

# APPLICATION TO BOARD OF APPEALS

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

Appeal No. 2020-00  
Date 8/4/20

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

X I (we) JESSE PLOTNER & RACHAEL OTTO of 160 PHYLLIS DR

\_\_\_\_\_, 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: \_\_\_\_\_

- |  |   |
|--|---|
| <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) \_\_\_\_\_

X 2. LOCATION OF THE PROPERTY 160 PHYLLIS DR WEST SENECA NY 14224

3. State in general the exact nature of the permission required, Requesting 3' separation from existing garage and new deck. 10' 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 Attachment)

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: \_\_\_\_\_

X \_\_\_\_\_  
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(2) Garages shall not be nearer than 10' to house or attached deck to house. (Requesting 3')

2. Zoning Classification of the property concerned in this appeal R75

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. \_\_\_\_\_

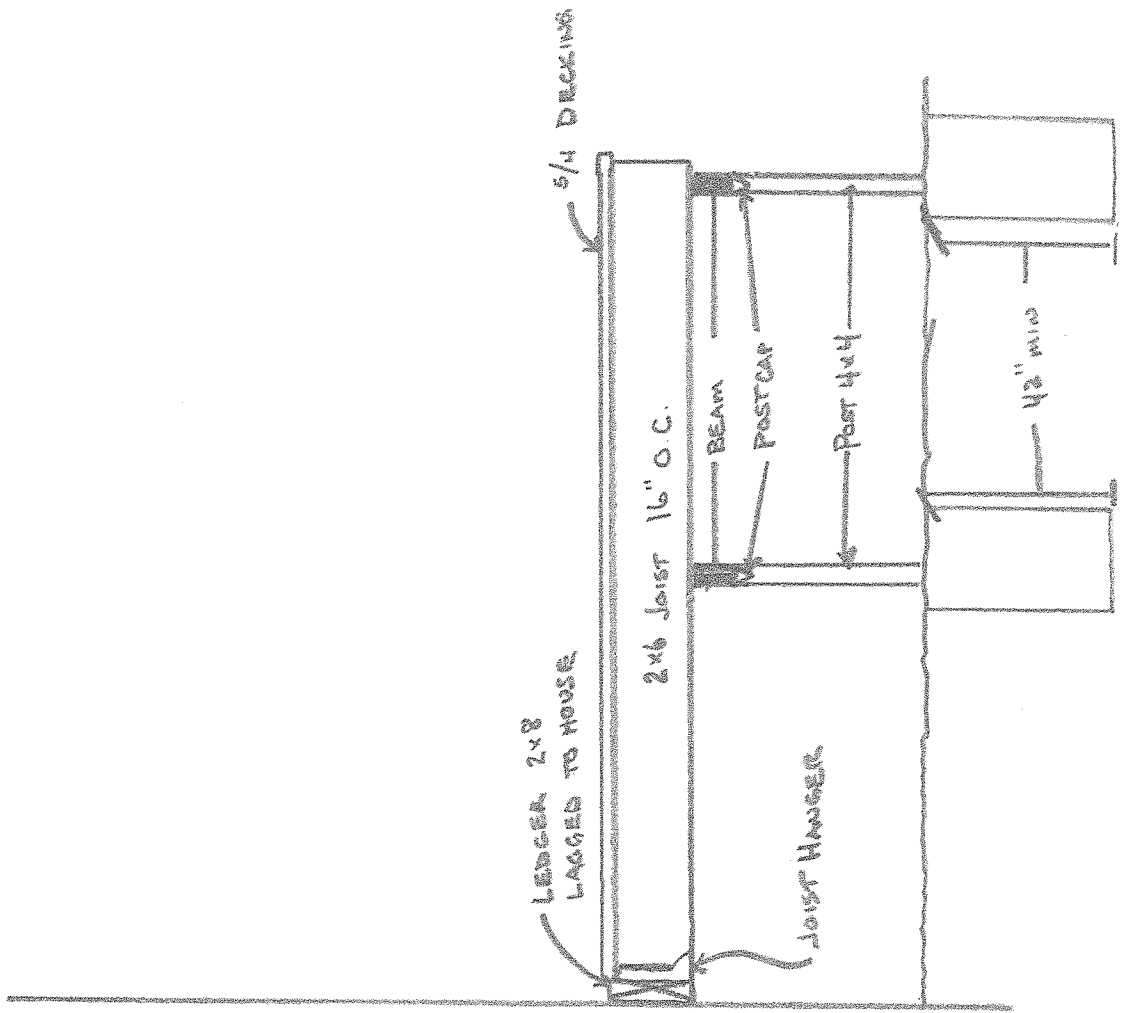
Building Inspector DJB

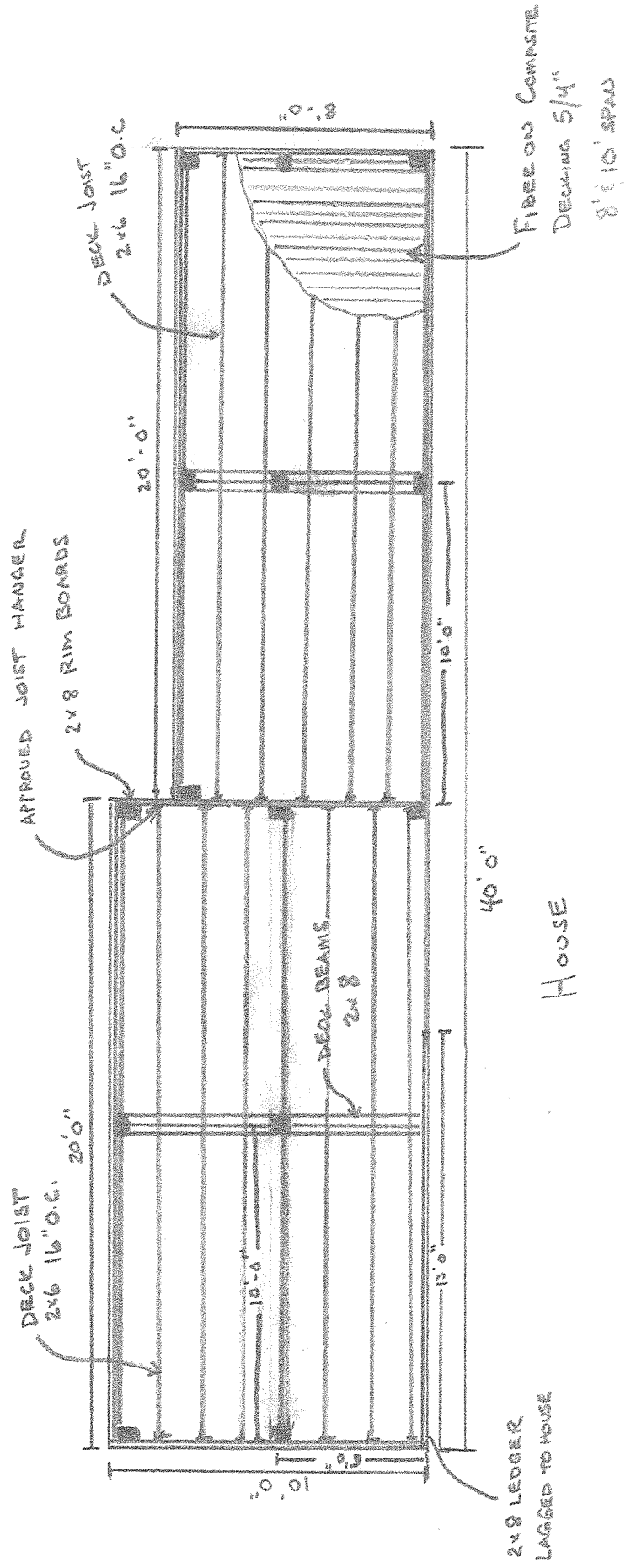
To whom it may concern:

We are requesting a deck variance on our property located at 160 Phyllis Drive. Town code requires 10 feet between deck and garage and we would like to build within 3 feet of our garage. Our current survey shows a wooden deck already in