





**WEST SENECA COMMUNITY CENTER**  
**1300 Union Road**  
**West Seneca, NY 14224**

**ZONING BOARD OF APPEALS**  
**Minutes #2023-03**  
**March 22, 2023**

**2023-02**

Request of Kevin Weber for a variance for property located at 461 Seneca Creek Road to erect a garage with 17' 6" midspan (maximum 12' height permitted)

Mr. Weber stated he would like to put a garage for storage in the back portion of his yard that backs up to the Industrial Park; there will be no business or living space in the garage. Additional height is needed to store campers.

Chairperson Hicks stated neighbor signatures with no objection to the variance were obtained from residents at 500, 478, 456, 450, 444, 440, 435, and 465 Seneca Creek Road and 40 Willow Drive. Chairperson Hicks questioned if the current garage would remain and if there would be a driveway to the new garage. Mr. Weber stated the garage would remain and there would be a temporary gravel driveway. Code Enforcement Officer Doug Busse stated the town code states the surface should be a hard surface upon completion of the project.

Chairperson Hicks stated correspondence was received from the Erie County Department of Environment and Planning with no objection to the variance request as this is of local concern; there was no comment from the NYSDOT.

No comments were received from the public.

Chairperson Hicks referred to the area variance balancing test: 1) Is there an undesirable change to the neighborhood - no, there are neighbor letters in support; 2) Is there an alternative – no, the additional height is needed for storage; 3) Is the request substantial – this is not substantial; 4) Does the variance have an impact on the environment – there is no impact on the environment; 5) Is this a self-created difficulty – yes, but this is not the determining factor.

Motion by Bedient, seconded by Greenan, to close the public hearing and grant a variance for property located at 461 Seneca Creek Road to erect a garage with 17' 6" midspan.

Ayes: All

Noes: None

Motion Carried

**NEW BUSINESS**

**2023-004**

Request of Thomas and Ashley Knoop for a variance for property located at 306 Fisher Road to install a pool with a 7' 8" separation from pool edge to house (10' separation required)

Mr. Knoop stated he erected a patio covering off of his ranch house and due to the code requirements, the pool must be 10' from the pier that the post sits on. The pool cannot be moved back due to an easement. The 7' 8" is not from the waters edge to the house but from the main support beam from the patio covering.

Chairperson Hicks stated neighbor signatures with no objection to the variance were obtained from residents at 314 and 298 Fisher Road and 3 Mossie Loop.

Chairperson Hicks questioned if there was access to the patio roof from inside the house. Mr. Knoop stated there was not; this is a ranch house with no second-story window.

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No comments were received from the public.

Chairperson Hicks referred to the area variance balancing test: 1) Is there an undesirable change to the neighborhood - no, there are neighbor letters in support; 2) Is there an alternative – no, the pool cannot go further back due to an easement; 3) Is the request substantial – this is not substantial; 4) Does the variance have an impact on the environment – there is no impact on the environment; 5) Is this a self-created difficulty – yes, but this is not the determining factor.

Motion by Tronolone, seconded by Lang, to close the public hearing and grant a variance for property located at 306 Fisher Road to install a pool with a 7' 8" separation from pool edge to house.

Ayes: All

Noes: None

Motion Carried

**ADJOURNMENT**

Motion by Greenan, seconded by Bedient, to adjourn the meeting at 6:37 P.M.

Ayes: All

Noes: None

Motion Carried

Respectfully submitted,

Amy M. Kobler  
Town Clerk/Zoning Board Secretary