



CASE NO. 1342  
DATE OF HEARING 8/15/19

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 Bryant Ten+  
Address 464 Knox Rd.  
City E. Aurora State N.Y. ZIP 14052  
Phone 716 x 611 611 611 611  
Interest in owner

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

Property Owner(s) Name(s) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

#### III. PROPERTY INFORMATION

Property Address 464 Knox Rd.  
SBL# 164.00-2-5  
Property size in acres 1.6 Property Frontage in feet 160  
Zoning District RR1A Surrounding Zoning RR1A  
Current Use of Property Residential

#### IV. REQUEST DETAIL

(check all that apply)  
 Variance from Ordinance Section(s) # \_\_\_\_\_  
 Special Use Permit for: \_\_\_\_\_  
 Use Variance for: New Patch  
 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 )



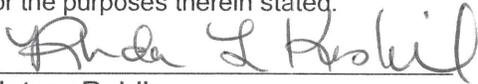
\_\_\_\_\_  
Signature of Applicant/Petitioner

Bryant Tent  
\_\_\_\_\_  
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 17 day of July in the year 2019 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.

RHONDA LEE KISHEL  
NOTARY PUBLIC STATE OF NEW YORK  
ERIE COUNTY  
LIC. #01KI6389467  
COMM. EXP. 03/25/2023



\_\_\_\_\_  
Notary Public

(Notary stamp)

RHONDA LEE KISHEL  
NOTARY PUBLIC STATE OF NEW YORK  
ERIE COUNTY  
LIC. #01KI6389467  
COMM. EXP. 03/25/2023

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Office Use Only:      Date received: 7/17/19 BACT      Receipt #: 121639

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)

We would like to build a front wrap around porch at 464 Knox. The house is currently 64.7 ft from the road. The porch would be 8'6" out at the front and left side. The set-back on the side is fine, but would need a variance for the front. The house was in pretty rough shape when we purchased it and has been an ongoing project. This would be a major improvement to the front elevation and view from the road.

**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:

- 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:

- 4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain:

(Attach additional pages if needed)

## 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.

<b>Part 1 - Project and Sponsor Information</b>							
Bryant Tent							
Name of Action or Project: Front porch 464 Knox Rd.							
Project Location (describe, and attach a location map): 464 Knox Rd. E. Avara N.Y. 14052							
Brief Description of Proposed Action: Build a new front porch							
Name of Applicant or Sponsor: Bryant Tent		Telephone:					
		E-Mail:	com				
Address: 464 Knox Rd							
City/PO: East Avara <del>NY</del>		State: N.Y.	Zip Code: 14052				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		1.6 acres					
b. Total acreage to be physically disturbed?		300 Sq Ft acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.6 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 type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input 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)?          If Yes, explain purpose and size: _____          _____          _____</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?          If Yes, describe: _____          _____          _____</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?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: <u>Bryant Tort</u></p>		<p>Date: <u>4/27/19</u></p>
<p>Signature: <u>[Signature]</u></p>		

SUPERVISOR  
James J. Bach  
(716) 652-7590  
[jbach@townofaurora.com](mailto:jbach@townofaurora.com)



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

**TOWN OF AURORA**  
**Southside Municipal Center**  
300 Glead Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

TOWN COUNCIL MEMBERS

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TOWN JUSTICE  
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Anthony DiFilippo IV

HISTORIAN  
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[historian@townofaurora.com](mailto:historian@townofaurora.com)

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

July 17, 2019

Bryant Tent  
464 Knox Rd.  
East Aurora, NY 14052

The Building Department reviewed your proposal for a front porch on your residence at 464 Knox Rd. We have denied your application because the porch fails to meet the requirements of the Town of Aurora Code for the front yard setback of the Rural Residential (RR) zoning district in which it is located.

Section 116-8.4E(1)

Required: A minimum of 75 feet from the street right-of-way

Requested: Front yard setback of 56.2'

*VARIANCE REQUIRED: 18.8 FEET*

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 and fee, a letter to the ZBA explaining your difficulty, any information to support your need for a variance from the Town Code.

If you have any questions contact us at 652-7591.

Sincerely,

Elizabeth Cassidy  
Asst. Code Enforcement Officer

## 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.: \_\_\_\_\_

Received: \_\_\_\_\_

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

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**2. Hearing Schedule:**    **Date** 8/15/2019    **Time** 8:00pm    **Location** 300 Glead Ave., E. Aurora

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**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 464 Knox Road, E. Aurora

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**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 porch on front of residence closer to ROW than allowed by Town Code

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**8. Other remarks: (ID#, SBL#, etc.)**    SBL#164.00-2-5

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**9. Submitted by:**    Martha Librock, Town Clerk    7/18/2019

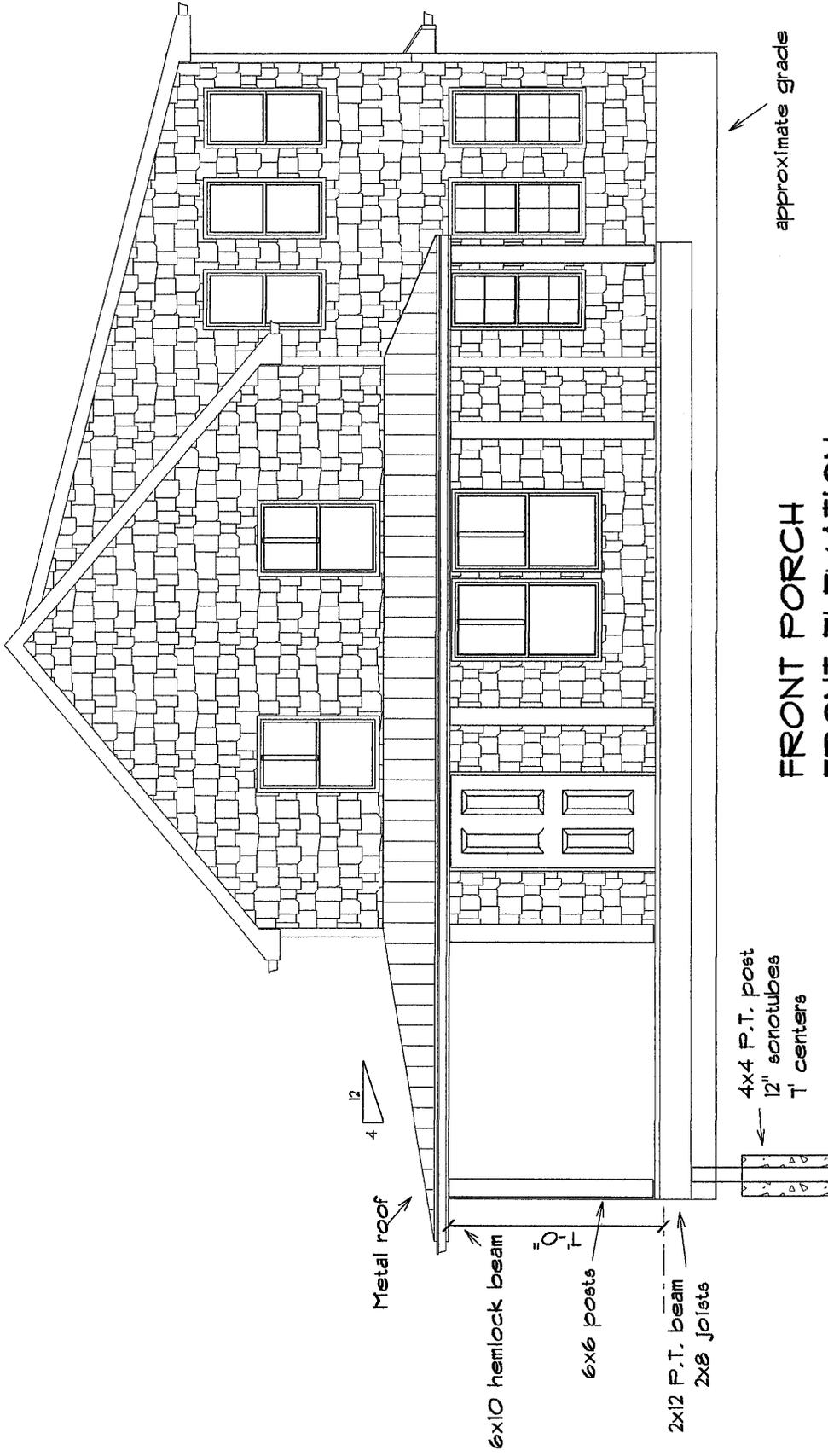
300 Glead Ave., E. Aurora, NY 14052

### Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on \_\_\_\_\_. 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: \_\_\_\_\_



approximate grade

**FRONT PORCH  
FRONT ELEVATION**

**464KNOX RD.**

4/12

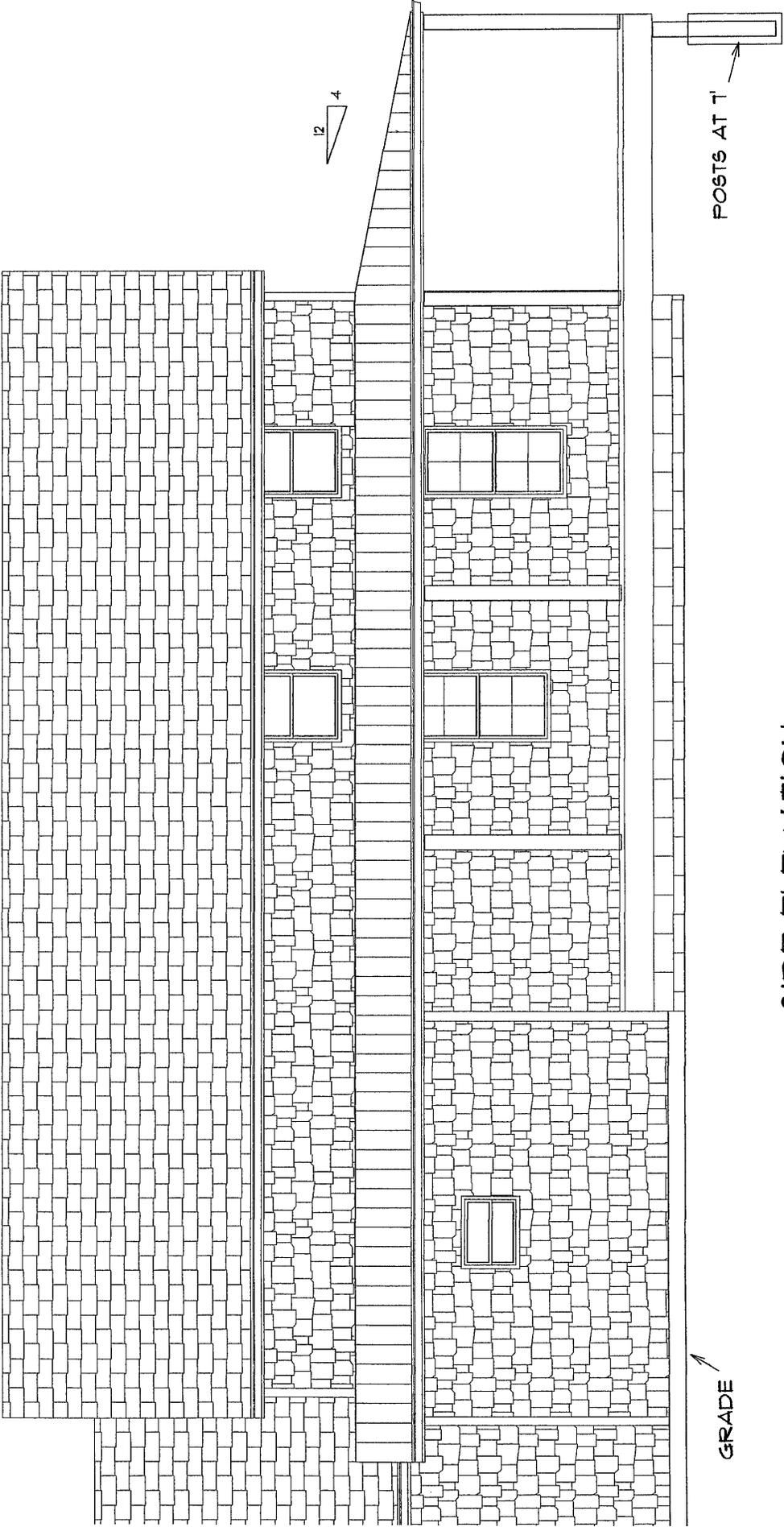
Metal roof

6x10 hemlock beam

6x6 posts

