

OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID
\$75.00

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1249
Date 8/20/15

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

Michael Dujanovich
I, (we) Deborah Dujanovich of 1155 Jewett Holmwood Rd.
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 Michael & Deborah Dujanovich
Name of Applicant

OF 1155 Jewett Holmwood Rd. Aurora NY (PO, ORCHARD PARK 14127)
(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 1155 Jewett Holmwood Rd.
SBL # 174.03-1-33 ZONING DISTRICT R1

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 Do not quote the Ordinance)
116-4

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

Michael B. Dujanovich 14127
Signature(s)
1155 Jewett Holmwood Rd. Orchard Park NY 14127
Mailing Address

MICHAEL B. DUJANOVICH, 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 7th
day of July, 2015
Martha L. Librock

NOTARY PUBLIC

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



Town of Aurora
300 Glead Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name MICHAEL & DEBORAH DUJANOVICH
 Address 1155 JEWETT HOLMWOOD RD.
 Telephone 716-508-8417

Address of appeal 1155 Jewett Holmwood Rd
 Zoning District R1
 Zoning Code Section 116-4

Type of Appeal:

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

GROUND FOR VARIANCE: (may continue on separate sheet)

I SEEK APPROVAL TO HAVE A POLE BARN ERECTED IN A LOCATION THAT WILL BE PARTIALLY IN THE FRONT YARD OF MY HOME. THE SELECTED LOCATION WILL PREVENT THE BUILDING FROM INTERFERING WITH THE SEPTIC TANK THAT PRESENTLY EXISTS ON ONE SIDE OF THE SIDE YARD OR A STREAM THAT EXISTS ON THE OTHER SIDE OF THE SIDE YARD. DUE TO THE LAYOUT OF THE EXISTING DRIVEWAY AND THE PREVIOUSLY MENTIONED SIDE YARD OBSTACLES, CONSTRUCTING THE POLE BARN IN THE REAR YARD IS NOT FEASIBLE.

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 Michael Dujanovich Date 6-24-15
 Owners Signature same as above Date 6-24-15

*7/7/15 Bldg
Rec. 687493*

1155 Jewett Holmwood Road
Orchard Park, NY 14127
July 8, 2015

Town of Aurora
Southside Municipal Center
300 Glead Avenue
East Aurora, NY 14052

Attn: Ms. Elizabeth Cassidy
Building & Zoning Clerk

Dear Ms. Cassidy:

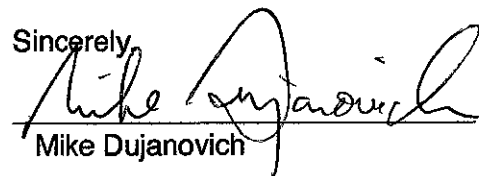
In response to your letter dated July, 1, 2015 regarding my intent to have a pole barn constructed on my property at 1155 Jewett Holmwood Road, I've listed some information below and have attached other items for your review.

I have discussed construction of the pole barn with a local contractor (Casey Construction) but have not signed a contract with them yet. I'm told they have erected many pole barns in the area and I just viewed one that they recently completed on Webster Road in Orchard Park. Although I have not received detailed plans from the contractor at this time, I intend the pole barn to be as pictured in the attached photograph. It will be of all metal construction, 30 feet wide, 24 feet deep, have a 10 foot wall height and a 6/12 roof pitch (calculated roof height being 16 feet). It will have two 8 foot garage doors and one man door. I intend to have the posts placed at least 4 feet into the ground.

If you have any questions, please feel free to contact me at 716-508-8417.

Thank you very much.

