

APPLICATION TO BOARD OF APPEALS

Tel. No _____

Appeal No. 2020-83

Date 11/13/20

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

I (we) CARMINA WOOD NORRIS - CHRIS WOOD of 487 MAIN ST. STE# 500
BUFFALO NY 14203

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 1042 ORCHARD PARK RD.

3. State in general the exact nature of the permission required, SETBACK AND BULK YARD
VARIANCE REQUEST

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 DOCUMENTS.

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
18,000 SF
120-29(A) - MINIMUM LOT REQUIRED - 17,000 SF REQUESTED

120-31(A)(3)(A) - SIDE YARD SETBACK - 5' REQUESTED

2. Zoning Classification of the property concerned in this appeal R-75(A) CURRENTLY, SEEKING R-50(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]

October 16, 2020

ATTN: Honorable Zoning Board of Appeals Members

Proposed 3 unit Townhouse Project
1042 Orchard Park Rd
West Seneca, NY 14224

Carmina Wood & Morris is representing a residential home builder to seek approval of a 3 unit Townhouse project at the above noted address.

Dear Honorable Zoning Board Members;

At the October 8th, 2020 Town of West Seneca Planning Board meeting, this project was presented for review, comment and recommendation by the Planning Board. The Town of West Seneca did provide notice to surrounding property owners, and again they will be notified of this public hearing. The Planning Board had 2 concerns about the initial 4 unit project:

- 1- the site with building and provide parking seemed to be tight
- 2- the parking shown was lacking the 2 required extra spaces per Town Code

The Planning Board provided a positive recommendation that in lieu of a 4 unit building, a 3 unit townhouse should be considered. The revised project now shows a proposed 3 unit building, please refer to attached documents for clarity. By revising the site at the request of the Planning Board, the following items have changed;

- 1- the proposed building is now shown as a 3 unit townhouse
- 2- the parking provide now complies with Town Code
- 3- there is much more green space, which drastically enhances the site
- 4- the 3 unit building now provides for a much less dense site
- 5- there is a proposed 6ft wooded fence located at the rear of the site to protect the adjacent neighbor.

At the November 9th Town Board meeting, this project received a zoning classification change to R-50(S), which would permit a 3 unit project.

We are seeking your approval on 2 zoning variances:

Required Bulk Area:

- 1- Town Code Section 120-29 requires 8,000 sf for the 1st dwelling unit+ 5,000 sf for each unit after the 1st
- 2- The required area would be a lot size of 18,000 sf
- 3- The parcel shown has a lot size of approx. 17,000 sf
- 4- A reduction of 1,000sf is requested

Side Yard Setback:

- 1- Town Code Section 120-31(A)(3)(A) requires a 25ft side yard setback
- 2- The proposed plan shows a 5ft side yard setback on the North side
- 3- The property to the North is a parcel approx. 18 acres in size owned by the Town of West Seneca
- 4- By keeping building to the North side, there are no direct neighbors impacted by buildings

September 1, 2020

FROM : MINMAX Services


TO: Town of West Seneca Planning Board
Town of West Seneca Zoning Board of Appeals
Town Board

RE: 1042 Orchard Park Rd - Authorization Approval

To Whom It May Concern:

Please let this letter serve as my approval for Carmina Wood & Morris to seek the necessary approvals for the enclosed project. There is a home builder that is purchasing property to construct the building. I authorize Carmina Wood & Morris to agree to or make any required changes.

