

Action: _____ By: _____ On: _____ Fee: _____ Paid: _____

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note the parcel lines displayed are approximate

10920 Stage Road



Existing fence on 10920 Stage Road.

1. **§101-3(B)** - No fence in a residential area shall exceed six (6) feet in height over existing grade. The existing fence ranges in height between 6' and 7' in height from the existing grade.
2. **§101-3(C)(2)** - In residential districts: No fence over four (4) feet in height shall extend into the front yard of any lot. The existing fence that is extending into the front yard setback is 6' in height from the existing grade.
3. **§101-3(I)** - Enclosure shall be constructed so as to provide the non-climbable face (finished side) visible to neighboring properties. The existing fence has the posts facing the neighboring properties.



note the parcel lines displayed are approximate

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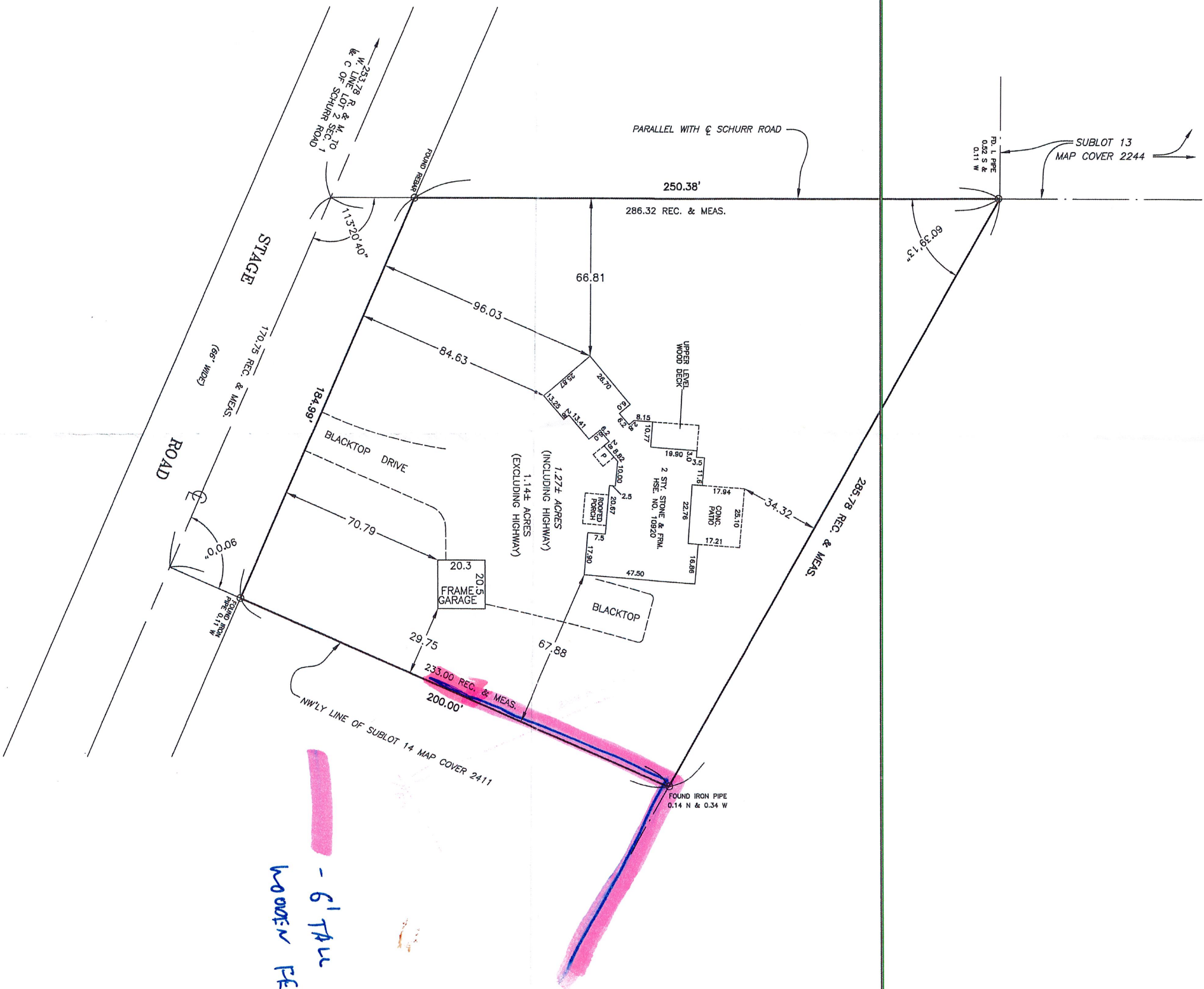
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NOTE: THIS SURVEY WAS PREPARED WITHOUT THE
REVIEW OF AN ASSISTANT OF TITLE
• SET ON EX. 5/17 REBAR



NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS
DOCUMENT IS A VIOLATION OF SECTION 2208 PROVISION 2
OF THE NEW YORK STATE EDUCATION LAW.

NOTE: REFER TO OTNEY & MILLER
JOB NO. 05-179 DATED 8/15/2017

DATE	REVISION/TYPE

FINAL SURVEY OF
PART OF LOT 2, SECTION 1, TOWNSHIP 12, RANGE 6
HOLLAND LAND SURVEY,
TOWN OF CLARENCE, ERIE COUNTY, NEW YORK

GPI
GPI ENGINEERING, LANDSCAPE
ARCHITECTURE & SURVEYING, LLP
ENGINEERING - SURVEYING - LANDSCAPE ARCHITECTURE
4850 GENESSEE STREET, SUITE 100
BUFFALO, NEW YORK 14226
(716) 633-4644 FAX 633-4640

Job No. 05-179-GPI Date: 9/27/2019
Scale: 1" = 30' TAX No. 72.00-4-10.32

Appeal No. 2

John Grieco
Residential Single Family

Requests the Board of Appeals approve and grant a 95' variance to allow for a 140' front yard setback for a proposed single family home located at 10920 Stage Road.

Appeal No. 2 is in variance to §229-52(A)(2). Established front yard setback line of 45'.

