

note the parcel lines displayed are approximate

5331 Greenhurst Road



Applicant is requesting relief from Condition No. 2 of the May 13, 2025 Zoning Board approval. Condition No. 2 stated: "The front façade is to utilize brick to match the existing home."

Previously approved, and already constructed, attached accessory structure (garage) addition that has a front façade finished with vinyl siding.

The applicant received approval from the Zoning Board of Appeals on May 13, 2025 to construct an attached accessory structure (garage) within the allowable principal structure side yard setback.

RECEIVED

MAR 4 2026

ZONING OFFICE

Mark & Sherry Dunlap
5331 Greenhurst Road
Williamsville, NY 14221

Town of Clarence Zoning Department
One Town Place
Clarence NY 14031
Attention: Jonathan C. Bleuer
CC: Andrew Schaefer
Jesse Gilbert

Dear Sirs:

I am writing regarding the variance granted by the Board in the meeting on May 13, 2025. The original plan, which the Board approved, was to re-use the bricks salvaged in the demolition of the South wall of the existing structure.

As the project progressed, it rapidly became apparent that the cost associated with the reuse of the existing brick was going to be cost prohibitive. The estimate received was in the \$15,000 to \$20,000 range.

We simply could not afford to add that to the project, as our Home Equity line was already 100% committed to the project. My wife and I are both retired, and on fixed incomes, and finding another \$20,000 was outside of our means. We made the decision to wrap the vinyl siding around the front. Aesthetically, it looks great, as it kind of provides a visual demarcation between the house and the garage / addition.

When Jesse came to do the final inspection, everything inside the addition passed. The remaining work to be done involves concrete work, which is weather dependent, and finishing the garage. Jesse noted the missing brick on the front, and suggested we consult the Board about how to proceed.

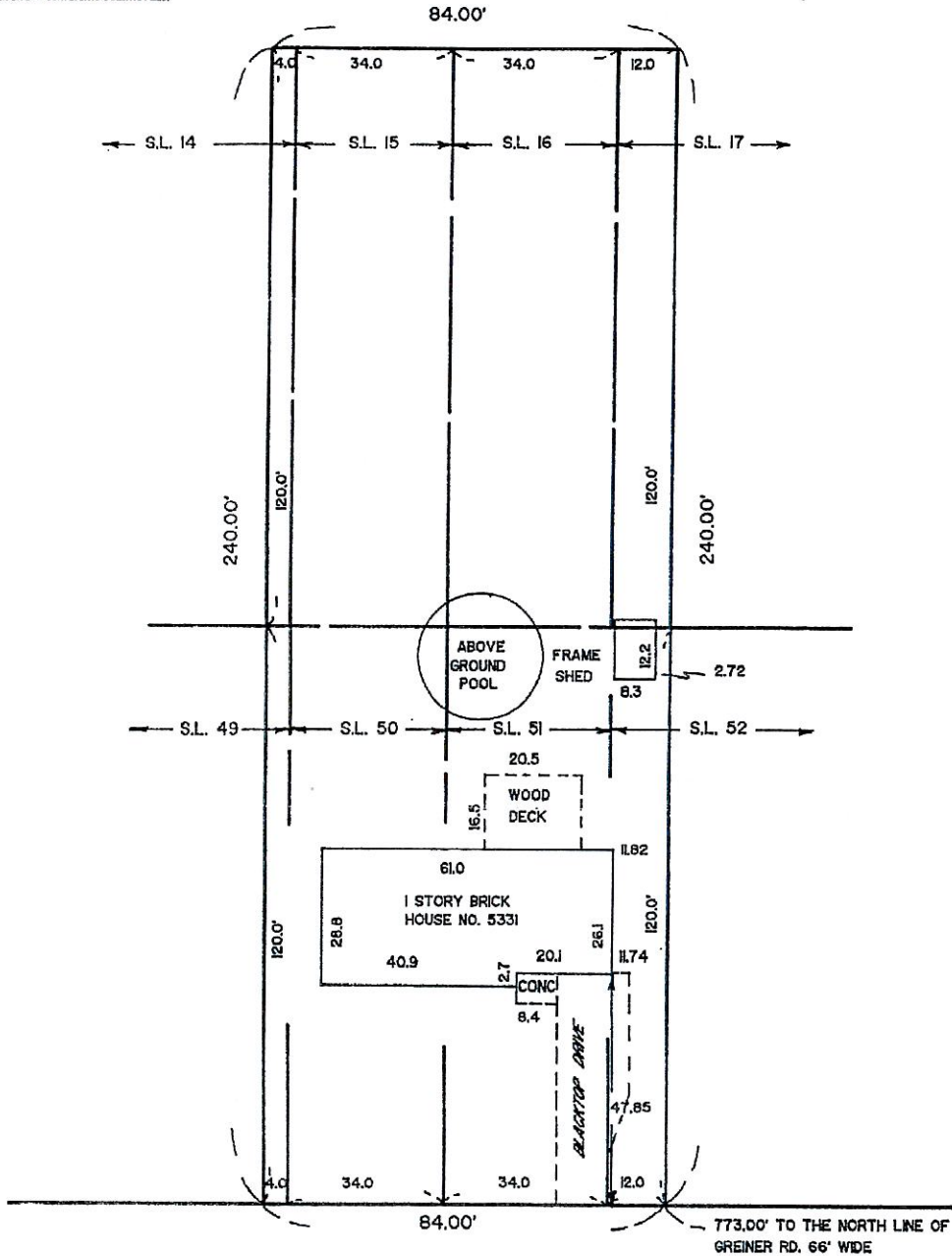
Please let me know how we can proceed. I am attaching a photo of the front of the house for your consideration. I am including my cell number below if there are questions.

Thanks in advance,
Mark Dunlap
[REDACTED]



Copy of Survey not including garage addition from 5/13/2025 meeting

NOTE: IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR TO ALTER, IN ANY WAY, ANY PLANS, SPECIFICATIONS, PLATS OR REPORTS TO WHICH THE SEAL OF A PROFESSIONAL ENGINEER OR LAND SURVEYOR HAS BEEN APPLIED.



GREENHURST (50' WIDE) AVENUE
(ORCHARD AVE.) (GREENHURST RD.)

NOTE: THIS SURVEY MAP IS VALID ONLY FOR THE DATED INTENT. MAP IS NOT VALID AND VOIDS ALL LIABILITY WITH UNAUTHORIZED REPRODUCTION, ALTERATION AND/OR ADDITION TO THIS SURVEY MAP. IT IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UPDATED ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.



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PO Box 182 • Sanborn, NY 14132

Niagara County (716) 731-4080
Erie County (716) 854-6338 > Fax (716) 731-4499

Successor to the Records of:

- Newton Land Surveying Est. 1995
- Wilson, M.F. Est. 1989
- Newton, W.J. Est. 1960
- Poyer, F.J. Est. 1956
- Richards, E.S. Est. 1955
- Basinski, I.S. Est. 1950
- Devlin, J. Est. 1945
- Kuster, A.S. Est. 1922
- Houliston, G. Est. 1904

Residential & Commercial
Licensed in the State of New York and Florida

Paul H. ...

THIS MAP VOID UNLESS EMBOSSED WITH NYSPLS SEAL 49969

TOWN OF CLARENCE	COUNTY OF ERIE	NEW YORK
PART OF LOT 12	SEC. 14	TWP. 12
RANGE 6		
ALL OF SUBLOTS 15, 16, 50, & 51, THE S. 4.0' OF SUBLOTS 14, & 49, & N. 12.0' OF SUBLOTS 17 & 52 M.C. 1259		
SBL # 57.17-2-1	SCALE 1" = 30'	JOB # 2031018
		DATE: 10-20-03

Appeal No. 5

Mark Dunlap
Residential Single-Family

Applicant requests a variance of 7' to allow a 5'6" principal structure side yard setback located at 5331 Greenhurst Road

Town Code Reference:
§229-52(B)

DISCUSSION:

Paul Piowarski is present on behalf of Mark Dunlap to represent the project. Mr. Piowarski explained that the applicant would like to enlarge a current single-car garage to a two-car garage and a master suite.

Mr. Piowarski stated that there will still be almost 6 ft. to the adjacent property line, the addition does not look like an addition, but rather an extension of the existing home.

Mr. Piowarski added that due to recent medical reasons, Mr. Piowarski would like to be able to park both his and his wife's vehicles in the garage.

Chairman Mills asked Mr. Piowarski what his relationship is to the applicant.

Mr. Piowarski responded that he provided the architectural drawings for the applicant, Mr. Dunlap. Mr. Piowarski's address is 8 Anderson Place, Depew, New York.

