



original

CASE NO. 1524

DATE OF HEARING 11/19/2025

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 Murray
Address 205 Falls Rd
City West Falls State N.Y. ZIP 14170
Phone 716 ax _____ Email Murray ail.com
Interest in r/purchaser/developer owne

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

Property Owner(s) Name(s) Michael + Rebecca Murray
Address 205 Falls Rd
City West Falls State N.Y. ZIP 14170
Phone 716 Fax _____ Email Murray ail.com

III. PROJECT INFORMATION

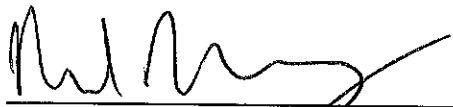
Property Address 205 Falls Rd West Falls N.Y. 14170
SBL# 199.03-2-24.1
Property size in acres .71 Property Frontage in feet 74.09'
Zoning District R2 Surrounding Zoning RR - Agr, R2
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-8.2E(2) & 116-69
☐ 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)



Signature of Applicant/Petitioner

Michael Murray

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 19 day of September 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.



Notary Public

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

Office Use Only:

Date received: 9/24/25

Receipt #: 713372

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)

attached

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)

Variance Narrative

Applicant / Property Owner: Michael Murray

Property Address: 205 Falls Rd. City of West Falls, Erie County, NY

Requested Relief: Front-yard setback variance to allow the extension of an existing front porch to within 1 ft of the non-conforming setback where 30 feet is required from right of way.

Description of Proposal:

I propose to extend the existing front porch to create a safer, more functional entry and to enhance the architectural character of the home. The porch addition will align with the style of neighboring homes and will remain consistent with the residential character of the street.

Justification / Hardship:

The requested variance is the minimum necessary to achieve a usable porch that meets current building codes and provides safe egress.

Strict application of the zoning ordinance would create unnecessary hardship by preventing reasonable improvement of the property.

Impact on Neighborhood and Public Interest:

The proposed porch extension will not obstruct sight lines or create traffic hazards.

No neighboring properties are adversely affected; adjacent owners have been notified and have raised no objections.

The project maintains the character of the neighborhood and does not diminish property values.

There will be no adverse environmental impacts to the municipality or surrounding area as a result of this project.

Conclusion:

For these reasons, I respectfully request approval of the variance to permit the front porch extension within the front-yard setback. This modest adjustment supports public safety and neighborhood aesthetics while posing no detriment to the environment or the surrounding community.

**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.: **637-ZR-25**

Postmark/Delivery Date: **10/20/25**

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 1 - nn.
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 11/19/2025 Time 7:00pm Location 575 Oakwood Ave., E. Aurora, NY

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: 205 Falls Rd., W. Falls, NY

5a. S.B.L. of Property: 199.03-2-24.1

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: Front yard setback of addition to porch not allowed by Town Code; extension of porch on a non-conforming property needs ZBA approval per Town Code.
(specify the action, such as the scope of variances or site plans)

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 10/20/25. 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.

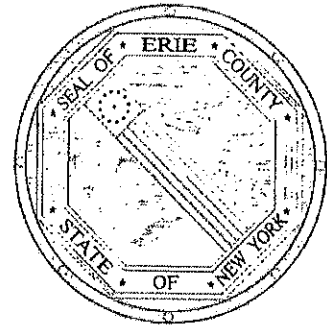
1. ☐ The proposed action is not subject to review under the law.
2. ☒ Comment on proposed action is attached hereto.
3. ☐ The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4. ☒ No Recommendation; proposed action has been reviewed and determined to be of local concern.

By the Division of Planning: _____

Collette McDanel

Date: 11/6/25

**Erie County Department of Public Works
Division of Highways**



MEMORANDUM

To: Colette McDonald, ECDEP - Planning
From: Garrett M. Hacker, P.E.
Date: October 29, 2025
Subject: Porch Addition
205 Falls Road (CR-374)
(T) of Aurora, County of Erie

This Department has received a request to review a variance of an addition to existing porch at 205 Falls Road (CR-374) in the Town of Aurora. The proposed request fails to meet the Town of Aurora zone code sections 116-69 and 116-8.2E(2). Erie County Department of Public Works has no issue with the variance request.

Issued By:

A handwritten signature of Garrett M. Hacker, P.E., in black ink.