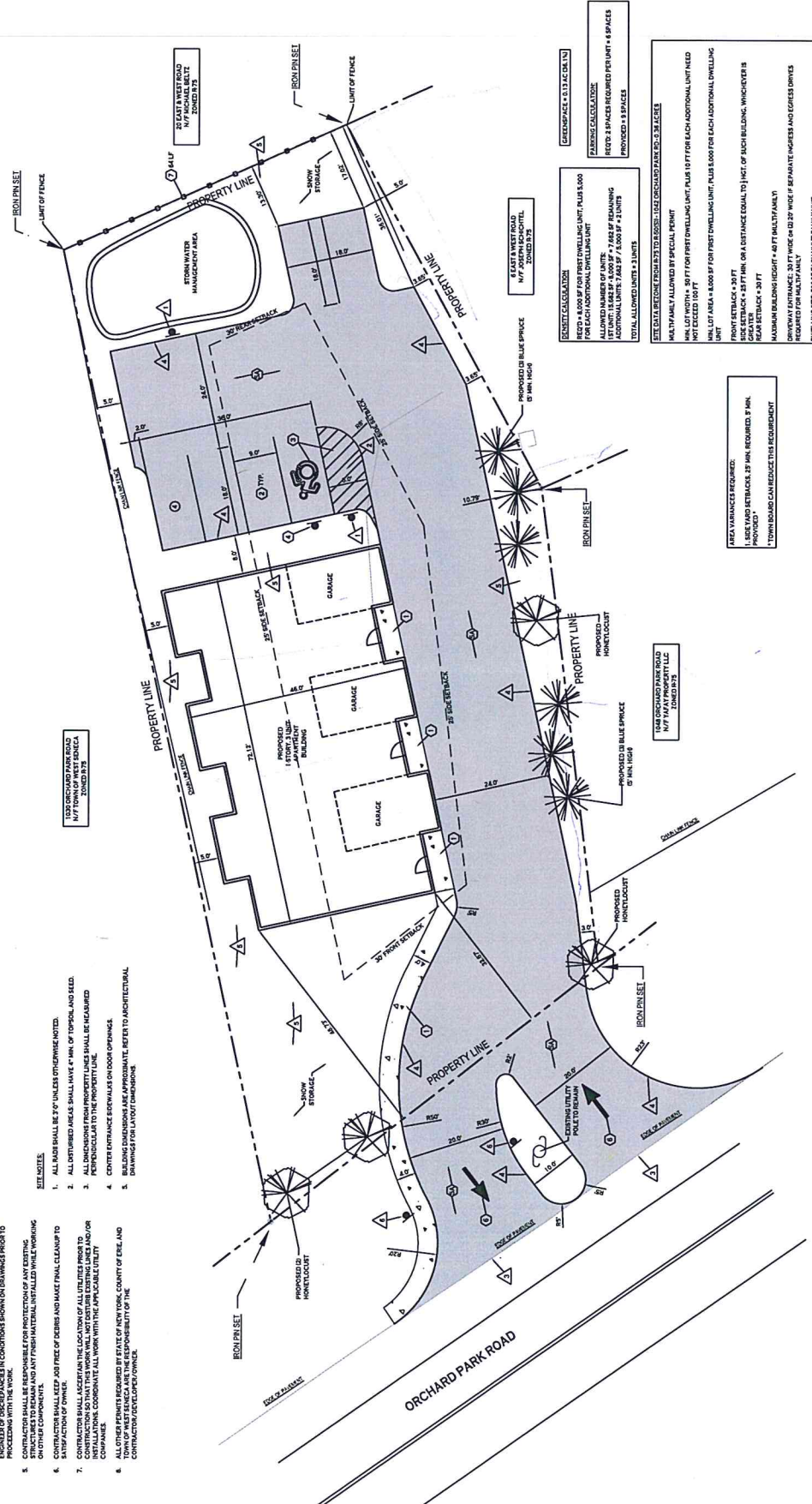
Regards
Minmax Services



- GENERAL NOTES:**
1. CONTRACTOR SHALL VERIFY ALL UTILITIES AND RECORD DRAWINGS AND VERIFY ACCURACY OF RECORD DRAWINGS.
 2. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED TO THE CENTERLINE OF THE ROAD OR DRIVEWAY.
 3. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED TO THE CENTERLINE OF THE ROAD OR DRIVEWAY.
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- DETAILS:**
1. ALL DIMENSIONS SHALL BE TO UNLESS OTHERWISE NOTED.
 2. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED TO THE CENTERLINE OF THE ROAD OR DRIVEWAY.
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USE THESE DIMENSIONS FOR ALL DIMENSIONS FROM PROPERTY LINES TO THE CENTERLINE OF THE ROAD OR DRIVEWAY.



