

**NOTICE OF PUBLIC HEARING
BEFORE THE
TOWN OF ALDEN
ZONING BOARD OF APPEALS
ON AN APPLICATION FOR A
ZONING VARIANCE**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town of Alden Zoning Board of Appeals on the 20th day of June, 2023 at 6:30 PM, prevailing time at the Alden Town Hall, 3311 Wende Rd Alden, NY on the following matter:

Appeal by Robert Duval 1183 Greenfield Dr Alden, NY from a Notice of Disapproval issued by the Town Building Inspector denying a building permit for an accessory building in the front yard at 1183 Greenfield Dr, Alden (SBL# 117.08-4-16) because said accessory building would violate the accessory building requirements set forth in the Alden Town Code at Section 365-20(B) that prohibits accessory buildings being located in a front yard.

Said appeal seeks a variance from the Town of Alden Code.

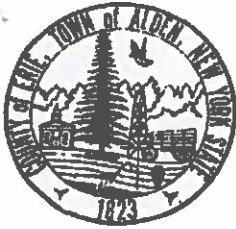
Said Zoning Board of Appeals will, at the time and place set forth above hear all persons in support of said matters and all persons in objection to said matters. Persons may appear in person or by their agents.

Dated: June 8, 2023

ZONING BOARD OF APPEALS
OF THE TOWN OF ALDEN



By: _____
Susanne Galbraith, Chairwomen



Date: 5/23/2023
 Paid Amount: \$ 250-
 Received by Building Dept
Town Clerk

23-02

rec. 155794

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

Applicant Name: ROBERT DUVAL Date: 5/22/23
 Address: 1183 Greenfield DR
ALDEN, NY 14004

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:
2. Street Address
3. Name of Property Owner(s)
4. Date Property Acquired
5. Adjacent Zoning

117.08-4-16
1183 Greenfield DR ALDEN, NY 14004
ROBERT DUVAL
8/30/2015
R1 (per Bldg. Inspector) on the north
 _____ on the east
 _____ on the south
 _____ on the west

6. Proposed Zoning Change _____ is; _____ is not consistent with the Town Master Plan
7. Alden Town Code Section to be Varied: 305.-20 B

Variance or Permit Requested:

1. State the purpose of this application (i.e., type of variance from Zoning Ordinance or permit requested)
Variance request for Bldg. Permit for an accessory structure

2. Where variance is requested, state the practical difficulties or unnecessary hardships involved in carrying out the strict letter of the Zoning Ordinance: Power lines exist in back yard.

3. Where permit is requested, state the reasons for requesting this permit:
Pole Barn is to be put in a location to line up with existing driveway. Cannot be placed elsewhere, owner cannot afford a new Driveway or attached garage.

To build a Pole Barn on the side of my house to use as a garage. This will not produce an undesirable change to the neighborhood or any owner property. There is plenty of room (more than required) for the space designated for this structure.

Robert Duval
 Signature of Applicant

5/22/23
 Date

would not obstruct any view

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:** _____



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

CODE ENFORCEMENT OFFICE

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

Robert Duval
1183 Greenfield Drive
Alden, NY 14004

Notice of Disapproval

Date: May 18, 2023

PLEASE TAKE NOTICE that your request to locate an accessory building in a front yard at 1183 Greenfield Drive, Town of Alden, New York is *disapproved* for the following reason:

The Town of Alden Code Chapter 365-20B states that no accessory building or structure shall be located in any front yard, regardless of whether or not such yard is a required front yard.

CHRIS SNYDER
Building Inspector
Code Enforcement Officer



EAST LA RAY (60' WIDE) DRIVE



ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL AND SIGNATURE SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP-TO-DATE ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH

PART OF LOT 47 HOLLAND LAND COMPANY'S SURVEY	SECT:	TWP. 11	RGE 5	BLK:
MAP COVER: 2007	SUB LOT: 1 & MORE			
LOCATED IN: TOWN OF ALDEN, COUNTY OF ERIE, STATE OF NEW YORK				

DATE	DRAWING REVISIONS



37 CENTRAL AVE.
LANCASTER, NY 14086-2143
PH 716-683-5961
FAX 716-683-0169
WWW.WMSCHUTT.COM

WARNING
UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209 SUB-DIVISION 2 OF THE NEW YORK STATE EDUCATION LAW. © COPYRIGHT 2013 WM SCHUTT & ASSOCIATES

SCALE 1"=30' DATE 08/14/2015 SURVEY FILE A/15262-01

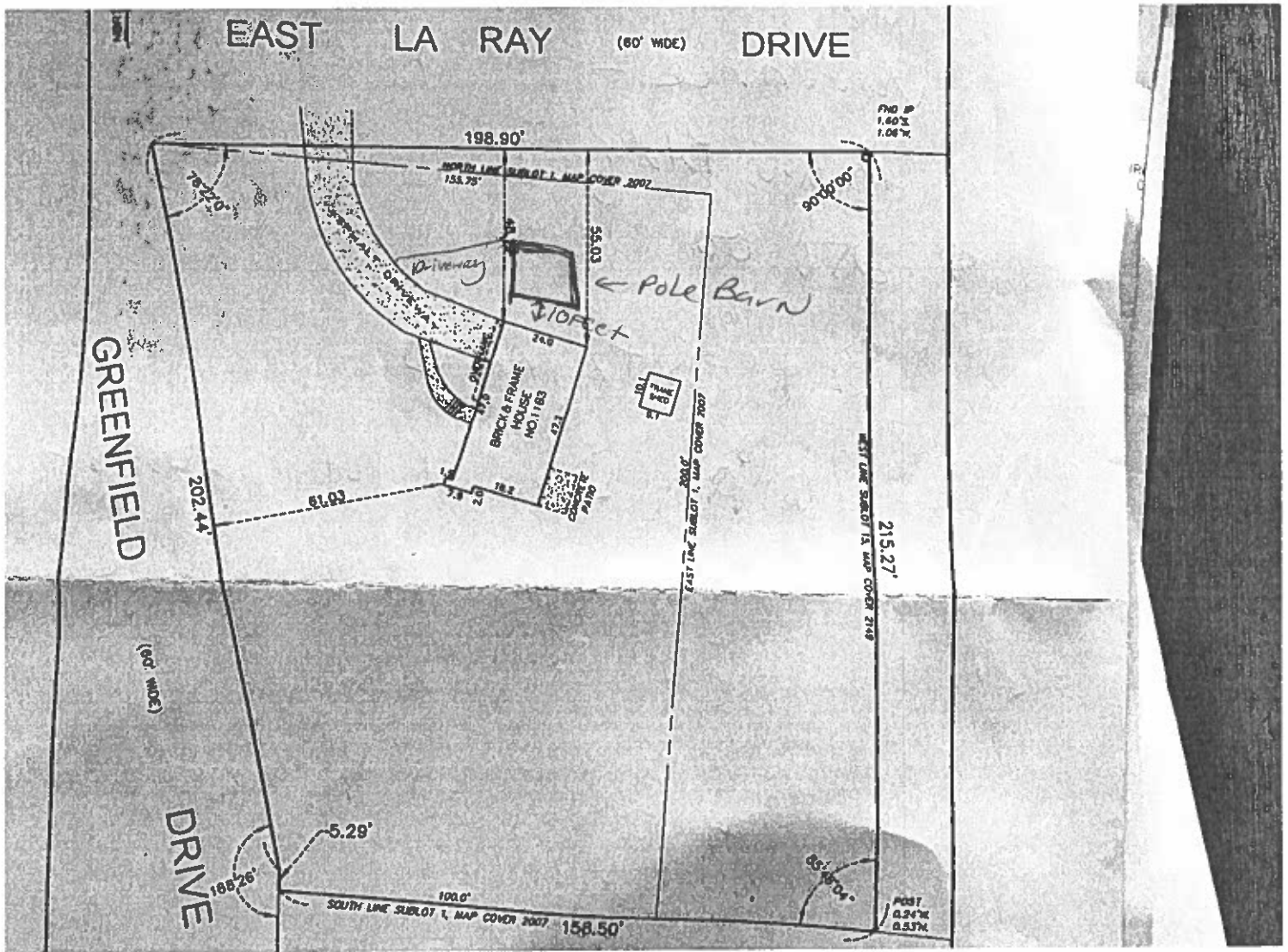
Untitled

jodie szal <jodies71@hotmail.com>

Wed 5/3/2023 10:12 AM

To: Szal, Jodie <JSzal@KaleidaHealth.org>;

ATTENTION: This email originated from outside of the organization. Do not open attachments or click on links unless you recognize the sender and know the content is safe



Sent from my iPhone

3:52

◀ Messages

. Wi-Fi 21

Town of Alden, NY



Town of Alden, NY / Part II: General Legislation / Zoning Article II Definitions

§ 365-9 Definitions and word usage.

YARD, FRONT

An open space on the same lot with a main building, extending the full width of the lot between the street line and the principal building.

[Amended 3-20-1995 by L.L. No. 1-1995]

YARD, REAR

An open space on the same lot with a main building, extending the full width of the lot between the rear lot line and the rear line of the building.

YARD, SIDE

An open space on the same lot with the building, situated between the building and the side line of the lot and extending from the front yard to the rear yard.

S71

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

Sent from my iPhone

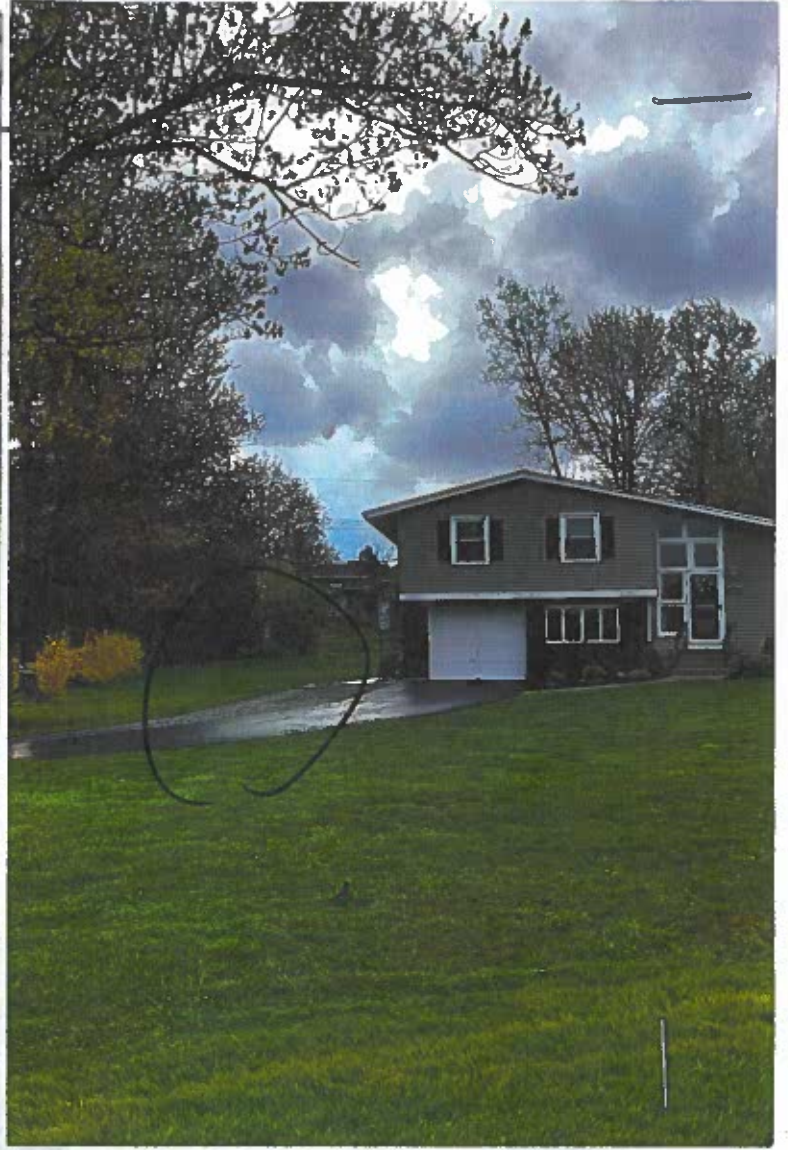
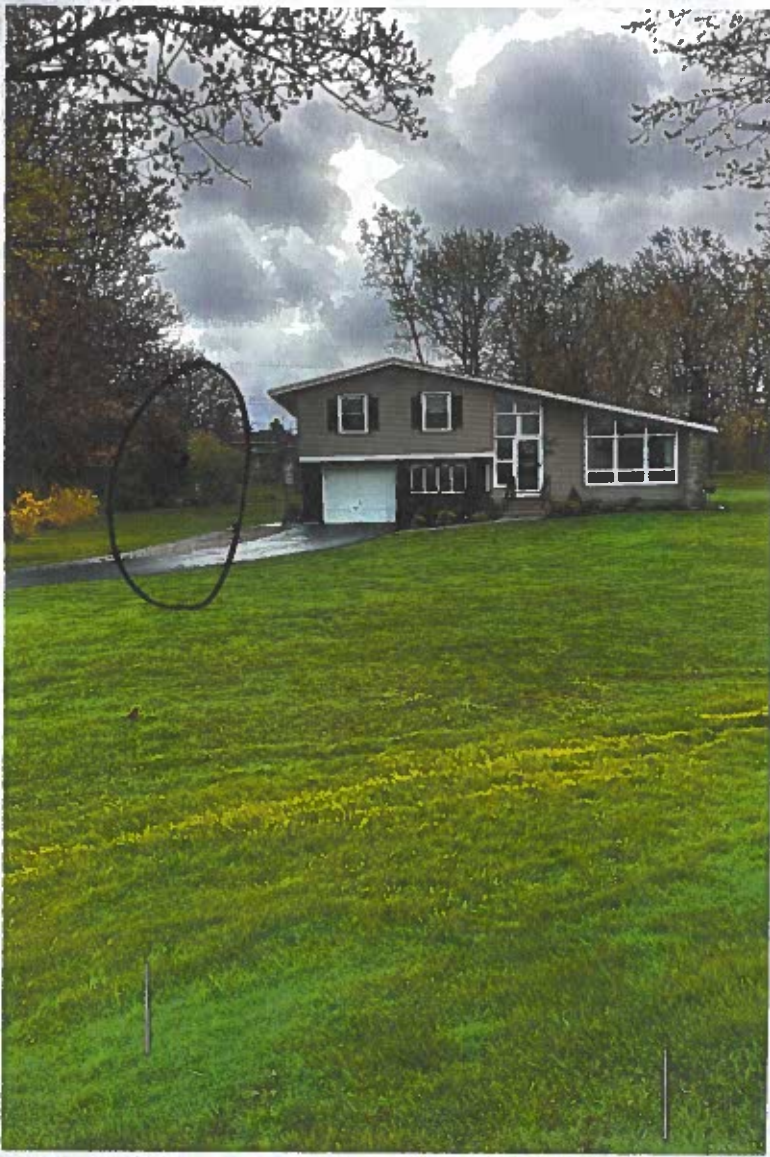
[2] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*

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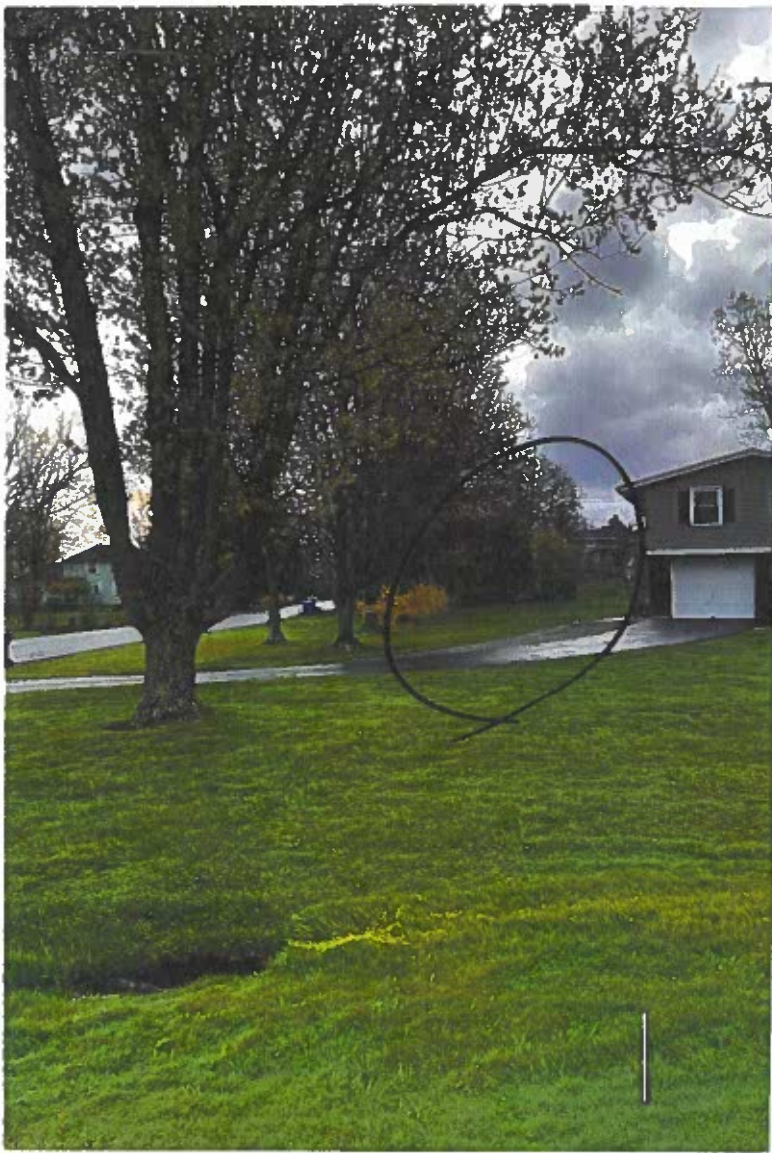
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 ecode360.com





1183 Greenfield DR. ALDEN
- Pole Barn site



- Side lot at
1183 Greenfield DR Alden
* Site for Pole BARN



- Pole Barn location

12793 Uebelhoer Rd
AIDEN

VARIANCE GRANTED FOR
THIS BUILDING, CM

1. Subject Premises Description

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Alden, County of Erie and State of New York, being part of Lot Number 47, Township 11, Range 5 of the Holland Land Company's Survey as shown on a map entitled "Green Meadows Subdivision" filed in Erie County Clerk's Office under Cover Number 2007, more particularly bounded and described as follows:

BEGINNING at the southwest corner of Subdivision Lot Number 1 as shown on said map, running thence easterly along the southerly line of said Subdivision Lot Number 1 and its extension easterly, 158.50 feet; running thence northerly forming an interior angle of $85^{\circ} 46'$ a distance of 215.27 feet to a point that lies within the bounds of a proposed 60 foot road shown on said Map Cover 2007; running thence westerly at right angles 198.90 feet to the point where said right angle line intersects the easterly line of Longmeadow Drive as shown on said map, extended northerly; running thence southerly along the easterly line of Longmeadow Drive and its extension northerly, 207.73 feet to the place of beginning.

COMPLETE RECORD SEARCH

Search No.....331208..

Certificate of Complete Record Search, County of... ERIE.....
against all that plot of land situated in the Town of Alden, County of Erie and
State of New York, being part of Lot Number forty-seven (47),
Township eleven (11), Range seven (7) of the Holland Land
Company's Survey as shown on a map entitled "Green Meadows Subdivision
filed in Erie County Clerk's Office under Cover Number 2007,
more particularly bounded and described as follows:-

BEGINNING at the southwest corner of Subdivision Lot
Number one (1) as shown on said map; running thence easterly
along the southerly line of said Subdivision Lot Number one
(1) and its extension easterly, one hundred fifty-eight and
fifty hundredths (158.50) feet; running thence northerly form-
ing an interior angle of 85° 46' a distance of two hundred
fifteen and twenty-seven hundredths (215.27) feet to a point
that lies within the bounds of a proposed sixty (60) foot
road shown on said map Cover 2007; running thence westerly
at right angles one hundred ninety-eight and ninety hundredths
(198.90) feet to the point where said right angle line intersects
the easterly line of Longmeadow Drive, as shown on said map,
extended northerly; running thence southerly along the easterly
line of Longmeadow Drive, and its extension northerly, two
hundred seven and seventy-three hundredths (207.73) feet to
the place of beginning. X

STEWART TITLE INSURANCE COMPANY

130 PEARL STREET
BUFFALO, NEW YORK 14202
Phone (716) 852-0737 Fax (716) 852-9847

GUARANTEED TAX SEARCH

ABSTRACT NO. 10-252372

ORDER NO. 10-252372

STEWART TITLE INSURANCE COMPANY, a New York Corporation, for a valuable consideration to it paid, hereby certifies and guarantees (pursuant to New York Insurance Law section 6403(b)(1)) to the record owners of an interest in or a specific lien against the real estate described below, that there are no COUNTY TAXES or TAX SALES, now a lien against the real estate described on the tax rolls referred to herein, now payable, except as follows:

INFORMATION PURPOSES ONLY

ASSESSED TO:	BENEDYK, PATRICK & KAUSCHINGER, JAMIE
TAX ACCOUNT NO:	117.08-4-16
STREET ADDRESS:	1183 GREENFIELD DR
MUNICIPALITY:	TOWN OF ALDEN
PROPERTY DESCRIPTION:	PT. LOT NO. 47, T-11, R-5
SCHOOL DISTRICT:	142001 - ALDEN CENTRAL
PROPERTY CLASS:	210
ROLL YEAR	2014
TOTAL ASSESSED VALUE :	\$ 74,500.00
TAXABLE ASSESSED VALUE :	\$ 74,500.00
LOT SIZE:	____ X ____

DESCRIPTION OF TAX OR ASSESSMENT :

2015 County Tax - Roll with Collector

ABOVE STATED AMOUNTS, IF ANY, DO NOT INCLUDE APPLICABLE INTEREST, PENALTY OR LATE CHARGE .

NO SEARCH INCLUDED FOR CITY, VILLAGE OR SCHOOL TAXES OR ANY LOCAL ASSESSMENTS .

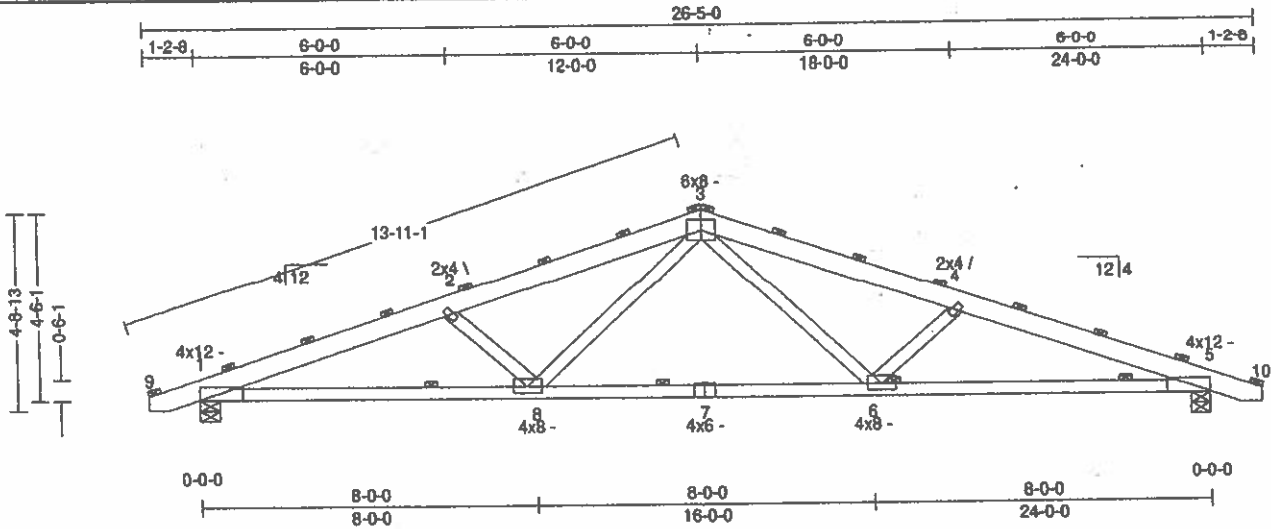
THIS SEARCH DOES NOT COVER ANY APPLICABLE COUNTY OR CITY WATER, PURE WATER OR SEWER CHARGES.

PURSUANT TO NEW YORK REAL PROPERTY TAX LAW SECTIONS 302 AND 520, THE REAL ESTATE TAX LIABILITY MAY BE AFFECTED UPON TRANSFER OF TITLE, IF THE PREMISES HAVE A PARTIAL OR FULL EXEMPTION.

Napoli Custom Truss
4480 Allegany road
Little Valley, NY

Truss: T01SBR
Job: NAP0401K-16
Date: 05/28/21 15:10:18
Page: 1 of 1

SPAN	PITCH	QTY	OHL	OHR	CANT L	CANT R	PLYS	SPACING	WGT/PLY
24-0-0	4/12	1	1-2-8	1-2-8	0-0-0	0-0-0	1	48 in	95 lbs



All plates shown to be Eagle 20 unless otherwise noted.

Loading (psf)	General	CSI	Deflection	L/	(loc)	Allowed
TCLL: 29.1	Bldg Code: IBC 2009/	TC: 1.094 (3-4)	Vert TL: 0.55 in	L/506	(6-7)	L/120
TCDL: 5 (rake)	TP1 1-2007	BC: 0.99 (8-1)	Vert LL: 0.3 in	L/913	(6-7)	L/180
BCLL: 0	Rep Mbr: No	Web: 0.41 (3-8)	Horz TL: 0.15 in		5	
BCDL: 5	Lumber D.O.L.: 125 %					

Reaction	JT	Brj Combo	Brj Width	Rqd Brj Width	Max React	Max Grv Uplift	Max MWFRS Uplift	Max C&C Uplift	Max Uplift	Max Horiz
	1	1	5.5 in	3.91 in	2,492 lbs		-880 lbs	-789 lbs	-880 lbs	22 lbs
	5	1	5.5 in	3.91 in	2,492 lbs		-880 lbs	-789 lbs	-880 lbs	

Material

TC: SPF #2 2 x 6
BC: SPF 1650/1.5 2 x 4
Web: SPF #2 2 x 4

Bracing

TC: Purlins at 24" OC, Purlin design by Others.
BC: Sheathed or Purlins at 5-6-0, Purlin design by Others.

Loads

- 1) This truss has been designed for the effects of balanced (29.1 psf) and unbalanced sloped roof snow loads in accordance with ASCE7 - 05 with the following user defined input: 55 psf GSL, Terrain C, Exposure (C_e = 1.0), Building Category I (I = 0.80), Thermal (C_t = 1.10), DOL = 1.15. Ventilated. Unobstructed slippery surface. If the roof configuration differs from hip/gable, Building Designer shall verify snow loads.
- 2) This truss has been designed for the effects of wind loads in accordance with ASCE7 - 05 with the following user defined input: 115 mph, Exposure C, Enclosed, Gable/Hip, Building Category I (I = 0.87), h = 15 ft, Not End Zone Truss, Both end webs considered. DOL = 1.60
- 3) This truss has been designed for the effects of TC LL = 20 psf.
- 4) Minimum storage attic loading has not been applied in accordance with IBC 1607.1
- 5) In accordance with IBC 1607.1, minimum BCLL's do not apply.
- 6) This truss is designed as an agricultural truss which for the purposes of this program is defined as a structure that represents a low hazard to people and property. See BCSI-10 for installation and temporary bracing.

Member Forces

Table indicates: Member ID, max CSI, max axial force, (max compr. force if different from max axial force). Only forces greater than 300lbs are shown in this table.

TC	1-2	0.644	-5,591 lbs	3-4	0.940	-4,622 lbs								
	2-3	0.940	-4,622 lbs	4-5	0.644	-5,591 lbs								
BC	5-6	0.991	5,173 lbs	(-1,603 lbs)	6-8	0.674	2,991 lbs	(-997 lbs)	8-1	0.991	5,173 lbs	(-1,603 lbs)		
Web	2-8	0.249	-1,424 lbs	3-8	0.406	1,635 lbs	(-361 lbs)	3-6	0.406	1,635 lbs	(-361 lbs)	4-6	0.249	-1,424 lbs

Notes

- 1) Unless noted otherwise, do not cut or alter any truss member or plate without prior approval from a Professional Engineer.
- 2) Building Designer shall verify self weight of the truss and other dead load materials do not exceed TCDL 5 psf.
- 3) Building Designer shall verify self weight of the truss and other dead load materials do not exceed BCDL 5 psf.
- 4) Design assumes 2x (vertical orientation) purlins are adequately attached to the side of TC & BC therefore sheathing is attached to the TC & BC resulting in a sheathed condition.
- 5) Brace bottom chord with approved sheathing or purlins per Bracing Summary.
- 6) Lateral bracing shown is for illustration purposes only and may be placed on either edge of truss member.
- 7) A creep factor of 1.50 has been applied for this truss analysis.
- 8) Listed wind uplift reactions based on MWFRS & C&C loading.

ALL PERSONS FABRICATING, HANDLING, ERECTING OR INSTALLING ANY TRUSS BASED UPON THIS TRUSS DESIGN DRAWING ARE INSTRUCTED TO REFER TO ALL OF THE INSTRUCTIONS, LIMITATIONS AND QUALIFICATIONS SET FORTH IN THE EAGLE METAL PRODUCTS DESIGN NOTES ISSUED WITH THIS DESIGN AND AVAILABLE FROM EAGLE UPON REQUEST. DESIGN VALID ONLY WHEN EAGLE METAL CONNECTORS ARE USED.

TrueBuild® Truss Software V5.6.375
Eagle Metal Products

1146391 0003/0003



5167 BAYVIEW ROAD
HAMMURG, NY 14075
Phone: (716) 446-7740
email: cvalra38@earthlink.net
WEB SITE: WWW.CVJARCH.COM



Registered Professional Engineer
No. 13000
State of New York
Professional Seal of Robert Duval
Architectural Firm No. 13000

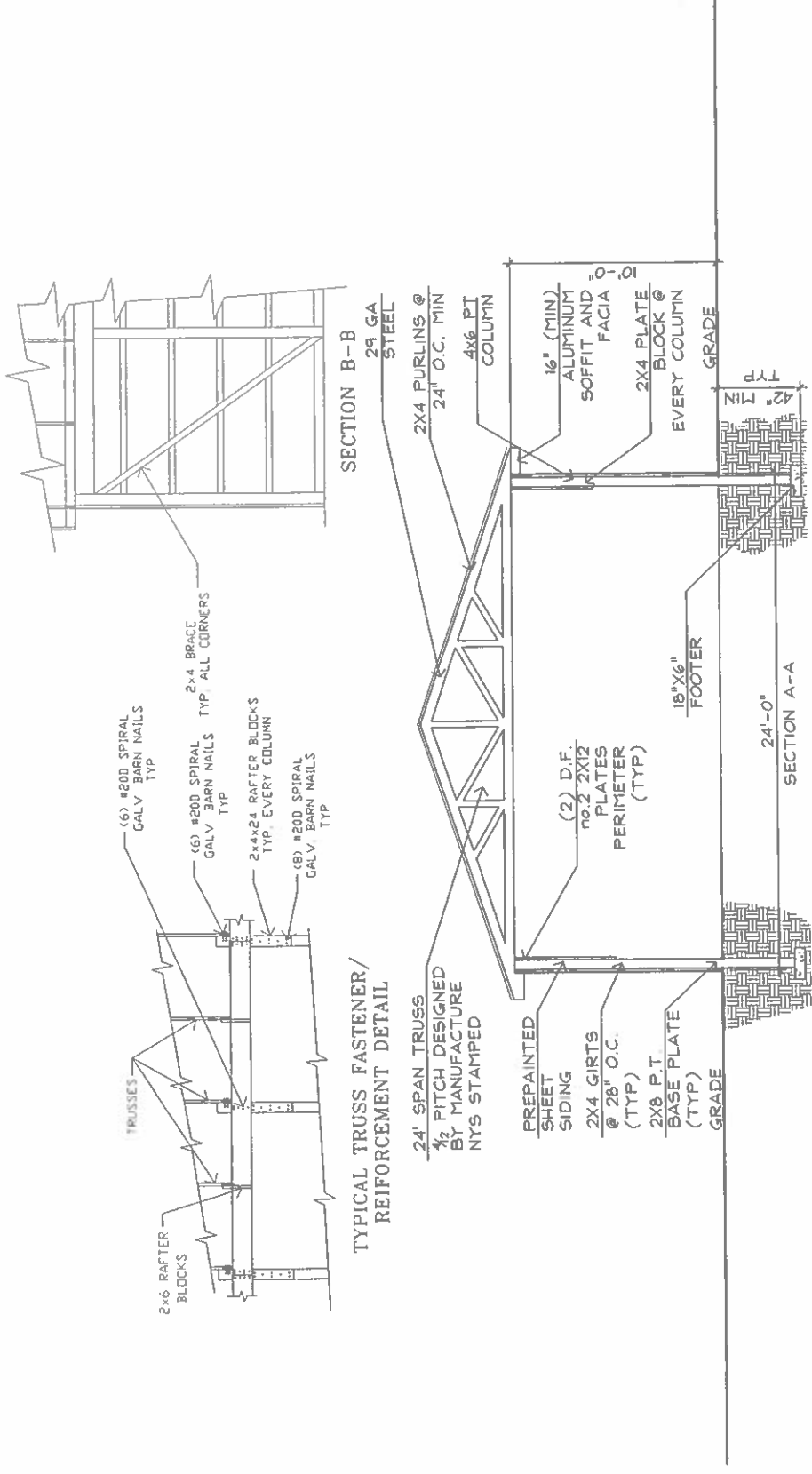


NEW POLE BUILDING FOR
ROBERT DUVAL
1183 GREENFIELD DRIVE
ALDEN, NY 14004

ISSUE	DATE	BY
ISSUE DATE	4/16/2025	
FILE NAME	Z300-H05 1183 Greenfield Drive	Z300
PROJECT NUMBER:		Z300
SCALE:		3/16"=1'-0"
DRAWN BY:		AMV
CHECKED BY:		ALL

BUILDING SECTION

A-101



TYPICAL TRUSS FASTENER/
REINFORCEMENT DETAIL



5167 BAYVIEW ROAD
 HAMBURG - NY 14075
 Phone: (716) 468-7740
 Email: cv3103@cv3arch.com
 WEB SITE: WWW.CV3ARCH.COM

Robert Duval
 State of New York
 No. 11404
 Registered Architect



NEW POLE BUILDING FOR:
 ROBERT DUVAL
 1183 GREENFIELD DRIVE
 ALDEN, NY 14004

ISSUE	
ISSUE DATE	4/14/2023
FILE NAME	ZD00_1403_1183 Greenfield Drive
PROJECT NUMBER	ZD00
SCALE	3/16"=1'-0"
DRAWN BY	AMV
CHECKED BY:	ALL

FLOOR PLANS

A-100

