

APPLICATION TO BOARD OF APPEALS

Tel No. _____

Appeal No. 2020-70

Date 8/11/20

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

I (we) Robert Blood of 4080 Ridge Lea Rd.

Buffalo 14228, 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) Architects

2. LOCATION OF THE PROPERTY 3465 Seneca St.

3. State in general the exact nature of the permission required, Requesting 9'2" setback 30' 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: _____

[Signature]
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 120-31-R(3)(b) - Requesting 9'2" setback to residential - 30' required

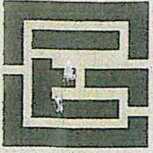
2. Zoning Classification of the property concerned in this appeal C2(S)

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]

Chickens, 100' in 20



Lauer-Manguso & Associates Architects

August 11, 2020

Jeffrey Schieber, Code Enforcement Office
Town of West Seneca
1250 Union Road, Room 210
West Seneca, NY 14224

RE: Connor's Restaurant – Proposed Kitchen Addition
Zoning Board of Appeals (ZBA) Application
3465 Seneca Street – SBL No. 143.06-4-6.1
LMA # 20045

Dear Mr. Schieber,

In regards to the project referenced above, please find the following materials attached as part of our application requesting an Area Variance from the Town of West Seneca ZBA:

- Survey of property requesting variance (2 copies)
- Authorization letter from property owner
- Proposed Site Plan, Floor Plan & Exterior Elevations (2 copies each)

Project Description – The Applicant is proposing a 316 SF building addition for the existing kitchen to accommodate new pizza ovens. The proposed addition is planned for the southwest corner of the existing restaurant. The southern wall of the proposed kitchen addition would be in alignment with the southern wall of the existing kitchen. The resulting side yard setback in this area (20'-10") will match existing conditions.

Variance Request – The project parcel is zoned C-1 (S). The adjacent property to the south is also designated as a Commercial District but it is being used for residential purposes. Per Section 120-31.B(3)(b), because of this residential use the required side yard setback becomes 30'-0". Therefore, the Applicant is requesting relief from the side yard setback requirement in the amount of 9'-2" which will conform to the existing building setback in this area.

Please let me know if you have any questions or require additional information.

Sincerely,

LAUER-MANGUSO & ASSOCIATES
ARCHITECTS & ENGINEERS

Robert J. Blood, RLA

EAGLE EYE ENTERPRISES, LLC
144 Winston Road
Buffalo, New York 14216

August 10, 2020

Via Email: bbschmitt@gmail.com

Robert Schmitt
3465 Seneca Street
West Seneca, New York

Re: Connors Restaurant
3465 Seneca Street

Dear Mr. Schmitt:

Kindly be advised as managing member of Eagle Eye Enterprises, LLC., owner of 3465 Seneca Street, West Seneca New York commonly known as Connors Restaurant, we grant Robert Schmitt and/or Connors Restaurant permission to undertake a project to expand/alter the kitchen area of Connors Restaurant to include a larger preparation/cooking area and the addition of a new oven under the following conditions: (1) Connors and Robert Schmitt agree to pay for all costs involved in said project; (2) Connors and Robert Schmitt agree to hold harmless the owner, Eagle Eye Enterprises, LLC., from all claims, suits, liens and other encumbrances which may be incurred, both for work being conducted and those involving bodily injury as a result of said project; (3) Connors and Robert Schmitt shall provide, at no cost to owner, all the necessary insurance affording coverage in connection with the project and as more fully set forth above, naming Eagle Eye Enterprises, LLC., as an additional insured.

