I am looking to extend the fence from the northwest corner of the house approximately 34 feet west towards Trier Place. This will leave approximately 34 feet open between the fence and street to ensure visibility. The entire structure will be 4ft high black chain link fencing. This fence will enclose the lot that was included in the purchase of my home at 76 Orchard Avenue.

Thank you,



Ashley J Smolen



- SURVEY NOTES**
1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
 2. REPRODUCTION OR COPYING OF THIS DOCUMENT MAY BE A VIOLATION OF COPYRIGHT LAW UNLESS PERMISSION OF THE AUTHOR AND/OR COPYRIGHT HOLDER IS OBTAINED.
 3. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
 4. A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.
 5. ONLY TITLE SURVEYS BEARING THE MAKERS EMBOSSED SEAL SHOULD BE RELIED UPON SINCE OTHER THAN EMBOSSED SEAL COPIES MAY CONTAIN UNAUTHORIZED AND UNDETECTABLE MODIFICATIONS, DELETIONS, ADDITIONS AND CHANGES.
 6. THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
 7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREFROM.
 8. NO STAKES SET AS PER CONTRACT.
 9. THIS SURVEY NOT VALID WITH AFFIDAVIT OF NO CHANGE.
 10. THIS SURVEY NOT VALID FOR SUBSEQUENT OWNERS, MORTGAGES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.

SURVEY AMENDED 10/17/18

MANGUSO LAND SURVEYING, P.C.
 FREDERICK M. MANGUSO, 049775-1
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 SUCCESSOR TO THE RECORDS OF
 WILLIAM C. BUCKLAND L.S.
 NORMAN B. JOHNSON L.S.
 WILSON M. HUNTER L.S.

LEGEND

- These standard symbols will be found in the drawing.
- EXISTING IRON PIPE
 - SET IRON PIPE
 - UTILITY POLE
 - BOUNDARY
 - - - CENTERLINE OF ROAD
 - X - X - FENCE
 - ////// DRIVE
 - E - OVERHEAD UTILITY LINE



76 ORCHARD AVENUE

DRAWN BAB	DATE 09/27/18	PART OF LOT 45 TOWN OF WEST SENECA COUNTY OF ERIE STATE OF NEW YORK
APPROVED TAS	DATE 9/27/18	
SCALE 1" = 20'	SHEET	PROJECT NO. 20181103