

# APPLICATION TO BOARD OF APPEALS

Tel. No. \_\_\_\_\_

Appeal No. 2016-013

Date March 4 2016

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

I (we) X Thomas J. Herrmann of X Dunn Tire, LLC

475 Cayuga Rd, Ste 500 Buffalo NY 14225, 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 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 X 2150 Union Rd., West Seneca NY 14224

3. State in general the exact nature of the permission required, HAVE TEMP STRUCTURES ON SITE FOR AN EXTENDED PERIOD OF TIME

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: \_\_\_\_\_

X Please see attached

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: \_\_\_\_\_

X Thomas J. Herrmann  
Signature

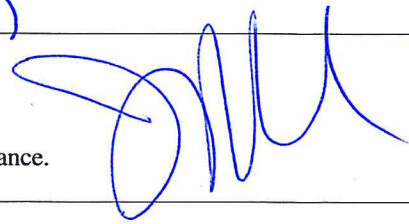
## TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance  
120-24 (A) Temporary Structure not permitted over 30 day period

2. Zoning Classification of the property concerned in this appeal M-1(C)

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. \_\_\_\_\_





**Attachment to: Application to Board of Appeals**

5A Reason for Appeal:

Storage containers are used for two separate purposes in many of our locations across Western/Central NY and Northern PA.

Containers are used to store customer tires during the "off season". We provide a service where we store winter tires in the summer, and summer tires in the winter for customers who do not have room at their residence, or for those customers who are not able to handle (load/unload/store) their tires safely.

The other container (48' trailer) used is to hold waste/scrap tires destined for recycling. Dunn Tire uses the services of a New York State Department of Environmental Conservation registered transporter and recycler to handle all of our scrap tires.

Containers are physically locked each night at closing.

We utilize these containers in a majority of our locations to safely and securely store tires that we do not physically have the space for inside of our facilities. These containers allow us to efficiently operate on-site saving us additional expenses to transport them off-site.