Mr. Bleuer stated that there is a letter on file authorizing Mr. Piowarski to speak on Mr. Dunlap's behalf.

Mr. Krey asked if there is a way to achieve the same purpose by extending the garage straight back rather than adding on to the side.

Mr. Piowarski stated that the current garage is approximately 17 ft. and does not have room for 2 vehicles. It would not be feasible without encroaching on the front yard as well.

Mr. Dale asked if Mr. Piowarski knows what the south elevation would look like, which is the side that would face the neighbor.

Mr. Piowarski stated that it is a standard hip-style roof, aside from a window at the top of the tub, there are no windows currently planned for that side. Mr. Piowarski explained that he did not want to get in to too many expenses with the applicant before the variance was approved.

Mr. Dale stated that with moving the proposed structure 6 ft. closer to the neighbor, they need to see something in the way of elevations.

Mr. Piowarski added that he does not think the applicant would have any issues with adding a few windows to the proposed garage structure. There is a walk-in closet and a shower along that elevation as well.

Mr. Dale stated that he would like to see a few more windows added to break up the side.

Mr. Piowarski agreed.

Mr. McNamara asked if the overhang will be fire rated, due to the distance of less than 5 ft.

Mr. Piowarski stated that he would like to avoid having to do that, therefore he will agree to a condition of a 6 ft. side yard setback.

Mr. Drinkard noted that the property is very well kept and it appears that the house has a substantial amount of brick on it.

Mr. Drinkard asked if it is siding on the east elevation and brick on the west.

Mr. Piowarski responded that the house currently has brick, and he is hoping to salvage enough brick that once the large overhead door is installed to be able to fill in the void with the salvaged brick.

Regarding the south elevation, Chairman Mills asked if that would be vinyl siding, and if the Board made it a condition that two additional windows were added to the south wall, would that be agreeable.

Mr. Piowarski responded yes, that would not be a problem.

Chairman Mills noted that due to the lot size and the layout, there are not any other options.

Chairman Mills asked Mr. Piowarski if either him or the applicant have spoken to the neighbor at 5315 Greenhurst Road.

Mr. Piowarski stated that he believes Mr. Dunlap personally spoke with the neighbors regarding this proposed project, and the neighbor on the proposed garage side specifically had no issues and welcomes the betterment to the neighborhood.

Mr. Bleuer stated that Neighbor Notifications are on file, 5330 Vista Avenue, 5315, 5330 and 5337 Greenhurst Road, no comments received, but they also did not receive any objections.

Chairman Mills asked if the two sheds that are in the rear of the property will be staying.

Mr. Piowarski responded that Mr. Dunlap plans to move at least the one shed, due to the proximity of it to the proposed garage. It would remain on the same parcel.

Chairman Mills noted that there is currently brick along the south side, and asked what the plan is for it.

Mr. Piowarski responded that it will all be removed and used for the front façade of the proposed garage.

Chairman Mills asked if the Board placed a condition that the front façade is to be brick, would that be agreeable.

Mr. Piowarski responded yes.

Chairman Mills asked if there will be enough brick salvaged to do a quarter-height along the south elevation.

Mr. Piowarski responded that he is unsure. It is not as easy to salvage brick as it would seem, because of how it is tied in to the wall, specifically with older homes such as this one.

Chairman Mills asked Mr. Piowarski what he thinks from an aesthetic perspective.

Mr. Piowarski explained that possibly to the door as a wrap might be considered.

Regarding Public Participation, no one spoke.

Mr. Krey asked if the first variance is being amended from a 7 ft. variance to a 6 ft. variance.

Mr. Piowarski added that it should become a 6'6" variance.

Discussion continued.

ACTION:

Motion by Patrick Krey, seconded by Mr. McNamara to **approve** Appeal No. 5 with the following conditions:

The first variance request is amended to state of 6'6" to allow a 6' principal structure side yard setback.

1. Two or more windows to be added to the south side of the structure, in addition to the proposed bathroom window.
2. The front façade is to utilize brick to match the existing home.

ON THE QUESTION:

Mr. Bleuer asked for clarification of the condition no. 1 and asked if they wanted a total of two windows including the bathroom window or two additional windows.

Mr. Krey amended his motion to state two or more additional windows. Mr. McNamara amended his second to condition no. 1

Mr. Piowarski also asked to be sure on the west elevation where they are going to fill the void with brick and the south elevation is not going to be brick.

Chairman Mills confirmed Mr. Piowarski's question.

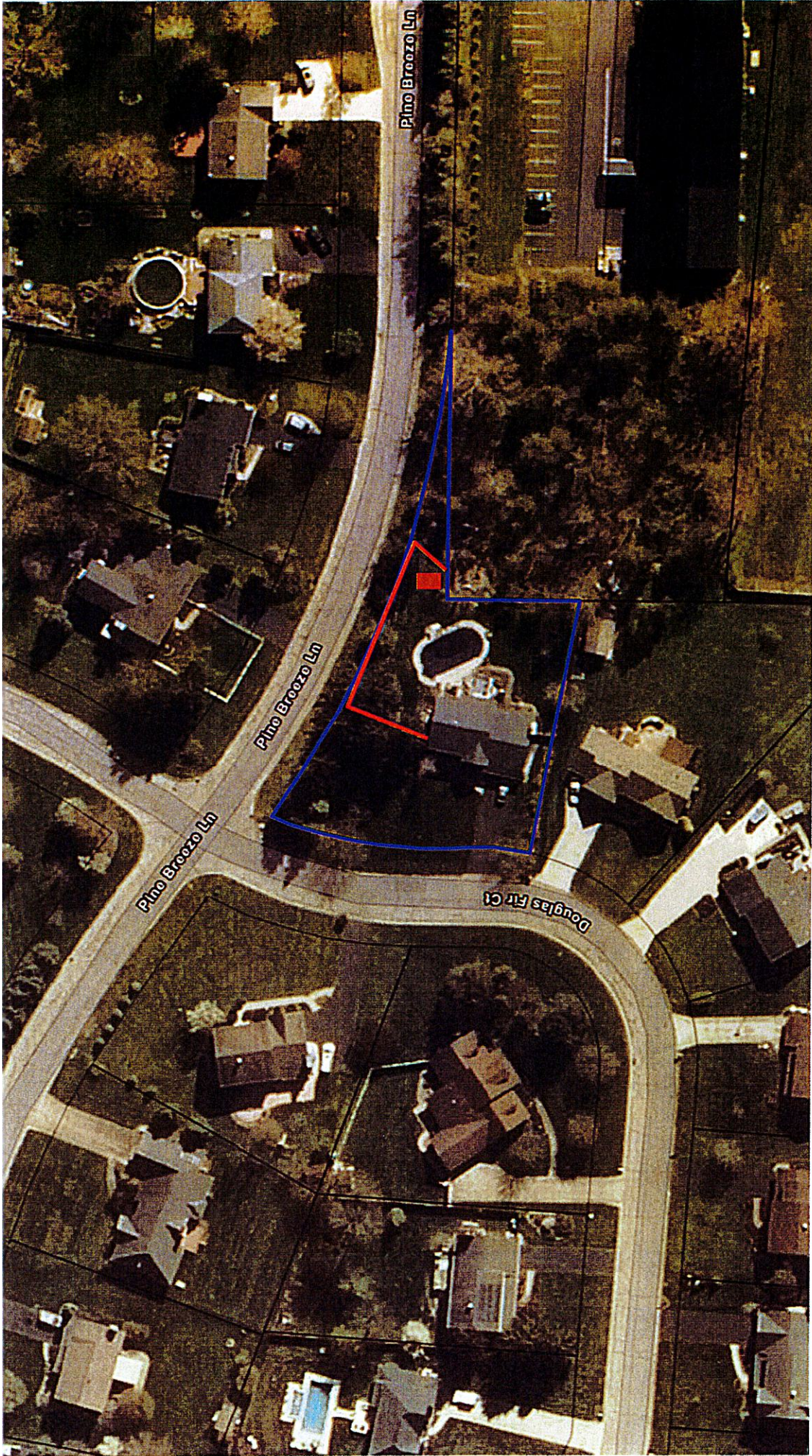
Mr. Drinkard said the home is very orderly, and it fits in nice with the neighborhood and will not deter from the neighborhood and will only add character to the surrounding homes.

Mr. Dale asked if there was going to be any landscaping to be completed on the south side.

Mr. Piowarski said that he is not sure and originally talked about putting in an additional sidewalk for guests but they suggested not to do this. He does not know what the intensions are at this point.