- DETAIL LEGEND:**
- 1. CONCRETE SIDEWALK
 - 2. 8" PARKING STRIP
 - 3. 4" PARKING STRIP
 - 4. 4" PARKING STRIP
 - 5. 4" PARKING STRIP
 - 6. 4" PARKING STRIP
 - 7. 4" PARKING STRIP

- NOTE LEGEND:**
- 1. INSTALL "NO PARKING" SIGN
 - 2. 4" WIDE YELLOW PAINT STRIP
 - 3. MATCH EDGE OF PAVEMENT
 - 4. LANDSCAPE AREA
 - 5. INSTALL "NO ENTRY" SIGN

N SITE PLAN
SCALE: 1"=10'

- SITE LEGEND:**
- 1. PROPERTY LINE
 - 2. PROPOSED CONCRETE CURB
 - 3. PROPOSED CONCRETE SIDEWALK
 - 4. PROPOSED ASPHALT DRIVEWAY
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 - 50. PROPOSED ASPHALT DRIVEWAY

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION IS FOR INFORMATION ONLY. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF UTILITIES AND RECORD DRAWINGS AND VERIFY ACCURACY OF RECORD DRAWINGS.

PROJECT NAME:
Multi-Family Development
1042 Orchard Park Road
West Seneca, New York

DRAWING NO.:
C-100

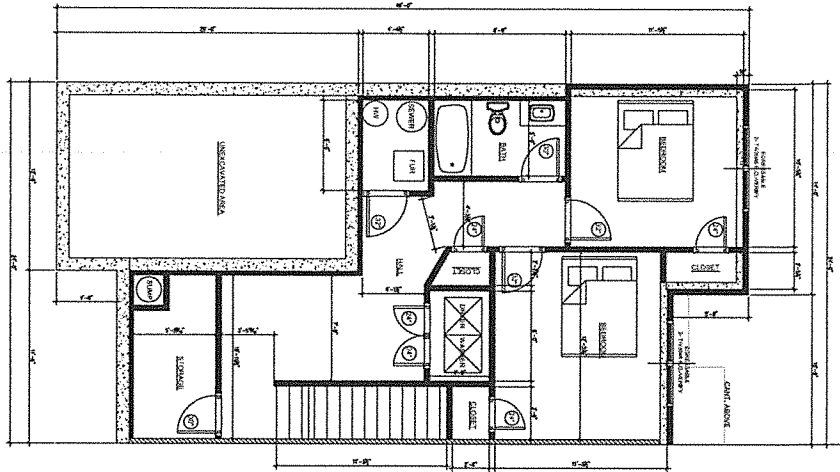
Project no.: 20.000

DRAWING NAME:
Concept
Site Plan

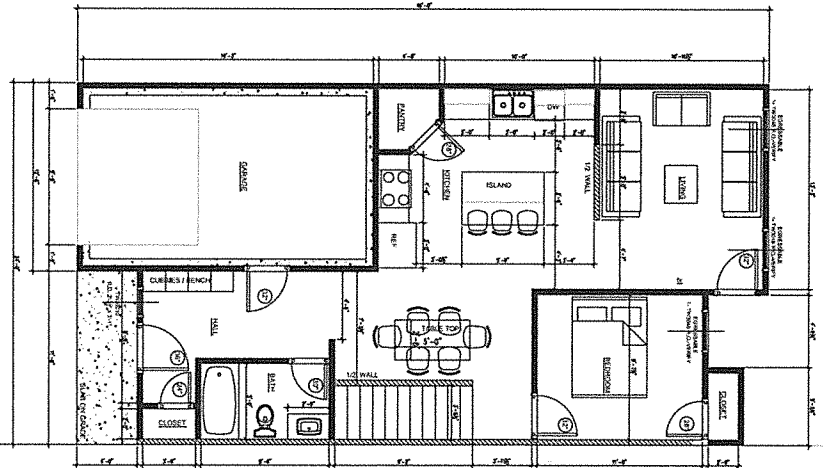
Drawn By:
C. Wood
A. H. H. H.

