



716 937-6969 Ext.4
Fax: 716-937-9587
Email: building@eric.gov

CODE ENFORCEMENT OFFICE

**ALDEN TOWN HALL
3311 Wende Road
Alden, New York 14004**

Tommaso Briatico
2448 Delaware Avenue
Buffalo, NY 14216

Notice of Disapproval

Date: May 3, 2023

PLEASE TAKE NOTICE that your proposed building addition at 11625 Broadway Street, Town of Alden, New York is *disapproved* for the following reason:

The proposed addition does not meet the required 135 feet set back from the centerline of Broadway Street per the Town of Alden Code Section 365-21(2)(a)[1].

You will be advised by mail regarding the date and time for the Zoning Board of Appeals Hearing.



CHRIS SNYDER
Building Inspector
Code Enforcement Officer



Date: May 3, 2023
 Paid Amount: \$250
 Received by Bldg Dep
 Town Clerk

716 937-6969 Ext.4
 Fax: 716-937-9817
 Email: Building@erie.gov

ZONING BOARD OF APPEALS
 ALDEN TOWN HALL
 3311 Wende Road
 Alden, New York 14004

APPLICATION FOR ZONING VARIANCE

Date: 3-13-23

Applicant Name: TOMMASO BRIATICO
 Address: 2448 DELAWARE AVE
BUFFALO, NY 14216

23-01

Supporting Information needed: (The following information must be attached to the application.)

1. Copy of legal description from property deed.
2. Copy of property survey
3. Letter of Denial from Building Inspector
4. Site plan at appropriate scale showing existing and proposed location of:
 - a. Buildings
 - b. Roads, Parking and Sidewalks
 - c. Landscaping, Fences and Screening
 - d. Easements

Where variance allowing two family dwelling is requested, the following must be attached:

1. Copy of building plans
2. Approval of sanitary system by Erie County Health Department

Property Identification

1. Tax Map Number: 142089 118.10-4-2
2. Street Address: 11625 BROADWAY
3. Name of Property Owner(s): 11619 BROADWAY STREET INC.
4. Date Property Acquired: 2014
5. Adjacent Zoning:

<u>C-2</u>	on the north
<u>C-2</u>	on the east
<u>R-1</u>	on the south
<u>C-2</u>	on the west
6. Proposed Zoning Change is: is not consistent with the Town Master Plan
7. Alden Town Code Section to be Varied: 365-21A(2)(a)

Variance or Permit Requested:

1. State the purpose of this application (i.e., type of variance from Zoning Ordinance or permit requested)
VARIANCE FROM REQUIRED 135 FT SETBACK (BROADWAY)
2. Where variance is requested, state the practical difficulties or unnecessary hardships involved in carrying out the strict letter of the Zoning Ordinance:
WE HAVE AN EXISTING BUILDING THAT UNFORTUNATELY ALREADY IS NON COMPLIANT. WE NEED TO ALIGN THE ADDITION TO EXISTING.
3. Where permit is requested, state the reasons for requesting this permit:
WE ARE PROPOSING AN ADDITION TO AN EXISTING BUILDING

Tommaso Briatico (u) R.A.
 Signature of Applicant

MARCH 13, 2023
 Date

ZONING BOARD OF APPEALS REVIEW

(Zoning Board of Appeals use only)

_____ **Use Variance** - to allow a use not otherwise allowed in zoning, applicant must demonstrate to the Board unnecessary hardship. Such demonstration includes all of the following, for each and every permitted use:

- _____ 1. Cannot realize reasonable return {include financial evidence}.
- _____ 2. Alleged hardship is unique and does not apply to substantial portion of district or neighborhood.
- _____ 3. Requested variance will not alter essential character of the neighborhood.
- _____ 4. Alleged hardship has not been self-created.

_____ **Area Variance** – Board shall balance benefit to applicant with the detriment to health, safety and welfare of the community.

- _____ 1. Can benefit be achieved by other means feasible to applicant?
- _____ 2. Will this cause undesirable change in neighborhood or nearby properties?
- _____ 3. Is request substantial?
- _____ 4. Will request have adverse physical or environmental effects?
- _____ 5. Is alleged difficulty self-created?