Gerald Drinkard	Aye	Richard McNamara	Aye	Ryan Mills	Aye
Patrick Krey	Aye	Steven Dale	Aye		

MOTION CARRIED



note the parcel lines displayed are approximate

Proposed 6' fence located within front yard. The maximum allowable height for a fence extending into the front yard is 4'. A 2' variance is requested.

Proposed detached accessory structure (shed) located within the front yard. Detached accessory structures may only be placed in the side and rear yard.

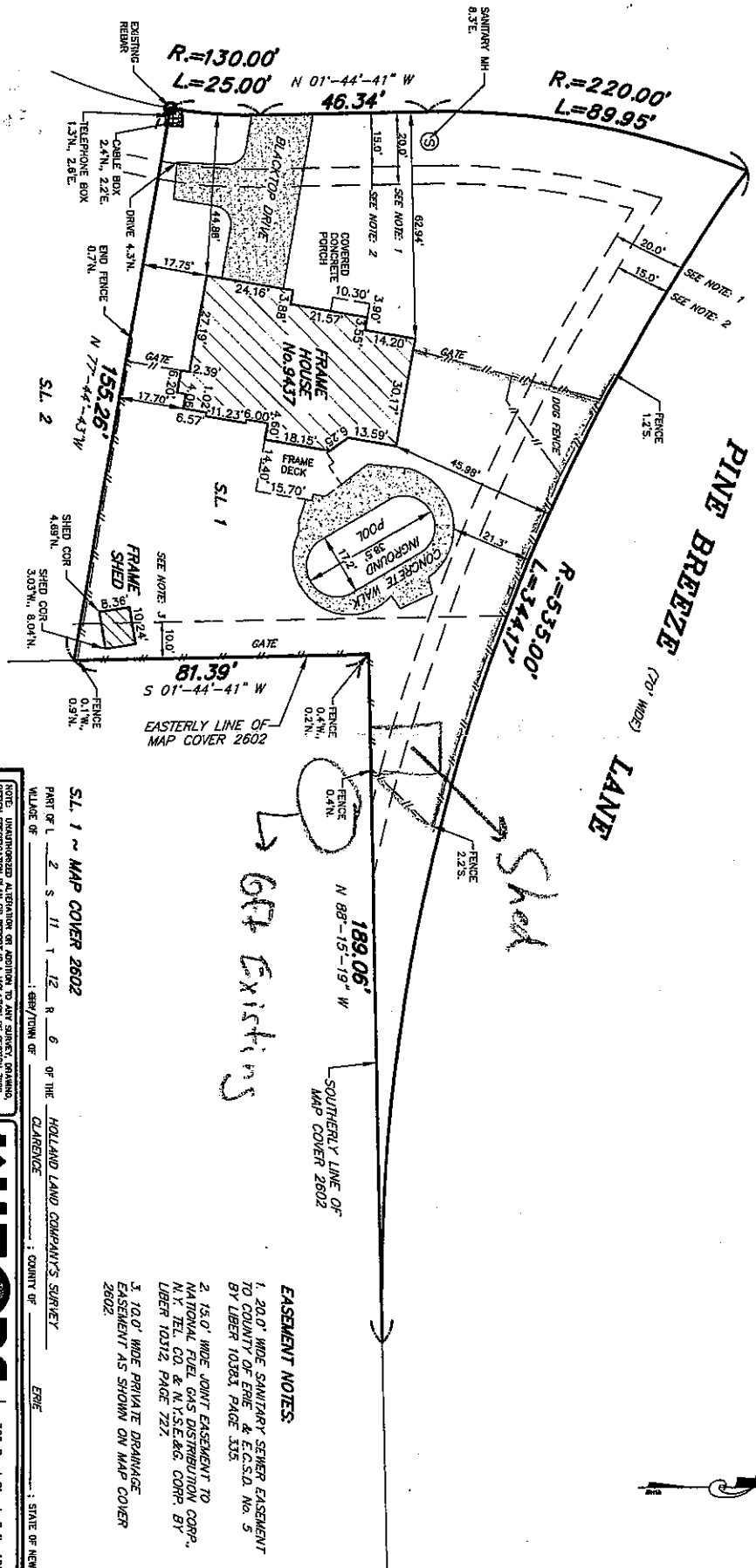
Note: A corner lot shall be considered to have two front yards from the public road right-of-way to the closest point of the principal structure.



9437 Douglas Fir Court

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND THEREFORE THE EXACT BOUNDARIES THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

DOUGLAS FIR COURT (60' WIDE)



Handwritten signature

<p>NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY DRAWING PROVIDED BY THE NEW YORK STATE EDUCATION LAW.</p>	
DATE	REVISION
JOB	DESCRIPTION
<p>SBL No. 4414-2-18</p>	
BOOK	PAGE
415	63
MAP	63263

SL 1 ~ MAP COVER 2602

PART OF L 2 S 11 T 12 R 6 OF THE HOLLAND LAND COMPANY'S SURVEY

CLARENCE

ERIE

STATE OF NEW YORK

ARCHITECTURE, ENGINEERING & SURVEY, P.C.

KHEOPS

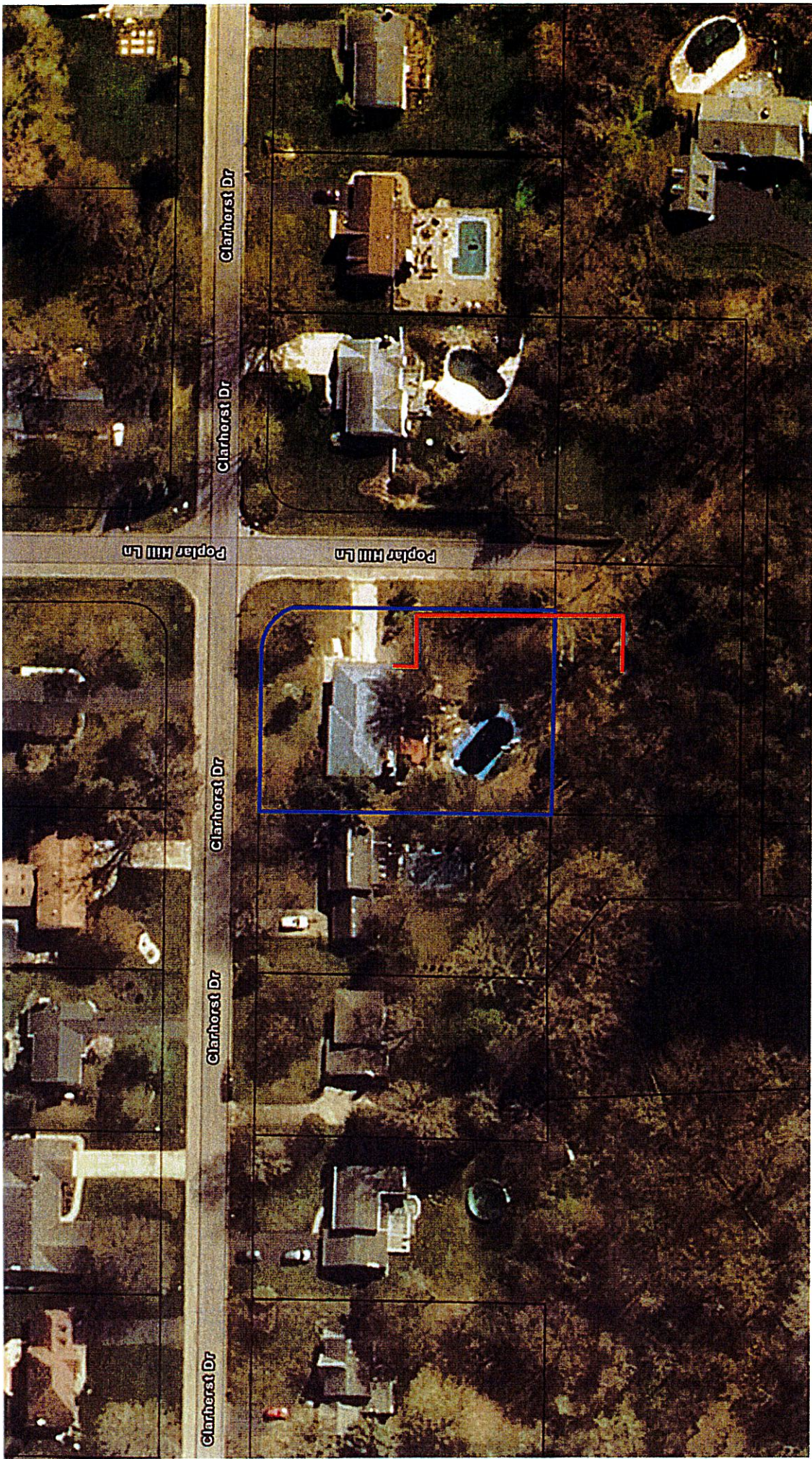
300 Pearl Street, Suite 100
 Buffalo, New York 14202
 P. 716.849.8739
 F. 716.856.0991
 WWW.KHEOPSPC.COM

DRAWN BY: GEN SCALE: 1" = 30'
 CHECKED BY: DRH JOB NO.: 16N/DOE.04
 CAD FILE: 9437 DOUG FIR-63263 FIELD/OFFICE DATE: 11-17-18

EASEMENT NOTES:

- 20.0' WIDE SANITARY SEWER EASEMENT TO COUNTY OF ERIE & E.C.S.D. No. 5 BY LIBER 10383, PAGE 305.
- 15.0' WIDE JOINT EASEMENT TO NATIONAL FUEL GAS DISTRIBUTION CORP., N.Y. TEL. CO. & N.Y. S.E. & G. CORP. BY LIBER 10312, PAGE 727.
- 10.0' WIDE PRIVATE DRAINAGE EASEMENT AS SHOWN ON MAP COVER 2602.