Scale:
As Shown





1 LOWER LEVEL
SCALE: 1/8" = 1'-0"



2 UPPER LEVEL
SCALE: 1/8" = 1'-0"

SEAL

Property:
RESIDENCE
1042 ORCHARD PARK ROAD
WEST SENECA, NEW YORK

TOWNHOUSE

Title:
PROPOSED FLOORPLANS

Drawn By:
JAR

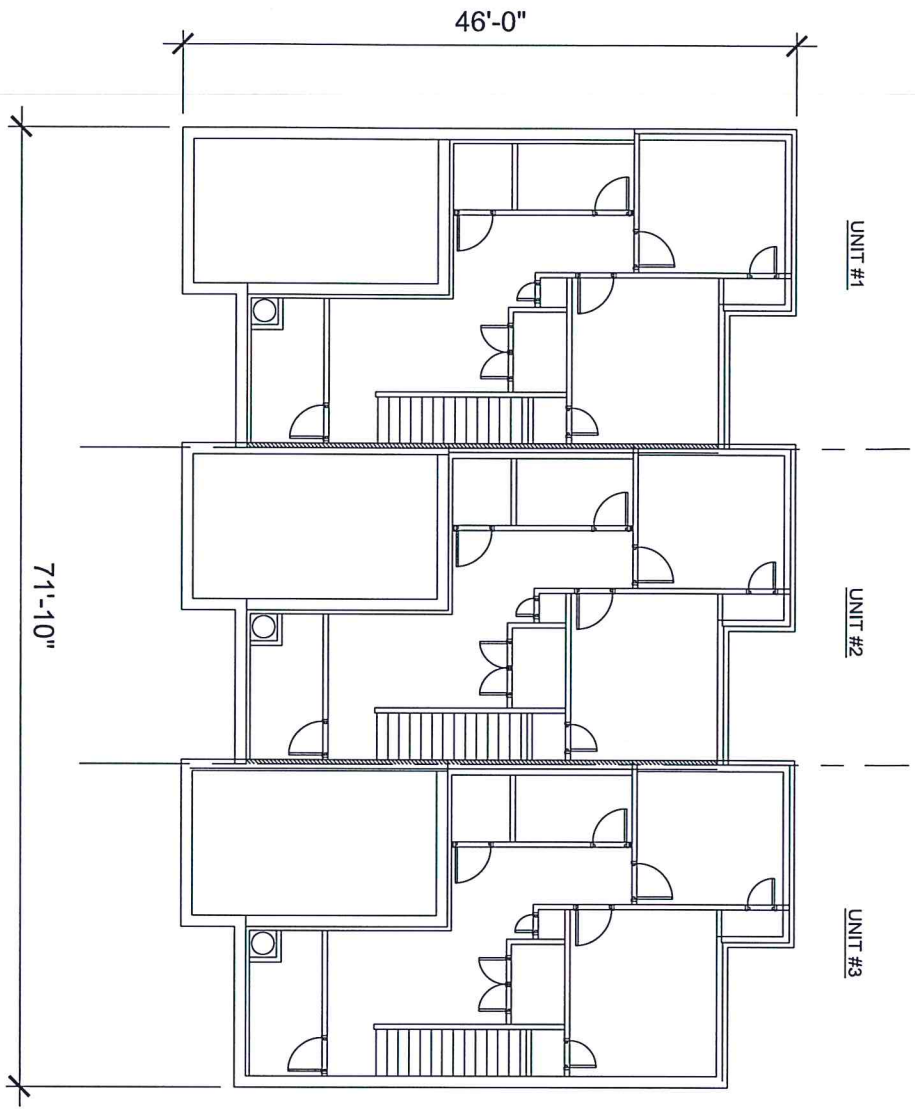
Checked By:
JAR

Date:
9-6-20

Drawing No.
A1.0

NOTICE
I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
VIOLATION OF SECTION 2209 OF THE STATE EDUCATION LAW.

Special Information:
THIS DRAWING PREPARED FOR TENANT IMPROVEMENTS TO AN EXISTING BUILDING OR BUILDING CONSTRUCTED BY OTHERS.
IT IS UNDERSTOOD THAT ANY WARRANTY INFORMATION CONCERNING EQUIPMENT INSTALLED MUST BE FORWARDED TO THE OWNER AND THAT ANY AND ALL PERIODS OF ONE YEAR FROM THE DATE OF OWNER'S ACCEPTANCE.