Very truly yours,



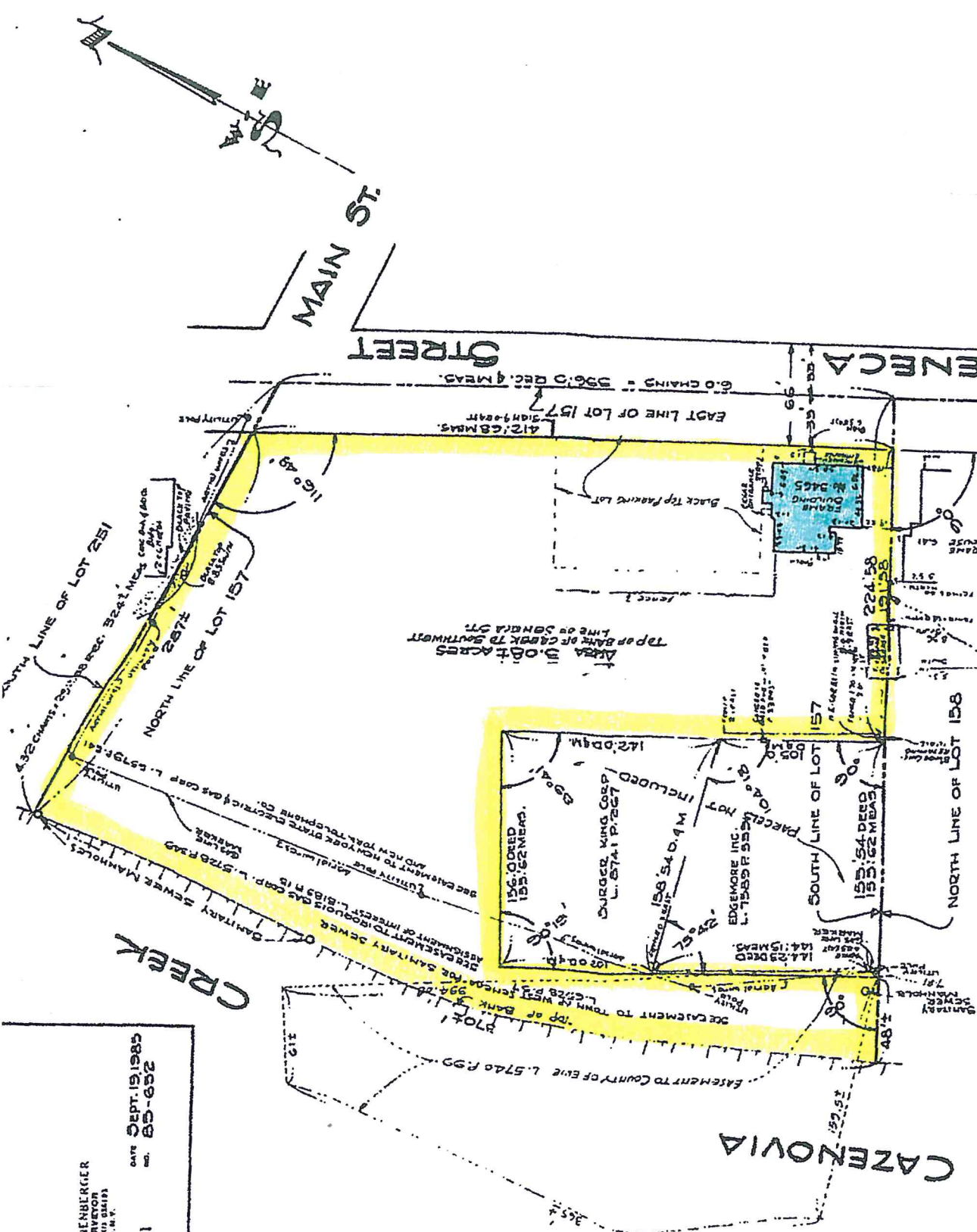
Michael D. Hollenbeck
MDH/jad

By signing below an agreement has been made as to the conditions set forth herein.

Robert Schmitt and Connors Restaurant

KA) L. SONNENBERGER
 LAND SURVEYOR
 N.Y.S. LIC. NO. 05113
 Buffalo, N.Y.

