

# APPLICATION TO BOARD OF APPEALS

Tel. \_\_\_\_\_

Appeal No. 2021-066

Date 11/15/21

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

I (we) Marsha Monaghan of 42 Ball Ave Lack NY 14218

\_\_\_\_\_, 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 checked="" 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 195 LAWRENCE RD.

3. State in general the exact nature of the permission required, PERMIT AN EXISTING DETACHED  
2 FAMILY HOME

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: PRE-EXISTING // A DUPLEX MUST BE  
1 BUILDING // ZONING PERMITS A 2 FAMILY HOME

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: \_\_\_\_\_

Marsha Monaghan  
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  
- A 2 UNIT BUILDING MUST BE 1 SINGULAR BUILDING  
- EXISTING DETACHED GARAGE HAS AN APARTMENT

2. Zoning Classification of the property concerned in this appeal R-45A

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]

To Whom It May Concern,

Our names are Sean and Marsha Monaghan. Upon the death of Marsha's father, Clark Marvin, we inherited his house at 195 Langner in West Seneca. We will be selling it, but have run into a problem. The property has a detached garage with an apartment behind it. Upon the advice of a realtor, we checked on the legality of it, and found it to be non-conforming. The apartment was rented at the time of her father's purchase. Although gas and water are joined with the main house, it has a separate electrical service.

We want to make this legitimate before selling. The property IS zoned for a single or two family, but apparently it needs to be in the same house if two family. We are asking the town for a variance, making the apartment legal.

Thank you,

Sean and Marsha Monaghan