the spot where we would like to build, as there was a pre existing deck that we just removed to build new, as it was in disrepair. We did not know that codes changed and the previous deck predated this rule. We have already purchased thousands of dollars in materials during a "decking shortage" as the suppliers informed us, under the assumption that we would be allowed to replace what had been there. In order to apply fire precautions if this variance is granted, we plan to use fire rated drywall on the interior garage wall (North wall) that would run parallel to the deck, as well as a path of stone patio pavers or gravel between the deck and garage. Thank you very much for your consideration and we hope for your approval.

Jesse Plotner & Rachael Otto

HOARD





PHYLLIS

(60' WIDE)

DRIVE

Fence 0.5' N. & 0.85' E.

50.00'

75.00'

90°2'

26.40'

R=25.0'

L=39.28'

Fence 0.5' E.

8.97'

12.66'

Covered Concrete

1.05' Overhang

24.89'

BRICK & FRAME HOUSE No. 160

121.20'

9.82'

8.06'

3.98'

4.03'

4.45'

Wood Deck

28.56'

Covered Concrete

121.20'

96.20'

24.32'

3.89'

FRAME GARAGE

24.35'

4.71'

Concrete Driveway

25' SETBACK LINE PER MAP COVER

ROAD

(66' WIDE)

10' WIDE DRAINAGE EASEMENT PER MAP COVER

5.12'

FRAME SHED

8.25'

12.27'

5.32'

16.87'

Fence 0.85' N. & 0.25' E.

75.00'

Fence 5.5' S. & On Line

MIDDLE LINE OF LOT 377

Fence 2.4' N. & 0.25' E.

90°2'

MILL

