

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. 2018-027

Date MAY - 8 2018

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

I (we) Jonathan Paves of 1500 Ridge Rd.

_____, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT NO. _____, DATED _____, 20____, WHEREBY THE BUILDING INSPECTOR DID DENY 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) _____

2. LOCATION OF THE PROPERTY 1500 RIDGE RD. W. SENECA NY.

3. State in general the exact nature of the permission required, BUILDING ADDITION

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: _____

[Signature]
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 120-31(B)(2) - REAR YARD SETBACK 30' BEHIND "R" DISTRICT
- +/- 5'-0" REQUESTED

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

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.

[Signature]

4. A statement of any other facts or data which should be considered in this appeal. - EXISTING BUILDING 5' OFF REAR LINE (+) 13'-0" EASEMENT TO BUFFER NEIGHBOR FROM BUSINESS

May 7, 2018

Town of West Seneca
Zoning Board of Appeals
1250 Union Road
West Seneca NY 14224



Application for Area Variance for Rear Yard Setback
Applicant: Jon Powers, Richard Powers and Day & Night Plumbing Co. LLC,
Address: 1500 Ridge Road, Town of West Seneca

Dear Chairman Elling and Members of the Town of West Seneca Zoning Board of Appeals:

Our firm is assisting Jon Powers, Richard Powers and Day & Night Plumbing Co., LLC with the above referenced application for area variance. This letter and its attachments are submitted to set forth the grounds for an area variance for the rear yard setback. Day & Night Plumbing Co., LLC owns the unique property at 1500 Ridge Road and is proposing to construct an approx. 1,134 sf. single story concrete block addition to the existing 3,045 sf. single story concrete block building located on the east area of the property. The proposed use of the addition will be for storage and have negligible impacts to existing site drainage.

The Town zoning ordinance requires a 30 feet rear yard setback in the C-2 Commercial District. The existing building rear yard setback is approx. 5 feet and the proposed addition will match this existing rear setback as shown on attached drawing C1. The unique nature of this parcel is that it is a rear yard adjacent to a 13 feet wide utility ROW and owned by Town of West Seneca. This additional open space provides a distinctive barrier not found in a typical rear yard resulting in 18 feet of yard to the adjacent rear property line.

We believe the proposed addition meets the intent of Chapter 120, Article VII, Section 120-56 of the Town of West Seneca Code:

- a. Will be in harmony with the general purposes and intent of the Zoning Ordinance...
- b. Will not tend to depreciate the value of the adjacent property...
- c. Will not create a hazard to health, safety or the general welfare of the community...
- d. Will not alter the essential character of the neighborhood nor be detrimental to the residents thereof...
- e. Is the minimum necessary to afford relief...

Thank you for your consideration of this submission and please do not hesitate to call if you have any questions or should be in need of any further assistance.

Respectfully Submitted,
Scheid Architectural

James B. Gannon, AIA, NCARB
Principal

Cc: Mr. Jon Powers – Day & Night Plumbing Co. LLC