ZBA 8/20/26

CASE NO. 1549

DATE OF HEARING 8/20/26

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

X AREA VARIANCE ____ SPECIAL USE PERMIT ____ USE VARIANCE ____ INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name Robert Bannister
Address 1776 Blakeley Corners Road
City East Aurora State NY ZIP 14052
Phone 716-440-4918 Fax _____ Email robertbann@yohoo.com
Interest in the property (ex: owner/purchaser/developer) Owner

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

Property Owner(s) Name(s) Robert & Lori Bannister
Address 1776 Blakeley Corners Road
City East Aurora State NY ZIP 14052
Phone 716-440-9418 Fax _____ Email robertbann@yohoo.com

III. PROPERTY INFORMATION

Property Address 1776 Blakeley Corners Rd
SBL# _____
Property size in acres 4.78 Property Frontage in feet 289'
Zoning District _____ Surrounding Zoning _____
Current Use of Property Homestead

IV. REQUEST DETAIL

(check all that apply)

✓ Variance from Ordinance Section(s) # allow columns to be 62". TOA 116-28A
___ 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)*

Robert Bannister

Signature of Applicant/Petitioner

Robert Bannister

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 7th day of July in the year 2021 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)

ERIK URBANK
Notary Public, State of New York
Qualified in Erie County
Reg. No. 01UR0038747
My Commission Expires June 25, 2029

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)

Request a variance to allow two stone driveway columns to exceed the height of the rail fence. Columns to be 3' x 3' x 5'. Photo has been provided. The columns will exhance the owners property's ~~and~~ appearence and neighborhood.

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)

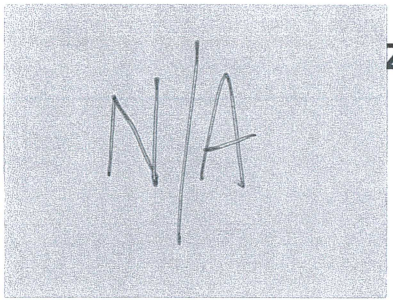
2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: _____

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)

Town of Aurora
575 Oakwood Avenue
East Aurora, NY 14052
www.townofaurora.com



Zoning Board of Appeals
Application
Owner Authorization

The undersigned, who is the owner of the premises know as:

1776 Blakely Rd. / EA, NY 14052 (address), identified as Tax Map (SBL)# 187.00-3-8.12

hereby authorizes Robert Bannister to bring an application for ( ) area variance ( ) special use permit ( ) use variance ( ) interpretation before the Town of Aurora Zoning Board of Appeals for review and potential approval. The undersigned further permits the Town or its authorized representative(s) access to the property to review existing site conditions during the review process.

Robert Bannister
Owner (print)

06/17/26
Date

Robert Bannister
Owner (signature)

STATE OF NEW YORK)
SS
COUNTY OF ERIE)

On this _____ day of _____, 20___, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known 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 he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

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

TOWN CLERK
Jeanne H. Viger
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA

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

TOWN COUNCILMEMBERS

Jessica B. Armbrust
jarmbrust@townofaurorany.gov

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 JUSTICES
Jeffrey P. Markello
James F. Granville

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

FAX: (716) 652-3507

This institution is an equal opportunity provider and employer.

June 23, 2026

Robert Bannister
1776 Blakeley Road
East Aurora, NY 14052

Robert,

The Building Department has reviewed your request for the installation of two (2) 62" high stone pillars/columns on each side of the driveway that are in association to the fencing that will be installed in the front yard at 1776 Blakeley Road. The request has been denied because it fails to meet the requirement for fence height in the Rural Residential (RR) zoning district in which the proposed fence will be located.

Sections 116-28A
Required: A wall or fence not over 3 1/2 feet (or 42") high in any front yard or side-street side yard, subject to § 116-38.
Requested: 62" to the top of the pillars
Variance: 20"

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

ZONING BOARD OF APPEALS APPLICATION FORM AND INSTRUCTIONS

Please Read Carefully

The Zoning Board of Appeals (ZBA) has the power to issue interpretations of the Zoning Ordinance and to grant area variances, use variances and use permits.

Application requirements:

1. Prior to seeking a variance from the ZBA, the Applicant/Property Owner must receive a denial from the Building Department for a building permit, a decision from the Code Enforcement Officer, or a referral from the Planning Board or Town Board.

2. Completed applications must be submitted *by the second Monday of the month prior* to the next scheduled meeting of the ZBA. The ZBA meets the third Thursday of each month.

3. All applications must be accompanied by the proper application fee. ZBA application fee is $100.00. Checks made payable to Town of Aurora.

4. If the applicant/petitioner is not the property owner, an owner authorization form must be submitted.

5. Submit one (1) original and ten (10) copies of the following information:

- NEEDS TO BE NOTARIZED
1. ZBA application with all questions answered.
2. Petitioner's letter of intent.
3. Sketch, drawing, plan or brochure showing all dimensions of the structure that requires a variance and any other information as may be necessary (ex: photos of the property).
4. Survey prepared by a licensed surveyor, licensed architect or professional engineer showing the property involved and the location of all existing structures and proposed structures. All setback measurements must be shown on the survey.
5. A site plan showing the proposed structure and all dimensioning including distance from property lines and roadways, driveways, wells, septic, drainage ditches and any other features relevant to the variance being requested.
6. Copy of property deed.
7. Short Environmental Assessment Form (SEQRA) – Part I completed by applicant.

Incomplete applications will not be accepted for review.

Attendance at the Hearing:

The property owner, applicant, owner/applicant's attorney, engineer and/or architect or a duly authorized person must attend the public hearing.

Town of Aurora
Zoning Board Of Appeals Application Form

PETITIONER'S LETTER OF INTENT

We, Robert and Lori Bannister, the owners of the property located at 1776 Blakeley Corners Road in the Town of Aurora are proposing to build two stone pillars/columns on either side of our entrance driveway. (For facsimile of what we have done previously see Exhibit A). The top of the pillars/columns will be reinforced concrete measuring 40 inched square and 3 inches thick. On top of each pillar/column will be located a "dawn to dusk" light fixture (5 inches x 5 inches x 18 inches) each with 2 bulbs emitting a total of 60 lumens. The foundation of these pillars/columns have been relocated back 4 feet from their original location at the request of the Town of Aurora's zoning office.

This second variance has been requested by the Town of Aurora because the pillars/columns will exceed the height of our proposed 3 rail fence in violation of the town zoning regulations.

We believe the proposed pillars/columns and adjoining fence will improve, enhance and beautify our property and the neighborhood. This has effort has been our practice on the property we have owned since locating to the Town of Aurora in 1998. We have done this on the following properties: 272 Porterville Road (Exhibit A), 66 Pain Street (Exhibit B-1 &2), 186 Elmwood Avenue (Exhibit C-1 & 2) and are attempting to do the same at 1776 Blakeley Corners road.