APPROVED: _____ **DENIED:** _____ **DATE:** _____

CONDITIONS FOR APPROVAL:

ZBA Chairman: _____ **DATE:** _____

Chapter 365. Zoning

Article IV. Supplementary Regulations

§ 365-21. Exceptions to yard requirements.

A. Front yard exceptions.

- (1) Except for Subsection **A(2)** below, a required front yard need not exceed the average of those of existing buildings within a distance of 150 feet either side of the lot to be developed.
- (2) In all districts on property fronting on Broadway, Walden Avenue and on that portion of Genesee Street east of its intersection with Walden Avenue, a minimum setback from the center line of the pavement is required in order to provide a front yard of at least 75 feet. Minimum setbacks from the center line of said road shall be as follows:

(a) Broadway.

[1] From the west Town boundary to the west village line: 135 feet.

[2] From the east village line to the east Town boundary: 108 feet.

(b) Walden Avenue, for the entire distance within the Town: 125 feet.

(c) Genesee Street, from its intersection with Walden Avenue eastward for the entire remaining distance within the Town: 108 feet.

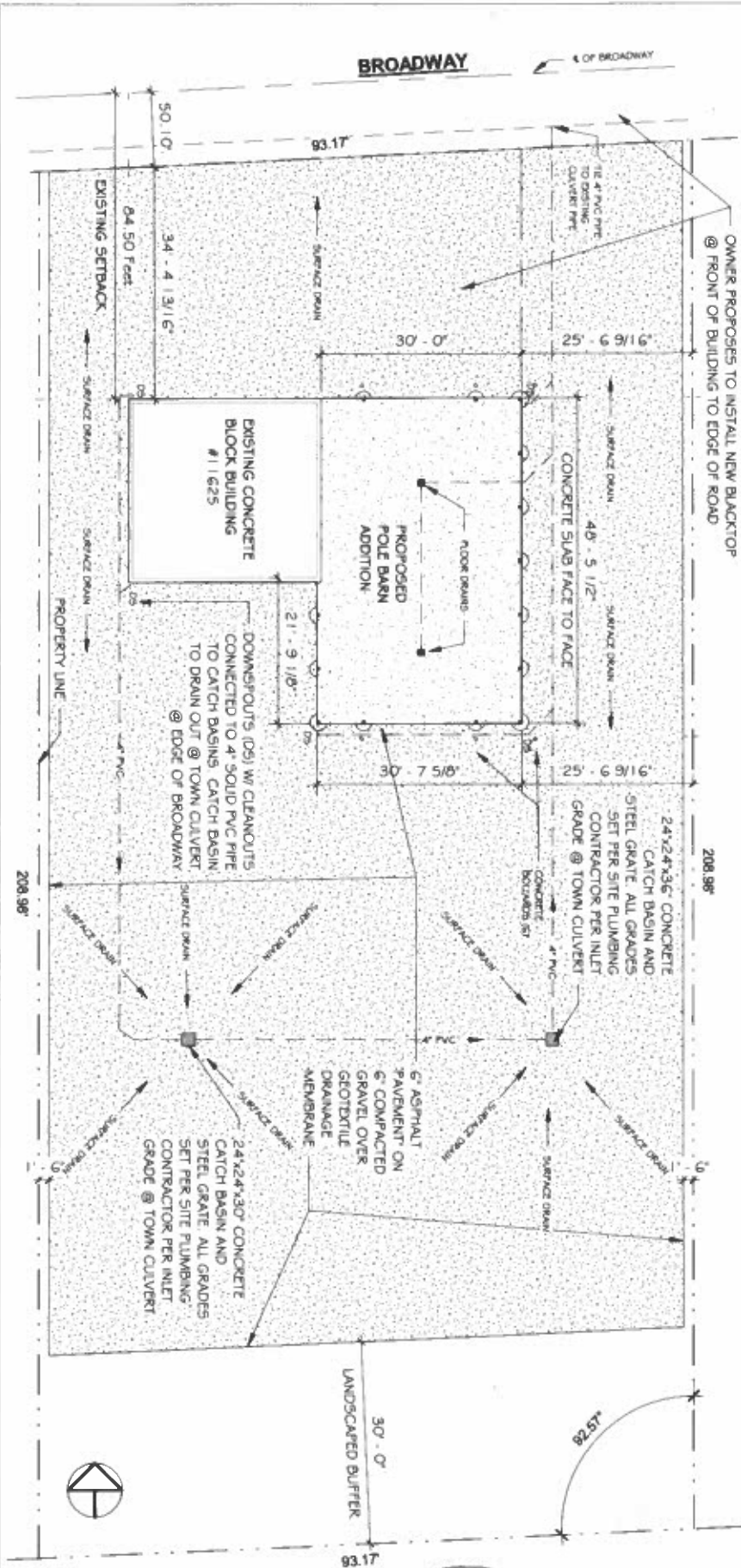
- B. Side yard exception for corner lots. On a corner lot where the rear lot line coincides with a side lot line of an adjoining lot, the required width of the exterior side yard shall not be less than the front yard requirement along the street on which the exterior side yard abuts.
- C. Rear yard exception for through lots. On a through lot where the rear lot line coincides with a street line, a front yard equivalent shall be provided. The rear yard depth requirements in the district regulations shall not apply on that portion of a through lot where a front yard equivalent is required.