SEAL

Property:
RESIDENCE
 1042 ORCHARD PARK ROAD
 WEST SENECA, NEW YORK

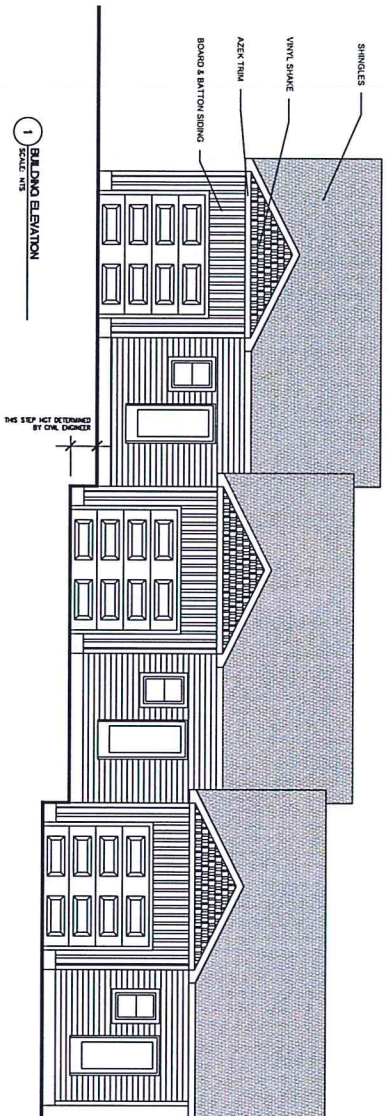
TOWNHOUSE

Title:
OVERALL BUILDING PLAN

Drawn By: JAR
 Checked By: JAR
 Date: 9-6-20
 Drawing No.: **A1.1**

NOTICE
 UNAUTHORIZED ALTERATIONS OF THIS DOCUMENT ARE IN VIOLATION OF SECTION 8729 OF THE STATE EDUCATION LAW.

Special Information:
 THIS DRAWING PREPARED FOR TENANT IMPROVEMENTS TO AN EXISTING BUILDING OR BUILDING CONSTRUCTED BY OTHERS.
 IT IS UNDERSTOOD THAT ANY WARRANTY INFORMATION CONCERNING EQUIPMENT INSTALLED MUST BE THE RESPONSIBILITY OF THE SUPPLIER. ALL CONTRACTORS SHALL GUARANTEE THEIR WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF OWNERS ACCEPTANCE.



Special Information:
 THIS DRAWING PREPARED FOR THE USE OF THE ARCHITECT OR BUILDING CONSTRUCTED BY OTHERS.
 IT IS UNDERSTOOD THAT ANY WARRANTY, REPRESENTATION OR GUARANTEE SHALL GUARANTEE THEIR WORK FOR A PERIOD OF 1 YEAR FROM THE DATE OF OWNER'S ACCEPTANCE.
NOTICE
 UNAUTHORIZED ALTERATION OF THIS DOCUMENT ARE IN VIOLATION OF SECTION 208 OF THE STATE EDUCATION LAW.

