

APPLICATION TO BOARD OF APPEALS

Tel. No. 716-866-4205

Appeal No. 1847
Date April 3, 2024

2024-013

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

I (we) Matt Wiertel of 316 Aurora Avenue, West Seneca, NY 14224

_____, 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: _____

- ☐ A PERMIT FOR USE
☐ A PERMIT FOR OCCUPANCY
☐ A TEMPORARY PERMIT OR EXTENSION THEREOF
1. Applicant is the ☒ PROPERTY OWNER
☐ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____
- ☐ A CERTIFICATE OF EXISTING USE
☒ A CERTIFICATE OF ZONING COMPLIANCE
☒ AREA PERMIT

2. LOCATION OF THE PROPERTY 316 Aurora Avenue, West Seneca, NY 14224

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

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. 01, dated April 3, 2024.

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: _____
Looking for relief from a rear set back of 30'-0", the new proposed set back would be 1.43 ft from the rear property. See attached letter and proposed site plan.

B. Interpretation of the Zoning Ordinance is requested because: Not required

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: _____
Not required

Matt Wiertel
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

120-31 R50 Zoning Required Rear Yard 30'
Requesting 1.43' Rear Setback.

2. Zoning Classification of the property concerned in this appeal R50

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. To match existing house location.

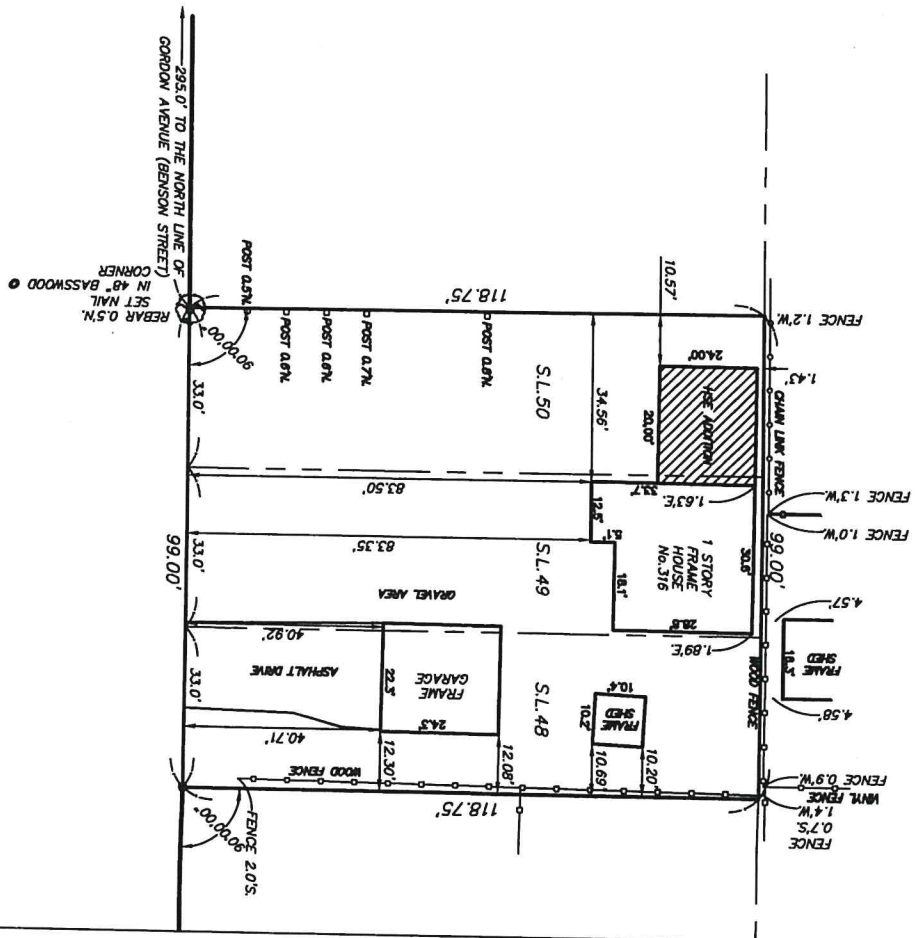
Building Inspector DLS



1

PROPOSED SITE PLAN

SCALE : 1" = 30'-0"

