

**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 Zoning Board of Appeals of the Town of Alden on the 21 day of FEBRUARY, 2012 at 8:30 PM, prevailing time at the Alden Town Hall, 3311 Wende Road, Alden, New York on the following matter:

Appeal by Michele Stover (f/k/a Michele Muller), 12805 Main Street, Alden, New York 14004 (SBL # 119.00-1-15.2), from a Notice of Disapproval, issued by the Town of Alden Code Enforcement Officer/Building Inspector denying a request to harbor two horses at 12805 Main Street, as the request is in violation of the Town of Alden Zoning Code section 20-11, horses are not allowed in R-1/R-3 zones.

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

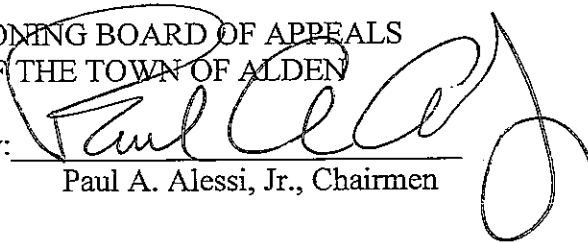
Said Zoning Board of Appeals will, at the time and place set forth above hear all persons in support of said matters and all persons in objection to said matters. Persons may appear in person or by their agent(s).

Dated: February 12, 2012

ZONING BOARD OF APPEALS
OF THE TOWN OF ALDEN

By: _____

Paul A. Alessi, Jr., Chairmen

A large, handwritten signature in black ink, appearing to read "Paul Alessi", is written over the signature line and extends to the right of the printed name.



Town of Alden
Zoning Board of Appeals
 3311 Wende Road
 Alden, New York 14004
 (716) 937-6969 ext 4
 www.alden.erie.gov

Date:	
File No:	
Zoning Board Rec:	
Town Board Action:	
Status:	

Application for Zoning Variance

Applicant should file this application in duplicate with the Town Clerk along with \$200.00 application fee and \$50 publication fee etc.

FEE \$ 250.-
 PAID
 REC# 20797

Applicant Name: Michele + Donald Stover Telephone: (716) 574-9166
 Address: 12805 main st. Alden NY 14004

Supporting Information Required: *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:
 - a. Location of Buildings
 - b. Roads, Parking and Sidewalks
 - c. Landscaping, Fences and Screening
 - d. Easements

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

- 5 Copy of building plans
- 6 Approval of sanitary system & water supply by Erie County Health Department

Property Identification:

- 1 Tax Map Number: 119.00-1-15.2
- 2 Street Location: _____
- 3 Street Address: 12805 main st. Alden NY 14004
- 4 Name(s) of Property Owners Michele Stover (muller-meriden)
Rich Muller
- 5 Names(s) of Adjoining Landowners: _____
- 6 Date Property Acquired: 04/30/2010
- 7 Adjacent Zoning

<u>R-1</u>		on the north
<u>R-1/R-3</u>		on the east
<u>C2</u>		on the south
<u>R1/R-3</u>		on the west
- 8 Proposed Zoning Change _____ is; _____ is not consistent with the Town Master Plan N/A
- 9 Alden Town Code Section to be Varied: ZONING CH-20-11

Variance or Permit Requested:

1 State the purpose of this application (ie. type of variance from Zoning Ordinance or permit requested.):

Our home has seven acres of land with a barn. We would like to keep two horses on the property. It is not zoned as agricultural, however the acreage fully supports this type of land use. We are requesting a variance so that we can utilize the acreage we own.

2 Where variance is requested, state the practical difficulties or unnecessary hardships involved in carrying out the strict letter of the Zoning Ordinance:

We do not believe the current zoning ordinance supports this type of land use without a variance approval from our immediate neighbors.

3 Where permit is requested, state the reasons for requesting this permit:

Michelle Staver
Signature of Applicant

1/9/11
Date

(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}. Alleged hardship is unique and does not apply to substantial portion of district or neighborhood.
- 2 Requested variance will not alter essential character of neighborhood
- 3 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 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?

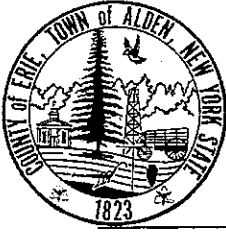
APPROVED: _____ Date: _____

DENIED: _____ Date: _____

Conditions for Approval: _____

ZBA Chairman: _____

Date: _____



937-6969

BUILDING DEPARTMENT

**ALDEN TOWN HALL
3311 WENDE
ALDEN, NEW YORK 14004**

Notice of Disapproval

Date: February 6, 2012

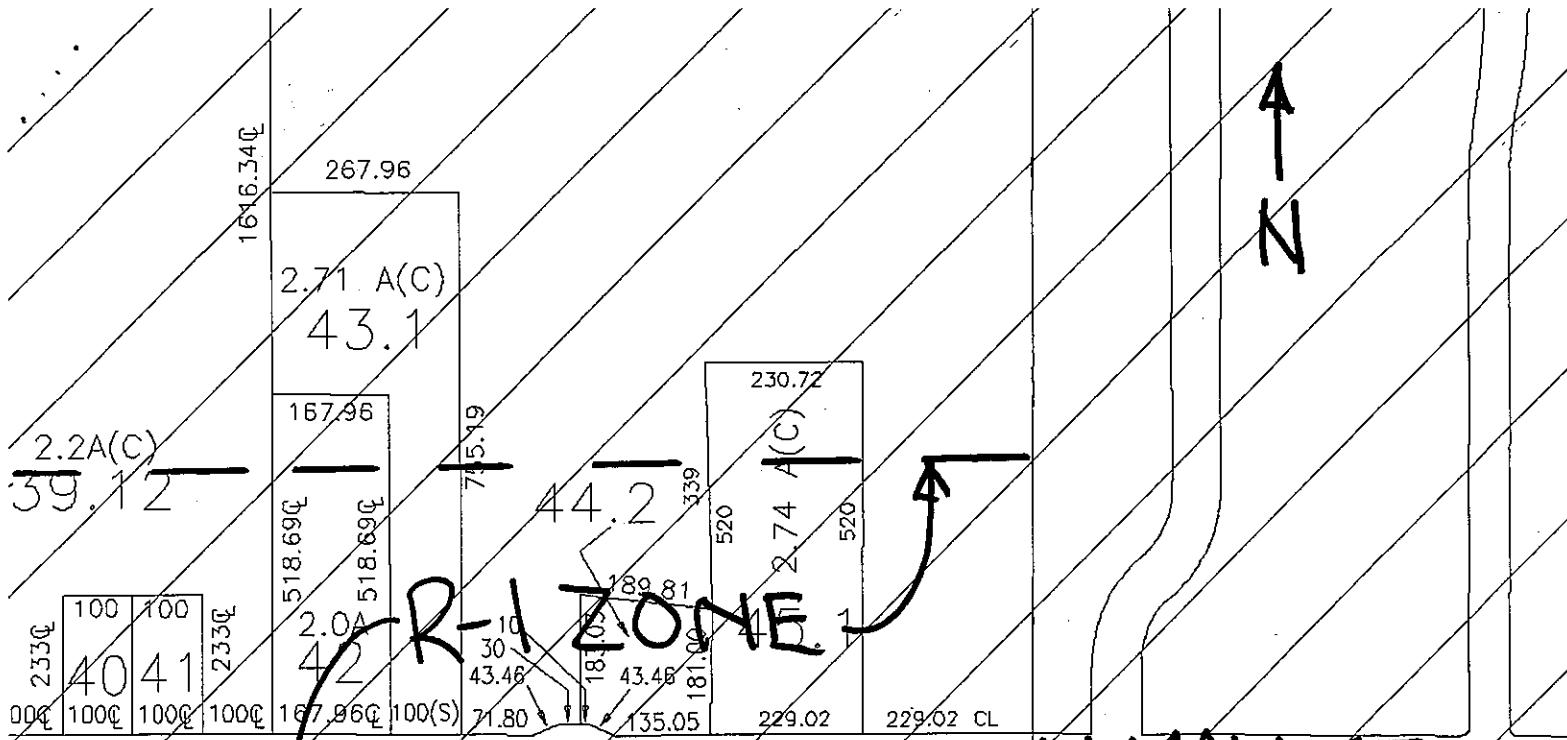
To: Michele & Donald Stover
12805 Main Street
Alden, New York 14004

Re: **SBL No. 119.00-1-15.2**

PLEASE TAKE NOTICE that your request to harbor two horses at your property located at 12805 Main Street, Town of Alden, New York and further identified as SBL No. 119.00-1-15.2, is *disapproved* on the following grounds: contrary to Town of Alden Zoning Code. Horses not allowed in R-1/R-3 zone. Must be zoned R/A.

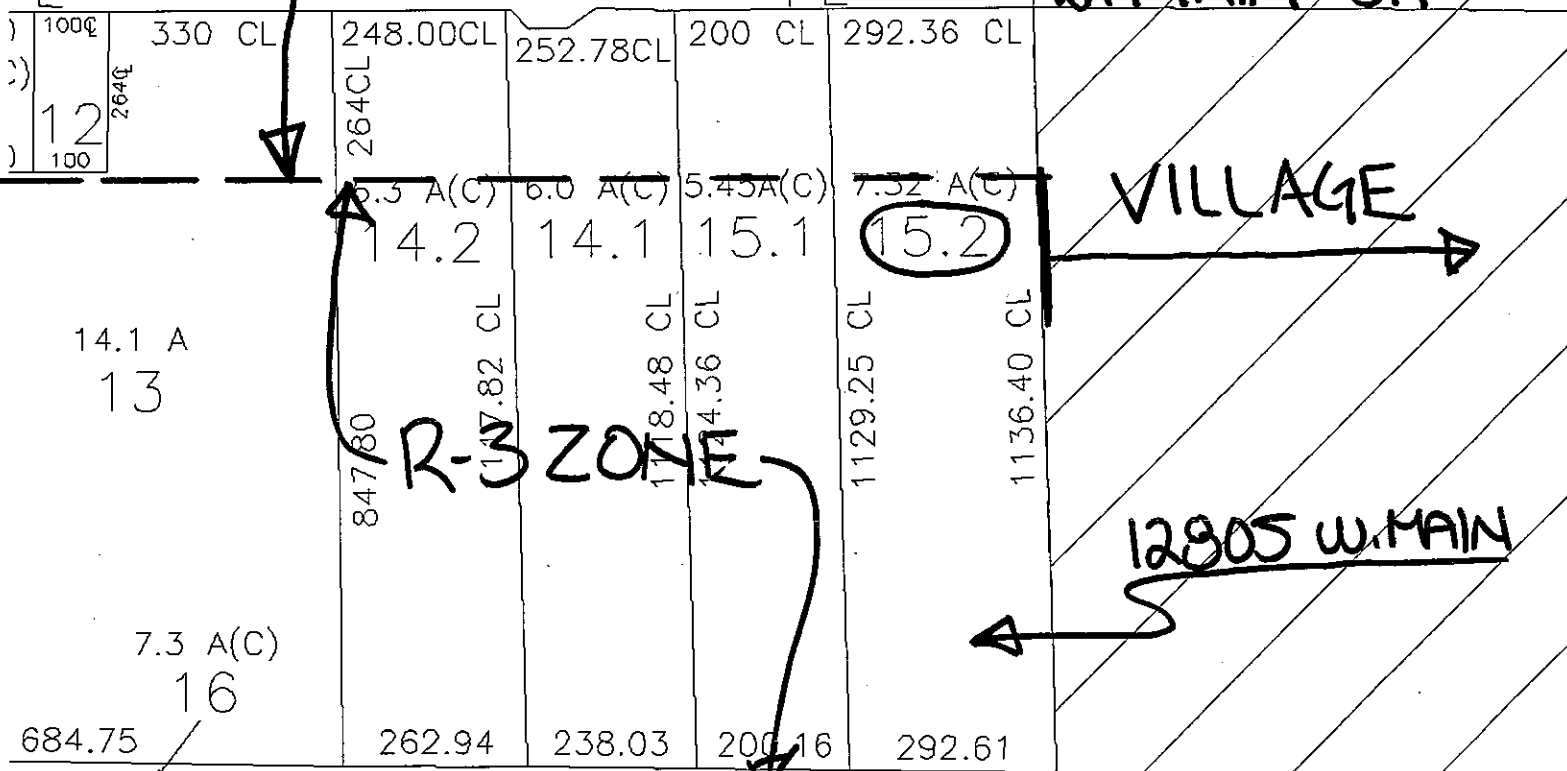
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CHRIS SNYDER
Building Inspector
Code Enforcement Officer



R-1 ZONE

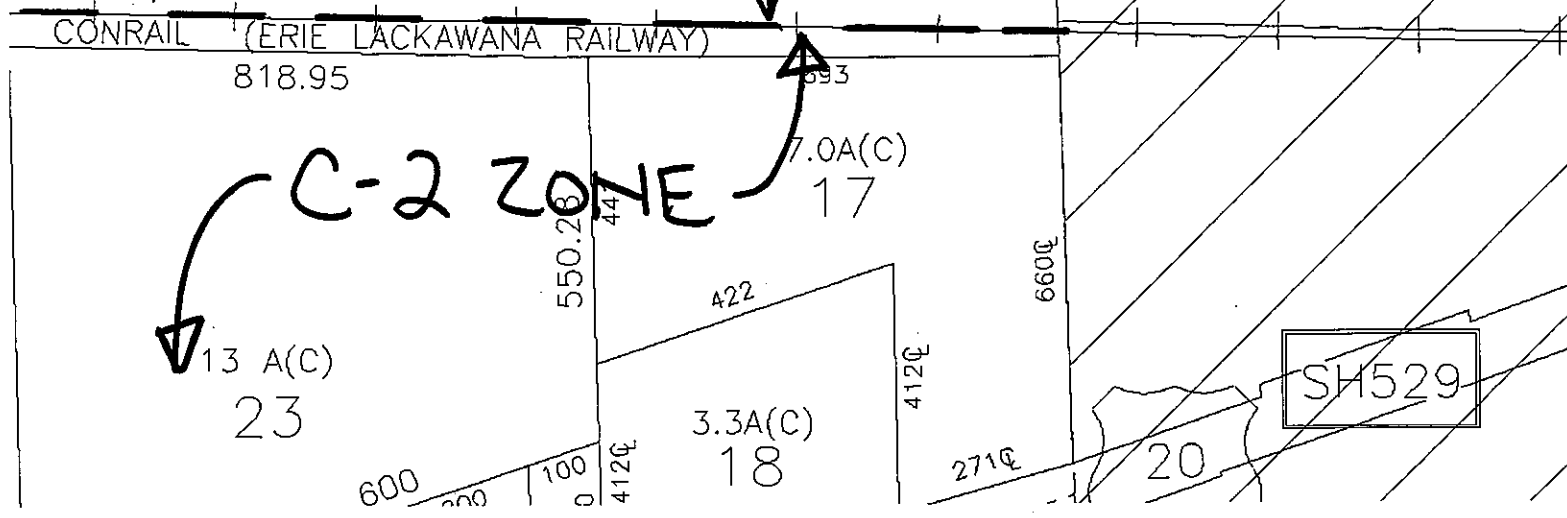
W. MAIN ST.



VILLAGE

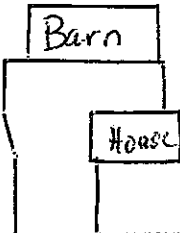
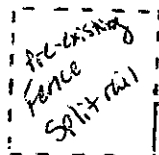
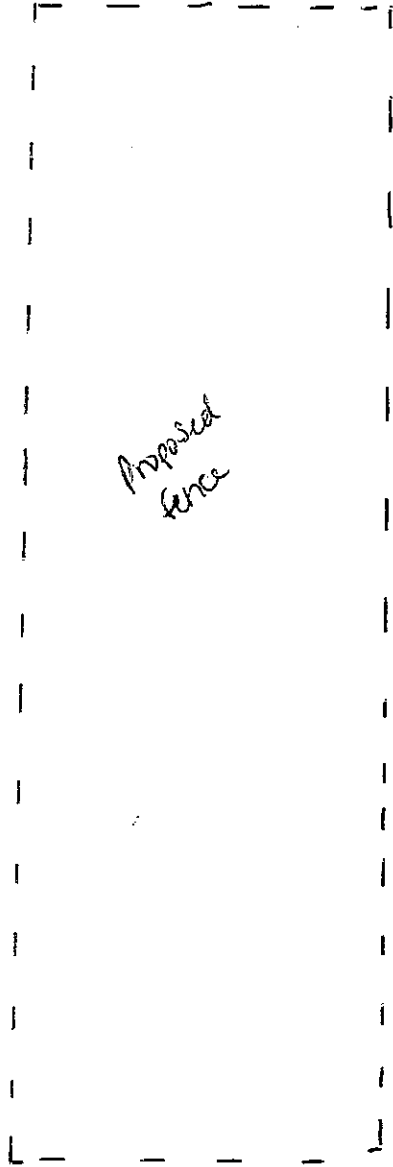
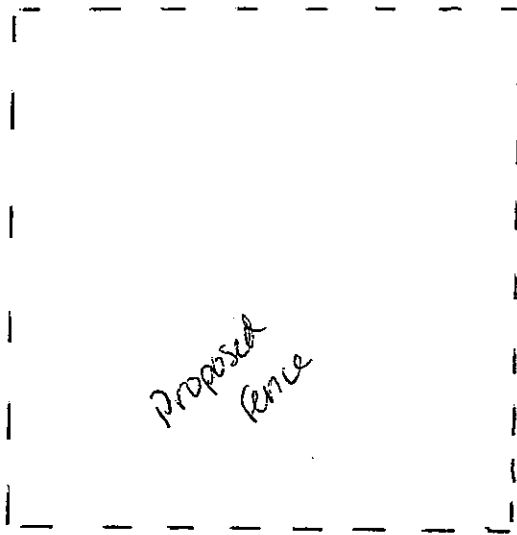
R-3 ZONE

12905 W. MAIN



C-2 ZONE

SH529



Main Street