Property: **RESIDENCE**
 1042 ORCHARD PARK ROAD
 WEST SENECA, NEW YORK

TOWNHOUSE

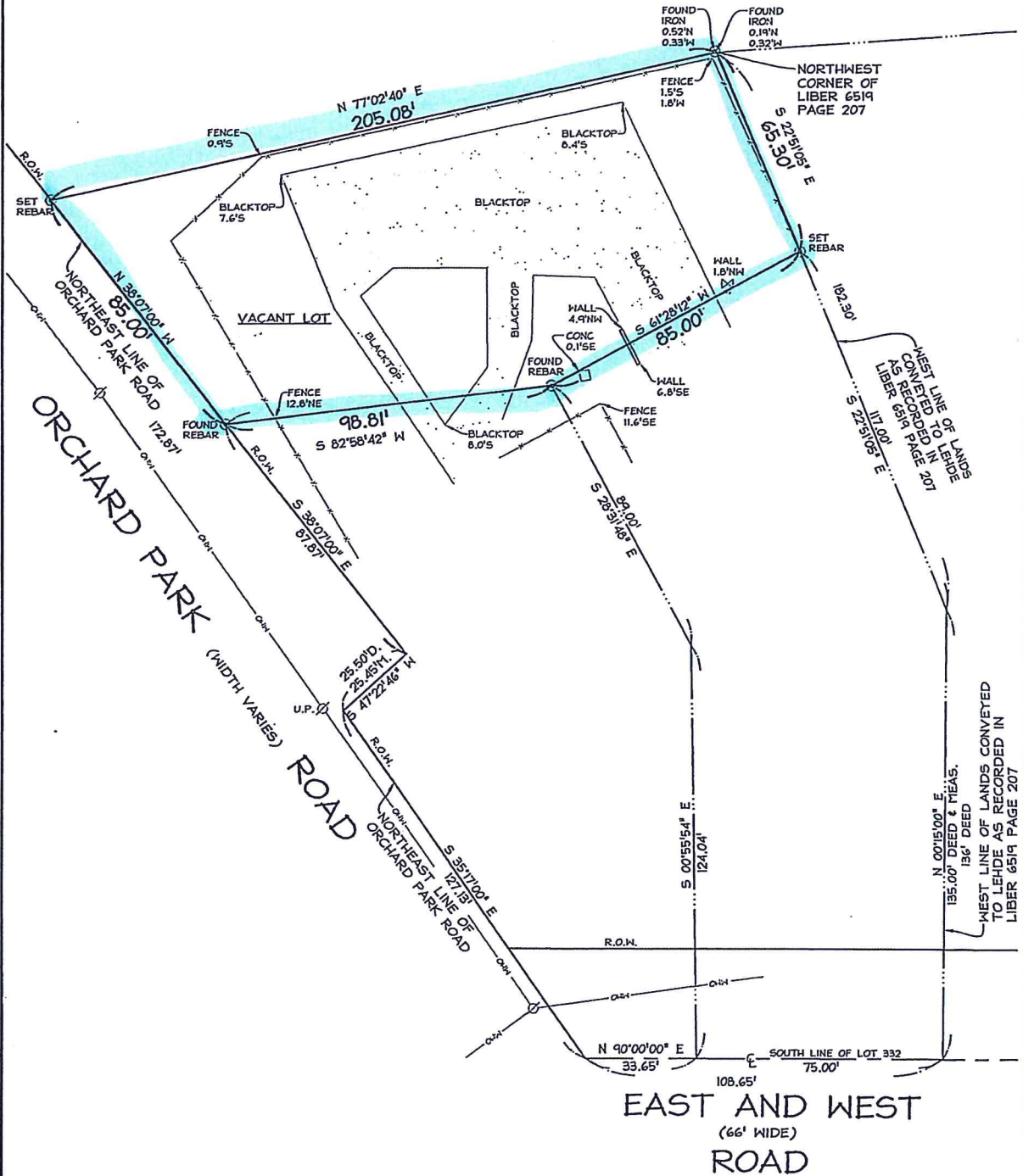
Title: **ELEVATIONS**

Drawn By: **JAR**
 Checked By: **JAR**
 Date: **9-6-20**

SEAL

Drawing No. **A1.2**

PARCEL #1042

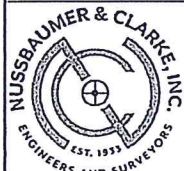


NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREOF.

3556 Lake Shore Road, Suite 500, Buffalo, NY 14219
 p (716) 827-8000 f (716) 270-6091 www.nussclarke.com

This survey was prepared without the benefit of an abstract of title and is subject to any errors of fact that may be revealed by an examination of such.

Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7203, provision 2 of the New York State Education Law.

