

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. 2020-61
Date 8/7/2020

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

I (we) x Joelle Sawyer of x 131 Theresa Drive
Lancaster NY 14088

, 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 checked="" type="checkbox"/> AREA PERMIT |

1. Applicant is the PROPERTY OWNER
 CONTRACTOR FOR THE WORK CONCERNED HEREIN
 PROSPECTIVE TENANT
 OTHER (Describe) Pending Sale

2. LOCATION OF THE PROPERTY x 905 Mill Road West Seneca NY 14224

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 Enclosed

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 120, Subsection 29, Paragraph A of the Zoning Ordinance, because:

R-75 A Requires 75 ft frontage plus 10 ft for Second Unit

x Joelle Sawyer
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

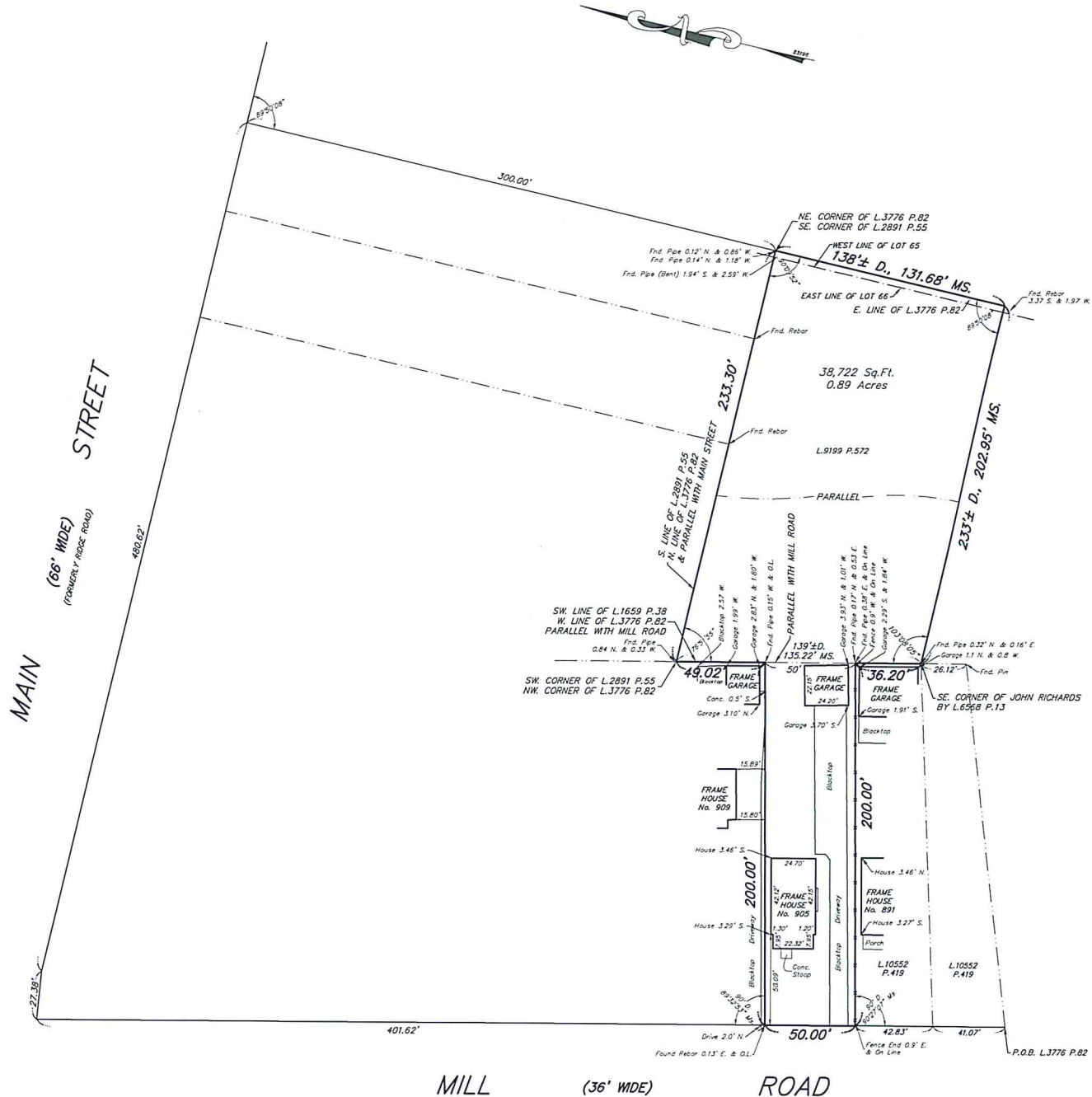
TOWS Zoning Ordinance 120-29 (A)

2. Zoning Classification of the property concerned in this appeal R-75A

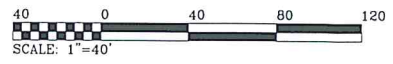
3. Type of Appeal:

- 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. _____



Zoning is R-75A
 2 family requires 85ft frontage
 50ft provided



LEGEND	
⊗ UTILITY / SERVICE POLE	R.O.W. RIGHT OF WAY
⊠ WATER LINE VALVE	CONC. CONCRETE
⊠ FIRE HYDRANT	INV. INVERT
⊠ D.I. (DROP INLET - STORM)	M.H. MANHOLE
⊠ MANHOLE (STORM)	— GAS LINE
⊠ MANHOLE (ELECTRIC)	— WATER LINE
⊠ MANHOLE (TRAFFIC)	— TELEPHONE LINE
⊠ MANHOLE (SANITARY)	— ELECTRIC LINE
⊠ MANHOLE (TELEPHONE)	— UTILITY LINES
⊠ GASLINE MARKER	— CABLE LINES
⊠ GAS LINE VALVE	D. DEED
⊠ LIGHT STANDARD	M. MEASURED
⊠ SIGN	L. LIBER
H.C. HANDICAP	P. PAGE

INSTRUMENT(S) UTILIZED IN DETERMINING LOCATION OF BOUNDARY LINES: LIBER 11207 PAGE 5819
 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.

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 LAND SURVEYORS, LLP
 150 AERO DRIVE
 BUFFALO, NEW YORK 14225
 PHONE (716) 631-5140 ~ FAX 631-3811

AMEND:
 SURVEY DATE: 7-24-20
 DRAWING DATE: 8-5-20
 SCALE: 1" = 40'
 "ALL RIGHTS RESERVED"

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 STATUTES.

PART OF LOT 65 & 66 SECTION 10 TOWNSHIP 10 RANGE 7 OF THE
 MC 101-Lower Ebenezer Lands SURVEY - Erie COUNTY, N.Y.

4950 Clinton Street
West Seneca, New York 14224
(716) 861-7694

August 4, 2020

Town of West Seneca Code Enforcement
1250 Union Road
West Seneca, New York 14224

Re: 905 Mill Road

Dear Sir or Madam:

I am the record owner of the above-property and currently have a fully executed Contract of Sale dated June 30, 2020 with Joelle Sawyer for her to purchase the Property.

I hereby authorize Joelle Sawyer, as contract vendee, to apply for a variance from the zoning code to permit the property to be used as a two-family dwelling and to take all action necessary with respect to the above property for this purpose.

Should you have any questions or need anything further, please do not hesitate to call.

Thank you for your attention to the above.

Very truly yours,



Carol Keipper Barren

8/3/2020

From: Joelle M. Sawyer

131 Theresa Dr. | Lancaster | NY | 14086

To: Mr. Timothy Elling

Chairman | W.S Zoning Board of Appeals | 1250 Union Rd | West Seneca | NY | 14224

Dear West Seneca Zoning Board of Appeals:

I am purchasing the house at 905 Mill which has been in my family since 1959, being owned first by my grandparents and then by my aunt. At some point a second floor was added that has a separate entrance, separate meters and a separate kitchen and bathroom. Because of this, my lender has denied my loan because the appraiser found the house as a nonconforming, illegal use. I need this variance in order to qualify for a mortgage loan. In addition, the income from an upstairs rental would be helpful to cover my mortgage payments. While zoning in the area is R-65, there are already 2 two family homes adjacent to this one on the same stretch of Mill Road. The driveway is big enough to accommodate the additional vehicles that would come with a separate unit without having to park on the street. The house will be owner occupied as I intend to live downstairs. The neighbors do not object.

Sincerely,

Joelle M. Sawyer