DISCUSSION:

John Grieco is present. There are two (2) neighbor notification forms on file. Mr. Grieco said he is looking for more privacy than his original house had. His original house was hit by lightning a few years ago. He purchased the property behind him so he has an additional four (4) acres. He is looking to build a ranch house with a loft and a half walk-out basement. Josh Best is the architect and is present. Mr. Best said this would be a single-family ranch with more room than what they currently have, but on a smaller footprint.

Mr. Mills noted that with purchase of the additional 4 acres Mr. Grieco now has about 5.5 acres. Mr. Mills asked if there are any other plans the Board can review at this time. The anticipated square footage is 2500. Mr. Mills asked if the site has to be graded to achieve the walk-out. Mr. Best said there is a change in elevation of 10' over the entire property, he is working with the civil engineer to establish a drainage plan that will work better. There is a 5' grade change in the immediate area where they want to build the house. Mr. Best said yes the site would have to be graded. Mr. Mills asked if the applicant explored other locations. Mr. Grieco said he looked at putting it further back on the property but that would be a long driveway with a lot of plowing. Mr. Best said they feel the proposed location is the best especially with demoing the existing house, this provides more places to work and helps them regrade it properly. The foundation will be completely removed from the existing structure. Mr. Mills said his concern is keeping it in-line with the other homes in the area. He asked if the applicant can provide evidence that there are other homes that are setback on either Stage Road or nearby roads. Mr. Grieco said there are other homes setback on Stage Road, Mr. Best said there are several on Ransom Road. If Stage Road is ever widened it would be desirable to have the house further setback now.

Chairman Michnik asked if the additional property that Mr. Grieco purchased is in the floodplain. Mr. Grieco said no it is not. The property was marked with stakes. Chairman Michnik said when he walked the property it did not seem big enough for a 2500 square foot house. Mr. Best submitted a new survey and said this survey is accurate, they rotated the house with the same angle as the existing structure which provides more room as the land "pies" out towards the rear. Mr. Grieco would like to get started on the project ASAP. Mr. Best said they have had soil tests done. GPI is doing the civil engineering and the applicant is currently obtaining bids from contractors. The barn will remain.

Mr. D'Amato asked if the applicant would consider anything other than a 140' setback. Mr. Best said they are flexible but they felt that since the proposed house is a wider footprint than the existing home, if it were any closer to the road it would encroach on the neighbor's privacy. The neighbors were actually in support of pushing the house back as far as possible to obtain separation and privacy. The applicant plans on heavily planting and buffering the edges of the property. Mr. D'Amato voiced his concern with granting a setback

ZBA
mtg
3-8-16

which is way more than the neighborhood is currently supporting. Mr. Best said this is a unique opportunity where there is unusable property in the rear as far as access, thus this property can support this type of setback. Mr. Grieco said instead of being closer to the road he would want to be further back.

Mr. Mills asked if the applicant would allow a condition, if approved, which states no other principle residence structures can be put on either parcel. Mr. Best said yes, the applicant is looking to raise a family here, no open land development, just a single family residence.

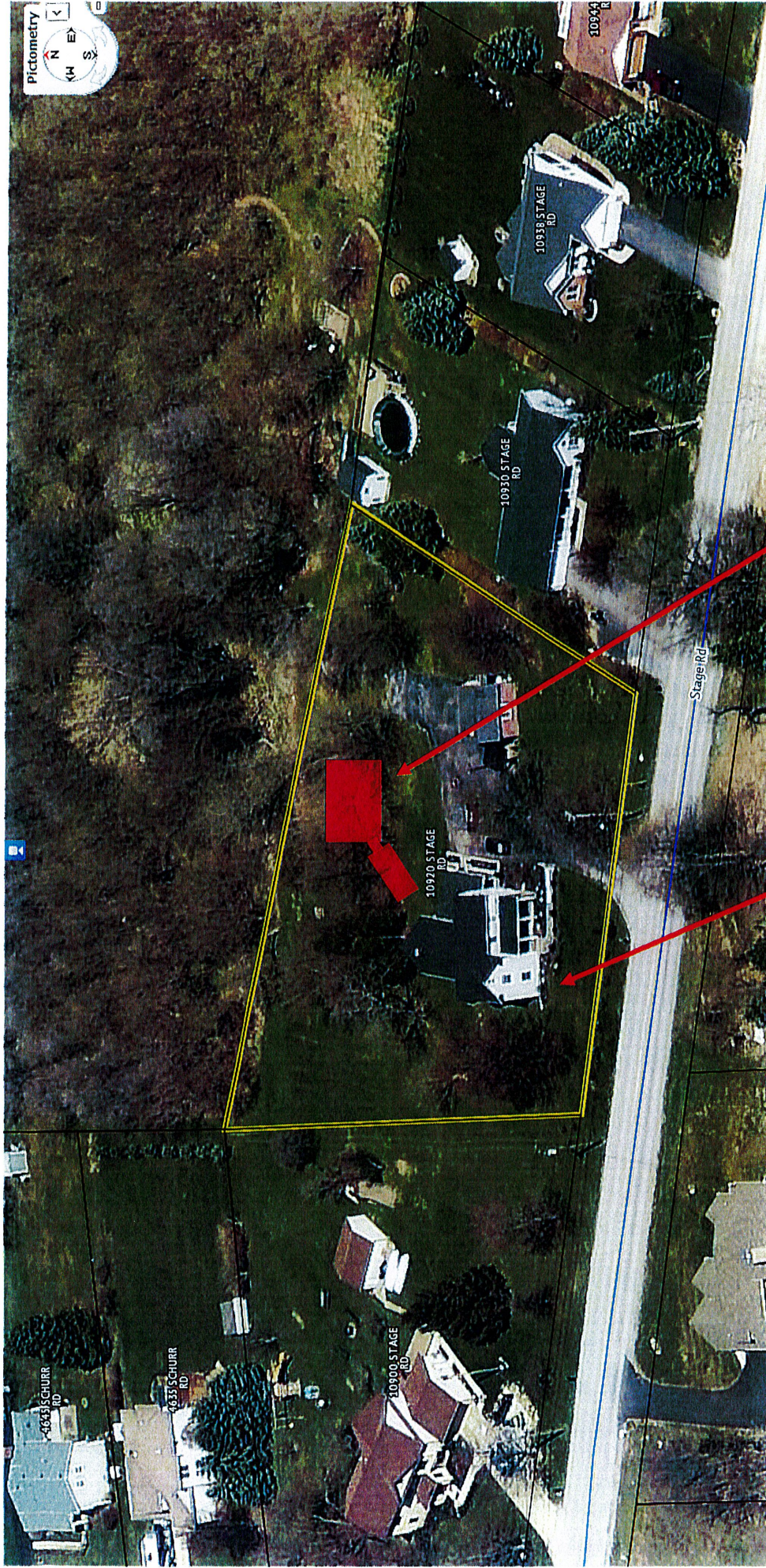
ACTION:

Motion by Ryan Mills, seconded by Daniel Michnik, to **approve** Appeal No. 2 as written with the condition that the applicant not construct any other residential or commercial residence on either the current parcel he owns or the additional 4-acre rear parcel to the north that he purchased.

Richard McNamara Aye
Ryan Mills Aye

David D'Amato Aye
Daniel Michnik Aye

MOTION CARRIED.



* note the parcel lines displayed are approximate

10920 Stage Road



3/8/16 ZSA

Existing home proposed for demolition.
*30' front yard setback

Proposed 140' front yard setback.
*established setback of 45'



Grieco Residence 3/8/16 ZBA
10920 Stage Road
Clarence, NY 14031

PROPOSED
SITE PLAN

[illegible]



Date:

10/10/2025

Received By:

A. Schaefer

APPLICANT REQUEST:

Project Address: 5925 KILKENNY MANOR

SBL #: 44.17 - 4 - 19

Action Desired:

VARIANCE FOR INGROUND POOL INSTALLATION

Reason: WE WOULD LIKE TO INSTALL AN INGROUND POOL. ALTHOUGH THE STRUCTURE OF THE POOL IS SET WITHIN THE 45' SETBACK LOT REQ'TS, THE STRUCTURE IS NOT CONTAINED WITHIN THE LIMITS OF THE HOUSE ITSELF. WE ARE LOCATED ON A CORNER LOT IN THE WATERFORD SUBDIVISION.

CONTACT INFO:

APPLICANT INFO

Name / Business:

GREG DUELL

E-Mail:

Phone #:

Address:

Town:

SIGNATURE

Request for Action shall be filled out completely in the spaces provided. The complete Request for Action shall be submitted to the Office of Planning and Zoning along with all necessary plans, maps, and supporting documentation. By signing below I certify that I have the authority to submit this Request for Action, and further certify its contents to be true and correct.

Signed:

PROJECT SPONSOR INFO (If Different Than Applicant)

Name / Business:

E-Mail:

Phone #:

Address:

Town:

State:

Zip:

CORRESPONDENCE

Please indicate the preferred entity that shall receive the appropriate correspondence and billing associated with this Request for Action.
Please select only one.

Applicant

Project Sponsor

Town Use Only:

Action: _____ By: _____ On: _____ Fee: _____ Paid: _____

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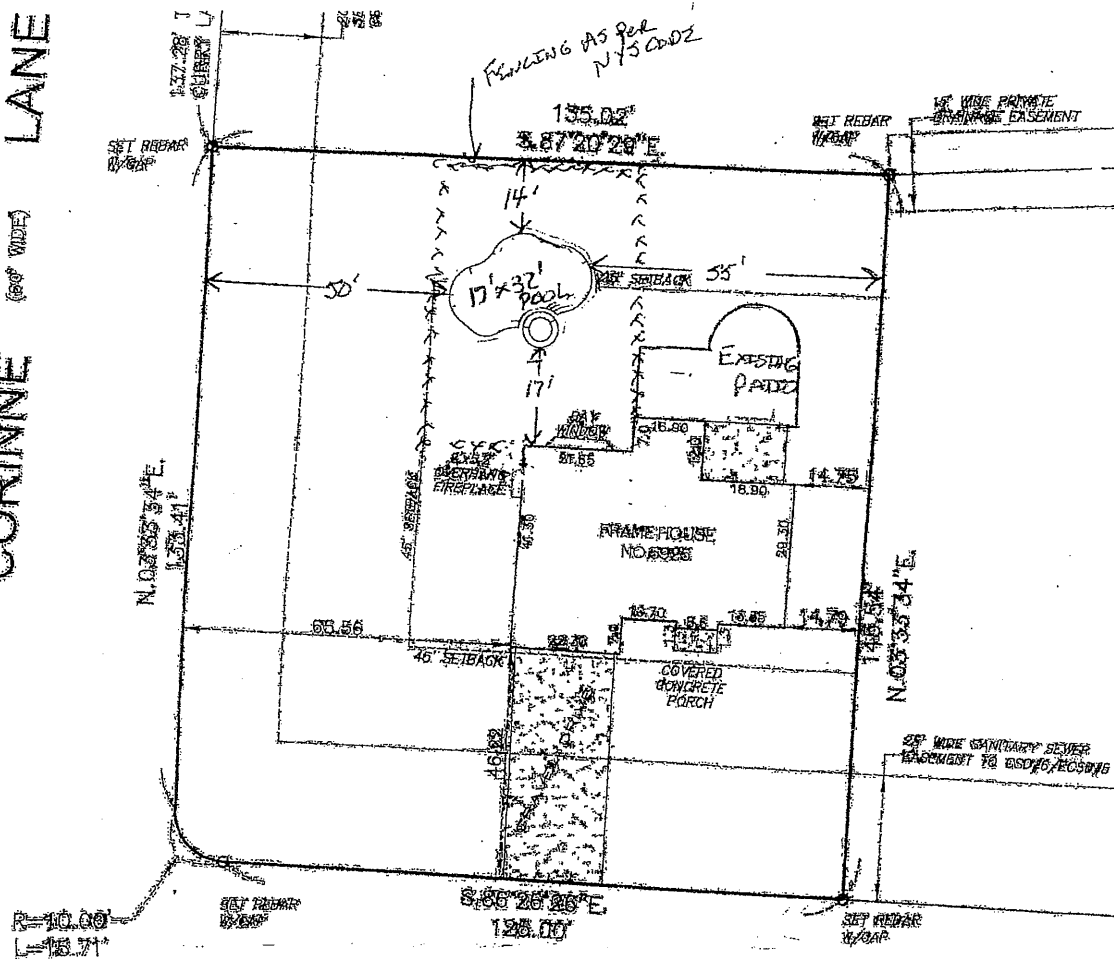
5925 Kilkenny Manor



Proposed location of a swimming pool. Swimming pools shall not be located in the front yard.