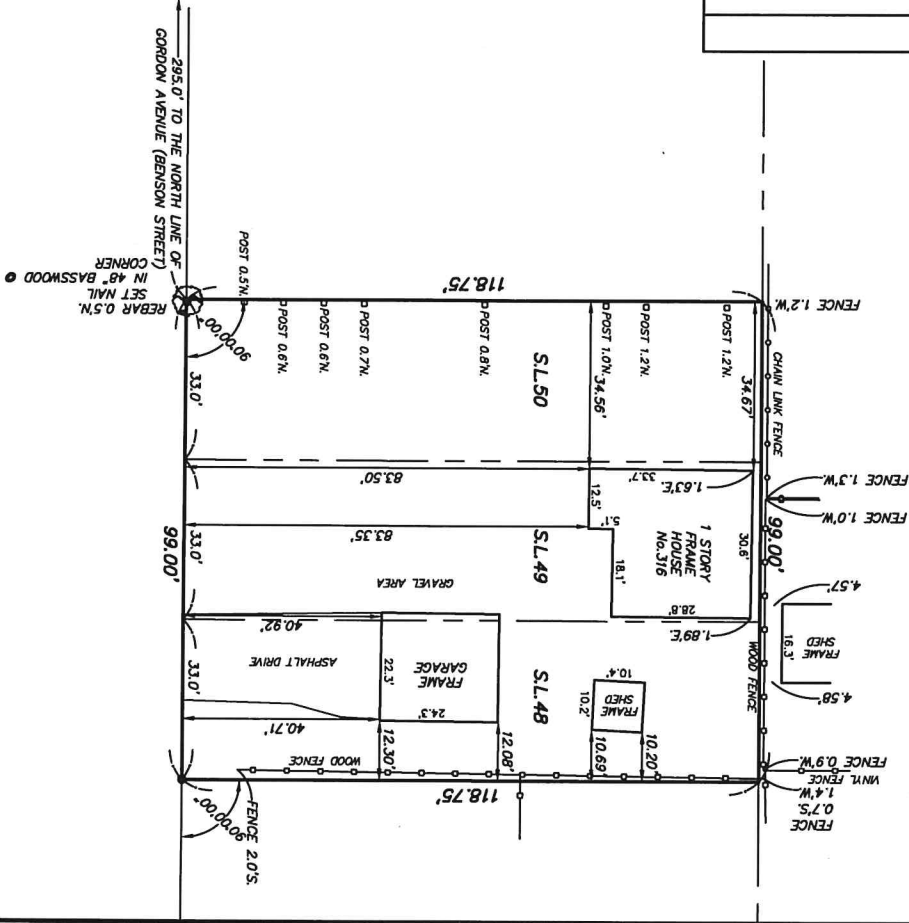


AURORA (50' WIDE) AVENUE

JDS ASSOCIATES
ARCHITECT, P.C.
9 RYAN STREET, LANCASTER NY 14086
(716) 392-5747
EMAIL: jds_associatespc@yahoo.com
WEB SITE: jdsassociatespc.com



DATE	REVISION/TYPE



AURORA (50' WIDE) AVENUE

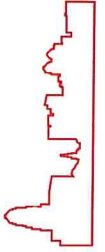
SURVEY OF
SUB LOTS 48, 49 & 50, BLOCK C, MAP COVER 313
PART OF LOT 126, TOWNSHIP 10, RANGE 7
BUFFALO CREEK RESERVATION
TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK

Job No. 11112
Scale: 1" = 30'
Date: OCTOBER 9, 2023
TAX No. 124.53-2-16.1



GPI ENGINEERING, LANDSCAPE
ARCHITECTURE & SURVEYING, LLP
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
4850 GENESEE STREET, SUITE 100
BUFFALO, NEW YORK 14225
(716) 633-4844
FAX 633-4940

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS
DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2
OF THE NEW YORK STATE EDUCATION LAW.
● SET OR EX. 5/8" REBAR
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE
BENEFIT OF AN ABSTRACT OF TITLE.



JDS ASSOCIATES
ARCHITECT, P.C.

9 RYAN STREET, LANCASTER, NEW YORK 14086
(716) 392-5747, EMAIL: ids_associatespc@yahoo.com
Web Site: www.jdsassociates.com

April 6, 2024

West Seneca Town Hall
1250 Union Road, Room 210
West Seneca, New York 14224

Attn: Mr. Doug Busse - CEO

Re: Variance request
316 Aurora Avenue
West Seneca, New York 14224

Dear Mr. Busse;

We are requesting relief from the rear set back requirement of 30 feet to a new rear set back requirement of 1.43 feet from the rear property line. The reason for the new set back of 1.43 feet is to align the new addition with the existing rear wall of the existing structure. This would allow us to align the existing interior rooms with the new master bedroom addition.

If the 1.43 feet variance is not granted, we would not be able to build the master bedroom addition because the existing rooms would not align with the new master bedroom addition.

The house new addition would be designed to meet all applicable building codes which adhere to buildings under 5 feet from a property line.

Please feel free to contact me with any questions or concerns.

Kindly regards:

James D. Spratz R.A.

*** RECEIPT ***

Date: 04/09/24 Receipt#: 85946

Quantity	Transactions	Reference	Subtotal
1	Zoning Board of Appeals	20156096	\$160.00
Total Paid:			\$160.00

Notes:

Payment Type	Amount	Paid By
CK #113	\$160.00	Wiertel, Matt

Thank you for allowing the Town Clerk's office to serve you. Have a wonderful day!

Name: Wiertel, Matt
316 Aurora Ave
West Seneca, NY 14224

Clerk ID: ELYSE Internal ID: 20156096



KATE NEWTON
TOWN CLERK

RECEIVER OF TAXES
REGISTRAR OF VITAL STATISTICS
NOTARY PUBLIC
RECORDS MANAGEMENT OFFICER

TOWN OF WEST SENECA

TOWN SUPERVISOR
GARY A. DICKSON

TOWN COUNCIL
ROBERT J. BREIDENSTEIN
SUSAN K. KIMS
JEFFREY A. PIEKAREC
SCOTT D. ROBERTSON

April 10, 2024

Matt Wiertel
316 Aurora Avenue
West Seneca, NY 14224

Re: **Zoning Board Meeting – Variance Annual Review**

Dear Applicant:

Enclosed is a Notice of a Public Hearing of the Zoning Board of Appeals of the Town of West Seneca scheduled to be held on **April 24, 2024**, at the West Seneca Community Center, 1300 Union Road at 6:00 PM.

A case in which you are the petitioner will come before this hearing. It will be necessary for you or your authorized representative to be present at this hearing to address and answer any questions of the Zoning Board Members.

Sincerely yours,

Kate Newton

Kate Newton
Town Clerk
Zoning Board Secretary

cc: Code Enforcement Officer
Zoning Board Chairwoman