



**WEST SENECA
ZONING BOARD OF APPEALS
1300 Union Road, West Seneca, NY 14224
6:00 PM in the Community Center
August 26, 2026**

AGENDA

Meeting # 2026-08

CALL TO ORDER

OPENING OF PUBLIC HEARING

APPROVAL OF PROOFS OF PUBLICATION

APPROVAL OF MINUTES

1. Minutes of Meeting #2026-07

OLD BUSINESS

2026-022

Request of Zachary Schutt property located at 29 Klas Ave. to allow for 14' by 14' parking area in frontyard. (No parking permitted in required frontyard)

NEW BUSINESS

2026-035

Request of William Haas property located at 1310 Seneca Creek Road to allow construction of a pool deck with 0' separation (10' required).

2026-036

Request of Henry Ernst for property located at 84 Annette Drive to allow for construction of a detached garage with a 15' front setback. (30' setback required)

2026-037

Request of Emily Kawa for property located at 30 Woodcrest Drive to allow a variance to erect a 6' fence in the front/side yard (maximum 4' height allowed in the front/side yard).

ADJOURN

Future meetings are held the fourth Wednesday of the month at 6:00 pm

\$ 160.00

APPLICATION TO BOARD OF APPEALS

Tel. No.

Appeal No. 20210-022
Date 5/28/26

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

I (we) X Zachary Schutt of X 29 Klas Ave.

_____, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING INSPECTOR DID DENY PERMIT TO: _____

- ☐ A PERMIT FOR USE
- ☐ A PERMIT FOR OCCUPANCY
- ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF
- ☐ A CERTIFICATE OF EXISTING USE
- ☐ A CERTIFICATE OF ZONING COMPLIANCE
- ☒ AREA PERMIT
1. Applicant is the ☒ PROPERTY OWNER
- ☐ CONTRACTOR FOR THE WORK CONCERNED HEREIN
- ☐ PROSPECTIVE TENANT
- ☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY 29 KLAS AVE W. SENECA NY 14224

3. State in general the exact nature of the permission required, allow parking in front of the house

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect to this property, except the appeal made in Appeal No. NA, dated _____, 20____.

5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district, or the variance would observe the spirit of the ordinance and would not change the character of the district because: _____

See enclosed letter

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____, Section _____, Subsection _____, Paragraph _____ of the Zoning Ordinance, because: _____

X [Signature] Schutt
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance 120-44 (B)(1)(b) - NO PARKING PERMITTED IN REQUIRED FRONT YARD - REQUESTING PARKING STALL IN FRONT OF HOUSE

2. Zoning Classification of the property concerned in this appeal R-50

3. Type of Appeal:
- ☒ Variance to the Zoning Ordinance.
- ☐ Interpretation of the Zoning Ordinance or Zoning Map.
- ☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.