Note: A corner lot shall be considered to have two front yards from the public road right-of-way to the closest point of the principal structure.

CORINNE (60' WIDE) LANE



KILKENNY (60' WIDE) MANOR

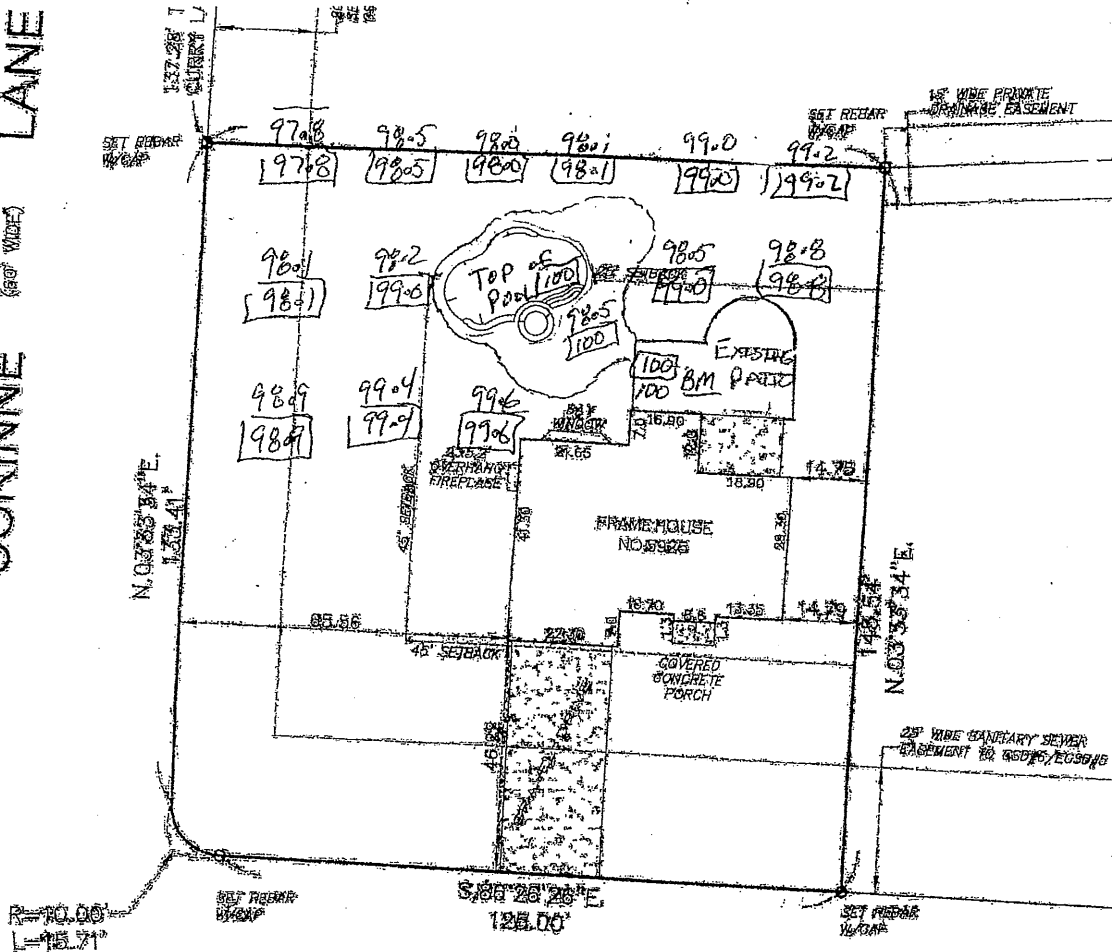
NOTES TO BE OBSERVED BY THE OWNER OF THE PROPERTY

1. THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE SURVEYING BOARD OF THE STATE OF NEW YORK.

2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE SURVEYING BOARD OF THE STATE OF NEW YORK.

PARCELS OF LAND OWNED BY THE SURVEYOR		SECTION 16	TOWNSHIP 42	RANGE 8
MAP COVERED BY THIS SURVEY		100.00 AC.		
LOCATED IN CANTON OF ALBANY, COUNTY OF ALBANY, STATE OF NEW YORK				
DATE	DRAWING REVISIONS			
01/05/00	FOUNDATION LOCATION			
06/05/00	RESURVEYED			
WARRANTY THE SURVEYOR WARRANTS THAT THE SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE SURVEYING BOARD OF THE STATE OF NEW YORK. SCALE: 1" = 40' DATE: 06/05/00 BY: [Signature]				
W. W. SCHUTT ASSOCIATES 67 CENTRAL AVE. LANCASTER, NY 14086-2143 PH: 716-683-0991 FAX: 716-683-0189 WWW.WWSCHUTT.COM				

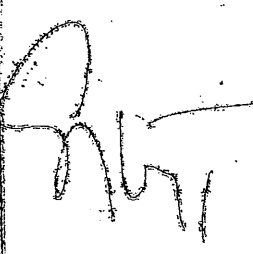
CORINNE LANE (60' WIDE)



