

Meeting w/ Dan Murray
after 12/21/23 meeting



TABLED - 12/21/23
- pending council

CASE NO. 1456

Adjourned 8/20/26
DATE OF HEARING 12/21/23

11/18/24 tabled until March.

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 Christine + James Elvers
Address 1305 Jewett Holmwood Road
City Orchard Park State NY ZIP 14127
Phone 716-907-2786 Fax _____ Email cbosinski61@yahoo.com
Interest in the property (ex: owner/purchaser/developer) _____

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

Property Owner(s) Name(s) Christine Bosinski (Elvers) + James Elvers
Address same as above
City _____ State _____ ZIP _____
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 1305 Jewett Holmwood Rd.
SBL# 174.13-2-3
Property size in acres 0.69 Property Frontage in feet 0'
Zoning District R1 Surrounding Zoning R1
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)

☒ Variance from Ordinance Section(s) # 99-31A(6) & 116-8.1E(4)
☐ 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)

Christine B. Elvers

Signature of Applicant/Petitioner

Christine B. Elvers

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 7th day of November 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.

Sheryla A. Miller

Notary Public

SHERYLA. MILLER

Reg. #01MI6128663

Notary Public, State of New York

Qualified In Erie County

Commission Expires June 13, 2025

(Notary stamp)

Office Use Only:

Date received: _____

Receipt #: _____

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 sheet

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)

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



TOWN CLERK
Jeanne H. Viger
(716) 652-3280
townclerk@townofaurorany.gov

TOWN OF AURORA

Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurorany.gov

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(716) 652-7591
building@townofaurorany.gov

ASSESSOR

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assessor@townofaurorany.gov

DIR. OF RECREATION

Christopher Musshafen
(716) 652-8866
chris@townofaurorany.gov

TOWN ATTORNEY

Brigid M. Maloney

TOWN JUSTICE

Jeffrey P. Markello
James Granville

HISTORIAN

Robert L. Goller
(716) 652-7944
historian@townofaurorany.gov

FAX: (716) 652-3507

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

Christine & James Elvers
1305 Jewett Holmwood Rd
Orchard Park, NY 14127

July 15, 2026 **REVISED**

Mr. & Mrs. Elvers,

The Building Department has received the notification that you have purchased the vacant lot behind you and combined both lots. Adjourned Zoning Board of Appeals Case #1456 may proceed in order to keep the shed in front of your house on your Open Development Area lot.

Section 99-14A and 116-8.1E(4)
Requirement: No accessory building/structure shall be erected in the front yard.
Requested: Existing shed in front yard
Variance: Shed in front yard

Section 99-31A(1)
Requirement: Minimum lot size of 3 acres.
Requested: Combined lot size of 1.58 acres.
Variance: 1.42 acres

Section 99-31A(6)
Requirement: Side yard setback a minimum of 50' for an accessory structure/building.
Requested: Existing shed with side yard setback of 9.88'
Variance: 40.12'

Section 99-31A(5)
Requirement: Front yard setback minimum of 200' for a dwelling
Requested: Existing dwelling with front yard setback of 51.10'
Variance: 148.9'

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



Michael P. Kearns
Erie County Clerk
92 Franklin Street
Buffalo, New York 14202

To: James and Christine Elvers

1305 Jewett Holmwood Road

Orchard Park, NY 14127

NOTICE

From

County Clerk Michael P. Kearns

regarding a change in ownership

of your property

NOTICE OF SALE OR TRANSFER OF OWNERSHIP OF YOUR RESIDENTIAL PROPERTY

To: James and Christine Elvers

(name of owner of record)

Our records show that you are listed as the current owner of record for residential property:

Section: 174.13

Block: 2

Lot: 3 & 4

Located At: 1305 Jewett Holmwood Road

(street address)

Aurora

(city/town)

County of Erie, New York.

On 6/2/26, documents were filed at this office to change ownership and transfer title of your property.

(date)

To: James and Christine Elvers

(name of new owner)

If you have any questions regarding the validity of the documents, and wish to dispute the recording of the transfer, you should obtain legal counsel. If you believe you are a victim of a crime related to this recording, contact your local law enforcement agency or, if in the City of New York, the office of the sheriff.

In July of 2020 the property at 1305 Jewett Holmwood came on the market. We became aware of this property through the Zillow, a real estate application. My partner and I were taken with the pictures and description of the house so we contacted our realtor to get us an appointment. We loved the property and put in our bid. On July 16, 2020 we were notified that the homeowners accepted our bid and Jim and I scheduled the home inspection.

NOTE: I have included a photo from Zillow (45 of 49) showing the shed as it was pictured. Note that it is *permanent* structure which has been landscaped and has a metal roof to match the metal roof on the house. According to the previous homeowners the roof was installed approximately four years prior to going on the market in 2020, therefore about 2016.

While the shed does sit in a location that is in front of the structure of the house, we were unaware that the previous owners erected the shed without a permit. The home at 1305 Jewett Holmwood was previously owned by Mary Ann Munro (née Murray) and her husband. We have since learned that the shed was erected by the Munros several years after the house was built. They choose the location of the shed to lie adjacent to the driveway. Also, since the property sits back from the road approximately 640 feet, the current location of the shed poses no aesthetic issues for neighbors.

NOTE: I have included a photo from Zillow (44 of 49) showing the view from the front of the house looking toward the road. The land in front of our home is owned by Dan Murray and is approximately 1 acre in size and currently is used for agricultural purposes as a boxwood farm and other shrubs, trees, and grasses by The Murray Brothers Nurseries and Garden Center. You can see from this picture that our house at 1305 Jewett Holmwood Road is set far back from the road and is not visible from the road due to the trees and grasses growing in the boxwood farm as well as the naturally occurring trees forming a hardwood forest which surrounds the entire property.

- 1) I have included a printout of a shed that is the approximate size and style of the shed that we currently have. The cost listed is approximately \$6200.00 and that does not include delivery or installation. Additionally, there is no reasonable place to put it that would allow for access year round. We cannot place it to the west of the house because that area is where the leach field is for our septic system and the area beyond that is wooded.
- 2) Since our property is set so far back from the road our house and shed are not visible from the road. There has never been a complaint from a neighbor regarding the placement of the shed.
- 3) The shed has been in its current location since approximately the year 2000. In the 23 or so years since the shed was erected by the Munros, no one in the neighborhood has brought issue to the Town of Aurora with the location of the shed.
- 4) The need for a variance is not a result of our own actions nor has been self-created. As detailed in the statement above, we took possession of the property at 1305 Jewett Holmwood as was described and pictured in photos posted to Zillow in July 2020. The original homeowners never revealed that the shed was erected without a permit and was in violation of an existing Town of Aurora building code.



Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

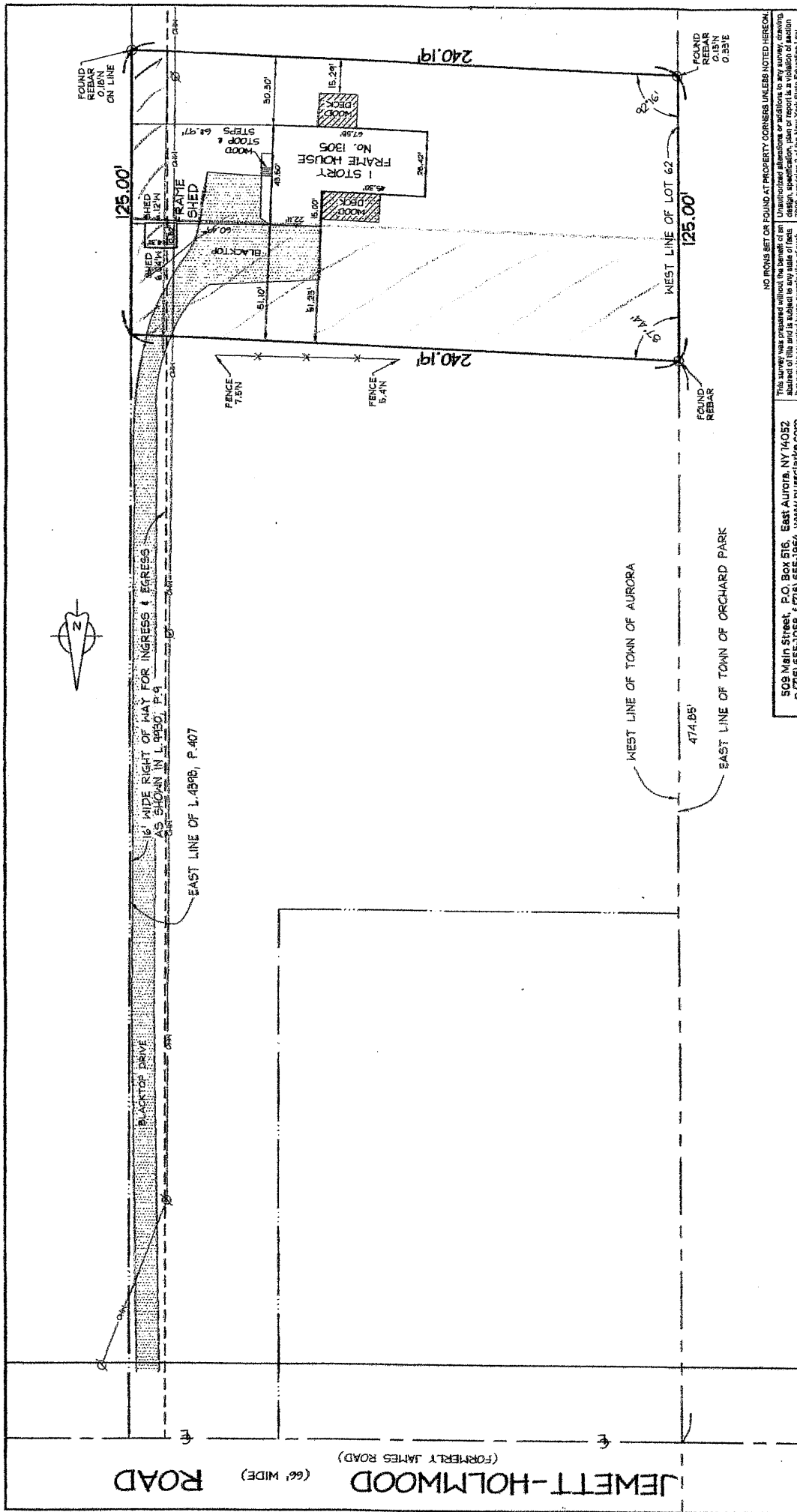
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: <i>Variance to keep shed as is.</i>			
Project Location (describe, and attach a location map): <i>1305 Jewett Holmwood (See survey attached)</i>			
Brief Description of Proposed Action: <i>To keep the shed (permanent structure) as is; including placement and landscaping.</i> <i>Note: This shed was erected by original owners 33 years ago; We bought the property in October of 2020.</i>			
Name of Applicant or Sponsor: <i>Christine and James Elvers</i>		Telephone: <i>716-907-2786 / 716-358-0469</i>	
		E-Mail: <i>chassiskie1@yahoo.com</i>	
Address: <i>1305 Jewett Holmwood Rd.</i>			
City/PO: <i>Orchard Park</i>		State: <i>NY</i>	Zip Code: <i>14127</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
			☒ ☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			☐ ☒
3.a. Total acreage of the site of the proposed action?		<i>0.69</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban)			
☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____			
☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☒	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? <u>YES</u>	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☒	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☒	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☒	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
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 plain?	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? ☒ NO ☐ YES	NO ☒	YES ☐	
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 result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Christine Bosnioti Elvers</u> Date: <u>11/7/23</u> Signature: _____		



NO POINT SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.
 This survey was prepared without the benefit of an Unrecorded Building Survey or other information that may be revealed by an examination of such.
 509 Main Street, P.O. Box 516, East Aurora, NY 14052
 p (716) 655-1058 f (716) 655-1964 www.nussbaumer.com



BOUNDARY SURVEY
1305 JEWETT-HOLMWOOD ROAD
 Part of Lot 62, Township 9, Range 6
 Holland Land Company's Survey
 Town of Aurora
 County of Erie, State of New York

Thorton A. Kanyon

Date of Survey: 8/4/2020 Scale: 1" = 40' Project No.: 2033-0369

ERIE COUNTY CLERK'S OFFICE



County Clerk's Recording Page

Return to:
BOX 431

Party 1:
MURRAY DANIEL J

Party 2:
ELVERS JAMES C JR

Book Type: D Book: 11446 Page: 6801

Page Count: 3

Doc Type: DEED

Rec Date: 06/12/2025

Rec Time: 10:31:24 AM

Control #: 2025106427

UserID: Lynn L

Trans #: 25099445

Document Sequence Number
TT2024020357

Recording Fees:

RECORDING	\$35.00
COE CO \$1 RET	\$1.00
COE STATE \$14.25 GEN	\$14.25
COE STATE \$4.75 RM	\$4.75
RP5217 CNTY \$9	\$9.00
RP5217 ST-NON RES \$241	\$241.00
TP584	\$10.00

Consideration Amount: 75000.00

BASIC MT	\$0.00
SONYMA MT	\$0.00
ADDL MT/NFTA	\$0.00
SP MT/M-RAIL	\$0.00
NY STATE TT	\$300.00
ROAD FUND TT	\$375.00

Total: \$990.00

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE

WARNING – THIS SHEET CONSTITUTES THE CLERK'S ENDORSEMENT REQUIRED
BY SECTION 319&316-a (5) OF THE REAL PROPERTY LAW OF THE STATE OF NEW
YORK. DO NOT DETACH. THIS IS NOT A BILL.

Michael P. Kearns
Erie County Clerk

TOGETHER with the appurtenances and all the estate and rights of the Grantor(s) in and to the said premises.

TO HAVE AND TO HOLD, the above granted premises unto the said Grantee(s).

AND the said Grantor(s) does covenant with the said Grantee(s) as follows:

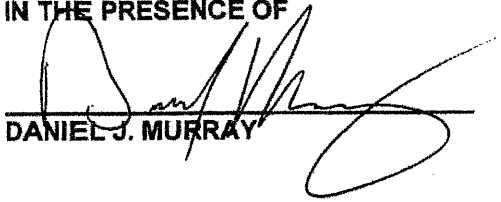
FIRST - That the Grantee(s) shall quietly enjoy the said premises.

SECOND - That the Grantor(s) will forever WARRANT the title to said premises.

THIRD - Subject to the trust fund provisions of section thirteen of the lien law.

IN WITNESS WHEREOF, the said Grantor(s) has hereunto set his hands and seals the day and year first above written.

IN THE PRESENCE OF


DANIEL J. MURRAY

STATE OF NEW YORK)

) ss:

COUNTY OF ERIE)

On the 5 day of June, in the year 2025, before me, the undersigned, a notary public in and for said state, personally appeared **DANIEL J. MURRAY** personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature(s) on the instrument, the individual(s), or person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC (affix stamp)

COURTNEY R METZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01ME8360071
Qualified in Wyoming County
My Commission Expires 06-12-2026



Michael P. Kearns
Erie County Clerk
92 Franklin Street
Buffalo, New York 14202

To: Daniel J Murray
4735 Transit Road
Orchard Park, NY 14127

NOTICE

From
County Clerk Michael P. Kearns
regarding a change in ownership
of your property

NOTICE OF SALE OR TRANSFER OF OWNERSHIP OF YOUR RESIDENTIAL PROPERTY

To: Daniel J. Murray
(name of owner of record)

Our records show that you are listed as the current owner of record for residential property:

Section: 174.13 Block: 2 Lot: 4

Located At: 0 Jewett Holmwood Road Aurora, County of Erie, New York.
(street address) (city/town)

On 6-12-25, documents were filed at this office to change ownership and transfer title of your property.
(date)

To: James C. Elvers, Jr. & Christine Elm
(name of new owner)

If you have any questions regarding the validity of the documents, and wish to dispute the recording of the transfer, you should obtain legal counsel. If you believe you are a victim of a crime related to this recording, contact your local law enforcement agency or, if in the City of New York, the office of the sheriff.

FOR COUNTY USE ONLY

C1. SWIS Code

142489

C2. Date Deed Recorded

6/12/25

C3. Book

11446

C4. Page

6801

New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location 0 Jewett Holmwood Road
* STREET NUMBER * STREET NAME

Aurora 14052
* CITY OR TOWN VILLAGE * ZIP CODE

2. Buyer Name Elvers James C., Jr.
* LAST NAME/COMPANY FIRST NAME

Elvers Christine
* LAST NAME/COMPANY FIRST NAME

3. Tax Billing Address Indicate where future Tax Bills are to be sent if other than buyer address(at bottom of form)
* LAST NAME/COMPANY FIRST NAME

STREET NUMBER AND NAME CITY OR TOWN STATE ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed 1 # of Parcels OR ☐ Part of a Parcel (Only if Part of a Parcel) Check as they apply:

5. Deed Property Size * FRONT FEET X * DEPTH OR 0.94 * ACRES

4A. Planning Board with Subdivision Authority Exists ☐

4B. Subdivision Approval was Required for Transfer ☐

4C. Parcel Approved for Subdivision with Map Provided ☐

6. Seller Name Murray Daniel J
* LAST NAME/COMPANY FIRST NAME

* LAST NAME/COMPANY FIRST NAME

*7. Select the description which most accurately describes the use of the property at the time of sale:

C. Residential Vacant Land

Check the boxes below as they apply:

8. Ownership Type is Condominium ☐

9. New Construction on a Vacant Land ☐

10A. Property Located within an Agricultural District ☐

10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date 4/4/25

* 12. Date of Sale/Transfer 6/1/25

* 13. Full Sale Price 75,000.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale .00

15. Check one or more of these conditions as applicable to transfer:

☐ A. Sale Between Relatives or Former Relatives

☐ B. Sale between Related Companies or Partners in Business.

☐ C. One of the Buyers is also a Seller

☐ D. Buyer or Seller is Government Agency or Lending Institution

☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)

☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)

☐ G. Significant Change in Property Between Taxable Status and Sale Dates

☐ H. Sale of Business is Included in Sale Price

☒ I. Other Unusual Factors Affecting Sale Price (Specify Below)

☐ J. None

* Comment(s) on Condition:

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YT) 24

* 17. Total Assessed Value 1,000

* 18. Property Class 311

* 19. School District Name Orchard Park Central

* 20. Tax Map Identifier(s) Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

174.13-2-4

CERTIFICATION

I Certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE
DATE 6/5/25

BUYER SIGNATURE
DATE 6/11/25

James C. & Christine Elvers

BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Elvers James C., Jr. & Christine
* LAST NAME FIRST NAME

* AREA CODE * TELEPHONE NUMBER (Ex: 90999999)

1305 Jewett Holmwood Road
* STREET NUMBER * STREET NAME

Orchard Park NY 14127
* CITY OR TOWN * STATE * ZIP CODE

BUYER'S ATTORNEY

Markello Jeffrey
* LAST NAME FIRST NAME

(716) 655-0102
* AREA CODE * TELEPHONE NUMBER (Ex: 90999999)

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



TABLED - 12/21/23
pending COUNCIL
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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building@townofaurora.com

ASSESSOR
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DIR. OF RECREATION
Christopher Musshafen
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chris@townofaurora.com

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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

November 13, 2023

Christie and James Elvers
1305 Jewett Holmwood Road
Orchard Park, NY 14127

Mr. and Mrs. Elvers:

The Building Department has reviewed the request for a shed in the front yard at 1305 Jewett Holmwood Road, Orchard Park, NY (SBL: 174.13-2-3). The request has been denied because it fails to meet the code requirements for no accessory building/structure to be erected in the front yard and side yard setback for accessory structures.

Sections: 99-14A and 116-8.1E(4)

Required: No accessory building/structure shall be erected in the front yard.

Requested: Allow for accessory building/structure in the front yard.

Variance: Grant location designated in application.

Section 99-31A(1)

Required: Minimum lot size of 3 acres

Requested: .69 acres

Variance: 2.31 acres

Section 99-31A(6)

Required: Minimum of 50' side yard setback for the accessory structure

Requested: 9.88' side yard setback

Variance: 40.12'

Section 99-31A(5)

Required: Minimum of 200' front yard setback for the dwelling

Requested: 51.10' front yard set back

Variance: 148.9'

Section 99-31A(7)

Required: Minimum of 50' rear yard setback for the dwelling

Requested: 15.29' rear yard set back

Variance: 34.71'

ADD width of driveway is REQUIRES ENLARGEMENT CERTIFICATION

3/21/24 - pending SUE ROW (Dedicated to property) will still remain.

- TABLED TILL 1/25
- survey
- zoning of lot
- 9600

2/20/25 -
- CONTRACT w/ MURRAY EXTENDED UNTIL 3/15/25
- pending CONCORD SALE - 60 days

- EASEMENT TO ROAD of PROPERTY ONLY.

TABLED UNTIL 6/30/25
- SBL COMBINED
- DEED / SURVEY