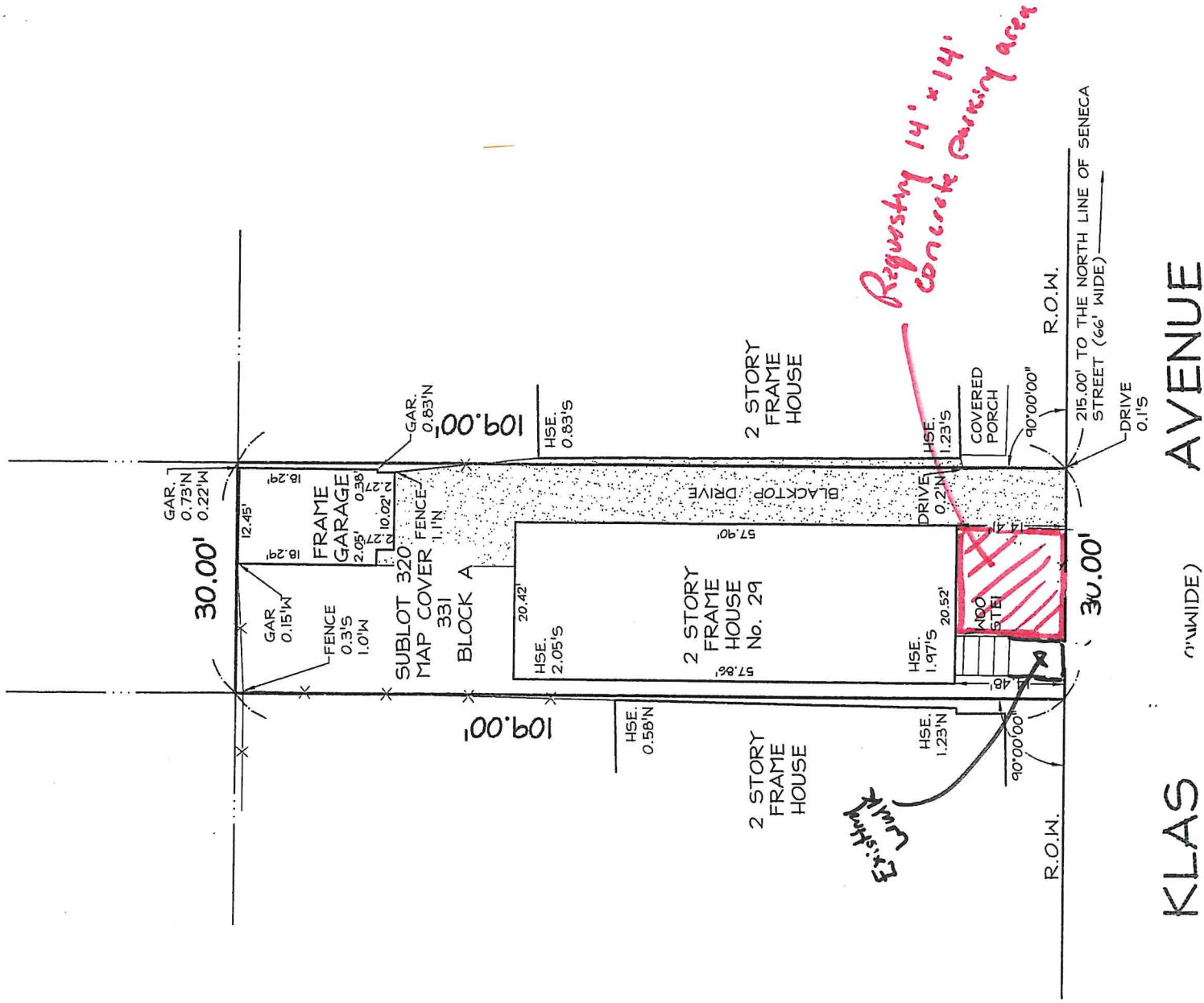
4. A statement of any other facts or data which should be considered in this appeal. _____

Building Inspector [Signature]

To whom it may concern

I Zachary Schutt home owner of address

29 Klas ave west Seneca Ny, 14224 am looking
for a variance on the property. I am looking to
change a 14'x15'8" area of grass
infront of the property to concrete.



3556 Lake Shore Road, Suite 500, Buffalo, NY 14219
p (716) 827-8000 f (716) 270-6091 www.nussclarke.com



BOUNDARY SURVEY
29 KLAS AVENUE
Part of Lot 196, Township 10, Range 7
Buffalo Creek Reservation
Town of West Seneca
County of Erie, State of New York

Date of Survey: 08/08/20

Scale: 1" = 20'

Project No.: 20J2-1078

Successors to the records of Graf Land Surveyors Successors to the records of James L. Shisler, Land Surveyor

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.
This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such.
Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.

APPLICATION TO BOARD OF APPEALS

Tel. No. _____

Appeal No. _____

Date _____

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

I (we) William Haas of 1310 Seneca Creek Rd

West Seneca NY 14224, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING INSPECTOR DID DENY PERMIT TO: _____

- | | |
|--|---|
| ☐ A PERMIT FOR USE | ☐ A CERTIFICATE OF EXISTING USE |
| ☐ A PERMIT FOR OCCUPANCY | ☐ A CERTIFICATE OF ZONING COMPLIANCE |
| ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF | ☒ AREA PERMIT |

1. Applicant is the ☒ PROPERTY OWNER
☐ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY 1310 SENECA CREEK RD. W. SENECA

3. State in general the exact nature of the permission required, POOL CONNECTED TO ABOVE

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect to this property, except the appeal made in Appeal No. NA, dated _____, 20____.

5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district, or the variance would observe the spirit of the ordinance and would not change the character of the district because: _____

SEE ENCLOSED LETTER

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____, Section _____, Subsection _____, Paragraph _____ of the Zoning Ordinance, because: _____

Jesse Schott
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance
20-39 - ACCESSORY STRUCTURES (POOLS) - 10 FT SEPARATION REQUIRED
- CONNECT POOL TO DECK

2. Zoning Classification of the property concerned in this appeal R-90A

3. Type of Appeal:

- ☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.

4. A statement of any other facts or data which should be considered in this appeal. _____

Building Inspector [Signature]

**Letter of Intent
Area Variance Application
Town of West Seneca Zoning Board of Appeals**

Applicant: William Haas

Property Address: 1310 Seneca Creek Road, Buffalo, NY 14224

Date: July 27, 2026

To the Members of the Town of West Seneca Zoning Board of Appeals,

I respectfully submit this Letter of Intent in support of my application for an Area Variance for the above-referenced property.

I am proposing to construct a residential deck extending from the rear of my home to provide safe and convenient access to my existing ~~in-ground~~ swimming pool. The project is intended to improve the safety, accessibility, and functionality of the backyard and does not involve enlarging or relocating the existing pool.

I understand that the Town of West Seneca Zoning Code does not permit decks or similar structures to connect the principal structure to a swimming pool without approval from the Zoning Board of Appeals. I am respectfully requesting an Area Variance to allow the proposed deck configuration.

The proposed deck will remain entirely on my property and will be constructed in accordance with all applicable building code requirements. The project will not alter the character of the neighborhood, create drainage or safety concerns, or negatively impact adjoining properties. It will provide a safe, stable walking surface between the home and pool area while improving the overall usability of the property.

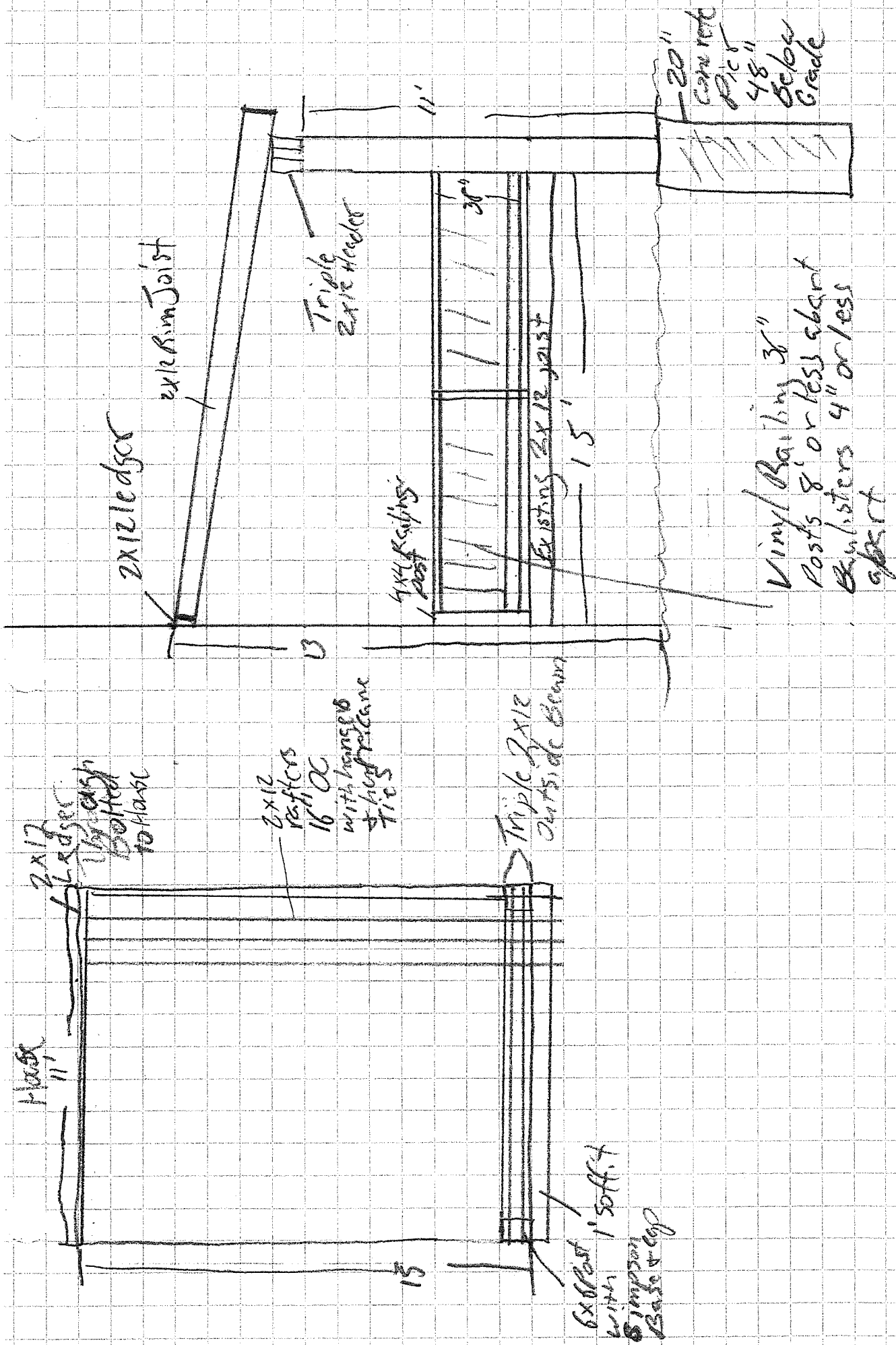
I believe this request represents the minimum relief necessary to accomplish the proposed improvement and respectfully ask the Board to grant the requested Area Variance.

Thank you for your time and consideration.

Respectfully submitted,



William Haas



Pool

6x6 Post
with Simpson
Sept Base on
12" pier 42" below
grade

2x10 Joists
16" OC with
bangers
Dark
Ledger 2x10

Railing 3" with
latched Gate

2x10 Ledger
Through Bored
Existing

Deck Posts

6x6 PT

Simpson
Base

Concrete
Pier
48" Deck
Grade

2x10
Rim Joist

6"

Stairs 2x12 stringer
12" OC

6x6 Post
on 12" pier
48" below grade

2x10
Joists
16" OC
with Hangers

Existing Deck

36

1310 Seneca Creek Rd. Buffalo, NY 14224

Deck and Roof Call Outs

Deck Extension to Pool

- Extend existing deck as shown on plans.
- Frame with pressure-treated SPF lumber in accordance with applicable building codes.
- Install 2x10 pressure-treated joists at 16" O.C. using Simpson Strong-Tie joist hangers.
- Install double 2x10 pressure-treated beams securely fastened to supporting posts with approved structural connectors.
- Support new framing on 6x6 pressure-treated posts.
- Install 12" diameter concrete piers extending below local frost depth with approved post bases.
- Secure new framing to the existing deck with approved structural fasteners and connectors.
- Install composite decking in accordance with the manufacturer's installation instructions.

Stairs

- Construct pressure-treated stair framing from deck to grade.
- Stair stringers: 2x12 pressure-treated, maximum 12" O.C., or as required by the composite decking manufacturer.
- Install composite stair treads per manufacturer's installation requirements.
- Maximum riser height: 7-3/4".
- Minimum tread depth: 10".
- Provide continuous bearing at the base of the stairs.
- Secure stair stringers with approved structural connectors.

Railings

- Install manufacturer's vinyl railing system on all open sides of the deck and stairs where required by code.
- Guard height: **36" minimum** above the deck surface.
- Provide graspable handrail on stairs where required by code.
- Handrail height: **34"–38"** above stair nosings.
- Maximum baluster spacing: **4"**.
- **Provide a continuous code-compliant barrier between the deck and the pool.**
- **Install a self-closing, self-latching gate between the deck and pool area.**
- **Pool barrier and gate shall be a minimum of 36" in height.**
- **Gate shall swing away from the pool, with the latch located on the pool side, and comply with all applicable New York State Residential Code requirements for swimming pool barriers.**

Deck General Notes

- Deck walking surface approximately 4'-0" above finished grade.
- All pressure-treated lumber, connectors, fasteners, and hardware shall be rated for exterior use and installed in accordance with applicable building codes and manufacturer specifications.

LEAN-TO ROOF FRAMING

- Provide new 15'-0" projection × 11'-0" wide lean-to roof attached to the existing structure.
- Provide a minimum 3/12 roof pitch, with approximately 3'-9" of rise over the 15'-0" horizontal projection.
- Install (1) triple 2x12 pressure-treated exterior beam supported by (2) 6x6 pressure-treated posts, with approximately 11'-0" between posts.
- Install 2x12 No. 2 or better roof rafters at 16" O.C., spanning from the house ledger to the exterior beam.

- Install Simpson Strong-Tie joist hangers at all rafter-to-ledger connections using approved fasteners.
- Install approved hurricane ties or structural connectors at all rafter-to-beam connections.
- Install solid blocking over the exterior beam and at all required locations.

Ledger

- Install pressure-treated 2x12 ledger securely fastened to the existing house framing with approved structural fasteners.
- Install continuous flashing above and behind the ledger to prevent water intrusion.
- Do not fasten the ledger to brick veneer, siding, or other nonstructural exterior finishes.

Posts and Piers

- Install (2) 6x6 pressure-treated posts secured with approved galvanized post bases and beam caps.
- Provide (2) 20" diameter concrete piers extending a minimum of 48" below finished grade, or below the locally required frost depth.
- Posts shall be centered and securely anchored to the concrete piers.

Roof Sheathing

- Install 5/8" exterior-grade plywood or OSB roof sheathing, fastened in accordance with applicable code requirements.
- Provide required panel spacing and edge blocking or clips where required.

Roof General

- All lumber exposed to weather or in contact with concrete shall be pressure-treated.
- All structural connectors and fasteners shall be hot-dip galvanized, stainless steel, or otherwise approved for use with pressure-treated lumber.
- Verify the existing house framing is capable of supporting the new roof ledger and imposed roof loads.
- All structural members, connections, and footings shall comply with the applicable New York State Residential Code and local municipal requirements.

GENECA CREEK ROAD

New Deck
Existing Pool

THE FOLLOWING PART OF LOT 10 & 11 IN THE VILLAGE OF WYOMING COUNTY CLERK'S OFFICE, ENTER CORN. N. 100



NUSSLI & CLARK, INC.
BOUNDARY SURVEY
1310 Seneca Creek Road
& Vacant lot Blossom Road
Part of Lots 10 & 11
Election District
County of Seneca, New York
Date of Survey: 05/11/2012 Scale: 1" = 50'

APPLICATION TO BOARD OF APPEALS

X Tel. No. -

Appeal No.

X Date

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

X I (we)

of

, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE
DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING
INSPECTOR DID DENY PERMIT TO:

- | | |
|--|---|
| ☐ A PERMIT FOR USE | ☐ A CERTIFICATE OF EXISTING USE |
| ☐ A PERMIT FOR OCCUPANCY | ☐ A CERTIFICATE OF ZONING COMPLIANCE |
| ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF | ☒ AREA PERMIT |

1. Applicant is the ☒ PROPERTY OWNER
☐ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY SAME

3. State in general the exact nature of the permission required, _____

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect
to this property, except the appeal made in Appeal No. _____, dated _____, 20_____.

5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or
the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district,
or the variance would observe the spirit of the ordinance and would not change the character of the district because: _____

(SEE LETTER)

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____,
Section _____, Subsection _____, Paragraph _____ of the Zoning Ordinance, because: _____

[Signature]
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance

120-30 Requested front yard setback 30'

Requesting 15' front setback for detached garage

2. Zoning Classification of the property concerned in this appeal R65

3. Type of Appeal:

- ☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.