KILKENNY (60' WIDE) MANOR

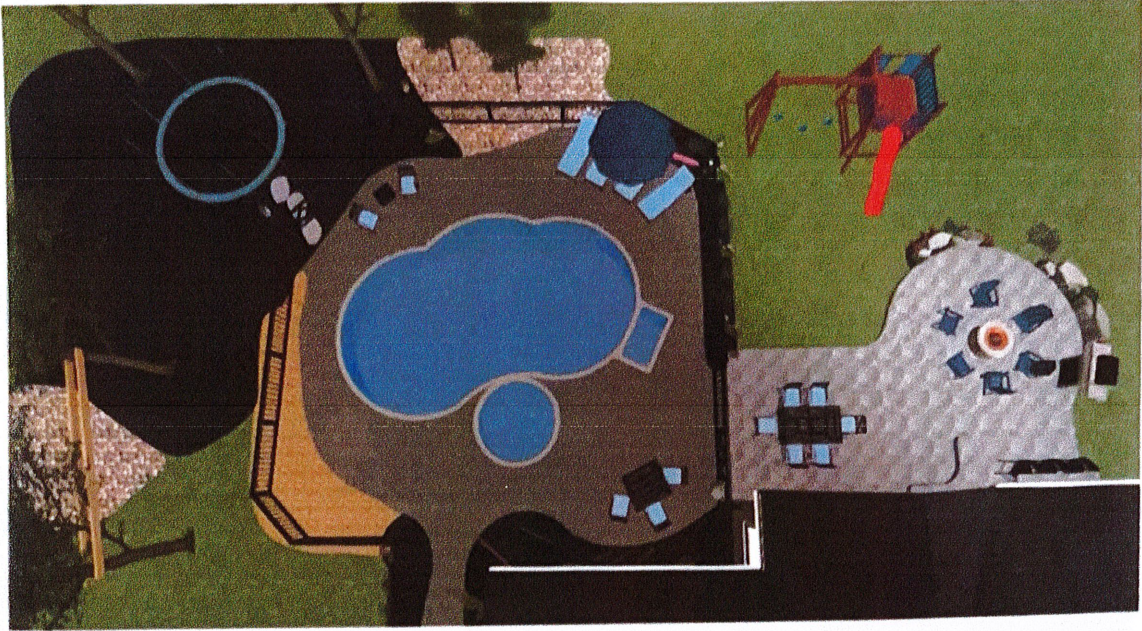
ALL MEASUREMENTS TAKEN TO THE TOP OF FOUNDATION
 ONLY BOUNDARIES SHOWN ARE THE SURVEYOR'S MEASUREMENTS
 AND NOT THE PROPERTY LINES OR EASEMENTS THEREON
 NO WARRANTY IS MADE BY THE SURVEYOR AS TO THE ACCURACY OF THE INFORMATION

THIS SURVEY WAS CONDUCTED WITHOUT THE PRESENCE OF
 AN OFFICIAL OF THE STATE OF NEW YORK
 AND IT IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS DESIGNED

	PART OF LOT 8 HOLLAND AND COMPANY'S SURVEY		SECTION 11	TOWNSHIP 42	RANGE 8	
	WATERGATE BAY		SUBJECT: 112	SHEET		
	LOCATED IN: TOWNSHIP OF WARREN COUNTY OF THE STATE OF NEW YORK					
	DATE	REVISIONS				
	PROPERTY	FOUNDATION LOCATION				
CREATED	RECORDED					
WARNING: ANY REVISIONS TO THIS SURVEY MUST BE MADE IN WRITING AND SIGNED BY THE SURVEYOR. ANY REVISIONS NOT SO MADE ARE VOID. THIS SURVEY IS A VIOLATION OF THE SURVEYING AND MAPPING ACT OF THE STATE OF NEW YORK.						
SCALE: 1" = 50'		DATE: 08/12/16		SURVEYOR: W. SCHUTT		

W. SCHUTT ASSOCIATES

37 CENTRAL AVE.
 LANCASTER, NY 14086-2145
 TEL 716-682-5581
 FAX 716-682-0159
 WWW.WSCHUTT.COM



[illegible]

[illegible]

Appendix A

Reasoning for Change of Use Request

****Property Address:**** 9678 Main Street, Clarence, NY 14031

****Owner:**** Milidami LLC

****Current Zoning/Use:**** Mixed Use (Residential + Limited Commercial)

****Requested Change:**** Convert the commercial unit to residential use (two-family residential)

Background

The property at 9678 Main Street consists of two duplex-style buildings and a detached four-car garage. Each building contains two units. The rear building has always been entirely residential and has been grandfathered as such since its original construction. The front building currently includes one residential apartment and one commercial unit that has been used for a small pet grooming business.

The tenant who operated that pet grooming business also lived in the adjacent residential apartment. She is now relocating out of state (to Texas), which presents an opportunity to reassess the best long-term and most appropriate use of the property.

Proposed Change

The proposal is to convert the existing commercial space within the front building into a residential apartment, thereby making both buildings fully residential—a total of four dwelling units across the property.

Justification and Reasoning

1. Original Intended Use and Property Layout:

The property was originally designed and built for residential purposes, with both structures and the detached four-car garage supporting that use. The small pet grooming business operated quietly and on a very limited scale by the tenant who lived there, which caused minimal traffic and disruption. With her departure, introducing a new and potentially more active business use could significantly alter the calm residential character and dynamic of the property.

2. Neighborhood Compatibility:

The site is located immediately adjacent to Spalding Lake Drive, a well-established and quiet residential neighborhood. A full residential conversion would ensure that the property remains in harmony with its surroundings, eliminating commercial activity and traffic that are inconsistent with the area's residential nature.

Appendix A

3. Traffic and Safety Considerations:

The driveway for 9678 Main Street is located almost directly beside the turn onto Spalding Lake Drive, with very little separation between the two entrances. This close proximity creates a potentially hazardous situation if commercial traffic were to increase—especially with customers entering and exiting throughout the day. Converting the property fully to residential use would reduce vehicle volume and turning movements in this sensitive area, improving safety and maintaining smoother traffic flow along Main Street.

4. Cohesive Living Environment:

Having all units as residential will create a more uniform and cohesive community environment. It simplifies property management, enhances privacy and security for tenants, and improves the overall living experience by eliminating mixed-use conflicts.