Sincerely,



Mike Dujanovich

Attach:

- survey
- photo
- zoning board of appeals request
- application fee

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE
Case No.: ZR-15-431
Received: 7/30/15

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 8/20/2015 **Time** 7:00pm **Location** 300 Glead Ave., E. Aurora, NY

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment
 Site Plan Variance Special Use Permit Other

5. Location of Property: Entire Municipality Specific as follows 1155 Jewett Holmwood Road

6. Referral required as Site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District
 Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: (be specific) Structure in front yard of residence not allowed by town code

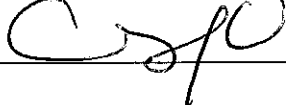
8. Other remarks: (ID#, SBL#, etc.) 174.03-1-33

9. Submitted by: Martha L. Librock, Town Clerk 7/30/2015
300 Glead Avenue, East Aurora, NY 14052 (townclerk@townofaurora.com)

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 8/3/15. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning:  Date: 8/12/15

SUPERVISOR

James J. Bach
(716) 652-7590

jbach@townofaurora.com



TOWN CLERK

Martha L. Librock
(716) 652-3280

townclerk@townofaurora.com

TOWN OF AURORA

Southside Municipal Center

300 Glead Avenue, East Aurora, NY 14052

www.townofaurora.com

TOWN COUNCIL MEMBERS

Susan A. Friess

sfriess@townofaurora.com

Jeffrey T. Harris

jharris@townofaurora.com

Jolene M. Jeffe

jjeffe@townofaurora.com

Charles D. Snyder

csnyder@townofaurora.com

SUPT. OF HIGHWAYS

David M. Gunner
(716) 652-4050

highway@townofaurora.com

SUPT. OF BUILDING

Patrick J. Blizniak
(716) 652-7591

building@townofaurora.com

ASSESSOR

Richard L. Dean
assessor@townofaurora.com
(716) 652-0011

DIR. OF RECREATION

Peggy M. Cooke
(716) 652-8866

peggy@townofaurora.com

TOWN ATTORNEY

Ronald P. Bennett

TOWN JUSTICE

Douglas W. Marky
Jeffrey P. Markello

HISTORIAN

Robert L. Goller
(716) 652-7944

historian@townofaurora.com

FAX: (716) 652-3507

NYS Relay Number:
1(800) 662-1220

*This institution is an equal opportunity
provider and employer.*

Michael & Deborah Dujanovich
1155 Jewett Holmwood Rd.
East Aurora, NY 14052

7/07/2015

Re: Accessory building in Front Yard

Michael & Deborah,

The Building Dept. has reviewed your application to build a new garage between your residence and the street line at 1155 Jewett Holmwood Rd. We have directed you to the Zoning Board of Appeals because you fail to meet Town Code Section 116-4 (definition of Yard, Front)

Required: An open space extending the full width of the lot between a main building and the front lot line, unoccupied and unobstructed by buildings or structures from the ground upward.

Requested: A new garage in the front yard.

Variance required: Allow an accessory building in the front yard.

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.