4. A statement of any other facts or data which should be considered in this appeal. _____

Building Inspector

[Signature]

*** * * RECEIPT * * ***

Date: 08/10/26

Receipt#: 102481

Quantity	Transactions	Reference	Subtotal
1	Zoning Board of Appeals	20161693	\$160.00
Total Paid:			\$160.00

Notes: 2026-036

Payment Type	Amount	Paid By
CK #5149	\$160.00	Ernst, Henry

Thank you for allowing the West Seneca Town Clerk's office to serve you. Have
a wonderful day!
1250 Union Road, Room 212 West Seneca, NY 14224

Name: Ernst, Henry
84 Annette Dr
West Seneca, NY 14224

Clerk ID: AK

Internal ID: 20161693

08/05/2026

West Seneca Zoning Board

1300 Union Rd.

West Seneca, NY 14224-2917

Subject: Letter of Intent for Zoning Variance – 84 Annette Dr.

West Seneca Board Members,

Please accept this letter as my formal application and statement of intent to seek a variance for the property located at 84 Annette Dr. (Tax Map Parcel: 559731 | SWIS: 146800 | S.B.L.: 125.170-5-6.120).

Project Description

- **Proposed Structure:** A detached, single-story, 2-car garage adjacent to the existing home. It will use the existing driveway for entry.
- **Current Zoning:** R-65.
- **Requested Relief:** A variance from the standard 30-foot front yard setback requirement along Annette Drive to allow for a 15-foot setback.
- **Purpose:** This specific placement allows us to preserve a viable portion of our existing fenced backyard for our dog and gardening.
- **Justification for the Request**
- **Unique Lot Typography:** The property is a unique corner lot at the intersection of Kathy Lane and Annette Drive. Furthermore, it sits at the very end of a dead-end street. I also recently purchased the half-acre vacant parcel directly behind the home. No one will ever build there.
- **Neighborhood Character:** The proposed garage will match the architectural design, materials, and height of the existing home and surrounding properties. It will not alter the character of the neighborhood or impact neighboring sightlines.

- **Community Impact:** The project presents no negative impacts and remains entirely consistent with the public health, safety, and welfare of the West Seneca community.
- Thank you for your time, consideration, and review of this matter. I look forward to presenting this project and answering any questions at the upcoming Zoning Board meeting.

Sincerely,

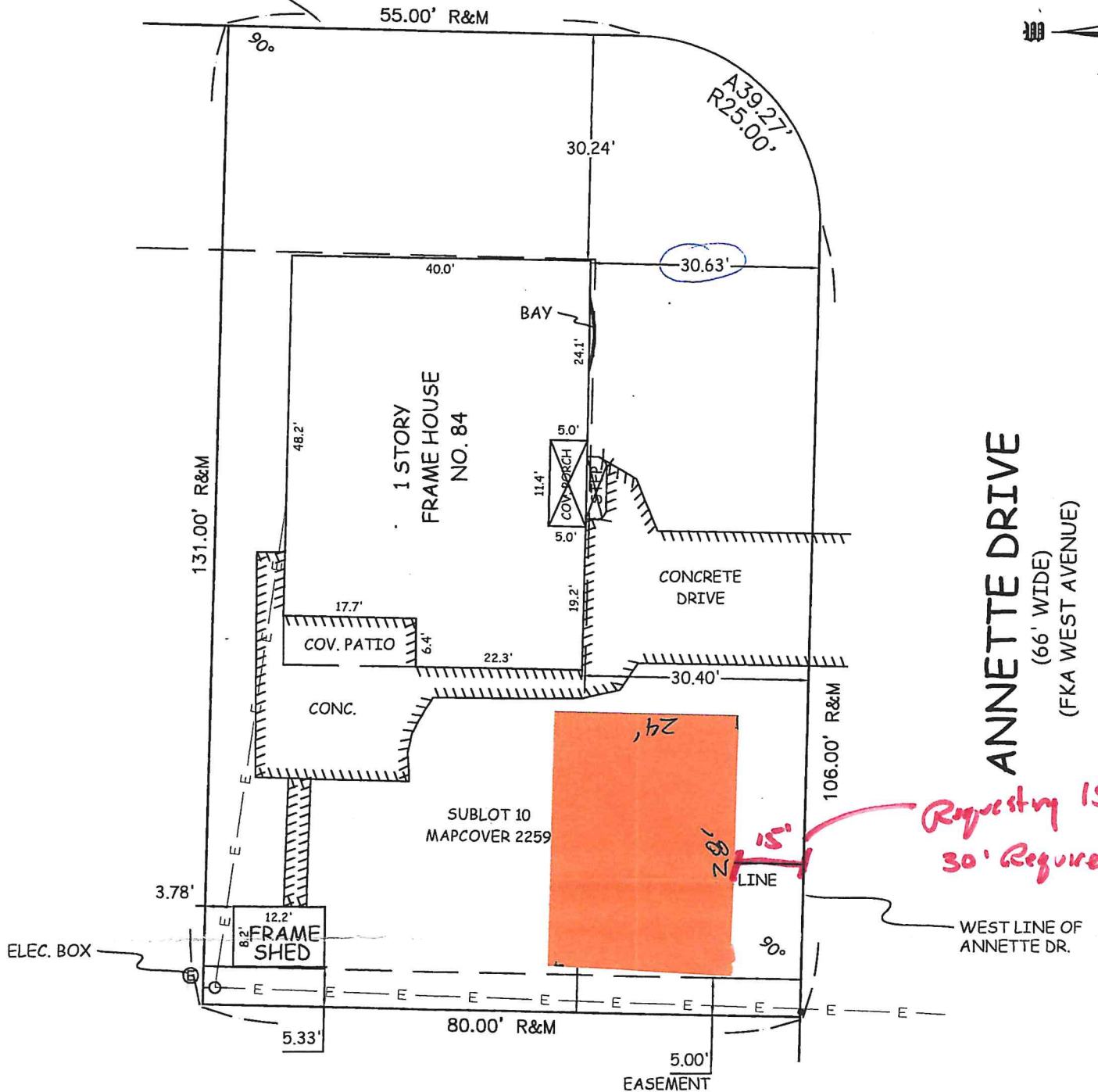
A handwritten signature in black ink, appearing to read 'H. Ernst III', with a stylized flourish at the end.

Henry J Ernst III
84 Annette Dr.
West Seneca, New York 14224-1531
716-674-6952

KATHY LANE

(60' WIDE)

SOUTH LINE OF
KATHY LANE



LEGEND

APPLICATION TO BOARD OF APPEALS

X Tel. No.

Appeal No. 2026-037

Date 8/11/2026

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

X I (we) Emily Kawa of 30 Woodcrest Dr. 14220
Buffalo

, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE
DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING
INSPECTOR DID DENY PERMIT TO:

- | | |
|--|---|
| ☐ A PERMIT FOR USE | ☐ A CERTIFICATE OF EXISTING USE |
| ☐ A PERMIT FOR OCCUPANCY | ☐ A CERTIFICATE OF ZONING COMPLIANCE |
| ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF | ☒ AREA PERMIT |

1. Applicant is the ☒ PROPERTY OWNER
☐ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY SAME

3. State in general the exact nature of the permission required, _____

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect
to this property, except the appeal made in Appeal No. _____, dated _____, 20_____.

5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or
the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district,
or the variance would observe the spirit of the ordinance and would not change the character of the district because: _____

(See Letter)

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____,
Section _____, Subsection _____, Paragraph _____ of the Zoning Ordinance, because: _____

X Emily Kawa
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance

120-39 (B) Fences shall not exceed 4' in height in side yard.
Requesting 6' fence.

2. Zoning Classification of the property concerned in this appeal R 65

3. Type of Appeal:

- ☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.

4. A statement of any other facts or data which should be considered in this appeal. _____

Building Inspector [Signature]

August 11, 2026

To Whom It May Concern,

RE: 30 Woodcrest Drive
Buffalo, NY 14220

I recently purchased a home in West Seneca and am requesting approval to install a 6-foot wooden privacy fence on my property.

The primary purpose of the fence is to improve the privacy and safety of my home. My property is located directly across the street from a busy bar, and I would like to discourage patrons from entering my yard. I have already experienced the theft of a birdhouse from my property, which has increased my concern for security.

Additionally, I have a dog, and the fence would provide a safe, enclosed area to prevent him from leaving the yard.

The proposed fence will not create a nuisance or negatively impact the surrounding neighborhood. I have attached a copy of my property survey and would be happy to provide additional information or meet with you to show the exact proposed location of the fence if needed.

Thank you for your time and consideration. I appreciate your review of my request and look forward to your response.

Sincerely,

Emily Kawa