

OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request



Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1230
Date 11/20/14

TO THE ZONING BOARD OF APPEALS, TOWN OF AURORA, NEW YORK

I, (we) ROBERT D. HARRIS of 1350 E. MAIN ST. E. AURORA
HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR on APPLICATION NO. _____ WHEREBY THE BUILDING INSPECTOR DID DENY

TO Robert D. Harris
Name of Applicant

OF 1350 East Main Tn Aurora
(Street & Number) (Municipality) (State)

- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

1. LOCATION OF THE PROPERTY Part of lot 8-Twn 9-R6 (6) 1346-1350 E. MAIN
SBL # 165.00-1-46.1 ZONING DISTRICT Agriculture

2. PROVISION(S) OF THE ZONING ORDINANCE APPEALED. (Indicate the Article, section, sub-section, and paragraph of the Zoning Ordinance being appealed, by number. Do not quote the Ordinance)
CHAPTER 44-1A; CHAPTER 79-6B(2)

3. TYPE OF APPEAL. Appeal is made herewith for:
 An interpretation A variance - to the Zoning Ordinance
 An exception A temporary permit

4. A PREVIOUS APPEAL has has not been made with respect to this decision of the Building Inspector or with respect to this property

NAMES AND ADDRESSES OF OWNERS OF ABUTTING PROPERTIES ARE:
See attached list marked as an exhibit.

Robert D. Harris
signature
1350 E. Main St. E. Aurora NY 14052
mailing address

STATE OF NEW YORK
COUNTY OF ERIE
Town of Aurora

ROBERT D. HARRIS, being duly sworn, deposed and says that he is the petitioner in this action; that he has read the foregoing Request and knows the contents thereof; that the same is true to the knowledge of deponent.

Sworn to before me this 30th
day of OCTOBER, 2014
Martha L. Librock
NOTARY PUBLIC

signature
MARTHA L. LIBROCK
COMM. #01LI5028312
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MAY 31, 2018

Pl 75.00 ch# 133
10/30/14
Rept# 687203

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



TOWN CLERK
MARTHA L. LIBROCK
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA

5 South Grove Street, East Aurora, NY 14052
www.townofaurora.com

Robert Harris
1350 East Main St.
East Aurora, NY 14052

10/31/2014

Re: Egress Width

Bob,

After discussing your plans to divide your existing lot and proceed with an application for an Open Development Area we are requesting that you first go to the Zoning Board of Appeals to request a variance for the required width of ingress and egress to your property as stated in Chapter 44 Section 1A and Chapter 79-6B(2)

Required: ingress and egress; 50 feet wide and 25 feet hard surface.

Requested: 25 feet wide and 15 feet of hard surface.

Variance required: 25 feet width and 10 feet hard surface.

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

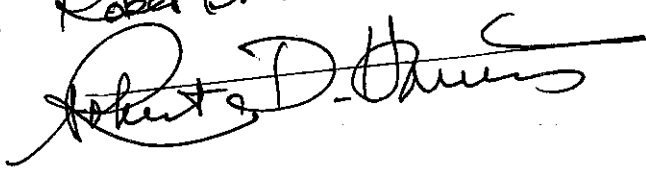
William R. Kramer

Code Enforcement Officer

Oct. 30, 2014

Letter of Authorization

This letter requests my business partner:
Mrs. Patricia Bailey to represent me at any and
all Town meetings, esp. Zoning and Town
boards at upcoming formal meetings
relative to matters before them regarding
my applications for ODA and Variance
requests @ 1346/1350 East Main in the
Town of Aurora.

Sign Robert D. Harris, Owner




Town of Aurora
300 Gleed Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name

Robert D. Harris

Address

1350 East Main ~ East Aurora, NY

Telephone

716-652-6055 / cell 560-7100

Address of appeal

1346 East Main ~ E. Aurora, NY

Zoning District

Agricultural

Zoning Code Section

Type of Appeal:

A PERMIT FOR USE

A CERTIFICATE OF EXISTING USE

A VARIANCE FROM ZONING ORDINANCE

A PERMIT FOR OCCUPANCY

A TEMPORARY PERMIT OR EXTENSION THEREOF

GROUND FOR VARIANCE: (may continue on separate sheet)

Set out and sale of 2.57 ac. parcel containing applicants residence. This property is granted egress and ingress via common drive way from NYS route 20A. Imminent sale of property pending town authorization. Attorneys working on maintenance agreement with existing property owners granted prior usage by Deed.

ACKNOWLEDGMENT:

Pursuant to Section 809 of the New York State General Municipal Law, the appellant shall state in his written appeal that to the best of his knowledge, no state officer or officer or employee of the Town of Aurora, has any interest in the appellant as defined in Section 809 of the General Municipal Law. If this statement cannot be made, the nature of any such interest must be disclosed as required by said State Law

Petitioners Signature

Robert D. Harris

Date

10.30.2014

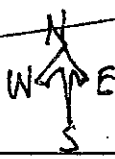
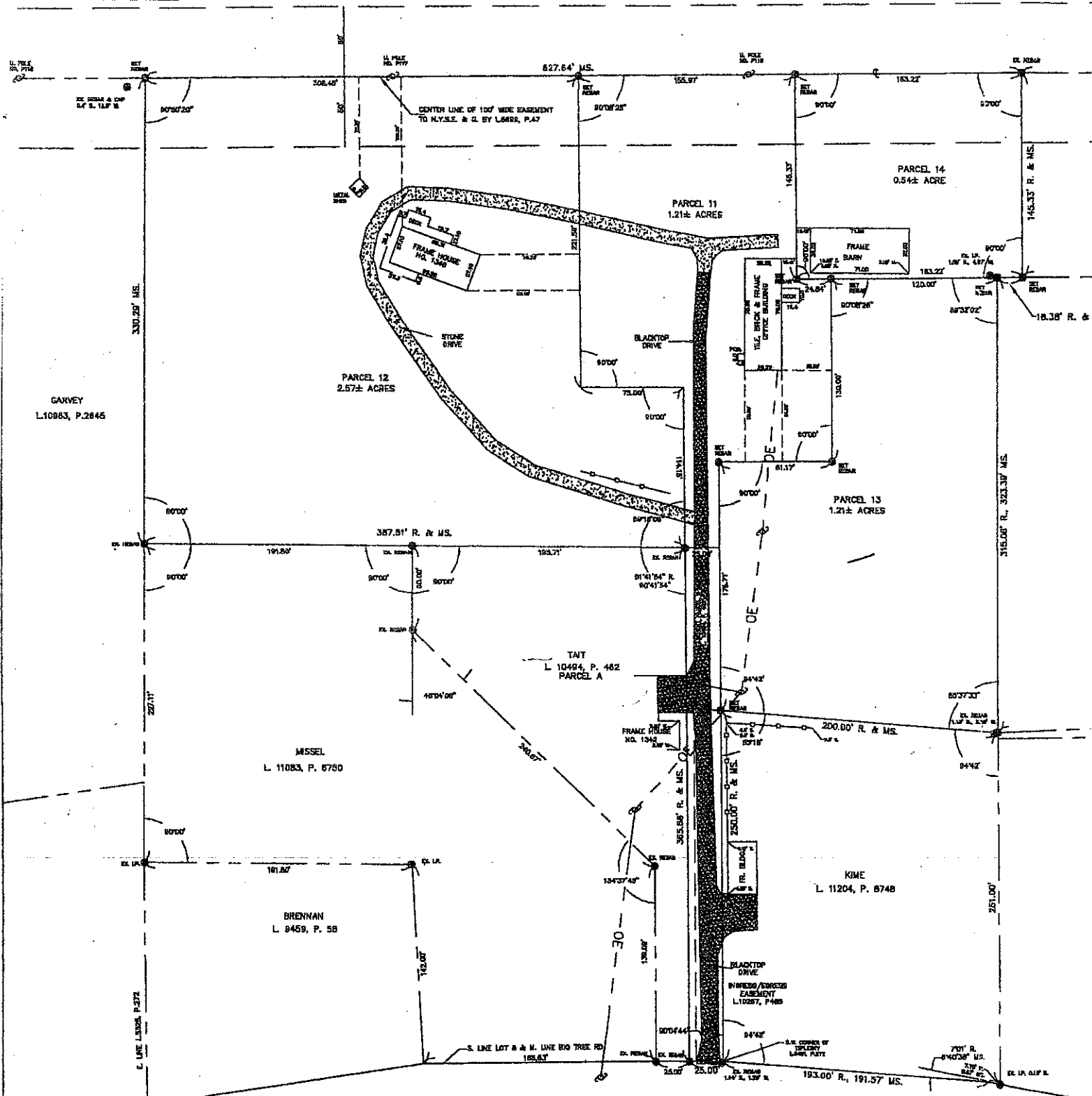
Owners Signature

Robert D. Harris

Date

10.30.2014

THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF AN SURVEY OF THE LAND IN ORDER TO AVOID THE FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF RECORD.



SCALE: 1" = 100 ft.

PROPOSED DESCRIPTION
BIG TREE ROAD

PARCEL 12
June 2, 2014

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Aurora, County of Erie and State of New York, being part of Lot 8, Township 9, Range 6 of the Holland Land Company's Survey being bounded and described as follows:

COMMENCING AT A POINT on the south line Lot 8, said south line also being the north line of Big Tree Road, at the southeast corner of lands conveyed by Liber 10464 at Page 462 of Deeds; thence northerly along the west line of Liber 10464 at Page of 462 of Deeds, 365.88 feet to the point of beginning; thence westerly at an exterior angle of $90^{\circ}41'54''$, 387.51 feet to the east line of lands conveyed by Liber 10963 of Deeds at Page 2645; thence northerly along the east line of the last mentioned deed and at right angles, 330.29 feet; thence easterly at an interior angle of $90^{\circ}50'20''$, 308.45 feet; thence southerly at an interior angle of $89^{\circ}51'34''$, 221.59 feet; thence easterly at right angles, 75.00 feet; thence southerly at right angles 114.15 feet to the point of beginning, containing 2.57 Acres more or less.

Also subject to an easement for ingress and egress as described in Liber 10267 at Page 485 of Deeds.

Narrative description

1) Access Drive:

- a) 25 ft. property frontage on Rte 20A with approx. 575 lin ft. hard, bituminous pavement 15'-0" ± wide extending to rear of retained parcel/s terminating in a "Tee" turnaround.
- b) access/ingress granted all adjoining properties by deed. No maintenance requirements by owner.

2) Drainage

- a) storm water effectively surface drains from east to west with existing grades surfaced with trees & underbrush retarding rapid run-off. A gradient of approx. 5% exists.

3) Utilities

- a) Gas and electric is existing serving all properties - underground - metered.

4) Adjacent property Owners

- a) Noted on Survey

5) Wetland

- a) excluded - as is the 100 yr. flood plain elevations not relevant to the area

6) Watershed

- a) approx. 128 acres due east. and carried west via drainage swale North of property.

Petitioner: Robert Harris
1346-1350 Big Tree

1350 E. Main St
East Aurora, NY 14052

SBL#: 165.00-1-46.1

=====

Abutting Properties:

Mailing Address (if different)

SBL: 165.00-1-39.111
Paul & Eden Dedrick
4300 Reiter Rd
East Aurora, NY 14052

SBL: 165.00-1-39.12
Ronald & Donna Baker
V/L Reiter Rd

4364 Reiter Rd
East Aurora, NY 14052

SBL: 165.00-1-44.1
Steven & Monica Clark
4370 Reiter Rd
East Aurora, NY 14052

SBL: 165.00-1-23.3
Ronald & Julie Hager
4384 Reiter Rd
East Aurora, NY 14052

SBL: 165.00-1-23.22
Dennis & Linda Garvey
1270 Big Tree Rd

1270 East Main St
East Aurora, NY 14052

SBL: 165.00-1-45
Jeffrey Missel & Carla Tremblay-Missel
1330 Big Tree Rd

1330 East Main St
East Aurora, NY 14052

SBL: 165.00-1-43
Steven & Sherri Tait
1342 Big Tree Rd

1427 Townline Rd
Elma, NY 14059

SBL: 176.00-2-7.1

Christopher Lamendola & Ashleigh Misuraca

1353 Big Tree Rd

East Aurora, NY 14052

SBL: 165.00-1-22

Steven & Molly Kime

1354 Big Tree Rd

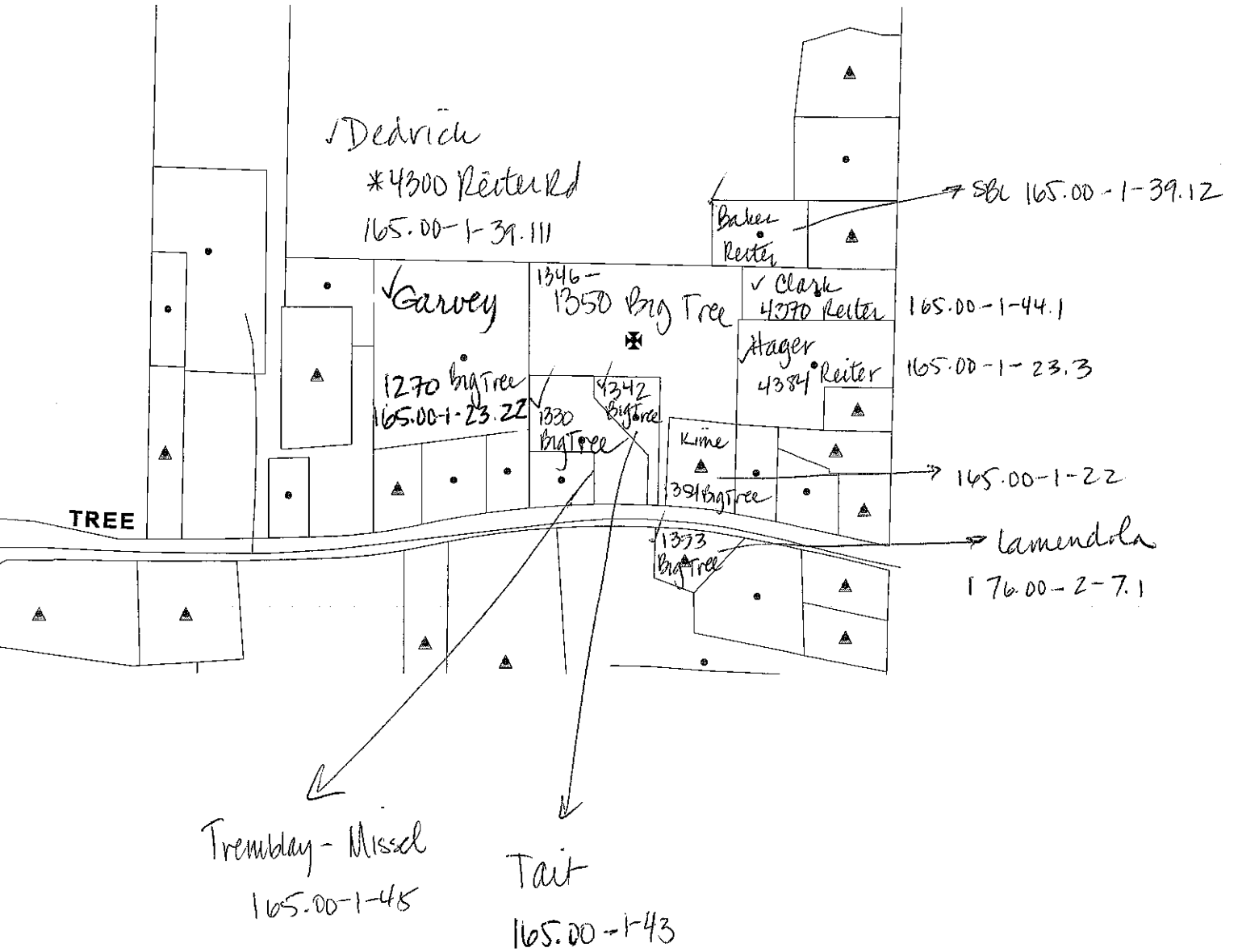
East Aurora, NY 14052

Robert Harris

1346 - 1350 Big Tree

Mailing 1350 Big Tree Main

165.00-1-46.1



OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID
\$7500

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1231
Date 11/20/14

TO THE ZONING BOARD OF APPEALS, TOWN OF AURORA, NEW YORK

I, (we) JERRE WALKER of 2332 Emery Rd S. Wales.
HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR on APPLICATION NO. _____ WHEREBY THE BUILDING INSPECTOR DID DENY

TO J. Walker
Name of Applicant

OF 2332 Emery, S. Wales, 14139
(Street & Number) (Municipality) (State)

- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

1. LOCATION OF THE PROPERTY (VL) Emery Rd
SBL # 201.15-1-38.11 ZONING DISTRICT R-1

2. PROVISION(S) OF THE ZONING ORDINANCE APPEALED. (Indicate the Article, section, sub-section, and paragraph of the Zoning Ordinance being appealed, by number. Do not quote the Ordinance)
116-17 D; 116-18 B

3. TYPE OF APPEAL. Appeal is made herewith for:
 An interpretation A variance - to the Zoning Ordinance
 An exception A temporary permit

4. A PREVIOUS APPEAL has has not been made with respect to this decision of the Building Inspector or with respect to this property

NAMES AND ADDRESSES OF OWNERS OF ABUTTING PROPERTIES ARE: •
See attached list marked as an exhibit.

STATE OF NEW YORK
COUNTY OF ERIE
Town of Aurora

Jane B. Walker
signature
2332 EMERY RD South Wales NY 14139
mailing address
652-2085

JERRE WALKER, being duly sworn, deposed and says that he is the petitioner in this action; that he has read the foregoing Request and knows the contents thereof; that the same is true to the knowledge of deponent.

Sworn to before me this 31st
day of October, 2014

Martha L. Librock
signature

NOTARY PUBLIC

MARTHA L. LIBROCK
COMM. #01LI5028312
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES MAY 31, 20 18

10/31/14
PD \$7500
CK # 347
Rept # 687265

SUPERVISOR
JAMES BACH
(716) 652-7590
jjbach@townofaurora.com



TOWN CLERK
MARTHA L. LIBROCK
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA

5 South Grove Street, East Aurora, NY 14052
www.townofaurora.com

Jerre Walker
2332 Emery Rd.
South wales, N.Y. 14139

10/31/2014

Re: variance for an accessory building.

Jerre,

The Building Dept has reviewed your application to build an accessory building at vacant land adjacent to 2332 Emery Road. We have denied your application because you fail to meet the requirements as stipulated by the Town of Aurora Zoning Code

Required: Accessory buildings not over 1 story or 15' to the mean height (116-18B)

Requested: Second story and mean height of 17'10".

Variance required: Second story and 2'10" height variance

Required: Vehicular headroom less than 8' (116-17D)

Requested: 12' Garage door

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, a letter to the ZBA members explaining your difficulty, and any information to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

Patrick Blizniak

A handwritten signature in black ink, appearing to read "Patrick Blizniak".

Superintendent of Building



Town of Aurora
300 Gleed Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name

JERRE WAIKEE

Address

2332 EMERY Rd S. WALES, N.Y. 14139

Telephone

716-652-2085

Address of appeal

Zoning District

R-1

Zoning Code Section

116-17 D ; 116-18 B

Type of Appeal:

A PERMIT FOR USE

A CERTIFICATE OF EXISTING USE

A VARIANCE FROM ZONING ORDINANCE

A PERMIT FOR OCCUPANCY

A TEMPORARY PERMIT OR EXTENSION THEREOF

X GROUNDS FOR VARIANCE: (may continue on separate sheet)

See ATTACHED

ACKNOWLEDGMENT:

Pursuant to Section 809 of the New York State General Municipal Law, the appellant shall state in his written appeal that to the best of his knowledge, no state officer or officer or employee of the Town of Aurora, has any interest in the appellant as defined in Section 809 of the General Municipal Law. If this statement cannot be made, the nature of any such interest must be disclosed as required by said State Law

Petitioners Signature _____

Date _____

Owners Signature _____

Date _____

10-31-2014

Town of Aurora Zoning Board

I AM REQUESTING A VARIANCE ON A BARN
that I'm building on parcel of land on Emery Rd
S. Dales.

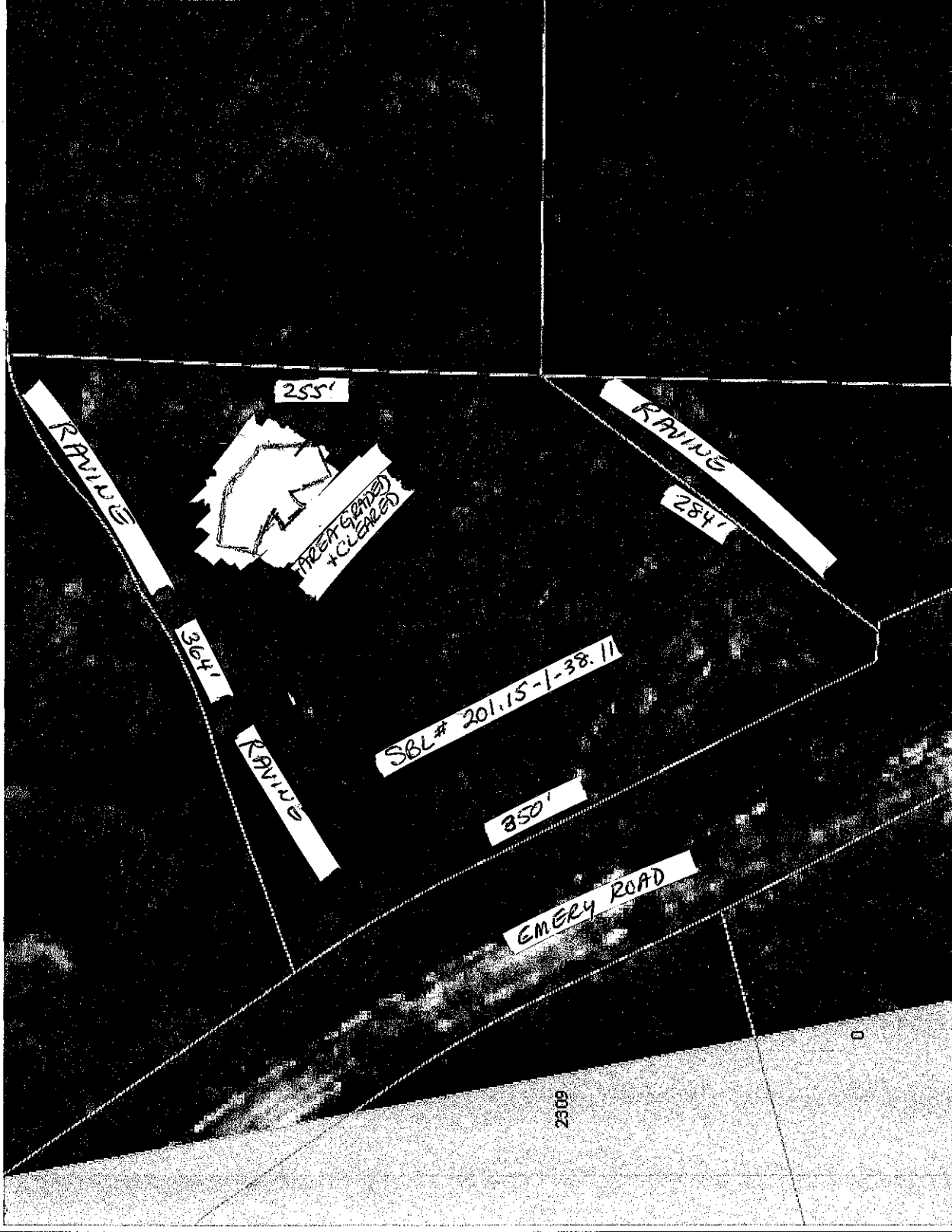
The barn I'm building
the larger space will accommodate a 38 ft. Boat,
antique cars, and later the purchase of a
motor home.

Variance for building height, door height,
and partial second floor.

Jim Bueh



Erie County On-Line Mapping Application



- Legend**
- Parcels
 - Steep Slopes
 - 8 - 15% Slope
 - 15% + Slope
 - Municipal Boundaries
 - 2011_bdy

0 94.04 188.1 Feet
 WGS, 1984, Web_Mercator_Auxiliary_Sphere
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
 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.

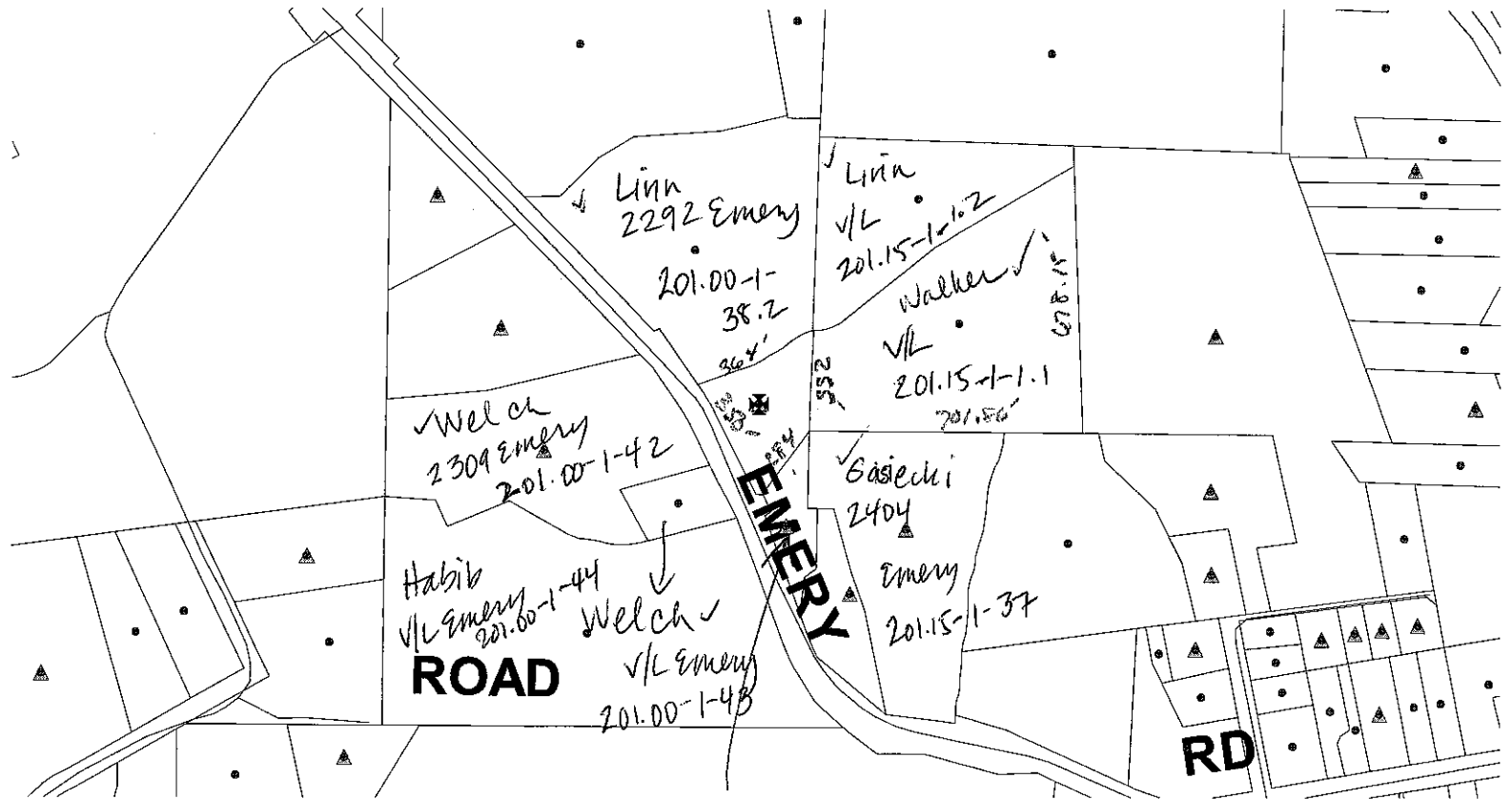
1: 1,128



Terre Walker

v/L Emery

SBL: 201.15-1-38.11



Walker

2332 Emery

201.15-1-50.1

Petitioner: Jerre Walker
V/L Emery

2332 Emery Rd
South Wales, NY 14139

SBL#: 201.15-1-38.11

=====

Abutting Properties:

Mailing Address (if different)

SBL: 201.00-1-38.2
Richard Linn & Susan Benz
2292 Emery Rd
South Wales, NY 14139

SBL: 201.15-1-1.2
Richard Linn & Susan Benz
V/L Emery

2292 Emery Rd
South Wales, NY 14139

SBL: 201.15-1-1.1
Jerre Walker
V/L Emery

2332 Emery Rd
South Wales, NY 14139

SBL: 201.15-1-50.1
Jerre Walker
2332 Emery Rd
South Wales, NY 14139

SBL: 201.15-1-37
Joseph & Kathleen Gasiiecki
2404 Emery Rd
South Wales, NY 14139

SBL: 201.00-1-42
Timothy & Janice Welch
2309 Emery Rd
South Wales, NY 14139

SBL: 201.00-1-43
Timothy & Janice Welch
V/L Emery Rd

2309 Emery Rd
South Wales, NY 14139

SBL: 201.00-1-44
Amelia Habib
V/L Emery Rd

8 Los Robles St
Williamsville, NY 14221