Garrett M. Hacker, P.E.
Supervisor of Engineering

CB

cc: Karen Hoak, Deputy Commissioner of Public Works
Darlene Svilokos, P.E., Director of Engineering
Gina Wilkolaski, P.E., Traffic and Safety Engineer
Michael Pasnik, Senior Highway Maintenance Engineer
File: CR-374

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

TOWN COUNCIL MEMBERS

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

*This institution is an equal
opportunity provider and employer.*

September 24, 2025

Michael Murray
205 Falls Road
West Falls, NY 14140

Michael:

The Building Department has reviewed your request to construct an addition at 205 Falls Road (SBL: 199.03-2-24.1). The request has been denied because the proposed expansion of the existing front porch that has a nonconforming front yard setback requires Zoning Board of Appeals approval

Sections 116-69

Required: A nonconforming use of buildings or land occupied on the effective date of this chapter may be enlarged, extended, or remodeled upon obtaining approval from the Zoning Board of Appeals specifying the conditions of such enlargement, extension or remodeling. All approvals from the Zoning Board of Appeals shall be in accordance with 116-91.

Requested: Allowance to extend the existing front porch (8'x13.21') an additional 23'-10" to the south

Variance: Allowance to extend the existing front porch (8'x13.21') an additional 23'-10" to the south

Sections 116-8.2E(2): Front yard depth or setback

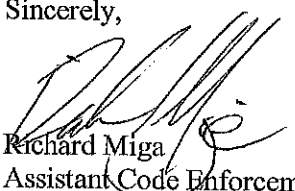
Required: Where 20% or more of the lots in the same block on the same side of the street and within 1,000 feet of a proposed building are improved with buildings, the average setback of such existing buildings shall establish the minimum setback or building line. This provision shall not be interpreted to permit a front yard depth of less than 30 feet.

Requested: 22'-1" (existing)

Variance: 7'-11"

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

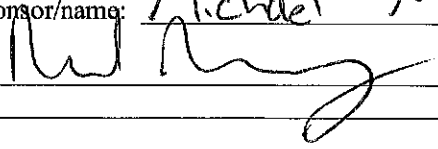
Instructions for Completing

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: Extend Front Porch			
Project Location (describe, and attach a location map): Front Yard 8ft off house along 205 Falls Rd			
Brief Description of Proposed Action: to extend front porch 8ft off house toward falls Rd. and wrap around to a sliding glass door facing the South.			
Name of Applicant or Sponsor: Michael Murray		Telephone: 71 E-Mail: mu@rail.com	
Address: 205 Falls Rd			
City/PO: West Falls		State: N.Y.	Zip Code: 14170
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?		.70 acres	
b. Total acreage to be physically disturbed?		.008 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.70 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: _____	☒	☐	
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: _____ _____	☒	☐	
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?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	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:	☒	☐
_____ _____		
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 Murray</u> Date: <u>Sept. 19, 2025</u> Signature: <u></u> Title: _____		

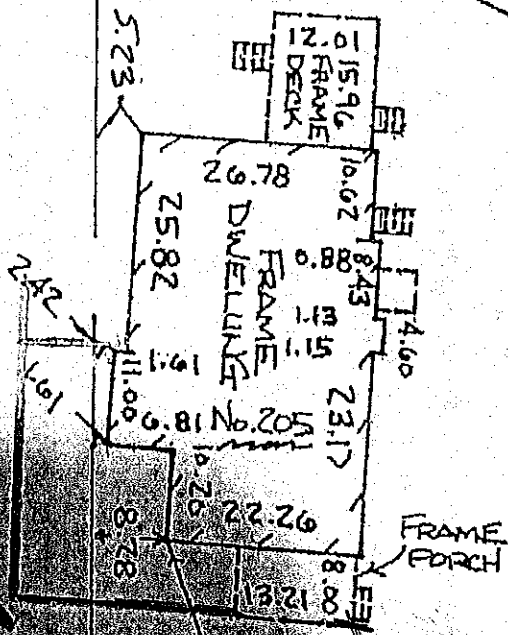
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SER. 1582, PG. 278

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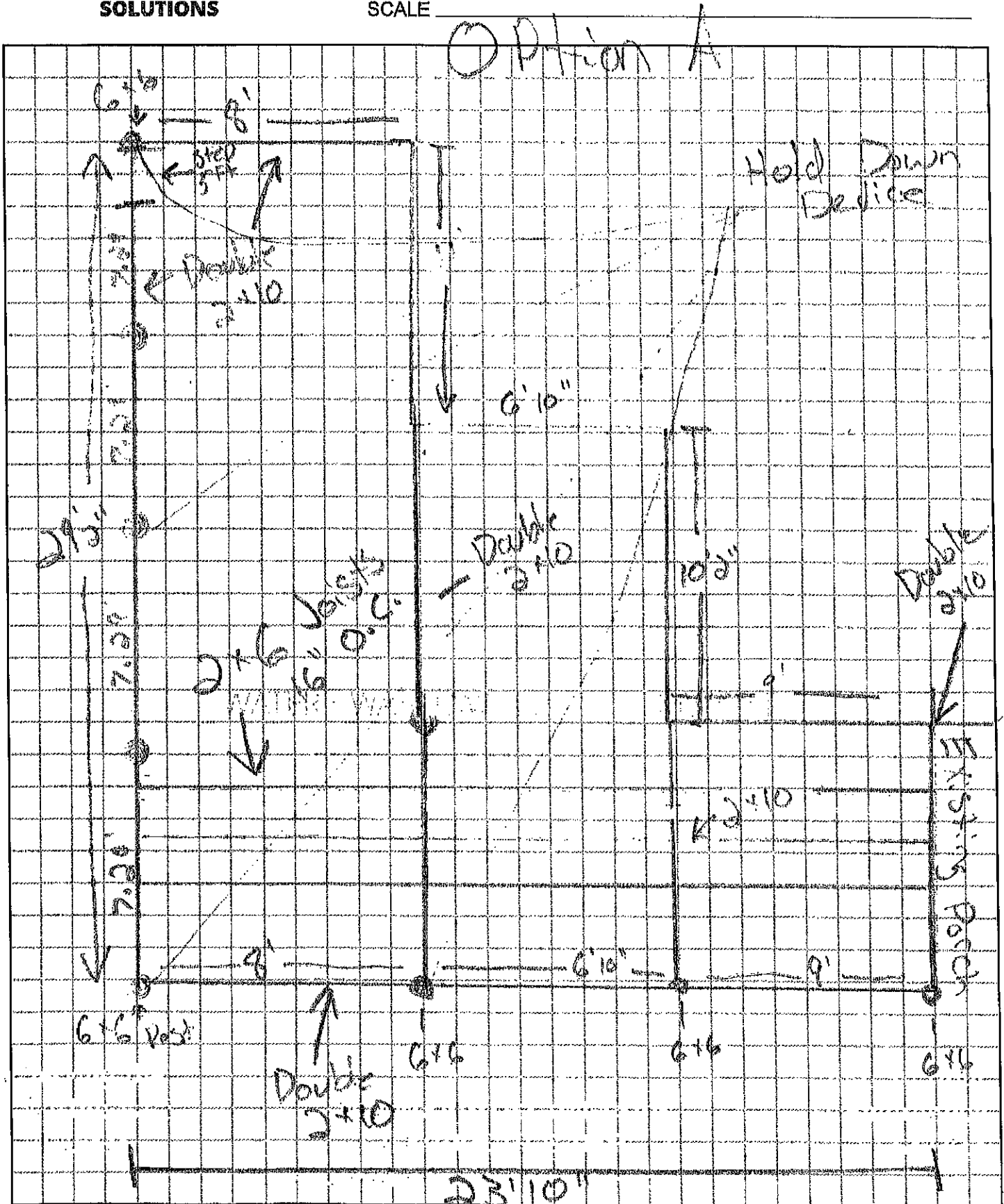
WATER • WASTEWATER • STORMWATER
SOLUTIONS

JOB Mike Murray 205 Falls Rd

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE _____

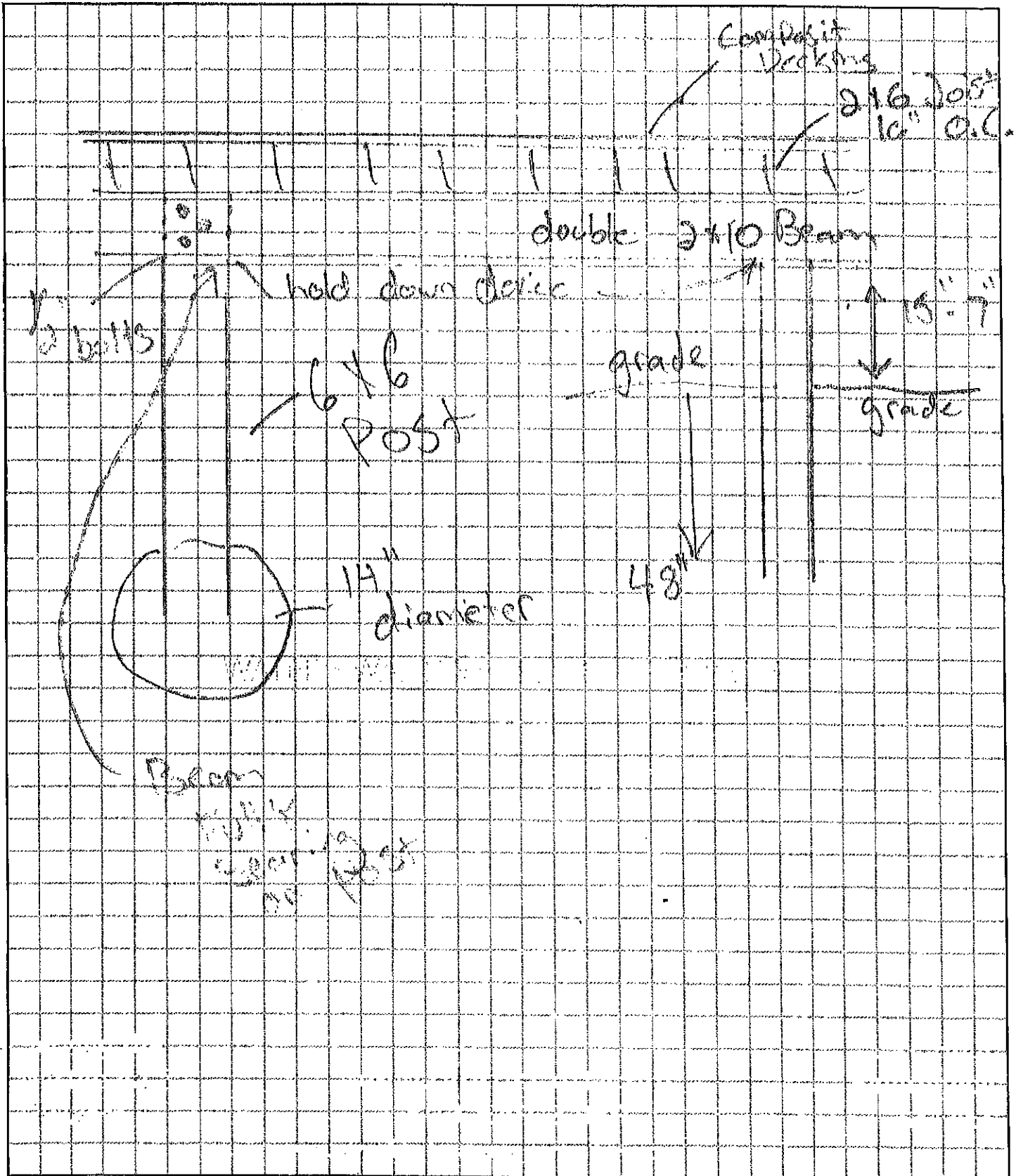
SCALE _____





WATER • WASTEWATER • STORMWATER
SOLUTIONS

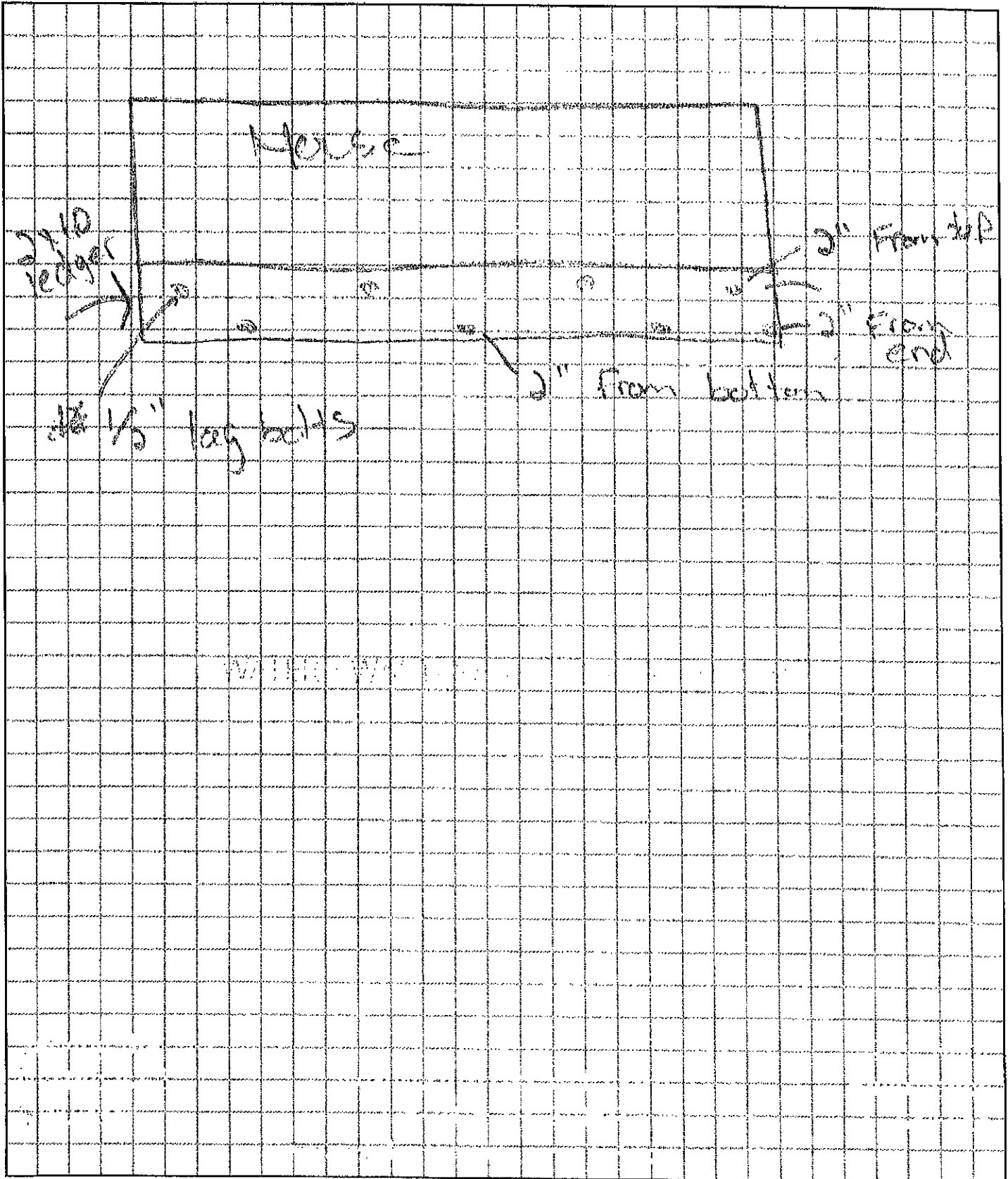
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SOLUTIONS

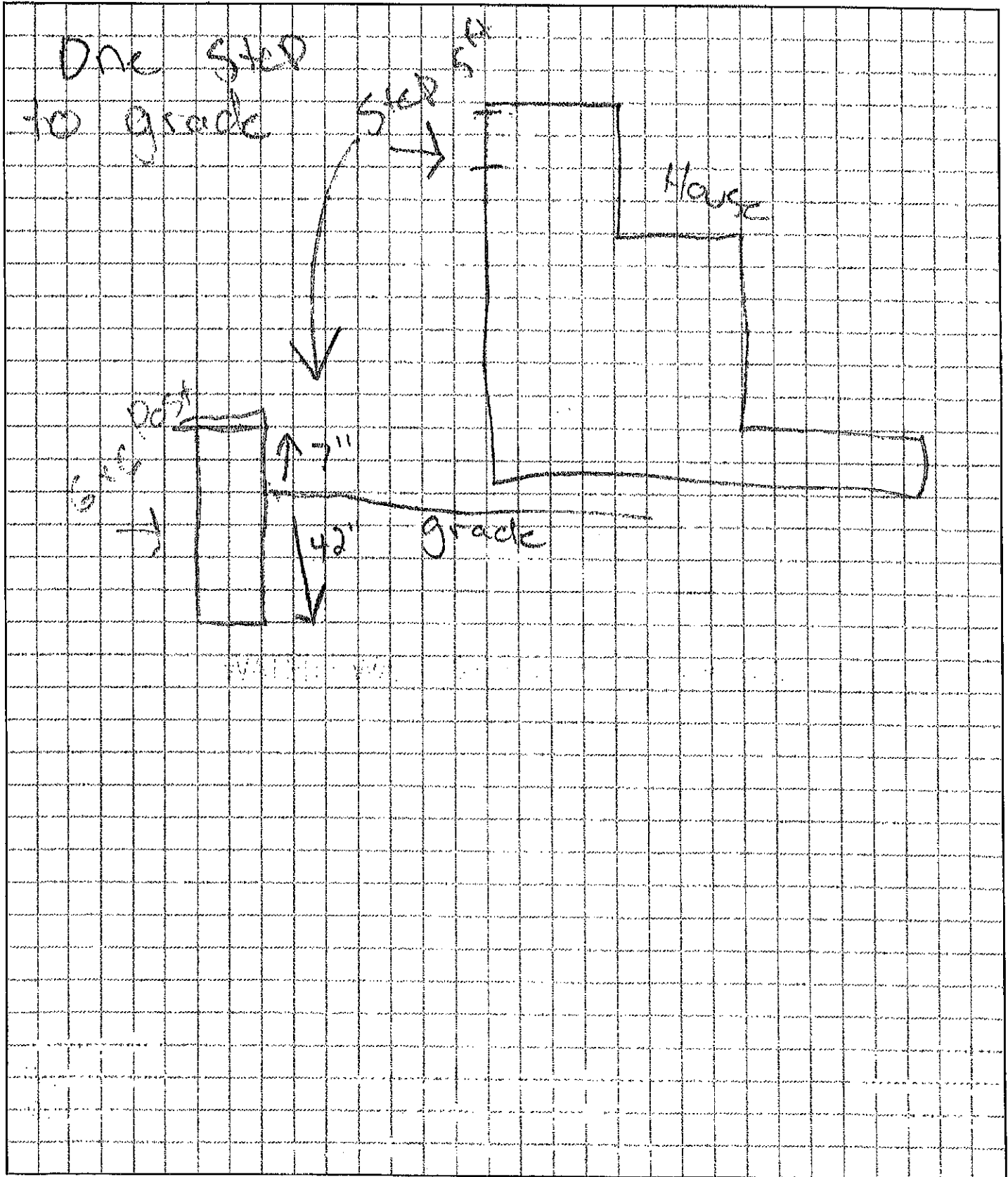
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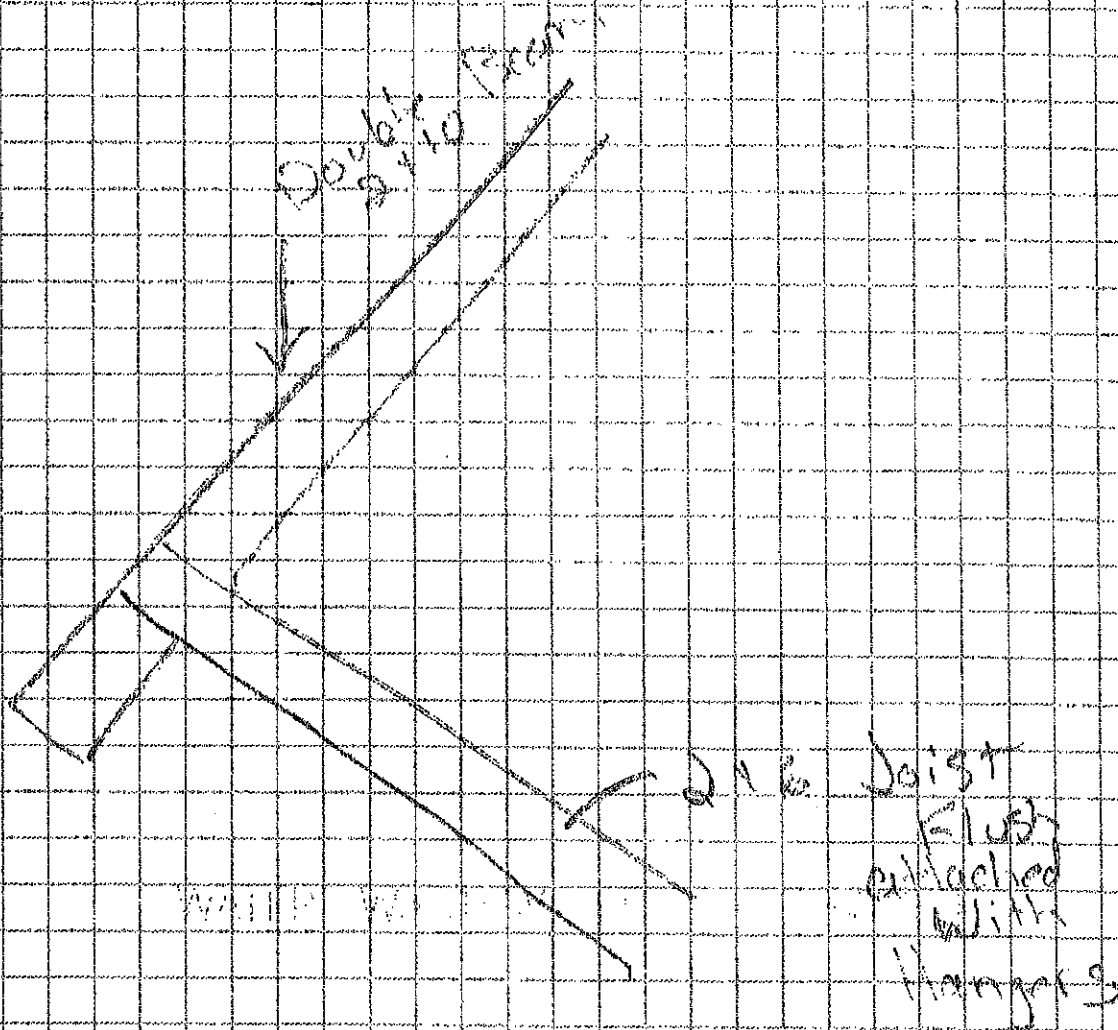
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WATER • WASTEWATER • STORMWATER
SOLUTIONS

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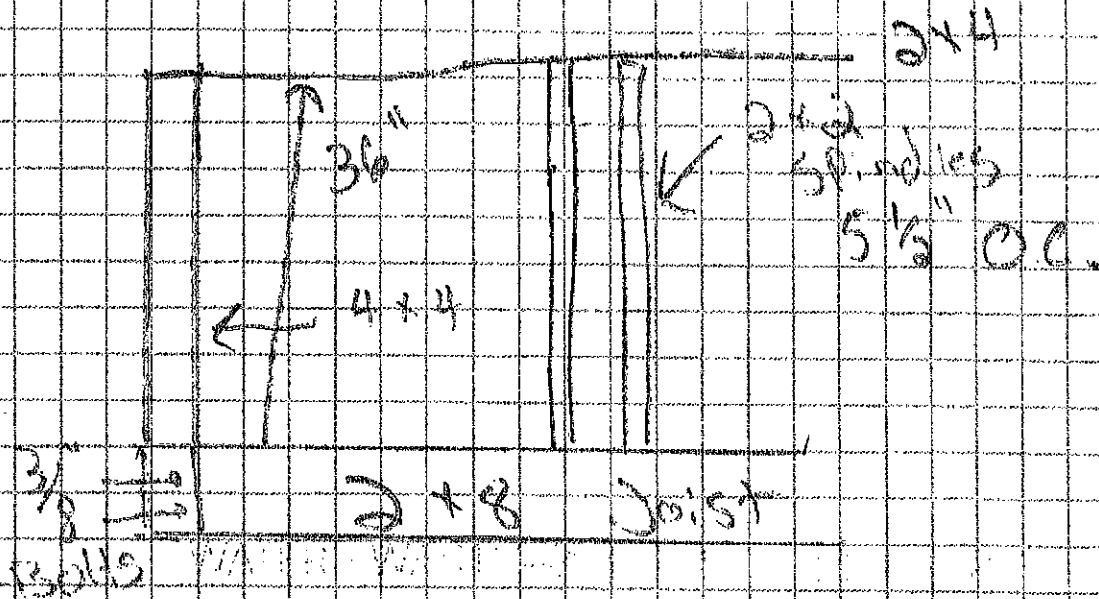


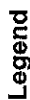


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SOLUTIONS

JOB _____
SHEET NO. _____ OF _____
CALCULATED BY _____ DATE _____
SCALE _____

Hand Rail





Parcels

1: 2,257

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**

0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION