



original

CASE NO. 1510
DATE OF HEARING 8/21/25

Town of Aurora Zoning Board of Appeals
575 Oakwood 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 Michael Vossler
Address 1903 Blakeley Rd
City East Aurora State NY ZIP 14052
Phone 716- Email VOSSLER1.COM
Interest in the _____
urchaser/developer) 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 1903 BLAKELEY RD
SBL# 188.00-4-1.1
Property size in acres 19.3 Property Frontage in feet 172
Zoning District RR/A Surrounding Zoning RR/A / R1
Current Use of Property SFD

IV. REQUEST DETAIL

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-8.5G(2)
☐ Special Use Permit for: _____
☐ Use Variance for: _____
☐ 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)

Michael Vossler
Signature of Applicant/Petitioner

Michael Vossler
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 24 day of June in the year 2025 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.

Dorothy Bailey
Notary Public

DOROTHY BAILEY
(Notary stamp) Reg #01BA0023544
Notary Public, State of New York
Qualified in Erie County
Commission Expires April 15, 2028

Office Use Only:

Date received:

6/27/25 \$100 cash

Receipt #:

713984 (JAV)

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 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: _____

- 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)

Dear Zoning Board,

I, Michael Vossler, am requesting an area variance for 1903 Blakeley Rd in East Aurora, NY 14052. The variance is needed in order to build an addition onto my existing garage structure located on this property. I had two different contractors contact the town office regarding property line set back and both times we were told that the new structure needed to be 10 feet from the east side property line. Plans were then drawn up based on this measurement. My existing lean to and shed was removed in preparation for the start of construction.

The new addition was designed to be 25x32. After locating and reviewing my property survey I discovered that my existing garage is 34.21 feet from the property line. With the new addition this leaves only 9.21 feet to the east side property line when measured from the north east corner of the addition. My contractor Mr. Gilbert asked the town office if this would be okay or if we needed to reduce the structure size to 24x32 to accommodate the 10' setback. We were told this would be fine.

My permit was denied stating that a 20 foot setback from the east side property line was required and we must request this variance. However, this is inconsistent with what we were told in previous conversations.

I would like this variance to be considered for the following reasons:

1. I have spoke with my neighbor William Voss and have included his letter of approval with this paperwork.
2. My existing driveway is already closer to the east side property line than this new structure will be. Additionally, I would like to make use of this existing driveway and keep as much green space as possible.
3. My property is dual zoned. My house has a 250' setback which makes it rural residential. However, the detached garage has a setback of 341' which puts it in the agricultural zone. I feel both of these structures should be treated as rural residential which is consistent with the surrounding properties.
4. I'm trying to improve the look of my property and neighborhood by removing the old rotten lean-to. My current building plans will look more profession and enhance the visual appearance of this existing structure. Altering these plans in order to accommodate the 20' setback will result in another less attractive looking lean-to design.
5. My new roof will shed water north and south and not toward the neighbor toward the east.
6. Allowing the construction of this garage addition will provide me a place to store my equipment as opposed to leaving items sitting outside creating a visual eyesore for my neighbors.
7. My existing storage has been demolished based on false information provided by the town office on 3 different occasions. I now have vehicles parked outside since my construction project is now on hold and I'm out of space.

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.
AND REPLY TO MUNICIPALITY**

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at www.Erie.gov/IRonline, OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE

Case No.: _____

Postmark/Delivery Date: _____

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 1 - mm
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.

If the county fails to reply within such period, the referring body may take final action.

However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)

The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

2. Hearing Schedule: Date 8/21/2025 Time 7:00pm Location 575 Oakwood Ave., E. Aurora

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 ☒ Address: 1903 Blakeley Road, EAST AURORA

5a. S.B.L. of Property: 188.00-4-1.11

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: Proposed accessory building (pole barn) will be closer to side lot line than
(specify the action, such as the scope of variances or site plans) allowed by Town Code

8. Other remarks: _____

9. Submitted by: Martha Librock, Town Clerk Email: townclerk@townofaurora.com

10. Return Address: 575 Oakwood Ave., East 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. ☐ Comment on proposed action is attached hereto.
3. ☐ The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4. ☐ No Recommendation; proposed action has been reviewed and determined to be of local concern.

By the Division of Planning: _____ **Date:** _____

SUPERVISOR
Charles D. Snyder
(716) 652-7590
csnyder@townofaurora.com



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

TOWN OF AURORA

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

TOWN COUNCIL MEMBERS

June 27, 2025

Luke Wochensky
lwochensky@townofaurora.com

James F. Granville
jgranville@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

Raymond M. Wrazen
rwrazen@townofaurora.com

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

CODE ENFORCEMENT
OFFICER
Elizabeth Cassidy
(716) 652-7591
building@townofaurora.com

ASSESSOR
Stephen R. Pigeon
assessor@townofaurora.com
(716) 652-0011

DIR. OF RECREATION
Christopher Musshafen
(716) 652-8866
chris@townofaurora.com

TOWN ATTORNEY
Brigid M. Maloney

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

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

FAX: (716) 652-3507

Michael Vossler
1903 Blakeley Road
East Aurora, NY 14052

Michael:

The Building Department has reviewed your request for a proposed side yard setback for the construction of an addition to your existing post framed barn in the A – Agriculture zoning district of your lot at 1903 Blakeley Road (SBL 188.00-4-1.11). The request has been denied because it fails to meet the requirement for minimum side yard setback from the north property line.

Section: 116-8.5G(2) – Side yards

Required: Accessory building/structure: a distance equal to the mean height of the proposed accessory building/structure, but not less than 20 feet.

Requested: 9.21'

Variance: 10.79'

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,

Richard Miga
Assistant 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			
Name of Action or Project: Garage Addition			
Project Location (describe, and attach a location map): North East corner of existing garage			
Brief Description of Proposed Action: Build two bay garage addition onto north east side of existing detached garage.			
Name of Applicant or Sponsor: Michael Vossler		Telephone: 7 E-Mail: vos. com	
Address: 1903 Blakeley Rd			
City/PO: East Aurora		State: NY	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.			NO ☐ YES ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO ☐ YES ☒
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		19.3 acres 0.02 acres 19.3 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO ☐	YES ☒	
If Yes, identify: <u>NYS DEC Info Locator Website Verified under</u> <u>Environmentally sensitive Areas w/ selection of Critical</u> <u>Environmental Area</u>			
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO ☒	YES ☐	
If the proposed action will exceed requirements, describe design features and technologies: <u>Structure will not be heated.</u>			
10. Will the proposed action connect to an existing public/private water supply?	NO ☒	YES ☐	
If No, describe method for providing potable water: _____			
11. Will the proposed action connect to existing wastewater utilities?	NO ☒	YES ☐	
If No, describe method for providing wastewater treatment: _____			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO ☒	YES ☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☒	YES ☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

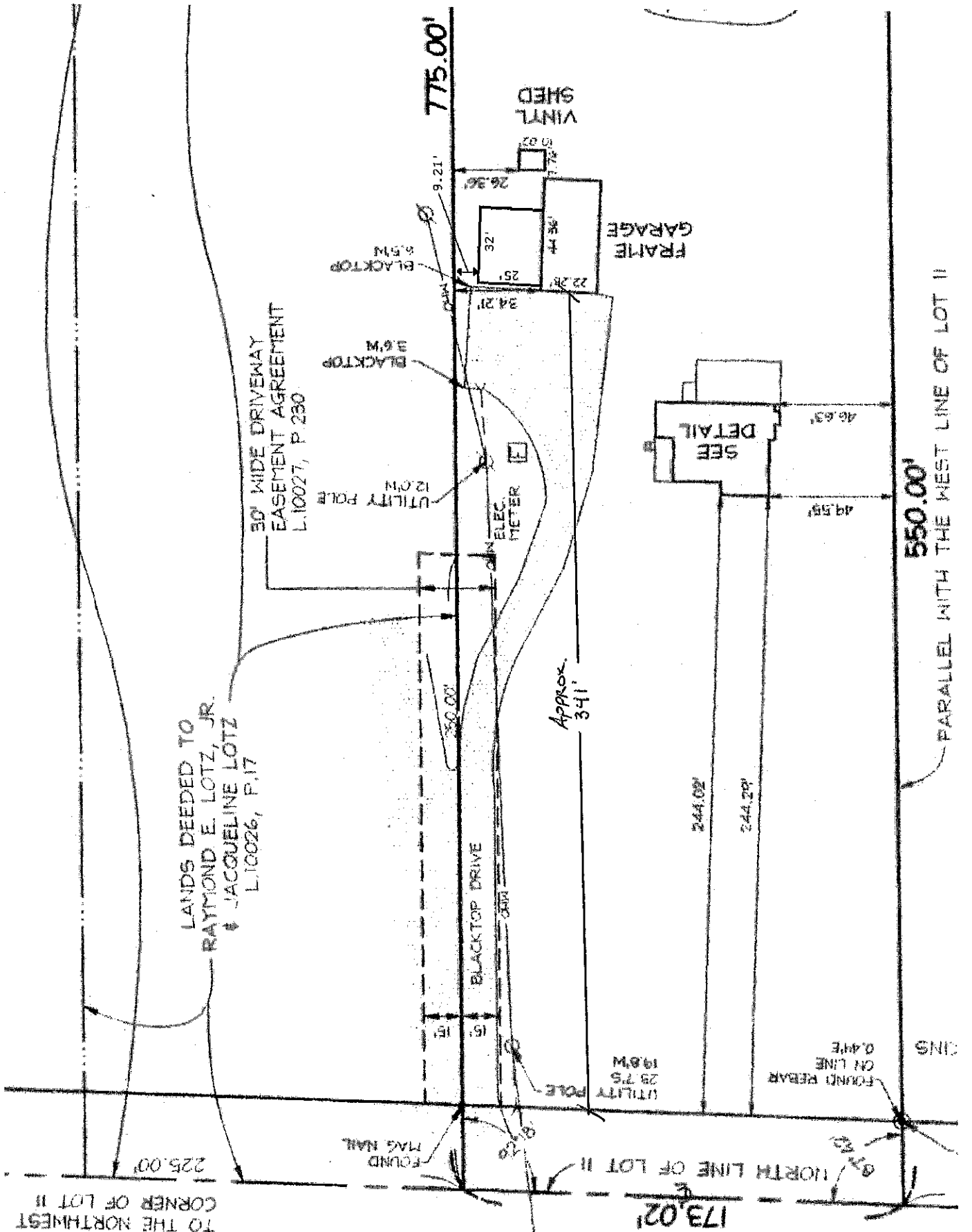
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan? <u>#36029C0526H eff 6/7/2019</u> <u>Area of minimal Flood Hazard</u> <u>Zone X</u>	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☒	☐
	☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
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:	NO	YES
	☒	☐
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:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Michael Vossler</u> Date: <u>6-24-2025</u> Signature: <u>Michael Vossler</u> Title: _____		

LEY CORNERS

(66' WIDE)
(ALSO KNOWN AS BLAKELEY ROAD)

1098.02' DEED SUM &
TO THE NORTHWEST
CORNER OF LOT II

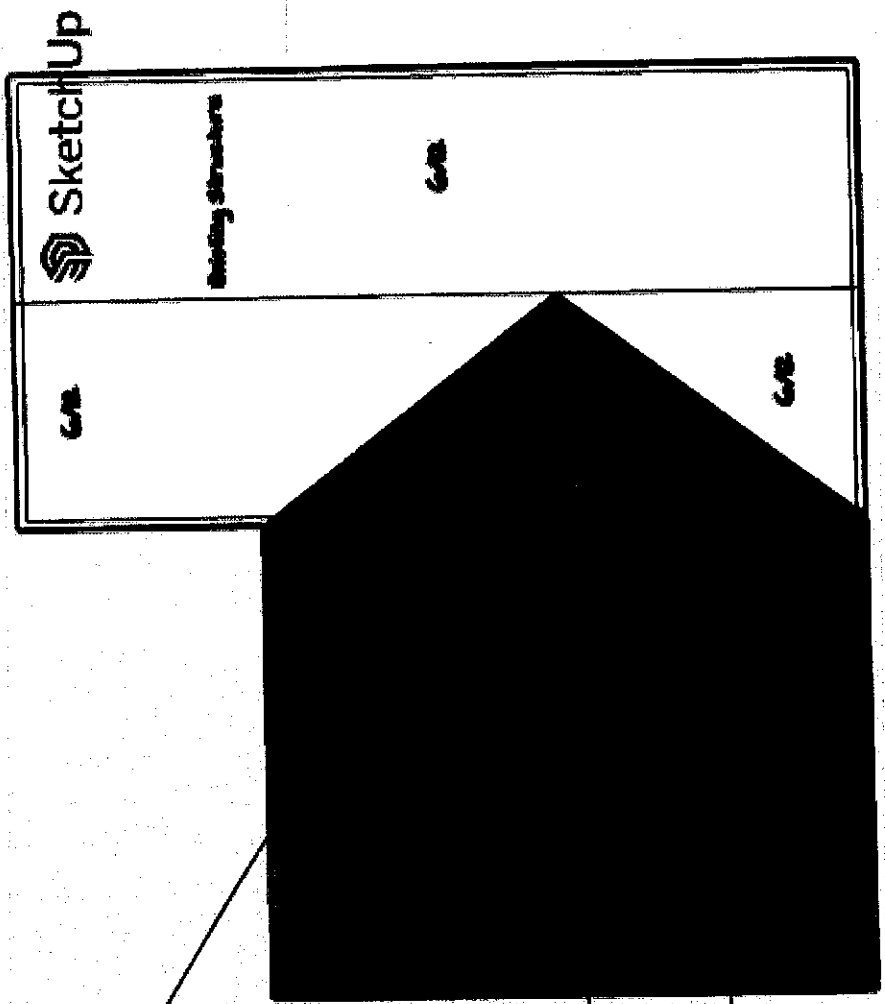
ROAD



TYP. ROOF CONSTRUCTION
 6/12
 SHINGLES TME
 ICE AND WATER 2 ROWS
 SYNTHETIC UNDERLAYMENT
 5/8 PLYWOOD
 2X12 #1 DOUG FIR RAFTERS 16" O.C
 SIMPSON H2.5A TIES AT EVERY RAFTER

(2) 2X12 RIDGE

2X12 SLEEPER



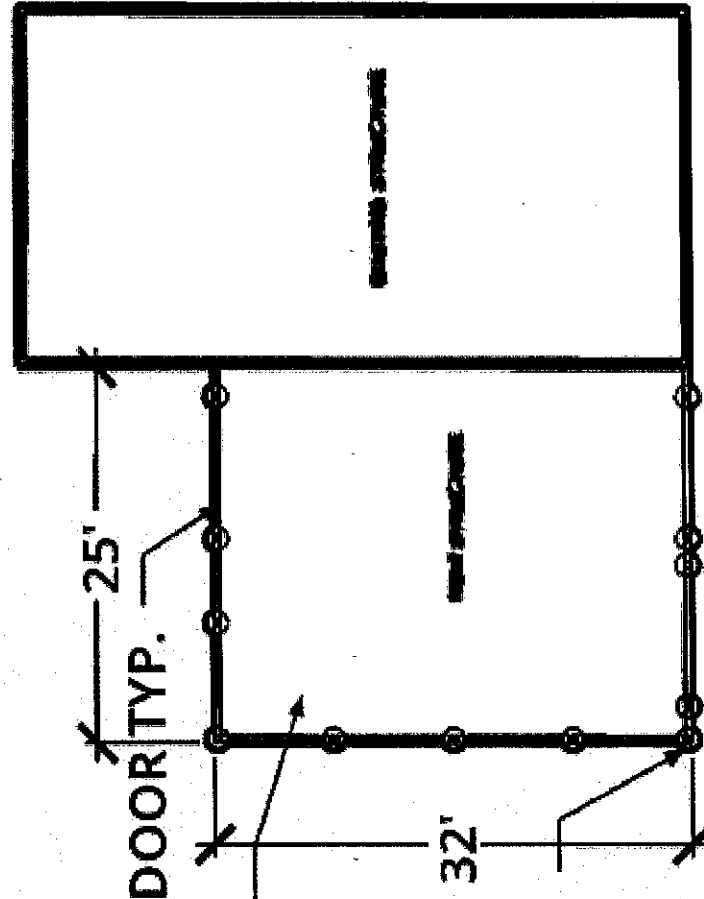
SketchUp

Roofing Structures

6/12

6/12

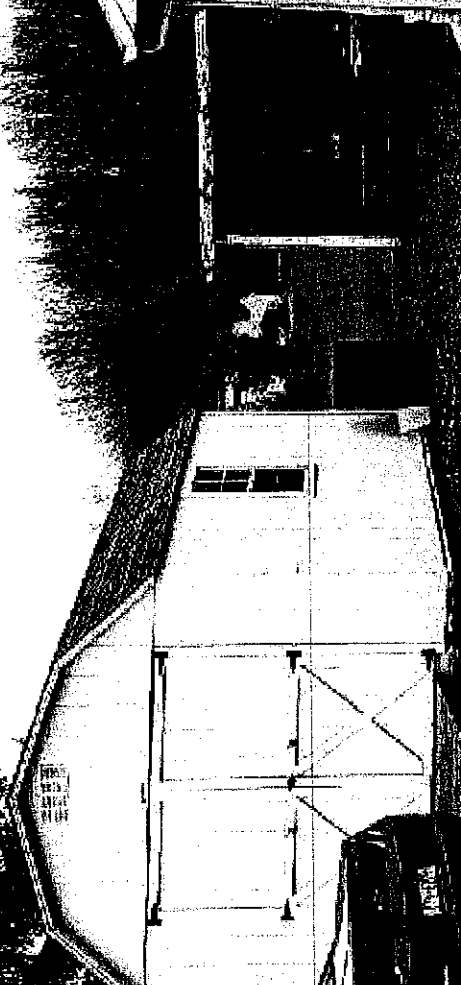
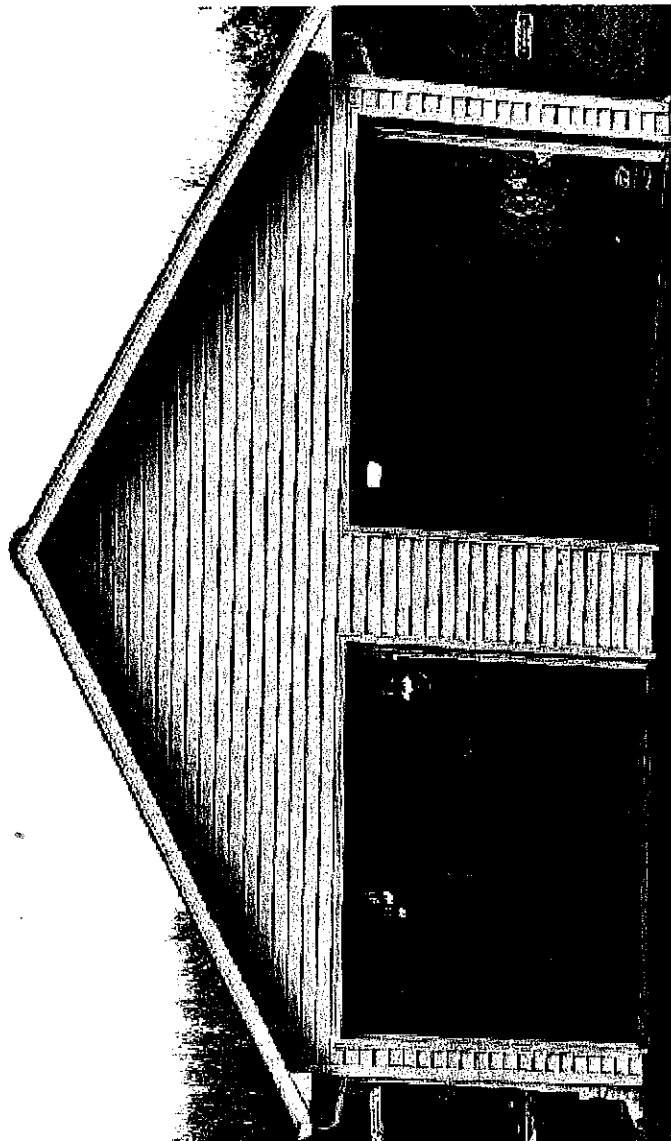
6/12

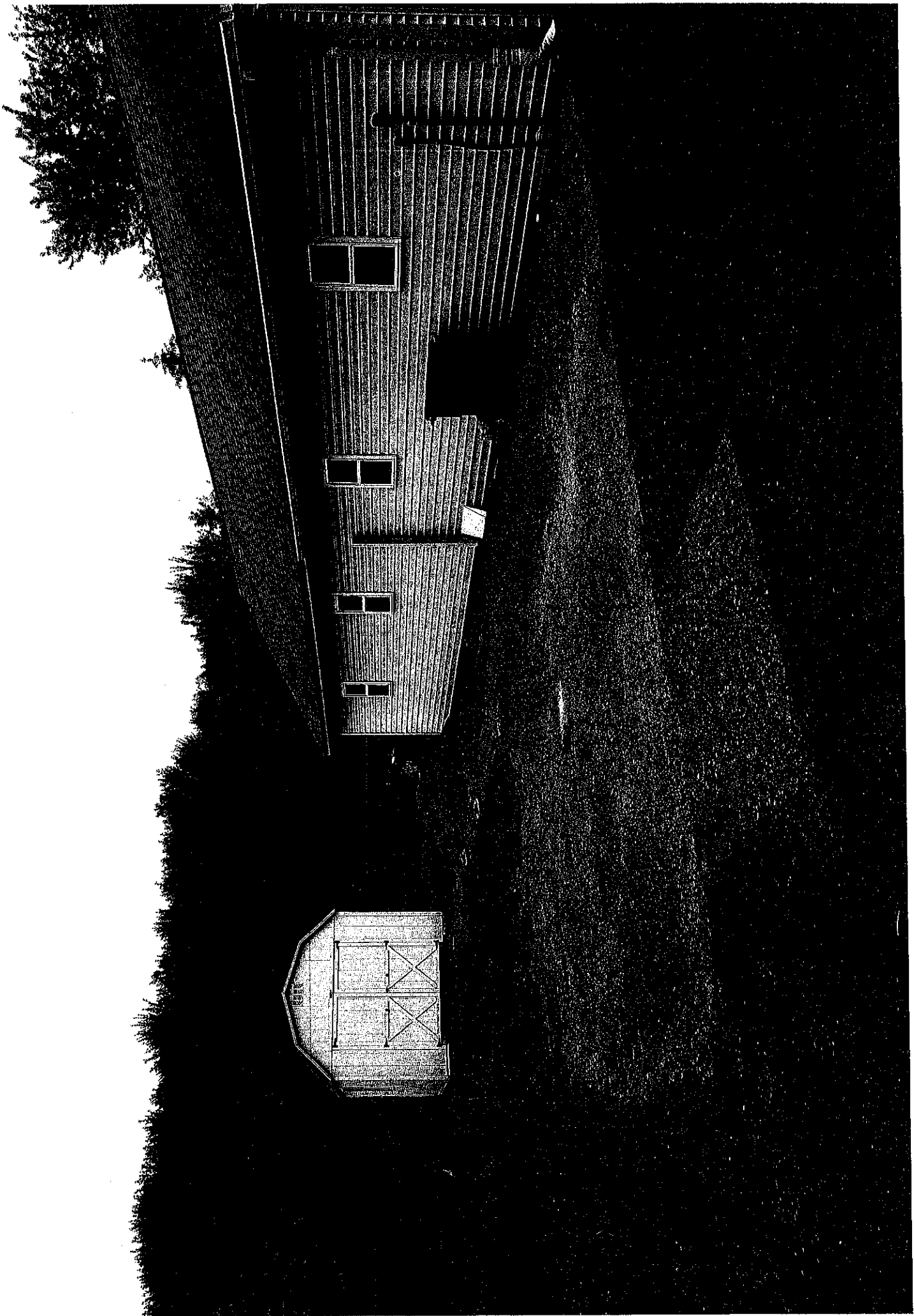


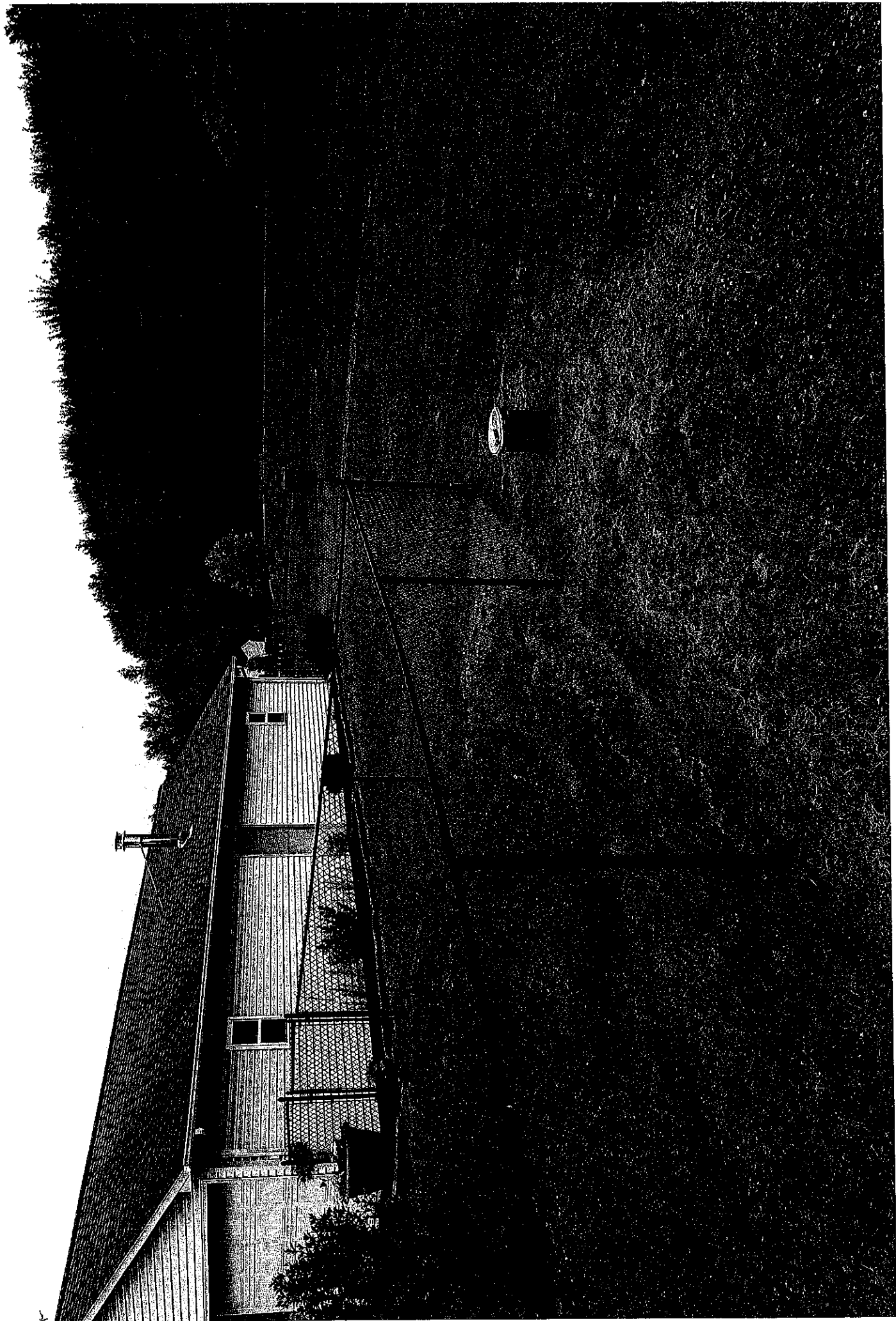
7X9 GARAGE DOOR TYP.

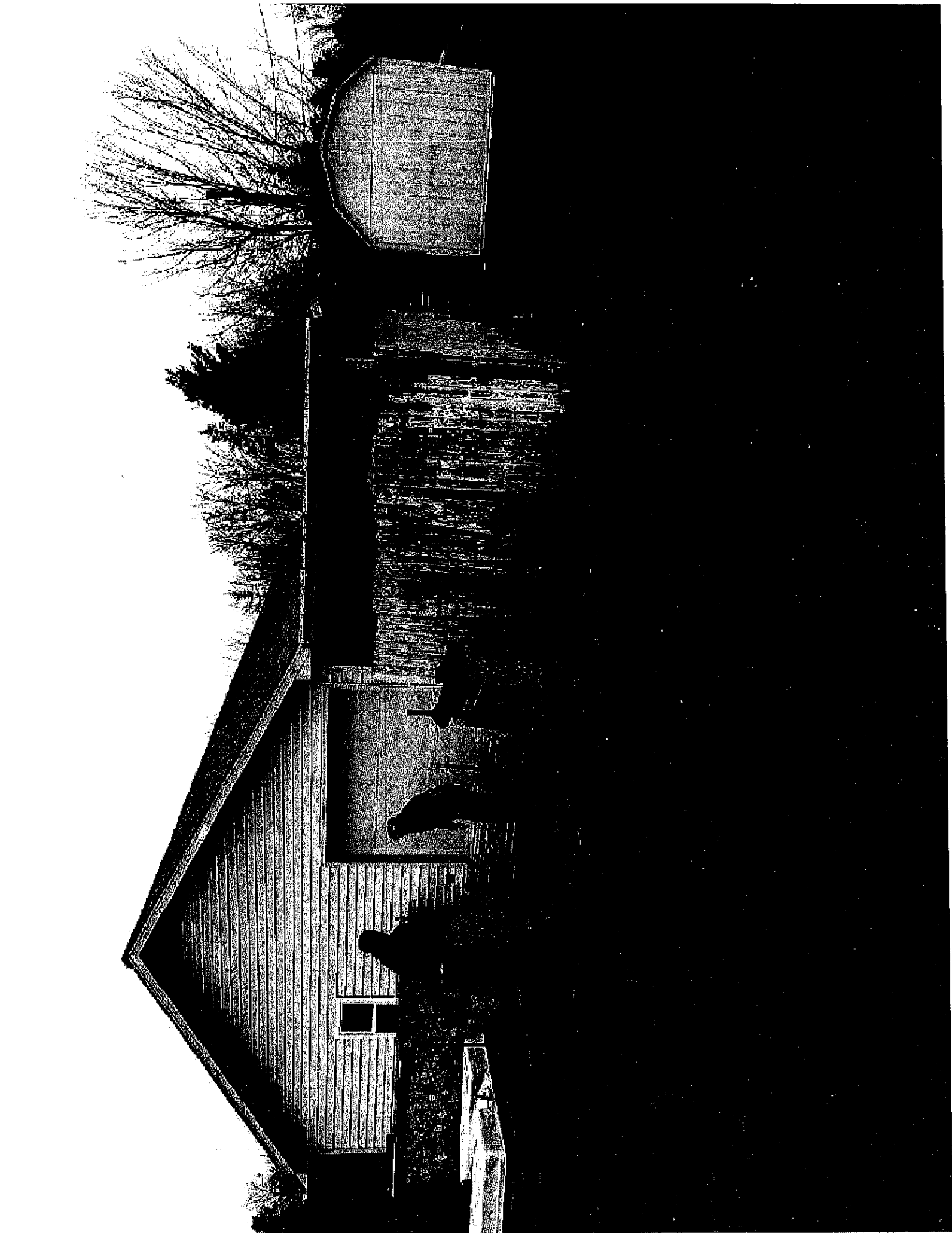
5.5" CONCRETE SLAB
3-4" COMPACTED BASE
WIRE MESH

20" CONCRETE FOOTERS 4' DEEP
SIMPSON ABU66Z POST BRACKETS TYP.
8' O.C











Google



Parcels



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

