

MINUTES OF A HEARING AS HELD BY THE
ZONING BOARD OF APPEALS OF THE
TOWN OF AURORA

June 15, 2023

CASE #1437-Robert & Marsha Orfeo
650 Jewett Holmwood Road, East Aurora, NY

The hearing was called to order by the Acting Chairman Davis Heussler with the following Board members present:

Mandy Carl
Nancy Burkhardt
Rod Simeone
Stephanie Morgan, Alternate

Excused: Paul Ernst

Others Present: Elizabeth Cassidy, Code Enforcement Officer

The notice of the Public Hearing was read by the Deputy Town Clerk. The notice was duly published in the East Aurora Advertiser as evidenced by the Affidavit of Publication, marked as exhibit 1. The Affidavit of Posting was marked as exhibit 2. The ZBA Application was marked as exhibit 3. The Petitioners Letter of Intent was marked as exhibit 4. The Building Department Letter of Determination was marked as exhibit 5. The ECDP Form and Response was marked as exhibit 6. The Short Environmental Assessment form was marked as exhibit 7. The Copy of the Survey was marked as exhibit 8. An Aerial View was marked as exhibit 9. The Plot Plan was marked as exhibit 10. A Copy of the Deed was marked as exhibit 11. The List of Abutting Property Owners was marked as exhibit 12.

The Chairman opened the hearing with the Pledge of Allegiance to the Flag and stated the purpose and procedure of the hearing. Following the hearing a meeting would be held to render decision for an approval to construct an attached garage on an existing non-conforming Open Development Area (ODA) lot at 650 Jewett Holmwood Rd., East Aurora, NY.

Orfeo Robert Orfeo, 650 Jewett Holmwood. When we built the house in 1987 we couldn't afford a garage. It was planned to go on the house, but we dropped it off and now that we are old, and my wife has some health issues now we would like to have an attached garage on the home so we can leave the cars in the garage for the first time in their lives. It would just be easier. The location of the garage is on the back of the house, we have no immediate neighbors just the property that we own. It's not impinging on any property lot lines. It would be roughly 58 feet from the closest property line and a few hundred feet to the next corner. It is our intention to make life easier going forward.

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Heussler The property to the north of it you own?

Orfeo The garage is on the other side of the house and our lot line there is most of the way to 20A and at least 1,500' behind where the garage is. There is a home in view through the trees of our home which technically they might be able to see the garage in the winter, but we own that home on the east side and on the west side there is nobody there.

Heussler This is going to be a wood frame structure to match your house?

Orfeo Yes and the siding is going to be upgraded. We put an addition on the home 10 years ago and changed to the upgraded siding and I stopped thinking and did not do the east side thinking we would be adding this garage and it would all be done at the same time.

Morgan It is a very complete packet.

Carl Can you tell us what utilities you are going to bring out to the garage?

Orfeo Just electric. I did some research on what you need to do to be prepared for electric vehicles. I have the shop building that is going to be reconstructed since it's collapse last year and that is electric only as well. It is a wood working shop and a utility building.

Heussler A single story garage?

Orfeo It is a single story but it relatively tall because there is a five-foot change in grade at the east side of the house, so it appears taller than it really is.

Heussler Is there a loft inside the garage?

Orfeo No.

Simeone Is the roof going to match the house or is it a metal roof?

Orfeo It might be a metal roof to match the pole barn that is closest to the adjacent area.

Simeone A two bay with a man door on the other side, is that correct?

Orfeo Yes there is a man door on the other side to accessing the back yard for our dogs and then I put a door at the northeast corners so you can go through the garage and directly across.

Simeone We talked about the height of the doors, and they are standard door heights. They are sufficient because they are going to be used for storage of any bigger items that you have in the shop.

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Heussler Is there anyone else that would like to be heard on this matter? (No response).
The hearing is closed.

Morgan This is here only because of the frontage (ODA).

Carl I have no issues.

Burkhardt I don't either.

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Decision:

After due deliberation by the members of the Zoning Board of Appeals of the Town of Aurora, County of Erie and State of New York, the following motion was made by Mandy Carl and seconded by Stephanie Morgan to grant an approval to construct an attached garage on an existing non-conforming Open Development Area (ODA) lot at 650 Jewett Holmwood Rd., East Aurora, NY, in accordance with exhibits and testimony presented.

Upon a vote being taken:

Heussler	Aye			
Simeone	Aye			
Carl	Aye			
Burkhardt	Aye			
Morgan	Aye	Ayes-five	Noes-None	Motion carried.

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EXHIBITS

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