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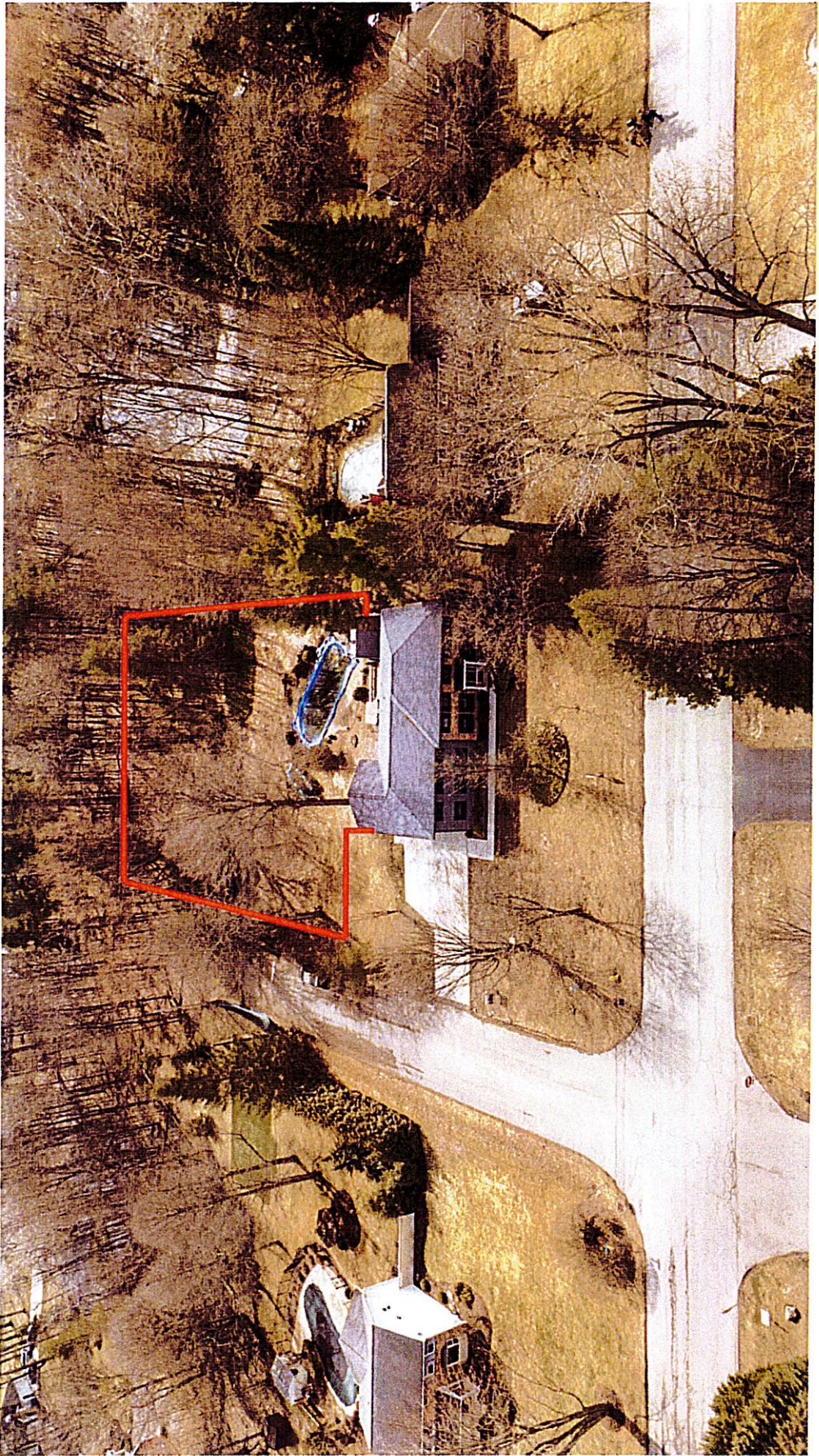
Proposed 6' fence located within front yard. The maximum allowable height for a fence extending into the front yard is 4'.

8135 Clarherst Drive



A 2' variance is requested.

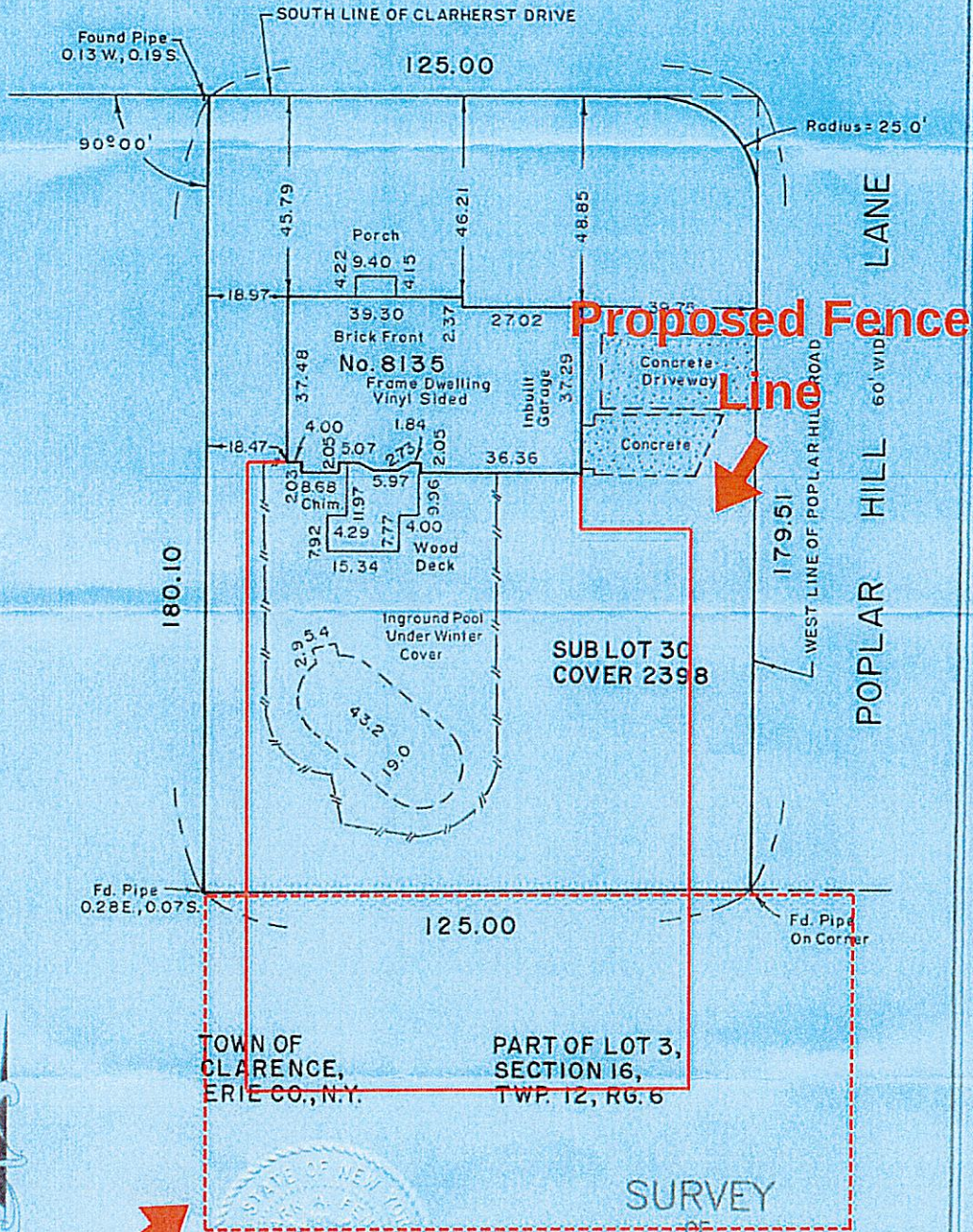
Note: A corner lot shall be considered to have two front yards from the public road right-of-way to the closest point of the principal structure.



NOTE: Altering this document is violation of the law, excepting as provided in Section 7209, Part 2 of the New York State Education Law.

CLARHERST DRIVE

60' WIDE



Proposed Fence Line

180.10

125.00

Radius = 25.0'

POPLAR HILL LANE
60' WIDE

WEST LINE OF POPLAR HILL ROAD
179.51

125.00

SUB LOT 30
COVER 2398

TOWN OF CLARENCE,
ERIE CO., N.Y. PART OF LOT 3,
SECTION 16,
TWP. 12, RG. 6

SURVEY

8135 CLARHERST DRIVE

Clarence, N.Y. March 26, 2025
Job No. 05114 Scale - 1" = 30'

**Adjacent Parcel w/
Common Ownership to
8135 Clarherst Dr.**

Email: mafsurvey@yahoo.com

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CLARHERST DRIVE 60' WIDE DRIVE

SOUTH LINE OF CLARHERST DRIVE

Found Pipe
0.13' W., 0.19' S.

90° 00'

125.00

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DRIVE

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POPLAR HILL 60' WIDE LANE

179.51

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Fd. Pipe
0.28' E., 0.07' S.

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Fd. Pipe
On Corner

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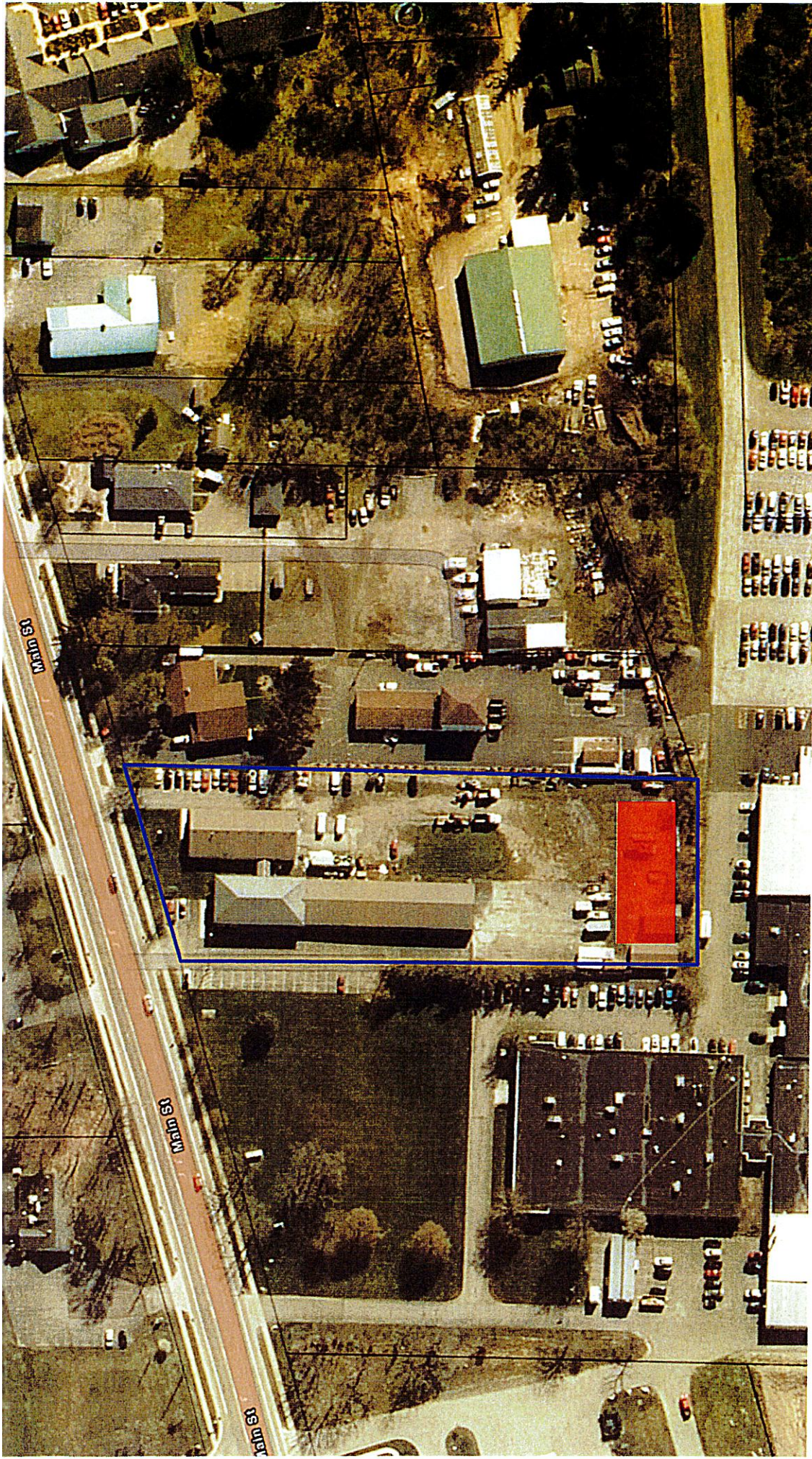
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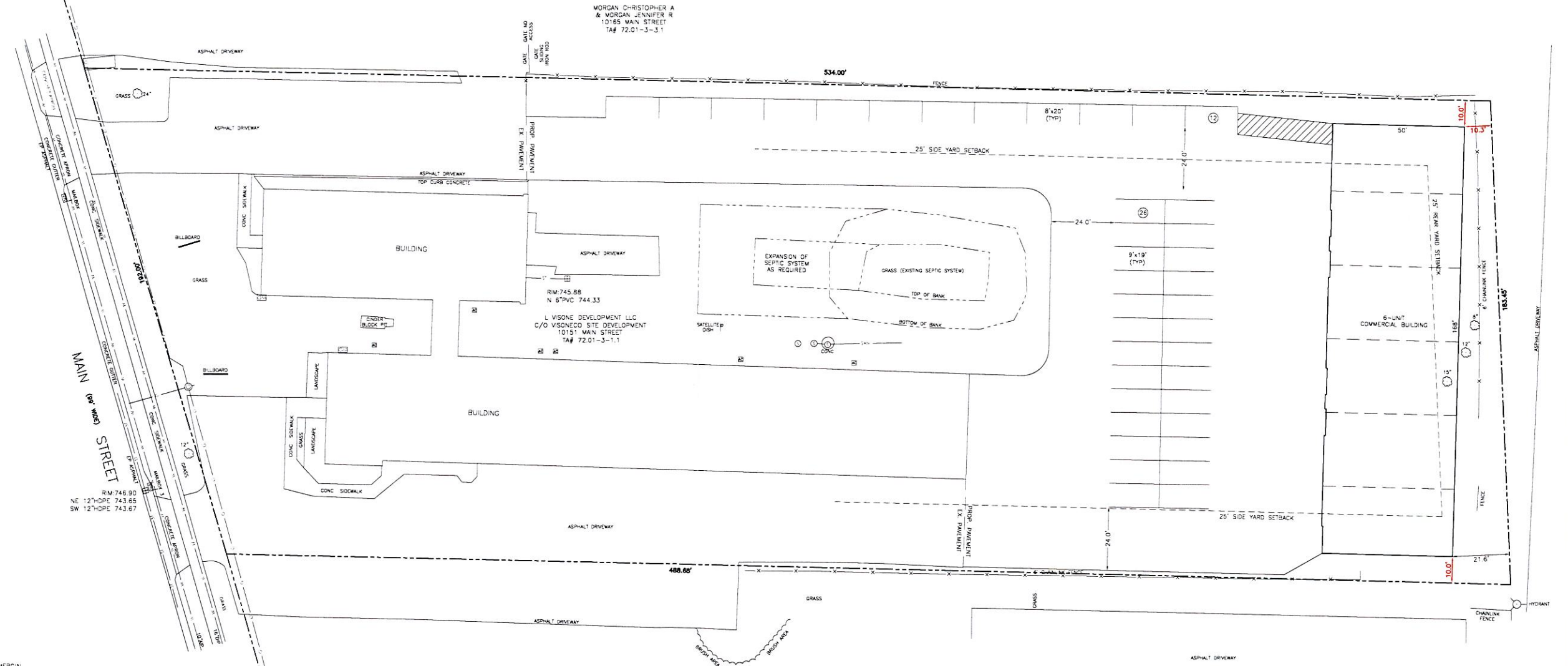
note the parcel lines displayed are approximate

Proposed commercial building with side yard setbacks of 10'. The minimum principal structure side yard setback is 25'. 15' side yard setback variances are requested

Proposed commercial building with a rear yard setback of 10'3". The minimum principal structure rear yard setback is 25'. A 14'9" rear yard setback variance is requested.