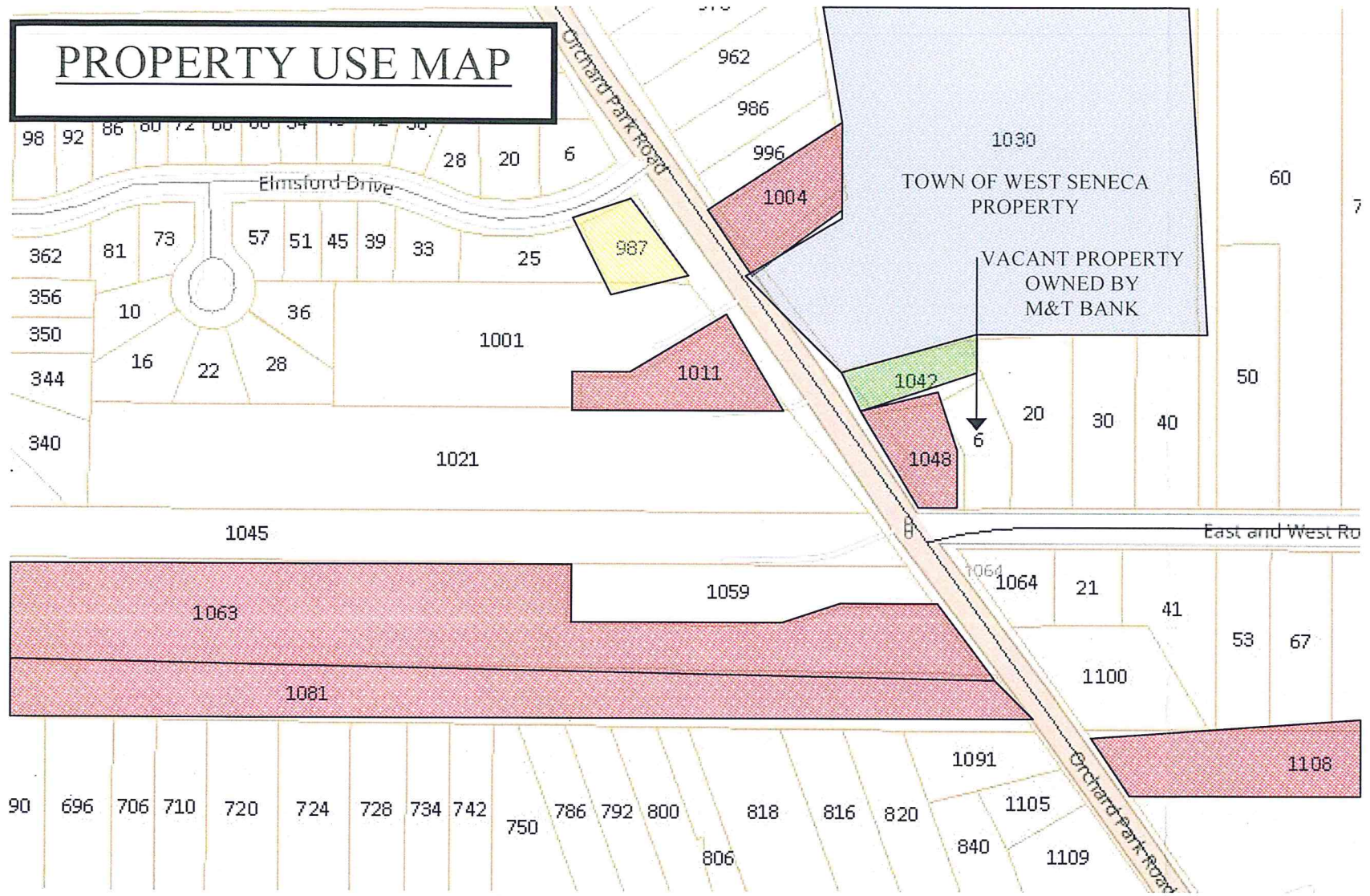




BOUNDARY SURVEY
 1042 Orchard Park Road
 Part of Lot 332, Township 10, Range 7
 Buffalo Creek Reservation
 Town of West Seneca
 County of Erie, State of New York
 Date of Survey: 03/12/2019

Michael J. E.

Scale: 1" = 30' Project No.: 19J2-0251

PROPERTY USE MAP



-  MULTIPLE DWELLING PROPERTY AS LISTED BY ERIE COUNTY
-  2 UNIT PROPERTY AS LISTED BY ERIE COUNTY