



WEST SENECA
ZONING BOARD OF APPEALS
1300 Union Road, West Seneca, NY 14224
6:00 PM in the Community Center
June 24, 2026

AGENDA

Meeting # 2026-06

CALL TO ORDER

OPENING OF PUBLIC HEARING

APPROVAL OF PROOFS OF PUBLICATION

APPROVAL OF MINUTES

1. Minutes of Meeting #2026-05

OLD BUSINESS

NEW BUSINESS

2026-021

Request of Kimberly Hudson for property located at 3864 Clinton Street to allow for construction of a 6' high fence in front/side yard with 10' projection. (4' height permitted and no projection allowed)

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)

2026-023

Request of John Keem property located at 136 Canterbury Trail to allow 0' separation with new deck. (Decks not permitted to connect to principle structure to pool)

2026-024

Request of Kathleen Pelow property located at 6 Barnsdale Ave. to allow for construction of 6' fence in front/side yard off existing 6' fence. (4' fence required in front/side yard)

2026-025

Request of Douglas Blanchard property located at 5 Robin Court to allow for construction of a detached garage with
13' 9" height to mid-span of roof. (12' height to mid-span allowed)

2026-026

Request of Robert Gretzler property located at 85 Bellwood Ave. to allow for construction of a 6' fence

in front/side yard. (4' height fence is permitted)

2026-027

Request of Thomas Culkin property located at 457 Mineral Springs Road to allow for construction of 6' high fence in front/side yard. (4' fence permitted in front/side yard)

2026-028

Request of Jeffrey and Vanessa Vitalo property located at 45 Sunnyside Drive to allow construction of a 6' fence in front/side yard. (4' fence permitted)

2026-029

Request of Natalie Reyes property located at 135 Cresthaven Drive to allow for construction of 6' fence in front/side yard. (4' fence permitted in front/side yard)

ADJOURN

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



**WEST SENECA
ZONING BOARD OF APPEALS
1300 Union Road, West Seneca, NY 14224
6:00 PM in the Community Center
May 27, 2026**

Start time: 6:01pm

Call to Order

- Present:
 - Chairperson Stephen Stachowski
 - Zoning Board Member Joette Tronolone
 - Zoning Board Member Amelia Greenan
 - Zoning Board Member Paul Lang
 - Zoning Board Member Edmund Bedient
 - ZBA Counsel Joseph Trapp
 - Code Enforcement Representative Doug Busse
- Absent:
 - None noted

Opening of Public Hearing

Motioned by Tronolone, seconded by Lang, to Open Public Hearing.

Ayes: 5 Noes: 0

Approval of Proofs of Publication

Motioned by Greenan, seconded by Bedient, to Approve Proofs of Publication.

Ayes: 5 Noes: 0

Approval of Minutes from previous meeting

Motioned by Tronolone, seconded by Lang to approve April 2026 meeting minutes.

OLD BUSINESS

Application 2025-047 — 137 Fernald Avenue — Front Yard Fence

- Applicant request: Extend front yard fencing along a shared driveway; presented four alternatives:
 1. Gas service line constraints near proposed posts
 2. Preferred plan: extend fence 25 feet forward to match east-side fence; close across the front with a gate near porch stairs
 3. Compromise: raised garden bed across the front for child boundary
 4. Minimum: approve a 25-foot extension along driveway side for safety
- Code Enforcement (Busse): Raised beds/landscape acceptable if not impacting drainage/ROW; backyard fencing 4'–6' permitted up to property lines; 3' separation applies to detached structures, not fences; gas line clearance is utility-company matter.
- Board discussion: Backyard fence is a feasible, code-compliant alternative; applicant acknowledged after clarification.
- Public comments:
 - Neighbor Angel Castor (135 Fernald Ave): snow management, driveway access, dog behavior concerns, aesthetics.
 - Neighbor Kimberly Wilkowski (135 Fernald): measurement disputes; dog safety concerns; submitted photos.
- ZBA Counsel (Joseph Trapp): Recommended board discussion first; advised that if approval tied to ADA needs, consider a removal condition when the child no longer resides there; child's ADA needs were not part of original application; brief executive session held for legal advice.

AREA Variance Balancing Test

1. Undesirable change/detriment: Yes. Front-yard fence impacts neighborhood character, shared driveway operations, winter snow storage; aesthetic concerns.
2. Feasible alternatives: Yes. Backyard fence fully permitted and feasible; cost concerns do not negate availability.
3. Substantiality: Yes. Front-yard fencing is prohibited; extending a 25-foot segment and potentially closing the front is substantial relative to the ordinance.
4. Adverse physical/environmental impacts: Possible impacts to driveway maneuverability and snow management; utility separations are outside town regulation.
5. Self-created hardship: Yes. Preference for front-yard containment; rear-yard fencing exists as a compliant option.

Motioned by Stachowski, seconded by Lang to deny front yard fence.

Ayes: 5

Noes: 0

Result: Area variance denied.

NEW BUSINESS

Application 2026-015 - 291 North Avenue — Side Yard Fence Projection

- Applicant: Bernard Tabalski, owner.
- Request: Construct a six-foot fence in front/side yard with 15' projection past the house; replace existing chain-link with vinyl for privacy; double-wide lot; hedges currently in front.
- Supporting documents: Letters from 302, 285, 298, 305 North Avenue; 305 (Lisa Neary) most affected shares fence line.
- Department comments:
 - Code Enforcement: Double-wide lot; existing fence; ~8' tall shrubbery in front blocks side view; no issue with application.
 - Town Attorney: No comment recorded.

AREA Variance Balancing Test

1. Undesirable change/detriment: No. Matches neighborhood aesthetic; supported by neighbors; screening by tall shrubbery.
2. Feasible alternatives: Existing chain-link could remain but does not provide desired privacy.
3. Substantiality: Not substantial in context; modest projection with existing screening and neighbor support.
4. Adverse physical/environmental impact: No known adverse impacts noted.
5. Self-created hardship: Yes, desire for privacy, but not determinative.

Motioned by Tronolone, seconded by Greenan to approve construction of 6" fence.

Ayes: 5

Noes: 0

Application 2026-016 - NLE Charging LLC — 705 Orchard Park Road — EV Charging Station Canopy and Site Setbacks

- Applicant representative: Garrett Steiner (Boulder Engineering)
- Location: 0.14-acre parcel between Mobil and Wendy's
- Project: Ten EV charging spaces served by five stations under a canopy; drive aisle; transformer/equipment space; curb cut reconstruction to DOT standards; stormwater via underground infiltration.
- Zoning: C1 (Commercial)
- Variances requested:
 1. Pavement setback: 10' required; request 3' (south), 4' (north), 6.6' (east)
 2. Front yard setback: 40' required; request 6.6'
 3. Side yard setback: 5' required; request 0' for canopy

- Counsel (Trapp): Discuss together but make separate written findings; condition approval on use-specific to EV charging to avoid variances applying to different future uses; Type II SEQR confirmed.
- Applicant: Small, unusual lot necessitates variances; other development would likely need similar relief.
- Public comment: None.

AREA Variance Balancing Tests (separate for each variance)

1. Pavement Setback (10' to 3'/4'/6.6')

- Neighborhood character: No negative impact; commercial context between two businesses.
- Feasible alternatives: No; lot size and economic feasibility necessitate requested setbacks.
- Substantiality: Not substantial in context of commercial corridor.
- Adverse impact: None anticipated; drainage addressed at site plan.
- Self-created: Partially; unique lot constraints justify plan.

2. Front Yard Setback (40' to 6.6')

- Neighborhood character: No negative impact given commercial surroundings.
- Feasible alternatives: No; only viable plan for economic feasibility on small lot.
- Substantiality: Numerically substantial, but context reduces significance.
- Adverse impact: None foreseen.
- Self-created: Yes, tempered by lot's severe limitations.

3. Side Yard Setback (5' to 0' for canopy)

- Neighborhood character: No negative impact (commercial).
- Feasible alternatives: No; setback required to achieve feasible design on small lot.
- Substantiality: 100% variance; not substantial in this specific commercial context and use.
- Adverse impact: None anticipated; addressed at site plan approval.
- Self-created: Yes, but unique lot circumstances necessitate approach.

Motioned by Stachowski, seconded by Green to approve EV charging station canopy and setbacks.

Ayes: 5

Noes: 0

Application 2026-017 - 48 Greenspring Court — Corner Lot Fence Projection

Request: Increase fence height from 4' to 6'.

- Applicant: Michael Klein
- Request: Six-foot fence in front side yard of corner lot with 41' projection past house.
- Applicant statement: Corner lot has two front yards by code; needs privacy and safe space.
- Code Enforcement: No issues; common request for corner lots.
- Public comment: None.
- Neighbor input: Letters of support from 43, 44, 47, 51, 63, and 67 Green Spring Court; no refusals.

AREA Variance Balancing Test

1. Undesirable change/detriment: No. Vinyl privacy fences are common; adds curb appeal and privacy.
2. Feasible alternatives: Yes; keep existing chain-link, but it does not provide desired privacy.
3. Substantiality: No. Increase from 4' to 6' not considered substantial.
4. Adverse physical/environmental impact: No; expected to add value.
5. Self-created hardship: Yes, but not determinative.

Motioned by Greenan, seconded by Lang to approve corner lot fence.

Ayes: 5

Noes: 0

Application 2026-018 - 187 High View — Detached Garage Height

- Applicant: Vincent Caruana
- Request: Pole barn constructed at 14' to mid-span (2' over 12' permitted); seeks variance for as-built height.
- Applicant statement: Followed permits; contractor error and ground pitch caused discrepancy.
- Code Enforcement: Original plans compliant; contractor error; received an anonymous complaint during construction without address.
- Public comment: None.
- Neighbor input: Letters of support from 94 Tree Haven, 185 Highview, 90 Tree Haven, 210 Highview; neighbor at 197 High View reportedly unhappy but moving.
- Board discussion: Precedent concerns (Tronolone); counsel advised decision should be irrespective of the structure already being built.

AREA Variance Balancing Test

1. Undesirable change/detriment: No. Two-foot difference on a backyard structure with neighbor support; not altering character.
2. Feasible alternatives: Yes. Build to code-compliant height as intended.
3. Substantiality: No. Two-foot variance considered modest for this context.
4. Adverse physical/environmental impact: No. Not affecting sight lines or causing adverse effects.

5. Self-created hardship: Yes. Contractor error; still self-created but not determinative.

Motioned by Stachowski, seconded by Bedient to approve garage height.

Ayes: 4

Noes: 1

Application 2026-019 — 184 Manhasset Street — Allow Chickens in R-50 Zoning (USE Variance)

- Applicant: Kylie Hussey, owner
- Request: Use variance to keep chickens; homeschooling educational project (animal care, food systems, gardening, sustainable living)
- Neighbor outreach entered into record: 180 Manhasset; 189 Chamberlain; 206 Kirkwood; 253 Kirkwood; 257 Kirkwood; 209 Chamberlain; 219 Kirkwood; 200 Kirkwood; 160 Columbia; one residence declined due to in-home nurse; one non-homeowner declined; 212 rental did not answer; note of a non-resident signature flagged.
- Code/legal background:
 - Code Enforcement (Busse): Prior practice required use variance; code amended in 2025 to allow chickens in certain districts (e.g., R-100A) with criteria; current zoning governs where permitted by right.
 - Counsel (Trapp): Explained NYS distinction between use and area variances; use variances require strict 4-part test; area variances use 5-factor balancing; legal advice to board; applicants should obtain own counsel.
 - Board history: Past difficulty applying use test to chickens prompted legislative review; no known lawsuits challenging old approvals; typical 30-day challenge window; prior approvals may remain until chickens no longer on property per town/legal understanding (details not fully confirmed).
- Board discussion: Financial documentation typically required for “reasonable return”; counsel suggested considering other criteria first given educational nature; hardship appears not unique to property; restrictions apply broadly across neighborhood; mention of Erie BOCES chickens nearby.

USE Variance Balancing Test (four required elements)

1. Reasonable return: Property can realize reasonable return as a single-family residence; applicant’s non-commercial intent does not meet financial hardship standard.
2. Hardship unique to property: Not unique; limitations on chickens apply broadly to the zoning district; personal homeschooling needs are not property-based hardship.
3. No alteration of neighborhood character: While current impact may be minimal, potential alteration noted; still must meet all four criteria.
4. Hardship not self-created: Hardship is self-created by desire to maintain a non-permitted use.

Motioned by Lang, seconded by Tronolone to deny chickens in R-50 zoning.

Ayes: 5

Noes: 0

Result: Use variance denied.

Application 2026-020 Agenda Item: Patricia McGuire — 298 Kirkwood Drive — Front Porch Setback

- Request: Front porch with a 13' front setback where 30' required; small resting spot; letters of support from seven neighbors.
- Code Enforcement (Busse): House is preexisting nonconforming; any porch requires variance due to original placement.

AREA Variance Balancing Test

1. Undesirable change/detriment: No. Residential porch consistent with neighborhood; adds curb appeal.
2. Feasible alternatives: No. Nonconforming placement necessitates variance for any functional porch.
3. Substantiality: Yes numerically; practical impact reduced by existing nonconformity.
4. Adverse physical/environmental impact: No.
5. Self-created hardship: Partially self-created desire, but largely due to historic nonconformity.

Motioned by Tronolone, seconded by Lang to approve front porch setback.

Ayes: 5

Noes: 0

Adjournment

Motioned by Greenan, seconded by Bedient, to adjourn the meeting.

Meeting ended 8:11pm

\$1600

APPLICATION TO BOARD OF APPEALS

Tel. No. _____ Appeal No. 2026-021
Date 5/21/26

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

I (we) Bimberly Hudson of 3804 Clinton St. W. Seneca

_____, 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 3804 Clinton st West Seneca

3. State in general the exact nature of the permission required, ERECT 6 FT FENCE ON
CORNER LOT

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 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: _____

Bimberly Hudson
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' front/side yard. Fences shall not project
more than 10' past house. (Requesting to height and 8-10 projection)

2. Zoning Classification of the property concerned in this appeal R105A

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. Corner lot fence

Building Inspector DJB (S)

To Whom It May Concern

We live at 3864 Clinton Street in West Seneca, which is on a corner lot at Clinton Street and Northwood Road. We would like to extend our 6' high fence out, both North and South, along Northwood and extend it closer to Northwood Road, 8' - 10' feet from the house.

There are multiple reasons for this request:

- Privacy and security:
 - Clinton St and Northwood are very busy streets with a great deal of traffic and, at times, traffic backs up Northwood Road past our property;
 - across the street on Northwood there is a commercial gas station which also has a lot of traffic;
 - cars often pull over and temporarily park in front of our house on the Northwood side.
- Due to the amount of traffic, it is very noisy and we are hopeful that an extended privacy fence will cut down on that noise helping us to enjoy our property while outside.

In conclusion, allowing this fence will provide added privacy and security to our home and help cut down some of the traffic noise in our yard. We graciously ask that you allow these variances for our project to move forward.

Sincerely,

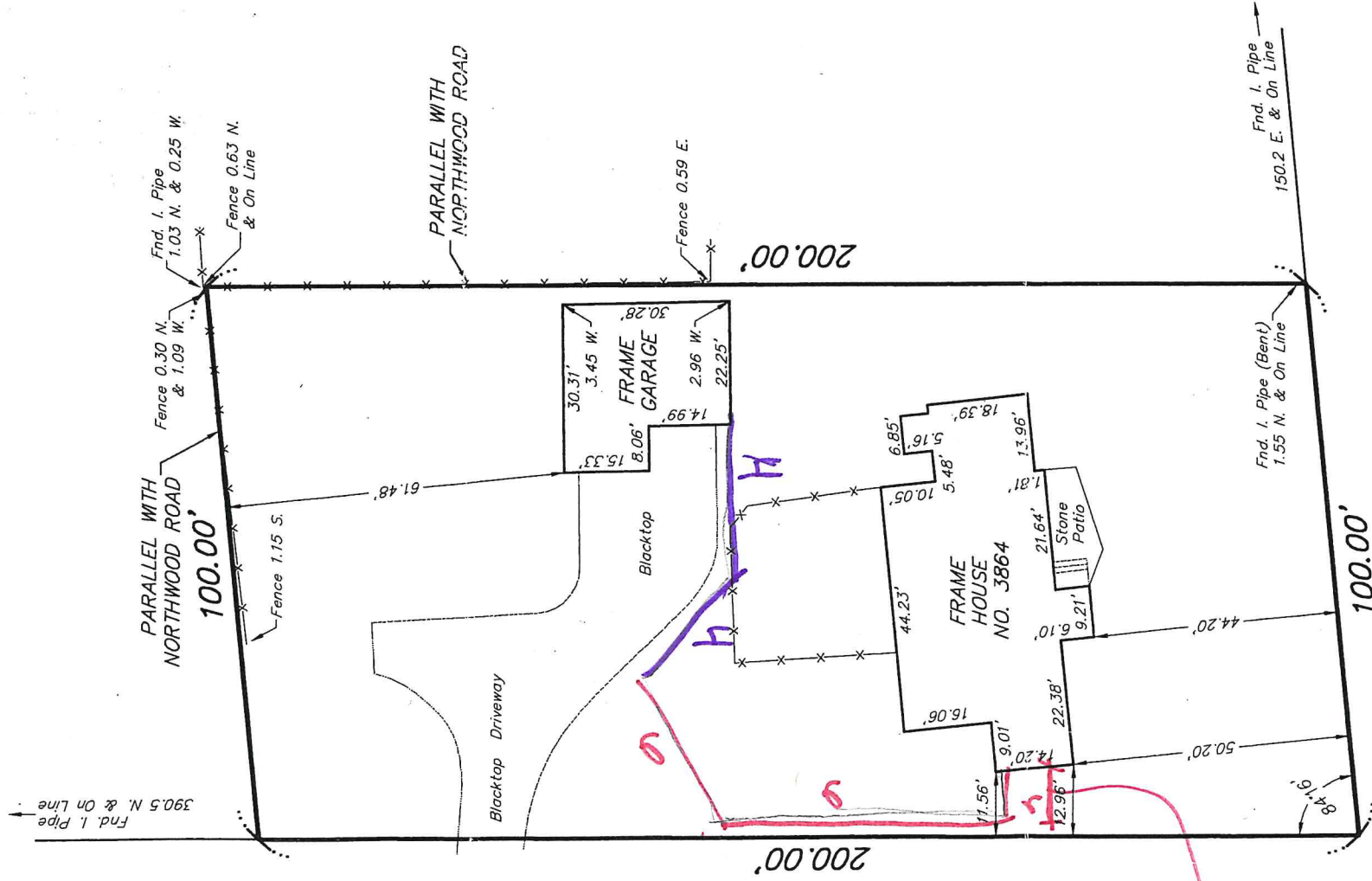
A handwritten signature in black ink that reads "Kimberly Hudson". The signature is written in a cursive, flowing style.

Kimberly Hudson

May 21, 2025



9028



CLINTON STREET

(66' WIDE)

8'-15" PROJECTIONS OFF OF HOUSE

4'-2 FT OFF PROPERTY
VARIANCE REQUESTED FOR PROJECTION 4 6 FT HEIGHT

INSTRUMENT(S) UTILIZED IN DETERMINING LOCATION OF BOUNDARY LINES: HEAD OF SEARCH
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED IN SAID ABSTRACT.
NOTE: PROPERTY CORNER MONUMENTS WERE NOT PLACED AS PART OF THIS SURVEY.

THIS SURVEY MAP WAS PREPARED IN ACCORDANCE WITH THE
CURRENT STANDARDS FOR LAND SURVEYS ADOPTED BY THE
BAR ASSOCIATION OF ERIE COUNTY AT THE REQUEST OF
Paul Notaro, Esq.

Francis C. Delles
NYSPLS No. 050477

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Millard, Mackay & Delles
LAND SURVEYORS, LLP

150 AERO DRIVE
BUFFALO, NEW YORK 14225
PHONE (716) 631-5140 ~ FAX 631-3811

AMEND:

SURVEY DATE: 10-21-09

©DRAWING DATE: 10-22-09

SCALE: 1" = 30'

"ALL RIGHTS RESERVED"

THIS MAP VOID UNLESS
EMBOSSED
WITH NEW YORK STATE LICENSED LAND
SURVEYOR'S SEAL. ALTERING ANY ITEM
ON THIS MAP IS A VIOLATION OF THE
LAW EXCEPT AS PROVIDED IN SECTION
7209, PART 2, OF THE NEW YORK
STATE EDUCATION LAW.

PART OF LOT 312 SECTION TOWNSHIP RANGE OF THE:
Ebenezer Lands SURVEY - Erie COUNTY, N.Y.

SURVEY OF: 3864 Clinton Street, Town of West Seneca

SBL No. 125.17-3-19

\$ 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.

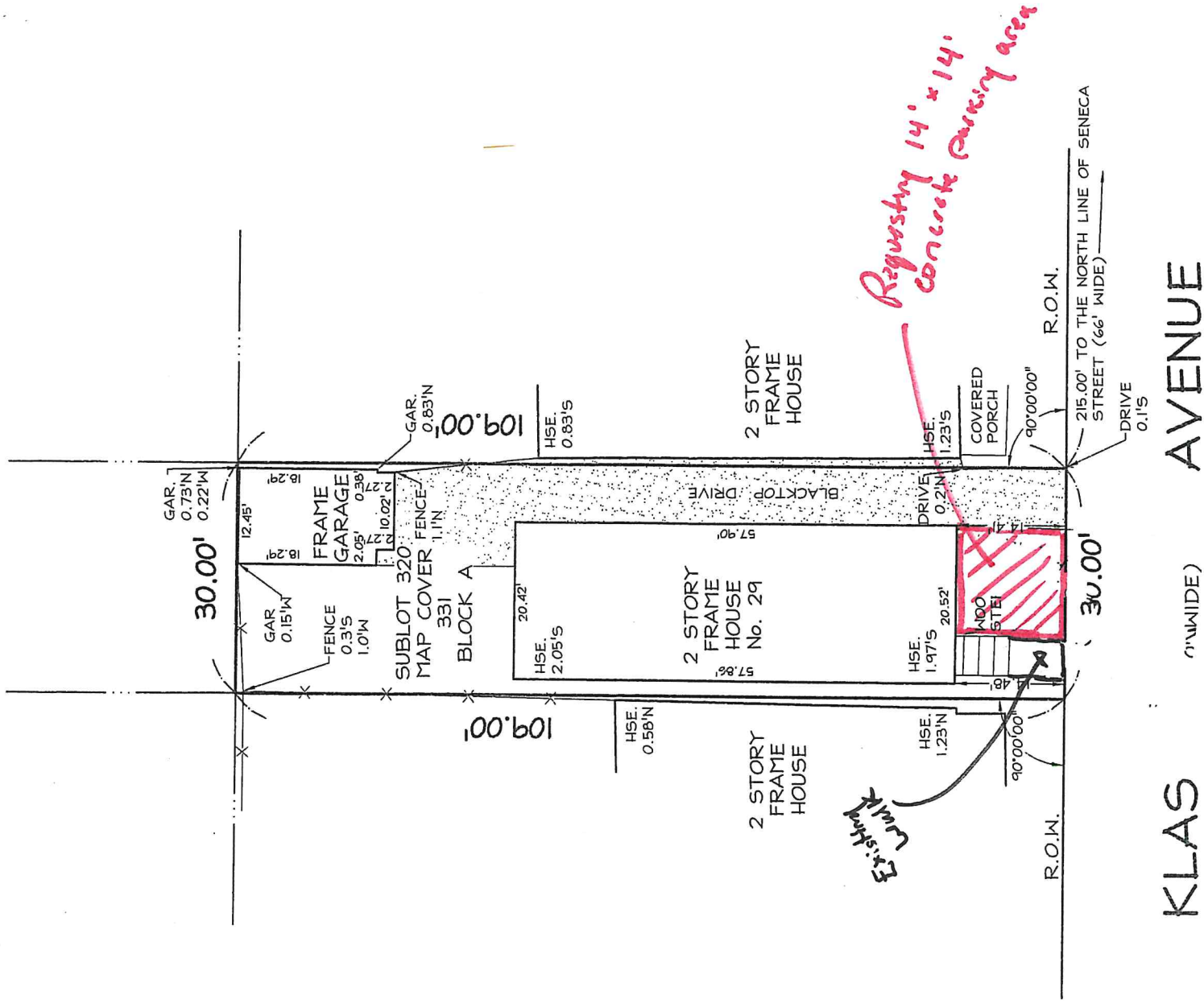
4. A statement of any other facts or data which should be considered in this appeal. _____

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.nusscl Clarke.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. 7

Appeal No. 2026-023

Date May 29, 2026

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

I (we) John Keem of Superior Ducts

, 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: erect a deck from house to pool 0' separation

- | | |
|--|---|
| ☐ 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 136 Canterbury Trail

3. State in general the exact nature of the permission required, 0' separation from house to pool 10' 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 enclosed

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 120, Subsection 39, Paragraph A2 of the Zoning Ordinance, because: accessory structures to remain a minimum of 10' from primary structure

X [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

TOWS Zoning Ordinance 120-

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

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]

Homeowner: Cherae Mangus
Property Address: 136 Canterbury Trail
West Seneca, NY 14224
716-984-7532
cheraelk@yahoo.com

Contractor: Superior Decks, Inc.
Business Address: 7661 Erie Rd
Derby, NY 14047
716-972-3325
wnydecks@gmail.com

Date:

Town of West Seneca Zoning Board of Appeals
1300 Union Road
West Seneca, NY 14224

RE: Letter of Intent for Area Variance – Pool Deck Construction at 136 Canterbury Trail

Dear Members of the Zoning Board of Appeals,

I respectfully submit this letter of intent in support of my application for an area variance related to the construction of a pressure-treated pool deck at my property located at 136 Canterbury Trail, West Seneca, New York.

The proposed project consists of a pressure-treated pool deck extending approximately 3 inches over the lip of the pool, with a pressure-treated flat top rail and 2x2 balusters, a pressure-treated 5/4" x 6" skirt extending to grade, two sets of stairs, and a self-closing, self-locking safety gate. The deck is intended to improve the safety, accessibility, and enjoyment of the pool area while remaining consistent with the residential character of the neighborhood.

In consideration of the factors reviewed by the Board, I respectfully offer the following:

1. Undesirable Change to the Neighborhood or Nearby Properties

Granting this variance will not produce an undesirable change in the character of the neighborhood nor create a detriment to nearby properties. The proposed pool deck is residential in nature and similar to outdoor structures commonly found within the community. The design and materials will complement the existing home and surrounding properties while maintaining a clean and attractive appearance.

2. Feasible Alternatives

There are no practical alternative methods to achieve the intended benefit without the requested variance. Due to the existing pool placement and yard configuration, the proposed layout is the most reasonable option to provide safe and functional

access to the pool area, including adequate stair access and required safety features.

3. Substantiality of the Variance

The requested variance is minimal and represents the least amount of relief necessary to complete the project. The deck dimensions and placement have been carefully planned to comply with all applicable requirements wherever possible while still providing safe and usable access around the pool.

4. Physical or Environmental Effects

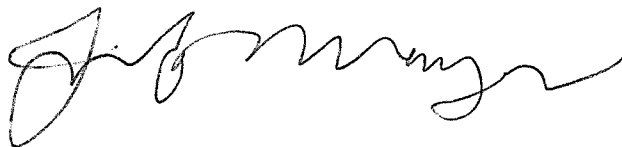
The proposed deck will not create any adverse physical or environmental impacts within the neighborhood. Construction will comply with all applicable building and safety codes, including the installation of a self-closing and self-locking gate for pool safety. The project will not negatively affect drainage, neighboring properties, or environmental conditions.

5. Self-Created Difficulty

While the need for the variance may be considered self-created, the request is being made in good faith to improve the property in a safe, responsible, and aesthetically appropriate manner. The deck is intended solely for private residential use and to enhance safe access to the pool area.

I respectfully request the Board's favorable consideration of this application. Thank you for your time and attention to this matter. I am available to answer any questions or provide any additional documentation the Board may require.

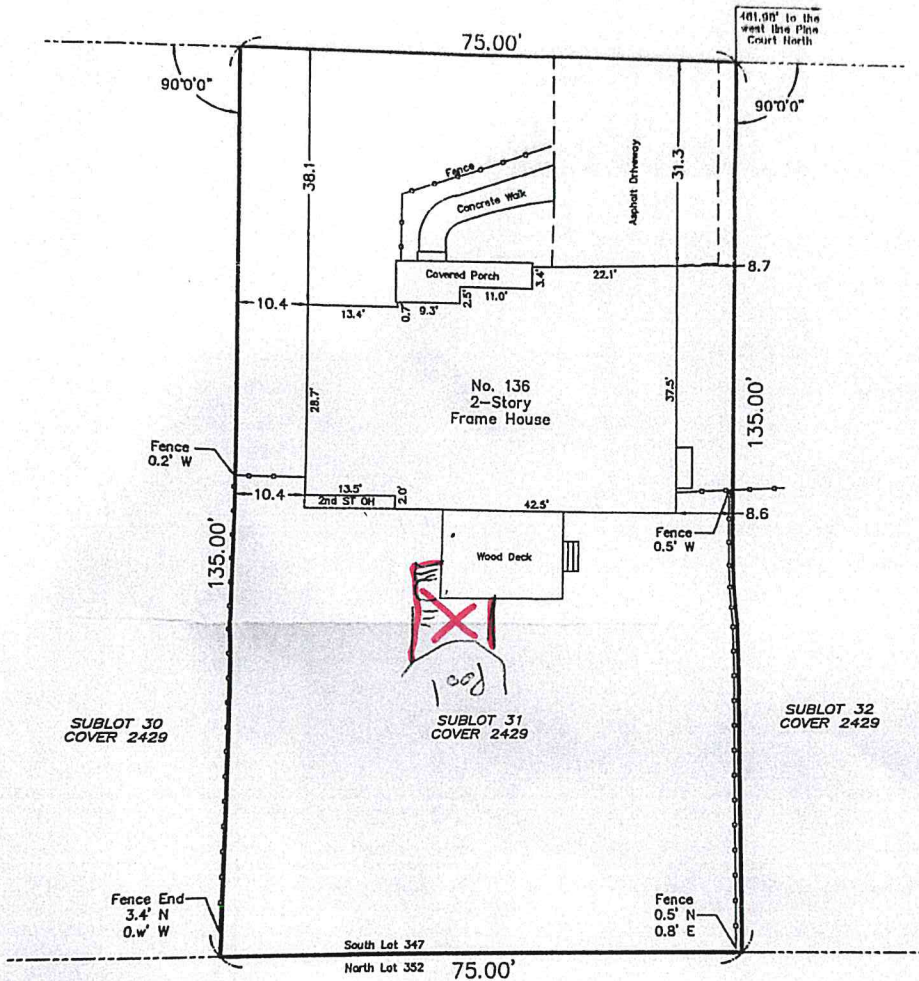
Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey M. [unclear]". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

SURVEY

136 CANTERBURY TRAIL
WEST SENECA, NEW YORK

CL CANTERBURY TRAIL
(60' WIDE)



ADDRESS: 136 CANTERBURY TRAIL, WEST SENECA NEW YORK
DATE OF SURVEY: 12/22/15 DATE OF MAP: 12/22/15
SURVEY REF: MAP COVER 2429

LEGAL: PART OF LOT-347, T-10, R-7 OF THE EBENEZER LANDS
DISTINGUISHED AS SUBLOT-31 UNDER MAP COVER 2420, TOWN OF
WEST SENECA, ERIE COUNTY, NEW YORK.
NO PROPERTY CORNERS WERE SET AS PART OF THIS SURVEY

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 ALTERATION OR ADDITION TO A SURVEY MAP
BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF
SECTION 7209, SUB-DIVISION 2, OF NEW YORK STATE EDUCATION
LAW

REQUESTED BY: Blair & Roach, LLP.

GENZEL LAND SURVEYING, P.C. © 2015
7033 COLE ROAD COLDEN, NEW YORK 14033
PH: (716) 667-9733 FAX: (716) 667-9735
JOB NO. 4068 DATE: 12/22/15 DWN. BY: JAG

THIS MAP VOID UNLESS DISCLOSED
WITH NEW YORK STATE LICENSED
LAND SURVEYOR'S SEAL NO. 050503

gmo a. L. L.

APPLICATION TO BOARD OF APPEALS

X Tel. No. _____

Appeal No. 2020-024
Date 6/3/20

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

X I (we) KATHLEEN PELLOW of 16 Barnsdale 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 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: _____

Kathleen Pellow
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 front/side yard. Requesting 6' in front/side yard.

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

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. Corner lot

Building Inspector DJB

I'm writing this letter to get permission to extend my 6 wood privacy at Barnsdale. I put up the existing 6-ft wood fence 40 years ago. It's time to replace it. Being on the corner I have limited space. I would like extend it to make a place for my trash cans. This way they'll be tucked away, not visible from the street. I spoke to all three neighbors and they all agree. Aesthetically it will match my neighbor's fence and look good from the street view. I believe it will add value to my home.

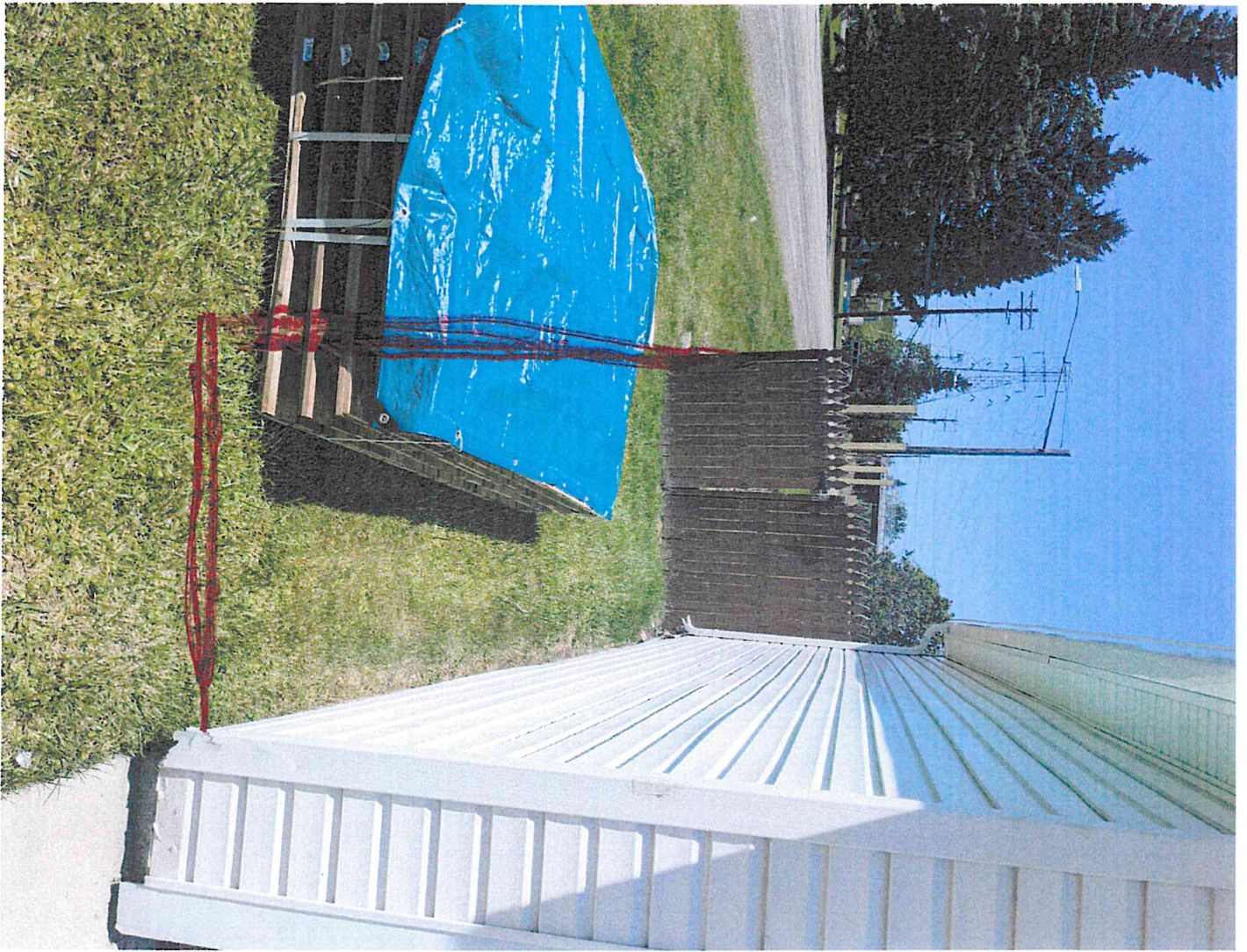
Kathleen Pelow

6/3/2026







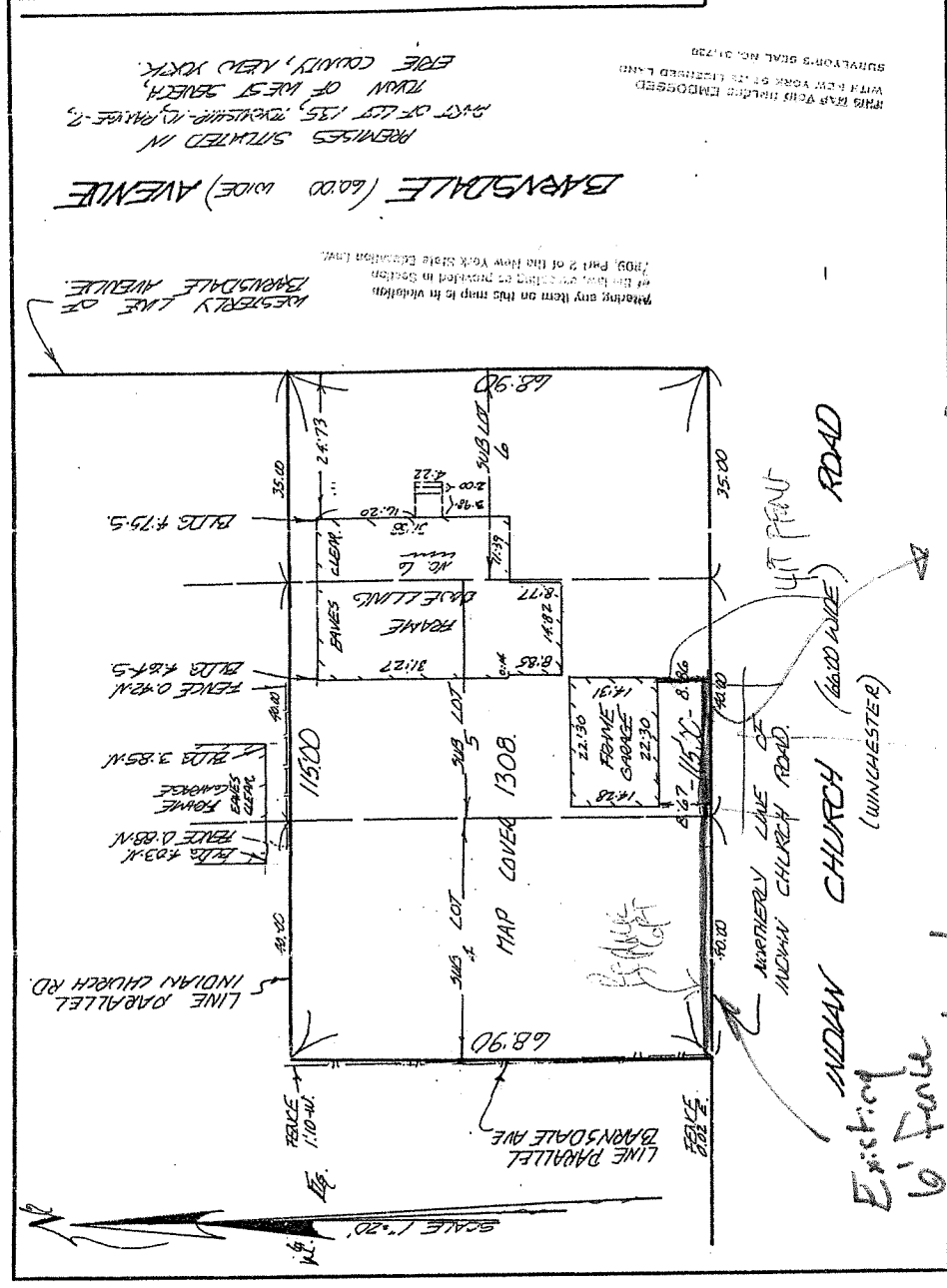


17 4564
No. 122, 134

HAROLD L. GANTZER
KRAUSE & GANTZER
CIVIL ENGINEERS & LAND SURVEYORS
1728 LIBERTY BANK BLDG.
BUFFALO, N.Y. 14202

Feet	Inches
0.00	1
0.17	2
0.33	3
0.50	4
0.67	5
0.83	6
1.00	7
1.17	8
1.33	9
1.50	10
1.67	11
1.83	12

RE-SURVEY RE-SURVEY RE-SURVEY



New 6' fence
off of Existing
4' fence

Existing
6' fence
being replaced.

*** * * RECEIPT * * ***

Date: 06/03/26

Receipt#: 101006

Quantity	Transactions	Reference	Subtotal
1	Zoning Board of Appeals	20161215	\$160.00
Total Paid:			\$160.00

Notes:

Payment Type	Amount	Paid By
Credit Card-Ref #VISA	\$160.00	Pelow, Kathleen

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: Pelow, Kathleen
6 Barnesdale Ave
West Seneca, NY 14224

Clerk ID: AK

Internal ID: 20161215

APPLICATION TO BOARD OF APPEALS

Tel. N

Appeal No. 2026-025
Date 6/4/26

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

I (we) X Douglas Blanchard of 5 Robin Ct

_____, 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 SAMU

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 W A Blanchard
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

120-34 (c) (1) Max height of detached structure 12' to mid
span of roof; Requesting 13' 9" to mid span.

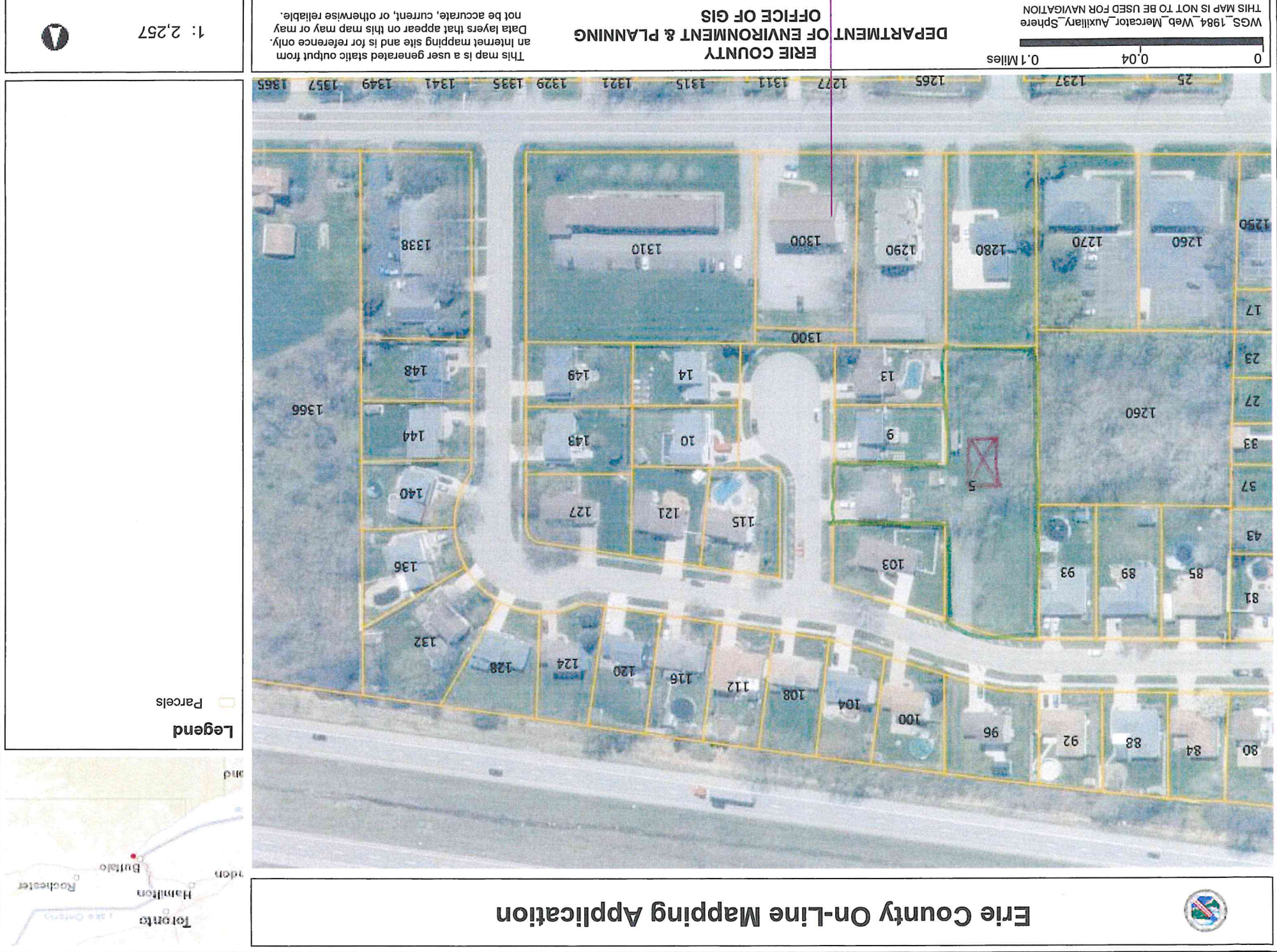
2. Zoning Classification of the property concerned in this appeal R6S

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 DB



My name is Douglas Blanchard and my address is 5 Robin Ct. West Seneca. I am respectfully requesting a variance to allow the construction of a pole barn style garage on my property with a 13'-9½" roof line instead of 12'.

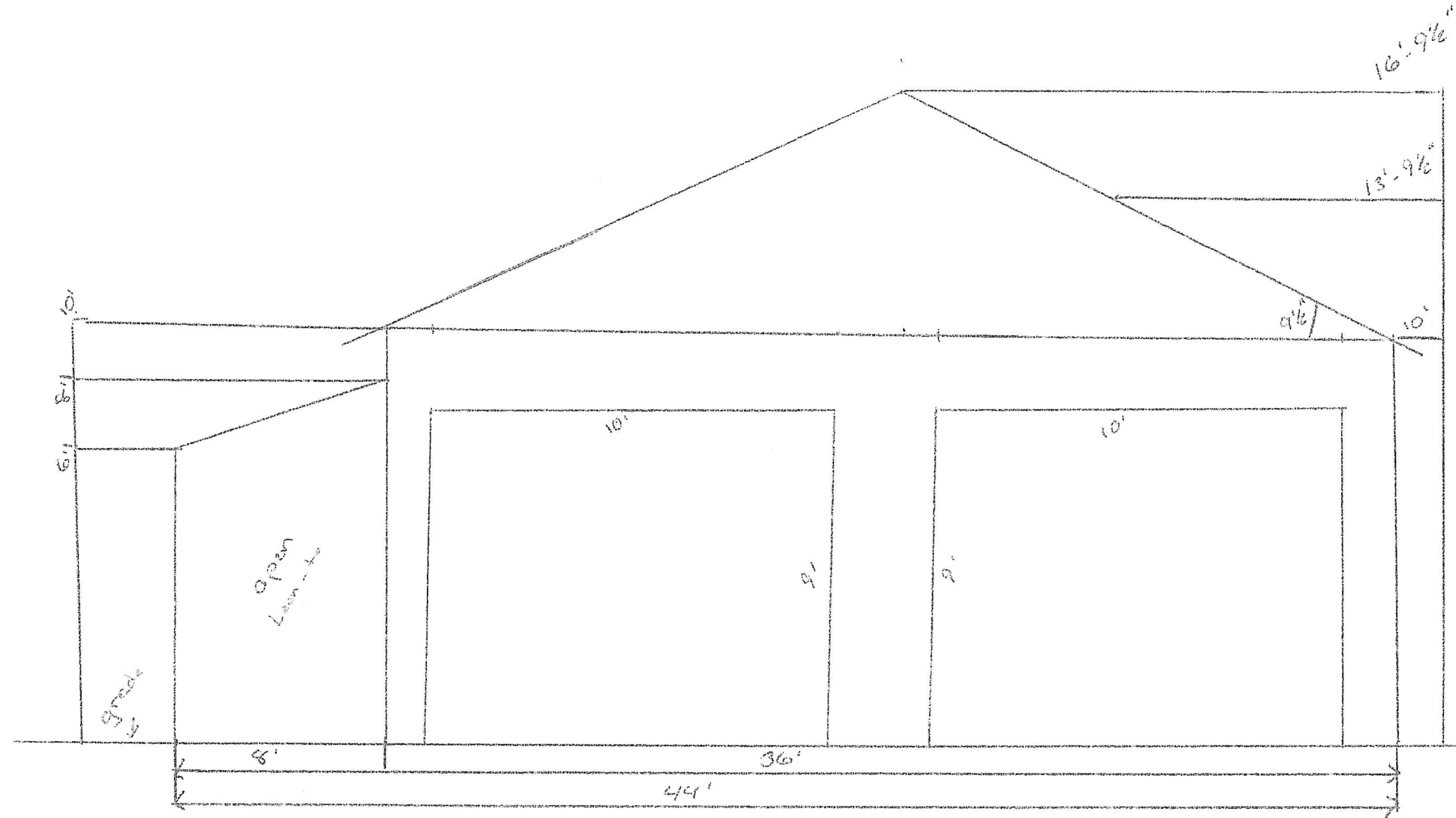
The additional height is necessary to accommodate my dump trailer and enclosed trailer, which requires clearance to be lifted and serviced safely. In addition, I would like to install a scissor lift inside the building to perform maintenance and repairs on my family vehicles.

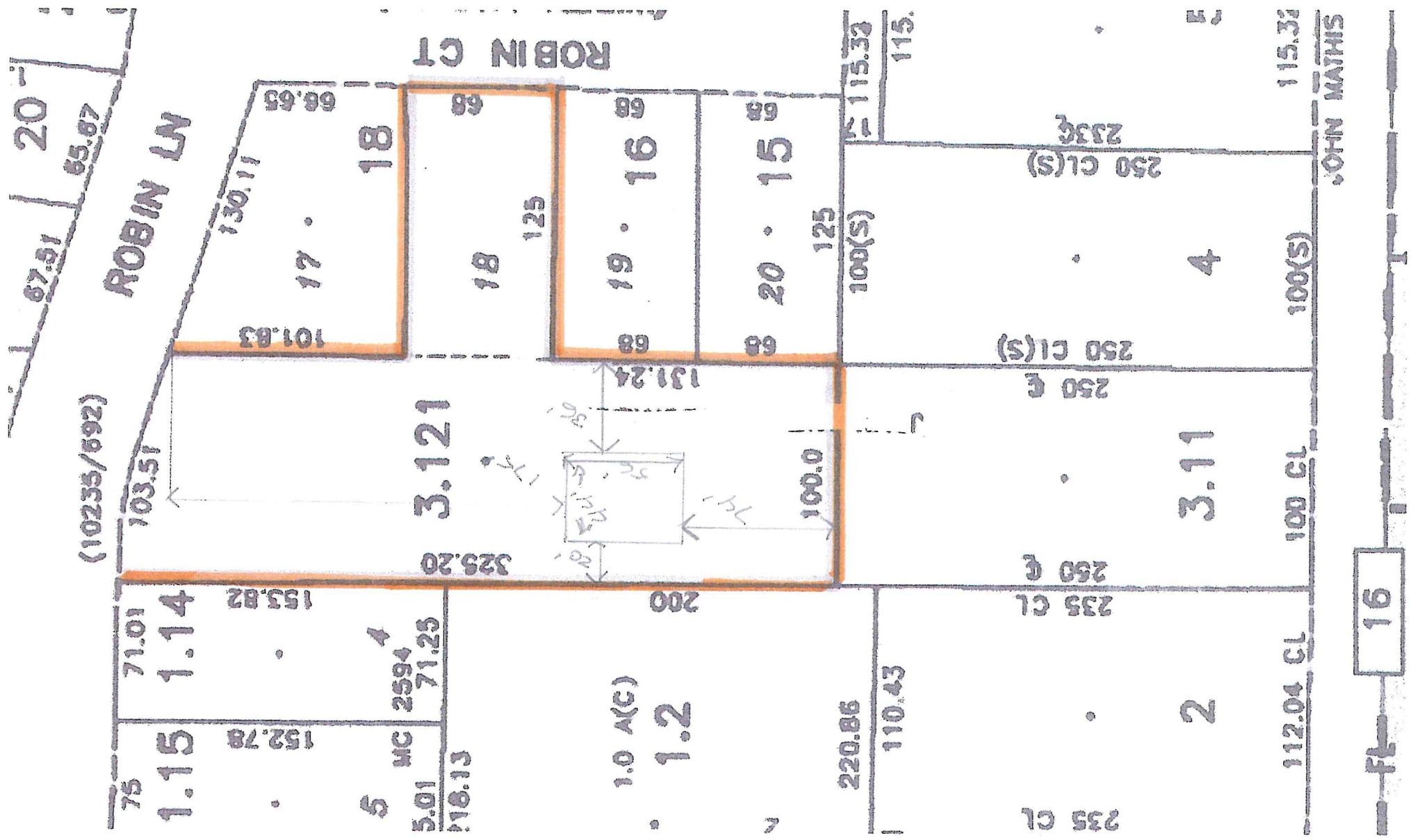
I recently retired from the West Seneca Highway Department after 37 years as an Auto Mechanic.

This building would allow me to continue maintaining my equipment and vehicles safely and properly, as well as allow storage of the trailers when they are not being used.

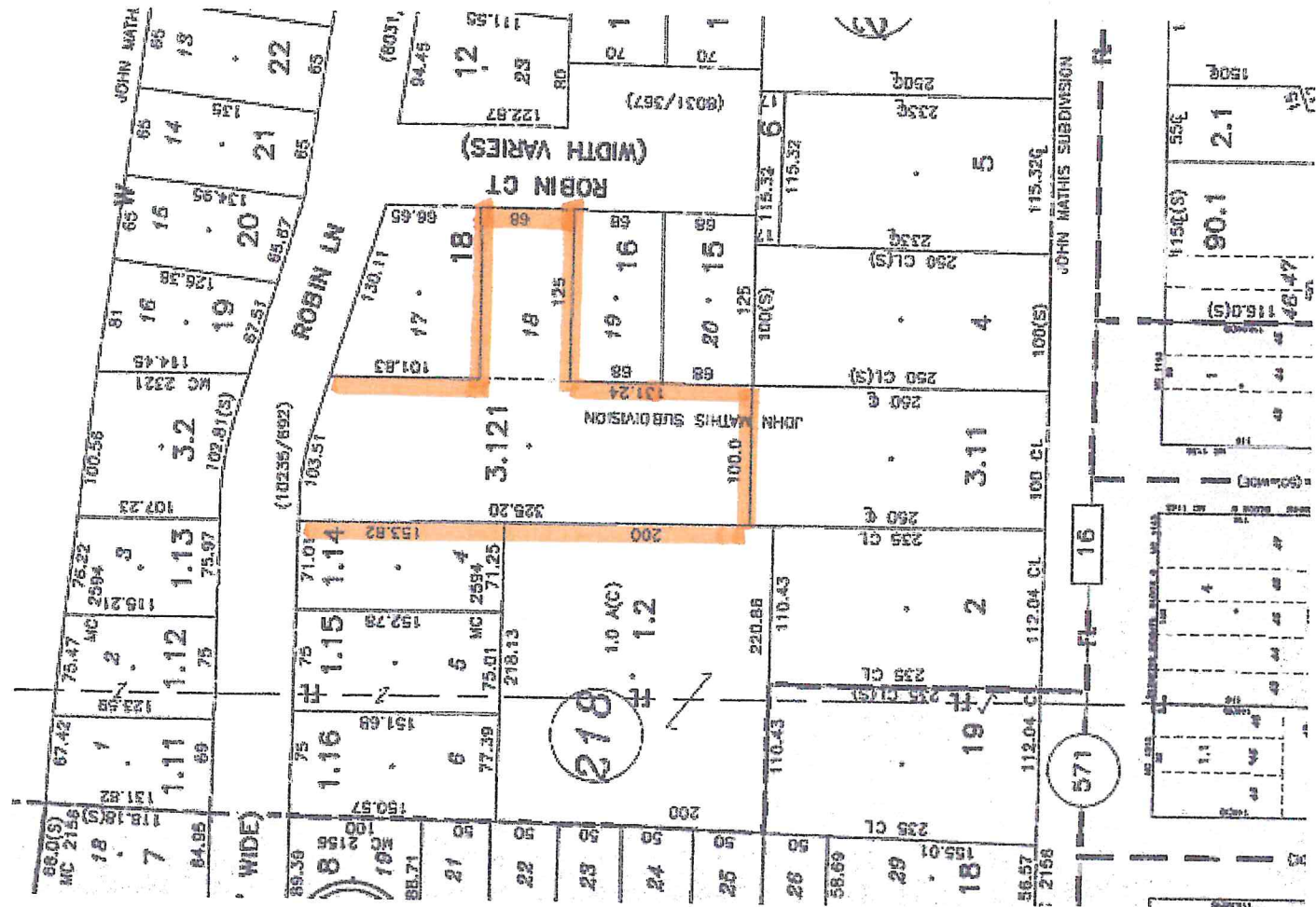
I appreciate your time and consideration of this request, and I am happy to provide any additional information if needed.

Sincerely
Douglas Blanchard



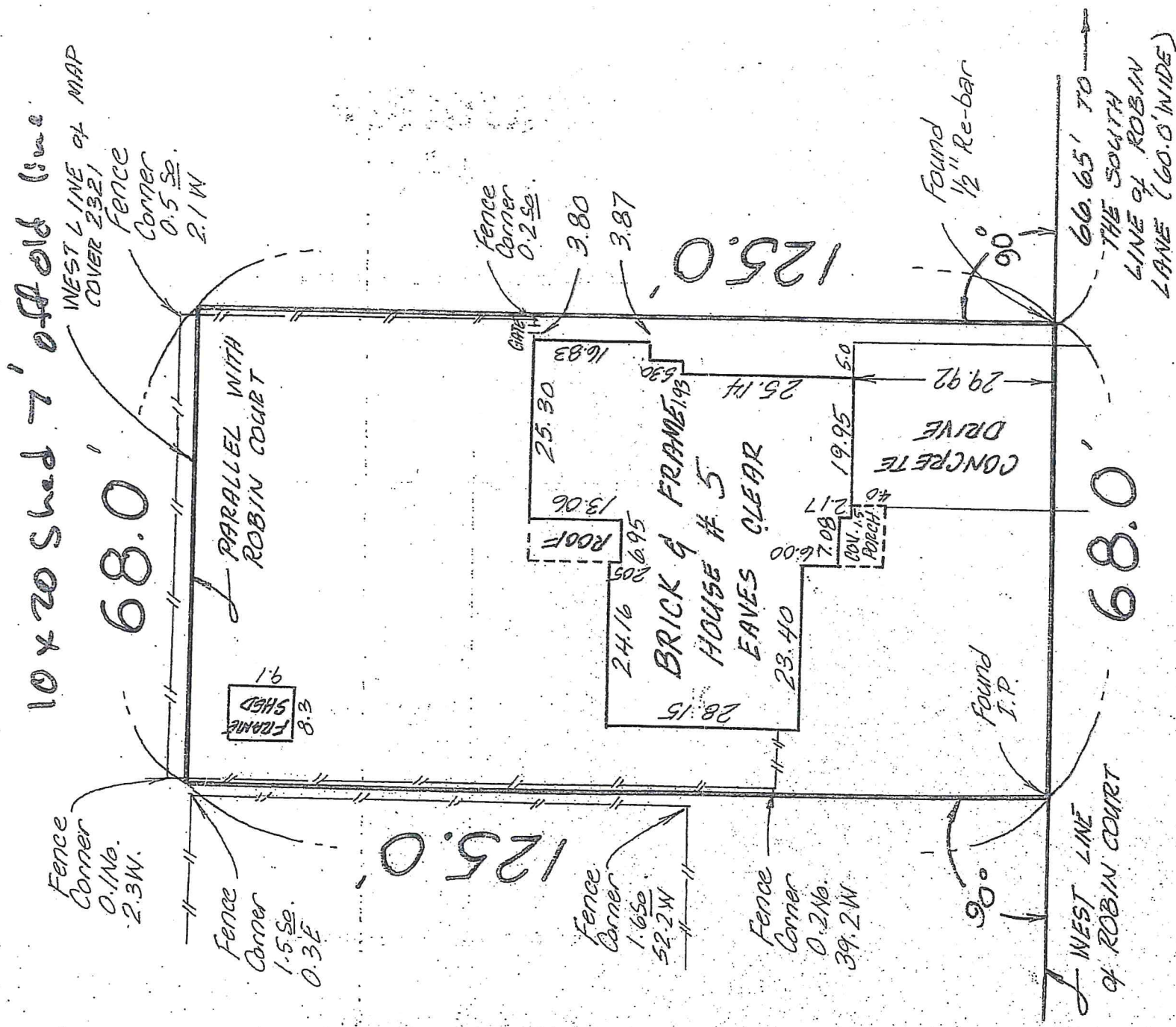






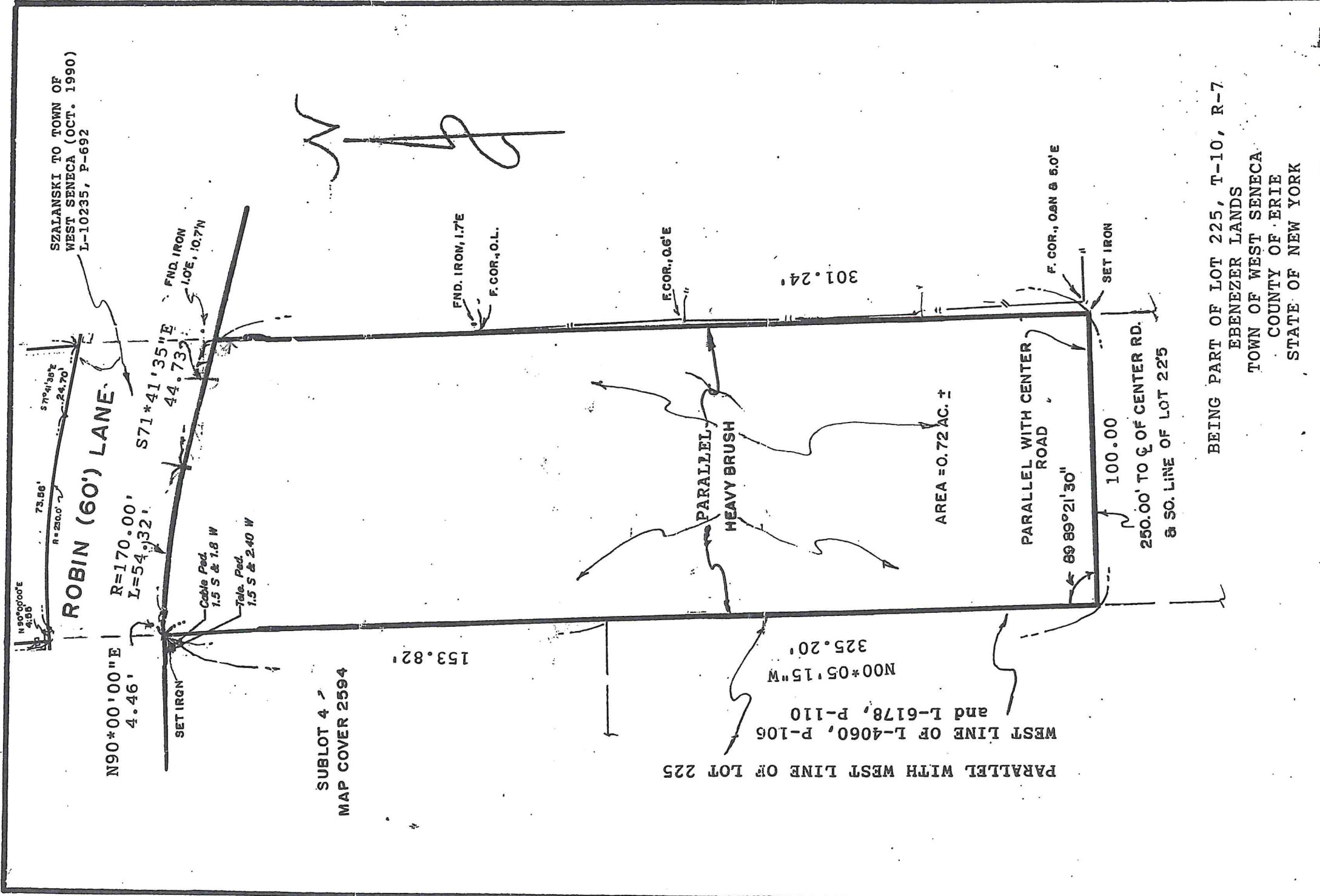
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

Proactive
contingent



ROBIN (60' WIDE) COURT

SURVEY DATE	OCTOBER 7, 1997	SCALE:	SBL NO.	CHARLES E. DENVER LICENSED LAND SURVEYOR N.Y.S. LICENSE NO. 49262 A FOIT-ALBERT ASSOCIATES FIRM 763 MAIN ST. BUFFALO, NY 14203 PHONE: (716) 634-6253 FAX: (716) 634-307
LOCATION	TOWN of WEST SENeca	1"=20'		
	COUNTY of ERIE, NEW YORK	JOB NO.	RE-SURVEY	
	PART of LOT-225 of the	97-16226		
	EBENEZER LANDS	No Corner		
MAP COVER	2321 54BL0T-18	Mon. Sep		



<i>Robert B. Baird</i>		ROBERT B. BAIRD P.L.S. NO. 49040 5311 SO. FREEMAN ROAD ORCHARD PARK, N.Y.	
DATE: 6-9-2014			
SCALE: 1"=40'			
		ROBIN LANE	
TEL./FAX. (716) 662-4792		MAP NO. 2014-06	

APPLICATION TO BOARD OF APPEALS

X Tel. No. —

Appeal No. 2026-026
Date 6/4/26

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

X I (we) Robert W Gretzler of 85 Bellwood 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 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: _____

X Install 6' Fence Along Side yard to Block AC, Garages
and store Personal Item Golf Cart Bikes, Dog
to keep out of public view Large Dog

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: _____

Robert W Gretzler
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' height in front/side yard.
Requesting 6' fence.

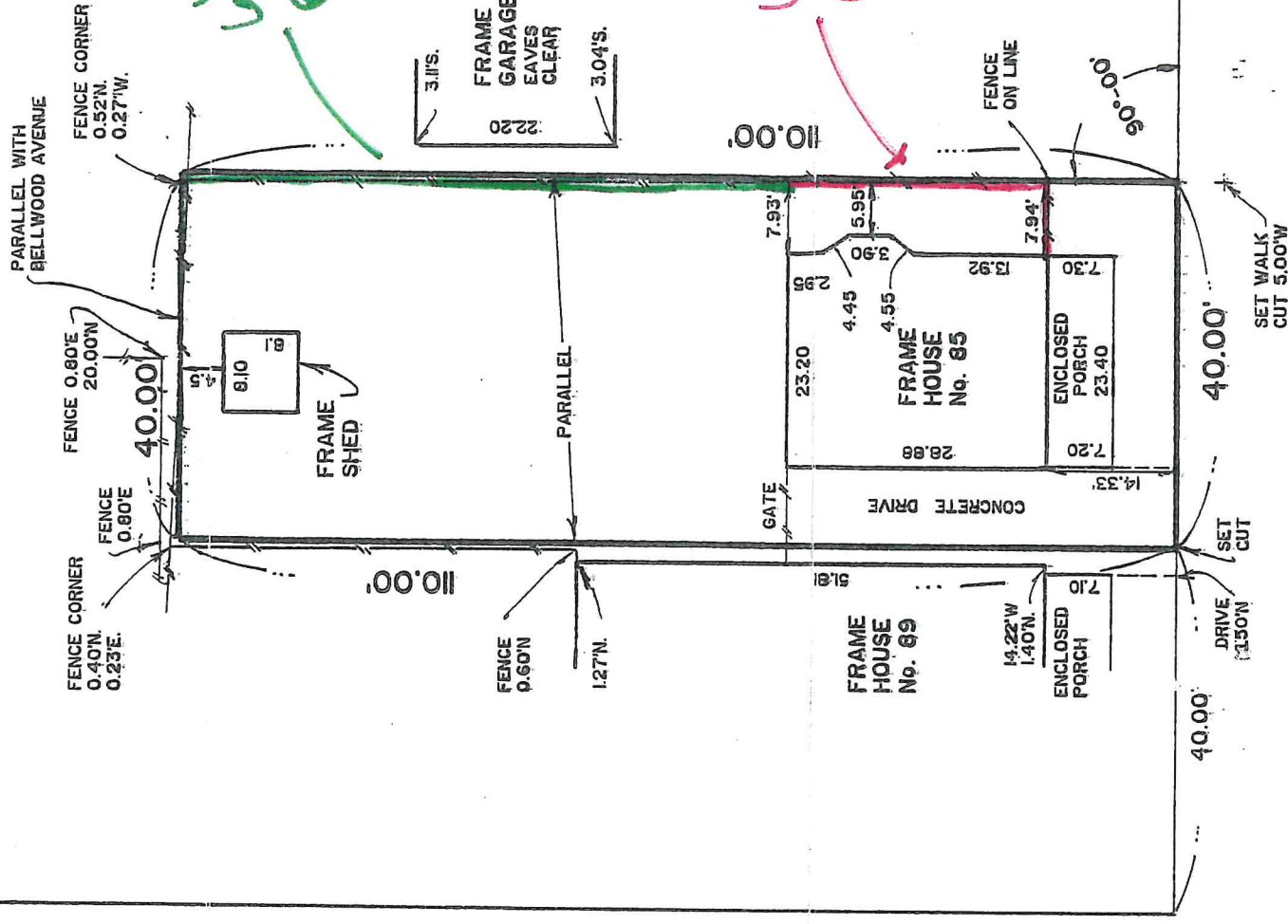
2. Zoning Classification of the property concerned in this appeal R50

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]



BELLWOOD AVENUE

(50' WIDE)
(FORMERLY EDGEWOOD AVENUE)

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

SURVEY PREPARED FOR:
RANDY H. GUGINO

ATTORNEY AT LAW
2140 EGGERT ROAD
AMHERST, NEW YORK 14226

MILLARD & MACKAY

LAND SURVEYORS
BUFFALO, NEW YORK
631-5140

DATE: 9/14/94

SCALE: 1" = 20'

SURVEY OF: **SUBLOT 2 BLOCK 'H' MAP COVER 917**

PART OF LOT 200 S. T. 10 R. 7 COUNTY OF **ERIE** N.Y.
OF THE **BUFFALO CREEK RESERVATION**

STREET ADDRESS: **85 BELLWOOD AVENUE, TOWN OF WEST SENEGA**

THIS MAP VOID UNLESS
EMBOSSSED
WITH NEW YORK STATE LICENSED LAND
SURVEYOR'S SEAL. ALTERING ANY ITEM
ON THIS MAP IS A VIOLATION OF THE
LAW EXCEPT AS PROVIDED IN SECTION
7209, PART 2, OF THE NEW YORK STATE
EDUCATION LAW.

NO. **134.45-6-14**

134.45-6-14

APPLICATION TO BOARD OF APPEALS

Tel. No. ✓

Appeal No. 2026-027

Date 6/4/26

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

I (we) Thomas Culler of 457 Mineral Springs Rd

, 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

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

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

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. Next to collision

Shop, Replacing existing 4' fence.

Building Inspector [Signature]

I, Thomas Culkin, am the owner of the property at 457 Mineral Springs Rd. in West Seneca. I make this request of the Town of West Seneca Zoning Board of Appeals for a variance from the regulation which limits fences in front of a house to 4 foot.

I live in a commercial zone. I am the only house on this stretch of the road. To the right of my property (viewed from the street) is National Fuel. To the left are three businesses – Pro-Fab, Glaub’s Collision, and another company, name unknown. The view directly to the left of my property line shows several stacks of metal racks, similar to pallets (see attached pictures). These stacks are approximately 6-8 feet tall. They have been there for the entire 4+ years I have owned my home.

There is an existing 3 foot picket fence which starts 20 feet in front of my garage and extends 42 feet towards the road. There is an additional 29 feet past the fence to the road, for a total of 71 feet. I wish to replace the current fence with a 6 foot white vinyl fence, and extend it an additional 16 feet, for a total of 58 feet of fence. This would leave 13 feet of unobstructed space to the road, which would allow a clear view for all traffic leaving both my driveway and the parking lot next door.

A variance would allow me to enjoy my front yard without having to view the unsightly piles of metal racks, and the traffic of the businesses next door. I don’t believe that this fence will interfere with any person or company in any way, shape, or form. I respectfully request that the Zoning Board of Appeals permit me to vary from the regulation and allow me to build the fence I have requested, or any adaptation of my request that this Board sees fit.

Due to my work schedule, I am unable to attend the meeting on June 24, 2026, and have given permission to my contractor, William Kless, to represent me before the Board in this matter. He is the contractor who will be installing the fence if permitted.

I thank the Board for its service to the Town of West Seneca and for considering my request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Culkin', written over a horizontal line.

Thomas Culkin

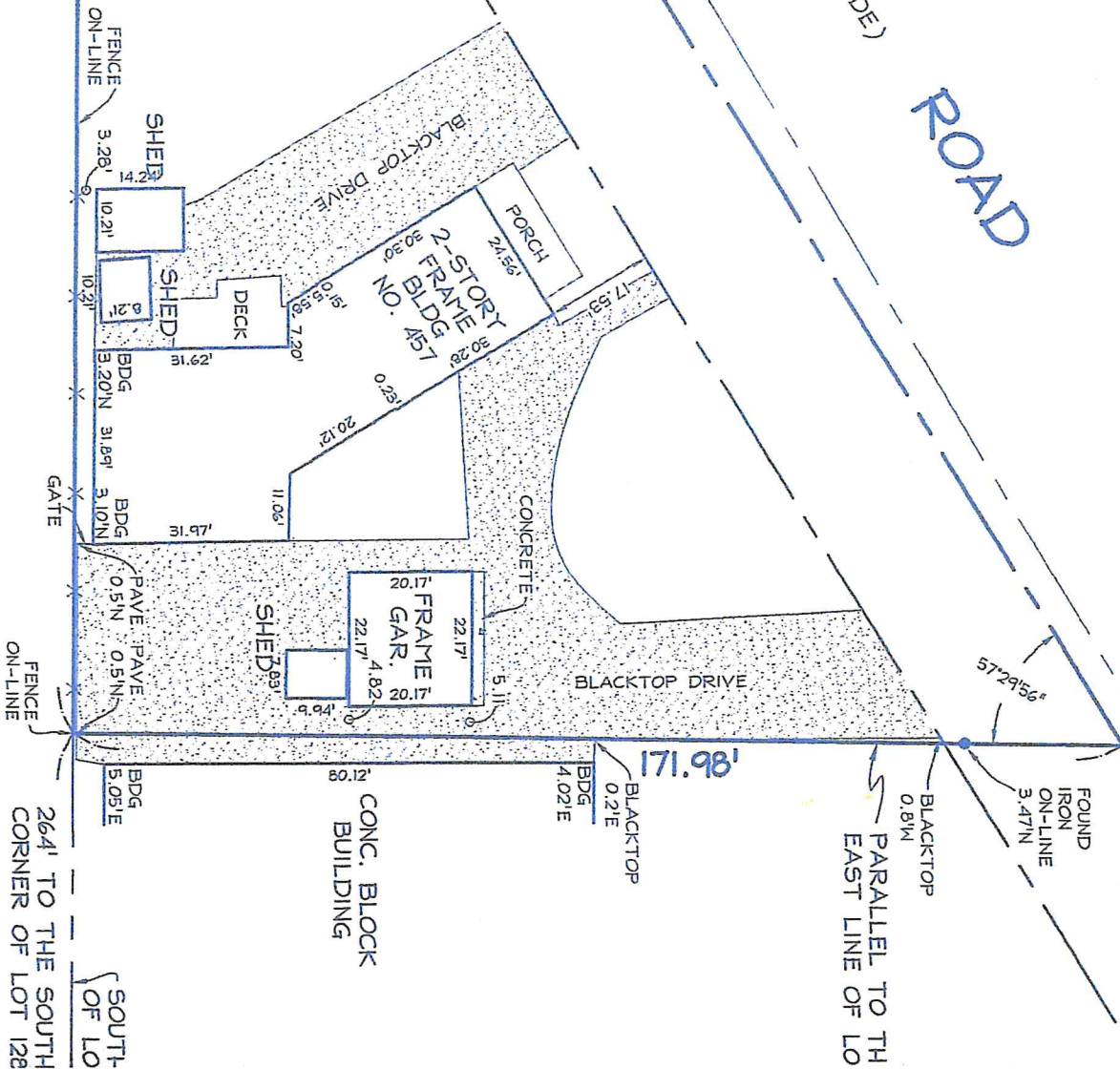
MINERAL SPRINGS

(49.5' WIDE)

ROAD

275.67'

326.23' REC.
326.83' MEAS.



ROAD

13 ft
OF OPEN
SPACE

SPRINGS

(49.5' WIDE)

REC. MEAS. 326.31 326.23

CENTERLINE OF PAVEMENT

CENTERLINE OF R.O.W.

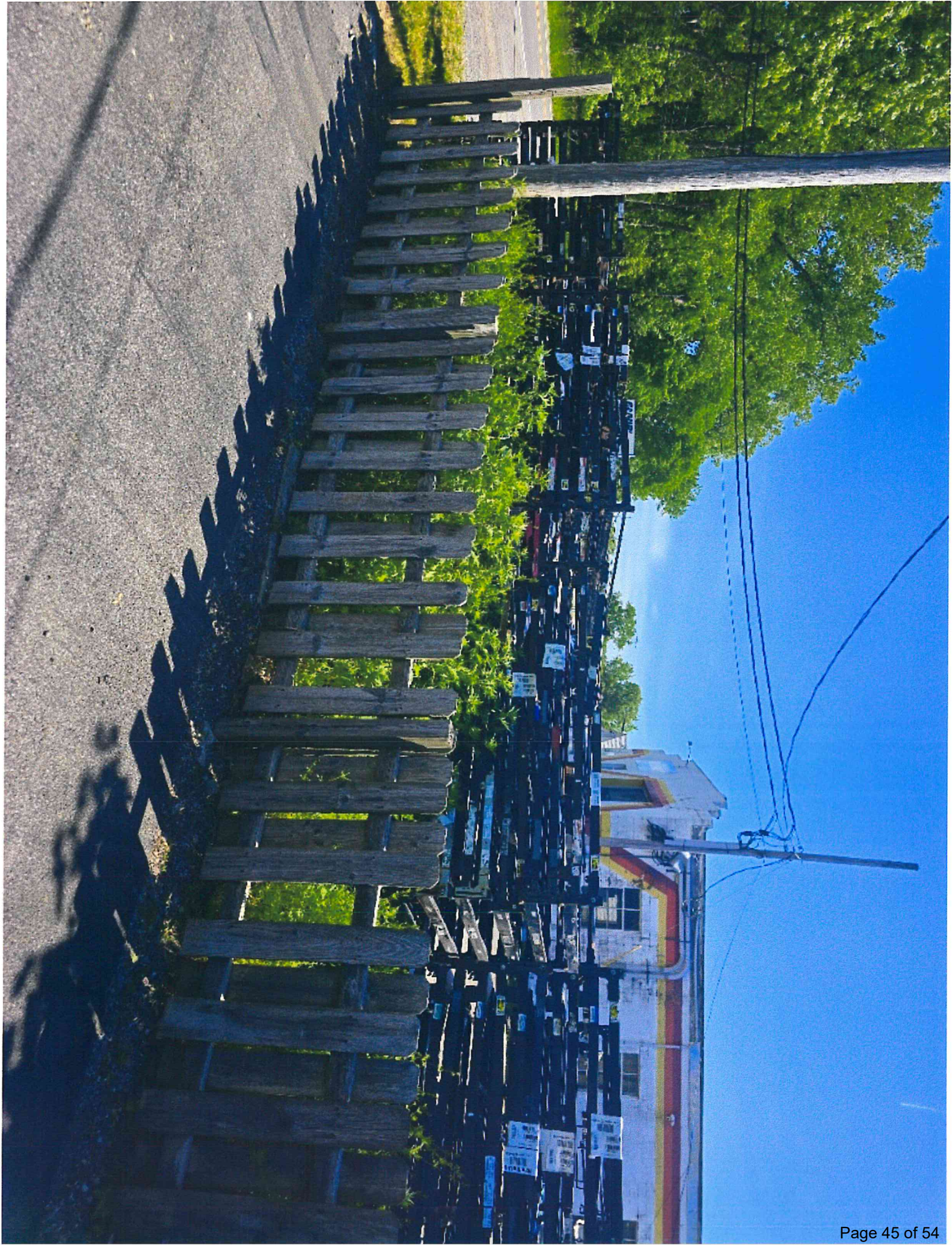
P.O.

31° 44' 45"

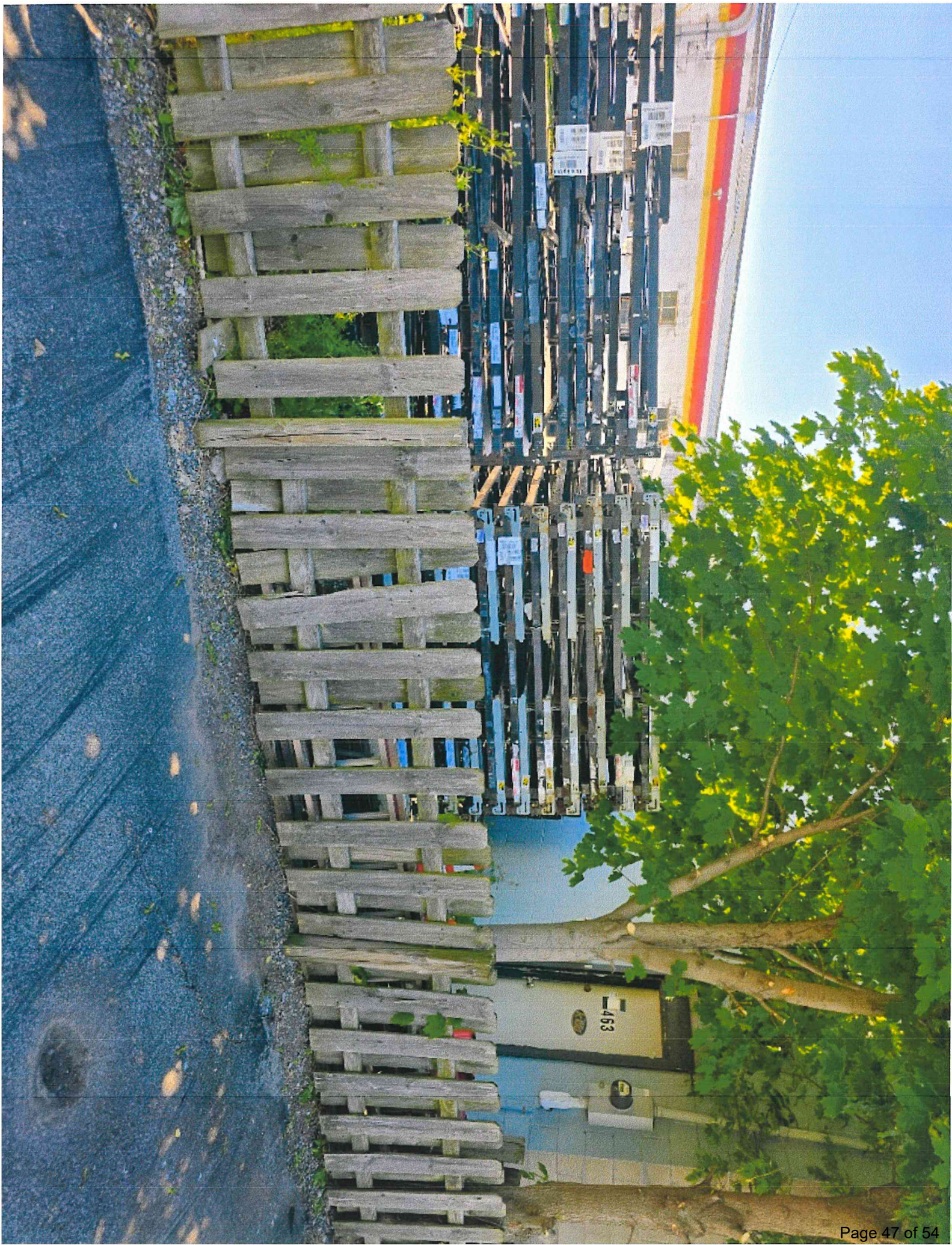
275.671

[illegible]

Page 44 of 54







***** RECEIPT *****

Date: 06/05/26

Receipt#: 101057

Quantity	Transactions	Reference	Subtotal
1	Zoning Board of Appeals	20161225	\$160.00
Total Paid:			\$160.00

Notes: 2026-027

Payment Type	Amount	Paid By
CK #1269	\$160.00	Culkin, Thomas M.

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: Culkin, Thomas M.
457 Mineral Springs Rd.
West Seneca, NY 14224

Clerk ID: CLAIRE

Internal ID: 20161225

APPLICATION TO BOARD OF APPEALS

Tel. No. X

Appeal No. 2026-028
Date X 6/8/26

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

I (we) X Jeffrey and Vanessa Vitali of X 45 Sunnyside drive

, 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: install a 6' fence in front and side yard

- | | |
|--|---|
| ☐ 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 X 45 Sunnyside Drive West Seneca, NY 14224

3. State in general the exact nature of the permission required, 6 foot fence in front and side yards 4' max permitted

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: _____

X we would like a 6 foot fence around property for privacy and safety of our children.

B. Interpretation of the Zoning Ordinance is requested because: R District fences 4' max permitted front and side yard

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____, Section 120, Subsection 39, Paragraph B of the Zoning Ordinance, because: _____

X Vanessa Vitali
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

TOWS Zoning Ordinance 120-39B

2. Zoning Classification of the property concerned in this appeal R-45

3. Type of Appeal:

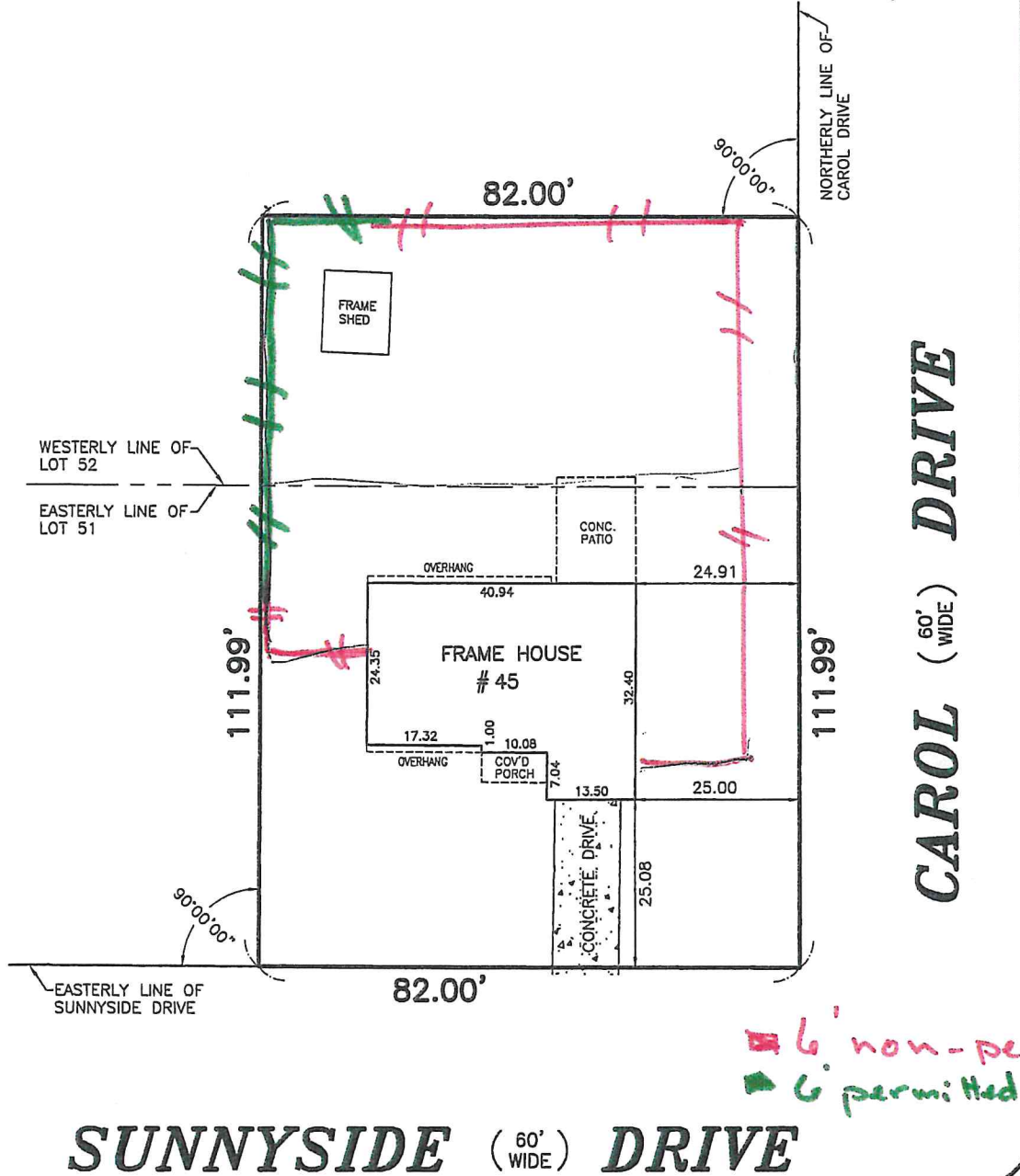
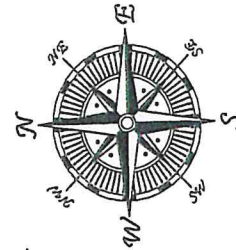
- ☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.

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

Building Inspector JGR

Feet Inches
 0.08 - 1 Inch
 0.17 - 2"
 0.25 - 3"
 0.33 - 4"
 0.42 - 5"
 0.50 - 6"
 0.58 - 7"
 0.67 - 8"
 0.75 - 9"
 0.83 - 10"
 0.92 - 11"
 1.00 - 12"

NOTE: 1) THIS SURVEY IS NULL AND VOID WITH AN AFFIDAVIT OF NO CHANGE
 2) 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



LOCATION: TOWN OF WEST SENECA	MAP COVER: 2161	JOB NO.: 25-13507
COUNTY OF ERIE, STATE OF NEW YORK	SUBLOT(S): 34	DRAWN BY: J. HARTWELL
PART OF LOT 51 & 52	DATE: OCTOBER 9, 2025	SCALE: 1"=20'
OF LOWER EBENEZER LANDS	REVISIONS:	CHECKED BY: S. CARVER
STEVE A. CARVER PLS. LAND SURVEY SERVICES 318 BRYANT STREET N. TONAWANDA NY 14120 TEL. 716-525-1250 FAX 716-525-1275 STEVE@CARVERSURVEY.COM		
Unauthorized alteration or addition to any survey, drawing, design, specification, plan or report is a violation of Section 7203, Provision 2 of the New York State Education Law. Only copies from the original of this survey map marked with an original of the land surveyor's embossed seal and signature shall be considered to be valid true copies.		
Copyright Steve A. Carver PLS. all rights reserved. No portion of this drawing may be reproduced, stored or transmitted by any means without prior written permission of the surveyor. This survey is a report of the findings in the field and is not a guarantee of title. This survey is null and void with an affidavit of no change.		



*** * * RECEIPT * * ***

Date: 06/08/26

Receipt#: 101117

Quantity	Transactions	Reference	Subtotal
1	Zoning Board of Appeals	20161244	\$160.00
Total Paid:			\$160.00

Notes: 2026-028

Payment Type	Amount	Paid By
Credit Card-Ref #visa	\$160.00	Vitali, Jeffrey & Vanessa

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: Vitali, Jeffrey & Vanessa
45 Sunnyside Dr
West Seneca, NY 14224

Clerk ID: CLAIRE

Internal ID: 20161244

APPLICATION TO BOARD OF APPEALS

X Tel. No. 5

Appeal No. 2026-029
Date 6/10/26

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

X I (we) Natalie Reyes of 135 Cresthaven Drive

, 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: _____

X See attached 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 _____
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 Front/side yard.
Requesting 6' high fence.

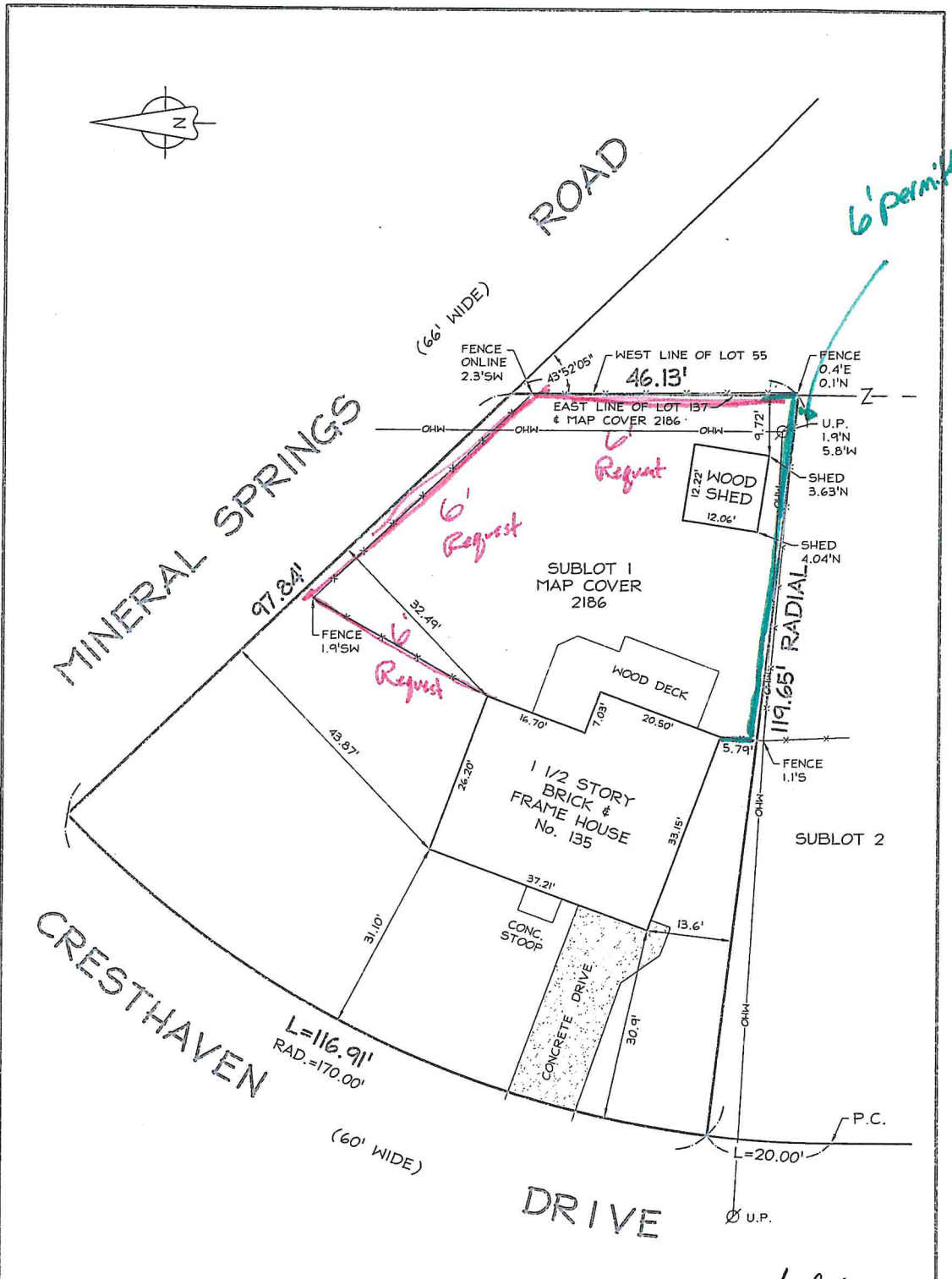
2. Zoning Classification of the property concerned in this appeal _____

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. Corner lot.

Building Inspector Dy3



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.

PART OF LOT(S) : 137 TOWNSHIP : 10 RANGE : 7 OF THE BUFFALO CREEK RESERVATION
LOCATION : TOWN OF WEST SENECA COUNTY OF ERIE STATE OF NEW YORK SCALE: 1" =

Nussbaumer & Clarke, Inc.
Engineers and Surveyors

3556 Lake Shore Road
Buffalo, New York 14219-1494
(716) 827-8000

KIND	DATE	REQUESTED BY	JOB NO.
SURVEY	04/21/16	LAW OFFICE OF WALLACE C. PIOTROWSKI	16J2-0411

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

June 10, 2026

Town of West Seneca Zoning Board of Appeals
1250 Union Road
West Seneca, NY 14224

RE: Request for Approval of a 6-Foot Privacy Fence

Dear Members of the Zoning Board,

I am respectfully requesting approval to replace my existing 4-foot fence with a 6-foot privacy fence on my property.

My home is located on a corner lot, and I understand that fencing regulations are intended to preserve visibility and neighborhood character. However, I am seeking this variance due to significant safety concerns involving my son, who is autistic and has a documented history of elopement. He has previously attempted to leave our yard and has demonstrated the ability to climb or jump over lower fences.

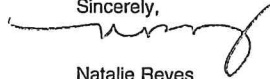
Our property borders Mineral Springs Road, which is a heavily traveled roadway with consistent vehicle traffic. As parents, we are deeply concerned that if he were to leave the yard unexpectedly, he could enter the roadway and be seriously injured. A 6-foot fence would provide an additional layer of protection and greatly reduce the risk of him accessing the street.

In addition, our family plans to install a swimming pool in the future. The increased fence height would help provide privacy and enhance overall safety for our children and guests.

This request is not intended to negatively impact neighboring properties but rather to create a safer environment for our family. We respectfully ask the Board to consider the unique circumstances of our situation and approve our request for a 6-foot fence.

Thank you for your time, consideration, and service to our community. I appreciate the opportunity to present this request and am happy to answer any questions.

Sincerely,



Natalie Reyes
Property Owner