10151 Main Street



SITE DATA TABLE	
ZONING:	COMMERCIAL
AREA:	2.15 ACRES
MINIMUM LOT WIDTH REQUIRED:	100.00'
LOT WIDTH PROVIDED:	192.00'
MINIMUM LOT DEPTH REQUIRED:	120.00'
LOT DEPTH PROVIDED:	488.58'
MAX BUILDING HEIGHT ALLOWED:	45.0'
BUILDING HEIGHT PROVIDED:	< 45.0'
MAXIMUM LOT COVERAGE ALLOWED:	70.0%
LOT COVERAGE PROVIDED:	61.9%
SETBACKS:	
FRONT ALLOWED:	10.0' MIN TO 80.0' MAX
FRONT PROVIDED:	45.5' (EXISTING)
SIDE ALLOWED:	25.0'
SIDE PROVIDED:	10.0'
REAR ALLOWED:	25.0'
REAR PROVIDED:	10.3'
TOTAL PARKING:	
COMMERCIAL SPACE =	8,300± SF (TOTAL)
PARKING REQUIRED FOR COMMERCIAL =	1 SPACE / 200 SF
PARKING FOR COMMERCIAL REQUIRED =	42 SPACES
TOTAL SPACES PROVIDED =	38 SPACES*
* VARIANCE REQUIRED	

NOTES:
BOUNDARY SURVEY AND TOPOGRAPHY SURVEY COMPLETED BY KHEEPS DATED DECEMBER 1, 2021. THIS IS NOT A PROPERTY SURVEY.

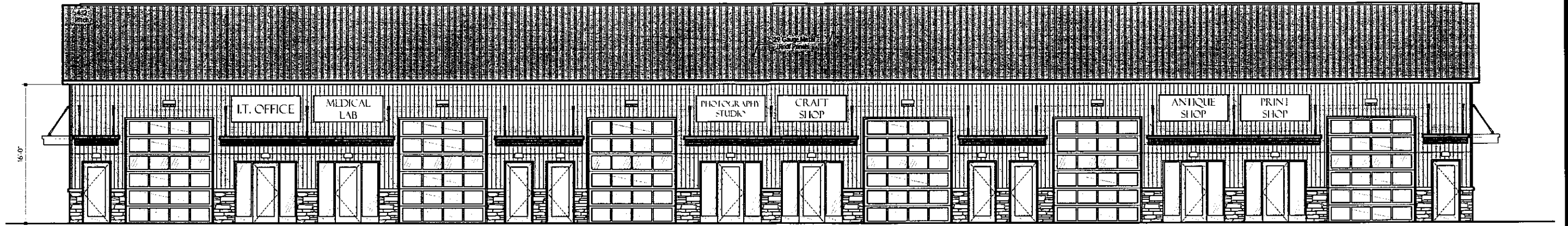
DESIGNED BY:	JCW
DRAWN BY:	JCW
CHECKED BY:	MJM
SAD FILE:	M 2304
NOTE:	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 2009, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW
REVISION	DATE BY/CK
INCREASE SYSB	07.28.25 JCW
BUILDING REVISIONS - FOOTPRINT	02.26.25 JCW
BUILDING PLACEMENT	11.27.24 JCW

ME METZGER CIVIL ENGINEERING, PLLC
 8245 SHERIDAN DRIVE
 WILLIAMSVILLE, NY 14221
 PH: 716-633-2601
 FAX: 716-633-2704

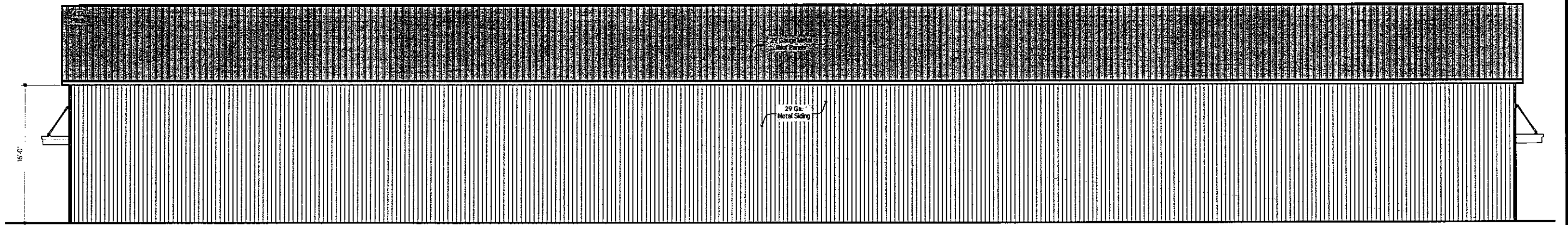
CIVIL ENGINEERING
 LAND PLANNING
 SITE DESIGN
 MUNICIPAL ENGINEERING

COMMERCIAL "FLEX UNIT" BUILDING
 10151 MAIN STREET
 TOWN OF CLARENCE, ERIE COUNTY, NEW YORK

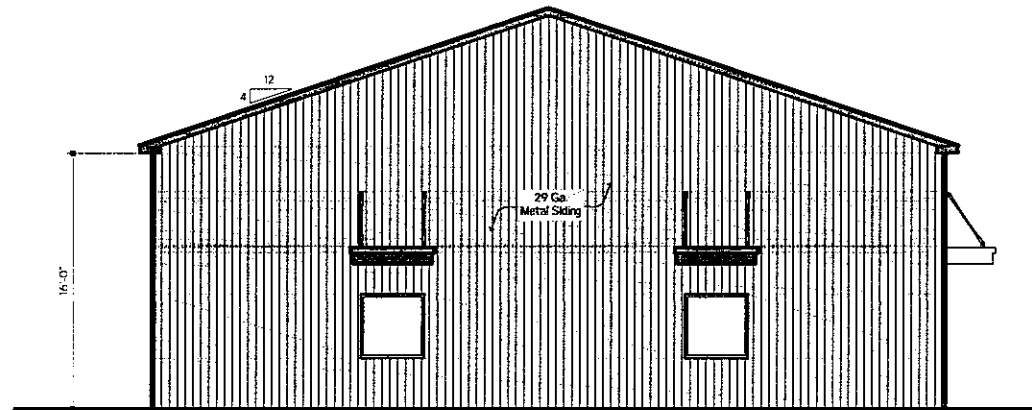
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DATE:	JULY 31, 2024
JOB NO.:	M-2304
SHEET NO.:	CP-1



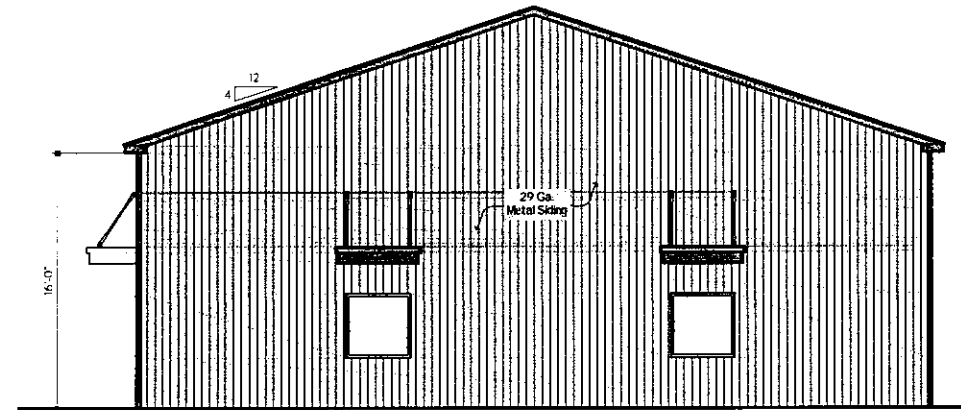
1 FRONT ELEVATION
3/16"=1'-0"



2 REAR ELEVATION
3/16"=1'-0"

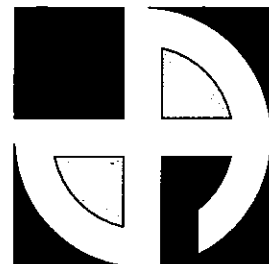


3 LEFT ELEVATION
3/16"=1'-0"



4 RIGHT ELEVATION
3/16"=1'-0"

NOTE:
Tenant Signage Shown are
Examples of Permitted Uses and
Does Not Reflect Actual Tenants