5. Sufficient Nearby Commercial Availability:

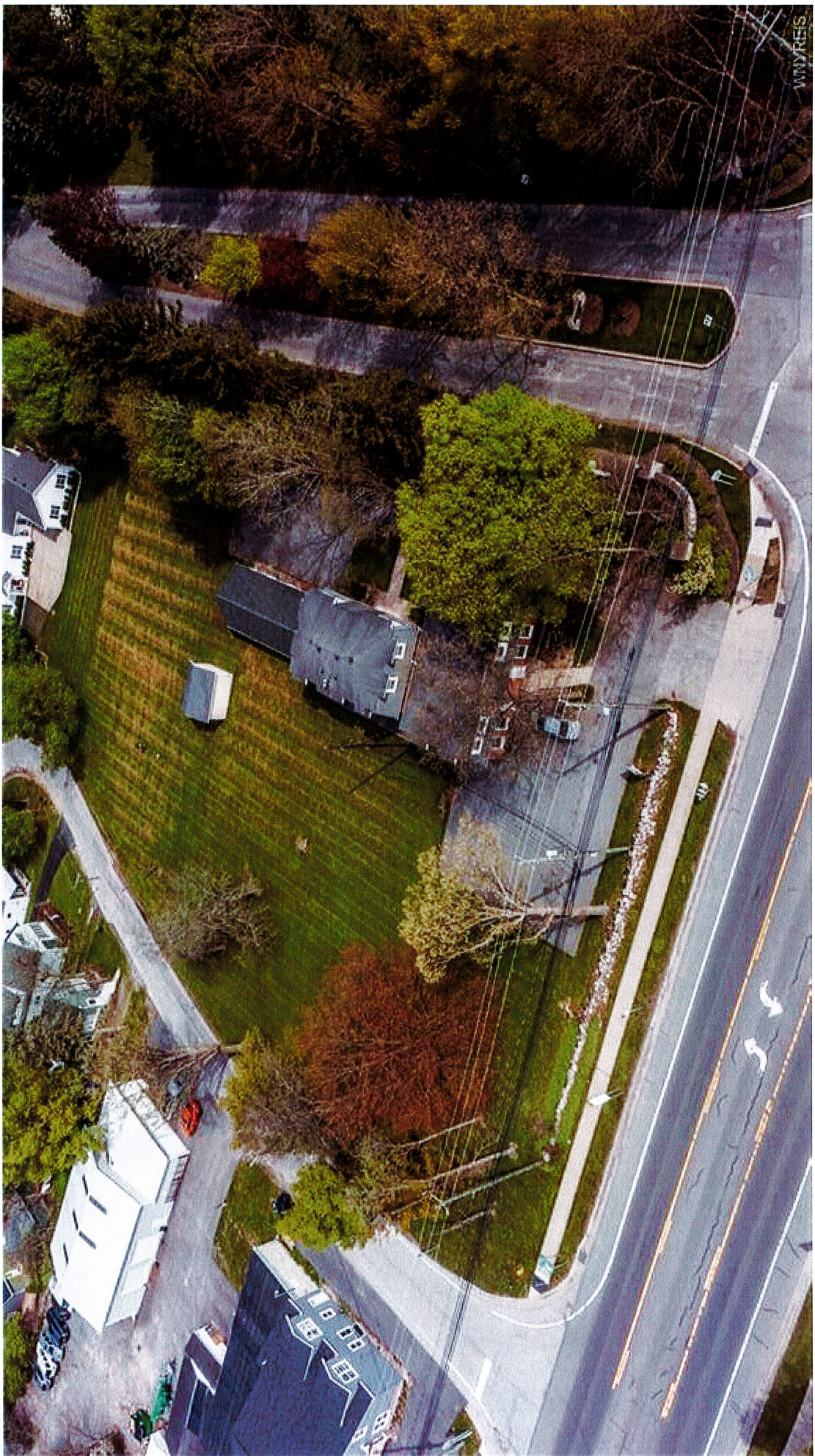
Main Street already features numerous established commercial properties and retail operations. Converting this single, small commercial space back to residential use will not negatively affect the commercial balance of the corridor. Instead, it will strengthen the residential fabric of this particular portion of Main Street.

6. Property Appearance and Maintenance:

The property has been consistently well-maintained, with a neat and clean appearance that complements the surrounding homes. A full residential conversion will allow for continued upkeep and investment without the variability or uncertainty associated with commercial tenants.

