



**TOWN OF LEWISTON**  
1375 Ridge Road  
Lewiston, New York 14092  
(716) 754-8213  
[www.townoflewiston.us](http://www.townoflewiston.us)

**ZONING BOARD OF APPEALS**

Thursday – August 11, 2016  
7:00 P.M. – Town Hall

6:45 P.M. – Open Work Session

- A. Variance Request – Caldwell – Saunders Settlement Road – SBL# 118.00-1-2.1
- B. Miscellaneous

**PLEASE NOTIFY SANDY IF YOU CANNOT ATTEND**

TOWN OF LEWISTON  
ZONING BOARD OF APPEALS

       AREA VARIANCE

  X   USE VARIANCE

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 24 81 Saunders Settlement Rd. Sanborn 14132

**APPLICANT INFORMATION**

NAME: Lisa Caldwell ADDRESS: 3339 Upper Mtn. Rd

PHONE: 716-374-5457 Sanborn NY 14132  
CITY STATE ZIP

FAX: \_\_\_\_\_ E-MAIL: BROOKS LISA 11@yahoo.com

**OWNER INFORMATION**

NAME: Lisa Caldwell ADDRESS: 3339 Upper Mtn. Rd

PHONE: 716-374-5457 Sanborn NY 14132  
CITY STATE ZIP

FAX: \_\_\_\_\_ E-MAIL: BROOKS LISA 11@yahoo.com

RELATIONSHIP OF APPLICANT TO PROPERTY:

       CONTRACT PURCHASER             CONTRACTOR             OTHER

       ARCHITECT/ENGINEER             LEASEE

**OFFICE USE ONLY**

RECEIVED BY:   GV   DATE/TIME RECEIVED   7/7/16  

FEE AMOUNT:   135.00   CHECK/MONEY ORDER#:   ck  

ZONING:   R2   FEE TRANSMITTAL DATE: \_\_\_\_\_

AGENDA DATE:   8/11/16   DEADLINE DATE: \_\_\_\_\_

COUNTY TAX MAP IDENTIFICATION NUMBER: # 22874 118-1-2.R

**BRIEF HISTORY OF PROPERTY** (historic use of property, ownership history, etc.)

Dalton Brooks Jr purchased it in 1986. I purchase it ~~it~~ from Dalton Brooks Jr (my father) in May, 2015.

**DESCRIPTION OF PROPOSED ACTION** (include specific use proposed, hours, # of employees, etc.)

I currently meet the requirements for the property to be considered a working farm and the mobile home will be used for owner occupancy.

**VARIANCE STANDARDS (USE VARIANCE)**

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or building and must not generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a use variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.

**VARIANCE STANDARDS (AREA VARIANCE)**

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building. One example of special condition: A utility right-of-way cutting through the rear half of several properties within a larger neighborhood limiting the buildable area of those properties, thereby requiring variances for rear and side yard setbacks for those particular property owners to construct new garages or sheds.

**DESCRIPTION OF HARDSHIP** (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations)

I'm appealing the decision to deny the Special Use Permit for the mobile home on the basis that the property meets all requirements to house the mobile home.

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

The mobile home is currently positioned behind existing structures on the property and is not visible from the road.

## APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

\_\_\_\_\_ \$135 application fee (cash or checks payable to the Town of Lewiston)

\_\_\_\_\_ Detailed site plan (7 copies)

\_\_\_\_\_ Photographs of existing conditions

\_\_\_\_\_ Property survey (7 copies)

## APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.

Lisa Caldwell  
Signature (Applicant)

6/27/16  
Date

### IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER (S) IN FURTHERANCE OF THE REQUEST.

\_\_\_\_\_  
Signature (Owner)

\_\_\_\_\_  
Date

Regular meetings of the Zoning Board of Appeals are generally held on the 2<sup>nd</sup> Thursday of every month. The meetings are held at 7:00 P.M. in the main meeting room. Applicants will receive a reminder notice in the mail prior to the meeting. Property owners will be notified of the intent of the applicant and given an opportunity to speak for or against the application.

**NOTE: PROPERTY OWNER MUST BE PRESENT AT SCHEDULED PUBLIC HEARING**