

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. 2021-029

Date 5/4/21

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

I (we) Jennifer Hutzol of 38 Nash Street

West Seneca 14206, 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 38 NASH ST

3. State in general the exact nature of the permission required, 6FT FENCE, CORNER LOT

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 LETTER

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: _____

Jennifer Hutzol
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) - 4 FT FENCE IN FRONT & SIDE // 6 FT REQUESTED
120-39 (B) - 0 FT PROJECTION PERMITTED // 4 FT PROJECTION REQUESTED

2. Zoning Classification of the property concerned in this appeal R-50

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]

Jennifer Hutzol
38 Nash Street
West Seneca, NY 14206
Jenhutzol@gmail.com

May 3rd, 2021

Dear Town of West Seneca,

I am writing to seek a fence variance for my single family home at 38 Nash Street, West Seneca, 14206. Current zoning rules say that fences must be no more than 4 feet tall; I respectfully request to install a fence that is 6 feet tall. The current fence goes to the edge of my property line; the new fence will be set back further into the property to be almost flush with the house. Rather than be flush with the house, the fence will extend past the edge of my home the length of the gate only, which is 4 feet.

We would like to remove an existing chain link fence on our property, and replace it with a pine pressure treated wooden fence from City Fencing. A taller fence will provide more privacy on our property, and most importantly, a taller fence will provide better security.

In terms of security; our house sits on the Buffalo/West Seneca city line. While this area is mostly safe, I would still like the most protection I can get by installing the safest fence possible. My street is a heavily walked area; I have had garden lights and accessories stolen from the front of my home. Many cars are broken into in this area overnight. Having a 6 foot privacy fence will contribute towards the safety and security of my property and family. The 4 foot fence that we currently have on the Casimir side yard allows people walking by to look directly into my yard, to watch me and my family as we try and enjoy our privacy, and to see our belongings. This makes me feel extremely unsafe.

As I mentioned prior, this neighborhood is a very heavily walked neighborhood, and people walk their dogs past my house all day into the evening. I also have a dog. The 4 ft fence is low enough that a dog on the other side of the fence could potentially jump over this fence into my yard to get to my dog. The same goes for any human who would like to get into my yard. My back yard is also backed up to and faces the backside of the garages of the homes behind me. This makes the area behind my house very isolated, and an easy target for someone to jump the fence into my yard without anyone seeing them.

In terms of privacy; often when I am in the yard, people walking past my house think a lower fence is an invitation to come over and have a conversation with anyone they see standing near the fence. I have people approaching my property to ask about my dog, or sometimes things they see me doing in the yard (yardwork, crafts, etc.). Having a 6 ft

fence on the Casimir yard side would provide my family with much more privacy, and the ability to better enjoy spending time in the yard for longer periods of time.

I have spoken to my surrounding neighbors in regards to this variance request, and my neighbors are supportive. They have agreed to sign any petitions in order for us to attain this variance.

I hope you will agree that my request would produce an aesthetically proper addition, if not an enhancement, to my neighborhood. Should you have any questions, please do not hesitate to contact me at [redacted] Thank you for your thoughtful consideration of this request.

Respectfully yours,

Jennifer Hutzol



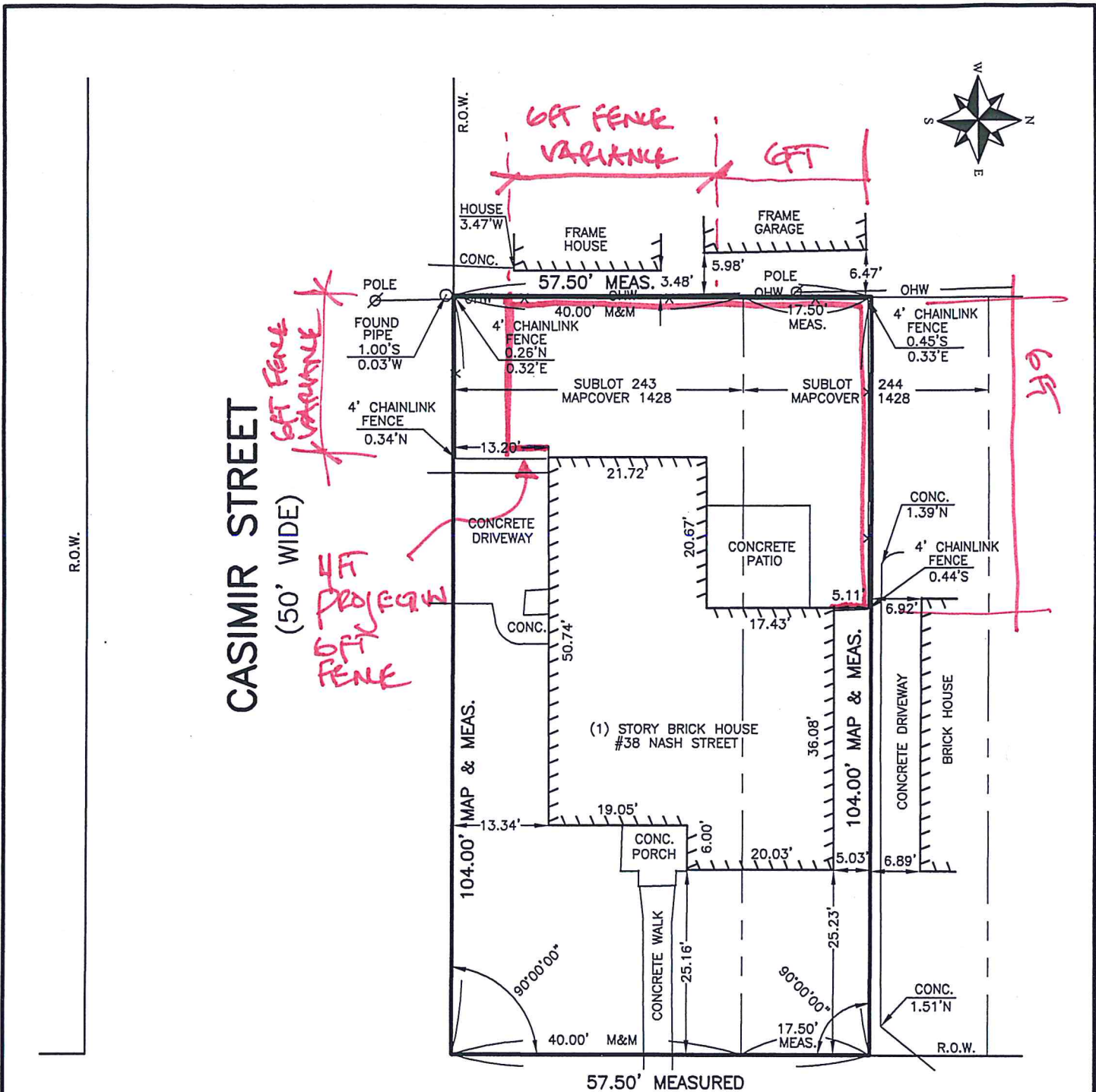
02 1762305

01 140237

6 FT FENCE

4 FT 0 FT
6 FT FENCE





NOTE: SUBLLOT 244 OF MAPCOVER 1428 ENCUMBERED BY AN EASEMENT TO NEW YORK TELEPHONE CO. & BUFFALO NIAGARA ELECTRIC CORP. LIBER 3745 OF DEEDS PAGE 227.

This survey was prepared with the benefit of an abstract of title prepared by Stewart Title Insurance Company, No. 10-216965 dated May 29, 2014.

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law.

Copies from the original of this survey map, not marked with the original of the Land Surveyor's seal, shall not be considered a valid true copy, and should be assumed

NASH STREET
(60' WIDE)