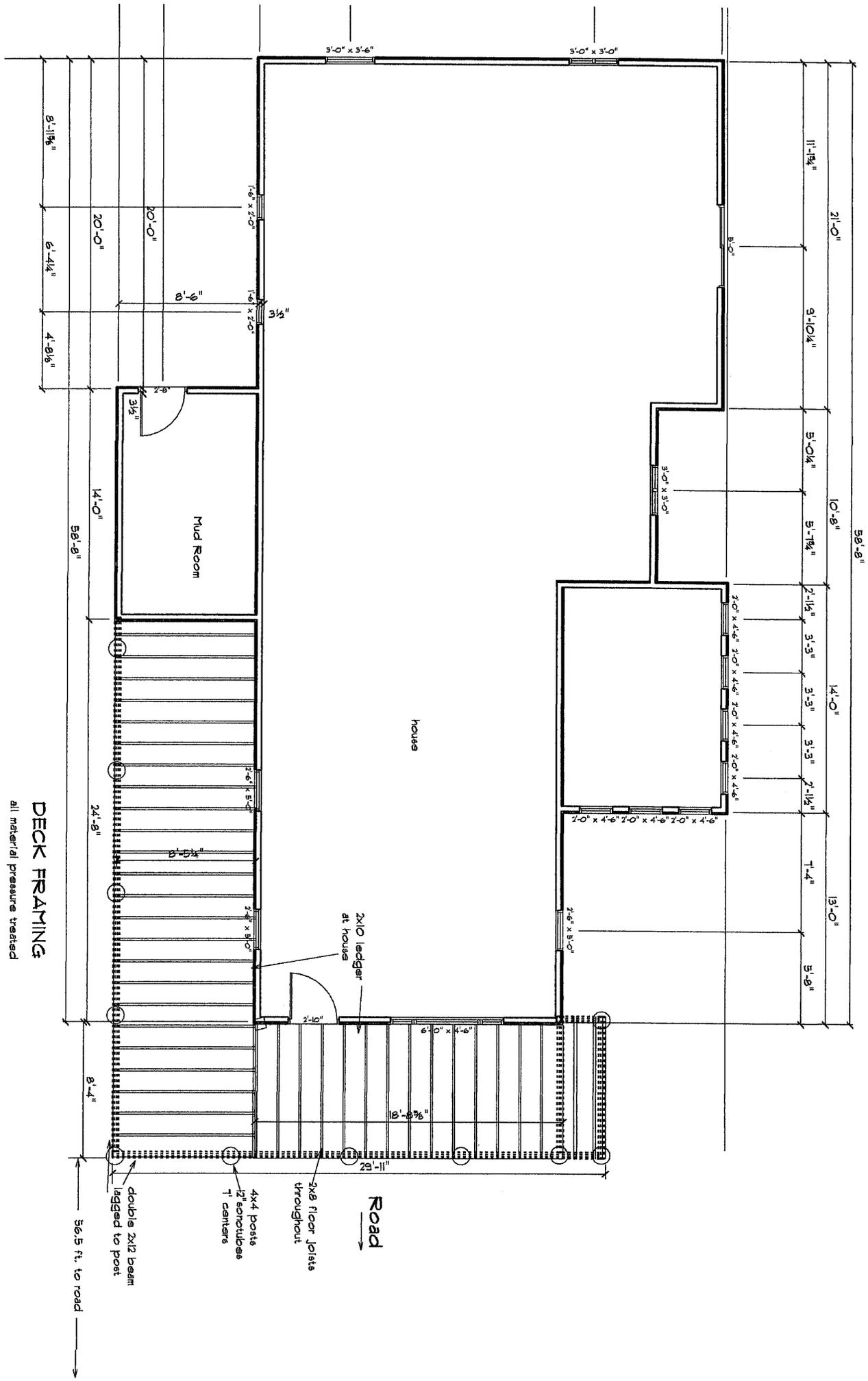
2x12 P.T. beam  
2x8 joists

4x4 P.T. post  
12" sonotubes  
T centers



SIDE ELEVATION

PORCH PROJECT  
464 KNOX RD.

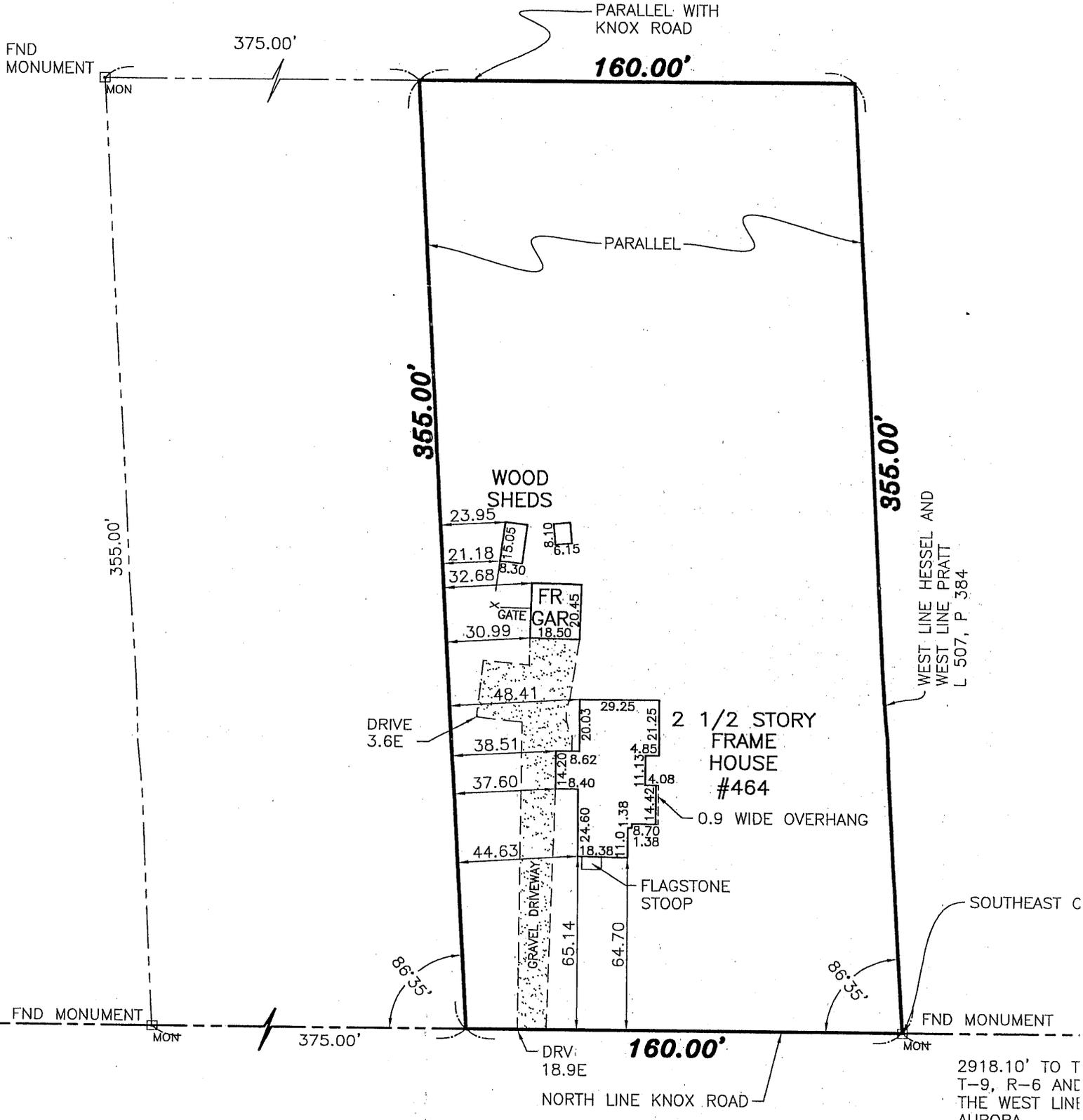


**DECK FRAMING**  
 all material pressure treated

464 KNOX

- 4x4 Posts  
12" on centers  
T centers
- 2x8 floor joists  
throughout
- 2x10 ledger  
at houses
- double 2x12 beam  
lagged to post

Road  
 →



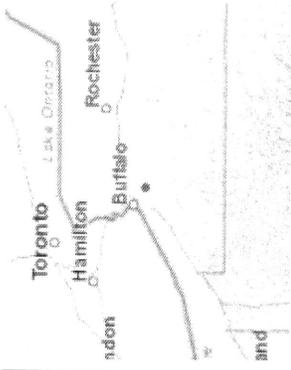
# KNOX (66' WIDE) ROAD

(FORMERLY BIG TREE ROAD)

2918.10' TO T  
T-9, R-6 AND  
THE WEST LINE  
AURORA



# Erie County On-Line Mapping Application



## Legend

- Parcels
- Streets and Highways
  - Interstate
  - Primary State Road
  - Secondary State Road
  - County Road
  - Local Road

Knox Park  
 People of NYS of Parks  
 ATT: Ray Goll  
 PO 1132, Niagara Falls, NY 14303-0132

0

Morgan Evans  
Jessica

486

Bryant Tent

464

KNOX PARK

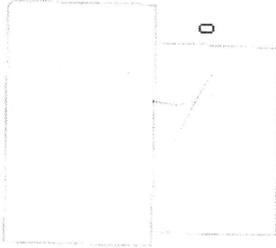
183

101.00-2-24

KFSP

0

Knobbs



1342

0 0.07 0.1 Miles

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: 4,514

