



CASE NO. 1439

DATE OF HEARING 6/15/2023

Town of Aurora Zoning Board of Appeals
300 Glead 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 SAVERIO MARRAZZO
Address 11 Kathryn Dr.
City Orchard Park State NY ZIP 14127
Phone 716 Fax - Email smarr 1.com
Interest in (as purchaser/developer) tenant

III. PROPERTY OWNER INFORMATION (If different from applicant information.)

Property Owner(s) Name(s) JOHN LATTANZIO (JJL BROS. LLC)
Address 536 Dorrance Ave.
City Buffalo State NY ZIP 14218
Phone _____ Fax _____ Email d @gmail.com

III. PROPERTY INFORMATION

Property Address 1342 Quaker Rd.
SBL# 163.03-1-14.1
Property size in acres 1.22 Property Frontage in feet 146 ft.
Zoning District Aurora Surrounding Zoning mixed/multi-purpose
Current Use of Property Deli/Convenient store - dine-in

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # _____
 Special Use Permit for: _____
 Use Variance for: Mario's Bistro + Brews Amended use variance
 Interpretation of _____

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)

[Handwritten Signature]
Signature of Applicant/Petitioner

Saverio F. Marrazzo
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 2nd day of May in the year 2023 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.

[Handwritten Signature]
Notary Public



(Notary stamp)

Office Use Only: Date received: 5/16/23 \$100 CK102 [initials] Receipt #: 568295

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 _____

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)

see the attached letter

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 property has historically been used as a convenient store, and always been commercial use.
The current proposed use is not a significant change from the previous.

- 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:
The current proposed use does not change or alternate the neighborhood. We believe we provide a service + convenience of good food as well as supporting local vendors and farmers in the existing commercial space.

- 4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain: *this is not a self-created hardship. The current zoning does not meet the historical use of the property*

(Attach additional pages if needed)

Opening date - Target June 1st
Mario's Bistro and Brews
Quaker Rd 1342
East Aurora, New York 14127
Erie County
United States

Mario's Bistro and Brews model is a trendy and inviting eatery that provides customers with delicious and healthy meal options. The bistro will have a warm and welcoming Italian villa atmosphere that encourages patrons to come in and relax while they enjoy their meal with convenient counter service.

The breakfast menu will feature a variety of classic breakfast dishes like Breakfast Sandwiches, Bagels, Frittatas, and yogurt parfaits. Health-conscious options like fruit bowls, oatmeal, and egg white omelets will also be available.

The lunch menu will consist of freshly made sandwiches, salads, and soups. The sandwiches will be made with premium meats and cheeses, accompanied by fresh vegetables and artisan bread. The salads will feature a variety of greens, toppings, and dressings that can be customized to customers' preferences.

The bistro plans to serve alcohol and Dinner in the third Quarter of the year, with an emphasis on locally sourced craft beers, ciders, and wines. The dinner menu will consist of specialty sandwiches from the lunch service, and include, antipasto, appetizers, and classic staples such as chicken parmesan and specialty pasta dishes.

To ensure that customers can enjoy their meals in a comfortable and relaxing environment, the bistro will have a stylish interior with comfortable seating options. It will also offer limited outdoor seating under the seating porch, in a designated area, for those who prefer to dine al fresco.

In addition to dine-in options, the bistro will offer takeout and delivery services for customers who prefer to enjoy their meals at home or at work.

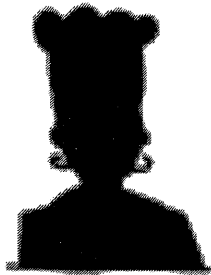
Overall, the breakfast and lunch bistro model aims to provide customers with an exceptional dining experience that is both satisfying and healthy. With the addition of alcohol after three months of operation, the bistro will also provide a fun and inviting atmosphere for those looking to enjoy a drink with their meal into the later evening hours.

2nd Quarter Hours of operation (June)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Closed- Private, order pickup	6:30- 11	6:30- 3	6:30- 3	6:30- 3	6:30- 3	6:30- 3

3rd Quarter Hours of operation

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Closed- Private, order pickup	6:30- 11	6:30- 3	6:30- 3	6:30- 10	6:30- 10	6:30- 10



MARIO'S
BISTRO AND BREWS

1562 Campbell Rd. Alameda, CA 94602

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



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

TOWN OF AURORA

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

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historian@townofaurora.com

FAX: (716) 652-3507

Saverio Marrazzo
11 Kathryn Dr
Orchard Park, NY 14127

Saverio:

The Building Department has reviewed your request to continuing operating a bistro at 1342 Quaker Rd. The request has been denied because the property is zoned Rural Residential. The property has historically been used for commercial purposes as shown in the attachment. There is an existing Use Variance granted to the prior owner for a convenience store/deli and auto repair shop and only the Zoning Board of Appeals may amend this Use Variance.