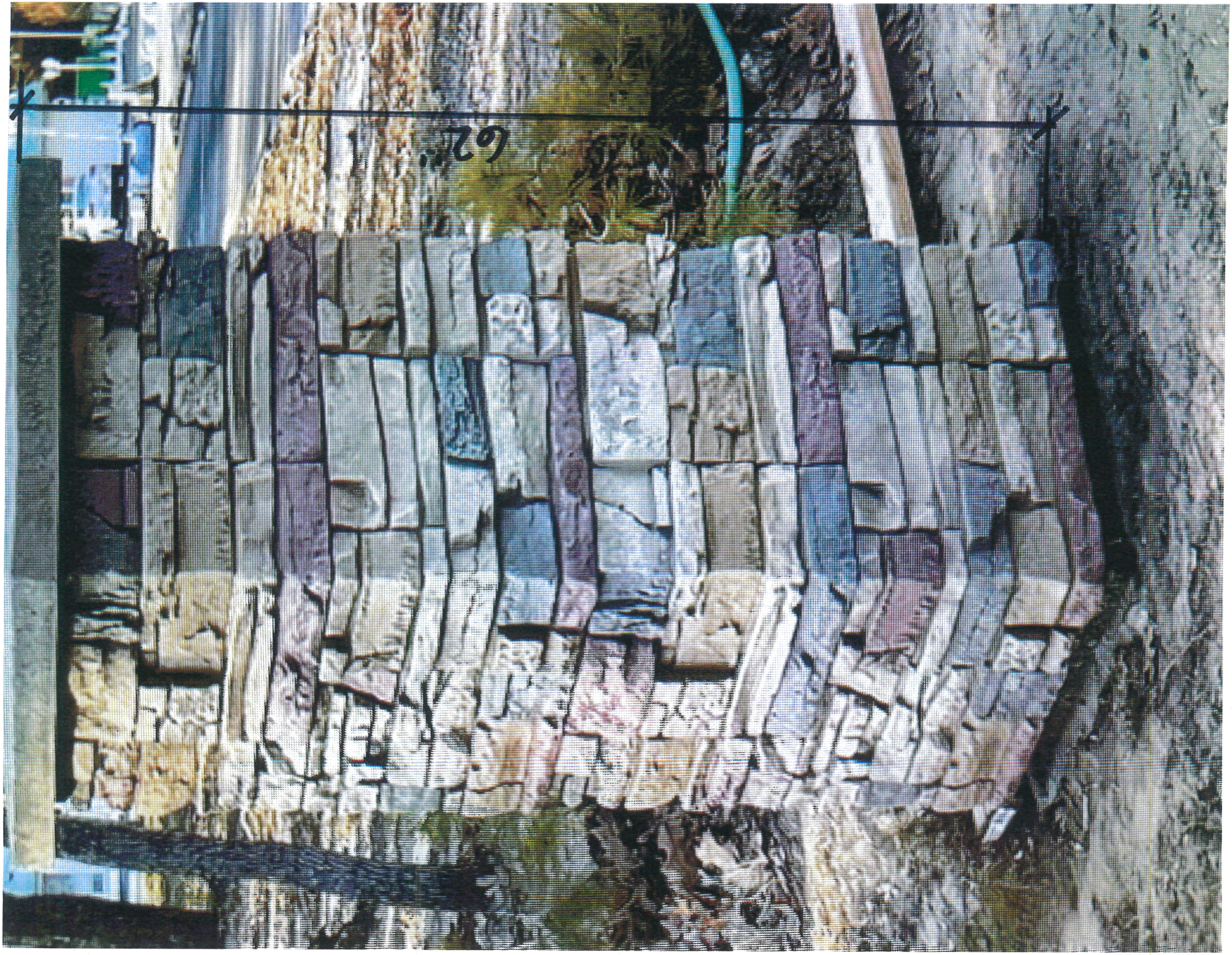



Exhibit A

Exhibit B - 1





Exhibit B-2

66 Paine Street
East Aurora, NY 14052

Exhibit C-1

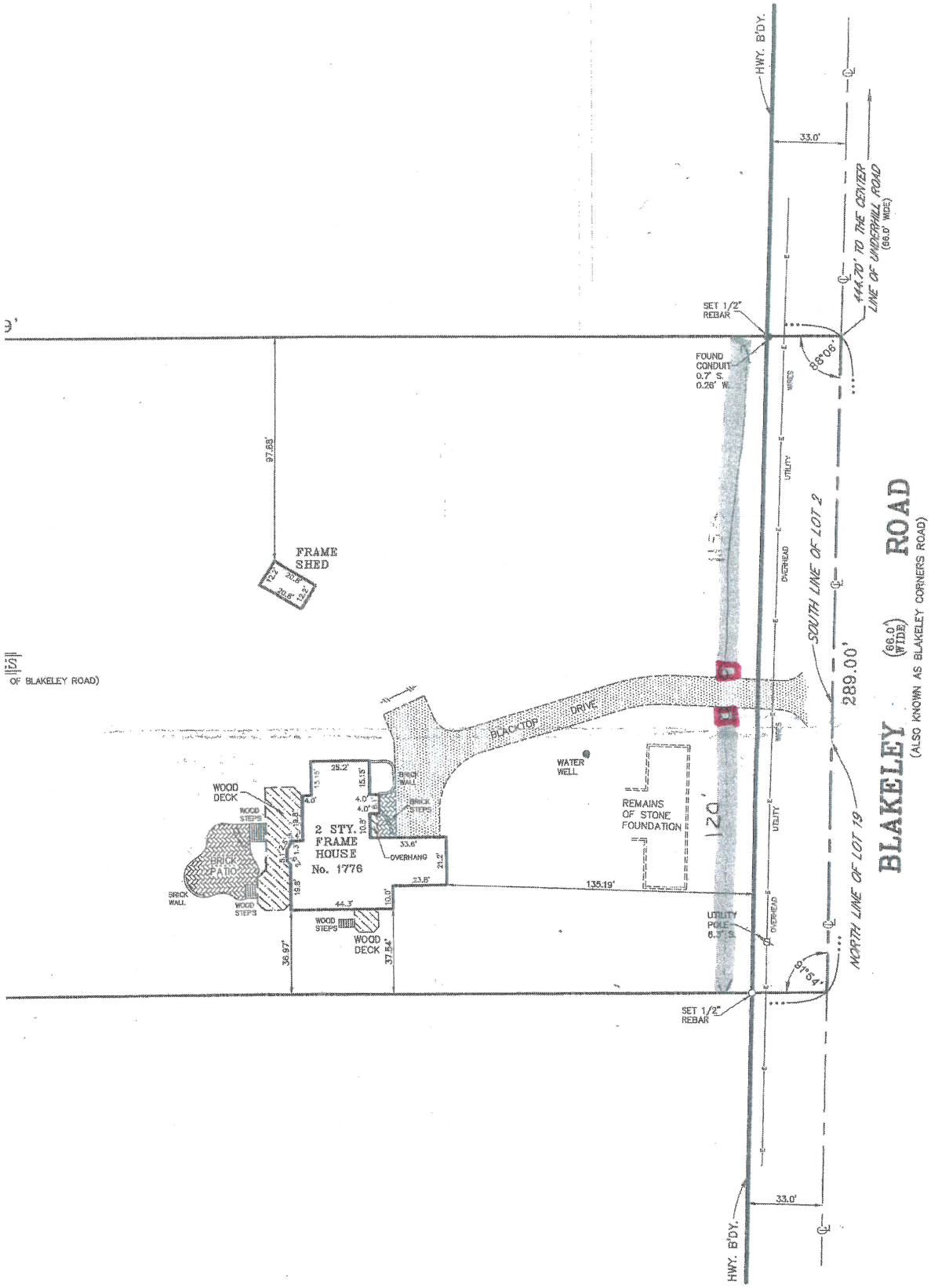
Before



Exhibit C-2

After





PART OF LOT 20, T. 9, R. 6 • TOWN OF AURORA • COUNTY OF ERIE • STATE OF NEW YORK

PAUL G. PAGANO, PLS
N.Y.S. Lic. No. 050520

— UPDATE / REVISION —		
DATE	JOB	DESCRIPTION

PAUL G. PAGANO, PLS
PROFESSIONAL LAND SURVEYOR
9653 SAVAGE ROAD
HOLLAND, NEW YORK 14080
PHONE & FA
(716) 537-21

DRAWN BY:	SHS	SCALE:	1" = 40'
CHECKED BY:	PGP	DATE:	11/17/20
JOB NO.:	20351	SHEET:	D - 631

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:
Bannister Front Fence

Project Location (describe, and attach a location map):
1776 Blakeley Corners Rd, East Aurora, NY

Brief Description of Proposed Action:
Installing two driveway columns

Name of Applicant or Sponsor:	Telephone: 716-440-9418
Robert Bannister	E-Mail: robertbann@yahoo.com
Address: 1776 Blakeley Corners Rd	
City/PO: East Aurora	State: NY / Zip Code: 14052

	NO	YES
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.	☑	☐
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: TOA Bldg Dept	☐	☑

3. a. Total acreage of the site of the proposed action? 4.78 acres
   b. Total acreage to be physically disturbed? 0 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4.78 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

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☑

	NO	YES
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?		
If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
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?	☑	☐

	NO	YES
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 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?	☑	☐
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?	☑	☐

	NO	YES
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?	☑	☐
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

	NO	YES
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?	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
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: _____		
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: _____		
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: _____		
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: _____		

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Robert Bannister Date: 06/17/26

Signature: Robert Bannister Title: Owner

PRINT FORM

INSTRUCTIONS(RP-5217-PDF-INS): www.orps.state.ny.us

FOR COUNTY USE ONLY

C1. SWIS Code 142489

C2. Date Deed Recorded 12 / 24 / 2020 (Month / Day / Year)

C3. Book 11371 C4. Page 7039

New York State Department of Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

B

PROPERTY INFORMATION

1. Property Location: 1776 (* STREET NUMBER) Blakeley Road (* STREET NAME)
Aurora (* CITY OR TOWN) (VILLAGE) 14052 (* ZIP CODE)

2. Buyer Name: Bannister (* LAST NAME/COMPANY) Robert D. (FIRST NAME)
Bannister (LAST NAME/COMPANY) Lori D. (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

5. Deed Property Size: 289 (* FRONT FEET) X 754 (* DEPTH) OR 4.80 (*ACRES)

(Only if Part of a Parcel) Check as they apply:
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: Bienias (* LAST NAME/COMPANY) Thomas J. (FIRST NAME)
Bienias (LAST NAME/COMPANY) Barbara A. (FIRST NAME)

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

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 ☐

JAN 21 2021

SALE INFORMATION

11. Sale Contract Date 10/10/2020

*12. Date of Sale/Transfer ~~12/18/2020~~ 12/16/20

*13. Full Sale Price 559,500.00

(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 0.00

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(YY) 20

*17. Total Assessed Value 154,300

*18. Property Class 210

*19. School District Name East Aurora Union

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))
187-3-8.12

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

Thomas J Bienias
Barbara A Bienias 12/16/2020
SELLER SIGNATURE DATE

BUYER SIGNATURE

x Robert D Bannister 12/18/2020
x Lori D Bannister 12/18/2020
BUYER SIGNATURE DATE

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.)

Bannister (*LAST NAME) Robert D. (FIRST NAME)
(716) (*AREA CODE) (*TELEPHONE NUMBER (Ex. 8999999)
1776 (* STREET NUMBER) Blakeley Road (* STREET NAME)
East Aurora (*CITY OR TOWN) NY (*STATE) 14052 (*ZIP CODE)

BUYER'S ATTORNEY

DiFilippo (LAST NAME) Anthony (FIRST NAME)
(716) (AREA CODE) 652-9560 (TELEPHONE NUMBER (Ex: 9999999)

Box301

Warranty Deed with lien covenant from an individual

This Indenture, *made the* 16th *day of* December *, 2020.*

Between **Thomas J. Bienias and Barbara A. Bienias**, husband and wife, residing at 1776 Blakeley Road, East Aurora, New York 14052-9005,

Grantors,

Robert D. Bannister and Lori D. Bannister, husband and wife, residing at 272 Porterville Road, East Aurora, New York 14052,

Grantees.

WITNESSETH, *that the Grantors in consideration of ONE and MORE Dollars ($1.00 + More) lawful money of the United States, paid by the Grantees, subject to the trust fund provisions of section thirteen of the lien law, hereby grant and release unto the Grantees, their heirs, distributes, and assigns forever.*

ALL THAT PLOT OF LAND, situate in the Town of Aurora, County of Erie, and State of New York, being part of Lot Number twenty (20), Township nine (9), Range six (6) of the Holland Land Company's Survey, bounded and described as follows:-

BEGINNING at a point in the center line of Blakeley Road, being the south line of Lot Number twenty (20), distant four hundred forty-four and seventy hundredths (444.70) feet west of the center line of Underhill Road, being the east line of Lot Number twenty (20); running thence northerly at an interior angle of 88◦ 06' seven hundred fifty-four and nineteen hundredths (754.19) feet to a point on the south line of lands conveyed to Thomas J. Haney and Dawn M., his wife, by deed recorded in the Erie County Clerk's Office in Liber 9884 of Deeds at page 642; thence westerly at an interior angle of 91◦ 54' and along the south line of lands conveyed to Haney and along said south line if extended westerly and parallel with the center line of Blakeley Road, two hundred eighty-nine (289) feet; thence southerly at an interior angle of 88◦ 06' seven hundred fifty-four and nineteen hundredths (754.19) feet to the center line of Blakeley Road; thence easterly

AUR

222967 St. Deed-2

along the center line of Blakeley Road, two hundred eighty-nine (289) feet to the point or place of beginning.

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

To have and to hold the above granted premises unto the Grantees, their heirs, distributes, and assigns forever.

And Grantors covenant as follows:
First, that Grantees shall quietly enjoy the said premises, and
Second, that Grantors will forever warrant the title to the said premises.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands on the date respective of the acknowledgments for each below.

_____ *ls*
Thomas J. Bienias

_____ *ls*
Barbara A. Bienias

State of New York)
County of Erie) ss:

On December 16, 2020, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared Thomas J. Bienias and Barbara A. Bienias, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the persons upon whose behalf of which the individuals acted, executed the instrument.

_____
Notary Public
DANIEL E. WISNIEWSKI
NOTARY PUBLIC, State of New York
Qualified in Erie County
My Commission Expires August 31, 2022

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

To: THOMAS J. BIENIAS
BARBARA A. BIENIAS
FOX CREEK ESTATES, APT. 207
9500 Transit Road
East Amherst, NY 14051

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: THOMAS J. BIENIAS & BARBARA A. BIENIAS
(name of owner of record)

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

Section: 187 **Block:** 3 **Lot:** 8.12

Located At: 1776 BLAKELY ROAD, [redacted] AURORA, **County of Erie, New York.**
(street address) (city/town)

On 12/24/2020 (date), **documents were filed at this office to change ownership and transfer title of your property.**

To: ROBERT D. BANNISTER & LORI D. BANNISTER
(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.

ERIE COUNTY CLERK'S OFFICE

County Clerk's Recording Page

Return to:
BOX 301

Party 1:
BIENIAS THOMAS J

Party 2:
BANNISTER ROBERT D

Book Type: D Book: 11371 Page: 7039
Page Count: 3
Doc Type: DEED
Rec Date: 12/24/2020
Rec Time: 11:37:16 AM
Control #: 2020222967
UserID: Eileen
Trans #: 20390332
Document Sequence Number
TT2020011218

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-RES $116	$116.00
TP584	$10.00

Consideration Amount: 559500.00

BASIC MT	$0.00
SONYMA MT	$0.00
ADDL MT/NFTA	$0.00
SP MT/M-RAIL	$0.00
NY STATE TT	$2,238.00
ROAD FUND TT	$0.00

Total: $2,428.00

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

Case # 1549
Exhibit # 11
Date 8/4/26

TOWN OF AURORA ZONING BOARD OF APPEALS

575 OAKWOOD AVENUE

EAST AURORA, NEW YORK

AUGUST 20, 2026

ROBERT BANNISTER
1776 Blakeley Corners Road
East Aurora, NY 14052

PETITIONERS LETTER OF INTENT AND RATIONAL
August 20, 2026
Town of Aurora, NY

Mr. Ernst, Members of the Town Board of Zoning Appeals.

My name is Robert Bannister. I reside at 1776 Blakeley Corners Road in the Town of Aurora.

I am proposing to erect two Faux Stone pillars/columns on either side of my entrance driveway. Those pillars/columns will measure 3 foot square by 62 inches high. The top of the pillars/columns will be reinforced concrete measuring 40 inches square by 3 inches thick. Each pillar/column have installed a "dawn to dusk" light fixture measuring 5 inches x 5 inches x 18 inches. Each light will emit a total of 60 lumens, equivalent to a 60 watt light bulb. A facsimile photo (Exhibit A). The foundation for these pillars/columns have been moved back 4 feet from their original location at the request of the Town of Aurora's zoning office (Exhibit B). This relocation cost $1,611.70.

As you are aware, my request to install these pillars/columns was denied because they violated Section 116-28A of the Town's Building Code fence height requirement.

I am seeking a variance to the code to be able to move forward with this project which I believe will improve, enhance and beautify our property and the neighborhood. This objective has been an ongoing practice for the properties I have owned since locating to the Town of Aurora in 1998. I have done this on the following properties:

1.) 272 Porterville Road: In addition to renovating and painting the home I added a fence similar to the one we are currently proposing on Blakeley Corners Road (Exhibit C).
2.) 66 Pain Street: In addition to renovating and painting the home I removed unsightly and dangerously high Fir trees (Exhibit D).
3.) 186 Elmwood Avenue: In addition to the renovation and painting the home I improved the landscaping. This included removing several large dead Ash trees, unsightly, unkempt overgrown bushes, scrubs and weeds (Exhibit E-1 & 2). I also installed an underground drainage system to alleviate the swampy conditions of the back yard.
4.) 1776 Blakekey Corners Road : First, at considerable expense, I had the unsightly and dangerous ditch running the length of the property filled, graded and planted to new lawn (Exhibit F-1). Second, I removed dozens of dead trees, overgrown bushes and underbrush (Exhibit G 1-2). Third, I removed several Fir trees, one of which was fastened to the overhead utility lines (Exhibit H). Fourth, I have been restoring the stone foundation of the orginal house built in 1860 (Exhibit I). And finally I am building a 3 rail fence with accompanying pillars/columns.

Notwithstanding the fact this Zoning Board of Appeals has already graciously allowed me to exceed this height limit for my fence, I feel this requirement might be appropriate in the village, to require the same for country properties seems inapproporate. This observation was confirmed by the Town's zoning staff. Upon filling the original variance, I was informed that this request would "in all probably" be approved because the height requirement for country property was out dated and should be amended. I concur with that statement.

My orginal building permit request was submitted February 6, 2026. Today marks the 195 day of seeking permission to futher improve, enhance and beautify this historic property and the neighborhood. The property was orginally purchased from the Holland Land Company in 1826, 200 years ago. The purchasers were Joseph and Salley Blakeley. The road obviously bearing their name.

What I am proposing to do contrasts with numerous unsightly/unhealthy properties in the neighborhood. Consequenty it is my hope this variance will be granted. Contrast examples below:

1.) The property directly across the road has been abandoned and neglected for over a quarter of a century (Exhibit J 1-2).
2.) Improperly drained and maintained ditches pose a health risk by providing habitats for varments and misquitos which, among other things, carry diseases such as West Nile Fever (Exhibit K).
3.) Debris/litter and unkempt yards (Exhibit L 1-2) .

In closing I want to state that dealing with the Town's building department has been an arduous and costly experience. The first instance I was denied a permit to put an addition on my garage at 272 Porterville Road. At the variance hearing two individuals spoke against my request because they felt it would change the "look" of what they called a "historic home", which they exclaimed they "enjoyed looking at the when they drove by" (sic). I assume their objection was a factor in denying the permit. This denial was a major reason I put our beloved home on the market. This is a sad example of the subtle, yet pervasive and persistent erosion of one's property rights.

After this experience I decided not to obtain a permit to install an egress window for the basement prior to listing the house for sale. This decision cost me dearly. When the buyer found out I hadn't gotten a permit to install the window he withdrew his contract. I ended up taking a second offer for a lot less.

I expect you have heard property owners make similar statements so I thank you for your time and patience. I urge you to approve this variance request. I'll attempt to answer any questions you might have.

SUPPORTING EXHIBITS

Exhibit A: Facsimile Photo of Proposed Pillar/Columns 3

Exhibit B: Relocation of Pillar/Column Foundation 4

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EXHIBIT A

Facsimilie Photo of Proposed Pillar/column



EXHIBIT B

Relocation of Pillar/Column Foundations







EXHIBIT C

Photo of Similar Rail Fence Installed at 272 Porterville Road



EXHIBIT D
BEFORE and AFTER Improvements 66 Pain Street





EXHIBIT E - 1

BEFORE Photo of Improvements at 186 Elmwood Avenue



EXHIBIT E - 2

AFTER Photo of Improvements at 186 Elmwood Avenue



EXHIBIT F

Correcting Ditch Health and Safety Hazards









EXHIBIT G - 1

Improving, Enhanching and Beautifying 1776 Blakeley Corners Road









EXHIBIT G – 1

Improving, Enhanching and Beautifying 1776 Blakeley Corners Road

AFTER



EXHIBIT H

Utility Wires Unsafely Fastened to Tree in Front Yard





EXHIBIT I
Restoration of Historic Stone Foundation of Orginal Blakeley House









EXHIBIT J-1

Over 25 Years Neglected Property Directly Across From 1776 Blakely Road





EXHIBIT J-2
Over 25 Years Neglected Property Directly Across From 1776 Blakely Road





EXHIBIT K

Improperly Drained and Maintained Ditches



EXHIBIT L
Debris/Litter and Unkept Yards in Neighborhood