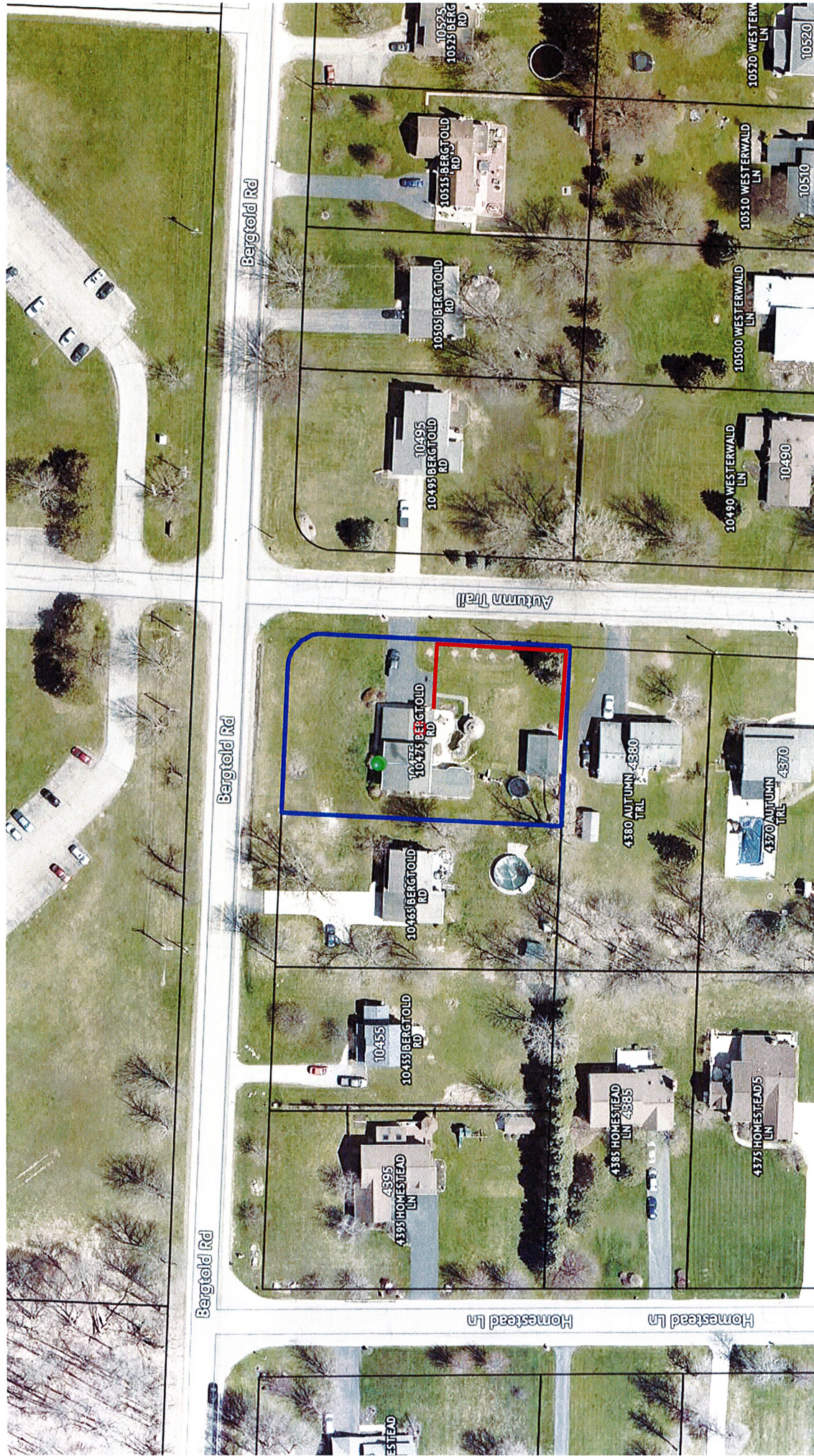
Conclusion

Converting the front building's commercial unit into a residential apartment will restore the property to its original intended residential use, improve neighborhood compatibility, reduce traffic and safety risks near the Spalding Lake Drive intersection, and enhance overall livability. It will maintain the quiet and orderly character of the area, provide stable long-term housing, and ensure the property continues to be a positive presence along Main Street.





[illegible]



note the parcel lines displayed are approximate

Proposed 4'6" fence located within front yard. The maximum allowed height for a fence extending into the front yard is 4'. A 6" variance is requested.

Note: A corner lot shall be considered to have two front yards from the public road right-of-way to the closest point of the principal structure.



10475 Bergtold Road

Proposed 4'6" fence located within front yard. The maximum allowed height for a fence extending into the front yard is 4'. A 6" variance is requested.

BERGTOLD

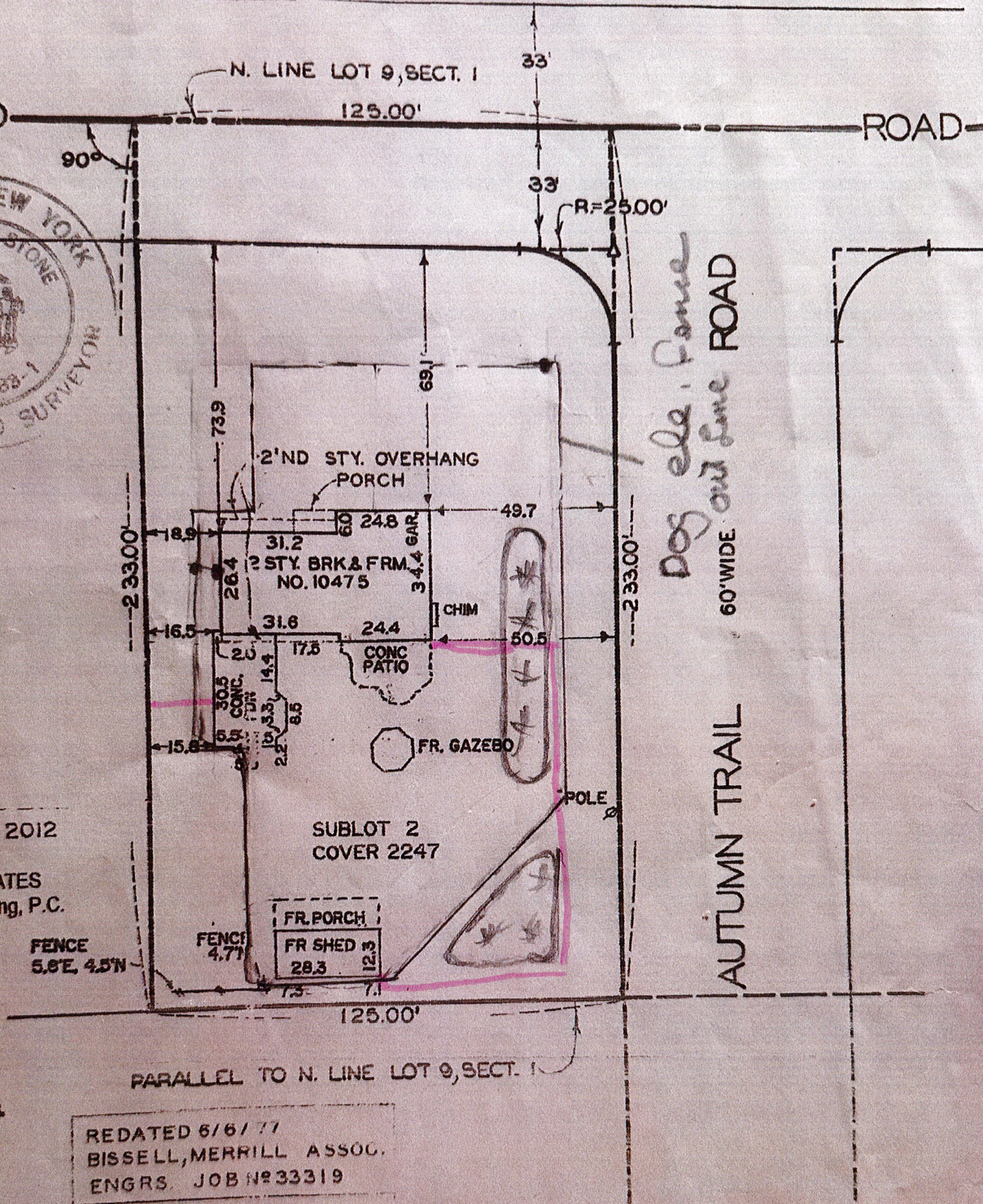
ROAD



RESURVEYED NOV. 27, 2012
JOB NO. 56168 DC
BISSELL, STONE ASSOCIATES
Engineering & Land Surveying, P.C.

REDATED 7/15/71
JOB NO. 27452
BISSELL, MERRILL &
ASSOC., ENGRS.

REDATED 6/6/77
BISSELL, MERRILL ASSOC.
ENGRS. JOB NO. 33319



Dog eared fence
60' WIDE
AUTUMN TRAIL ROAD

SURVEY OF

PART OF LOT 9, SECT. 1

T. 12 R. 6
HOLLAND LAND COMPANY
TOWN OF CLARENCE

ERIE CO., N. Y.

RLW

REDATED

6-20-66	24230
11/12/68	JOB 24689

BISSELL, BRONKIE & ASSOCIATES, ENGINEER
CONSULTING ENGINEERS AND SURVEYORS
WILLIAMSVILLE, N. Y.

AMHERST



CLARENCE

DATE 5/25/67 JOB NO. 23032

FIELD BOOK 208-39 SCALE 1" = 40'



Application for Fence Permit

Town of Clarence, New York

Date: 10/22/25Received by: S. LEISING

Fee: _____

Property Owner Name: _____ Phone: _____

Property Address: 10475 Bergtold Rd

Property Owner E-Mail Address: _____

Applicant (if not Property Owner): _____ Phone: _____

Description Proposed Fencing: Fence in backyard for child safety - Miller fence
Ornamental Aluminum

Application Checklist:

Copy of property survey (estimated location of new fence sketched on survey) ✓Copy of quote/sketch from fence installer (if applicable) ✓

Private/Public Drainage Easement Agreement signed by property owner (if applicable) _____

4 ft 6 in
Height

Application Conditions:

Fence must be wholly located on owner's property ✓Good, non-climbable side must face out ✓Fence shall not exceed 6' above existing average grade in the side/rear yard, 4' in front yard ✓Owner/Applicant must notify Office of Planning & Zoning once fence is installed and allow **Final Inspection** _____

Additional Conditions: _____

By signing below, I certify that the above application conditions are true and correct and that I have authority to apply for a fence permit on this property. I further understand and agree that any existing deed or Home Owner Association restrictions may further control fence standards. Furthermore, I have read and agree with the Fence Code Regulations and accept the terms and conditions as outlined within this Fence Permit Application.

[Signature]
Signature of Property Owner

Town Use Only:

Action: _____ By: _____ Date: _____

Final Inspection: _____ Date: _____

Signature

Receipt is hereby acknowledged in the sum of \$ _____ being the permit fee established by the Town Board of the Town of Clarence and which permit is issued subject to the terms and conditions contained in the application and specifications therewith.

Town Clerk: _____

Date Issued: _____

Method of Payment: _____

Permit #: _____

Copy to applicant on ____/____/____ (via-circle one) E-mail / In Person by: _____

Ford Fence

Adam Ford
Owner/Operator
4870 West Ave
Clarence, NY 14031

PHONE: 716 982 5387
EMAIL: Adam@FordFenceLLC.com
WEB: FordFenceLLC.com

NAME: [REDACTED] ADDRESS: 10475 Bengtson CITY: Clarence ZIP: 14031
DATE: 7/20/25 PHONE: [REDACTED] EMAIL: [REDACTED]

FOOTAGE: 129'

HEIGHT: 59"

MATERIAL: [REDACTED]

POSTS:

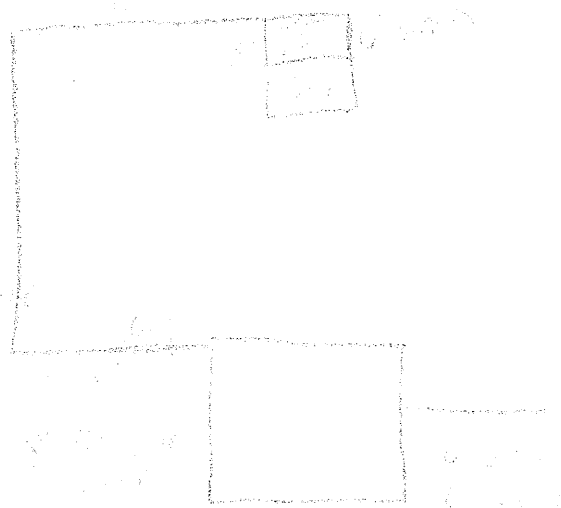
GATES: 6' x 8'

STYLE: [REDACTED]

TEAR DOWN: No

HAUL AWAY: No

SPECIAL INSTRUCTIONS:



JOB TOTAL: \$11,350

DEPOSIT: \$3,000

BALANCE DUE: \$8,350

Dirt/spoils to remain on site. An extra charge will be considered to move dirt to a specific location. A signature is signifying legally binding contract. If contract is not paid within 30 days of completion a 1.5% charge per month will be applied to remaining balance. we assume no liability for unmarked utilities including but not limited to drains, sprinkler, personal electric lines. The customer has an unconditional right cancel contract until midnight of the third business day after contract was signed. Cancellations must be done in writing. All credit card payments will incur a 5% additional fee. Final payment is due upon completion of job. Estimates good for 90 days

HOMEOWNER SIGNATURE: [REDACTED] DATE: 7/20/25