D-E-A-N
ARCHITECTS
www.deanarchitects.com
3284 WALDEN AVENUE
DEPEW, NEW YORK 14043
PHONE: (716) 651-0381
FAX: (716) 651-0382

Project For:
Visone Co.
Commercial Spaces
1051 Main St.
Clarence, NY

No.	Description	Date	By

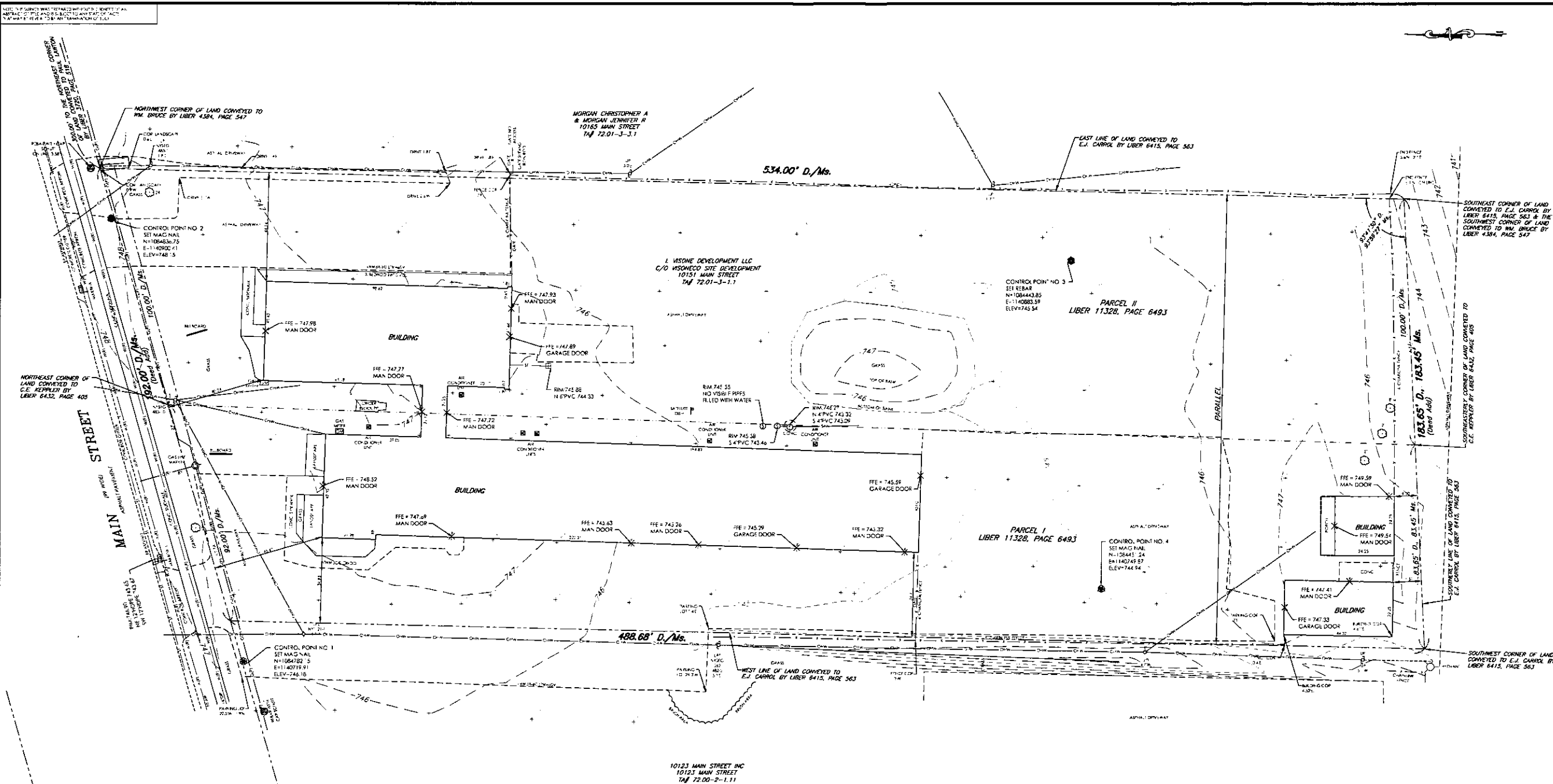
DATE: 11-10-25
DRAWN BY: D. Wzientek
CHECKED BY: M. Dean
SCALE: 3/16"=1'-0"

23-327

**PRELIMINARY
NOT FOR
CONSTRUCTION**

PRELIMINARY
ELEVATIONS
A2

File: N:\2021\Residential Surveys\21NY185 - Technical Data\CADD Drawings\Autocad\21NY185 10151 Main St. -65122.dwg, Last saved: 12/6/2021, Plot Date: 12/6/2021, By: DANA ZENIANO



LEGEND:

- AIR CONDITIONING UNIT
- ▣ CATCH BASIN (SQUARE)
- CONTROL POINT
- △ DECIDUOUS TREE
- ✕ FIRST FLOOR ELEVATION
- ✕ GROUND SHOT TOP
- GAS LINE MARKER
- GAS METER
- HYDRANT
- MAG NAIL
- MAILBOX
- POST
- REBAR WITH CAP
- REBAR
- SATELLITE DISH
- SANITARY MANHOLE
- UTILITY POLE
- UTILITY POLE WITH LIGHT
- UTILITY POLE WITH TRANSFORMER

SURVEY LINE TYPES:

- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- EDGE OF PAVEMENT
- FENCE (CHAINLINK)
- PROPERTY BOUNDARY
- PROPERTY LOT LINE (APPROX)
- ROAD CENTERLINE
- ROW (APPROX)
- SLOPE: TOP/BOTTOM
- WOOD LINE

UTILITY LINE TYPES:

- GAS LINE (RECORD)
- OVERHEAD WIRES
- SANITARY SEWER LINE
- STORM SEWER LINE
- WATER LINE (RECORD)

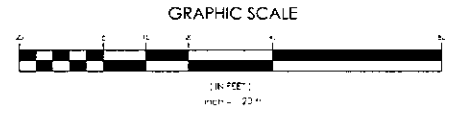
DIG SAFE UTILITY:

TYPE	COMPANY	RESPONSE	AFFECTED
COMMUNICATION	TIME WARNER	YES	NO
	ROCK OAK ESTATES WEST MOBILE HOME PARK	NO	NO INFO
ELECTRIC	NYSEG	YES	NO
GAS	NATIONAL FUEL	YES	NO
STORM SEWER	ERIE COUNTY	NO	NO INFO
SANITARY	ERIE COUNTY	NO	NO INFO
WATER	ERIE COUNTY WATER	YES	YES
NOTE			

UTILITY INFORMATION WAS PROVIDED FROM FIELD SURVEY AND DIG SAFE. DIG SAFE DESIGN TICKET IS #1221300-812 1/12/2021. UTILITY COMPANIES WERE CONTACTED VIA PHONE AND EMAIL. IF NO RESPONSE FROM UTILITY COMPANY BEFORE PROJECT GOES TO CLIENT, KHEOPS WILL FORWARD ON TO THE CLIENT ANY LATE UTILITY INFORMATION RECEIVED.

THE UTILITY INFORMATION SHOWN ON THE SURVEY DRAWING ARE FROM A DIG SAFE DESIGN TICKET AND SHOULD NOT BE USED AS AN ACTUAL DIG LOCATION TICKET.

PRELIMINARY
12-6-2021



STATE OF NEW YORK
TOWN OF CLARENCE COUNTY OF ERE

BOUNDARY & TOPOGRAPHIC SURVEY
PART OF LOT 2, SECTION 5, TOWNSHIP 12, RANGE 6
OF THE HOLLAND LAND COMPANY'S SURVEY
10151 MAIN STREET CLARENCE, NEW YORK

MAP NUMBER:
65122
Sheet 1 of 1

Designed by: 11/19/2021
Office Date: 12/1/2021
Job No. 21NY185

Drawn by: DAV
Checked by: DAN
Date Scale: 1"=20'

Field Date: 11/19/2021
Office Date: 12/1/2021
Job No. 21NY185

Book: 477
Page: 127
Map: 65122
File Name: 21NY185/10151 MAIN ST.dwg

KHEOPS
AN INDEPENDENT ENGINEERING FIRM
300 Pearl Street, Suite 500
Buffalo, NY 14202
P: 716.858.9881
WWW.KHEOPS.COM

NOTES:
1. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND THE REGULATION THEREOF.
2. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND THE REGULATION THEREOF.
3. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND THE REGULATION THEREOF.
4. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND THE REGULATION THEREOF.
5. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND THE REGULATION THEREOF.

