

**REQUEST FOR ACTION BY:  
TOWN OF CLARENCE, N.Y.**

- Appeal Board
- Planning Board
- Town Board

- Appeal
- Rezone
- Revise Ordinance
- Subdivision
- Limited Use Permit
- Other

Rec'd. by: Jonathan Bleuer

Date February 25, 2015

Action Desired Applicant requests a variance of:

A) 20.75 sq. ft. to allow for a freestanding sign of 80.75 sq. ft.

B) 25' to allow for a freestanding sign with a setback of 15'

Both requests relate to 5817 Transit Road, located within the Major Aterial Zone.

Reason \_\_\_\_\_

Town Code Reference:

§181-3 (A) (1)

§181-3 (A) (4)

**PLEASE PRINT**

Name	<u>Jeffery Palumbo, Esq.</u>		
Address	<u>5817 Transit Road</u>		
	<u>Clarence</u>	<u>NY</u>	<u>14031</u>
Town/City		State	Zip
Phone	<u>858-3728</u>		
Signed	<u>SIGNATURE ON FILE</u>		

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

**Initial Action**

- Approved
- Rejected  by ..... on ..... 20 .....
- Approved
- Rejected  by ..... on ..... 20 .....
- Published (Attach Clipping) ..... on ..... 20 .....
- Hearing Held by ..... on ..... 20 .....

**Final Action Taken**

- Approved
- Rejected  by ..... on ..... 20 .....
- Published (Attach Clipping) ..... on ..... 20 .....
- Filed with Town Clerk ..... on ..... 20 .....
- Filed with County Clerk ..... on ..... 20 .....





## Exhibit A

The applicant is requesting variances to authorize the location of a freestanding common tenant sign advertising the three businesses to be located at 5817 Transit Road. The hardship that gives rise to the variance requests is the frontage requirement and the maximum sign face area allowable in the Major Arterial Zoning District as set forth in the Zoning Law of the Town of Clarence, New York (hereinafter, the "Code").

### Variance Standard

As the ZBA is aware, the standard for reviewing variance requests is set forth in New York State Town Law §267-b(3)(b). In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

**(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;**

In order to determine the potential impact of a project on an existing neighborhood, the uses of the surrounding property must be examined. Here, the development site is located in a Major Arterial District, which encourages large, dense commercial development in an area of town that can adequately accommodate a high volume of automobile traffic. The district spans an approximate three mile stretch along Transit Road from Roll Road to the north all the way to the southern border of the Town at Wehrle Road. The district is buffered by a Commercial Zoning District to the south of Transit and Roll Road. Despite the 40 foot setback requirement within the Major Arterial District, the Commercial District just to the north allows for a minimum setback of 10 feet. The western side of Transit Road, in the Town of Amherst contains similar zoning, as well as multiple signs within the 40 foot setback along Transit Road.

An undesirable change will not be produced in the character of the neighborhood because multiple businesses within the Major Arterial District along Transit Road have signs that do not conform to the sign face area/setback requirements from which the applicant seeks relief. Accordingly, as multiple non-compliant signs already exist along Transit Road, the character of the neighborhood will not be adversely affected by the applicant's proposed sign.

**(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;**

The benefit sought by the applicant cannot be achieved by any other feasible method, as there is no other location that would accommodate a sign to adequately identify the applicant's business to the traveling public. As indicated on the attached site plan, any sign located in compliance with the 40 foot setback requirement would be substantially blocked by the existing building, as it would have to be located 50 feet from the right of way due to the driveway on the northern side of the property. The sign would not be visible to motorists traveling northbound on Transit Road until after they have passed the businesses the sign seeks to identify. Further, a sign located at a conforming setback would be screened from view by existing signs identifying nearby businesses.

Accordingly, affording the requested relief is the only method feasible for the applicant to pursue to effectively identify his businesses to the traveling public.

**(3) whether the requested area variance is substantial;**

In light of the foregoing, the requested variances are not substantial. As this board is well aware, the law in New York is clear that a pure mathematical formula cannot be the basis of a determination of whether a variance should be considered substantial. The zoning board of appeals must consider the magnitude of the requested variance in light of its impact. Merely because a variance may seem noteworthy on paper does not mean that any "harm" would be generated on the surrounding community and it is "harm" that is balanced against the interest of the applicant according to the Town Law 267-b(3) test.

As discussed above, signs similar in size as well as location can be found throughout the Transit Road corridor within the Major Arterial Zoning District. Further, the Commercial District just to the north allows for a minimum of only ten feet as a required setback. Accordingly, there is no harm to the community in authorizing a sign of similar size and location and substantial benefit inures to the applicant in successfully advertising his businesses to the traveling public. In light of the fact that there is no harm in authorizing the proposed sign, the variance is not substantial.

**(4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;**

The requested variances, if granted, will not have an adverse effect on the environmental conditions of the neighborhood or district. Authorizing the requested sign will not impact drainage, flooding, and runoff or any other topographical changes such as grading, trees, and vegetation.

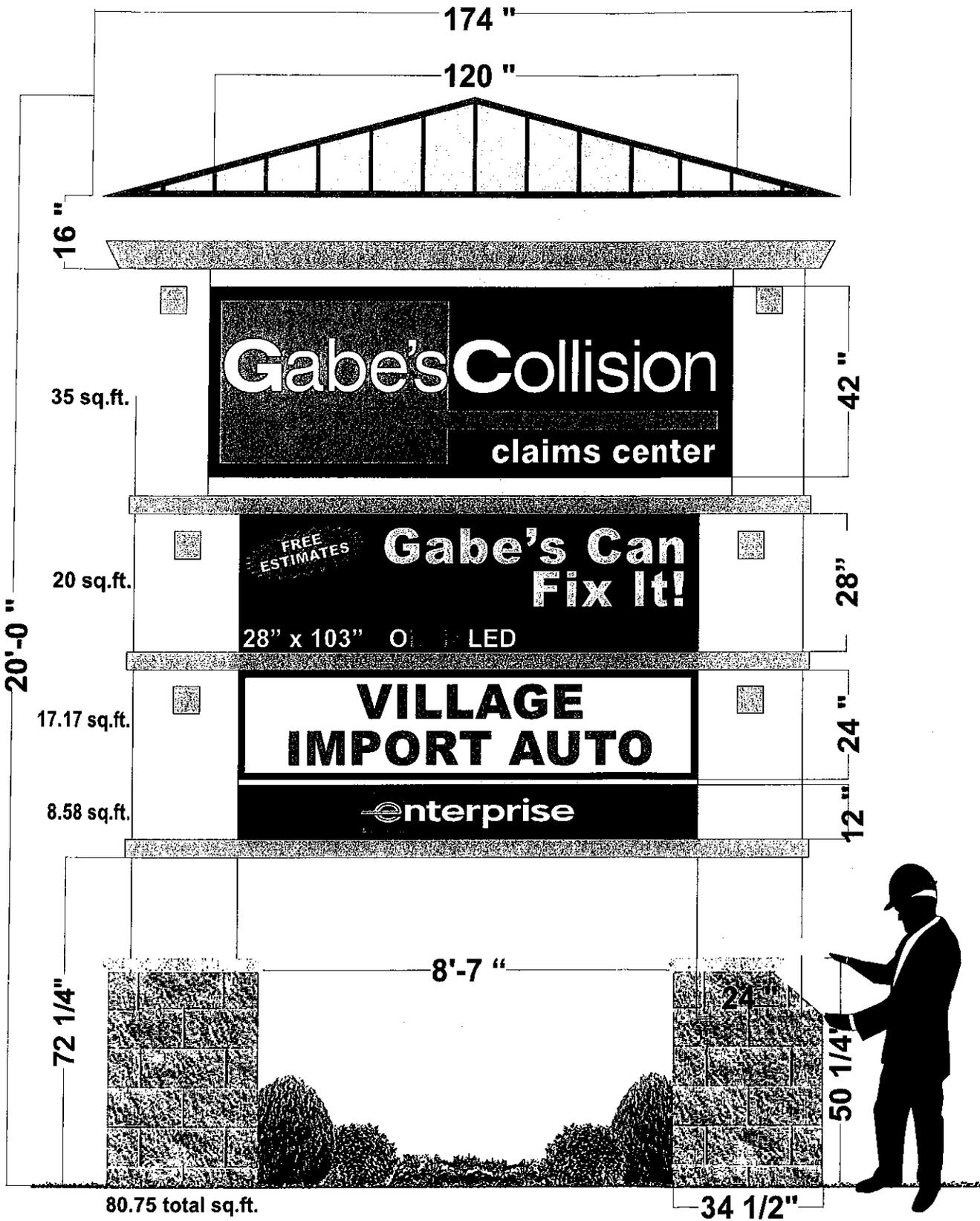
**(5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance;**

The difficulty giving rise to this application is a result of parcel geography and location on Transit Road, a major north/south corridor and was not created by the applicant. As discussed above, existing site conditions simply do not allow for a conforming sign in a location that will effectively advertise the businesses located on applicant's property to motorists traveling on Transit Road.

It should be noted, that even if the board were to determine that the difficulty is self-created, such a determination does not preclude the granting of the requested variances.

**Balancing.**

As stated above, the requirements of Town Law §267-b require the ZBA to balance the benefit to the applicant if the variances are granted against any detriment to the health, safety and general welfare of the community. Here, substantial benefit runs to the applicant if the variances are granted. Constructing a sign at the requested location is the only way for the applicant to effectively advertise his existing businesses to the traveling public. The existing site layout and location on major north/south corridor prohibit a conforming sign that would achieve the requested benefit. In light of existing oversized plaza signs located in close proximity on Transit Road within the same zoning district, there is no identified detriment to the health, safety and general welfare of the community if a sign of this nature is erected. With great benefit to the applicant if the variances are granted and no identified detriment to the health, safety and general welfare of the community, it is respectfully requested that the proposed variances be approved.



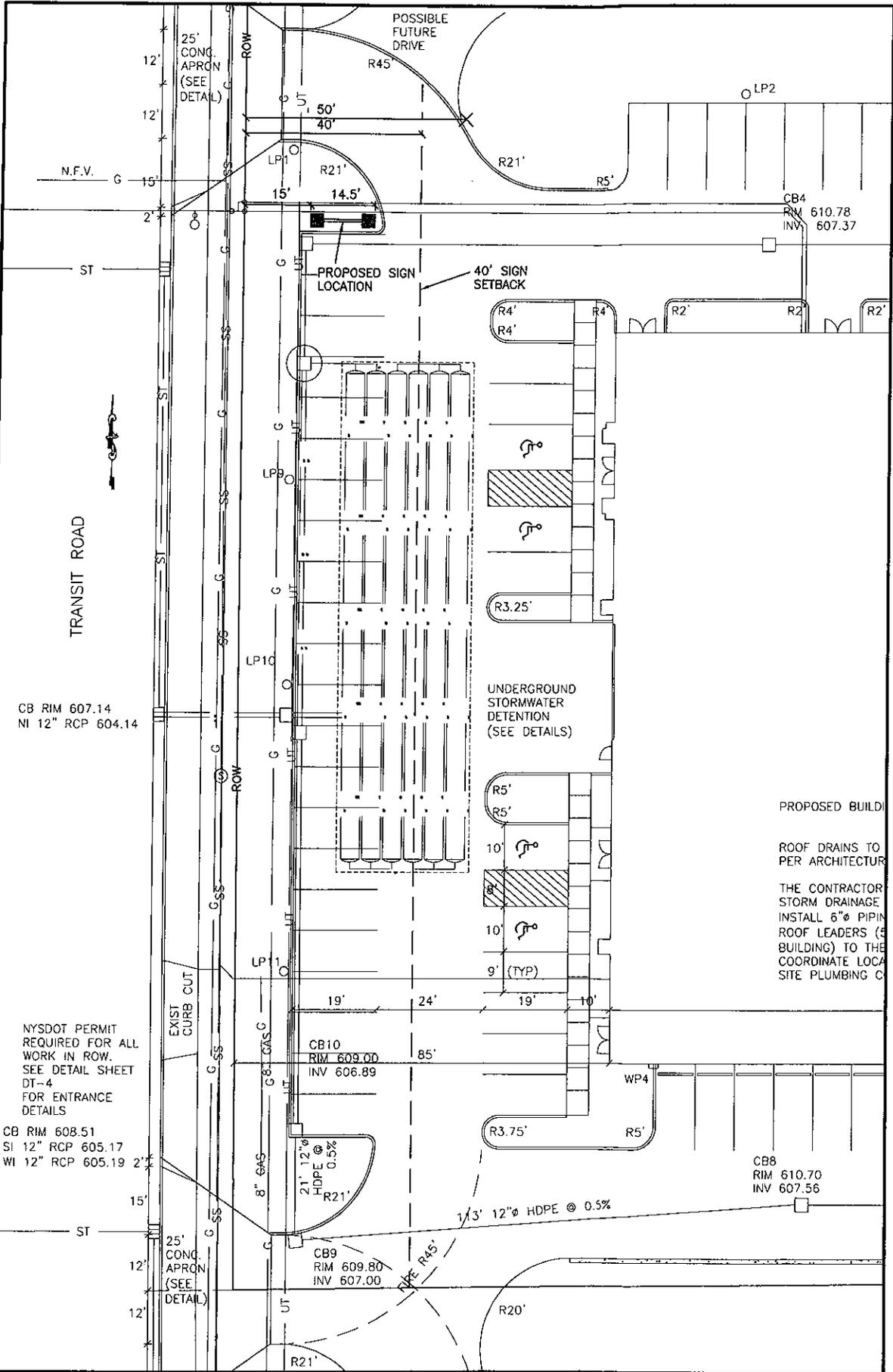
Client Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Approved, we agree that the layout and spelling is correct.  Not Approved, make noted changes

DESIGNER: Michael Sprada  
 CLIENT NAME: Gabe's Collision  
 FILE NAME: 2014Drawings\GabesCollision\Pylon\_LED.cdr  
 DATE: 2-20-15

It is the responsibility of the client to provide all necessary information for the design of the sign. The client is responsible for providing all necessary information for the design of the sign. The client is responsible for providing all necessary information for the design of the sign.





CB RIM 607.14  
NI 12" RCP 604.14

NYS DOT PERMIT  
REQUIRED FOR ALL  
WORK IN ROW.  
SEE DETAIL SHEET  
DT-4  
FOR ENTRANCE  
DETAILS

CB RIM 608.51  
SI 12" RCP 605.17  
WI 12" RCP 605.19 2'

CB10  
RIM 609.00  
INV 606.89

CB9  
RIM 609.80  
INV 607.00

PROPOSED BUILDING

ROOF DRAINS TO  
PER ARCHITECTURE

THE CONTRACTOR  
STORM DRAINAGE  
INSTALL 6" Ø PIPING  
ROOF LEADERS (5  
BUILDING) TO THE  
COORDINATE LOCAL  
SITE PLUMBING CODE

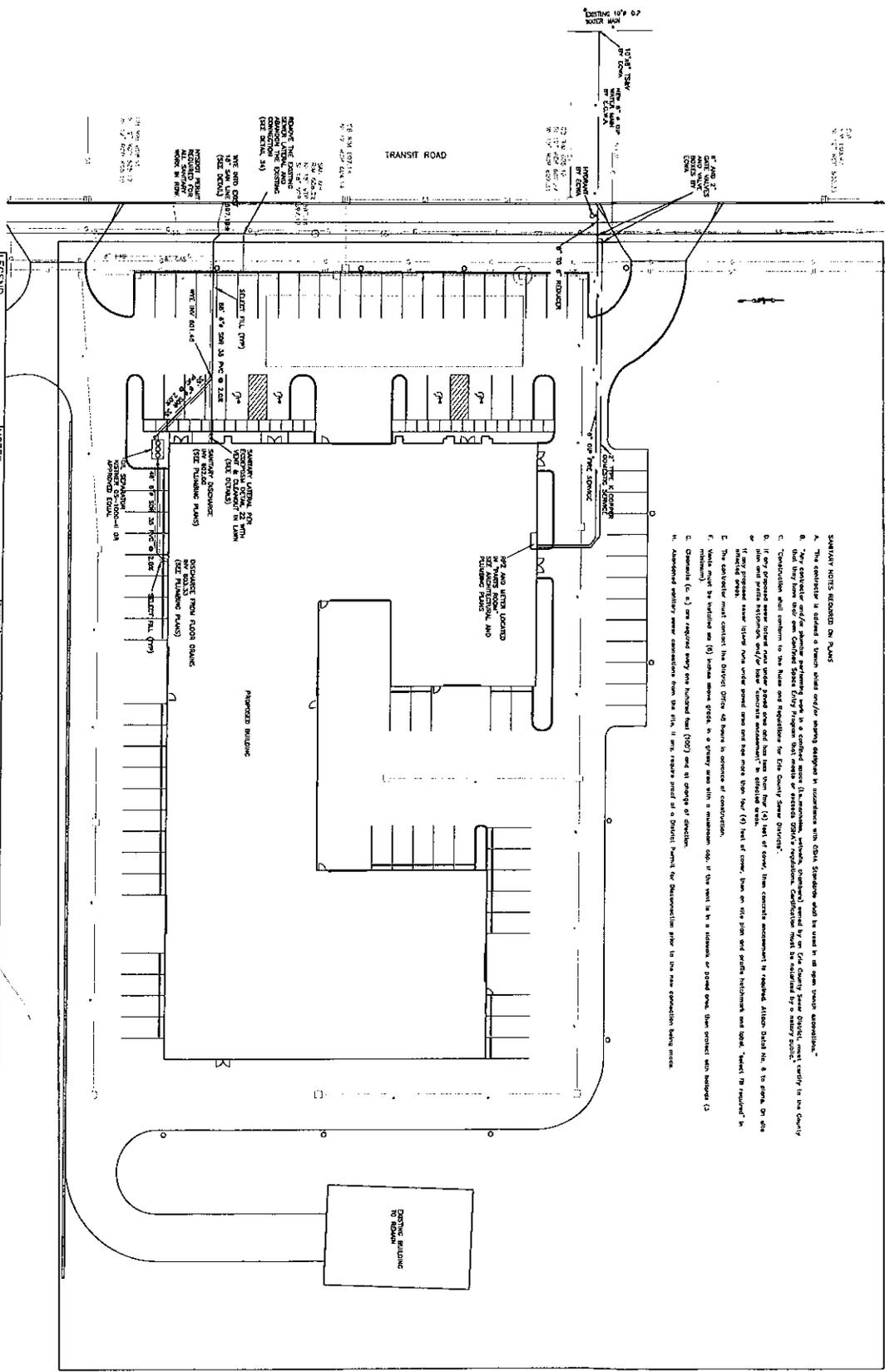
CB8  
RIM 610.70  
INV 607.56

**MCE** METZGER  
CIVIL  
ENGINEERING, PLLC

SCALE:	1"=20'
DATE:	02.25.15
JOB NO:	M-1333
DESIGNED BY:	ARH/MJM

GABES COLLISION  
TRANSIT ROAD  
  
SIGNAGE DISPLAY

© 2014 Mettler Civil Engineering



- SANITARY NOTES REFERRED TO PAGE 2**
- A. The contractor is advised a custom detail and/or assembly designed in accordance with OSHA Standards shall be used in all open trench applications.
  - B. The contractor shall provide a minimum 12" clearance around all sanitary fixtures, including, but not limited to, all sanitary fixtures, and verify in the County Engineer's Office that the proposed sanitary fixtures meet the requirements for Sanitary Fixtures.
  - C. Construction shall conform to the State and regulations for Sanitary Fixtures.
  - D. If any proposed sewer lines are under ground and have been laid (2) feet of cover, then concrete encasement is required. All other lines, 6" to 36" in diameter, shall be laid under ground and have been laid (6) feet of cover, then on this plan and profile, sidewalk and curb, "vered" to finished" in finished grade.
  - E. The contractor shall contact the State Office of Health in advance of construction.
  - F. Materials shall be installed on (6) inches above grade, in a gravel area with a minimum (6) inch depth, or (12) inches, if the soil is in a stream, or paved area, then contact with material (3) inches (6) inches above grade, in a gravel area with a minimum (6) inch depth, or (12) inches, if the soil is in a stream, or paved area, then contact with material (3) inches (6) inches above grade.
  - G. Materials (6" x 6") are required every one hundred feet (100') and at depths of depths.
  - H. Absorbent sanitary sewer connections from the site, if any, shall be made at a depth of 18" below the surface of the ground.

**LEGEND**

Proposed Sewer	Proposed Sanitary
Proposed Water	Proposed Water

**NOTES**

1. This plan is for the proposed sanitary sewer system for the proposed building.
2. This plan is not a permanent plan.

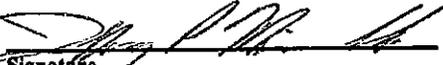
Project No.	0800	Client	Metzger Civil Engineering, PLLC
Contract No.	0800	Address	6880 Main St., Millersville, NY 14221
Scale	AS SHOWN	City	Millersville, NY
Drawn By	J. Metzger	State	NY
Checked By	J. Metzger	Project	Sanitary and Water Plan
Date	11/11/2011	Author	J. Metzger
Revision	1	Reviewer	J. Metzger

**GABER'S COLLISION**  
**TRANSIT ROAD**  
**SANITARY AND WATER PLAN**

**Access Consent Form**

**I hereby consent to allow members of the Town of Clarence Zoning Board of Appeals to access my property (identified below) for the purpose of considering a request for variance.**

**5817 Transit LLC**

By:   
Signature

3/23/15  
Date

**Address of Property:**

5817 Transit Road

East Amherst New York

\_\_\_\_\_

**\*-The Zoning Board of Appeals members may be visiting your premises during any reasonable hour of the day in order to better understand your request. Please follow the directions for preparing your property for inspection included in this packet.**

## Neighbor Notification Form

A public hearing will be held at the Clarence Town Hall in the Kathleen Hallock Conference Room at 7:00 p.m. on Tuesday March 10, 2015 to hear a request for a variance to the Zoning Ordinance regarding property located at:

5817 Transit Road

East Amherst New York

Owner: 5817 Transit LLC

---

I(we) the undersigned, own the property which adjoins the above described property and have been informed of the variance requested in accordance with the drawing attached hereto.

David C. Spoth  
Signature

2/24/2015

\_\_\_\_\_  
Signature

Address: 5757 Transit Rd.  
E. Amherst, NY 14051

## Neighbor Notification Form

A public hearing will be held at the Clarence Town Hall in the Kathleen Hallock Conference Room at 7:00 p.m. on Tuesday March 10, 2015 to hear a request for a variance to the Zoning Ordinance regarding property located at:

5817 Transit Road

East Amherst New York

Owner: 5817 Transit LLC

---

I(we) the undersigned, own the property which adjoins the above described property and have been informed of the variance requested in accordance with the drawing attached hereto.

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Address:

2056 Ferry Street  
East Amherst NY 14051

## Neighbor Notification Form

A public hearing will be held at the Clarence Town Hall in the Kathleen Hallock Conference Room at 7:00 p.m. on Tuesday March 10, 2015 to hear a request for a variance to the Zoning Ordinance regarding property located at:

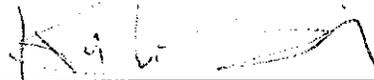
5817 Transit Road

East Amherst New York

Owner: 5817 Transit LLC

---

I(we) the undersigned, own the property which adjoins the above described property and have been informed of the variance requested in accordance with the drawing attached hereto.

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Address: 8061 GREY STREET  
EAST AMHERST, NY 14051

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A public hearing will be held at the Clarence Town Hall in the Kathleen Hallock Conference Room at 7:00 p.m. on Tuesday March 10, 2015 to hear a request for a variance to the Zoning Ordinance regarding property located at:

5817 Transit Road

East Amherst New York

Owner: 5817 Transit LLC

---

I(we) the undersigned, own the property which adjoins the above described property and have been informed of the variance requested in accordance with the drawing attached hereto.



Signature

Signature

Address: 8066 Grey Stone Ct.  
East Amherst, NY 14051

## Neighbor Notification Form

A public hearing will be held at the Clarence Town Hall in the Kathleen Hallock Conference Room at 7:00 p.m. on Tuesday March 10, 2015 to hear a request for a variance to the Zoning Ordinance regarding property located at:

5817 Transit Road

East Amherst New York

Owner: 5817 Transit LLC

---

I(we) the undersigned, own the property which adjoins the above described property and have been informed of the variance requested in accordance with the drawing attached hereto.

Teresa A. Donner

Signature

Cheryl J. Donner

Signature

Address: 8040 Laurel Park Lane  
E. Amherst, NY 14051

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A public hearing will be held at the Clarence Town Hall in the Kathleen Hallock Conference Room at 7:00 p.m. on Tuesday March 10, 2015 to hear a request for a variance to the Zoning Ordinance regarding property located at:

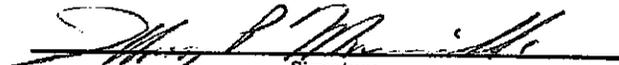
5817 Transit Road

East Amherst New York

Owner: 5817 Transit LLC

---

I(we) the undersigned, own the property which adjoins the above described property and have been informed of the variance requested in accordance with the drawing attached hereto.

  
Signature

\_\_\_\_\_  
Signature

Address: 5821 Transit Rd

\_\_\_\_\_

AUTHORIZATION

5817 Transit LLC, record property owner of 5817 Transit Road in the Town of Clarence, hereby authorizes the law firm of Damon Morey LLP to file a variance petition along with any necessary supporting documentation, with the Town of Clarence in connection with the variances sought for the above referenced property.

By:   
Jeffrey Mucciarelli, as Principal of 5817  
Transit LLC

Dated: 2/23/15

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

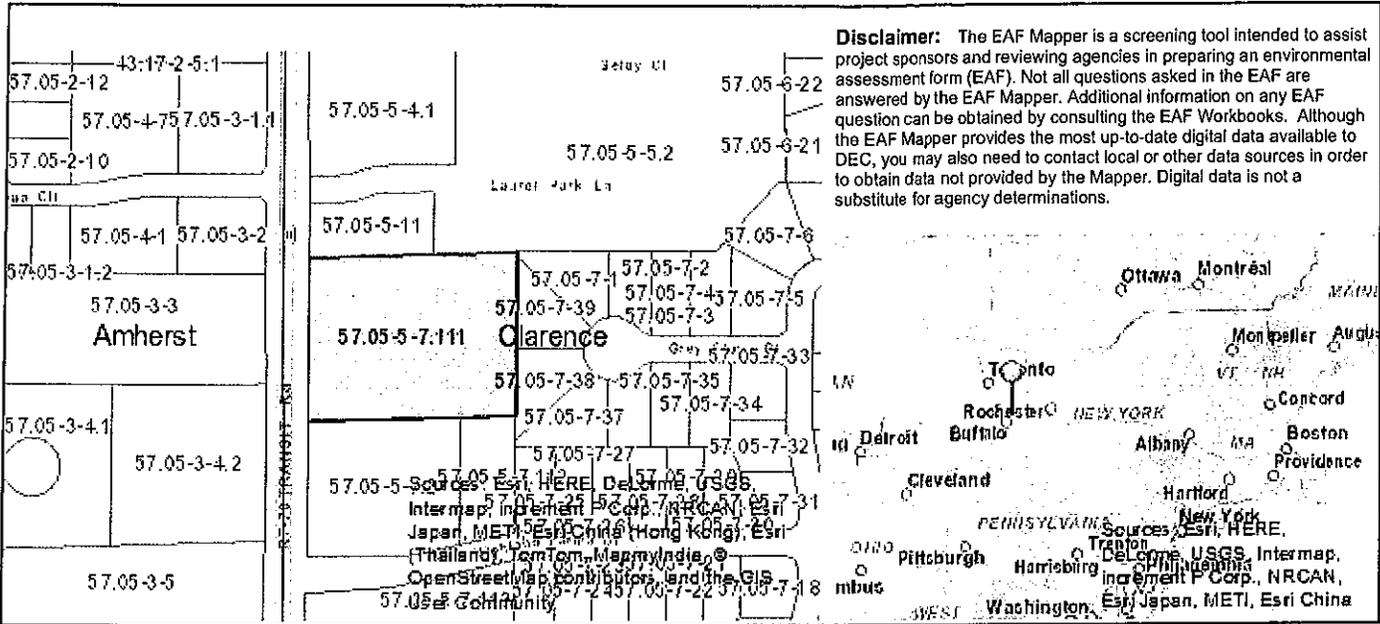
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Gabe's Collision Sign Variance			
Project Location (describe, and attach a location map): 5817 Transit Road, East Amherst, New York 14051			
Brief Description of Proposed Action: Applicant is proposing placement of a freestanding sign on his property in order to advertise the businesses located at 5817 Transit Road.			
Name of Applicant or Sponsor: 5817 Transit LLC by Damon Morey as agent/attorney		Telephone: E-Mail: EHOLMES@DAMONMOREY.COM	
Address: 5817 Transit Road			
City/PO: East Amherst		State: NY	Zip Code: 14051
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Area variance from Town of Clarence Zoning Board of Appeals		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		+/- .1 acres	
b. Total acreage to be physically disturbed?		+/- .1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.956 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



# EAF Mapper Summary Report

Tuesday, February 24, 2015 2:47 PM



- Part 1 / Question 7 [Critical Environmental Area] No
- Part 1 / Question 12a [National Register of Historic Places] No
- Part 1 / Question 12b [Archeological Sites] Yes
- Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] No
- Part 1 / Question 15 [Threatened or Endangered Animal] No
- Part 1 / Question 16 [100 Year Flood Plain] No
- Part 1 / Question 20 [Remediation Site] Yes

**REQUEST FOR ACTION BY:**

TOWN OF CLARENCE, N.Y.

- Appeal Board
- Planning Board
- Town Board

- Appeal
- Rezone
- Revise Ordinance
- Subdivision
- Limited Use Permit
- Other

Rec'd. by: Jonathan Bleuer  
 Date February 24, 2015

**Action Desired** Applicant requests a variance of 8' 3" to allow for a 16' 9" setback for an addition of 480 sq. ft. on the primary structure located at 8865 Sheridan Drive. Primary structure is located within the Restricted Business Zone.

**Reason** \_\_\_\_\_  
 Town Code Reference:  
§229-79 (B) (3)

**PLEASE PRINT**

<b>Name</b>	Kathleen McCollum		
<b>Address</b>	8865 Sheridan Drive		
	Clarence	NY	14031
<b>Town/City</b>		<b>State</b>	<b>Zip</b>
<b>Phone</b>	204-9093		
<b>Signed</b>	SIGNATURE ON FILE		

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

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- Published (Attach Clipping) ..... on ..... 19 .....
- Hearing Held by ..... on ..... 19 .....

**Final Action Taken**

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- Published (Attach Clipping) ..... on ..... 19 .....
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- Filed with County Clerk ..... on ..... 19 .....



\* note the parcel lines displayed are approximate

8865 Sheridan Drive



Proposed 16' 9" setback for an addition of 480 sq. ft.

**SHERIDAN DRIVE (100.00' WIDE)**

SET BACK

EXISTING ACCESS

EXISTING PARKING LOT (ASPHALT)

1 ADA SPACE

KITCHEN ADDITION

SET BACK

16.7'

**SHIMERVILLE ROAD (66.00' WIDE)**

PROPERTY LINE

24.0'

EXISTING HARDSCAPE (ASPHALT)

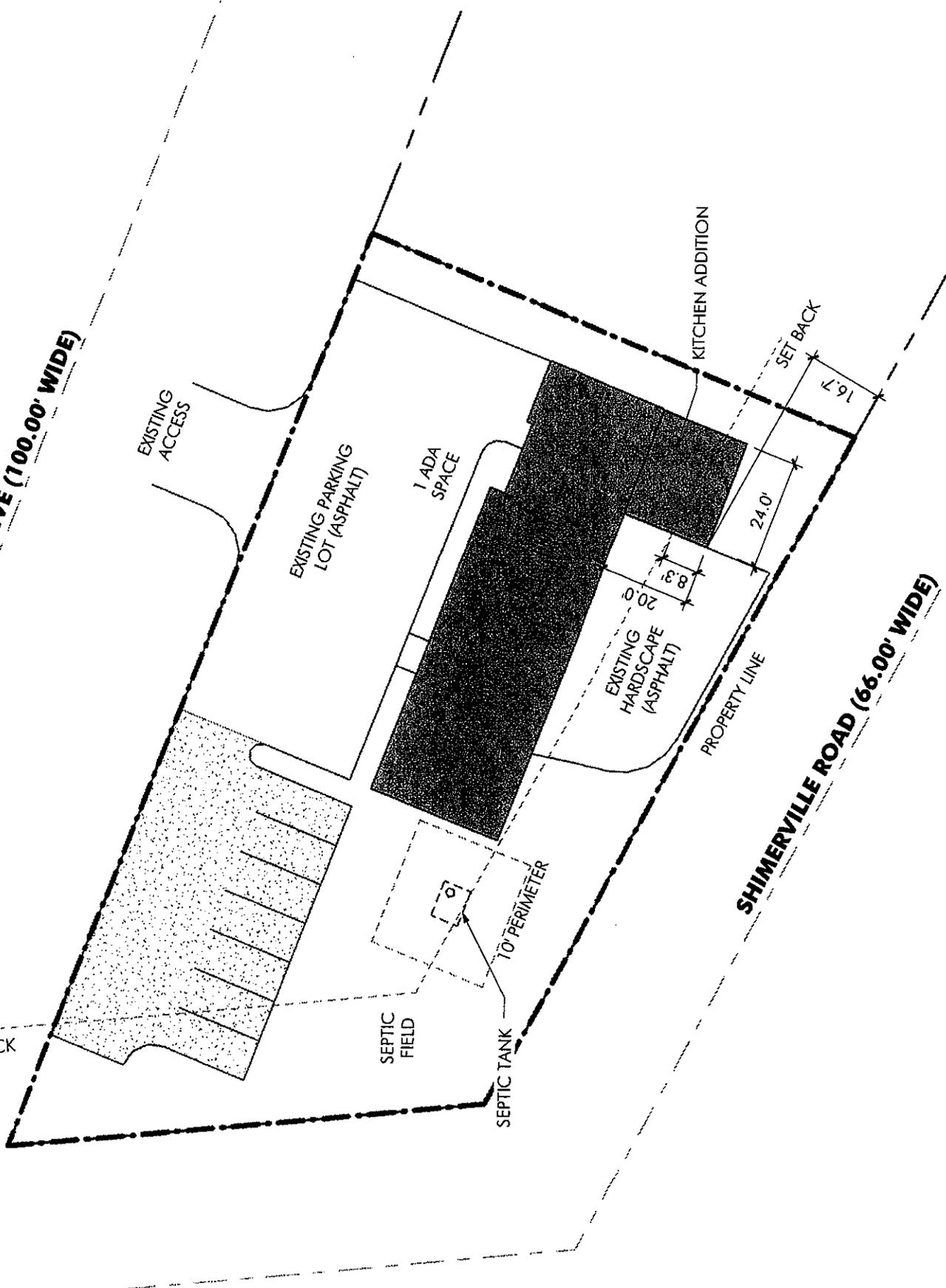
20.0'

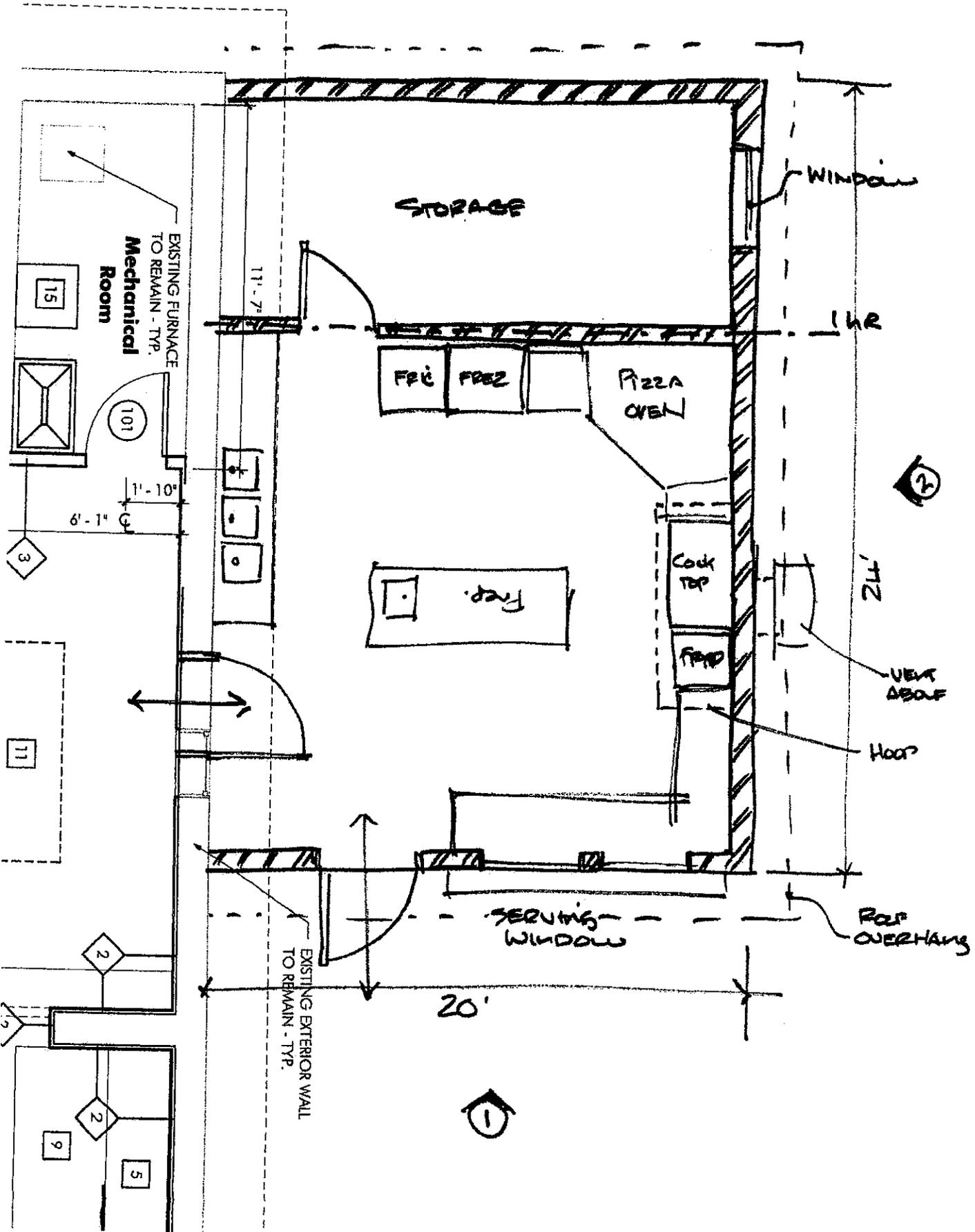
8.3'

SEPTIC FIELD

SEPTIC TANK

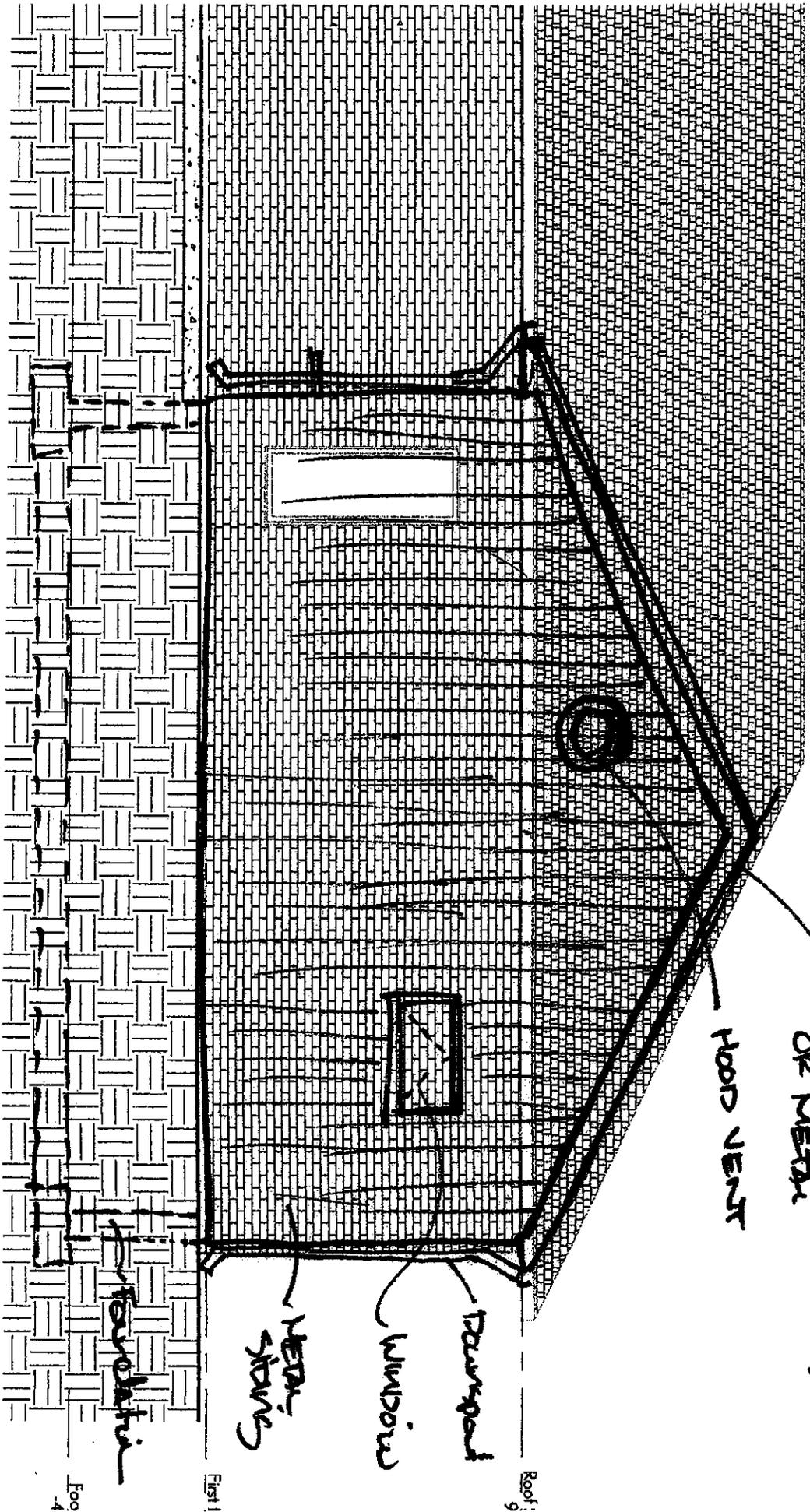
10' PERIMETER







2



MACHINES Apartment Slunglo  
OR METAL

WOOD VENT

Downspout

Windows

METAL  
STAIRS

Residential

Roof  
9

First  
1

Foot  
4

**REQUEST FOR ACTION BY:**  
**TOWN OF CLARENCE, N.Y.**

- Appeal Board
- Planning Board
- Town Board

- Appeal
- Rezone
- Revise Ordinance
- Subdivision
- Limited Use Permit
- Other

Rec'd. by: Jonathan Bleuer  
 Date February 25, 2015

**Action Desired** Applicant requests a variance of 18' 3" to allow for a 26' 9" setback for an addition to the principle structure located at 4240 Shimerville Road. Principle structure located within the Residential Single Family Zone.

**Reason** Town Code Reference:  
§229-52 (3) : established front yard setback of 45'

**PLEASE PRINT**

<b>Name</b>	Don Rugg		
<b>Address</b>	4240 Shimerville Road		
	Clarence	NY	14031
<b>Town/City</b>		<b>State</b>	<b>Zip</b>
<b>Phone</b>	913-0813		
<b>Signed</b>	SIGNATURE ON FILE		

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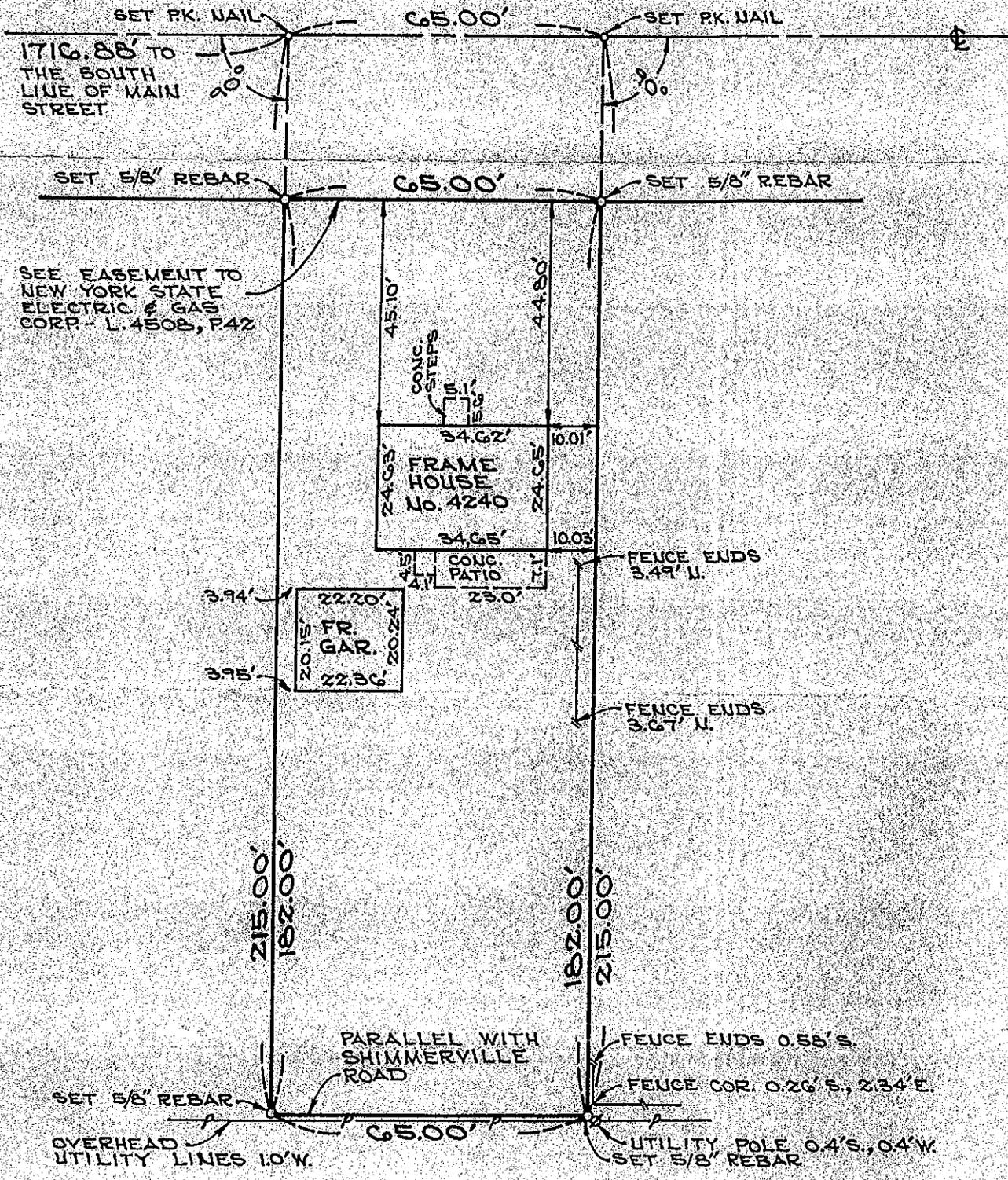
\* note the parcel lines displayed are approximate

4240 Shimerville Road

Proposed 26' 9" setback to allow for addition of principle structure.



# SHIMMERVILLE (66' WIDE) ROAD

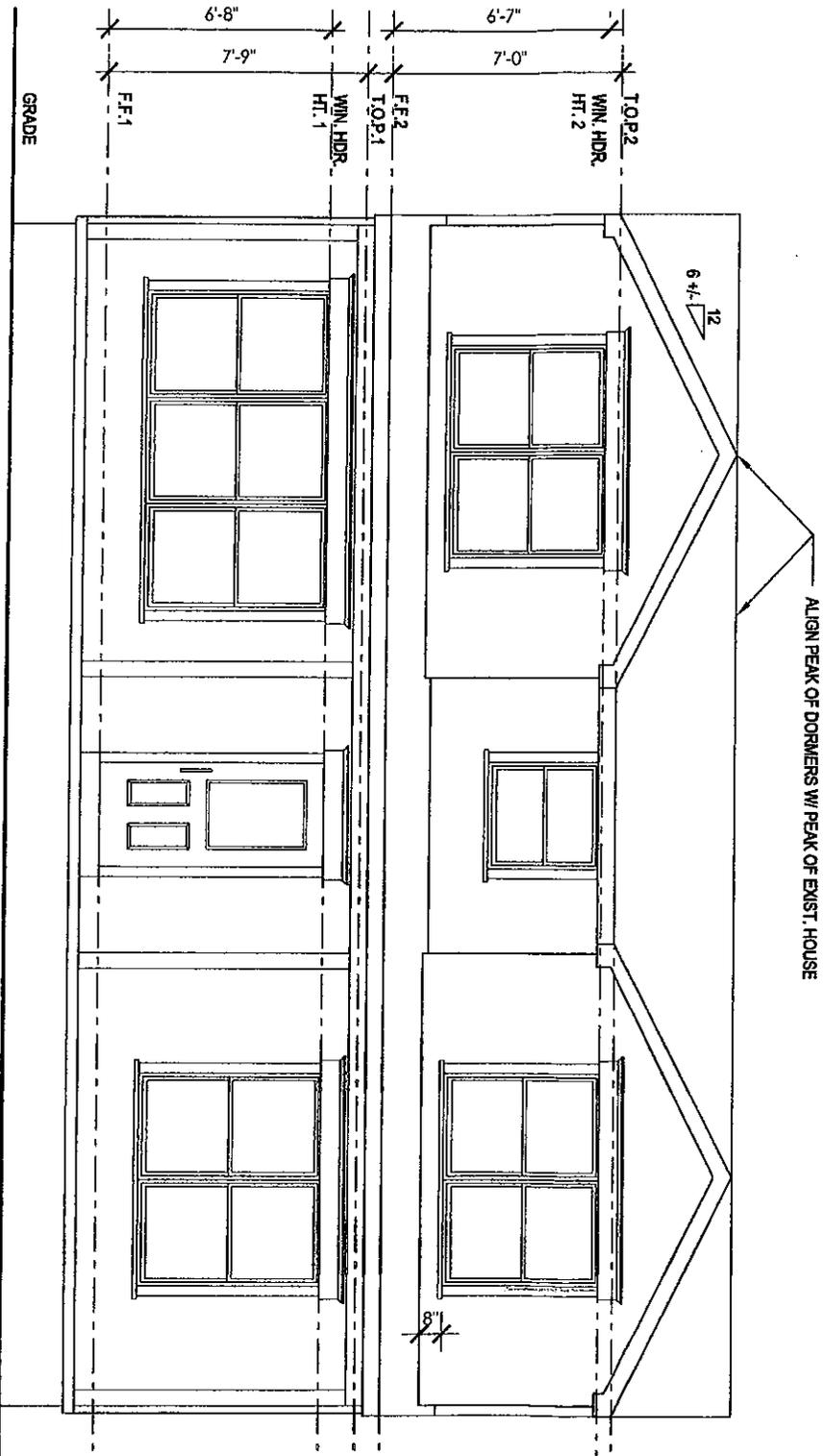


SURVEY OF  
 PART OF LOT 9, SECTION 9, TOWNSHIP 12, RANGE 6  
 HOLLAND LAND SURVEY  
 TOWN OF CLARENCE, ERIE COUNTY, NEW YORK

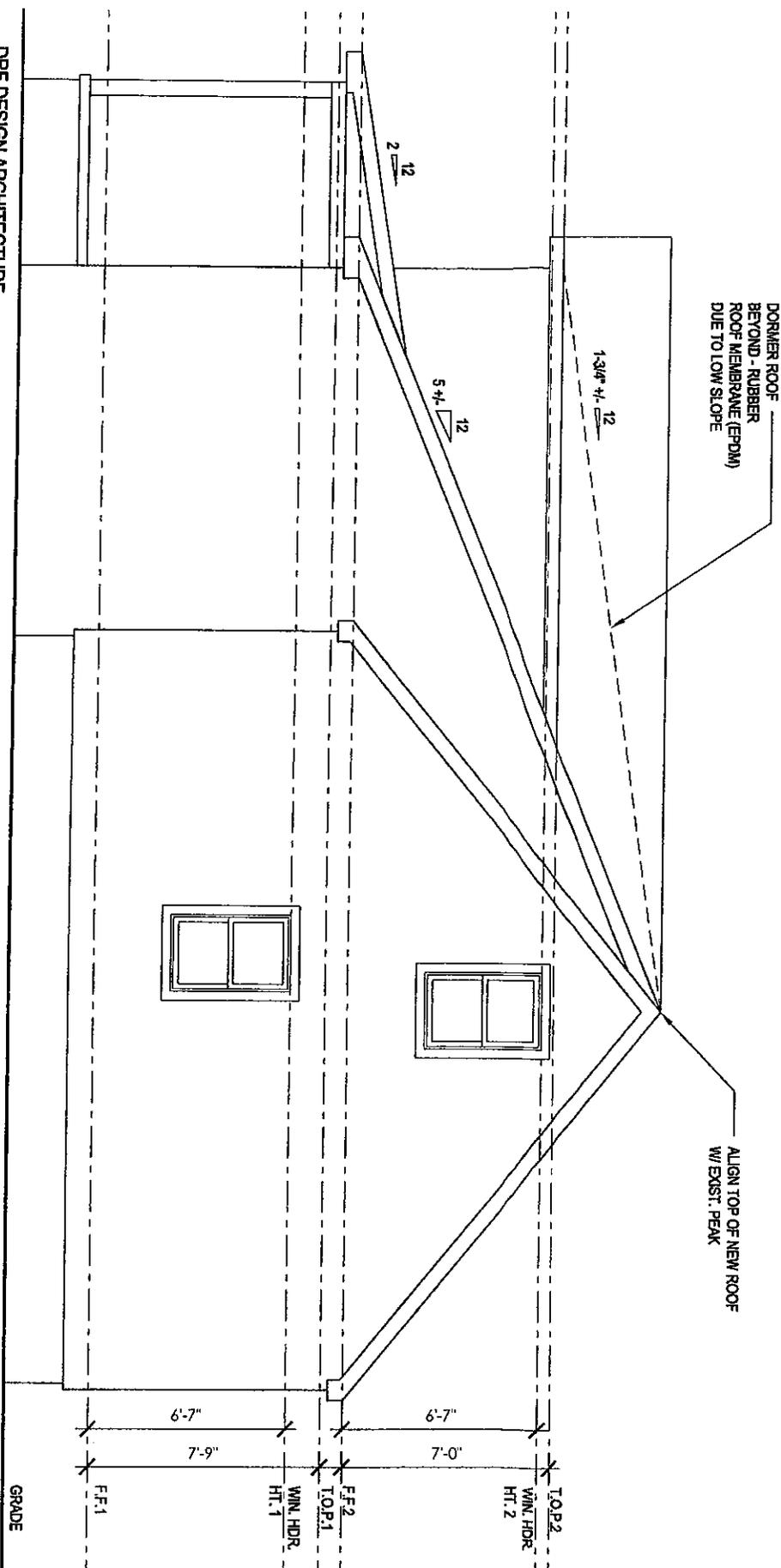
*Bernard E. Wells*

DATE	REVISION/TYPE

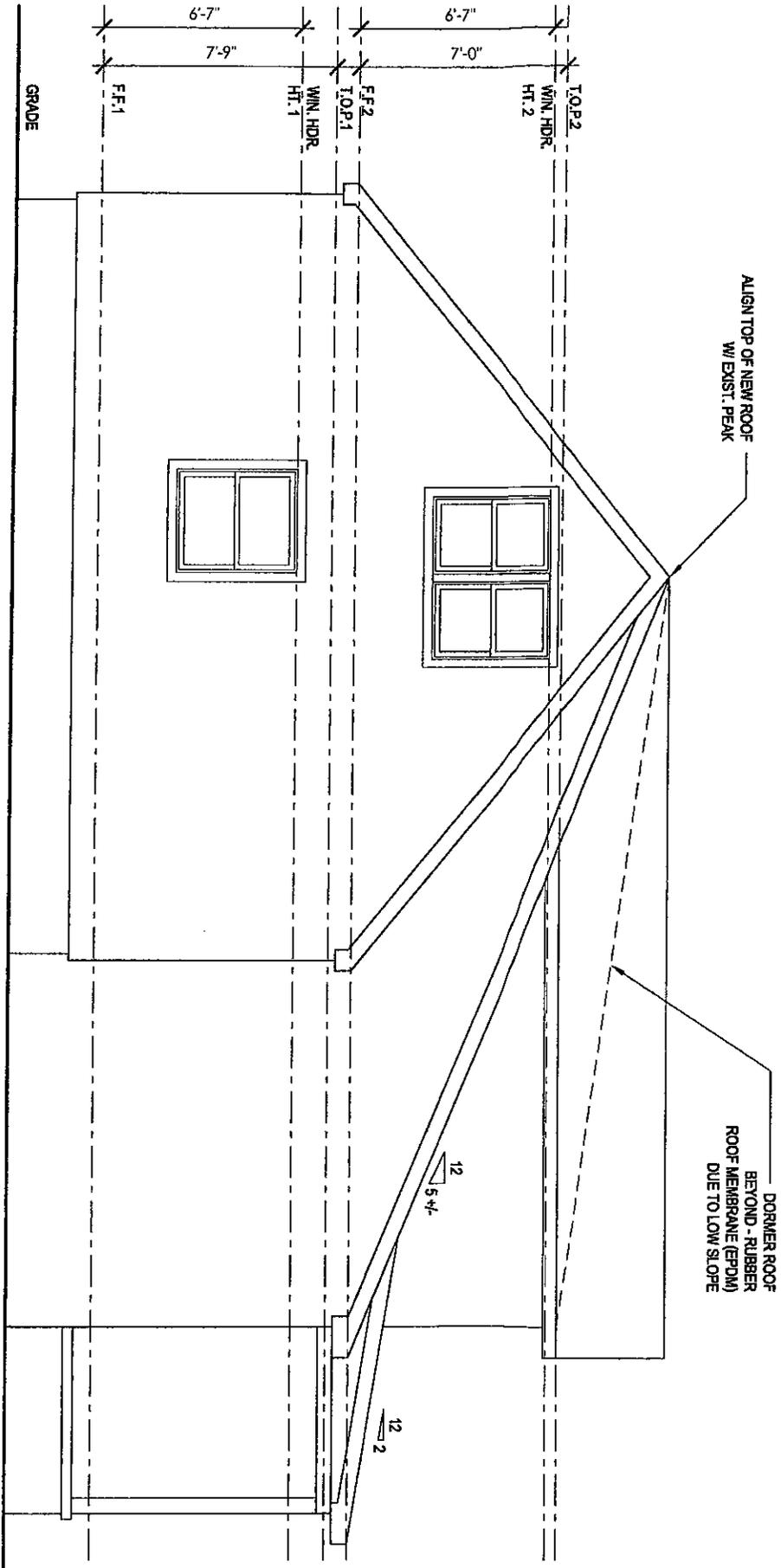
**mb** Pratt & With Associates



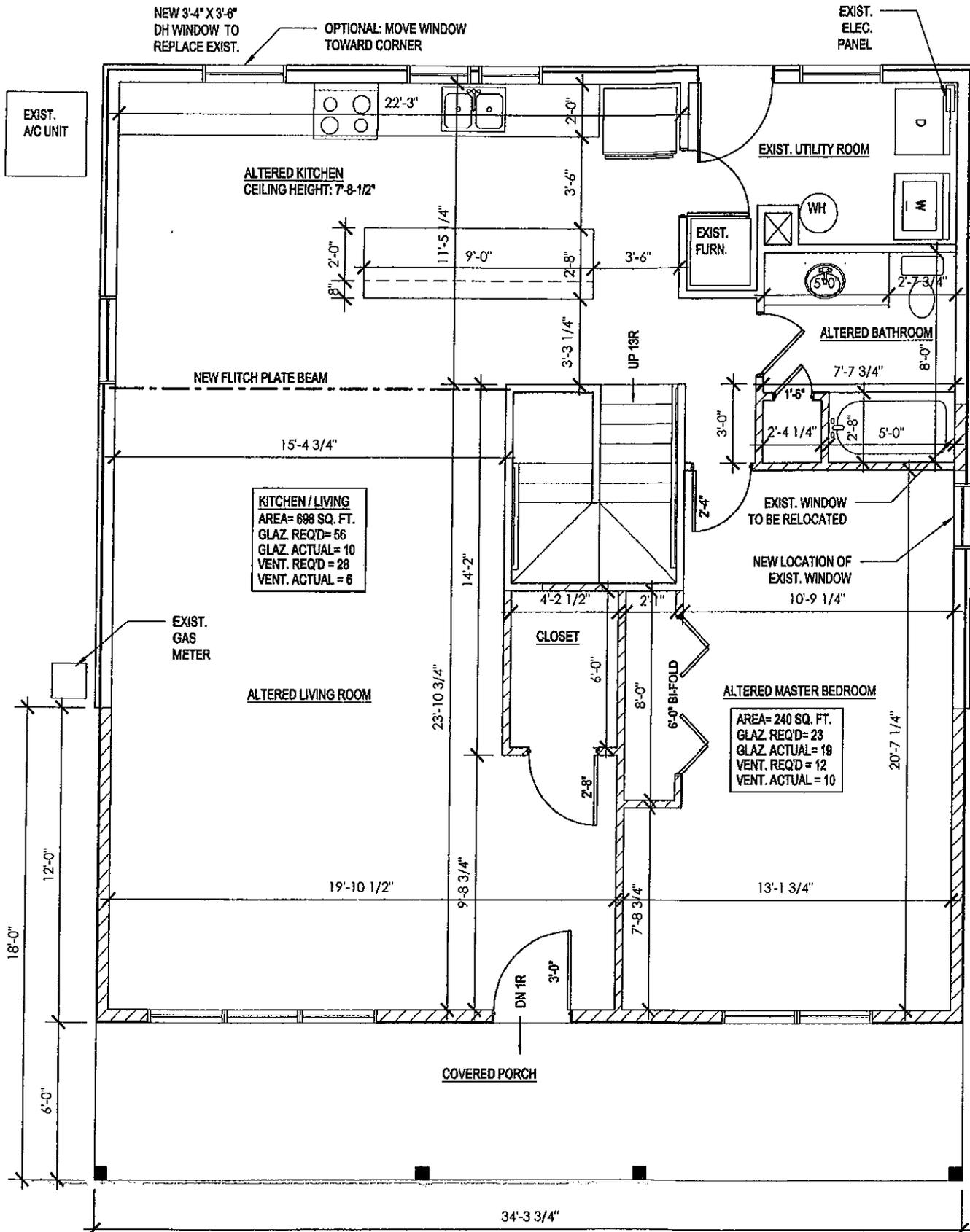
DRF DESIGN ARCHITECTURE  
 PROPOSED ADDITION TO RUGG RESIDENCE  
 JOB #14-148 - 4240 SHIMMERVILLE RD  
 EAST ELEVATION  
 TOTAL AREA OF ADDITION: 592 SQ. FT.  
 SCALE: 3/16" = 1'-0"



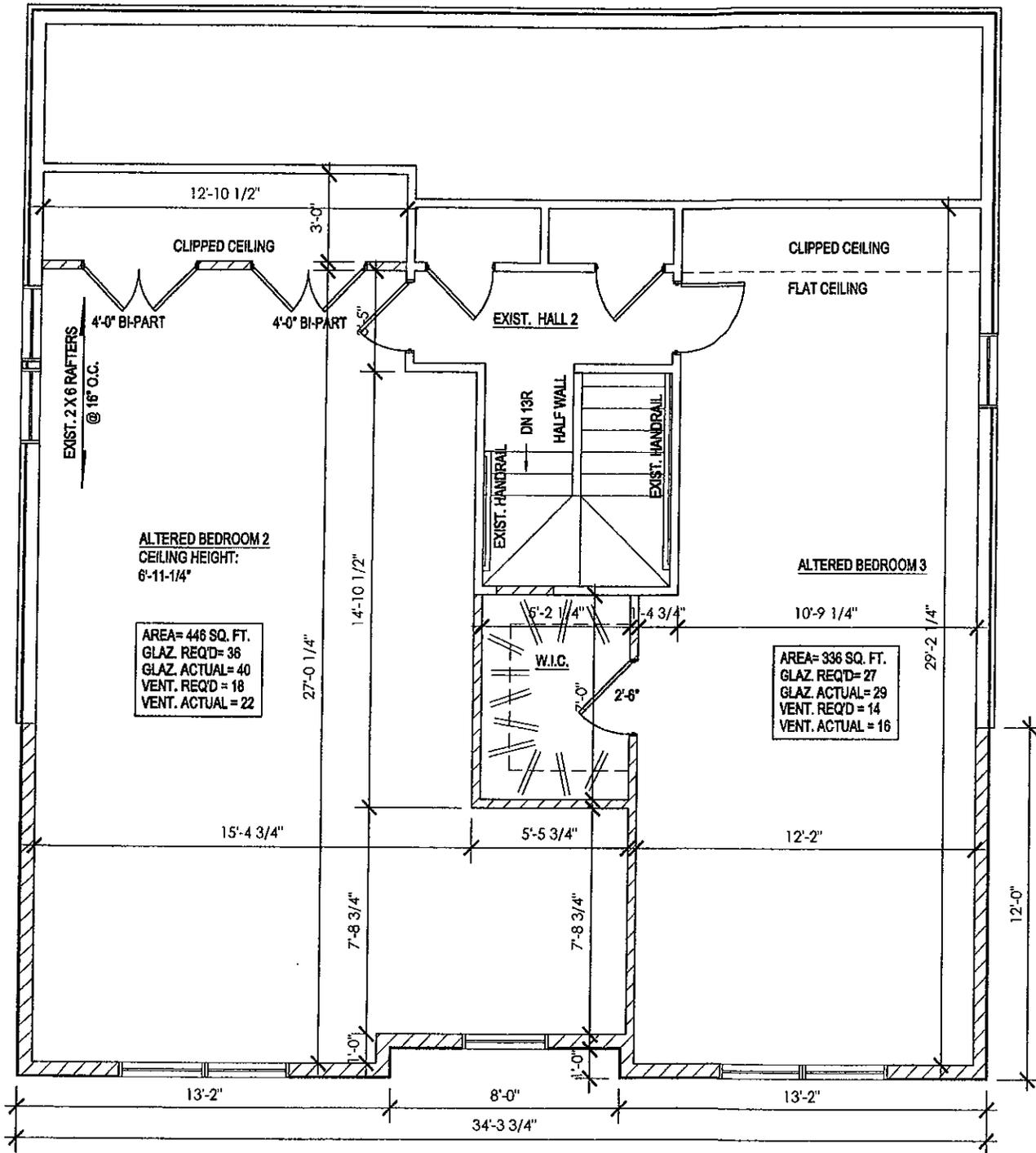
DRF DESIGN ARCHITECTURE  
 PROPOSED ADDITION TO RUGG RESIDENCE  
 JOB #14-148 - 4240 SHIMMERVILLE RD  
 NORTH ELEVATION  
 TOTAL AREA OF ADDITION: 592 SQ. FT.  
 SCALE: 3/16" = 1'-0"



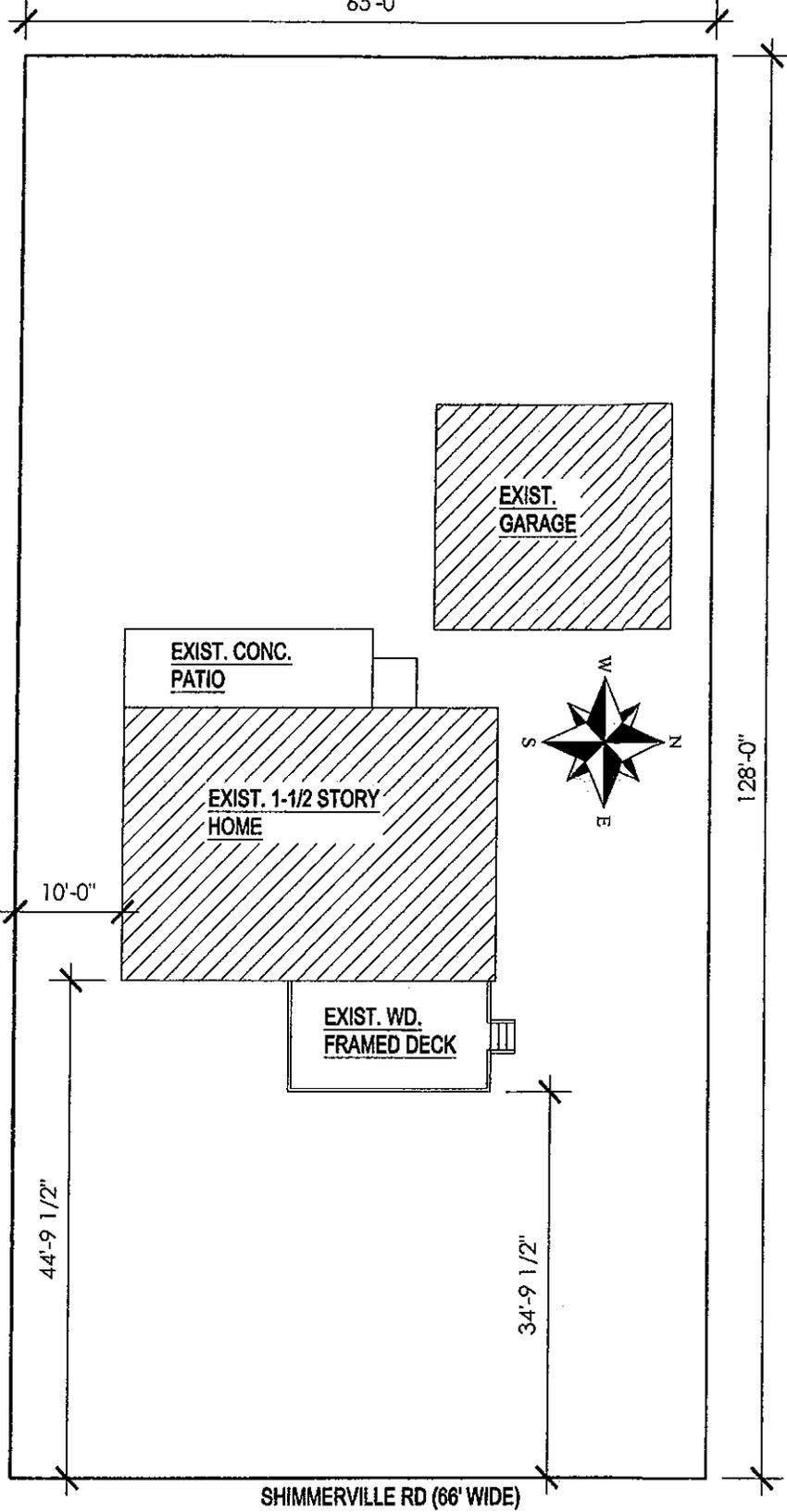
DRF DESIGN ARCHITECTURE  
 PROPOSED ADDITION TO RUGG RESIDENCE  
 JOB #14-148 - 4240 SHIMMERYVILLE RD  
 SOUTH ELEVATION  
 TOTAL AREA OF ADDITION: 592 SQ. FT.  
 SCALE: 3/16" = 1'-0"



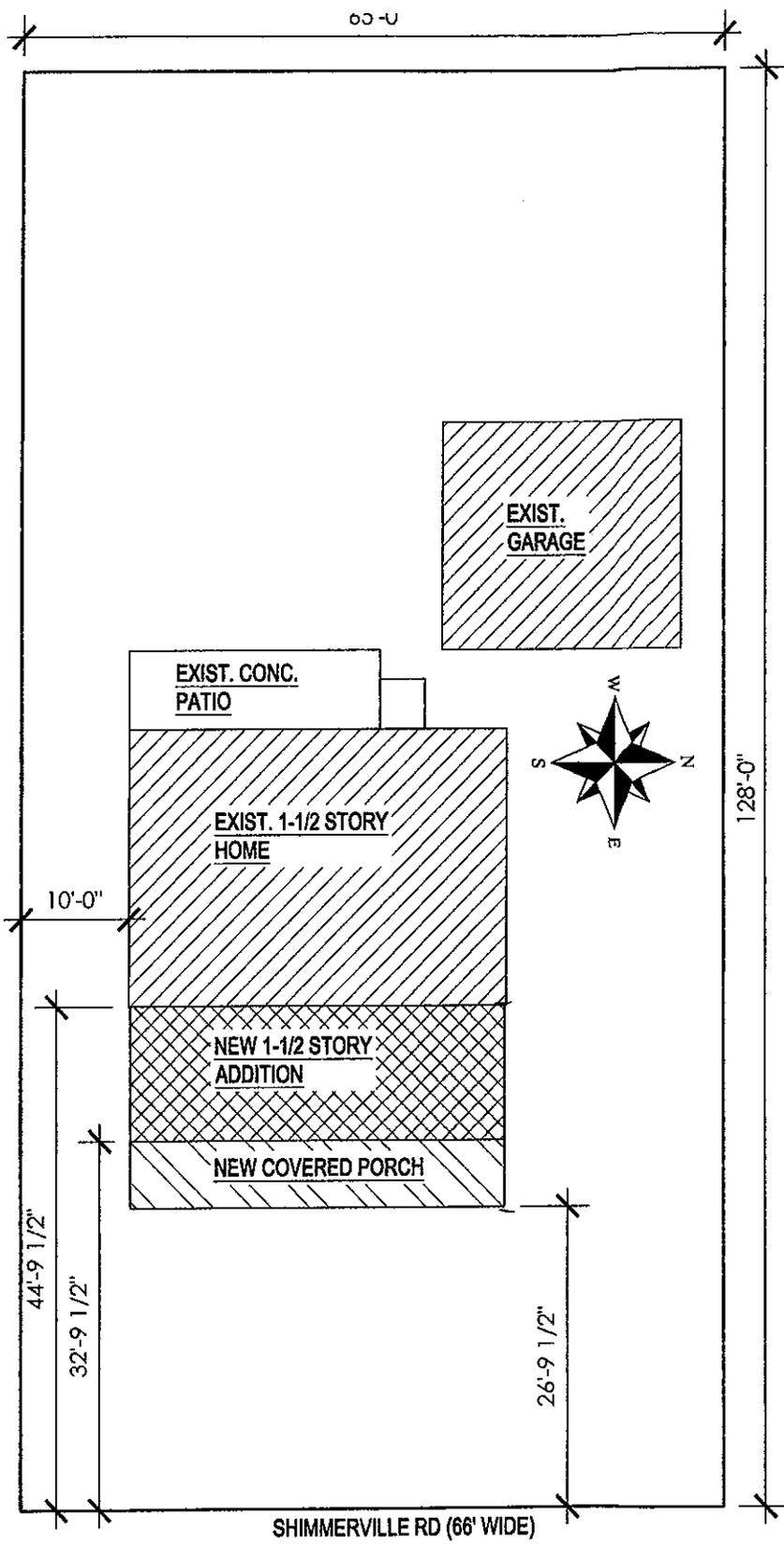
DRF DESIGN ARCHITECTURE  
 PROPOSED ADDITION TO RUGG RESIDENCE  
 JOB #14-148 - 4240 SHIMERVILLE RD  
 FIRST FLOOR PLAN  
 AREA OF FIRST FLOOR ADDITION: 412 SQ. FT.  
 TOTAL AREA OF ADDITION: 592 SQ. FT.  
 SCALE: 3/16" = 1'-0"



DRF DESIGN ARCHITECTURE  
 PROPOSED ADDITION TO RUGG RESIDENCE  
 JOB #14-148 - 4240 SHIMERVILLE RD  
 SECOND FLOOR PLAN  
 AREA OF SECOND FLOOR ADDITION: 296 SQ. FT.  
 TOTAL AREA OF ADDITION: 592 SQ. FT.  
 SCALE: 3/16" = 1'-0"



DRF DESIGN ARCHITECTURE  
 PROPOSED ADDITION TO RUGG RESIDENCE  
 JOB #14-148 - 4240 SHIMERVILLE RD  
 EXISTING SITE PLAN  
 TOTAL AREA OF ADDITION: 592 SQ. FT.  
 SCALE: 1/16" = 1'-0"



DRF DESIGN ARCHITECTURE  
 PROPOSED ADDITION TO RUGG RESIDENCE  
 JOB #14-148 - 4240 SHIMMERVILLE RD  
 NEW SITE PLAN  
 TOTAL AREA OF ADDITION: 592 SQ. FT.  
 SCALE: 1/16" = 1'-0"

**REQUEST FOR ACTION BY:**  
TOWN OF CLARENCE, N.Y.

- Appeal Board
- Planning Board
- Town Board

- Appeal
- Rezone
- Revise Ordinance
- Subdivision
- Limited Use Permit
- Other

Rec'd. by: James Callahan  
Date February 18, 2015

**Action Desired** Applicant requests a variance of 1,520 sq. ft. to allow for a 1,520 sq. ft. addition to a pre-existing non-conforming detached accessory structure located within the Residential Single Family Zone.

**Reason** \_\_\_\_\_  
Town Code Reference:

§229-55 (H)

**PLEASE PRINT**

<b>Name</b>	Chuck Dibella		
<b>Address</b>	5525 Shimerville Road		
	Clarence	NY	14031
<b>Town/City</b>		<b>State</b>	<b>Zip</b>
<b>Phone</b>	867-4669		
<b>Signed</b>	SIGNATURE ON FILE		

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

**Initial Action**

- Approved
- Rejected  by ..... on ..... 19 .....
- Approved
- Rejected  by ..... on ..... 19 .....
- Published (Attach Clipping) ..... on ..... 19 .....
- Hearing Held by ..... on ..... 19 .....

**Final Action Taken**

- Approved
- Rejected  by ..... on ..... 19 .....
- Published (Attach Clipping) ..... on ..... 19 .....
- Filed with Town Clerk ..... on ..... 19 .....
- Filed with County Clerk ..... on ..... 19 .....



\* note the parcel lines displayed are approximate  
5525 Shimerville Road

Proposed 1,520 sq. ft. addition (40' x 38') to existing 1,928 sq. ft. pre-existing non-conforming detached accessory structure.



# PARCO BUILDING SYSTEMS, INC

6140 FIRST STREET, NEWFANE, NY 14108  
 716-778-8552, FAX 716-778-8961, 1-800-784-4361

**CHUCK DIBELLA**  
**5525 SHIMERVILLE ROAD**  
**CLARENCE, NY**

## DRAWING INDEX

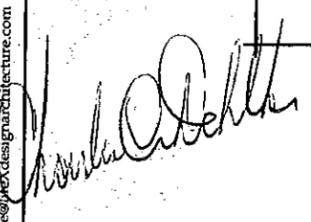
- A-1 ELEVATIONS
- A-2 ELEVATIONS & SECTIONS
- A-3 FLOOR / POST PLAN
- A-4 SECTIONS & DETAILS

### GENERAL & STRUCTURAL NOTES

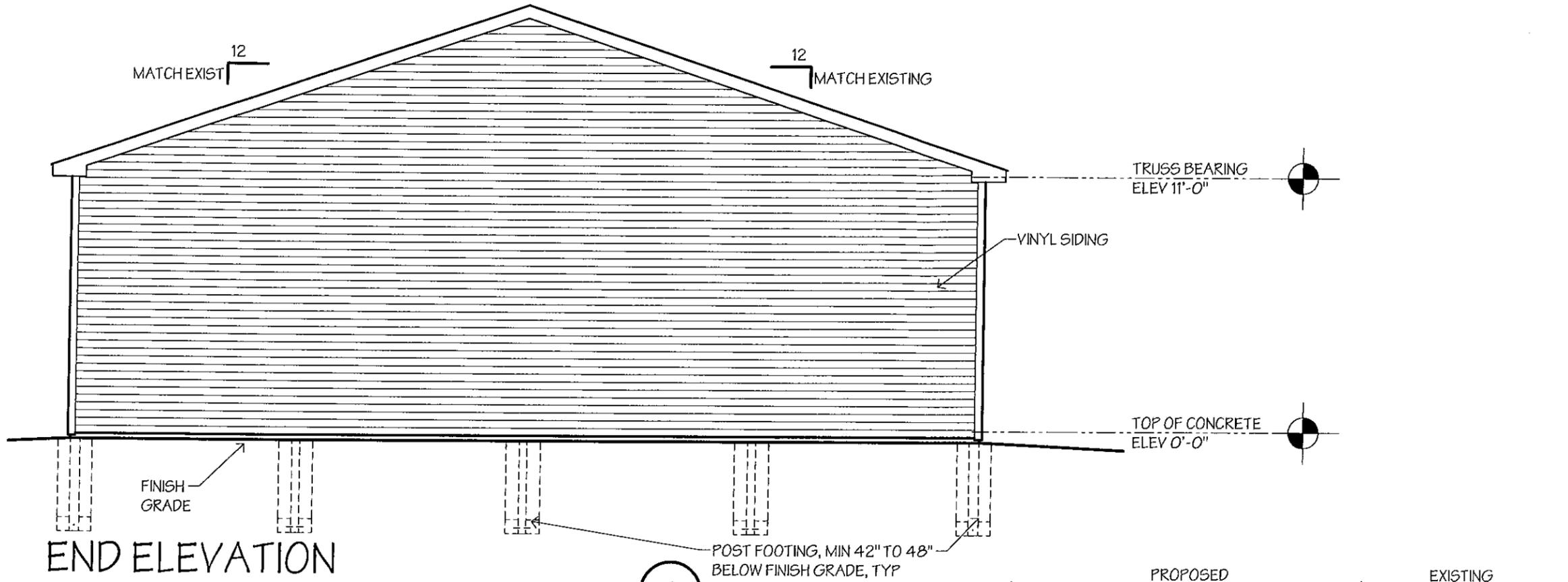
1. TOTAL BUILDING AREA: 1,520 S.F.
2. IN LIEU OF GEOTECHNICAL EVALUATION, FOOTING DESIGN ASSUMES A MINIMUM SOIL BEARING CAPACITY OF 2,000 PSF BASED. VERIFY ACTUAL CONDITIONS PRIOR TO CONSTRUCTION. IF OTHER CONDITIONS ARE DISCOVERED, NOTIFY THE ARCHITECT IMMEDIATELY
3. ALL FOOTINGS SHALL BEAR UPON UNDISTURBED OR COMPACTED SUB-GRADE
4. FOOTING BEARING POINTS SHALL MAINTAIN A MINIMUM DEPTH OF 42" TO 48" BELOW FINISH GRADE, AS DETERMINED BY THE BUILDING DEPARTMENT, FOR FROST PROTECTION FOR ENTIRE PERIMETER OF BUILDING
5. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE DESIGN STRENGTH OF 3,500 PSI
6. ROOF TRUSSES SHALL BE DESIGNED TO SUPPORT:
 

SNOW LOAD	30 PSF	(50 PSF GROUND SNOW LOAD)
DEAD LOAD	10 PSF	
WIND LOAD	90 MPH, EXPOSURE C	

registered architect charles a. dahlike 6695 s. transit road, lockport, new york 14094 716 - 210 - 3287 cadahlike@lifedesignarchitecture.com	PROJECT TITLE / LOCATION: <b>DIBELLA POLE STRUCTURE                  CLARENCE, NEW YORK</b>	SCALE: AS SHOWN	DATE: 2-9-15	CONTENTS ON SHEET: SHEET 1 OF 5
DRAWING NO: <span style="font-size: 2em; font-weight: bold;">G-1</span>	CONTENTS ON SHEET: COVER SHEET			
15-011	NOTE: IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ARCHITECT, TO ALTER THIS DOCUMENT IN ANY WAY.			

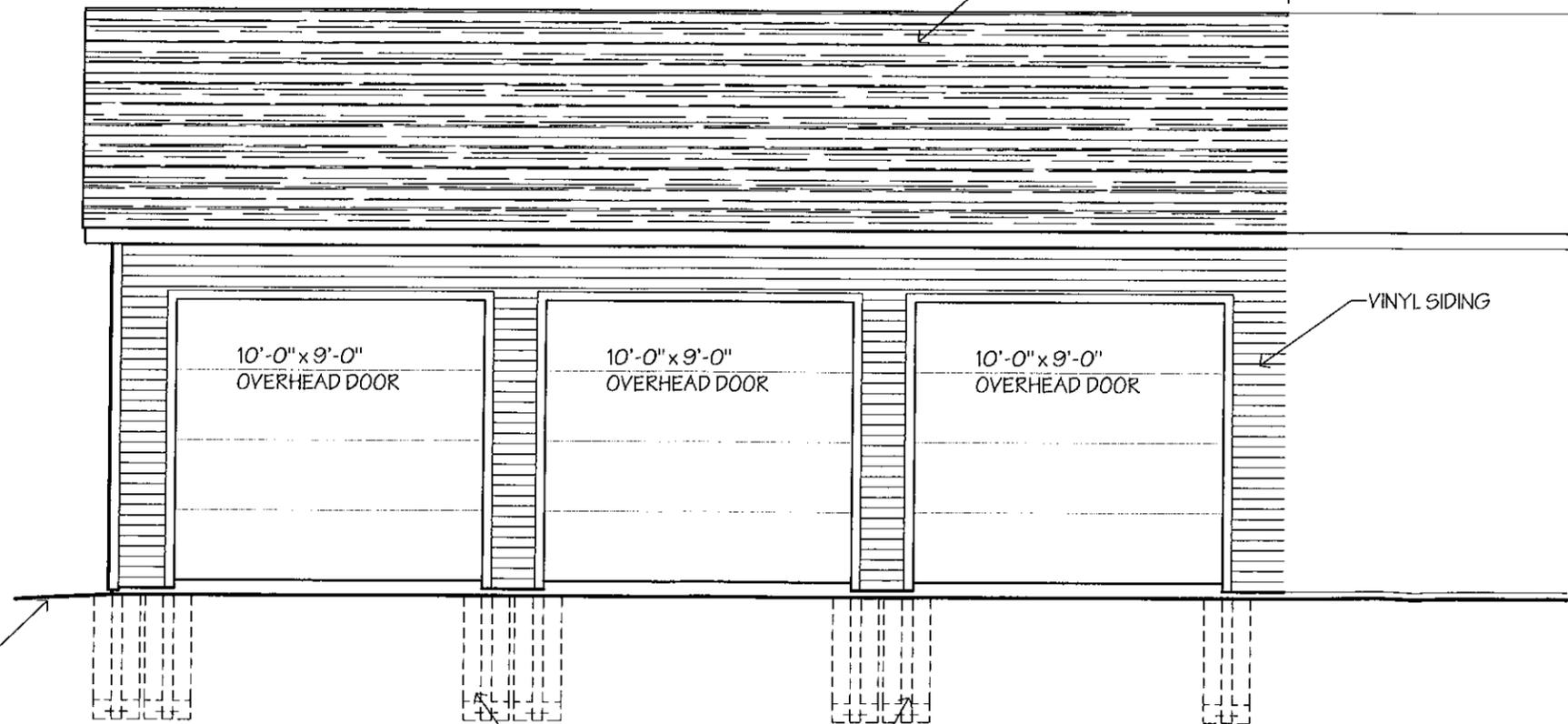
  
 Charles A. Dahlike

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END ELEVATION

SCALE: 3/16" = 1'-0"



SIDE ELEVATION

SCALE: 3/16" = 1'-0"

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 716-778-8552, FAX 716-778-8961, 1-800-784-4361  
 6695 s. transit road, lockport, new york 14094 • 716 - 210 - 3287  
 charles a. dahlike, registered architect • cadahlike@lifedesignarchitecture.com

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SCALE:  
 AS SHOWN

DATE:  
 2-9-15

CONTENTS ON SHEET:  
 EXTERIOR ELEVATIONS

DRAWING NO:  
**A-1**

15-011

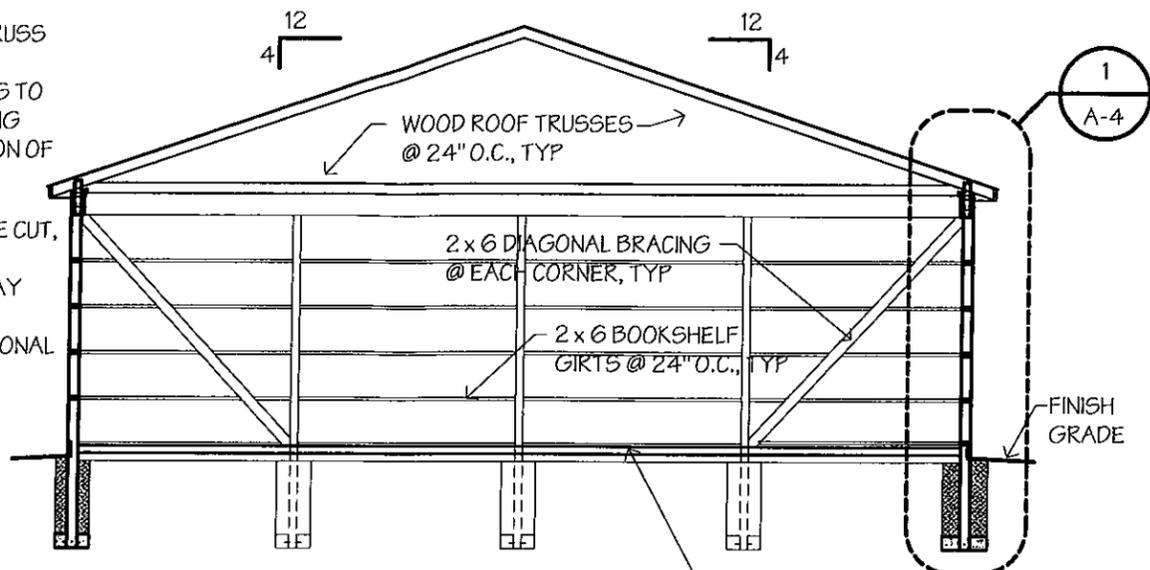
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 SHEET 2 OF 5

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CERTIFIED TRUSS DESIGN BY TRUSS MANUF, PROVIDE ENGINEERED, SEALED TRUSS SHOP DRAWINGS TO ARCHITECT, OWNER AND BUILDING DEPARTMENT PRIOR TO ERECTION OF TRUSSES ON SITE.

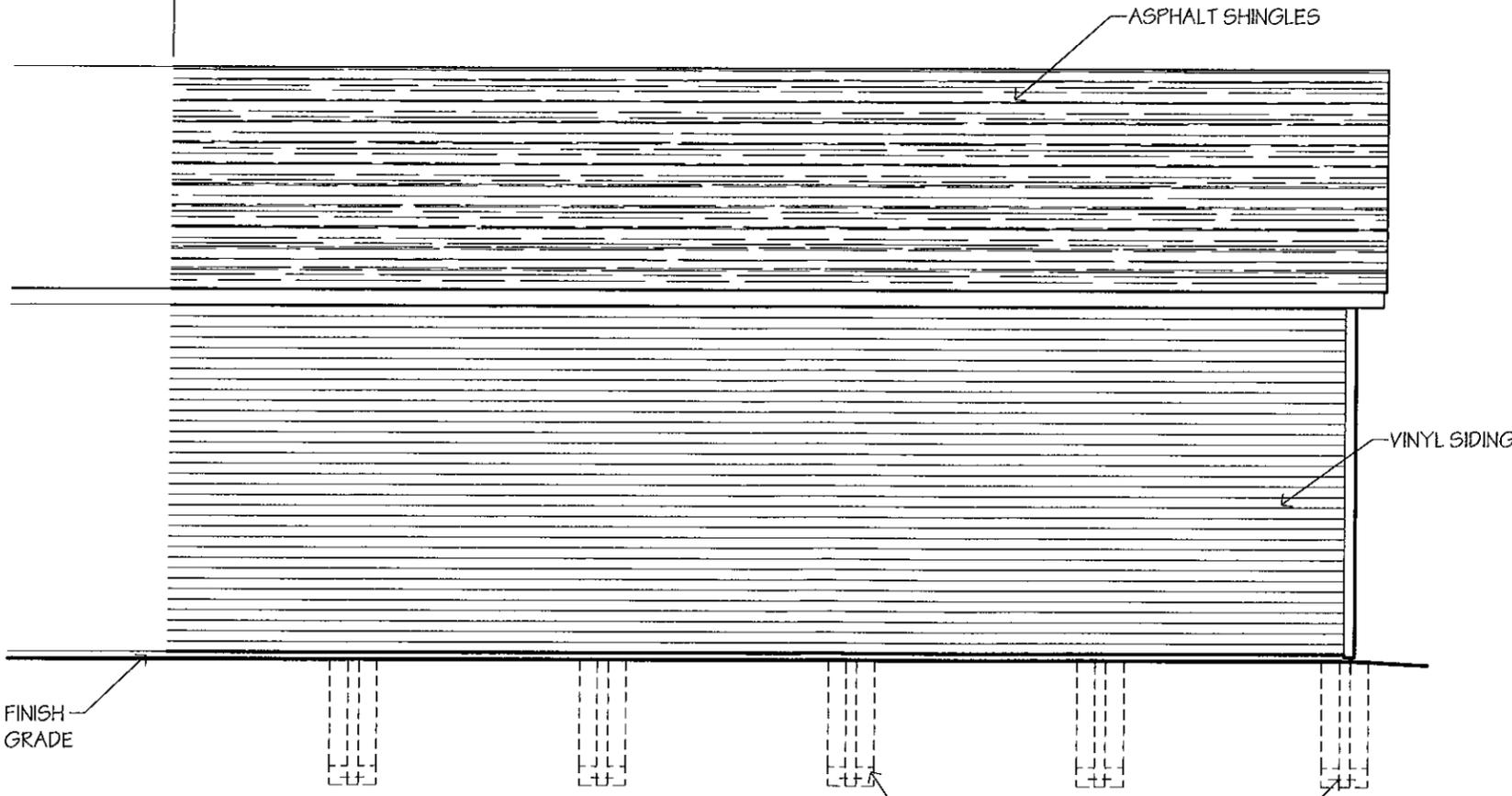
TRUSS MEMBERS SHALL NOT BE CUT, NOTCHED, DRILLED, SPLICED OR OTHERWISE ALTERED IN ANY WAY WITHOUT THE APPROVAL OF A REGISTERED DESIGN PROFESSIONAL



### BUILDING SECTION

SCALE: 3/16" = 1'-0"

4" POURED CONCRETE FLOOR, 3,500 PSI OVER 4" COMPACTED SAND GRAVEL, CRUSHED STONE OR UNDISTURBED SUB-GRADE



### SIDE ELEVATION

SCALE: 3/16" = 1'-0"

POST FOOTING, MIN 42" TO 48" BELOW FINISH GRADE, TYP

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 6140 FIRST STREET, NEWFANE, NY 14108  
 716-778-8552, FAX 716-778-8961, 1-800-784-4361

*Charles Dahike*  
 CHARLES DAHIKE, REGISTERED ARCHITECT  
 No. 15-011

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SCALE: AS SHOWN  
 DATE: 2-9-15  
 CONTENTS ON SHEET: SHEET 3 OF 5

PROJECT TITLE / LOCATION:  
**DIBELLA POLE STRUCTURE  
 CLARENCE, NEW YORK**

CONTENTS ON SHEET:  
**ELEVATION & BLDG SECTION**

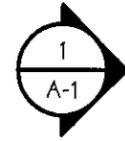
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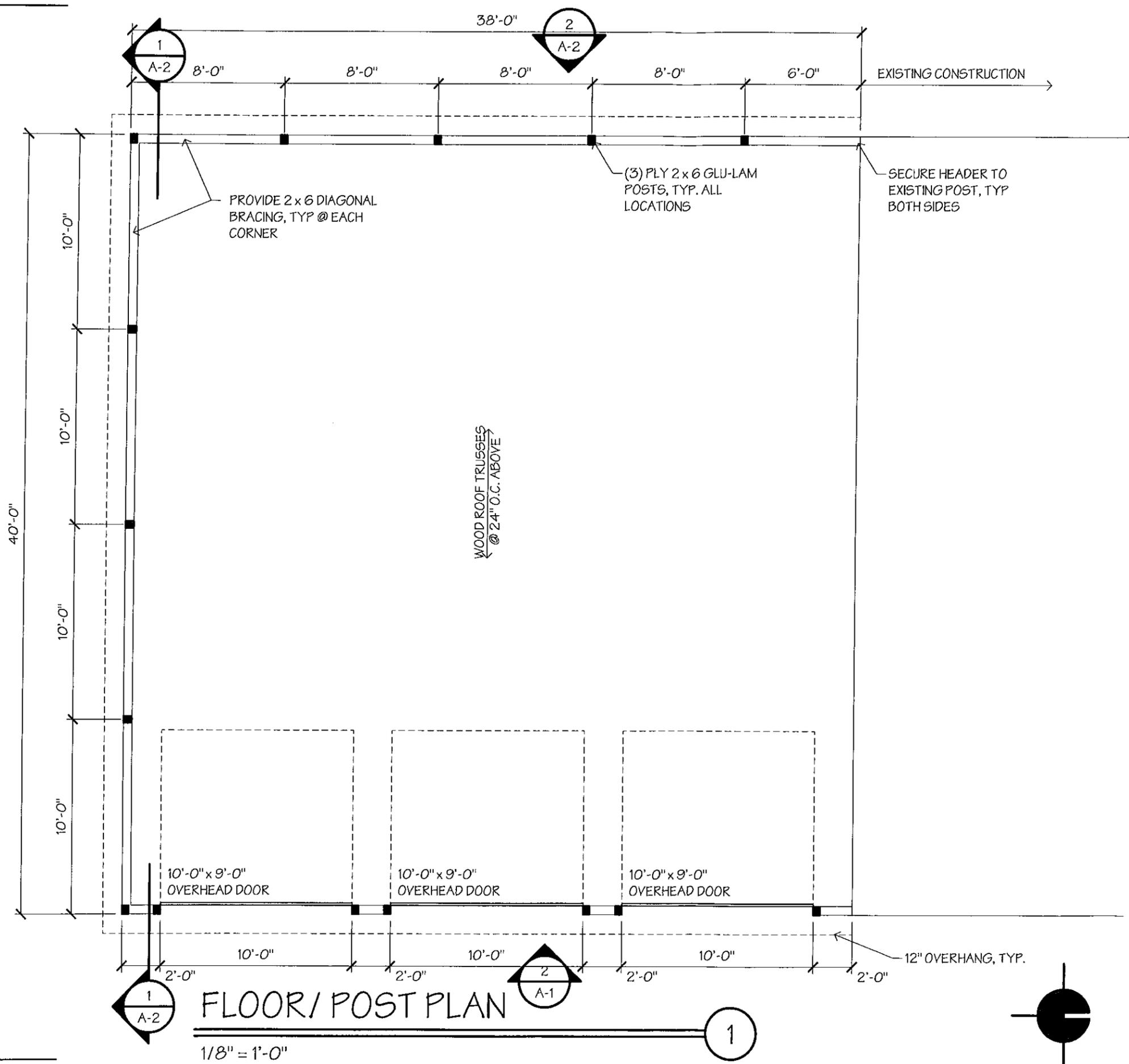
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40'-0"



# FLOOR/POST PLAN

1/8" = 1'-0"

1

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registered architect • 6695 s. transit road, lockport, new york 14094 • 716 - 210 - 3287 • cadahlke@livedesignarchitecture.com

DRAWING NO:

# A-3

15-011

PROJECT TITLE / LOCATION:  
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CLARENCE, NEW YORK**

SCALE:  
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CONTENTS ON SHEET:  
**FLOOR / POST PLAN**

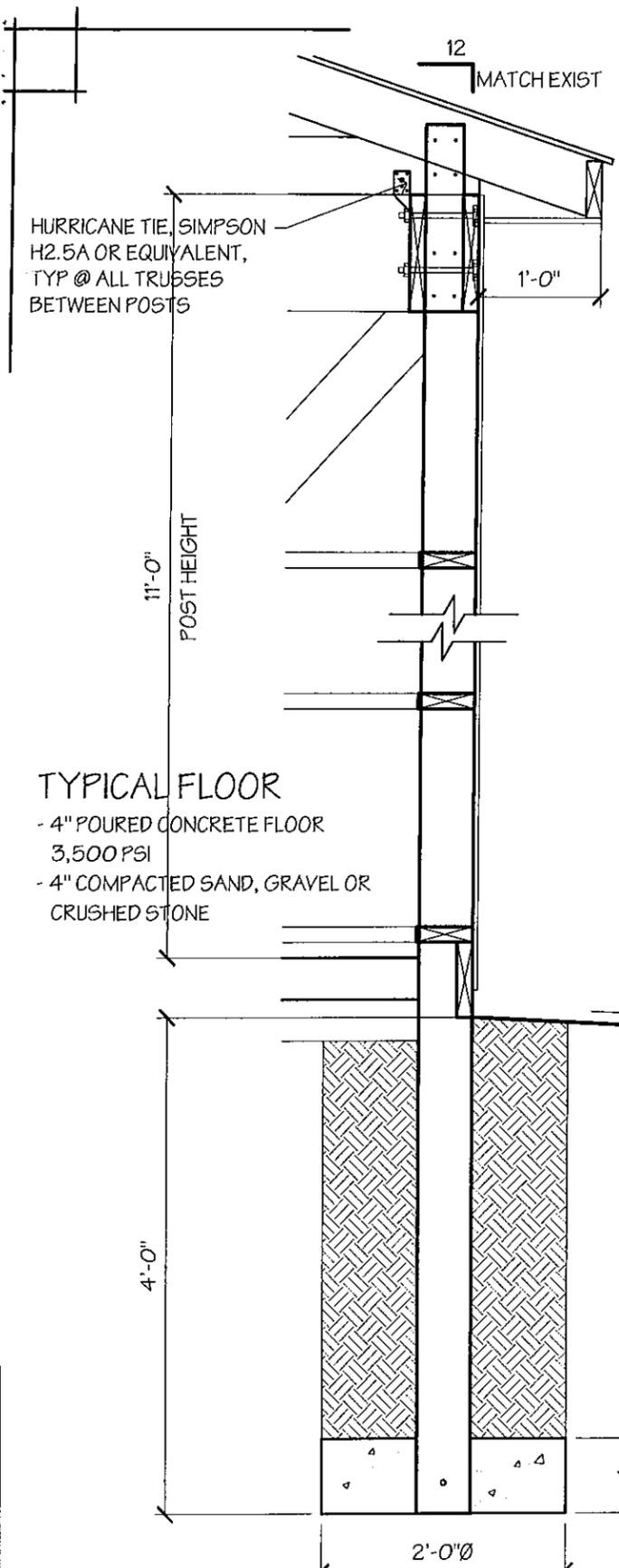
DATE:  
2-9-15

CONTENTS ON SHEET:  
**SHEET 4 OF 5**

2.9.15

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- TYPICAL ROOF**
- ASPHALT SHINGLES
  - ICE & WATER SHIELD TO 24" INSIDE EXTERIOR WALL
  - 15# FELT PAPER
  - 5/8" OSB SHEATHING W/ CLIPS
  - WOOD ROOF TRUSSES @ 24" O.C. (CERTIFIED TRUSS DESIGN BY MANUF, SUBMIT TRUSS DRAWINGS TO BLDG DEPARTMENT PRIOR TO ERECTION)
  - METAL DRIP EDGE
  - METAL FASCIA ON 2 x 6 NAILER
  - VINYL SOFFIT
  - (2) 2 x 12 HEADER, TYP UNLESS OTHERWISE NOTED, PROVIDE 2 x 12 SPACERS BETWEEN HEADERS @ TRUSS BEARING POINTS

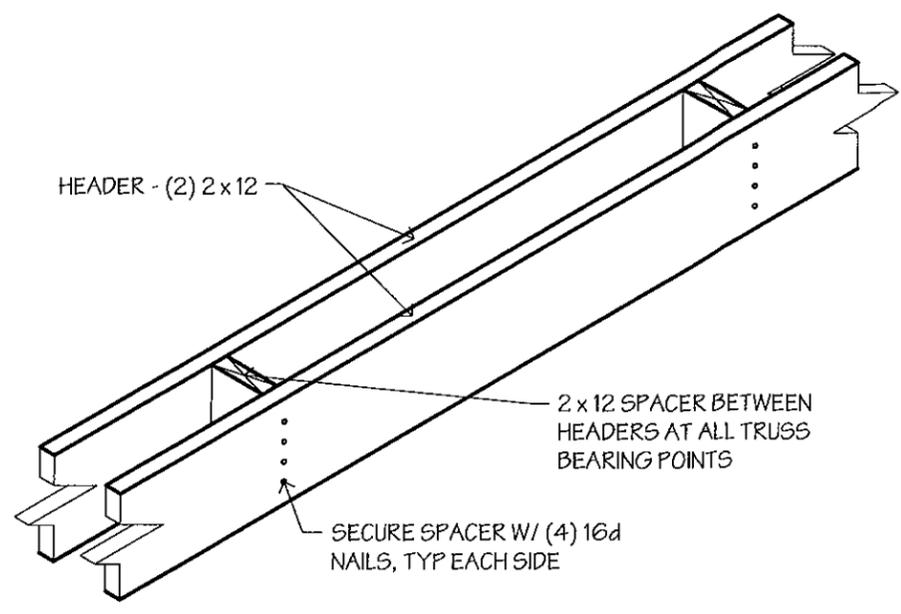
- TYPICAL EXT WALL**
- VINYL SIDING
  - BUILDING WRAP
  - 7/16" OSB SHEATHING
  - 2 x 6 BOOKSHELF GIRTS @ 24" O.C.
  - 2 x 8 SKIRT BOARD @ BASE OF POST
  - (3) PLY 2 x 6 P.T. POSTS, SPACING AS PER PLANS
  - 2 x 6 DIAGONAL BRACING @ CORNERS, TYP

- TYPICAL POST FOOTING**
- 24"Ø x 48" POST HOLE
  - (3) BAGS OF DRY MIX, 80# BAGS
  - 9" LONG, 1/2"Ø STEEL PIN THRU POST
  - BACKFILL HOLE W/ EXCAVATED MATERIALS

**WALL SECTION**

SCALE: 3/4" = 1'-0"

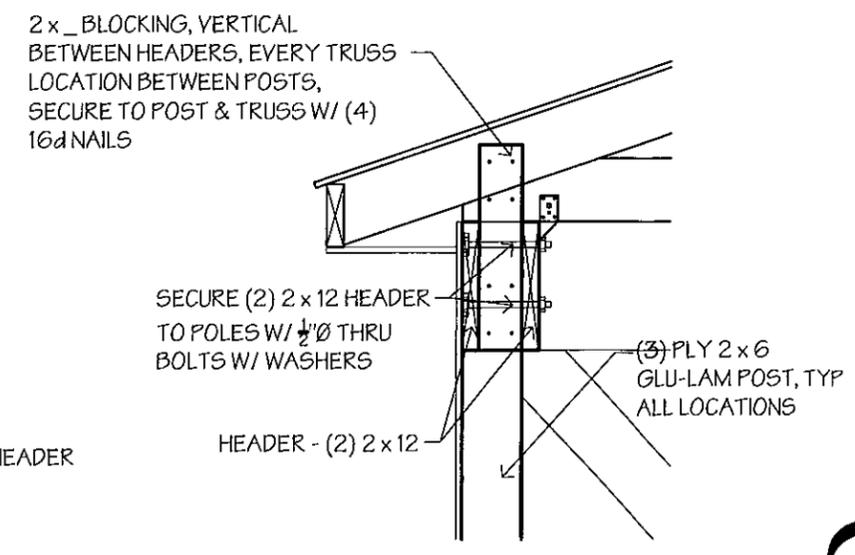
1



**SPACER DETAIL**

SCALE: 3/4" = 1'-0"

2



**HEADER DETAIL**

SCALE: 3/4" = 1'-0"

4

SLOPE GRADE 6" IN FIRST 10'-0" FOR PROPER DRAINAGE FROM BUILDING

SPLICE AT HEADER, SUPPORT HEADER W/ 2 x 12 BLOCK, SECURE HEADER TO POST W/ (5) 16d NAILS

2 x 1" x 1'-0" BLOCK UNDER HEADER SPLICE, SECURE TO POST W/ (2) 1/2"Ø THRU BOLTS

**SPLICE DETAIL**

SCALE: 3/4" = 1'-0"

3

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 charles a. dahlike, cadalike@lifedesignarchitecture.com

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 CLARENCE, NEW YORK

**SCALE:**  
 AS SHOWN

**DATE:**  
 2-9-15

**CONTENTS ON SHEET:**  
 WALL SECTION & DETAILS

**DRAWING NO:**  
 A-4

**CONTENTS ON SHEET:**  
 SHEET 5 OF 5

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