



original

CASE NO. 1401

DATE OF HEARING 5/19/22

Town of Aurora Zoning Board of Appeals
300 Gleed Avenue, East Aurora, New York 14052

Zoning Board of Appeals Application Form

I. TYPE OF REQUEST

AREA VARIANCE SPECIAL USE PERMIT USE VARIANCE INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name Janet Heidt
Address 316 Behm Road
City West Falls State New York ZIP 14170
Phone ([redacted]) Fax _____ Email Hei [redacted] .com
Interest [redacted] (owner/purchaser/developer) Owner

III. PROPERTY OWNER INFORMATION (If different from applicant information.)

Property Owner(s) Name(s) _____
Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 316 Behm Road
SBL# 199.00-1-1.2
Property size in acres 9.65 Property Frontage in feet 125
Zoning District Rural Residential & Agricultural Surrounding Zoning Rural Residential & Agricultural
Current Use of Property Primary Residence

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # Chapter 116-8.4 F.(1) Side Yard Setback
 Special Use Permit for: _____
 Use Variance for: _____
 Interpretation of _____

V. SIGNATURES (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5)

Janet A Heidt

Signature of Applicant/Petitioner

Janet A Heidt

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 8 day of April in the year 2022 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Jennifer L Ray
Notary Public

(Notary stamp)

JENNIFER L. RAY
Notary Public, State of New York
Qualified in Erie County
No. 01RA6075421
Commission Expires June 10, 2022

Office Use Only: Date received: 4/12/22 Receipt #: 385695 CK# 527

Application reviewed by: _____

ECDP ZR-1 form sent to EC: _____ Hearing publication date: _____

PREVIOUS APPEAL(S):

A previous appeal to the Zoning Board of Appeals () has () has not been made with respect to this property.

Previous appeals:

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

PETITIONER'S LETTER OF INTENT

Please describe in detail the proposed project, reason the variance and/or special use permit is being requested and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

I am looking to add an attached garage to my house to park my vehicle out of the weather, as well as to store my riding lawn mower and electric golf cart. I would like to locate the garage at the end of the existing driveway and be able to have access to enter the house directly from the garage. To locate the garage in front of the house would detract from the look of the home and pose issues for the living spaces requiring natural light. To locate the garage behind the house would also pose issues for the living spaces natural light requirement on the North side of the home, as well as the septic system is in the way. The existing home is located just over 30ft. from the East property line, and a 10ft. wide garage will not meet my needs. I am looking to place a 22ft. wide by 28ft. deep wood pole structure garage, that will be ~3ft. from my east property line.

TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED:

A Use Variance is requested because the applicable regulations and restrictions in the Zoning Code of the Town of Aurora have caused unnecessary hardship as demonstrated by the following:

- 1) I cannot realize a reasonable return on my property for each and every permitted use allowed in the current zoning classification as demonstrated by the accompanying financial evidence (provide financial evidence to support your argument).

Financial Evidence Provided Yes ____ No _____ (financial evidence is required per NYS Town Law)

- 2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: _____

- 3) Describe why you believe that the essential character of the neighborhood/community will not change if the Zoning Board of Appeals grants you a use variance: _____

- 4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain: _____

(Attach additional pages if needed)

SUPERVISOR
James J. Bach
(716) 652-7590
jbach@townofaurora.com



TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA

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www.townofaurora.com

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Anthony DiFilippo IV

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(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507

April 12, 2022

Janet Heidt
316 Behm Rd
West Falls, NY 14170

Janet:

The Building Department has reviewed your request to construct an attached garage at your property. The request has been denied because it fails to meet the Aurora Town Code requirements for the front yard setback in the Rural Residential (RR) Zoning District in which it is located.

Section 116-8.4F(1) Side Yards

Required: Principal Building: each side yard a minimum of 20'

Requested: Attached garage with a side yard setback of 3'

Variance: 17'

This letter serves as notice that we have received the application and fee for the Zoning Board of Appeals. You will receive notification from the Town Clerk with the date and time of the hearing next month. If you have any questions, please contact our office at 652-7591.

Sincerely,

Elizabeth Cassidy
Code Enforcement Officer

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.

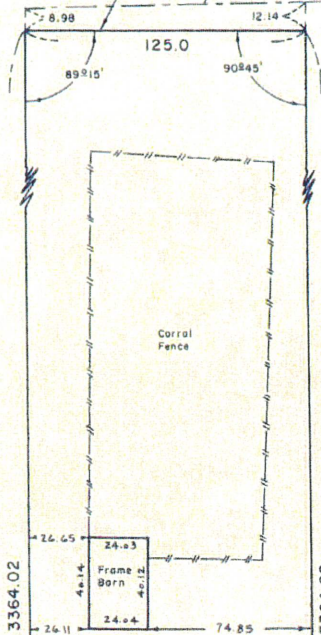
Part 1 - Project and Sponsor Information				
Name of Action or Project: Heidt Garage				
Project Location (describe, and attach a location map): 316 Behm, Road, SBL: 199.01-1-49.11				
Brief Description of Proposed Action: The proposed action seeks to build an attached wood pole structure garage (22ft. wide x 28ft. deep x 12ft. high).				
Name of Applicant or Sponsor: Janet Heidt	Telephone:	[REDACTED]		
	E-Mail: He	[REDACTED]		
Address: 316 Behm Road				
City/PO: West Falls	State: New York	Zip Code: 14170		
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	YES
			<input checked="" type="checkbox"/>	<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:			NO	YES
			<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		9.65	acres	
b. Total acreage to be physically disturbed?		.01	acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		9.65	acres	
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input 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				

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Janet A. Heidt</u> Date: <u>04/10/2022</u></p> <p>Signature: <u>Janet A Heidt</u></p>		

Parallel with Behm Road & Southerly Line of Farm Lot 58

Line by occupation Established by evidence of old fence Marshall W. Bourne, Surveyor, May-8-1965

Farm Lot 66



50 Chains - 97 links = 3364.02

50 Chains - 97 links = 3364.02

Town of Aurora, Erie Co., N.Y.

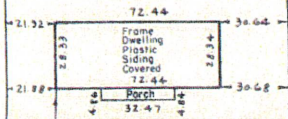
9.65 Acres ±

Easterly Line of Farm Lot 65 T. 9 - R. 7.

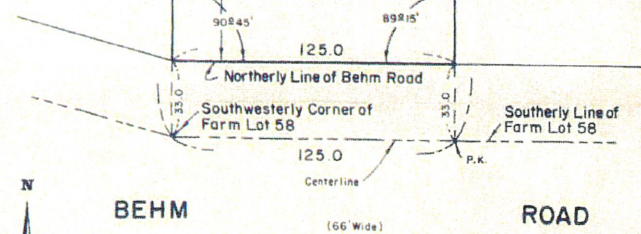
Westerly Line of Farm Lot 58

No Fence

Part of Farm Lot 58 T. 9 - R. 6.



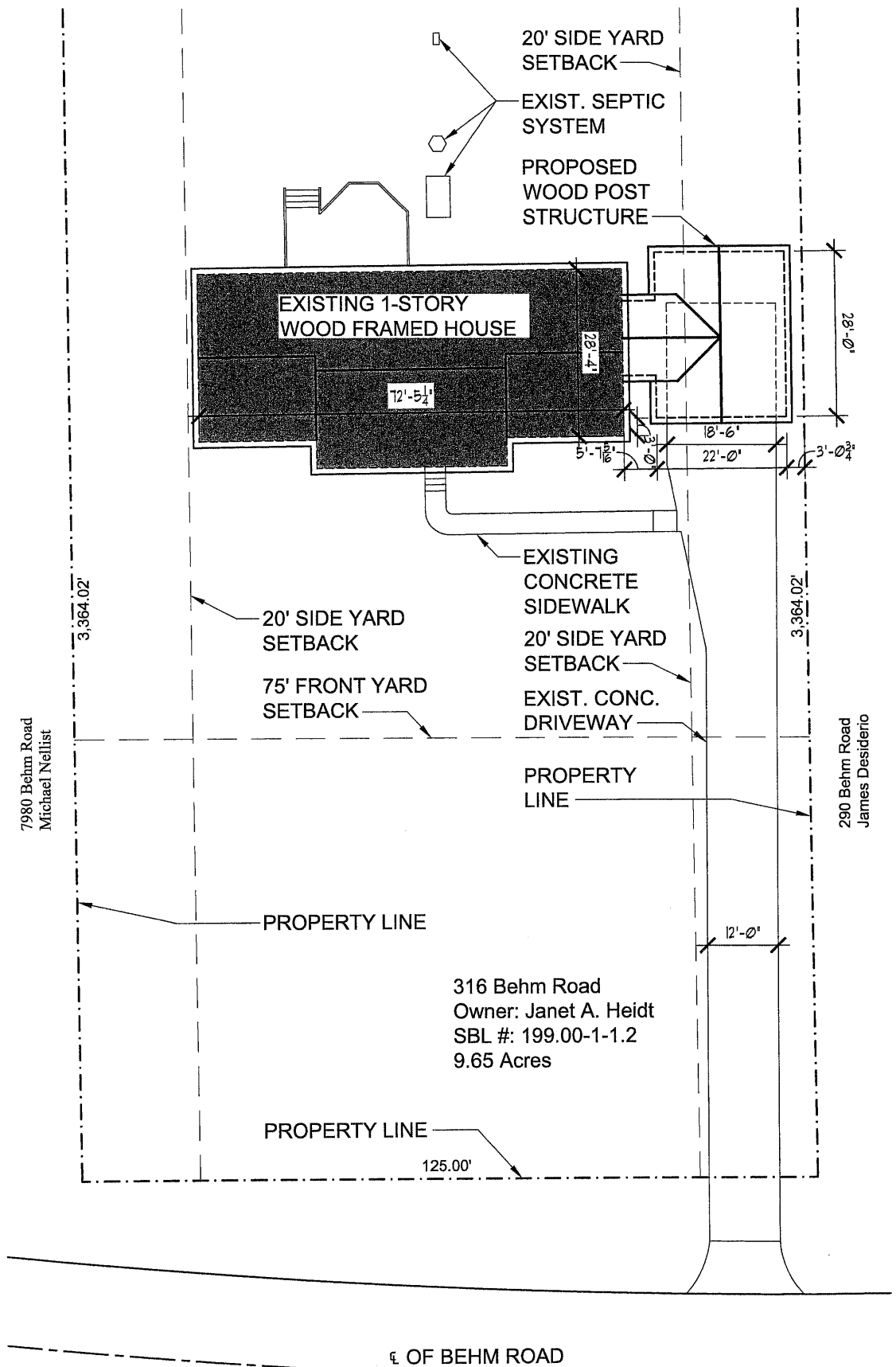
No. 316



SURVEY
made for
BLOCK & COLUCCI, Attys.
1250 Statler Towers

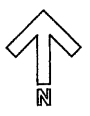
Buffalo, N.Y.
Job No. 75361

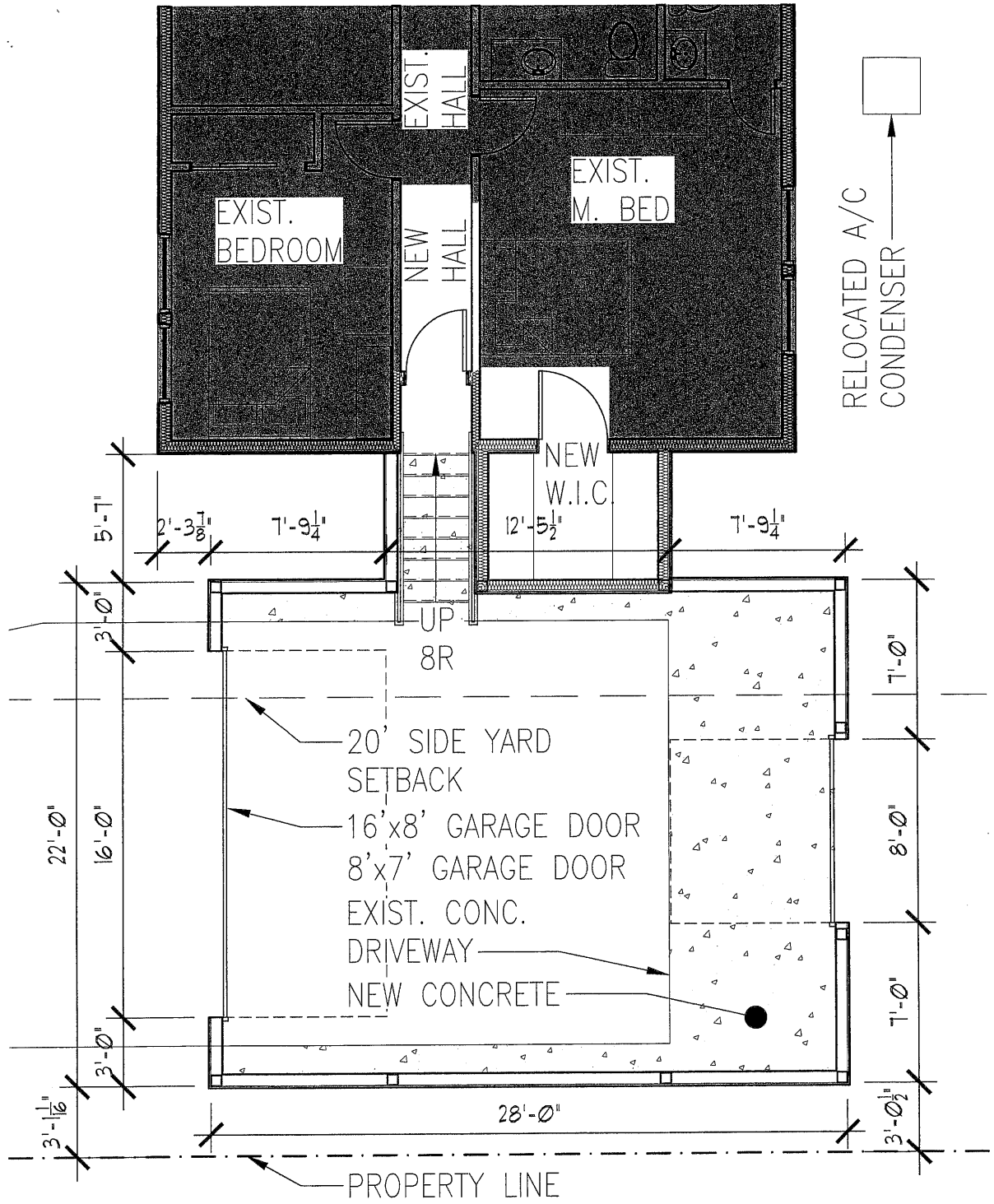
Jan. - 7 - 1992
Scale - 1" = 40'



1. PARTIAL SITE PLAN - PROPOSED GARAGE

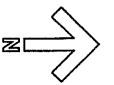
SCALE: 1" = 20'-0"





2. PROPOSED GARAGE PLAN

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



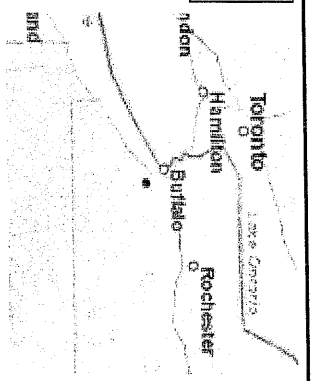


3. STREETVIEW - PROPOSED GARAGE



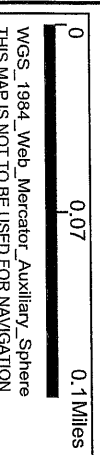
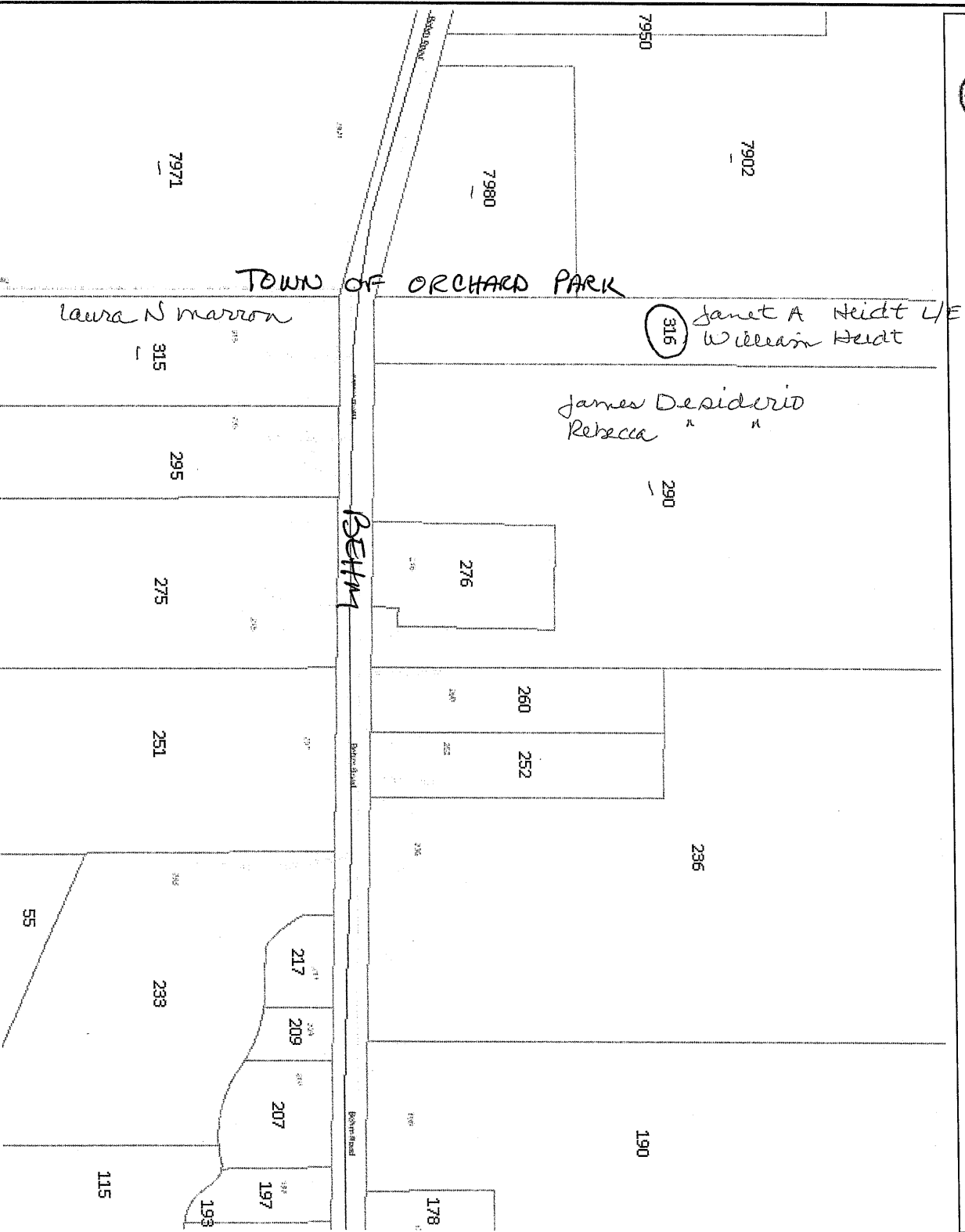
Erie County On-Line Mapping Application

1401



- Legend**
- Parcels
 - Streets and Highways**
 - Interstate
 - Primary State Road
 - Secondary State Road
 - County Road
 - Local Road

197 OLD GLENWOOD



DEPARTMENT OF ENVIRONMENT & PLANNING
 OFFICE OF GIS

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 4,514