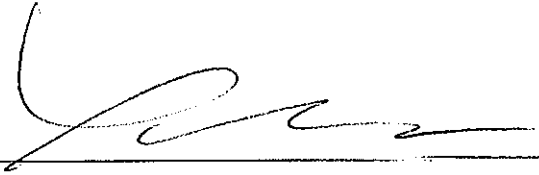
Property Variance Staking Agreement

Please Take Notice, that the property must be staked prior to 10:00am one week before the Tuesday Zoning Board of Appeals meeting.

Property that is not staked so as to properly identify the requested variance may be subject to tabling same to a future meeting.

I, Lucian D. Visone Jr. (print name) hereby understand and agree to properly stake the property to identify the requested variance and understand that failing to do so may result in my matter being tabled to a future meeting.

Signature

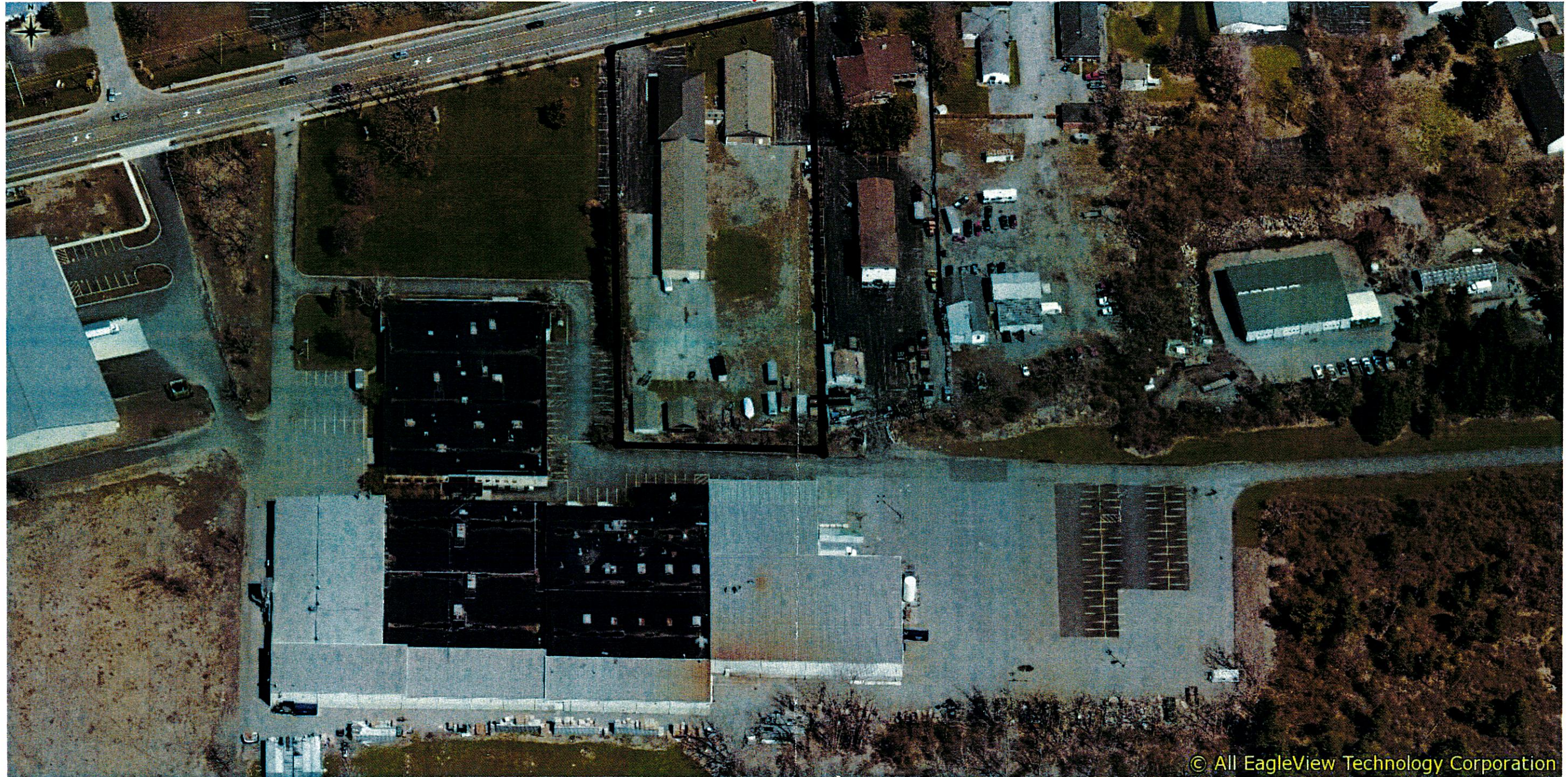


Date 3/26/26

10151 Main Street

subject property

↑ N



© All EagleView Technology Corporation

04/25/2020

Aerial Photo
Existing Site
Display

3/27/26
N.T.S.

10151 Main Street



Subject
property
↓



Aerial Photo with Proposed Building
Display

N.T.S.

3/27/26

04/25/2020

METZGER CIVIL ENGINEERING, PLLC

March 27, 2026

Town of Clarence
Zoning Board of Appeals
One Town Place
Clarence, N.Y. 14031

RE: 10151 Main St.
Area Variance Request

Honorable Board Members:

It is our client's desire to demolish two existing buildings at the back of their property. One at 600 sf± and one at 1000 sf± and replace them with a single 50' X 168' building to be used as a rental space for other town businesses. As you know, the area in consideration is bordered on one side to the north by existing structures at the front of our client's property, on the west and south by the ICE and Dimar manufacturing buildings and to the east by another commercial property's rear yard.

The applicant's desire is to construct a building with ample room on the sides and rear to allow maintenance and emergency access. However, the side yard and rear yard setbacks would not be in compliance with the requirements of the commercial zoning classification of the property. The minimum required side and rear yard setbacks are 25'. Our client is requesting minimum side yard and rear yard setbacks of 10' and 10.3' respectively. Please note that due to the orientation of the rear property line the requested rear setback would actually vary from 10.3' to 21.6' from corner to corner. Given the commercial manufacturing setting of the area we feel the requested variances are a reasonable request. In addition to the required materials we have also included aerial photographs showing the setting in relationship to neighboring properties, one with existing conditions and one with the new building superimposed.

TNClarence-Visone-10151Main-variance-request.3-27-26.doc

We have reviewed the five considerations that a Zoning Board of Appeals should review in determining whether to grant an area variance for a particular property. We have shown here an assessment of that review:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

Response: In removing the existing buildings and replacing them with a new attractive commercial building, not only will that not create an undesirable change in the character of the neighborhood, it will enhance the character.

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

Response: Given the geometric limitations of the property there are no other reasonable methods to achieve the goal of constructing a building of the size needed to make this a financially viable project.

3. Whether the requested area variance is substantial.

Response: While 15' of relief on a 25' setback may be considered substantial in number, the resulting configuration would not be considered substantial in the context of the physical setting.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Response: With the heavy commercial and manufacturing environment in the area and the existing hard surface and structures in the immediate area of the proposed building, granting of the requested variances would not have an adverse impact on the physical or environmental conditions in the neighborhood.

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

Response: This action would be considered self created in that our client is taking it upon themselves to present a plan that will remove some older structures and infrastructure and replace those with a new, attractive and positive facility.

We feel that upon review of the enclosed materials and consideration of the requested variances you will find that the benefit to the owner by granting the variances will out way any detriment to the health, safety and welfare of the neighborhood and community, if any are identified.

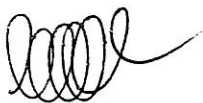
Enclosed please find 11 copies the following materials:

1. Request for action form.
2. Proposed plan. (11-11"X17" and one 24" X 36")
3. Proposed building elevations. (11-11"X17" and one 24" X 36")
4. Property survey. (11-11"X17" and one 24" X 36")
5. Signed access consent form.
6. Signed property variance staking agreement.
7. Aerial photographs of the area, with and without the rear building superimposed.
8. Letter from the property owner authorizing Metzger Civil Engineering to represent the request.
9. Copies of letters and neighbor notification forms sent to the two neighboring property owners.
10. U.S. postal services certified mail receipts for letters and notification forms sent to the two neighboring property owners.

An application fee check in the amount of \$50.00 will be delivered today directly by the owner.

We look forward to meeting with you at your next meeting to discuss this request. In the meantime, should you have any questions please contact the undersigned.

Yours Truly,



Michael J. Metzger, P.E.

CC: Jonathan Bleuer
Tom Celik
Andrew Schaefer
Lou Visone
Brianna Zhang