



CASE NO. 1538
DATE OF HEARING 4/16/26

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 JOHN D. SIXT III
Address 296 FALLS RD
City WEST FALLS State NY ZIP 14170
Phone (716) 983-1265 Fax _____ Email JKSPROCESS@MAC.COM
Interest in the property (ex: owner/purchaser/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 296 FALLS RD WEST FALLS NY 14170
SBL# 199.00-3-52.112
Property size in acres 1.25 Property Frontage in feet 200
Zoning District RR/A Surrounding Zoning RR/A
Current Use of Property SFD

IV. REQUEST DETAIL

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-B.4C(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)



Signature of Applicant/Petitioner

John D. Sirt III

Print name of Applicant/Petitioner

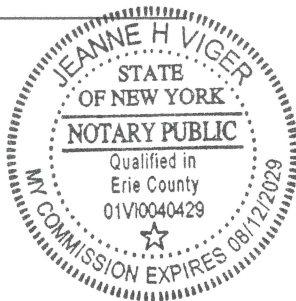
State of New York; County of Erie

On the 14th day of March in the year 2026 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)



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)

STORAGE

I HAD PLANNED FOR ATTIC STORAGE SPACE
BUT DECIDED TO ADD A PERMANENT
STAIRCASE FOR EASIER ACCESS.

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@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.gov

TOWN COUNCIL MEMBERS

Luke Wochensky
lwochensky@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

Raymond M. Wrazen
rwrazen@townofaurora.com

SUPT. OF HIGHWAYS
David M. Gunner
(716) 652-4050
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(716) 652-7591
building@townofaurora.com

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(716) 652-0011

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

TOWN ATTORNEY
Brigid M. Maloney

TOWN JUSTICE
Jeffrey P. Markello
James Granville

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

FAX: (716) 652-3507

March 6th, 2026

John Sixt III
296 Falls Road
West Falls, NY 14170

John,

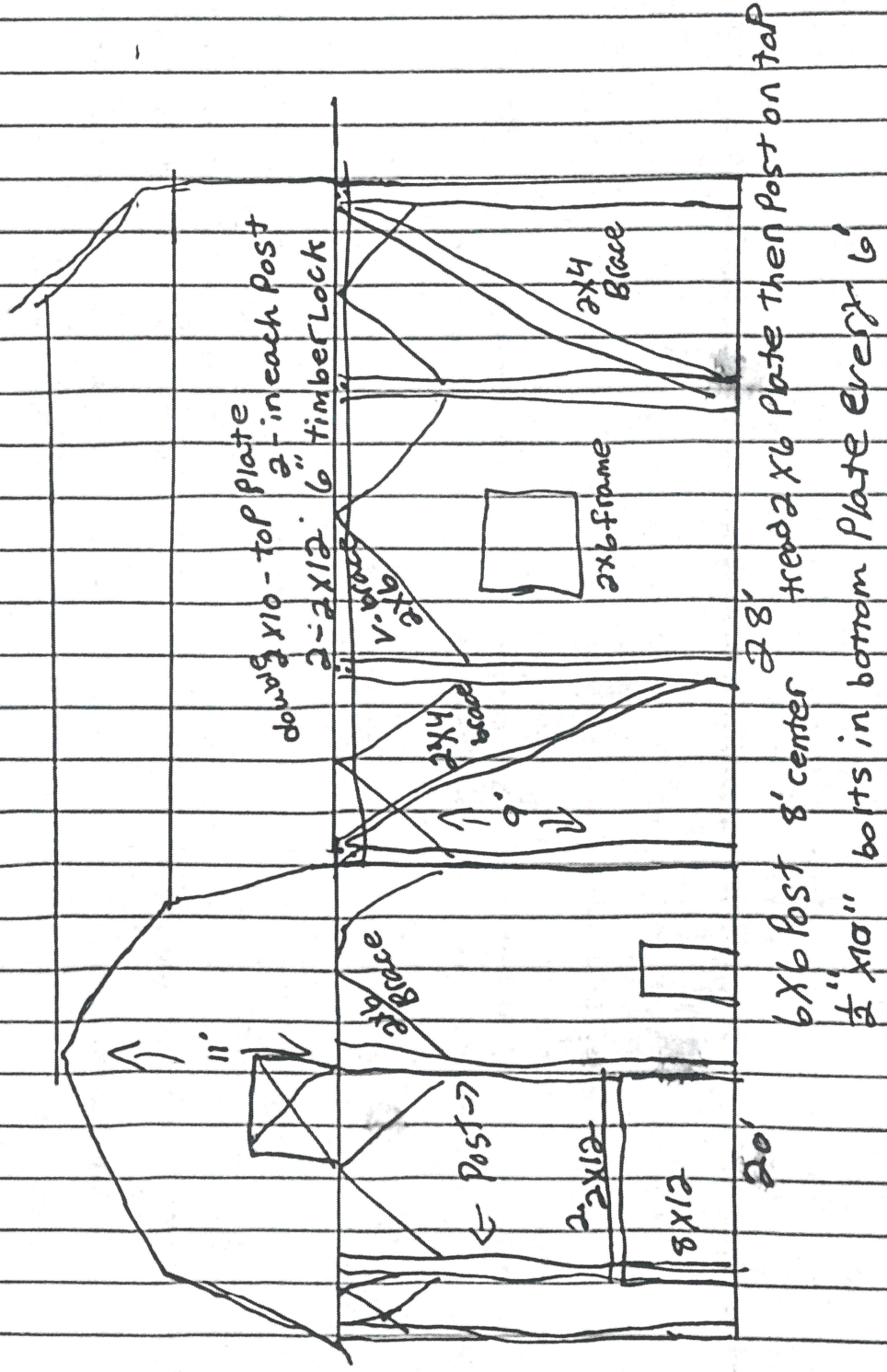
The Building Department has reviewed your request for a two-story accessory structure (shed) to at 296 Falls Road. The request has been denied because it fails to meet the requirement for building height of an accessory structure in the Rural Residential (RR) zoning district in which the accessory structure (shed) is located.

Sections 116-8.4C(2)
Required: For accessory buildings/structures: One story not to exceed 15 feet.
Requested: Two-story accessory structure
Variance: One (1) additional story

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



6x6 post 8' center
 2x10" bolts in bottom plate every 6'
 2x8" head 2x6 plate then post on top

20w x 28L x 15H

BUILT ON CONCRETE
PAD

"FRONT"
VIEW

15 ft

6 FT
ATTIC
SPACE

Window
or
Door

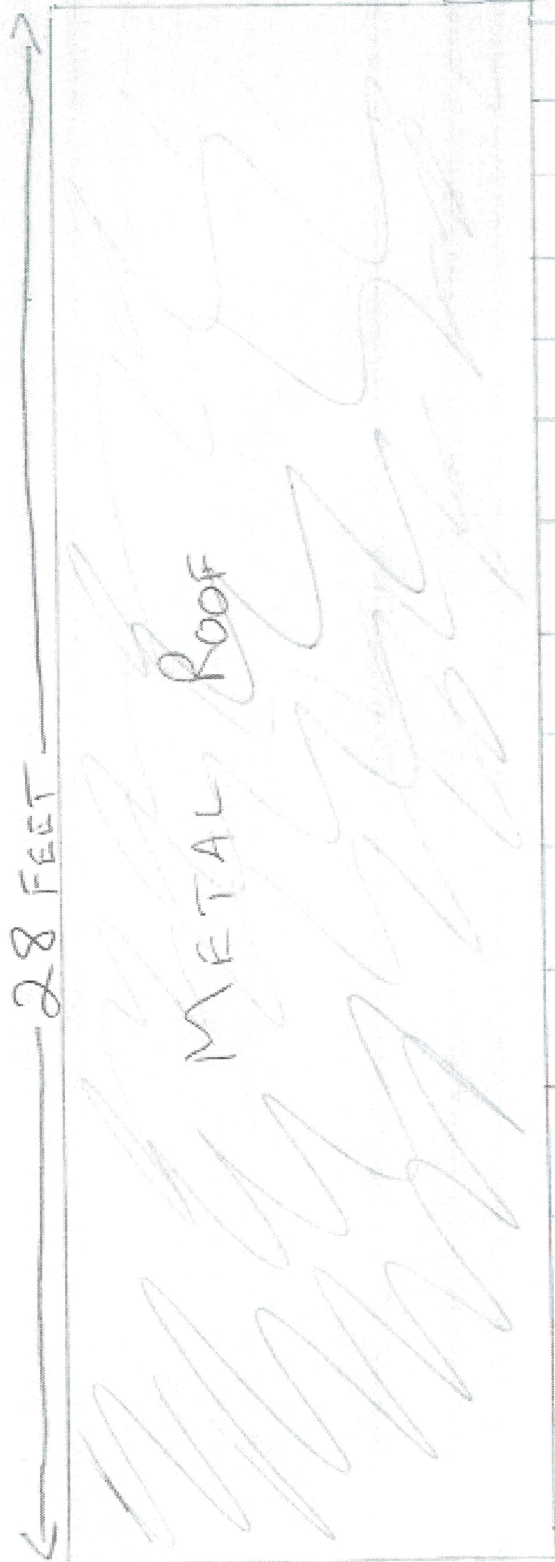
16 ft

8 ft

9 ft walls

"SIDE VIEW"

28 FEET



METAL SIDING

34' x 36"

WINDOW
EACH
SIDE

36x80
man DOOR

15 FEET

Amish built 20x28x15 Shed (296 Falls Rd.)

*These are the specs that he told me you would need

2x4 walls 24" O.C.

2x6 top plate

2x6 skids

Attic trusses 24" O.C.

2x4 purlins

3/4" plywood flooring for attic floor

8' x 16' garage door

2x10 header

Wall height is 9'

Truss height 6'

36x80 man door

(2) 24x36 windows

*Front opening above garage door may be a window or small opening for storage access

Therma Guard underlayment

Metal siding

Metal roof

Vinal Soffit

Metal facia

01-16-2020 9:38 AM
01/16/2020 Thu 10:38

972-888-9966

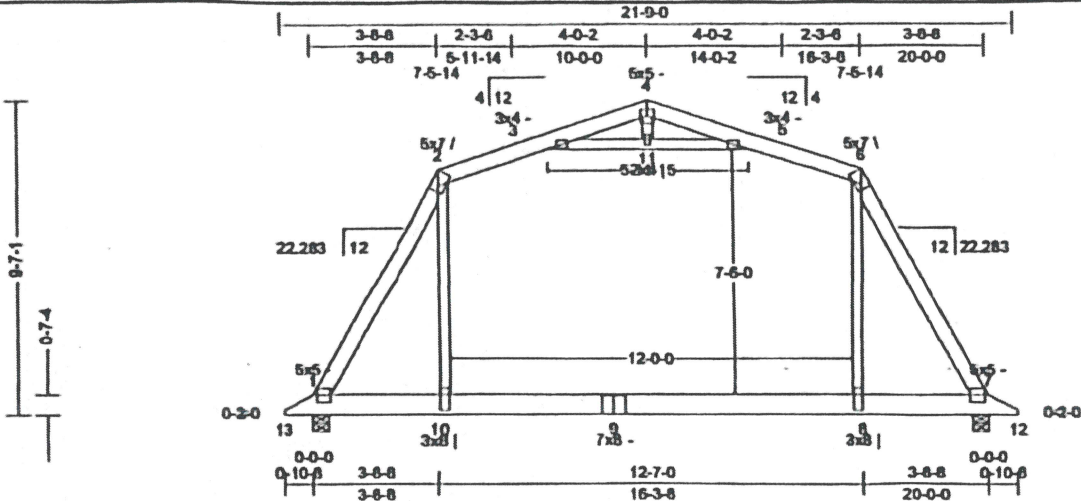
→ R L Custom Truss [10631]

Eagle Metal Products 972-888-9966
R&L Custom Truss
5164 Harris Rd
Randolph, NY 14772

pg 4 of 5
ID: #151463 Page 4 of 5

Truss: T02
Job: RLC01103
Date: 01/16/20 09:36:39
Page: 1 of 1

SPAN	PITCH	QTY	OH1	OH2	CANTL	CANTR	PLYS	SPACING	WGT/PLY
20-0-0	22.283/12	1	0-0-0	0-0-0	0-0-0	0-0-0	1	24 in	137 lbs



All plates shown to be Eagle 20 unless otherwise noted.

Loading (psf)	General	CSI	Deflection	L/	(loc)	Allowed
TCLL: 36.4	Blg Code: IBC2009/	TC: 0.31 (2-3)	Vert TL: 0.41 in	L/561	(8-9)	L/240
TCDL: 10	TPI 1-2007	BC: 0.56 (7-8)	Vert LL: 0.24 in	L/960	(8-9)	L/360
BCLL: 0	Rep Mix: Yes	Web: 0.24 (6-8)	Cnt/OH TL: 0.03 in UP	2L/615	12	2L/120
BDDL: 10	Lumber D.O.L.: 125 %		Cnt/OH LL: 0.03 in	2L/616	12	2L/120
			Horz TL: 0.02 in		7	

Reaction	JT	Byz Combo	Byz Width	Rqd Byz Width	Max React	Max Grav Uplift	Max MWFRS Uplift	Max C&C Uplift	Max Uplift	Max Horiz
1	1	5.5 in	2.53 in	2,145 lbs			-34 lbs	-86 lbs	-86 lbs	-64 lbs
7	1	5.5 in	2.53 in	2,145 lbs			-34 lbs	-86 lbs	-86 lbs	

Material

TC: SPF 16S01.5 2 x 6
BC: SP 24001.7 2 x 8
Web: SPF 16S01.5 2 x 4

Bracing

TC: Sheathed or Purins at 5-9-0, Purin design by Others.
BC: Sheathed or Purins at 10-0-0, Purin design by Others.

Limits

- 1) This truss has been designed for the effects of balanced (36.4 psf) and unbalanced sloped roof snow loads in accordance with ASCE7-05 with the following user defined input: 55 psf CSL, Terrain C, Exposure (C_e = 1.0), Building Category II (I = 1.00), Thermal (C_t = 1.10), DOL = 1.15. Unobstructed slippery surface. If the roof configuration differs from hip/gable, Building Designer shall verify snow loads.
- 2) This truss has been designed for the effects of wind loads in accordance with ASCE7-05 with the following user defined input: 90 mph, Exposure C, Enclosed, Gable/Hip, Building Category II (I = 1.00), b-B-L = 25 ft, Not End Zone Truss, Both end webs considered. DOL = 1.60
- 3) This truss has been designed for the effects of TCLL = 20 psf.
- 4) Minimum storage attic loading has not been applied in accordance with IBC 1607.1
- 5) In accordance with IBC 1607.1, minimum BCLL's do not apply

Member Forces

Table indicates Member ID, max CS, max mid force, (max comp. force if different from max mid force). Only forces greater than 300 lbs are shown in this table.

TC	1-2	0.256	-2,567 lbs		3-4	0.302	-923 lbs		5-6	0.312	-3,716 lbs	
	2-3	0.312	-3,716 lbs		4-5	0.302	-923 lbs		6-7	0.256	-2,567 lbs	
BC	12-7	0.107	718 lbs	(9 lbs)	8-9	0.536	1,128 lbs		1-3	0.107	718 lbs	(9 lbs)
	7-8	0.536	1,128 lbs	(9 lbs)	10-1	0.536	1,128 lbs	(9 lbs)				
Web	2-10	0.240	1,473 lbs		5-11	0.090	-704 lbs					
	3-11	0.090	-704 lbs		6-8	0.240	1,473 lbs					

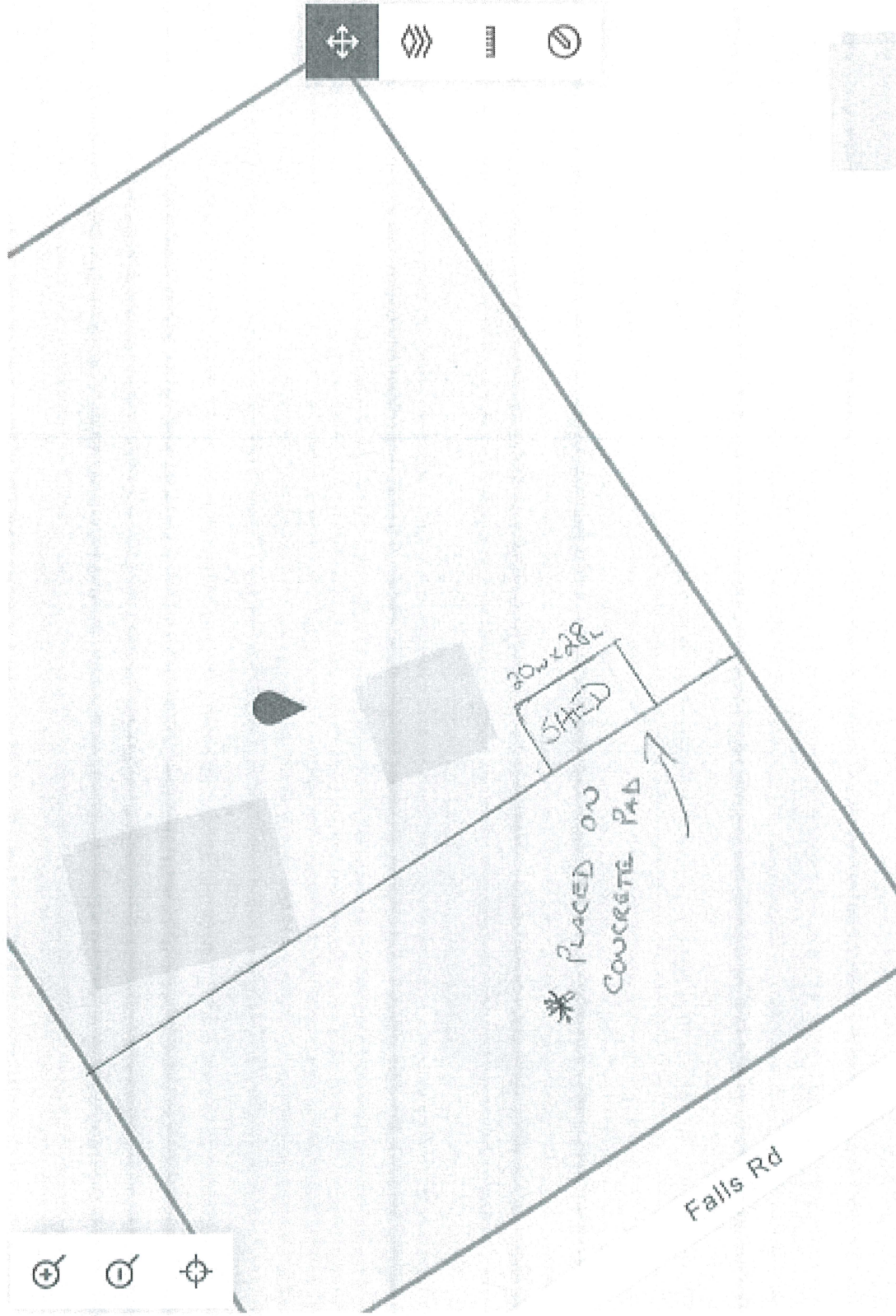
Notes

- 1) Unless noted otherwise, do not cut or alter any truss member or plate without prior approval from a Professional Engineer.
- 2) Attic floor area has been designed as a living area with 40 psf floor live load and a 10 psf floor dead load, and the interior vertical webs and ceiling has been designed for a 5 psf dead load.
- 3) Brace bottom chord with approved sheathing or purins per Bracing Summary.
- 4) At least one web of this truss has been designed with a panel point in the web. All panel points on such webs shall be braced laterally perpendicular to the plane of the truss. Lateral braces shall be installed within 6" of each web panel point.
- 5) A creep factor of 1.50 has been applied for this truss analysis.
- 6) Listed wind uplift reactions based on MWFRS & C&C loading.

ALL PERSONS FABRICATING, HANDLING, ERECTING OR INSTALLING ANY TRUSS BASED UPON THIS TRUSS DESIGN DRAWING ARE INSTRUCTED TO REFER TO ALL OF THE INSTRUCTIONS, LIMITATIONS AND QUALIFICATIONS SET FORTH IN THE EAGLE METAL PRODUCTS DESIGN NOTES ISSUED WITH THIS DESIGN AND AVAILABLE FROM EAGLE UPON REQUEST. DESIGN VALID ONLY WHEN EAGLE METAL CONNECTORS ARE USED.

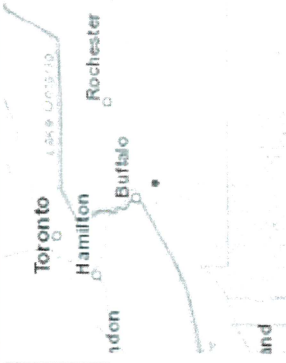
TruBuild® Truss Software v5.6.35
Eagle Metal Products

1110711-0003/0004





Erie County On-Line Mapping Application



Legend

Parcels



0 0.02 0.0 Miles

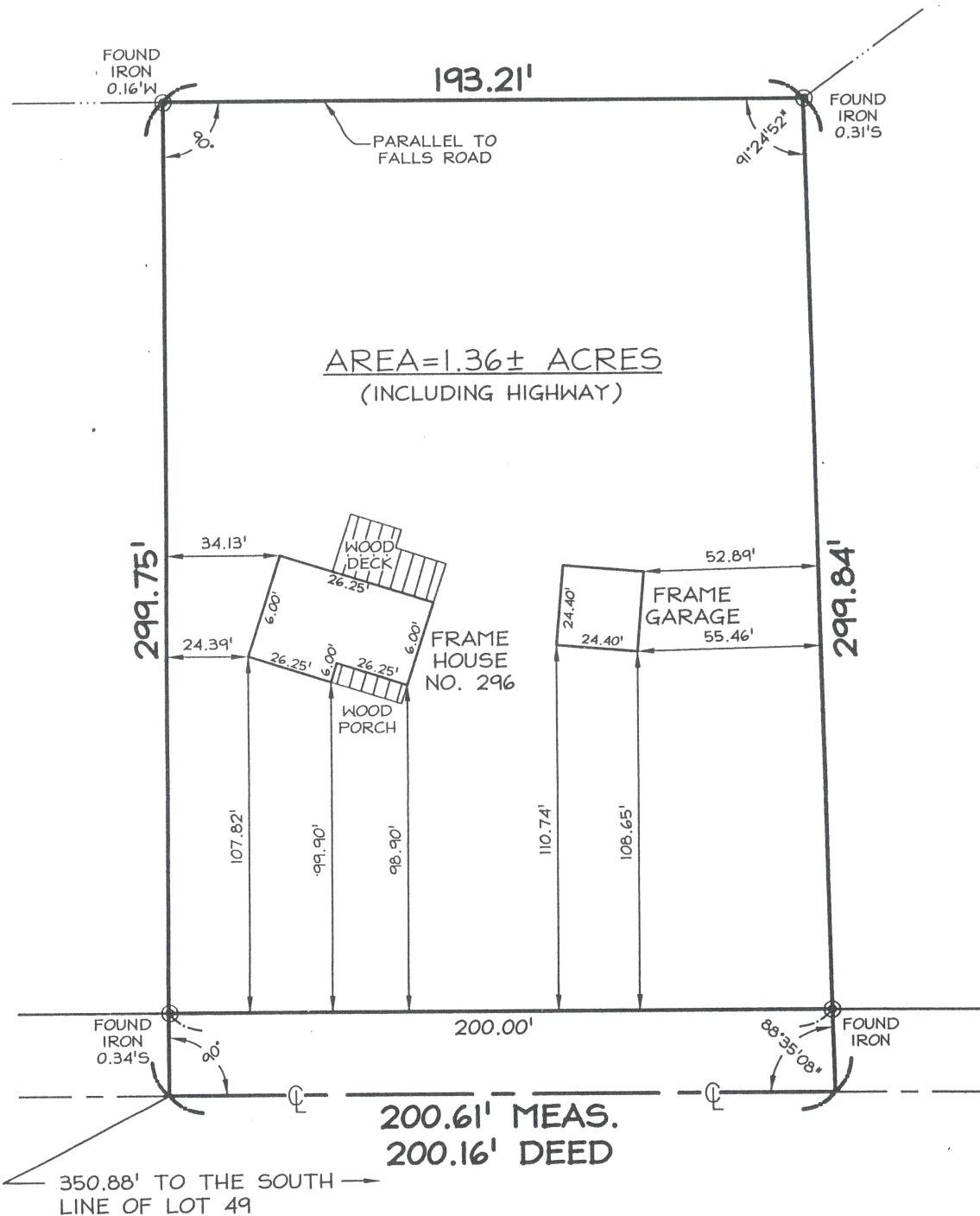
WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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: 1,128





FALLS (49.5' WIDE) ROAD



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 alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Department.

PART OF LOT(S) : 49 SECTION : TOWNSHIP : 9 RANGE : 6
LOCATION : TOWN OF AURORA COUNTY OF ERIE STATE OF NEW YORK SCALE: 1"=50'



KIND	DATE	FOR	JOB NO.
SURVEY	8/5/03	DIFILIPPO FLAHERTY	03J2-0651

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: Additional garage/shed/storage			
Project Location (describe, and attach a location map): Next to existing two car garage on the property at 296 Falls Rd.			
Brief Description of Proposed Action: Additional garage / shed / storage			
Name of Applicant or Sponsor: John D. Slxt III		Telephone: (716) 983-1265 E-Mail: jksprocess@mac.com	
Address: 296 Falls Rd.			
City/PO: West Falls		State: NY	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?		1.25 acres	
b. Total acreage to be physically disturbed?		> 2% acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.25 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. <u>A permitted use under the zoning regulations?</u>	☐	☒	☐
b. <u>Consistent with the adopted comprehensive plan?</u>	☐	☒	☐
6. <u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u>	NO	YES	
	☐	☒	
7. <u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u>	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u>	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. <u>Does the proposed action meet or exceed the state energy code requirements?</u>	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: <u>N/A</u>	☒	☐	
10. <u>Will the proposed action connect to an existing public/private water supply?</u>	NO	YES	
If No, describe method for providing potable water: _____	☒	☐	
11. <u>Will the proposed action connect to existing wastewater utilities?</u>	NO	YES	
If No, describe method for providing wastewater treatment: <u>N/A</u>	☒	☐	
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. <u>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?</u>	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: _____			

Box 131

DEED-WARRANTY with Lien Covenant

THIS INDENTURE, Made the 7th day of September, Two Thousand and Three.

Between

DANIEL J. SCHWENK, residing at 296 Falls Road, West Falls, New York 14170.

Grantor and

JOHN D. SIXT III and KAREN L. SIXT, husband and wife, residing at 424 Woodside,
Buffalo, New York 14220

Grantees.

Witnesseth, that the said Grantors, in consideration of One and More Dollars (\$1.00 and more) lawful money of the United States, paid by the Grantees do hereby grant and release unto the Grantees, their heirs and assigns forever

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Aurora, County of Erie and State of New York, being part of Lot Number 49, Township 9, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Lot Number 49 of the Holland Land Company's Survey, which point is also in the center line of the Falls Road (between the Township of Aurora and Colden), distant 561.9 feet east of the southwest corner of said Lot Number 49; running thence northwesterly along the center line of Falls Road, a distance of 350.88 feet to the true point of beginning; running thence northeasterly at an interior angle of 90° to said Falls Road a distance of 299.75 feet to a point; running thence southeasterly and parallel with Falls Road a distance of 193.21 feet to a point; running thence southwesterly at an interior angle of 91° 24' 52" a distance of 299.84 feet to the center line of the Falls Road; running thence northwesterly along the center line of the Falls Road, 200.16 feet to the point of beginning.

R 1459883
DWM 1002
AUR-163,000
DIB-2

Together, with the appurtenances and all the estate and rights of the Grantor in and to the said premises.

To have and to hold, the above-granted premises unto the said Grantees.

And the said Grantor does covenant to Grantees as follows:

First. - That the Grantees shall enjoy the premises.

Second. - That the Grantors will forever Warrant the title to said premises.

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

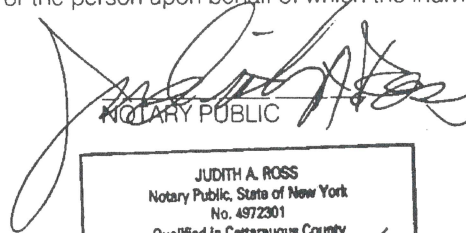
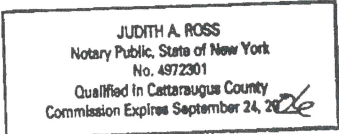
In Witness Whereof, The said Grantors has set his hands and seal the day and year first above written.

In Presence of


____ L.S.
DANIEL J. SCHWENK

State of New York }
County of Erie } SS.

On this 4th day of September, Two Thousand and Three, before me, the undersigned, a notary public in and for said state, personally appeared DANIEL J. SCHWENK, personally known to me or proved 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 executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC

JUDITH A. ROSS
Notary Public, State of New York
No. 4972301
Qualified in Cattaraugus County
Commission Expires September 24, 2006

ERIE COUNTY CLERKS OFFICE
County Clerk's Recording Page

Return To:

BOX 131

Index DEED LIBER

Book 11054 Page 4515

No. Pages 0003

Instrument DEED

Date : 9/08/2003

Time : 2:02:58

Control # 200309081002

OLDTT

TT# TT 2003 003417

Employee ID DWM

SCHWENK
DANIEL
SIXT
JOHN
SIXT
KAREN

J
D III
L

COUNTY	\$	24.00
STATE E&A	\$	41.00
COE STATE	\$	4.75
TRANSFER	\$	652.00
NFTA TT	\$	815.00
COUNTY E&A	\$	9.00
COE COUNTY	\$	1.00
COE ST GEN	\$	14.25
	\$	.00

Total: \$ 1,561.00

STATE OF NEW YORK
ERIE COUNTY CLERKS OFFICE

TRANSFER TAX

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

CONSIDERATN \$ 163,000.00

TRANSFER TAX \$ 1,467.00

DAVID J SWARTS
COUNTY CLERK



D110544515