PROJECT SUMMARY:

THE OWNER OF THIS PROPERTY PROPOSED TO ADD SPACE TO HIS EXISTING BUILDING. THE PRIMARY FOCUS OF THE BUSINESS AT THIS ADDRESS IS SELLING USED VEHICLES. AT THIS TIME THERE IS NO HEAT BEING INSTALLED INTO THE NEW ADDITION. THE NEW RESTROOM WILL USE THE SAME PLUMBING FOR WATER AND SANITARY. THE EXISTING ELECTRICAL SERVICE WILL BE EXTENDED INTO THE NEW ADDITION FOR LIGHTS AND POWER. THE REAR OF THE PROPERTY WILL BE USED TO TEMPORARILY STORE VEHICLES UNTIL THEY ARE SOLD. THIS AREA WILL BE PAVED W/ ASPHALT.

SCOPE OF WORK:

THE NEW 'POLE BARN' TYPE ADDITION WILL HAVE A NEW ROOF FRAMING SYSTEM THAT EXTENDS OVER THE EXISTING BUILDING. IT WILL BE COVERED W/ STANDING SEAM METAL ROOFING. THE ENTIRE BUILDING WILL HAVE METAL SIDING. THE NEW ADDITION WILL HAVE THE SIDING FASTENED TO METAL GIRTS (AFTER BEING WRAPPED W/ TYVAC MEMBRANE). THE EXISTING MASONRY BUILDING WILL HAVE HORIZONTAL 2x6 FURRING FASTENED TO THE CONCRETE BLOCK W/ (2) STAGGERED ROWS OF 1/2" DIA. x 4 1/2" EXPANSION BOLTS @ 32" O.C. THE NEW REST ROOM SANITARY WILL TIE INTO THE SAME SEPTIC SYSTEM AS THE EXISTING RESTROOM. THE REAR YARD WILL HAVE TOPSOIL REMOVED AND THE DIRT SUBGRADE WILL BE GRADED, ROLLED AND COMPACTED TO FOLLOW A SLOPE TO (2) NEW CATCH BASINS. ROAD FABRIC/MEMBRANE WILL BE LAID ON THE SUBGRADE PRIOR TO PLACING 6" OF #2 CRUSHER RUN STONE. THE STONE SHALL BE GRADED TO MATCH THE NEW SLOPE AND ROLLED AND VIBRATED FOR COMPACTION. 6" BLACKTOP/ASPHALT PAVING WILL BE PLACED AND SLOPED TO THE NEW CATCH BASINS. FLOOR DRAINS AND DOWNSPOUTS SHALL DRAIN TOWARDS THE REAR OF THE PROPERTY OR TIED INTO THE TOWNS STORM SEWER @ THE EDGE OF BROADWAY. A SEPARATE PERMIT MAY BE REQUIRED FOR THIS.



11619
BROADWAY
STREET INC.
11625 Broadway/Street
Adrian, NY
14004

Addition and
Improvements to
11625 Broadway

Project Number: 2023-06



TOMMASO BRIATICO
ARCHITECTS
300 West 10th Street
Adrian, NY 14004
Tel: 607-753-1111
www.tommasobriatico.com

Scale: 1/8" = 1'-0"
Date: 3/8/23
Author: [Name]
Approver: [Name]
A-100

Site Plan