

**PAID**  
75.00

OK as to form only

**TOWN OF AURORA**  
**Zoning Board of Appeals Request**

Building Application \_\_\_\_\_  
Building Permit \_\_\_\_\_

Zoning Appeal Case No. 1201  
Date 10/17/13

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

I, (we) Larry & Claudia Bensink of East Aurora NY  
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 LARRY & CLAUDIA BENSink  
Name of Applicant

OF 858 LUTHER RD, EAST AURORA, NY  
(Street & Number) (Municipality) (State)

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

1. LOCATION OF THE PROPERTY 858 LUTHER RD  
SBL # 186.00-2-50 ZONE DISTRICT 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 Do not quote the Ordinance)  
TABLE of District Regulations Front yard setbacks 52' Variance

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 \_\_\_\_\_

Larry Bensink  
signature  
858 LUTHER RD EAST AURORA NY  
mailing address 14052

Larry Bensink, 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 19  
day of Sept, 2013

Kelly Willson  
signature

New York, Wyoming Cnty  
NOTARY PUBLIC  
exp. 10-11-2015

**Kelly L. Willson**  
**NOTARY PUBLIC STATE OF NEW YORK**  
**QUALIFIED IN WYOMING COUNTY**  
No. 01WI6249610  
My Commission Expires October 11, 2015



**Town of Aurora**  
5 South Grove St  
East Aurora NY 14052



**Zoning Board of Appeals Petitioner's Letter of Intent**

Applicants Name LARRY + CLAUDIA BENSIK  
 Address 858 LUTHER RD EAST AURORA, NY  
 Telephone 655 1653

Address of appeal 858 Luther  
 Zoning District A  
 Zoning Code Section TABLE OF DISTRICT REGULATIONS

Type of Appeal:

- |  |  |
|--|--|
| <input type="checkbox"/> A PERMIT FOR USE                            | <input type="checkbox"/> A CERTIFICATE OF EXISTING USE |
| <input checked="" type="checkbox"/> A VARIANCE FROM ZONING ORDINANCE | <input type="checkbox"/> A PERMIT FOR OCCUPANCY        |
| <input type="checkbox"/> A TEMPORARY PERMIT OR EXTENSION THEREOF     |  |

GROUND FOR VARIANCE: (may continue on separate sheet)

*The reason we do not want to build this house any further back on the property is there are 100 yr. old trees that would have to be removed there is a ravine in the same area and the house that was demolished on this property was only 17' from edge of rightaway.*

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 Larry Benisik Date 9/24/13  
 Owners Signature Claudia Benisik Date 9/24/13

SUPERVISOR  
JOLENE M. JEFFE  
(716) 652-7590  
[jjeffe@townofaurora.com](mailto:jjeffe@townofaurora.com)



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

**TOWN OF AURORA**  
5 South Grove Street, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

November 19, 2012

Larry & Claudia Bensink  
858 Luther Rd  
East Aurora NY 14052

RE: 858 Luther Rd

Dear Mr. & Mrs. Bensink:

The Building department has reviewed your application to build a single family dwelling on the above property. We have denied your application because of the front yard setback as stipulated by Town of Aurora Table of District Regulations for an A district.

Required: 75'  
Requested: 23'  
Variance: 52'

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.

William Kramer  
Code Enforcement Officer

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

Patrick Blizniak  
Superintendent of Buildings

# LUTHER

# D

(66' WIDE)  
FORMERLY GRIFFINSHIRE RD

353.00'

S W COR OF ROBINSON,  
L 2116, P 466

63°15'

EX I.P.  
7.51 W  
0.54 N

SET  
REBAR

125' 0" *Handwritten red arrow pointing right*

31.39

1780

GRAVEL DRIVE

SERVICE POLE  
12.3 W  
NYSEG 28.1  
NYT 91.1

228'



RAMBLE  
ARAGE  
10.40  
22.35

.92 Acres

175'

253 ±'

LAND CONVEYED TO  
RADEMACHER,  
L 8133, P 49

10' WIDE

2.467 ACRES ±  
(INCL. HIGHWAY)

*Handwritten red text:* NEW PROPERTY LINES

185'



Harry Bensink  
858 Luther Rd  
Split

S LINE OF LAND CO  
L 2116, P 466  
6.60 CH = 420  
400 ±' M.

N LINE OF COOK, L 4895, P

**PAID**  
75<sup>00</sup> ②

OK as to form only

**TOWN OF AURORA  
Zoning Board of Appeals Request**

Building Application \_\_\_\_\_  
Building Permit \_\_\_\_\_

Zoning Appeal Case No. 1202  
Date 10/17/13

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

I, (we) Loretta Jones of 655 Luther Rd East Aurora NY (etc)  
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 David Jones  
Name of Applicant

OF 1975 Mill Rd, West Falls, East Aurora, NY  
(Street & Number) (Municipality) (State)

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

1. LOCATION OF THE PROPERTY 1975 Mill Rd, E. Aurora NY 14052  
SBL # etc 40.12 186.00-4-40.12 ZONE DISTRICT etc 18 A W Falls

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) 116-18 B  
require a second floor to eat shed to store equipment (etc)

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  
21 of Aug 2013

Loretta Jones  
signature  
655 Luther Road, E Aurora NY  
mailing address 14052

Loretta Jones, being duly sworn, deposed and says that She is the petitioner in this action; that She 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 21  
day of Aug, 2013

Loretta Jones  
signature

Donna J. Schfield  
NOTARY PUBLIC  
DONNA J. SCHFIELD  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires: 05/17/2015

Pd 75<sup>00</sup> ca #6948  
Rept #040761

August 21, 2013

Dear Pat,

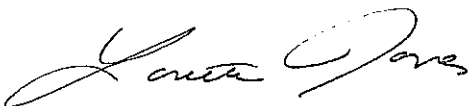
We authorize Tanya Lowe to act on our behalf for all zoning matters  
and building permits for 1963 and 1975 Mill Road, East Aurora.

Respectfully,

David P. Jones

A handwritten signature in black ink, appearing to read "David P. Jones", with a long horizontal flourish extending to the right.

Loretta C. Jones

A handwritten signature in black ink, appearing to read "Loretta C. Jones", written in a cursive style.

# Erie County On-Line Mapping System

shed



- Legend**
- Streets and**
- Interstate
  - Primary S
  - Secondary
  - County Rd
  - Local Rd
- Parcels**
- 1ft Color Ort**
- Red Bt
  - Green Bt
  - Blue Bt
- 2ft Color Ort**
- Red Bt
  - Green Bt
  - Blue Bt

1:1,441

**Notes**  
Enter Map Description

0 0.02 0.0 Miles

erials and employees assume no responsibility or legal liability for the accuracy, completeness, reliability, timeliness, or usefulness of any T.V. parcel data was prepared for tax purposes only and is not to be reproduced or used for surveying or conveyancing.

ERIE COUNTY, NEW YORK  
DEPARTMENT OF ENVIRONMENT & PLANNING  
OFFICE OF GEOGRAPHIC INFORMATION SERVICES