Section 116-8.4A Rural Residential Permitted Uses

Required: Permitted uses include: single family or two family dwelling; place of worship; public/private school; public park or playground; home occupations; customary accessory uses as defined; family day care; BnBs

Requested: Use the existing commercial space as a bistro
Amended Use Variance required for a bistro

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

Short Environmental Assessment Form

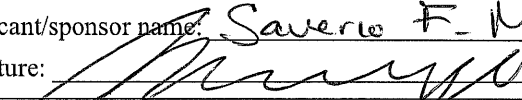
Part 1 - Project Information

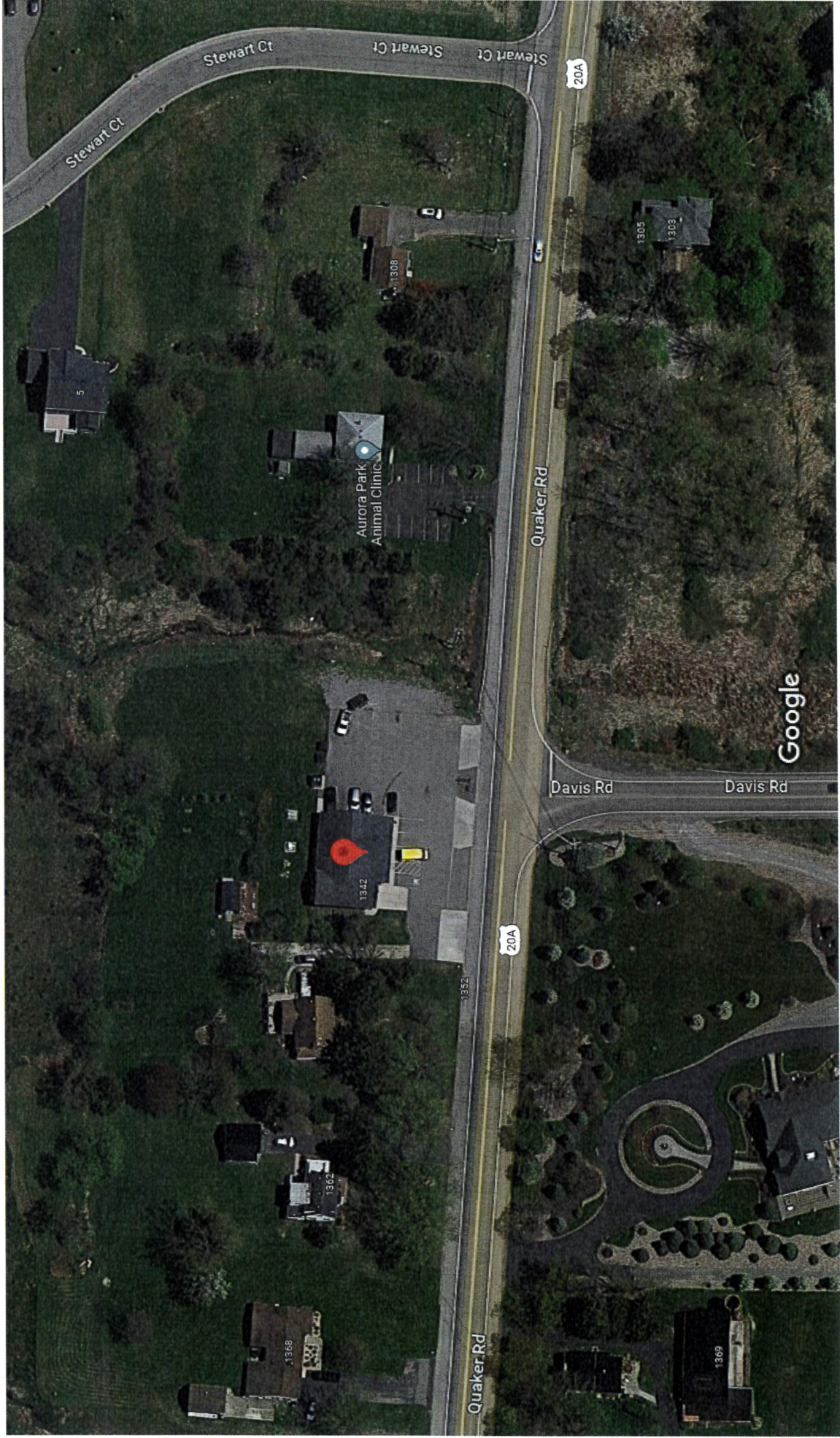
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information,

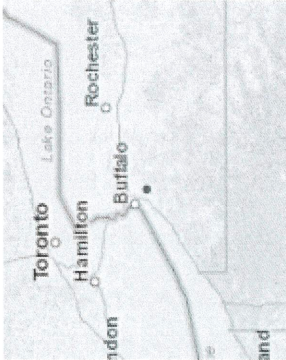
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Mario's Bistro + Brews				
Name of Action or Project:				
1342 Quaker Rd. Aurora NY 14052				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
Saverio F. Marrazzo				
		E-Mail: sr. @ il.com		
Address:				
11 Kathryn Dr.				
City/PO:		State:	Zip Code:	
Orchard Park		NY	14127	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input checked="" type="checkbox"/>
Erie County Health Dept. NYS Liquor Authority				
3.a. Total acreage of the site of the proposed action?		1.22 acres		
b. Total acreage to be physically disturbed?		0 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.22 acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Saverio F. Marrazzo</u> Date: <u>5/2/23</u></p> <p>Signature: <u></u></p>		



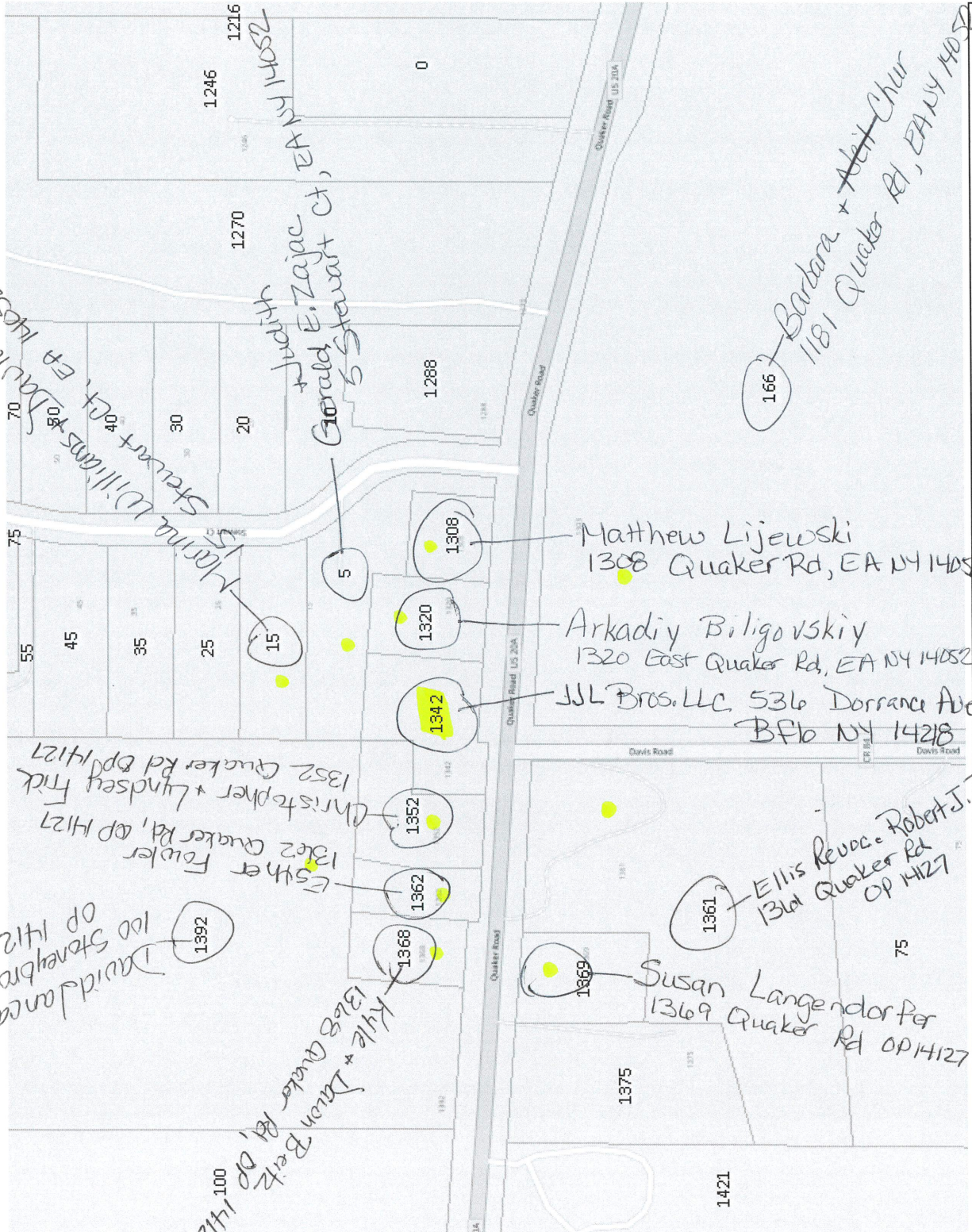
Erie County On-Line Mapping Application



Legend

- Parcels

1: 4,514



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.

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

0 0.07 0.1 Miles
WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION