



TOWN OF LEWISTON
1375 Ridge Road
Lewiston, New York 14092
(716) 754-8213
www.townoflewiston.us

ZONING BOARD OF APPEALS

Thursday – September 14, 2017
7:00 P.M. – Town Hall

- A. Variance Request – Harvey – Model City Road – SBL# 88.00-1-26.2**
- B. Miscellaneous**

PLEASE NOTIFY SANDY IF YOU CANNOT ATTEND



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Fee 135.00 Date Paid 8/18/17 Hearing Date 9/14/17 Approved _____ Denied _____
23597

**Appeal to the Zoning Board
Area Variance, Use Variance and/or Interpretation**

Applicant	Owner(s) (If not applicant)	Attorney/ Agent
Name <u>Linda HARVEY + David HARVEY</u>		
Address <u>4628 Model City Rd</u>		
Phone/Fax <u>754-7156</u>		
Email _____		

Property Information

Property Address 4628 Model City Side of street (~~north~~, east, etc.) West

Tax Parcel No 292489 88.00, 1-2.2

Date acquired by owner 1970's Zoning District when purchased Rural 1

Present use of property Residential Current Zoning District Rural 1 / Business

Has previous ZBA applicant/appeal been filed with property? Yes _____ No If yes, when? _____

For what _____

Is property located within a 500' of a State-Park, town-or-city-boundary or county/state highway? _____

Model City Rd.

Brief description of the proposed action Add 20' to front of house to
move kitchen + bath, After that completion
remodel remainder of bedrooms. ect. to
reduce stairs / make areas more handicap
accessible, up dated codes

Is there a written violation for this parcel that is not the subject of this application? Yes No

Has the work, use or occupancy to which the appeal relates already begun? Yes No

Identify the type of appeal you are requesting Area Variance Use Variance Interpretation

Area Variance - Please answer the following (add additional information as necessary)

That applicant has requested relief from the following Town of Lewiston Zoning Ordinance(s) (Please provide the Article Numbers) there is a need to be 300' from neighbors,

Neighbor to North = 200' feet Neighbor to the east 200' ft
Neighbor to the south 40' feet. Presently @ 100 ft from
road, will be @ 80 ft from Model City Rd.

Dimension Requirements

To

From

add 20' x 32' to existing home at 100' feet
back from the road to 80' feet back from road.
20 ft closer to road than closest neighbor. In line
with other houses to the south after addition

Additional Information

In order for the Zoning Board of Appeals to grant an Area Variance, it must fully and carefully balance the benefits to the applicant with the health, safety and welfare of the neighborhood and community, taking into consideration ALL of the following.

I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identity what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc) and why they are not feasible.

put out back = brings down large tree
pulls up septic, brings structure
close to barn area

II. Whether granting the area variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons.

updates style of house to fit into neighborhood

no change to neighborhood / detriment to anyone

III. Whether the variance is substantial. The Zoning Board of Appeals (ZBA) will look at the magnitude of relief sought by the applicant and compare it to the current Zoning Law. For example, if the applicant is seeking a variance for a 6 foot side yard setback and the Zoning Law states a minimum 10 foot side yard setback, the ZBA will decide if granting a variance for 6 feet is substantial or not.

Variance is not substantial. With the addition the house will still be 30+ feet from Model City Rd., will not obstruct vision of traffic, will not encroach upon others property lines

IV. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons.

updates style of house to fit

into neighborhood will not be a physical adverse effect. No environmental hazards should result

V. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created.

not at the time of build.

now - more handicap accessible
updated structure is requested.

Applicant Signature

I/We the property owner(s), or purchaser(s), lessee(s) under contract of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature attached hereto, I/We believe the information provided within this application and accompanying documentation to be true and accurate. I/We further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/We hereby authorize the members of the Zoning Board of Appeals to enter the property associated with this application for purposes of conducting any necessary site inspections related to the fact finding process with regard to this pending application.

Linda Harney
Signature

Daniel King
Signature

Aug. 10
Date

Date