

# APPLICATION TO BOARD OF APPEALS

Tel. No. (7) (Juliet)

Appeal No. 2020-88  
Date 12/9/20

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

I (we) Juliet Malloy & Andrew Pacer of 635 Center Rd.

\_\_\_\_\_, 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) \_\_\_\_\_

2. LOCATION OF THE PROPERTY 635 Center Rd.

3. State in general the exact nature of the permission required, Requesting 5' chain link in front & side yard. Requesting 10'-12' projection past front of house.

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: \_\_\_\_\_

Andrew Pacer & Family  
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(B) Fences shall not exceed 4' in height in front and side yards. Fence shall not project into front.

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

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. Corner lot

Juliet malloy@gmail.com

Building Inspector DJB

Andrew Pacer  
635 Center Road  
West Seneca, NY 14224

To whom it may concern:

We are presenting this letter in hopes of being granted the opportunity to complete a fencing project at our home, 635 Center Road in West Seneca.

After adopting 2 special needs (and one deaf) dogs from the West Seneca SPCA and hoping to start a family soon, our goal is to build a fence that will help protect our family from the busy corner of Center Road and Westcliff Drive, ensuring our children and pets do not accidentally find their way to the busy intersection.

Our goal, as seen below, is to build a fence around 10-12 feet out towards Westcliff Drive and then follow parallel to the road until it reaches our driveway. As you can see, we are still very far away from the road, and would be building a chain link fence at only 5 feet high, so visibility for cars and pedestrians would stay intact.



We love West Seneca - our family has always lived here and we are excited to raise our family here in our 3rd generation Pacer home that has been in the family since 1946. Please consider allowing us to utilize more of our beautiful yard to fence in for our children and pets to enjoy, and be safe, for many years to come!

Kindly,  
Andrew Pacer & Family

Survey provided by the Town of West Seneca with added fence drawn:

