

original



CASE NO. 1511

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 Amy Hoeh
Address 197 Behm Rd
City West Falls State NY ZIP 14170
Phone ___ Fax ___ Email mi drunner.com
Interest ___ (owner/purchaser/developer) ___

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

Property Owner(s) Name(s) SAME AS ABOVE
Address ___
City ___ State ___ ZIP ___
Phone ___ Fax ___ Email ___

III. PROPERTY INFORMATION

Property Address 197 Behm
SBL# 199.01-4-6
Property size in acres .5969 Property Frontage in feet 105
Zoning District R2 Surrounding Zoning R2, R1, RR, A
Current Use of Property SFD

IV. REQUEST DETAIL

(check all that apply)

___ Variance from Ordinance Section(s) # ___
☒ Special Use Permit for: 116-19B
___ 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)

Amy C Hoeh
Signature of Applicant/Petitioner

Amy C Hoeh
Print name of Applicant/Petitioner

State of New York; County of Erie

On the day of in the year 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

(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: 7/19/25 Receipt #: 713215

Application reviewed by: ML

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 - 5 dogs is requested.

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)

**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 l - 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 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: 197 Behm Rd., W. Falls

5a. S.B.L. of Property: 199.00-4-6

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: Request for five dogs is two more than allowed by 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 _____. 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

July 14, 2025

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(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507

Amy Hoeh
197 Behm Road
West Falls, NY 14170

Ms. Hoeh:

The Building Department has reviewed your request for five (5) dogs on your property at 197 Behm Road (SBL 199.0-4-6). The request has been denied because it exceeds the allowable number of dogs in your zoning district.

Section 116-19B

Required: No more than three dogs over the age of four months shall be kept, harbored or maintained in any R, A or C District. The Zoning Board of Appeals may grant temporary or permanent permission to keep more than three dogs on such conditions as it may require.

Requested: 5

Variance: 2

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,

A handwritten signature in black ink, appearing to read "Richard Miga".

Richard Miga
Assistant Code Enforcement Officer

600.0 TO WEST LINE L. 2452 P. 231

100.0

NORTH LINE LOT 47

90'-00"

90'-00"

FND.
I.P.
FENCE
1/2 W

FND.
I.P.

FRAME
HOUSE
BRK. FRT.
NQ. 186

81.80

273.0

322.0

24.25
22.10
19.60
28.20
32.50
23.85
wood deck
ENCL. PATIO

GAS
Electric

Pool

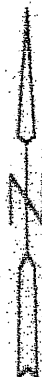
Pump
F. 1165
Heater

Fence

FENCE
ON 70' W
FND.
I.P.

TOP OF BANK

CENTER OF RAVINE
114.7 ±



4' fence to meet State Codes
Door alarm

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE
AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN
EXAMINATION OF SUCH

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION
OF SECTION 7209 PROVISION 2 OF THE N.Y. STATE EDUCATION LAW

THIS SURVEY NOT VALID UNLESS
EMBOSSED WITH SEAL 049234

SURVEY

A PART OF LOT 47, TOWNSHIP 9, RANGE 6
HOLLAND LAND COMPANY SURVEY
TOWN OF AURORA, ERIE COUNTY, NEW YORK

THOMAS P. RYAN
LICENSED LAND SURVEYOR

P.O. BOX 327, LANCASTER, NY 14086

C-1470 APPROVED FOR RECORDING 10/2/99 BY 31599

DATE: SEPTEMBER 30, 1999

RESURVEY

SCALE: 1" = 50'

F.B.

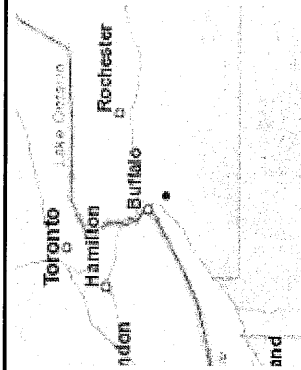


Erie County On-Line Mapping Application



Legend

□ Parcels



0 0.04 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: 2,257