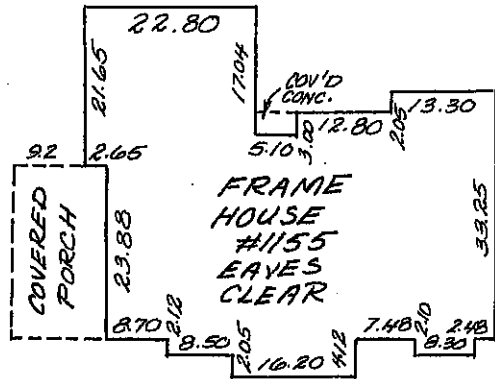
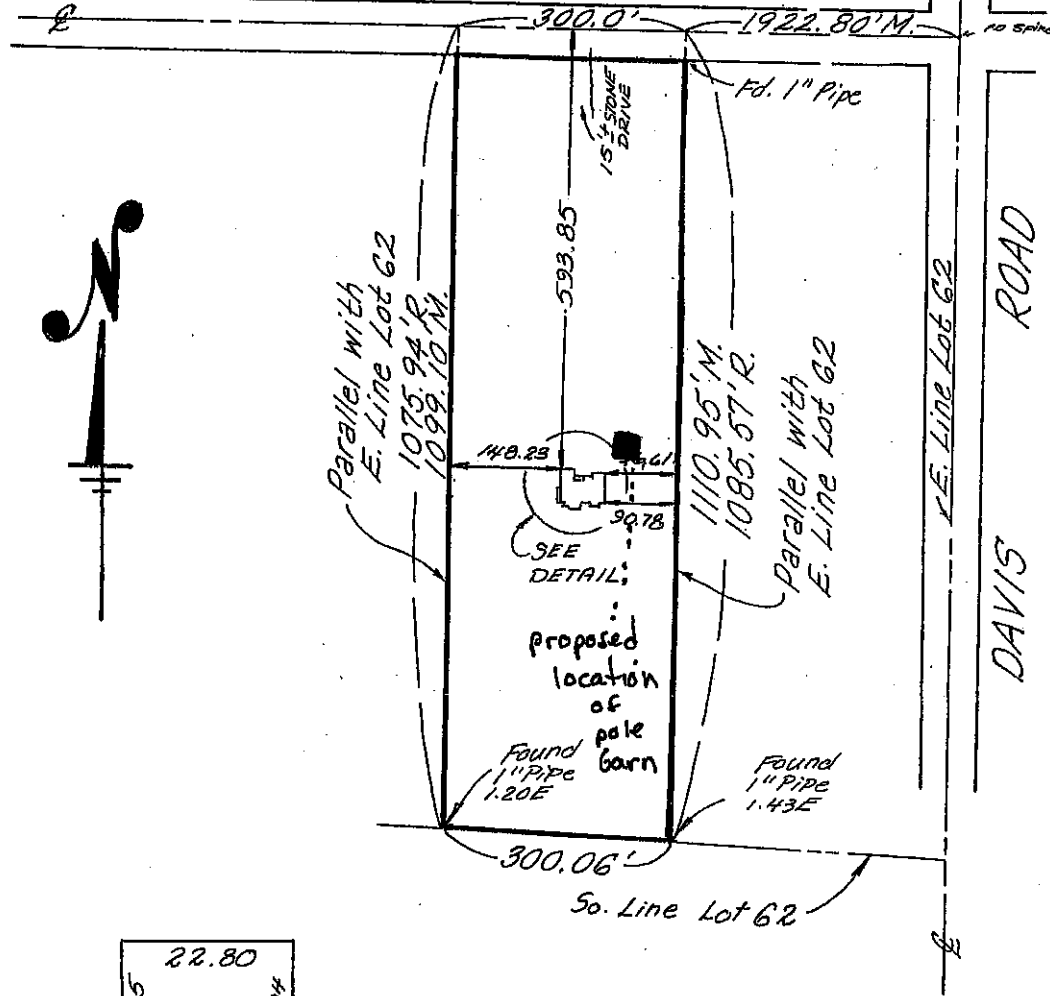
William R. Kramer

Code Enforcement Officer

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: 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.

JEWETT - HOLMWOOD RD.
 66.0' WIDE



DETAIL

SCALE: 1" = 20'

Charles E. Denver

SURVEY DATE MAY 19, 1993	SCALE: 1" = 20'	SBL NO. 174.03 1-83	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) 634-3076
LOCATION TOWN OF AURORA	JOB NO. 93-9472	RE-SURVEY MAY 21, 1998	
COUNTY OF ERIE, NEW YORK	MAP COVER 1622 SUBLOT-5		
PART OF LOT-62, TWP-9, RGE-6	No Corner Man. Set		

OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID
275
125000

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. _____
Date 8/27/15

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

I, (we) Joseph & Suzanne Aramini of 76 Pontiac St. Buffalo NY 14206
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 Joseph & Suzanne Aramini
Name of Applicant

OF 76 Pontiac St. Buffalo, NY
(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 718 WILLIAMSBURG
SBL # 163.00-3-6.111 ZONING DISTRICT RT A

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)

TOWN OF AURORA SETBACK REQUIREMENTS § 116-24

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
_____ of _____

Signature(s)

Mailing Address

76 Pontiac St Buffalo NY 14206

Joseph Aramini, 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.

7/27/15 BAA
Rec. 936217

Sworn to before me this 21st
day of July, 2015

Catherine Aramini
NOTARY PUBLIC

CATHERINE ARAMINI
NOTARY PUBLIC - STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
MY COMMISSION EXPIRES 9/30/17



Town of Aurora
300 Glead Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name JOSEPH AND SUZANNE ARMINI
Address 76 POTIAC ST. BUFFALO NY 14206
Telephone 716-697-5096

Address of appeal PARCEL BEHIND 716 WILLARDSHIRE; Part of 718 Willardshire
Zoning District R-1
Zoning Code Section TOWN OF AURORA SETBACK REQUIREMENTS § 116-24

Type of Appeal:

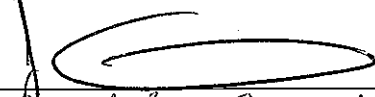
- A PERMIT FOR USE
- A VARIANCE FROM ZONING ORDINANCE
- A TEMPORARY PERMIT OR EXTENSION THEREOF
- A CERTIFICATE OF EXISTING USE
- A PERMIT FOR OCCUPANCY

GROUND FOR VARIANCE: (may continue on separate sheet)

WE ARE MAKING THIS REQUEST FOR VARIANCE FOR A PROPOSED SINGLE FAMILY DWELLING ON LOT 35L 163.00-3-6-2. THIS EXISTING LOT CURRENTLY IS LOCATED BEHIND LOT 35L 163.00-3-6-12. THEREFORE NOT ALLOWING IMMEDIATE FRONTAGE AS PER CODE 116-24. IN ADDITION, DUE TO THE TOPOGRAPHY OF THE PROPERTY, SETBACK REQUIREMENTS AS REQUIRED (75'), CANNOT BE MET FOR THE FRONT YARD. OUR REQUEST IS AS FOLLOWS: PROVIDE A VARIANCE TO CODE 116-24, BASED ON THE EXISTING 15' EASEMENT AS PER ATTACHED SURVEYS DATED 10/1/96, AND 6/8/15. ALSO PROVIDE A VARIANCE TO THE SETBACK REQUIREMENT BASED ON THE PROPOSED LOT SIZE CHANGES, AS PER ATTACHED SKETCHES.

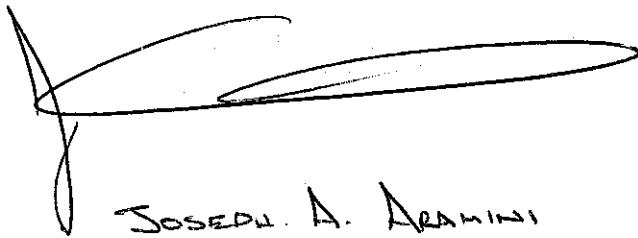
ACKNOWLEDGMENT:

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 7/21/15
Owners Signature Michaelina Armini Date 7/19/15

OUR CURRENT VARIANCE REQUESTS ARE BEING PRESENTED PRIOR TO US OBTAINING THE LOT AS PREVIOUSLY IDENTIFIED. THIS LOT IS CURRENTLY OWNED BY MY GRANDMOTHER, MICHAELA ARAMINI, RESIDING AT 718 WILLARDSHIRE. THE APPROXIMATE 40' X 125' ADDITIONAL LAND AS PROPOSED IN THE SKETCHES WOULD NEED TO BE ACQUIRED FROM VINCENT & RENEE FERRACUO, RESIDING AT 716 WILLARDSHIRE, BASED ON ZONING BOARD APPROVAL. ULTIMATELY, THE INTENT OF OUR REQUESTS IS TO ENSURE THAT A SINGLE FAMILY DWELLING CAN BE BUILT AS PROPOSED. IF AND WHEN THE BOARD APPROVES THESE VARIANCE REQUESTS, WE WILL MOVE FORWARD WITH ACQUIRING THE PROPERTIES, AND BEGIN THE BUILDING PERMIT PROCESS.

I LOOK FORWARD TO PRESENTING THIS MATERIAL TO THE BOARD AT THE UPCOMING AUGUST MEETING, THANK YOU FOR YOUR TIME IN REVIEWING THIS MATTER.



JOSEPH A. ARAMINI
716-697-5096

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE
Case No.: 2R-15-432
Received: 8/4/15

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 8/20/2015 **Time** 7 pm **Location** 300 Glead Ave., E. Aurora, NY

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment
 Site Plan Variance Special Use Permit Other

5. Location of Property: Entire Municipality Specific as follows SBL#163.00-3-6.2
Willardshire Road, E. Aurora

6. Referral required as Site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District
 Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: (be specific) Proposed house to be built at front lot line; ingress/egress to narrow

8. Other remarks: (ID#, SBL#, etc.) SBL#163.00-3-6.2

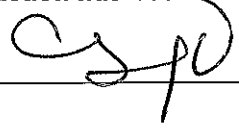
9. Submitted by: Martha Librock, Town Clerk 8/3/15

300 Glead Avenue, E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 8/16/15. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning:  Date: 8/12/15

July 29, 2015

Town of Aurora
300 Glead Avenue
East Aurora, NY 14052

Attn: Department of Buildings and Grounds

Re: Variance Permission Letter – SBL 163.00-3-6.12

To Whom It May Concern:

I am writing this letter to confirm that I have given my grandson, Joseph A. Aramini, permission and authorization to apply to the Zoning Board of Appeals, in regards to his proposed building of a single family dwelling on property currently owned by me.

Sincerely,

Michalena Aramini

Michalena Aramini

SUPERVISOR

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



TOWN CLERK

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

TOWN OF AURORA

Southside Municipal Center

300 Glead Avenue, East Aurora, NY 14052

www.townofaurora.com

TOWN COUNCIL MEMBERS

Susan A. Friess
sfriess@townofaurora.com

Jeffrey T. Harris
jharris@townofaurora.com

Jolene M. Jeffe
jjeffe@townofaurora.com

Charles D. Snyder
csnyder@townofaurora.com

SUPT. OF HIGHWAYS
David M. Gunner
(716) 652-4050
highway@townofaurora.com

SUPT. OF BUILDING
Patrick J. Blizniak
(716) 652-7591
building@townofaurora.com

ASSESSOR
Richard L. Dean
rassessor@townofaurora.com
(716) 652-0011

DIR. OF RECREATION
Peggy M. Cooke
(716) 652-8866
peggy@townofaurora.com

TOWN ATTORNEY
Ronald P. Bennett

TOWN JUSTICE
Douglas W. Marky
Jeffrey P. Markello

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

Joseph & Suzanne Aramini
76 Pontiac St
Buffalo, N.Y. 14206

7/23/2015

Re: No Frontage, Egress Width, Hard Surface width, & front yard variance @ SBL163.00-3-6.11)

Joseph & Suzanne,

After reviewing your survey it was determined that the lot lacks any road frontage, the required egress width, the required width for hard surface, and the required front yard set back for a legal building lot. To develop your lot you are required to 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 variances for a dwelling on a lot with no frontage, the required width of ingress and egress and required width of hard surface to your property as stated in Chapter 44 Section 1A & Chapter 79-6B(2), and the required front yard set back.

Required: Immediate frontage on an existing street

Requested: no frontage

Variance: no Frontage

Required: ingress and egress: 50 feet

Requested: 15 feet

Variance required: 35 feet

Required hard surface: 20'width

Requested hard surface: 15'

Variance required: 5'

* Required Front yard: 75'

Requested Front yard: 40'

Variance required: 35'

* AT PRESENT THE VARIANCE REQUIRED WOULD BE 75' AS THE HOUSE IS SHOWN ON THE PROPERTY LINE - AND THE 40' PARCEL/PC HAS NOT BEEN PURCHASED. ONCE THE 40' IS OBTAINED THE VARIANCE REQUIRED WOULD BE 35'

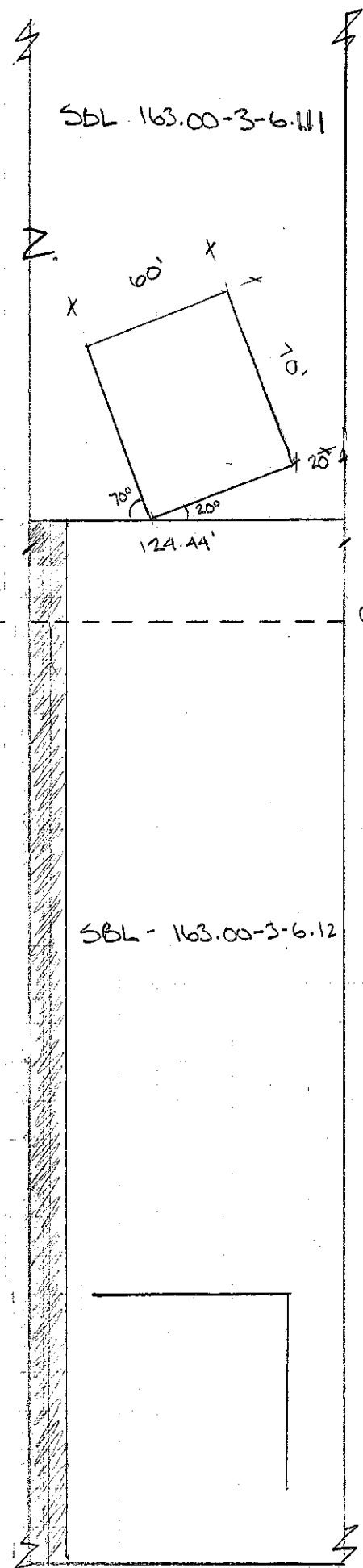
If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at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

William R. Kramer


Code Enforcement Officer

← 572' TO AUREOLIA/ELMA LINE
(612' TO PROPOSED NEW LOT LINE)

← 571.45' TO AUREOLIA/ELMA LINE
(611.45' TO PROPOSED NEW LOT LINE)



CURRENT LOT LINE

PROPOSED NEW LOT LINE

SBL 163.00-3-6.111

SBL - 163.00-3-6.12

(571.81' TO PROPOSED NEW LOT LINE)
611.87' TO CL OF WILLARDSHIRE RD. →

600' TO CL OF WILLARDSHIRE RD. →
(540' TO PROPOSED NEW LOT LINE)

← 297.35' TO CL OF WILLARDSHIRE

SCALE: 1/4" = 15'



SHADED AREA: EXISTING EASEMENT

OK as to form only

TOWN OF AURORA
Zoning Board of Appeals Request

PAID
750-0

Building Application # _____
Building Permit # _____

Zoning Appeal Case No. 1251
Date 8/20/15

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

I, (we) Jill Szczesek of 355 DAVIS ROAD
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 Jill Szczesek
Name of Applicant

OF 355 Davis Rd Town of Aurora NY
(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 355 DAVIS ROAD
SBL # 174.03-2-20 ZONING DISTRICT _____

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)

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
of _____

[Signature]
Signature(s)
355 DAVIS ROAD
Mailing Address

Jill Szczesek, 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 3rd
day of August, 2015

8-3-15 Ball
Rect. 936238

[Signature]
NOTARY PUBLIC

SHERYLA MILLER
Reg. #01M16128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2017



Town of Aurora
300 Glead Avenue
East Aurora NY 14052



Zoning Board of Appeals Petitioner's Letter of Intent

Applicants Name JILL SUEZ EBERK
 Address 365 DAVIS ROAD
 Telephone 716-491-0151
 Address of appeal 365 DAVIS ROAD
 Zoning District R1
 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

GROUNDS FOR VARIANCE: (may continue on separate sheet)

PLEASE 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 [Signature] Date 7/20/15
 Owners Signature [Signature] Date 7/20/15

I am respectfully requesting the contemplation of the Zoning Board to permit a set back variance for construction of a garage on our property at 355 Davis Road.

Upon purchase of the property 7 years ago, the lot which our home is one was subdivided into two parcels. Our lot is 1.8 acres and the flag lot that was sold separately is approximately 8 acres. The property line that was defined at the time of separation left our dwelling within 29 feet of the line. It is our desire to construct a 26 ft. wide attached garage on this side of the home which will put the structure within 3 ft. of the line.

Construction of the garage on this side of the home is ideal because it is adjacent to the kitchen and also the side of the home where the original garage had been located.

An attached garage will add functionality for our home, add value and improve the aesthetic of the home for the neighborhood. We have over the course of ownership of 355 Davis taken the property that had been seriously in disrepair and vacant and made improvements. We've added a deck, a front sidewalk, replaced exterior doors, improved drainage and done a portion of the landscape. It is our hope to make this garage an improvement that will again improve the property.

Thank you for your consideration.

Jill M. Szczesek

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: ZR-15-433
Received: 8/4/15

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 8/20/2015 **Time** 7pm **Location** 300 Glead Ave., E. Aurora, NY

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment

Site Plan Variance Special Use Permit Other

5. Location of Property: Entire Municipality Specific as follows 355 Davis Road, E. Aurora

6. Referral required as Site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District

Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: (be specific) Proposed garage closer to lot line than allowed by Town code

8. Other remarks: (ID#, SBL#, etc.) SBL#174.03-2-20


9. Submitted by: Martha Librock, Town Clerk 8/3/15

300 Glead Ave., East Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 8/6/15. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning:  Date: 8/12/15

SUPERVISOR

James J. Bach
(716) 652-7590

jbach@townofaurora.com

TOWN CLERK

Martha L. Librock
(716) 652-3280

townclerk@townofaurora.com

TOWN OF AURORA

Southside Municipal Center

300 Glead Avenue, East Aurora, NY 14052

www.townofaurora.com

TOWN COUNCIL MEMBERS

Susan A. Friess

sfriess@townofaurora.com

Jeffrey T. Harris

jharris@townofaurora.com

Jolene M. Jeffe

jjeffe@townofaurora.com

Charles D. Snyder

csnyder@townofaurora.com

SUPT. OF HIGHWAYS

David M. Gunner

(716) 652-4050

highway@townofaurora.com

SUPT. OF BUILDING

Patrick J. Blizniak

(716) 652-7591

building@townofaurora.com

ASSESSOR

Richard L. Dean

assessor@townofaurora.com

(716) 652-0011

DIR. OF RECREATION

Peggy M. Cooke

(716) 652-8866

peggy@townofaurora.com

TOWN ATTORNEY

Ronald P. Bennett

TOWN JUSTICE

Douglas W. Marky

Jeffrey P. Markello

HISTORIAN

Robert L. Goller

(716) 652-7944

historian@townofaurora.com

FAX: (716) 652-3507

NYS Relay Number:

1(800) 662-1220

*This institution is an equal opportunity
provider and employer.*

Jill Szczesek
355 Davis Rd.
East Aurora, NY 14052

8/03/2015

Re: side yard setback

Jill,

The Building Dept. has reviewed your preliminary plan for the proposed garage at 355 Davis Rd. The location of the proposed garage on the site plan does not meet the minimum required side yard setback as specified in the Town of Aurora Table of District Regulations for that lot. We therefore request that you apply to the Town Zoning Board of Appeals for an area variance.

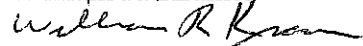
Required side yard: 20 ft.

Requested: 1.8 ft.

Variance required: 18.2 ft.

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