DATE: SEPT. 19, 1985
 SHEET: 12552
 OF: 05



PART OF LOT 157
 COVER 58
 "EDENEZER LANDS"
 T. 10, R. 7
 TOWN OF WEST SENECA
 ERIE CO., NEW YORK

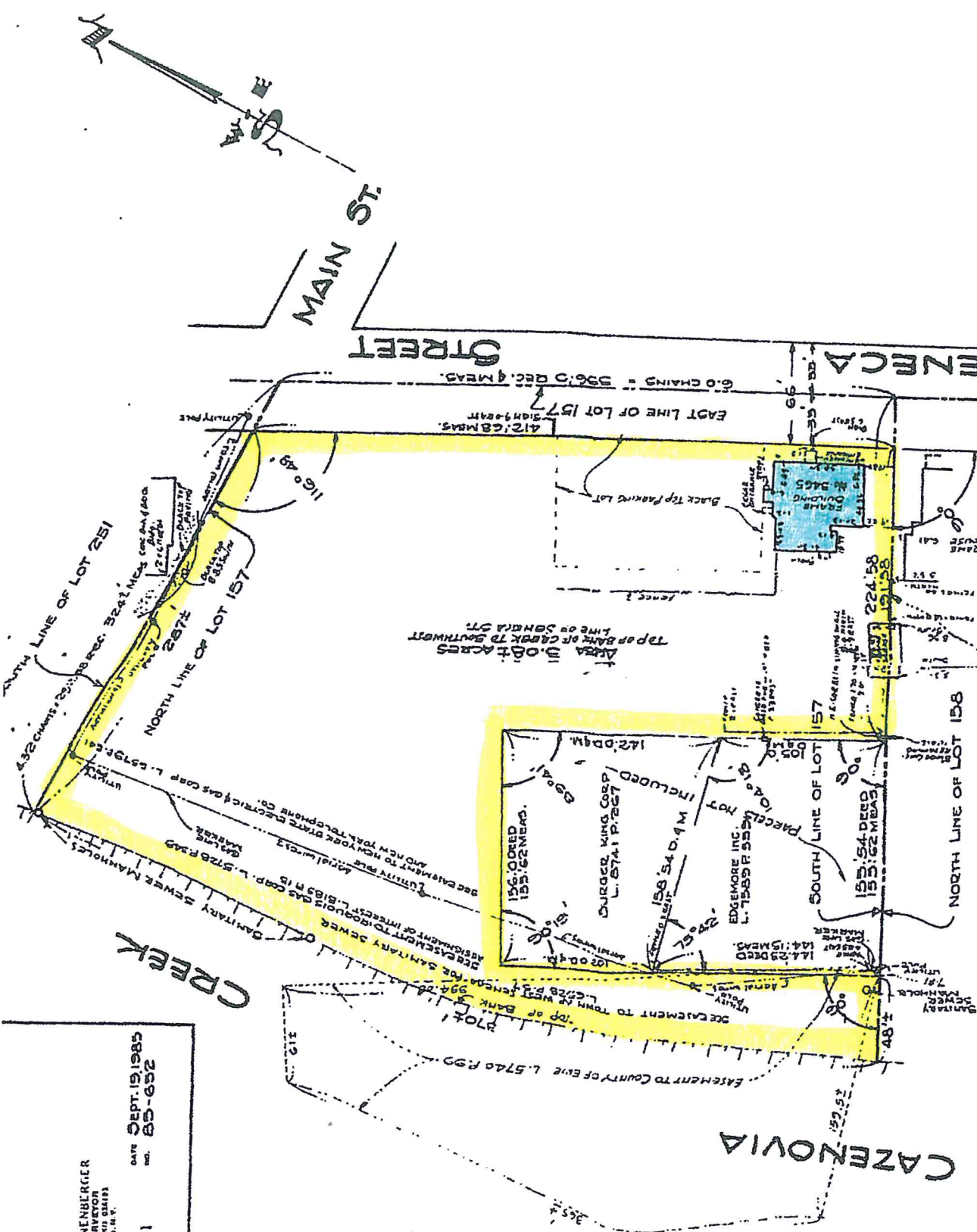
A ROADWAY IS INDICATED ON COVER 58 ACROSS THE SOUTH PART OF SUBLOT 157. THE NORTHERN PART OF SUB LOT 58 - NO WIDTH INDICATED - NO EVIDENCE OF SAME ON GRANTED.

NO INVESTIGATOR WHO USES OF SUBSEQUENCE UTILITY LINES, CONDUITS, PIPES, SE WELLS, ETC.

C CERTAIN ENCUMBRANCES & RIGHTS OF WAY ARE SHOWN, HOWEVER, THIS SHALL NOT IMPLY THAT ALL ENCUMBRANCES ARE SHOWN.

RAJ L. SONNENBERGER
 LAND SURVEYOR
 N.Y.S. Lic. No. 016103
 Buffalo, N.Y.

SCALE SHEET 5552
 DATE DEPT. 19, 1985
 NO. 85-652



PART OF LOT 157
 COVER 58
 "EDENEZER LANDS"
 T. 10, R. 7
 TOWN OF WESTENACA
 ERIE CO., NEW YORK

A ROADWAY IS INDICATED ON COVER 58 - ACCESS
 THE SOUTH PART OF SUBLOT 157 FROM THE NORTH PART
 OF SUB LOT 58 - AS WIDTH INDICATED - NO EVIDENCE
 OF SAME ON GROUND.

NO INVESTIGATION MADE OF SUBSEQUENT
 UTILITY LINES, CONDUITS, PIPES, SERVICES, ETC.

C CERTAIN EASEMENTS & RIGHTS OF WAY ARE
 SHOWN, HOWEVER THIS SHALL NOT IMPLY
 THAT ALL EASEMENTS AND RIGHTS OF WAY ARE