



CASE NO. 1402-Amended

DATE OF HEARING 11/17/2022

Town of Aurora Zoning Board of Appeals
575 Oakwood 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 Colleen O'Connor
Address 839 Mill Rd.
City East Aurora State NY ZIP 14052
Phone 716 Email We [redacted] @drunner.com
Interest in the property as (owner, purchaser/developer) [redacted]

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 839 Mill Rd.
SBL# 187-01-1-15.111
Property size in acres 1.40 Property Frontage in feet 200ft
Zoning District R1 Surrounding Zoning R1 + Agricultural
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # 116-8.1F(2)
 Special Use Permit for: _____
 Use Variance for: _____
 Interpretation of _____

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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575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

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November 2, 2022

Colleen O'Connor
839 Mill Rd
East Aurora, NY 14052

Colleen:

The Building Department has reviewed your request to place a shed on your property at 839 Mill Rd. The request has been denied because it fails to meet the code requirements for accessory buildings in the R1 Zoning District in which it is located.

Section 116-8.1F(2)

Required: Side yard setback for accessory building/structure is a distance equal to the mean height of the proposed accessory building/structure, *but not less than 10'*.

Requested: Accessory building with a side yard setback of 1'

Variance: 9'

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 next available hearing. If you have any questions, please contact our office at 652-7591.

Sincerely,


Elizabeth Cassidy
Code Enforcement Officer

AMENDED FOR CASE NO 1402

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)

- Closer than 10 feet to side yard variance for a shed.
- Grade of the land is overly steep further back on the property.
- Neighbor on side in question is in agreement that this is the best location. Emailed building dept, and is second neighbor in this home to note this point.

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: _____
- This is a steeply sloped parcel.
- This is a steeply sloped parcel.

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)

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)

Colleen O'Connor
Signature of Applicant/Petitioner

Colleen O'Connor
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 1 day of Nov 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.

Martha Librock
Notary Public

(Notary stamp)

MARTHA L. LIBROCK
Notary Public, State of New York
No. 01LI5028312
Qualified in Erie County
My Commission Expires May 31, 2020

Office Use Only: Date received: _____ Receipt #: _____

Application reviewed by: _____

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

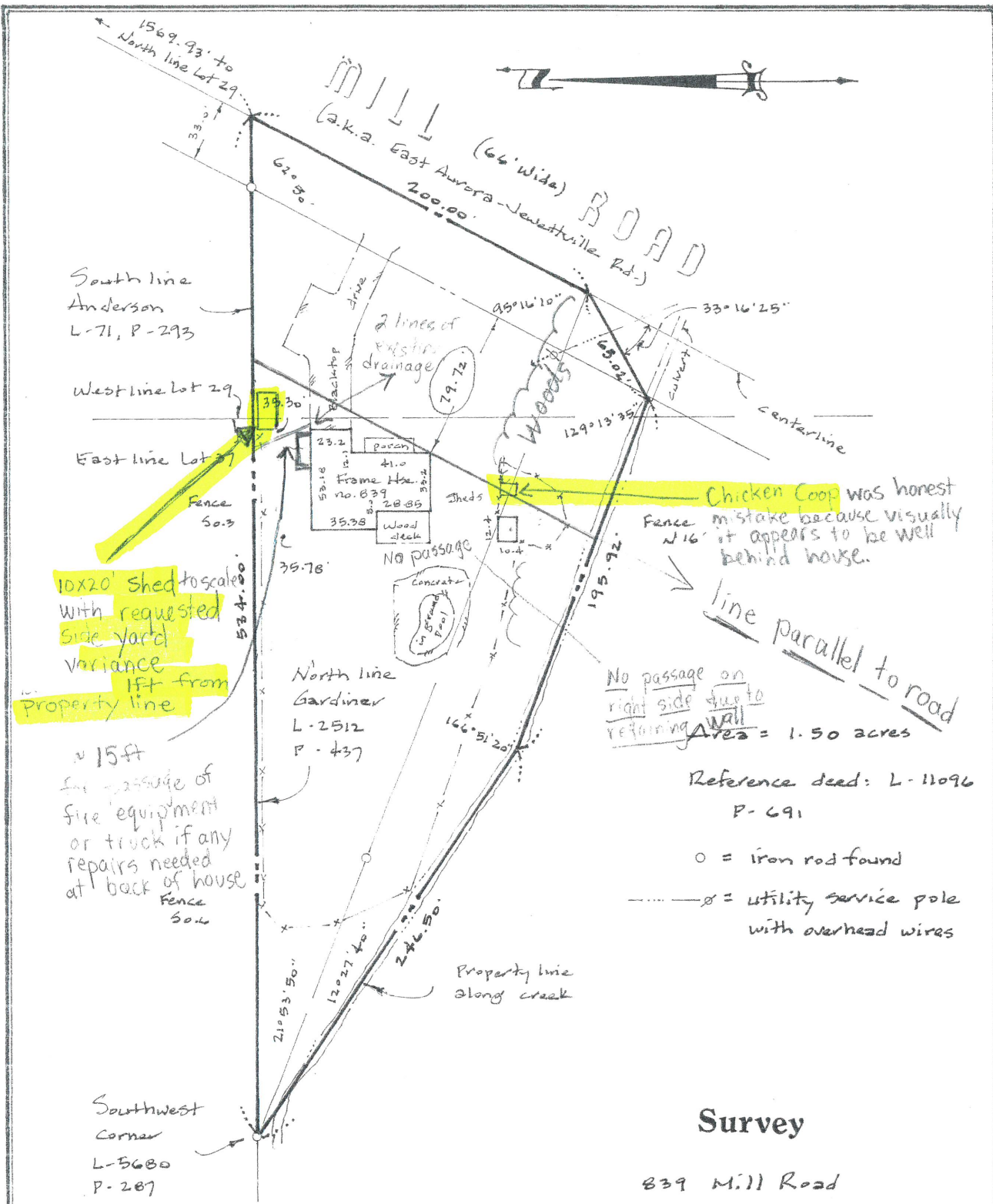
PREVIOUS APPEAL(S):

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 _____



Survey

839 Mill Road
 Town of Aurora, Erie Co., NY
 Part of lots 29 & 31, Twp. 9, Rng. 6

Date: July 1, 2019	Scale: 1" = 50'	Job no. 19157	Book 58, p. 47
B-16-22	resurvey		

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

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