Thomas J. Herrmann  
Assistant Director of Continuous Improvement





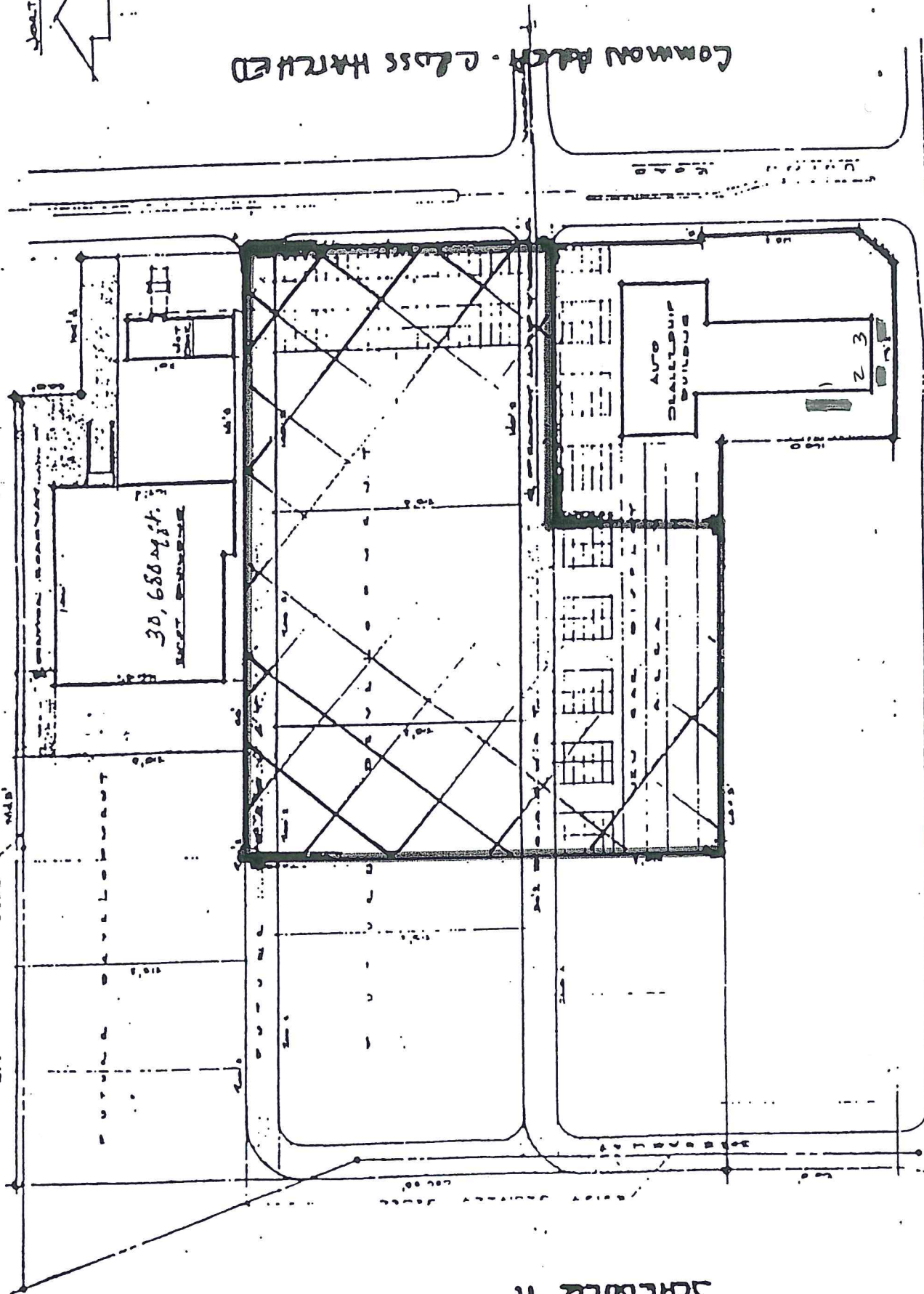








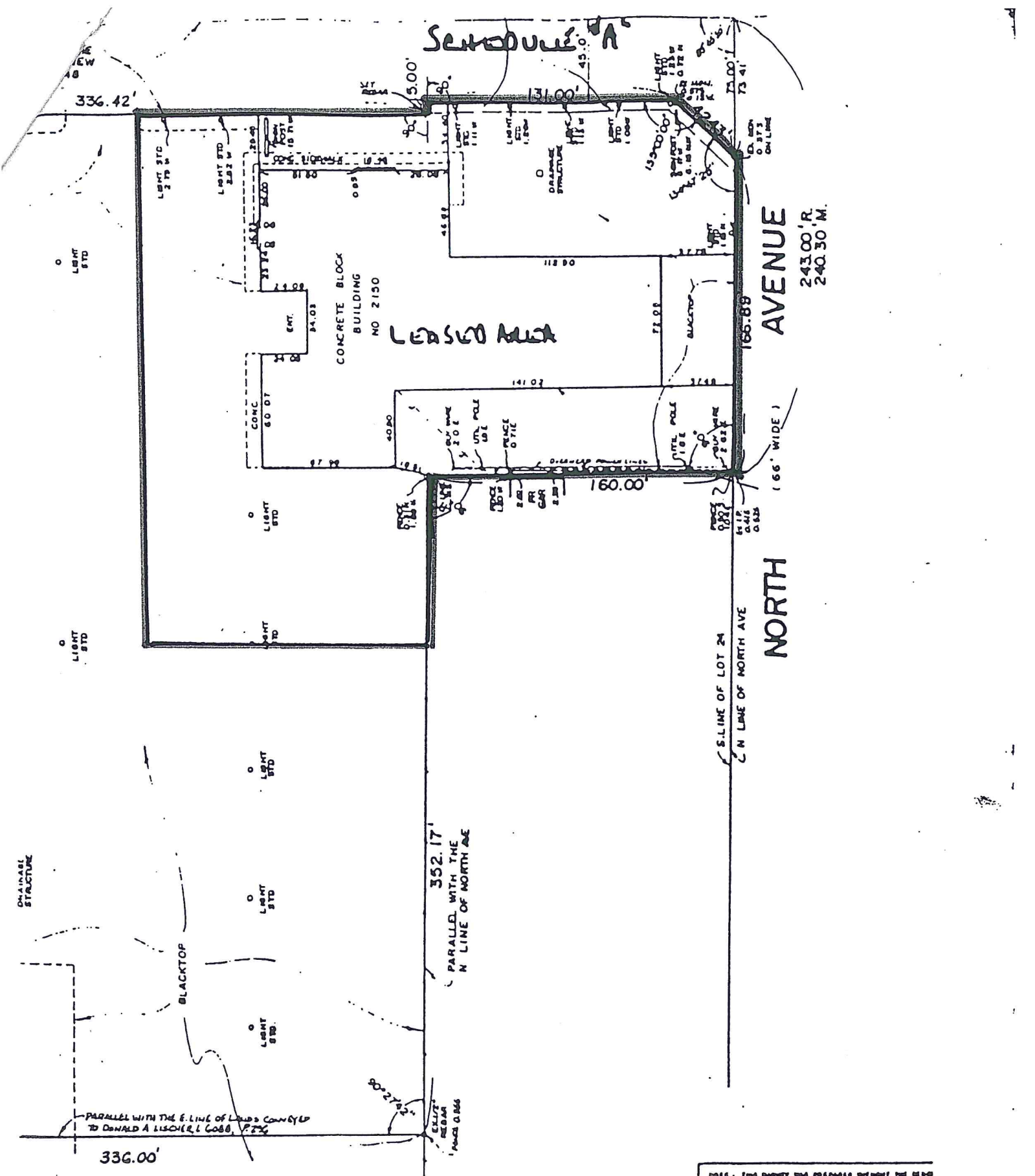
SCHEDULE "A"



UNION SQUARE CENTER PLOT PLAN

INDICATES SECURITY LINES OF WORK SQUARE CENTER

PLANNED / LID / ADOPTED  
DATE 11-1-68  
BY [illegible]



PART OF LOT 24, EBENEZER  
 LANDS, MAP COVER 58  
 PART OF L - S - T - R - TOWN OF WEST SENECA, COUNTY OF ERIE

2016. THE OWNER HAS HEREBY GRANTED THE RIGHT TO ANY AND ALL PERSONS TO TAKE ANY AND ALL NECESSARY MEASURES FOR THE PURPOSES OF THIS SURVEY.

RESURVEY		
DATE	JOB	DESCRIPTION

**JAMES L. SHISLER, I**  
 PROFESSIONAL LAND SU  
 786 MAIN STREET  
 EAST AURORA, NEW YORK 14083

*Shisler*



*Town of West Seneca, NY  
Friday, March 4, 2016*

## Chapter 120. Zoning

### Article II. Use Regulations

#### § 120-24. Temporary structures or uses.

The following temporary structures shall be deemed to be permitted uses in all zoning districts:

- A. Temporary portable storage containers shall require a building permit if they are to remain on the property for over a thirty-day period of time. The placement is not permitted in any required setback.  
[Added 11-28-2011 by L.L. No. 3-2011]
- B. The temporary use of a dwelling as a model home shall be permitted for a period of time not to exceed one year.
- C. Any temporary structure or use permitted by the Board of Appeals as authorized in Article VII.