



CASE NO. 1305
DATE OF HEARING 9/21/17

Town of Aurora Zoning Board of Appeals
300 Glead 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 Carrie A. Heeb
Address 1748 Mill Rd
City West Falls State NY ZIP 14170
Phone (716) 863-8741 Fax _____ Email _____
Interest in the property (ex: owner/purchaser/developer) owner

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

Property Owner(s) Name(s) Carrie A. Heeb
Address 1748 Mill Rd
City West Falls State NY ZIP 14170
Phone (716) 863-8741 Fax _____ Email Carrieheeb@hotmail.com

III. PROPERTY INFORMATION

Property Address 1748 Mill Rd
SBL# 186.00-3-7
Property size in acres .42 Property Frontage in feet 104.38
Zoning District R1 Surrounding Zoning R1, A
Current Use of Property residential

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-18 B
 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)

Carrie A. Heeb
Signature of Applicant/Petitioner

Carrie A. Heeb
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 8 day of August in the year 2017 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.

Joelle C. Dueringer
Notary Public

JOELLE C. DUERINGER
(Notary stamp) Notary Public - State of New York
No. 01DU6198370
Qualified in Erie County
My Commission Expires 12/20 2020

Office Use Only: Date received: 8/21/17 Receipt #: 228903 Part

Application reviewed by: [Signature]

ECDP ZR-1 form sent to EC: 8/30/17 Hearing publication date: 9/7/17

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)

My intent is to have a 30x24 garage that is detached from the house. I would like a 2 1/2 car garage to hold my 2 vehicles and a lawn mower along with bikes and a motorcycle. My home does not have closets or much storage. There is a basement that is accessed only by means of going outdoors. I have a need for storage that is in a dry environment. My basement is very humid and often gets moldy. The building I want to build will have a loft for such storage.

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

TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
Southside Municipal Center
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

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Ronald P. Bennett

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

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

FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

Carrie A Heeb
1748 Mill Rd.
West Falls, NY 14170

8/17/2017


Re: Accessory building second floor

Carrie,

The Building Dept. has reviewed your application for an accessory building at 1748 Mill Rd. We have denied your application because the proposed building does not meet the zoning regulations for accessory buildings as specified in the Town of Aurora Code for an RR District. We therefore request that you apply to the Town Zoning Board of Appeals for an area variance if you wish to continue with this project.

116-18 B-Required: Accessory buildings not over 1 story
Requested: Two story accessory building
Variance required: A two story accessory building

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer

Code Enforcement Officer

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202.
Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: _____

Received: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 9/21/2017 **Time** 7:00pm **Location** 300 Glead Avenue, 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 Specific as follows 1748 Mill Road, PO West Falls, Town of Aurora

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: (be specific) Second story in an accessory building not allowed by Town Code.

8. Other remarks: (ID#, SBL#, etc.) SBL#186.00-3-7

9. Submitted by: Martha L. Libroek 8/30/17

300 Glead Avenue, 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. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____

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: Carrie A. Heeb			
Project Location (describe, and attach a location map): Garage			
Project Location (describe, and attach a location map): 1748 Mill Rd West Falls NY 14170			
Brief Description of Proposed Action: 24x30x8 barn style 2 1/2 car garage with a loft for storage			
Name of Applicant or Sponsor: Carrie A. Heeb		Telephone:	
		E-Mail:	C
Address: 1748 Mill 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
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>1</u> acres	
b. Total acreage to be physically disturbed?		<u>720 Sq. Ft</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

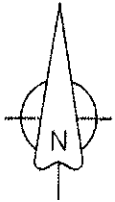
ail.com

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? <u>wetlands</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: <u>wetlands on adjacent property</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

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

Applicant/sponsor name: Carrie A. Heeb Date: 8/8/17
 Signature: Carrie A. Heeb



MILL

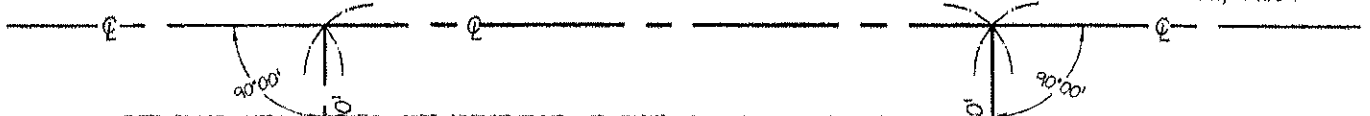
(66' WIDE)

ROAD

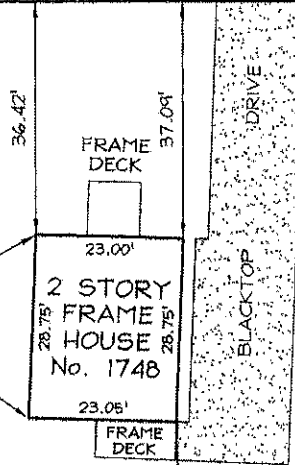
(ALSO KNOWN AS GRIFFINS MILLS ROAD)

243.10' TO THE
SOUTHEAST CORNER OF
LANDS CONVEYED TO
GRIFFINS MILLS GRANGE
INC. BY L.1552, P.589

104.35'



FOUND IRON
0.10'E
0.99'N



R.O.W.

HSE.
7.38'E

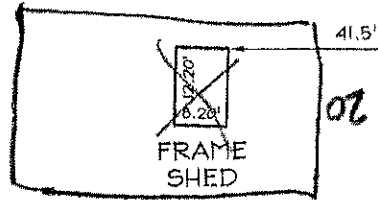
HSE.
6.29'E

*20' x 15' FT
DRIVE*

208.70'

208.70'

EAST LINE OF
LANDS CONVEYED
TO HOFFMAN BY
L.4018, P.156



*SHED
MOVED
TO BACK
OF PROPERTY*

SOUTHEAST CORNER
OF LANDS CONVEYED
TO HOFFMAN BY
L.4018, P.156

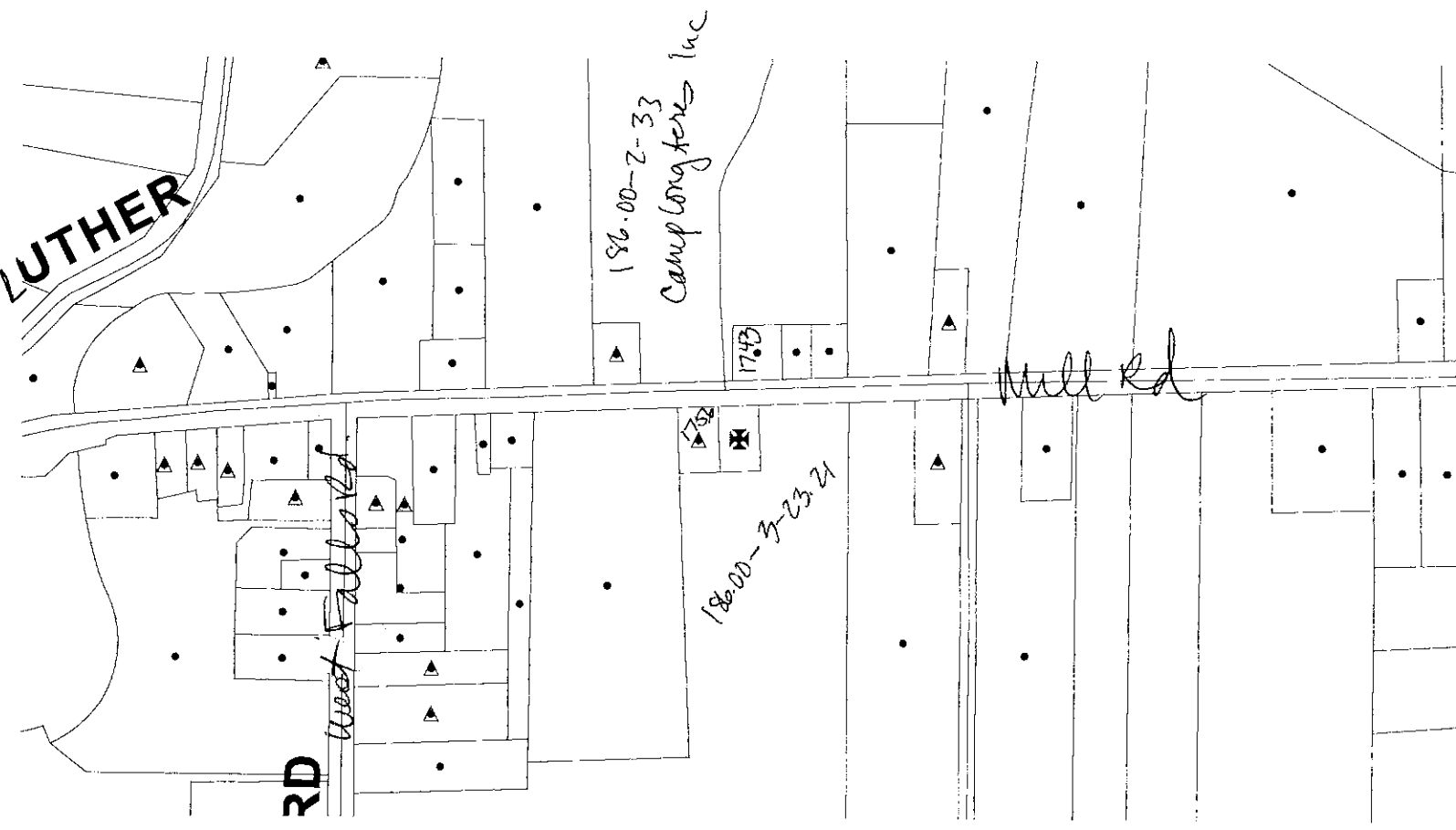
PARALLEL WITH MILL ROAD

FOUND IRON
1.24'E
4.62'S

104.35'

L.P.L.E.

Carrie Heeb
1748 Mill Rd
WF 14170
SBL: 186.00-3-7



- Joel Stahr & Nancy Aguglia 1743 Mill Rd WF 14170
- Kristian & Kaylene Waite 1756 Mill Rd WF 14170
- Camp Longaeres Inc v/L Mill Rd SBL: 186.00-2-33
↳ mailing: 1529 Mill Rd GA 14052
- William & Caitlin Gillmeister v/L Mill Rd SBL: 186.00-3-23.21
↳ mailing: 1778 Mill Rd WF 14170



CASE NO. 1306

DATE OF HEARING 9.21.17

Town of Aurora Zoning Board of Appeals
300 Glead 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 Gary Della neve
Address 1822 Davis rd WEST Falls ny
City _____ State NY ZIP 14170
Phone 716- Fax _____ Email _____
Interest in the property (ex: owner/purchaser/developer) _____

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

Property Owner(s) Name(s) Gary Della neve
Address 1822 Davis rd
City west Falls State NY ZIP 14170
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 1822 Davis rd WEST Falls ny 14170
SBL# 199.03-2-3.2
Property size in acres 5 Property Frontage in feet 386
Zoning District R2 R1 Surrounding Zoning _____
Current Use of Property _____

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-8.1(B)(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)

Gary Della Neve
Gary Della Neve

Signature of Applicant/Petitioner

Gary Della Neve
 Print name of Applicant/Petitioner

State of New York; County of Erie

On the 21 day of AUG., in the year 2017 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.

Martha L. Librock
 Notary Public

(Notary stamp)

MARTHA L. LIBROCK
 Notary Public, State of New York
 No. 01LI5028312
 Qualified in Erie County
 My Commission Expires May 31, 2018

Office Use Only: Date received: 8/31/17 Receipt #: 228901

Application reviewed by: [Signature]

ECDP ZR-1 form sent to EC: 8/30/17 Hearing publication date: 9/7/17

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: <u>11/16/2000</u>	Type of Appeal: <u>#850 USE VAR. (4 R-2 ZONE DWELLING)</u>	Granted <input checked="" type="checkbox"/>	Denied <input type="checkbox"/>
Date: <u>6/15/1995</u>	Type of Appeal: <u>#703 USE</u>	Granted <input type="checkbox"/>	Denied <input checked="" type="checkbox"/>

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)

Building is too High
Used for storage

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



1304
TOWN CLERK
Martha L. Librock
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FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

Gary Dellaneve
1822 Davis Rd.
West Falls, N.Y. 14170

Re: Height variance for an accessory building.

Gary,

The Building Dept. has reviewed your application to build an accessory building at 1822 Davis Rd.

We have denied your application because you fail to meet the requirements as stipulated by the Town of Aurora Code §116.8-2B

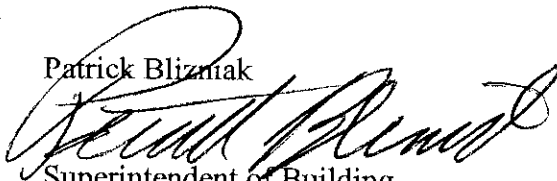
§116.8-2B

Required: Accessory buildings not over 1 story or 15' to the mean height
Requested: mean height of 19'3".

Variance required: second story and 4'3" in mean height

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, a letter to the ZBA members explaining your difficulty, and any information to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

Patrick Blizniak


Superintendent of Building

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to
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Retain last copy for your files.

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1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 9/21/2017 **Time** 7:00pm **Location** 300 Glead Avenue, 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 Specific as follows 1822 Davis Road, PO West Falls, Town of Aurora

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: (be specific) Second story and height of accessory building not allowed by Town Code.

8. Other remarks: (ID#, SBL#, etc.) SBL#199.03-2-3.2

9. Submitted by: Martha L. Librock 8/30/17

300 Glead Avenue, East Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

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By the Division of Planning: _____ Date: _____

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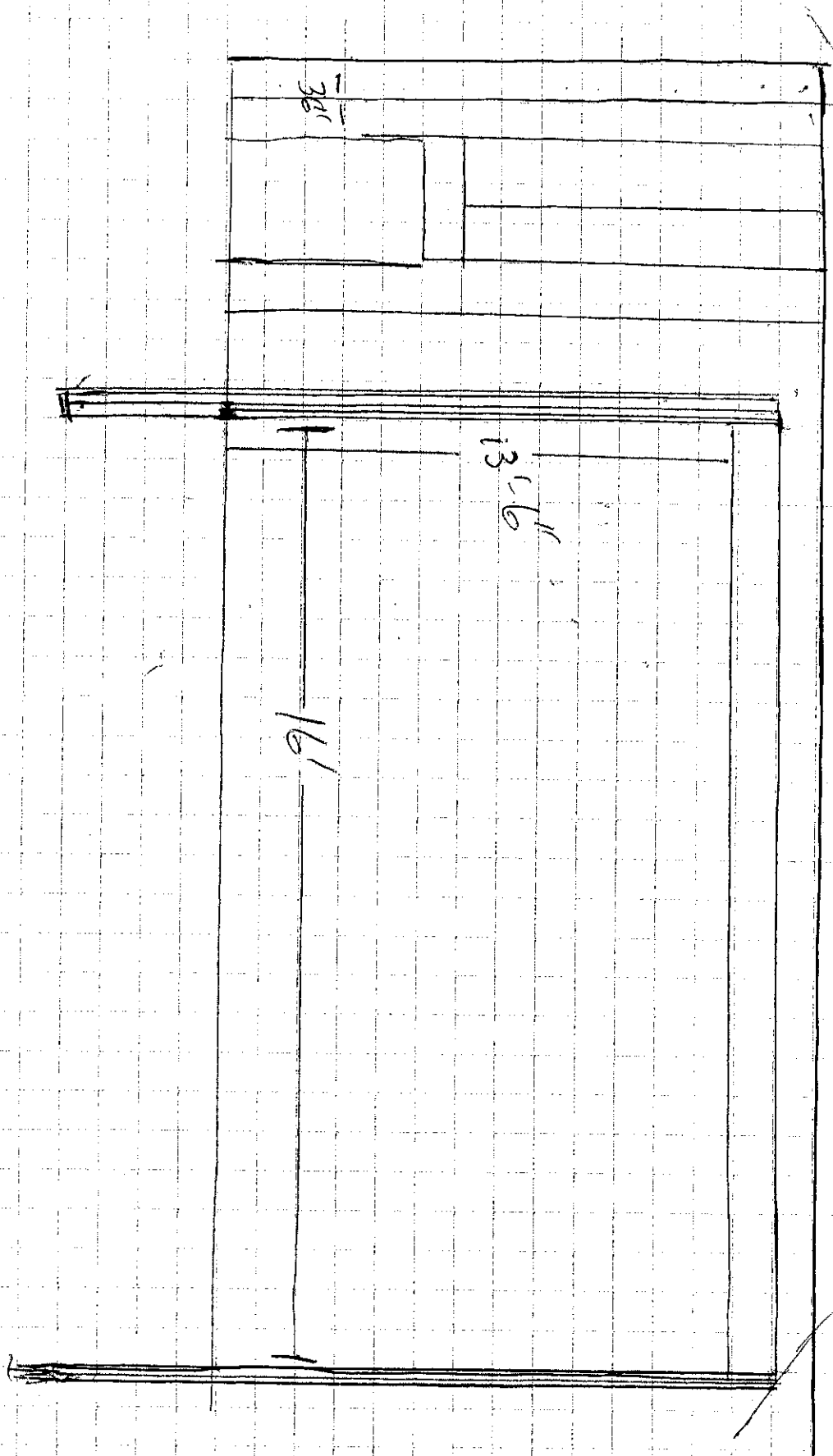
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Pole Barn</i> <i>Gary Della Neve</i>			
Project Location (describe, and attach a location map): <i>1822 Davis rd West Falls ny 14170</i>			
Brief Description of Proposed Action: <i>Pole Barn</i>			
Name of Applicant or Sponsor: <i>Gary Della Neve</i>		Telephone:	
		E-Mail:	
Address: <i>1822 Davis rd</i>			
City/PO: <i>West Falls</i>	State: <i>ny</i>	Zip Code: <i>14170</i>	
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 <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <i>Building Dep</i>			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? <i>5.5</i> acres			
b. Total acreage to be physically disturbed? <i>less than 1</i> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <i>5.5</i> acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>N/A</u> <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			

<p>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: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Gary Della Rive</u> Date: <u>8/21/17</u></p> <p>Signature: <u>Gary Della Rive</u></p>		

NORTH wall



2x6
STUDS

15'

4x4 POSTS

2' on center

East wall

Block ins

4x8 OSB

2' on center

4x4's

11'

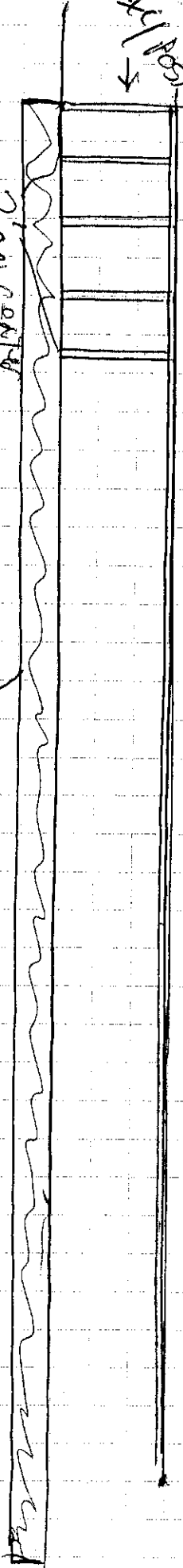
120

FOOTER

10' on posts

12' on posts

50



SOUTH WALL

2x6s
Studs

16" center
on

Blocking

4x8 OSB

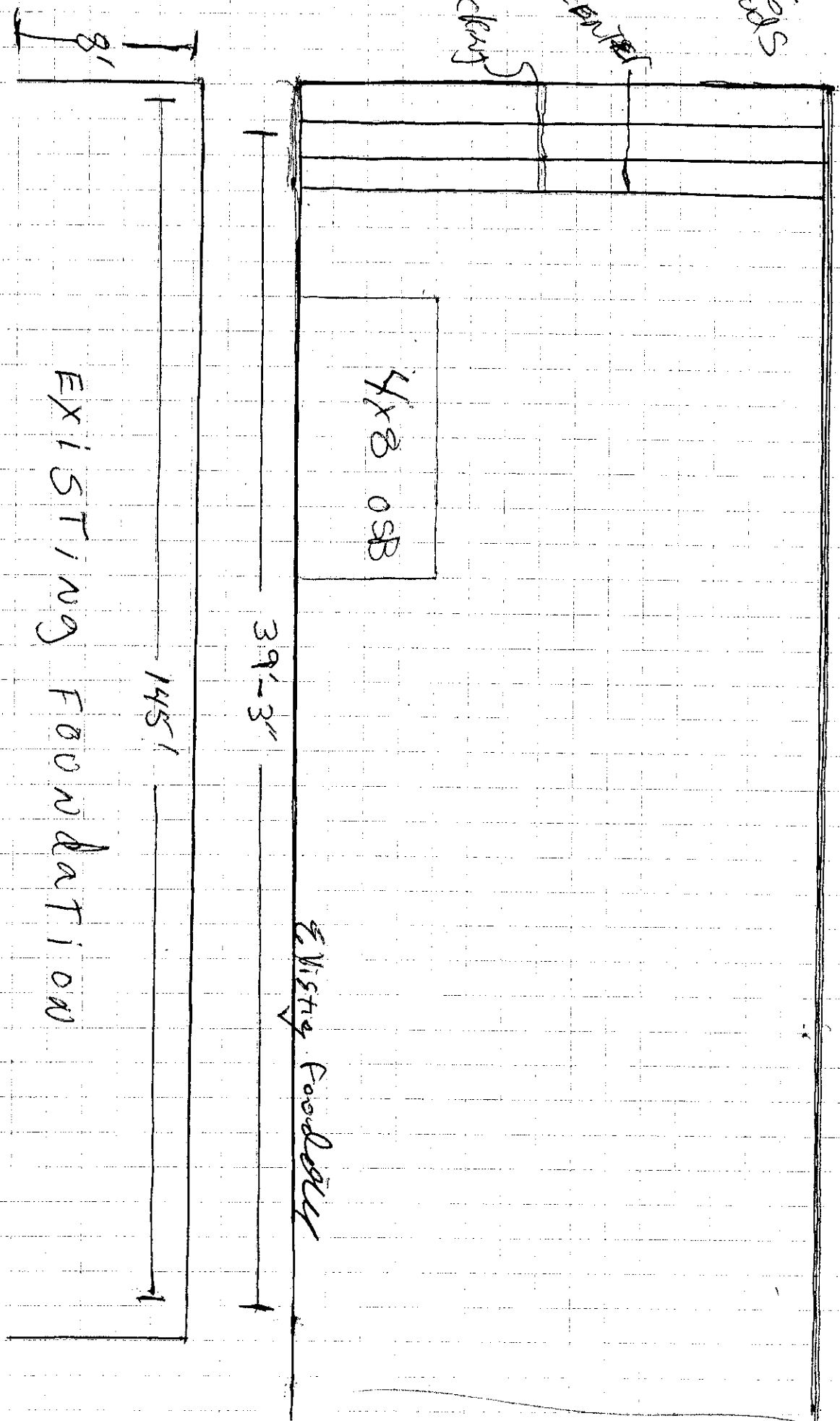
39'-3"

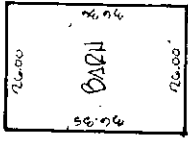
EXISTING FOUNDATION

145'

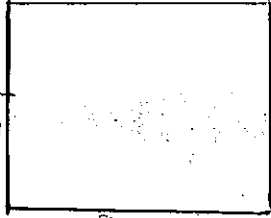
EXISTING FOUNDATION

8'



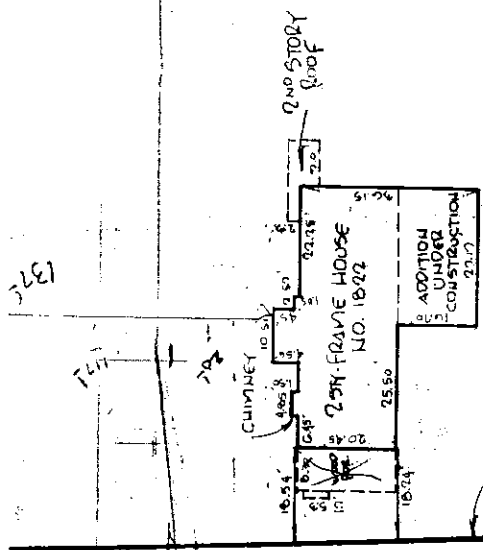
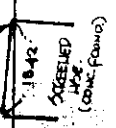


39/6



514.00
57M
(300.12)

MSE
0.2673



167-00-00"

105.30

20.75

74-30-00"

65-00"

8580

WEST LINE OF LOT 49

13728

103

1638
1637
1636

Gary Bellanere

1822 Dams Rd
WF 14170

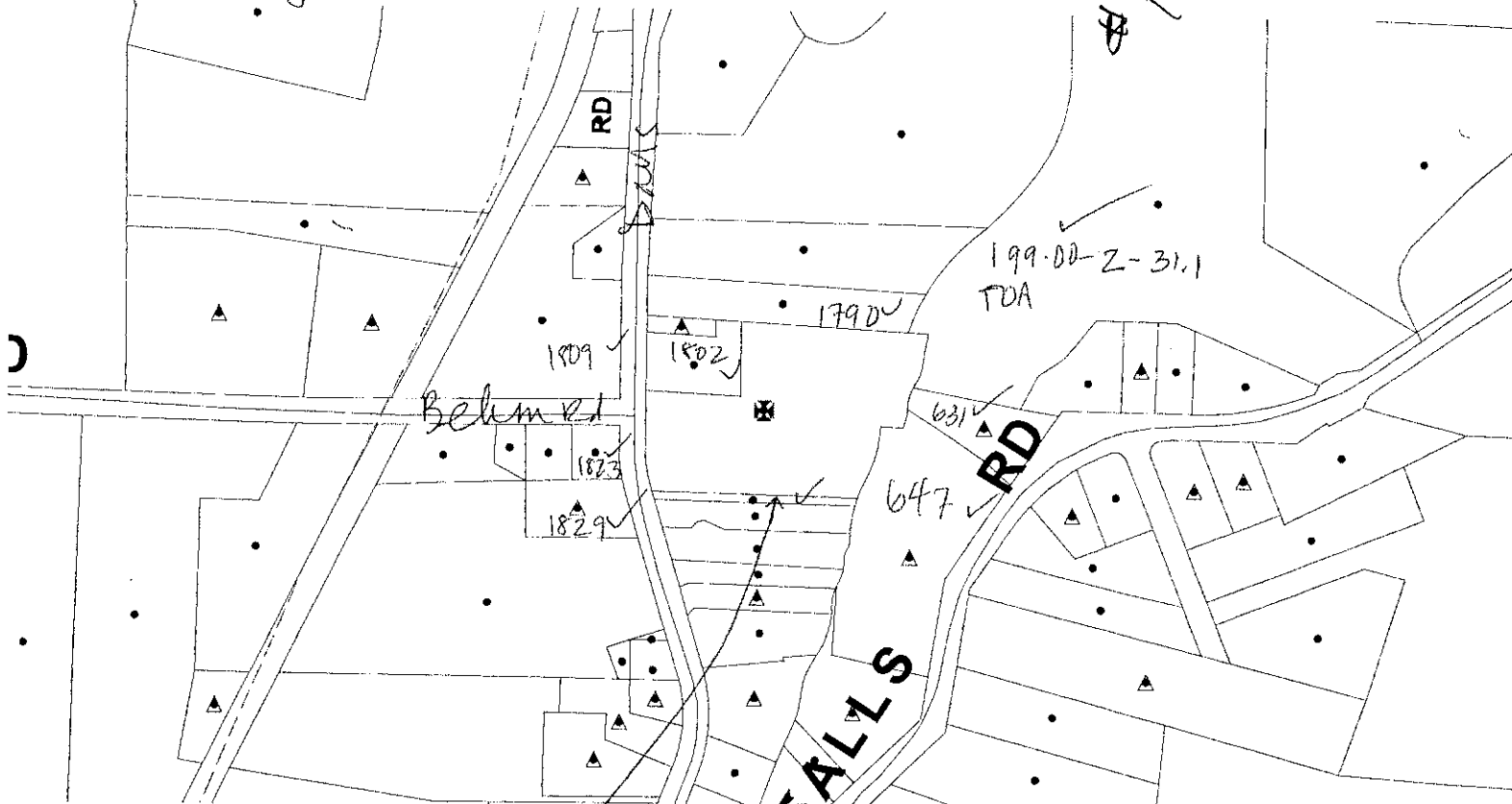
SBL: 199.03-2-3.2

Town of Aurora

v/L West Falls Rd SBL: 199.00-2-31.1
mailing: 300 Glead Ave EA 14052

Matthew & Allison Flesher 631 West Falls Rd WF 14170

Bruce & Kristine Johnson 647 West Falls Rd WF 14170



James & Mary Beck
v/L Dams Rd: SBL: 199.03-2-3.1
mailing: 1838 Dams Rd WF 14170

Edward & Dawn Hughes 1790 Dams Rd WF 14170

Steven & Julia Pitt 1802 Dams Rd WF 14170

Scott & Jennifer Braves 1809 Dams Rd WF 14170

West Falls Bible Church 1823 Dams Rd WF 14170

Richard & Schneider 1829 Dams Rd WF
mailing: 277 Main St Unit 14C EA 14052



CASE NO. 1307

DATE OF HEARING 9.21.17

Town of Aurora Zoning Board of Appeals
300 Glead 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 LANCE F. ORTMAN
Address 910 PORTERVILLE ROAD
City EAST AURORA State NEW YORK ZIP 14052
Phone (716) _____ Fax — Email (_____)
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 910 PORTERVILLE ROAD, EAST AURORA, NEW YORK 14052
SBL# 165.00-1-6.1
Property size in acres 8.48 Property Frontage in feet 265'
Zoning District RESIDENCE 1 Surrounding Zoning RESIDENCE 1
Current Use of Property RESIDENCE

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # _____
 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)

[Handwritten Signature]
Signature of Applicant/Petitioner

LANCE F. ORTMAN
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 21 day of August in the year 2017 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.

[Handwritten Signature]
Notary Public

MARTHA L. LIBROCK
Notary Public, State of New York
No. 01L15028312
Qualified in Erie County
My Commission Expires May 31, 2018

(Notary stamp)

Office Use Only: Date received: 8/21/17 Receipt #: 228900

Application reviewed by: [Handwritten Signature]

ECDP ZR-1 form sent to EC: 8/30/17 Hearing publication date: 9/7/17

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 LETTER

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)

**Lance and Joyce Ortman
910 Porterville Road
East Aurora, New York 14052
716-652-XXXX**

Town of Aurora Zoning Board of Appeals
300 Gleed Avenue
East Aurora, New York 14052

Petitioner's Letter of Intent

August 18, 2017

Dear Zoning Board of Appeals,

This Petitioner's Letter of Intent is in regard to our request to build an addition to my existing garden shed which is located in the front yard of our residence. The existing garden shed was present when my wife and I purchased the house in October 2006.

The addition is necessary to accommodate a larger tractor (Kubota BX25D) and implements (mowing deck, front end loader, back hoe and snow blower). In addition to inadequate storage space, the existing garden shed entrance is not tall enough to allow the tractor to enter the shed with the attached upright roll over bar and tractor cab. The new addition will allow complete storage of the tractor, all implements and enough clearance to accommodate the roll over bar and tractor cab. No machinery will be left out in the open on the property.

We do not believe that any undesirable change will be produced in the nearby properties as the shed addition is well within the property boundaries and not visible from Porterville Road. A similar structure cannot be built behind the residence due to the presence of the existing pond. It is a small addition (small variance) and will not have any adverse visual, physical or environmental impact on the neighborhood or district.

Thank you for your attention to this request.

Sincerely,



Lance F. Ortman

1307

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



TOWN CLERK
Martha L. Libroek
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
Southside Municipal Center
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

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peggy@townofaurora.com

TOWN ATTORNEY
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TOWN JUSTICE
Douglas W. Marky
Jeffrey P. Markello

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

FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

Lance F. Ortman
910 Porterville Rd.
East Aurora, NY 14052

8/21/2017

Re; Accessory building in front yard

Lance,

The Building Department has reviewed your application to erect an accessory structure on your property at 910 Porterville Rd. We have denied your application because it fails to meet the requirements as stipulated by Aurora Town Code section 116-8.1E4

Required: no buildings shall be erected in the front yard.
Request: an accessory building between the street and the main building.
Variance: an accessory building in the front yard.

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an area variance. You must include your application, application fee and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer
Code Enforcement Officer

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

DO NOT WRITE IN THIS SPACE

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

Case No.: _____

Received: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 9/21/2017 **Time** 7:00pm **Location** 300 Glead Avenue, 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 Specific as follows 910 Porterville Road, E. Aurora

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: (be specific) Accessory building in front yard of residence not allowed by Town Code.

8. Other remarks: (ID#, SBL#, etc.) SBL#165.00-1-6.1

9. Submitted by: Martha L. Librock 8/30/17

300 Glead Avenue, 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. Form ZR-3, Comment on Proposed Action is attached hereto.
- 3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
- 4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ **Date:** _____

Short Environmental Assessment Form

Part 1 - Project Information

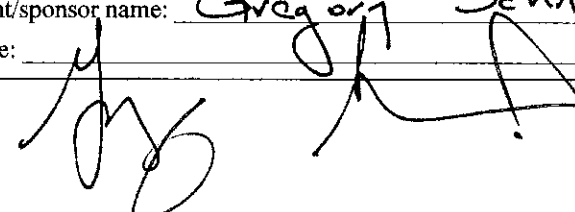
Instructions for Completing

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: Garden Shed Addition to existing Shed		
Project Location (describe, and attach a location map): 910 Porterville Road East Aurora N.Y. 14052		
Brief Description of Proposed Action: A 12'x 16' Framed Addition is proposed to expand an existing 20'x10' Garden Shed Located in the Front Yard of the Ortman Residence		
Name of Applicant or Sponsor: Gregory Schneider R.A.	Telephone:	E-Mail:
Address: 686 Quaker Road		
City/PO: East Aurora	St:	
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
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	NO	YES
Town of Aurora Zoning Variance Town of Aurora Building Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?	6	acres
b. Total acreage to be physically disturbed?	.01	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	6	acres
4. Check all land uses that occur on, adjoining and near the proposed action.		
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)		
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____		
<input type="checkbox"/> Parkland		

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? <i>expand a non conforming structure located in front yard. Requires Variance to</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: <i>N/A.</i> <i>un-heated garden shed.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <i>N/A No Facilities</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Gregory Schneider R.A.</u> Date: <u>8.16.17</u></p> <p>Signature: </p>		

GEOTECHNICAL EVALUATION

THE BUILDING AREA OF THE SITE IS LOCATED WHERE THE DRAINAGE SLOPE IS INDICATED IN THE SOILS SURVEY OF ERIE COUNTY, NEW YORK AND THE NATIONAL COOPERATIVE SOIL SURVEY.

SOIL SETTING
 NEAR ANNUAL PRECIPITATION: 36 TO 48 INCHES
 NEAR ANNUAL AIR TEMPERATURES: 45 TO 50 DEGREES F
 FROST-FREE PERIOD: 15 TO 115 DAYS

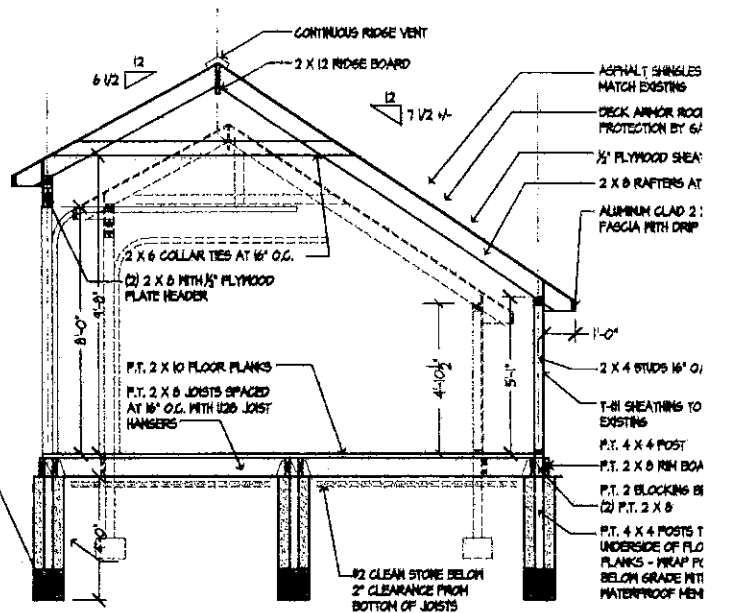
SOIL COMPOSITION
 SAND AND SILT: 80 PERCENT
 CLAY: 20 PERCENT

PROPERTIES AND QUALITIES
 SLOPE: 5 TO 8 PERCENT
 DEPTH TO RESISTIVE FRASING: MORE THAN 80 INCHES
 DRAINAGE CLASS: SOMEWHAT POORLY DRAINED
 CAPACITY OF THE MOST LIMITING LAYER TO TRANSMIT WATER (Ks):
 MODERATELY LOW TO MODERATELY HIGH (0.06 TO 0.20 IN/HR)
 DEPTH TO WATER TABLE: ABOUT 6 TO 12 INCHES
 FREQUENCY OF FLOODING: NONE
 FREQUENCY OF FLOODING: NONE
 AVAILABLE WATER STORAGE IN PROFILE: MODERATE (ABOUT 14 INCHES)

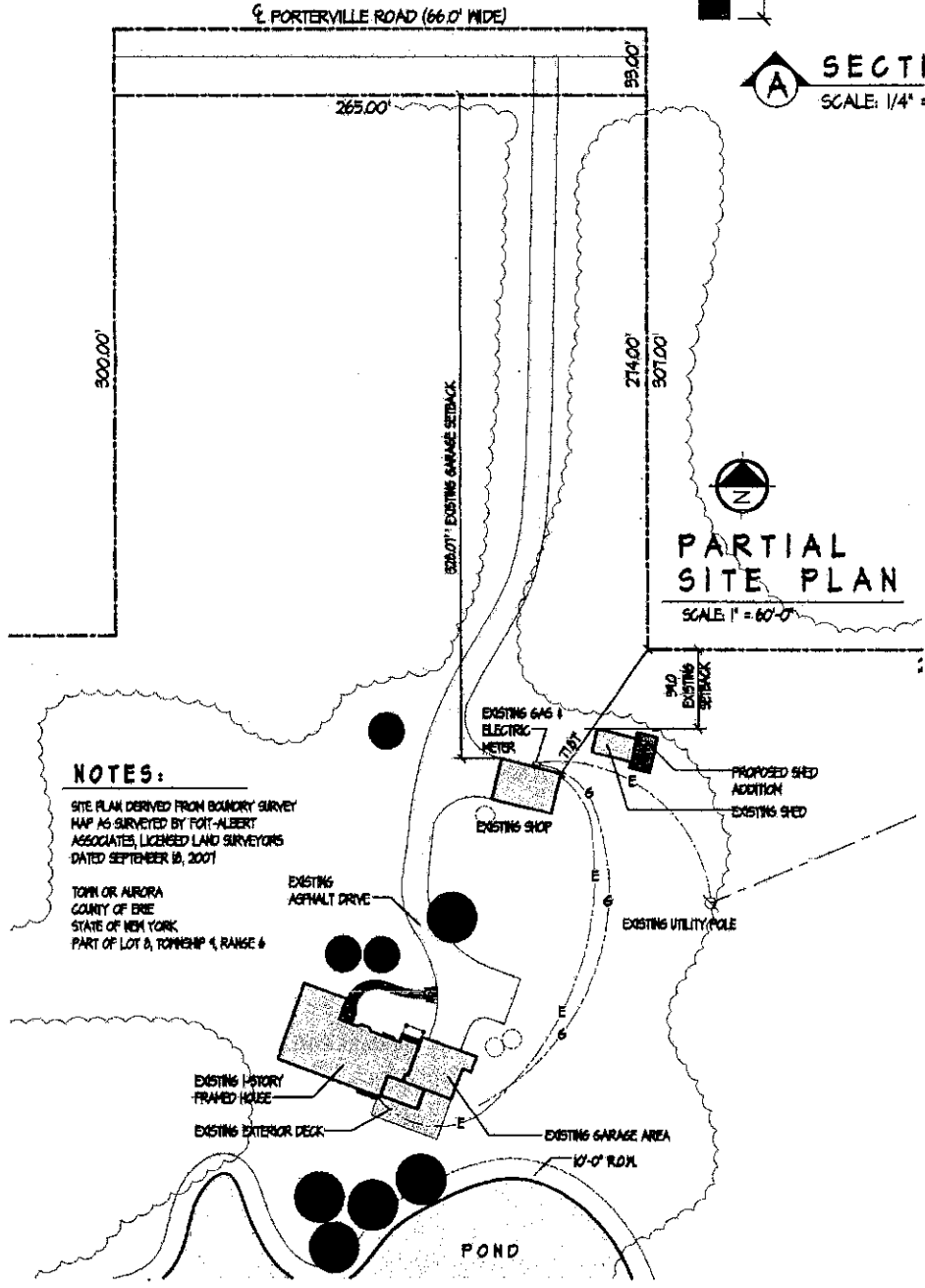
TYPICAL PROFILE
 11 - 0 TO 15 INCHES SILT LOAM
 12 - 15 TO 34 INCHES SILTY CLAY LOAM
 13 - 34 TO 60 INCHES CHANNERY SILTY CLAY LOAM

RESTRICTIVE GROUPS
 LAND CAPABILITY (UNGRADED): NONE SPECIFIED
 LAND CAPABILITY (IMPROVED): 5B
 HYDROLOGIC SOIL GROUP: G2

BASED UPON THE SOIL SURVEY INFORMATION, THE LOAD BEARING VALUES IN NEW YORK STATE CODE TABLE 1004.2, ALLOWABLE FOUNDATION BEARING PRESSURE SHALL BE ASSIGNED AT 1500 P.S.F. WITH A LATERAL BEARING OF 100 P.S.F. BELOW INSTANT GRADE. THE CONTRACTOR SHALL CONTACT THE ARCHITECT AT TIME OF EXCAVATION SO AN ON-SITE TEST CAN BE CONDUCTED TO DETERMINE THAT THE ACTUAL SOIL CONDITIONS ARE AS ANTICIPATED AND FOLLOW UP WITH A DOCUMENTED FIELD REPORT TO THE OWNER AND BUILDING DEPARTMENT.



SECTION A-A
 SCALE: 1/4" = 1'-0"



PARTIAL SITE PLAN
 SCALE: 1" = 60'-0"

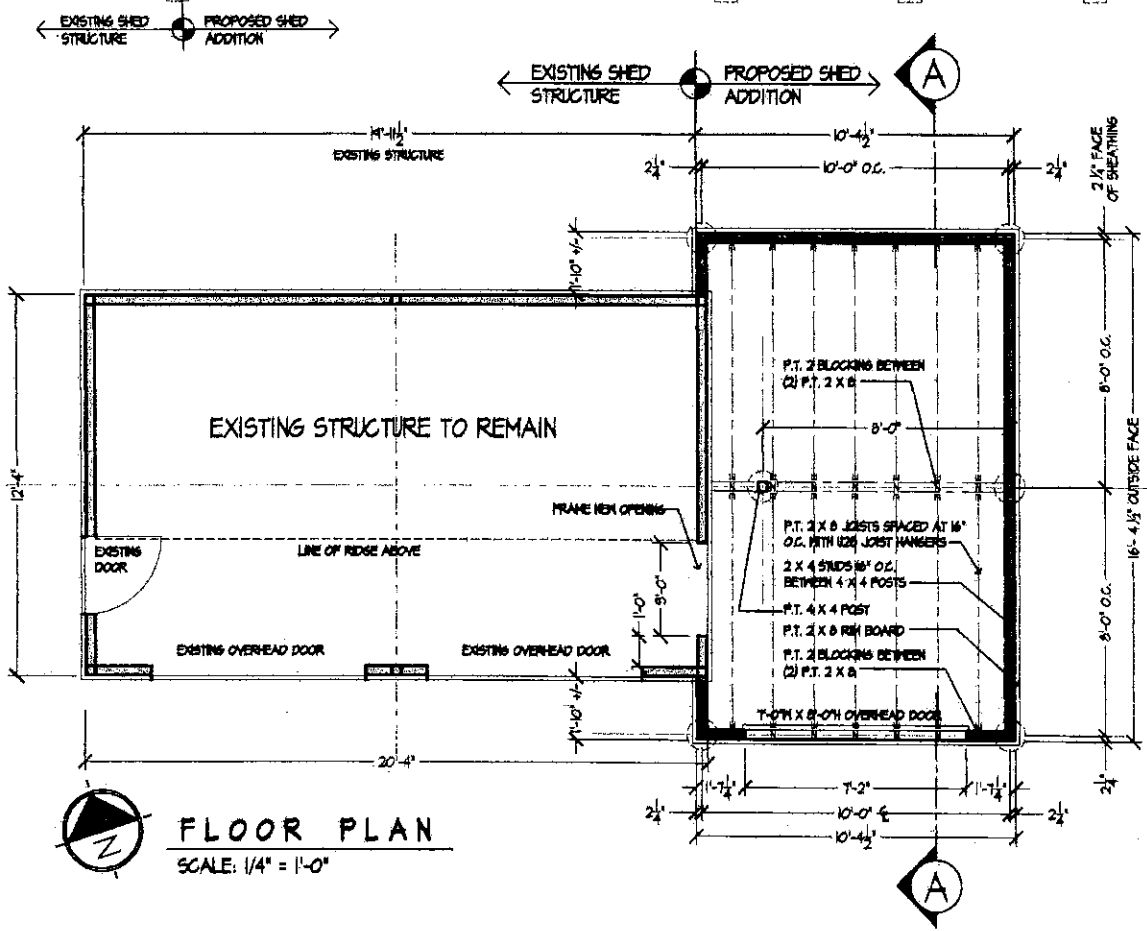
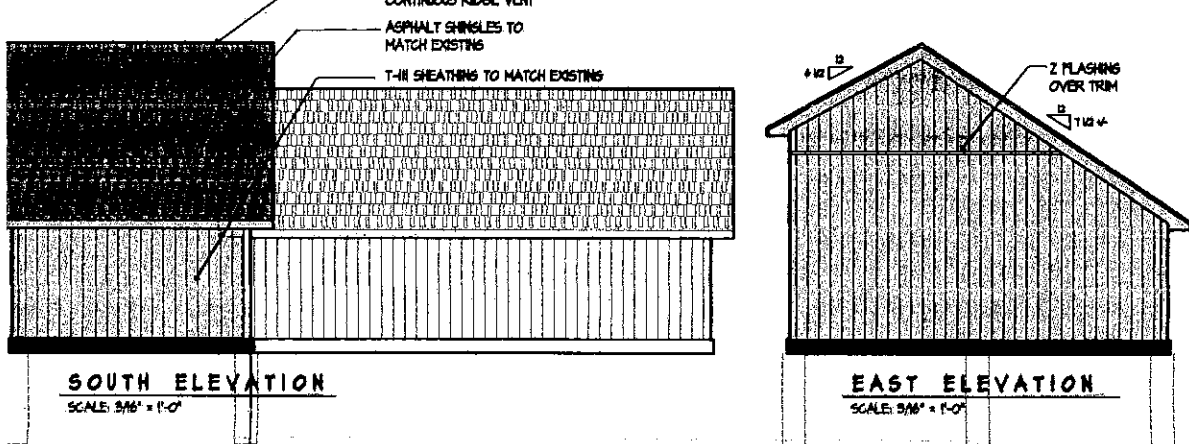
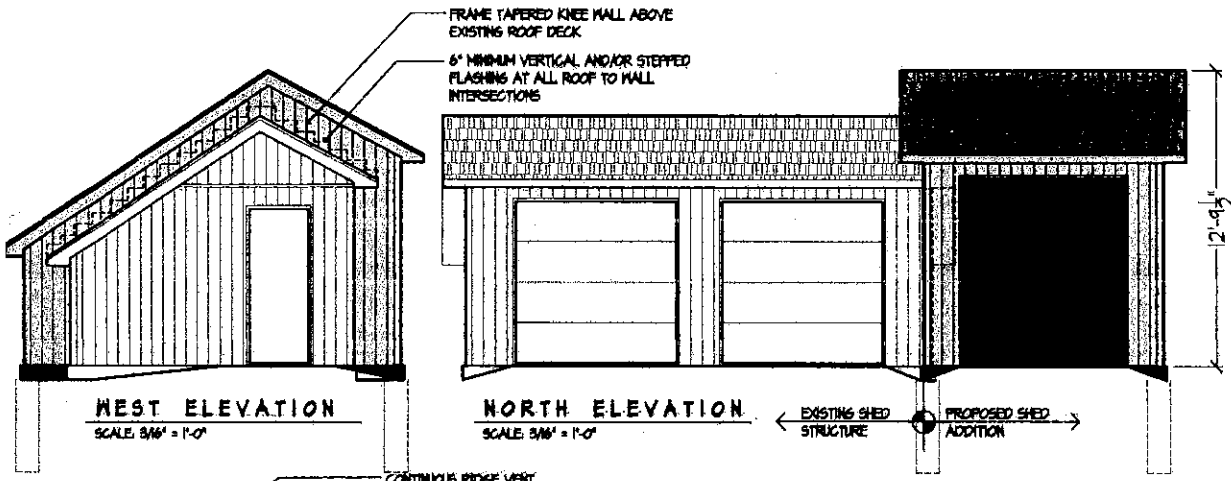
NOTES:
 1. SITE PLAN DERIVED FROM BOUNDARY SURVEY MAP AS SURVEYED BY FORT-ALBERT ASSOCIATES, LICENSED LAND SURVEYORS DATED SEPTEMBER 18, 2007.
 2. TOWN OR AURORA COUNTY OF ERIE STATE OF NEW YORK PART OF LOT 8, TOWNSHIP 4, RANGE 6

GENERAL NOTES

1. ALL SITEWORK AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN AURORA CONSTRUCTION SPECIFICATIONS WHERE APPLICABLE AND/OR SUBJECT LATEST REVISIONS BY THE TOWN ENGINEER.
2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO START OF CON.
3. ALL ELECTRICAL WORK TO BE COMPLETED SHALL BE IN ACCORDANCE WITH NEW YORK STATE CODES AND THE NATIONAL ELECTRIC CODE (NEC).

STRUCTURAL NOTES

- GENERAL**
1. CONTRACTOR SHALL PROVIDE ALL NECESSARY SHORING AND BRACING OF FOUNDATION DURING CONSTRUCTION.
- WOOD**
1. FASTENERS AND SUPPORTS TO BE SIMPSON STRONG-TIE CONNECTORS, TYPE AND STYLES AS RECOMMENDED BY THE MANUFACTURER FOR FRAMING CONDITIONS IMPLIED OR SHOWN ON THE DRAWINGS INCLUDING JOIST AND RAFTER HANGERS, BEAM HANGERS.
 2. ROOF CARPENTRY: FRAMING MATERIALS SHALL BE SOUTHERN PINE OR DOUGLASS FIR OR BETTER, OR EASTERN HEMLOCK, NEW FIRM OR BETTER, PROVIDE ROOF BEAMS AND RAFTERS AS DETAILED.
 3. ROOF SHEATHING (PLYWOOD) SHALL BE APA RATED EXPOSURE 1 (32' IN AIR INSTALL) WITH LONG DIMENSION PERPENDICULAR TO SUPPORTS, ALLOW 1/2" SPAC PANEL ENDS AND EDGES WITH PANEL CLIP SPACERS.
- CAST-IN-PLACE CONCRETE**
1. INSTALL CONCRETE AS SHOWN ON DRAWINGS: SCHEDULE FOOTINGS
 2. USE SUFFICIENT AND COMPETENT WORKMEN AND EQUIPMENT ADEQUATE IN SIZE CAPACITY, AND NUMBER TO ACCOMPLISH WORK OF THIS SECTION IN A TIMELY MANNER.
 3. PROVIDE REINFORCEMENT OF TYPES SHOWN ON THE DRAWINGS AND CONFORM TO 4044 GRADE 60, UNLESS INDICATED OTHERWISE. PROVIDE TRANSIT-MIX CONCRETE WITH AIR ENTRAINMENT FOR 3000 PSI CONCRETE AT TRENCH FOOTINGS.
 4. THE MINIMUM COMPRESSIVE STRENGTH OF CONCRETE AT SCHEDULE FOOTING SHALL BE 3500 PSI.
 5. 3500 PSI CONCRETE WITH 16 - 78 AIR ENTRAINMENT FOR SCHEDULE FOOTING SHALL BE IN ACCORDANCE WITH NEW YORK STATE CODE TABLE 1004.2.



Shed Addition
For The
Ortman Residence
910 Porterville Road, East Aurora, New York 14052

Variance
Application
Drawing

URORA
ARCHITECTURAL
DESIGN INC.
608 Quaker Road
East Aurora, N.Y. 14052
(716) 665-3110
FAX: 665-3021

DATE: August 18, 2017
SCALE: As Noted
JOB NO: 17.08
DRAWN BY: ASK
CHECKED: GKS
REVISED:

SHEET:
SITE PLAN,
FLOOR PLAN,
ELEVATIONS,
BUILDING
SECTION AND
NOTES

DRAWING NO.
A-1
IN SET OF: 1

(66')
WIDE

ROAD

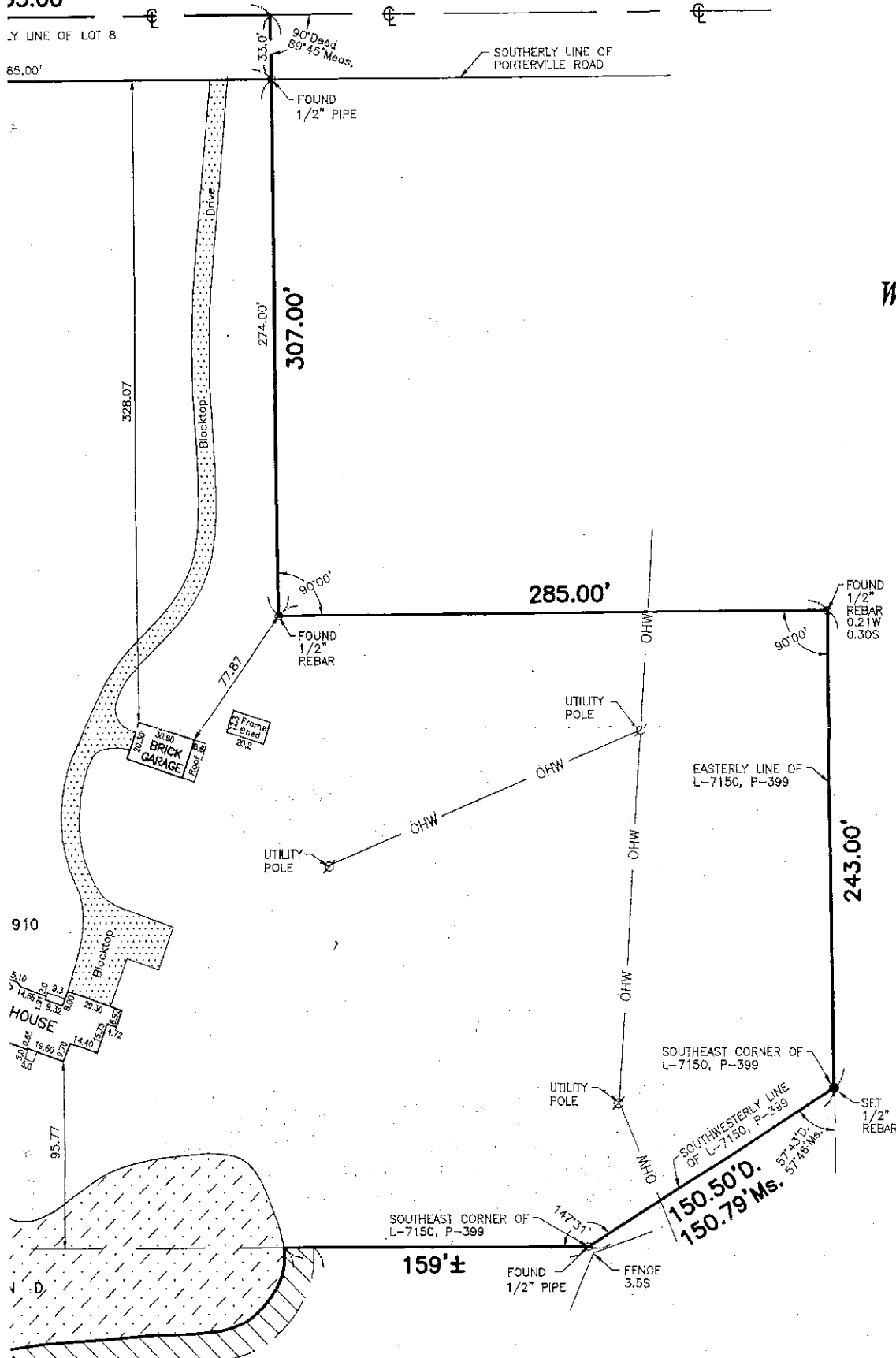
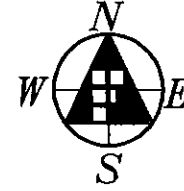
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY DISCOVERY OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH RECORDS.

35.00'

SOUTHERLY LINE OF LOT 8

65.00'

Feet
0.08 -
0.17 -
0.25 -
0.33 -
0.42 -
0.50 -
0.58 -
0.67 -
0.75 -
0.83 -
0.92 -
1.00 -



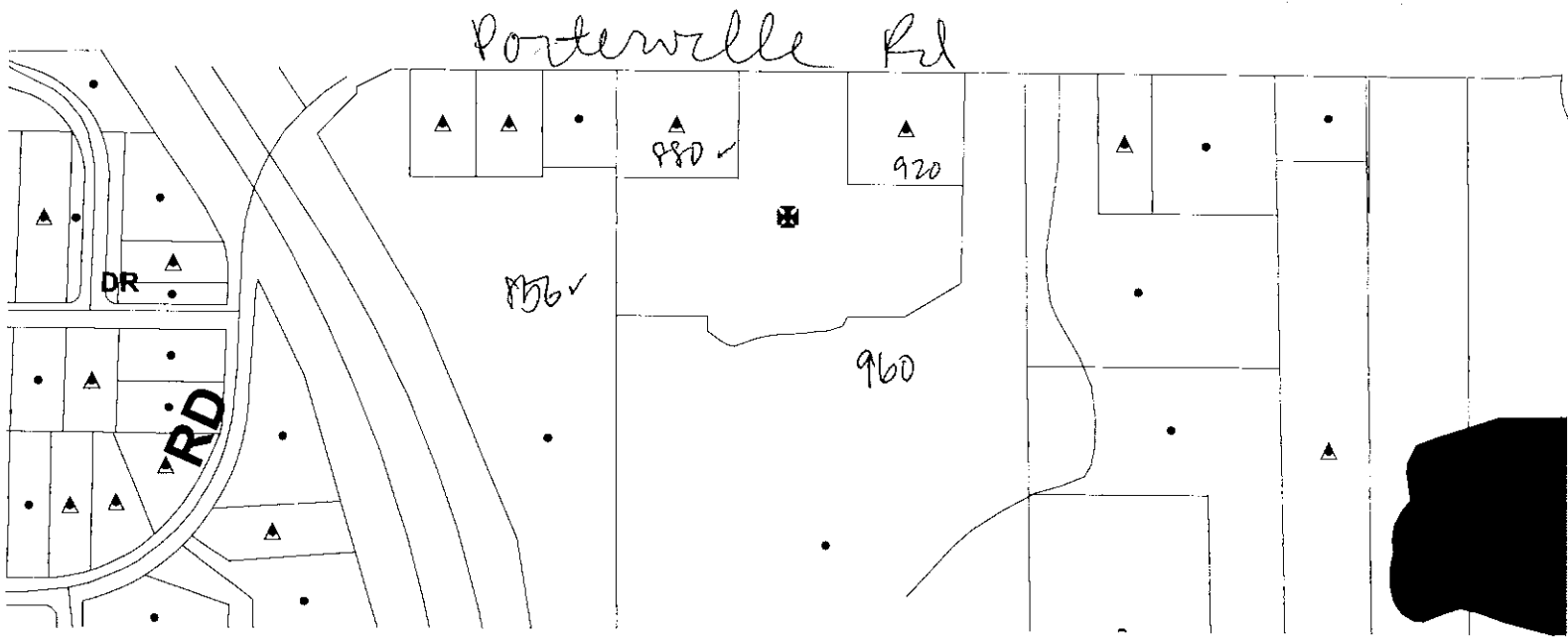
LOCATION: TOWN OF AURORA	SCALE: 1" = 50'		Foit-Albert Assoc Architecture, Engineering and Survey 763 Main Street, Buffalo, New York SUCCESSOR TO THE RECORDS OF CHARLES PHONE: (716) 856-3933 FAX: (716)
COUNTY OF ERIE, STATE OF NEW YORK	DRAWN BY: O. A. REYES		
PART OF LOT 8, TOWNSHIP 9, RANGE 6	CHECKED BY: B. E. WELLS	<small>Unauthorized alteration or addition to any survey, drawing, design, specification, plan or report is a violation of Section 7205, Provision 2 of the New York State Education Law. Only copies from the original of this survey are marked.</small>	
OF THE HOLLAND LANDS COMPANY'S SURVEY	RESURVEY 09/18/07		
MAP COVER:		<small>Copyright: Foit-Albert Assoc reserved. No portion of this reproduced, stored or transmitted in any form or by any means without prior written permission.</small>	
SUBLOT(S):			
REVISIONS:			

Demand S. W.

1307

Lance Ortman ^{+ Joyce}
910 Porterwill Rd
EA 14052
SKL: 165.00-1-6.1

Town of Elma



Alexandra McGeary & David Lawrence 856 Porterwill Rd EA 14052

John & Kathleen Kurik 880 Porterwill Rd EA 14052

Peter & Christina Sorgi 920 Aurora Porterwill Rd EA 14052

Nicholas Tribarich 960 Aurora Porterwill Rd

mailing: Attn Servotronics Inc PO Box 300 Elma 14059



CASE NO. 1308
DATE OF HEARING 9.21.17

Town of Aurora Zoning Board of Appeals
300 Glead 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 JASON RUPP
Address 1476 MILL ROAD
City EAST AURORA State NY ZIP 14052
Phone 716- Fax _____ mail _____
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 1476 MILL ROAD 187.00-4-4
SBL# PART OF LOT 35 TOWNSHIP 9 RANGE 10
Property size in acres 42.493 Property Frontage in feet 1495'
Zoning District A-AG DISTRICT Surrounding Zoning SAME
Current Use of Property PRINCIPAL RESIDENCE OF OWNER

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-8.5.C MAXIMUM MEAN HEIGHT
 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)

Jason Rupp
Signature of Applicant/Petitioner

Jason Rupp
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 21st day of Aug in the year 2017 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.

Patricia L. Brown
Notary Public

PATRICIA L. BROWN
Lic. #01BR0214077
Notary Public-State of New York
Qualified in Wyoming County
My Commission Expires NOV. 23, 2017

Office Use Only: Date received: 8/22/17 Receipt #: 228909

Application reviewed by: A

ECDP ZR-1 form sent to EC: 8/30/17 Hearing publication date: 9/7/17

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 LETTER OF INTENT C REAR
OF THIS APPLICATION.

TO BE COMPLETED ONLY WHEN A USE VARIANCE IS BEING REQUESTED: NA

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)

Letter of Intent - Rupp Barn Project – 1476 Mill Road, East Aurora, NY 14052

This project will serve several purposes for the owners while at the same time enhancing the neighborhoods aesthetic appeal. The proposed building will serve as a covered area for the owner's camper, tractors, skid steers and other site related equipment – keeping everything contained neatly and out of general sight rather than having these pieces of equipment parked outside in full view of the public. The Building is designed with two Lean-To covered areas of sufficient height to house the above noted equipment. The main building area will be used to house a small number of future livestock of the owner's selection. The main area will have a second floor used for hay storage etc. needed for the future livestock. The second floor system is designed to accommodate this function. The height needed to adequately provide this storage function raises the roof level higher than the number of feet allowed by the zoning code. We have also designed the roof at a slope so as to not allow snow to accumulate on the roof – again this adds height to the overall structure. The owner has chosen at a hefty expense to use materials matching / complementing that of the family home rather than using “barn grade” materials. This will actually add to the appeal of the neighborhood – not detract from it. The elevation of the barn structure will be located over 510' from the street and is actually blocked by trees from street view – see attached photos. The other item of note is that the owner is making painstaking efforts to professionally landscape the entire site to a park like level. In conclusion the reasons that a height variance is being requested is because the legal uses the barn will house require a higher roof level than currently is allowed by the zoning code. The structure will not produce an undesirable change in the neighborhood / the legal uses of the building require the requested height extension in order to maintain the footprint and maintain costs / the requested height extension is not substantial when true use requirements are considered / the variance would not produce an adverse effect or impact on the physical or environmental conditions in the neighborhood / the difficulty is a result of designing a true barn with the physical requirements needed for operation.

Thank you for considering this application for the needed height extension to the barn.

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



1308
TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
Southside Municipal Center
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

TOWN COUNCIL MEMBERS

Susan A. Friess
sfriess@townofaurora.com

Jeffrey T. Harris
jharris@townofaurora.com

Jolene M. Jeffe
jjeffe@townofaurora.com

Charles D. Snyder
csnyder@townofaurora.com

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

SUPT. OF BUILDING
Patrick J. Blizniak
(716) 652-7591
building@townofaurora.com

ASSESSOR
Richard L. Dean
assessor@townofaurora.com
(716) 652-0011

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

TOWN ATTORNEY
Ronald P. Bennett

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

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

FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

Jason Rupp
1476 Mill Rd
East Aurora, NY 14052

8/21/2017

Re: Accessory building mean height

Jason,

The Building Dept. has reviewed your application for an accessory building at 1476 Mill Rd. We have denied your application because the proposed building does not meet the zoning regulations for accessory buildings as specified in the A District Zoning Regulations. We therefore request that you apply to the Town Zoning Board of Appeals for an area variance if you wish to continue with this project.

116-8.5C2
Required: accessory building not to exceed 20' mean height
Requested: 31' 5" mean height
Variance required: 11' 5" height variance.

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer

Code Enforcement Officer

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: _____

Received: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 9/21/2017 **Time** 7:00pm **Location** 300 Glead Avenue, 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 Specific as follows 1476 Mill Road, E. Aurora

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: (be specific) Requesting accessory building height variance for building height greater than allowed by Town Code.

8. Other remarks: (ID#, SBL#, etc.) SBL#187.00-4-4

9. Submitted by: Martha L. Librock 8/30/17

300 Glead Avenue, 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. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____

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: Rupp Barn Project							
Project Location (describe, and attach a location map): 1476 Mill Road, East Aurora, New York 14052							
Brief Description of Proposed Action: Construction of 2,400 sf main barn building used for future livestock. Construction of 1,640 sf Lean-to building's used to house equipment.							
Name of Applicant or Sponsor: Jason Rupp							
Address: 1476 Mill Road							
City/PO: East Aurora		New York	14052				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit - East Aurora			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ 42.493 acres							
b. Total acreage to be physically disturbed? _____ .19 acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 42.493 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: Barn is being insulated to residential levels. _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Roof leaders will be tied to the house storm system. _____			

<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

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

Applicant/sponsor name: Jason Rupp Date: 8-20-17

Signature: Jason Rupp

SITE INFORMATION:

ZONING DISTRICT - A AGRICULTURE

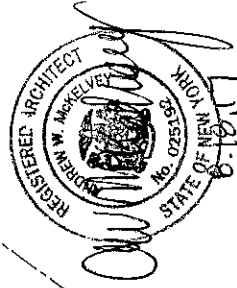
STREET FRONTAGE MINIMUM 200' - ACTUAL 1,495'

LOT AREA MINIMUM 3 ACRES - ACTUAL 42.493 ACRES

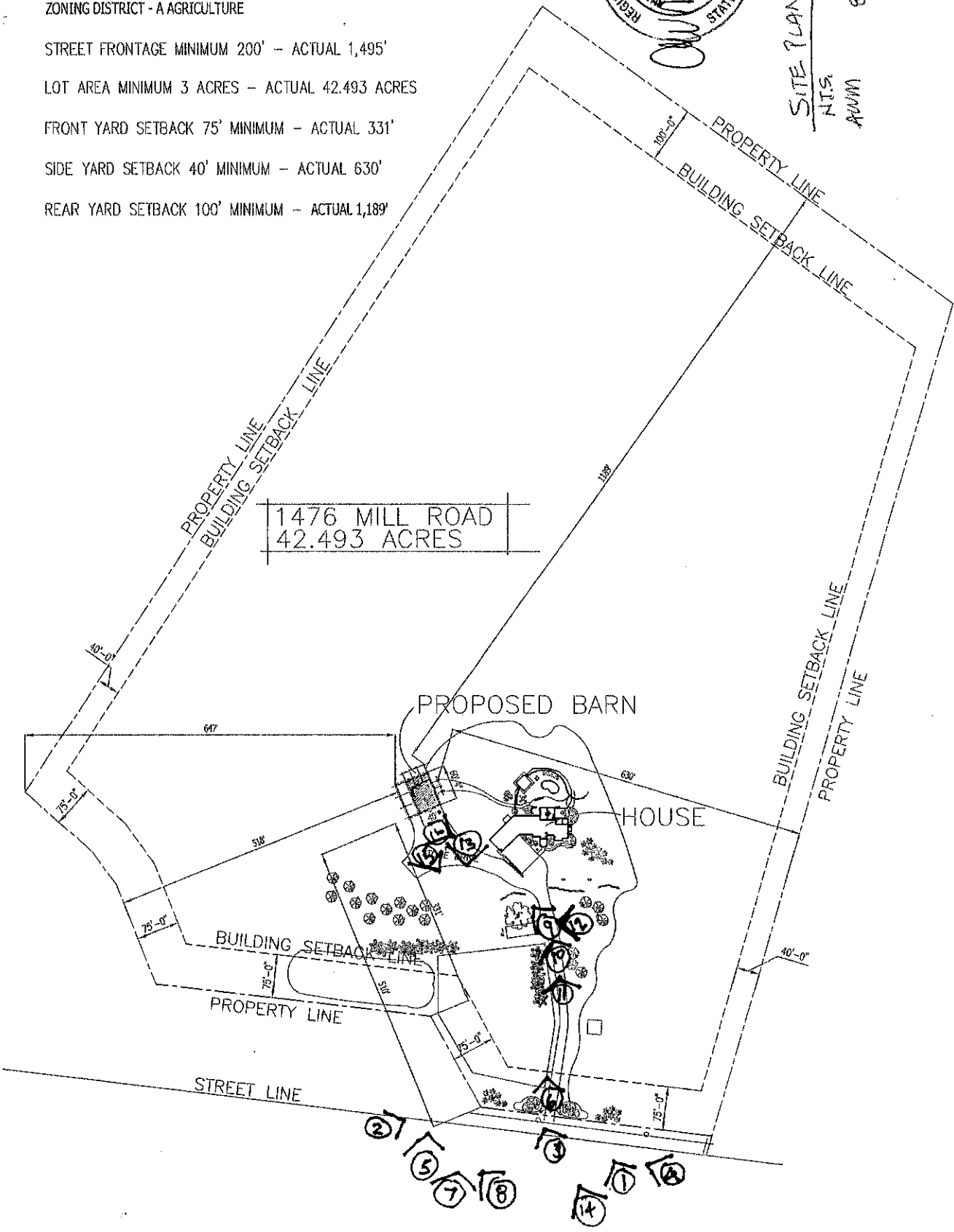
FRONT YARD SETBACK 75' MINIMUM - ACTUAL 331'

SIDE YARD SETBACK 40' MINIMUM - ACTUAL 630'

REAR YARD SETBACK 100' MINIMUM - ACTUAL 1,189'



SITE PLAN - OVERALL
NTS
AUMM
8.18.17



Jason Rupp
1476 Mill Rd
EA 14052
SBL: 187.00-4-4

#1308



Joseph Ingelfinger & Jodi Levine 1479 Mill Rd EA 14052

Bernice & Deborah Blowers 1443 Mill Rd
↳ mailing: PO Box 845 EA 14052

Ronald & Denise Kozlowski 1448 Mill Rd EA 14052

Hurt & Cornelia Knolle 1536 Mill Rd EA 14052

Jude & Marlene Jacobs V/L Mill Rd SBL: 187.03-1-14
↳ mailing: 1376 Grover Rd EA 14052

Jeremy Burger V/L Mill Rd SBL: 187.00-4-8.11
↳ mailing: 1019 Blakeley Rd EA 14052



CASE NO. 1309

DATE OF HEARING 9.21.17

Town of Aurora Zoning Board of Appeals
300 Gleed 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 Frank and Shari Downing
Address 34 SYMPHONY CIRCLE
City ORCHARD PARK State NY ZIP 14127
Phone 716 Fax _____ Email _____
Interest in the property (ex: owner/purchaser/developer) OWNER 101

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 623 KNOX ROAD, EAST AURORA, NY 14052
SBL# 164.00-2-6.23
Property size in acres 17.94 ACRES Property Frontage in feet 33 ft
Zoning District A + RR Surrounding Zoning A
Current Use of Property HAY FIELD

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # _____
 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)

Shari Downing
Signature of Applicant/Petitioner

SHARI DOWNING
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 23rd day of August in the year 2017 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.

Sheryl A. Miller
Notary Public

(Notary stamp) **SHERYL A. MILLER**
Reg. #01M16128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2021

Office Use Only: Date received: 8/23/17 Receipt #: 228912

Application reviewed by: *[Signature]*

ECDP ZR-1 form sent to EC: 8/30/17 Hearing publication date: 9/7/17

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: 11/19/15 Type of Appeal: #1257 INGRESS W/STH FOR ODA 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)

PLEASE SEE ATTACHMENT

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)

Zoning Appeals Application Form
Downing Letter of Intent
623 Knox Road, East Aurora, New York

We are seeking a variance to construct an accessory building/horse barn in front of our future home at 623 Knox Road. Our 17.94 acre property presents several topographical challenges that limit our options for locating the barn. There are several significant elevation changes on the property making various portions of the property unsuitable for any type of farm or home use.

Our plan is to construct our home approximately 400-450 feet from the Knox Road right of way (ROW) corner. If we were to locate the barn behind our future home, it would have to be constructed nearly 1000 feet from Knox Road due to significant changes in elevation. This would be impractical and difficult in regards to accessibility, utilities and fire safety. In addition to dramatic elevation change, there are also two significant drainage easements that run the length of our property (North/South) dissecting it into yet more segments that hinder our barn placement.

The proposed barn will measure 36 ft X 48-60 ft X 12 ft, with an 8/12 roof pitch and have two 10-foot shed porches that will run the length of the building on both sides. The proposed location for the barn is approximately 250 feet from the Knox Road ROW corner and will run parallel to our shared driveway. This desired barn location exceeds the minimum 75 ft front yard set back requirement and is at least 300 feet from our nearest neighbor.

We are also seeking a 3 foot variance for the mean height (18 feet) of the accessory structure because part of our building will be within the 300 foot band of the Rural Residential zoning portion of our property. Unfortunately shifting our building an additional 30-50 feet so that it is entirely in the Agricultural Zone would require a significant amount of fill. We want to ensure that the structure is on dry, level and firm ground for long term stability. We want the 8/12 roof pitch for a number of reasons. A shallow roof pitch is a safety hazard for a barn this size because of snow load. As we have seen over the past few winters, barns with shallow roof pitch are more apt to collapse during heavy snowfall. In addition, the 8/12 pitch will enable hay storage and is far more aesthetically pleasing and more in keeping with the essence of the neighborhood and other barns in East Aurora.

The design of the barn and site plan has been given much time and consideration and we will strive to uphold the pastoral and nostalgic character of the Knox Farm Community. Thank you for your consideration.

Respectfully,

Shari & Frank Downing

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



1309
TOWN CLERK
Martha L. Libroek
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
Southside Municipal Center
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

TOWN COUNCIL MEMBERS

Susan A. Friess
sfriess@townofaurora.com

Jeffrey T. Harris
jharris@townofaurora.com

Jolene M. Jeffe
jjeffe@townofaurora.com

Charles D. Snyder
csnyder@townofaurora.com

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

SUPT. OF BUILDING
Patrick J. Blizniak
(716) 652-7591
building@townofaurora.com

ASSESSOR
Richard L. Dean
assessor@townofaurora.com
(716) 652-0011

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

TOWN ATTORNEY
Ronald P. Bennett

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

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

FAX: (716) 652-3507
NYS Relay Number:
(800) 662-1220

This institution is an equal opportunity provider and employer.

Frank & Shari Downing
34 Symphony Circle
Orchard Park, NY 14127

8/23/2017

Re: Accessory building at 623 Knox Rd. second story/ mean height/front yard/
animals in RR

Frank & Shari,

The Building Dept. has reviewed your plans for an accessory building at 623 Knox Rd. Your proposed building does not meet the zoning regulations for accessory buildings as specified in the Rural Residential Zoning District. We therefore request that you apply to the Town Zoning Board of Appeals for an area variance if you wish to continue with this project.

116-8.4 A.10(b)

Required: Not keeping more than two domestic animals

Requested: Five horses

Variance: three additional domestic animals.

116-18 A(1)

Required: No Accessory Building in any front yard

Requested: Accessory Building in a front yard

Variance Required: Accessory Building in a front yard

116-18 B

Required: One Story, not to exceed 15' mean height

Requested: Two Story, with 18' mean height

Variance required: Two Story Accessory Building & 3' height variance.

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer
A handwritten signature in cursive script that reads "William R. Kramer".
Code Enforcement Officer

marked 8/30/17

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: _____

Received: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 9/21/2017 **Time** 7:00pm **Location** 300 Glead Avenue, 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 Specific as follows 623 Knox Road, E. Aurora

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: (be specific) Requesting accessory building in front yard and 3 more horses than are allowed by Town Code.

8. Other remarks: (ID#, SBL#, etc.) SBL#164.00-2-6.23

9. Submitted by: Martha L. Librock 8/30/17

300 Glead Avenue, 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. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____

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: ACCESSORY BUILDING / HORSE BARN			
Project Location (describe, and attach a location map): 275 FEET FROM KNOX RD. RIGHT OFWAY CORNER			
Brief Description of Proposed Action: PRIVATE HORSE BARN			
Name of Applicant or Sponsor: SHARI + FRANK DOWNING		Telephone	E-Mail
Address: 39 SYMPHONY CIRCLE			
City/PO: ORCHARD PARK NY		State: NY	Zip Code: 14127
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 governmental Agency? If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3a. Total acreage of the site of the proposed action?		17.94 acres	
b. Total acreage to be physically disturbed?		1.07 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		17.94 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action:	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	N/A
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	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water:	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment:	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEPTIC
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharges, either from point or non-point sources? If Yes:	NO	YES	
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	

<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.</p> <p>Applicant/sponsor name: <u>SHARI DOWNING</u> Date: <u>8/22/2017</u></p> <p>Signature: <u><i>Shari Downing</i></u></p>		



PROPOSED DOWNING BARN CONCEPT

12' 1st floor wall height
8/12 roof pitch

DOWNING
623 KNOX
ROAD

E ROAD
(KNOWN AS MIDDLE ROAD)

OF LOT 47
E AS SHOWN
ON PLAT

PROPOSED RIGHT OF WAY

N 88°51'02" N
309.66'

CENTER LINE OF THE FORMER BIG TREE ROAD

EXISTING GRANGE & BLACKBURN
MILLING DRIVE

PROPOSED
10 FT PORCH
BARN
10 FT PORCH

INVERT
919.66'
4" PVC

N 250 FT

OLD BUILDING
FOUNDATION

OLD BUILDING
FOUNDATION

400 FT

FUTURE
HORSE

WOODS &
BRUSH

APPLE

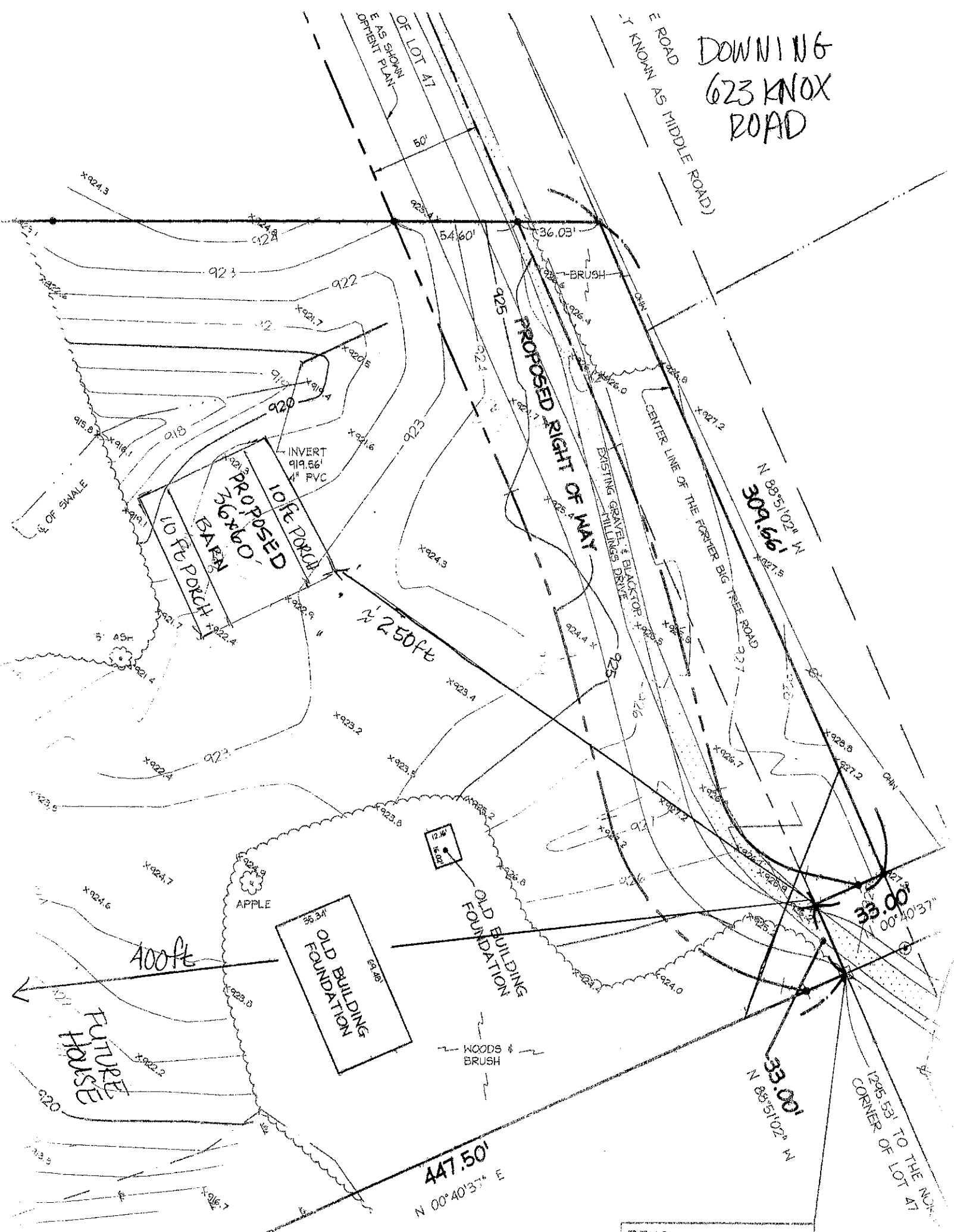
447.50'
N 00°40'37" E

33.00'
N 88°51'02" N

33.00'
00°40'37"

1295.53' TO THE N.E.
CORNER OF LOT 47

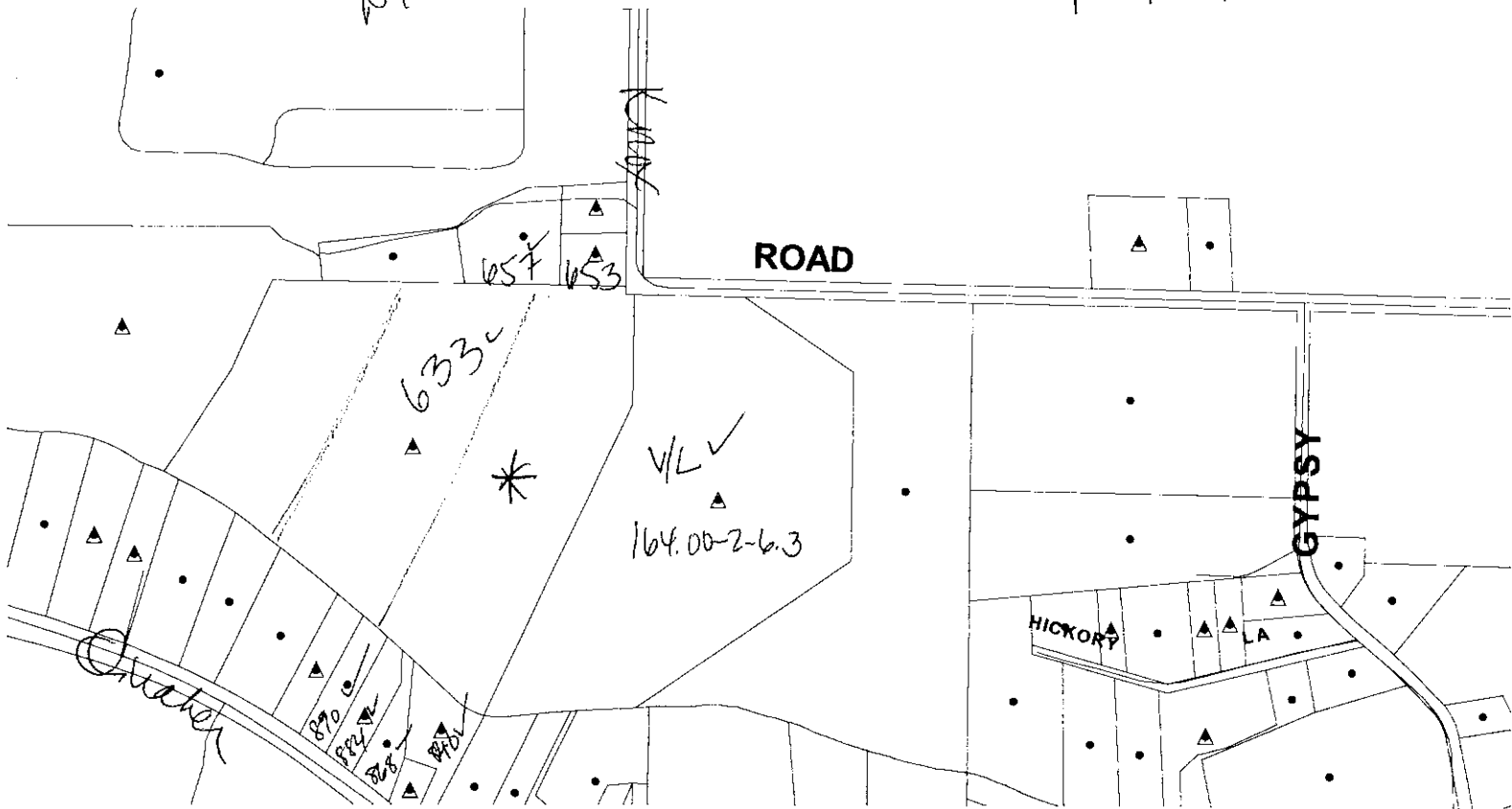
BENCHMARK



People of NYS office/Parls
alt: Raygell
PO Box 1132
Niagara Falls, NY
14303

NYS Parls

Shari & Frank Downing
623 Knox Rd EA
Sta: 164. 00-2-6.23
Mailing:
34 Symphony Circle
Op 14127



Alexander & Ellen Kuyler 633 Knox Rd EA
↳ mailing: 16 Templeton Trail Op 14127

David & Amanda Bloom 657 Knox Rd EA 14052

Perry O'Connell 653 Knox Rd EA 14052

Brian & Kathleen Caputi V/L Knox SB: 164.00-2-6.3
↳ mailing: 280 Greenwood Ct EA 14052

Elmbrook Development Inc, 870 Quaker Rd EA

↳ mailing: 200 Pound Rd Elma 14059

Richard Seglimbeni, 878 Quaker Rd EA 14052

Mark Nosal, 884 Quaker Rd EA 14052

Richard & Margaret Sheehan, 890 Quaker Rd EA 14052



CASE NO. 1310

DATE OF HEARING 9.21.17

Town of Aurora Zoning Board of Appeals
300 Glead 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 Bruce + Anna Davidson
Address 140 Geneva Rd
City East Aurora State NY ZIP 14052
Phone 716 655 Fax _____ Email _____
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 140 Geneva Rd East Aurora NY 14052
SBL# 175.16-1-34
Property size in acres 1.6Ac Property Frontage in feet 63.16
Zoning District R1 Surrounding Zoning R1, A
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # _____
 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)

Anna Lisa Davidson
Signature of Applicant/Petitioner

Anna Lisa Davidson
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 24th day of August in the year 2017 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.

Sheryl A. Miller
Notary Public

(Notary stamp) **SHERYL A. MILLER**
Reg. #01M16128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2021

Office Use Only: Date received: 8/24/17 Receipt #: 228916

Application reviewed by: *(Signature)*

ECDP ZR-1 form sent to EC: ~~NOT REQUIRED~~ Hearing publication date: 9/7/17

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

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)

SBL# 175,16-1-34

Petitioner's Letter of Intent

Anna + Bruce Davidson

We are proposing to add an open, front porch to our house. In the process, we will be moving the front entrance more to the center of the house. The footprint of the porch will extend 7 feet in front of our current front footprint. We are requesting a variance as the neighborhood requires a 50 foot setback from the road and our proposal will put us at a 45 foot setback.

As we are the last house on a dead-end street, we don't anticipate there being an undesirable change to the character of the neighborhood. The neighbor across the street has an open air porch of similar style to what we are proposing. The porch extends 6 feet from the garage footprint.

The reason we are proposing to add a porch is because the current front entrance has sustained significant water damage since it was not properly set on a foundation. We are requesting to extend 7 feet out from our garage and ~~23~~ feet long.

The variance requested is approximately 5 feet.

19'9 3/4"

We believe our proposal will have a positive impact on the neighborhood as it will bring the architecture of our house more in line with that of our neighbors and offer a nicer curb appeal.

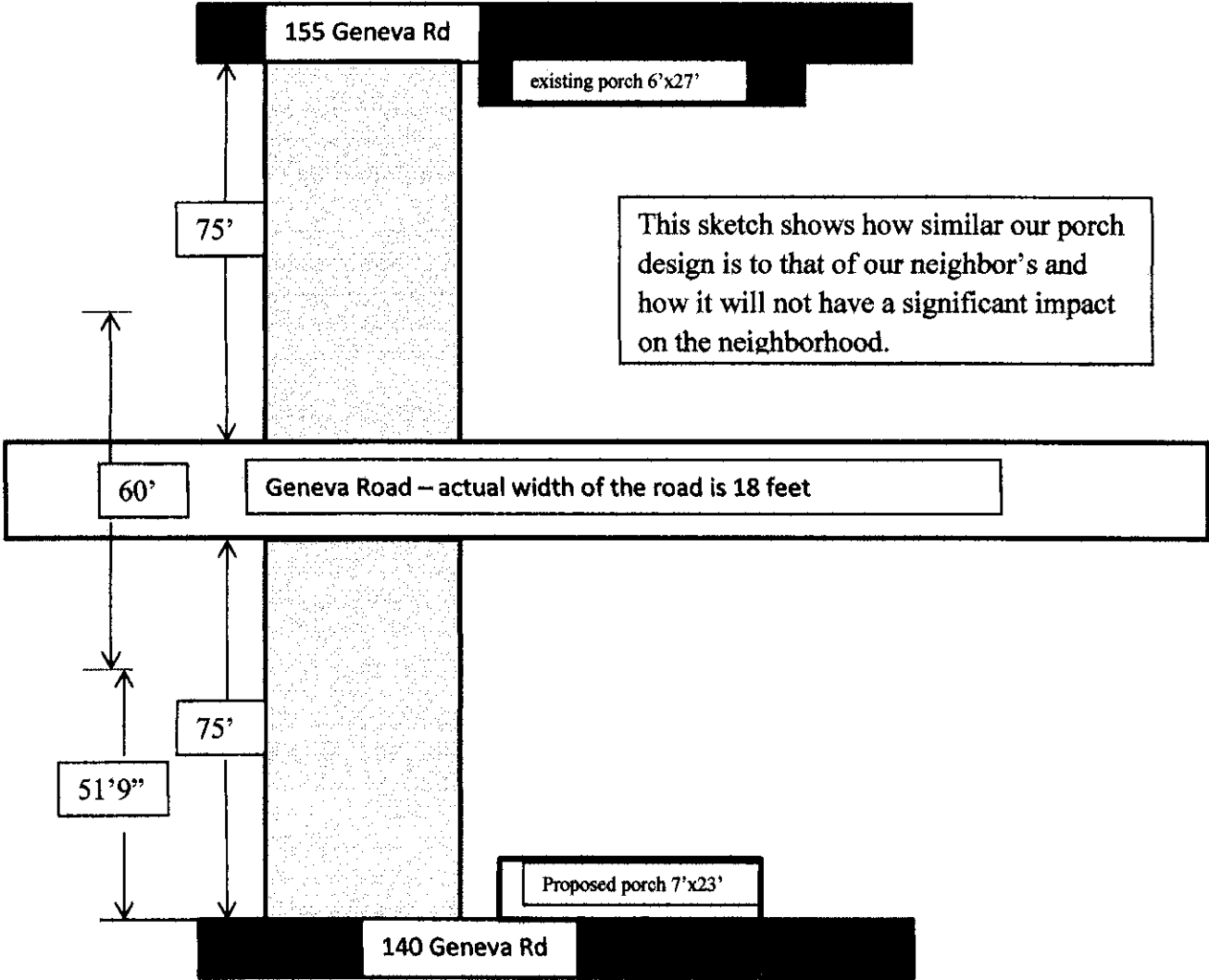
We do not believe that our proposal will have an adverse effect or impact on the physical or environmental conditions in the neighborhood.



Front view of Petitioner's house 140 Geneva Rd



Front view of neighbor's house across the street 155 Geneva Rd. with open porch.



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

1310
TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

TOWN OF AURORA
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TOWN COUNCIL MEMBERS

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Jeffrey T. Harris
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Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

Bruce & Anna Davidson
140 Geneva Rd.
East Aurora, NY 14052

8/24/2017

Re: front yard set back

Bruce & Anna,

The Building Dept. has reviewed your proposal for a covered front porch at 140 Geneva Rd. The proposed front porch does not meet the front yard setback regulations as specified in the previous zoning (R-3) or the current zoning R-1) . We therefore request that you apply to the Town Zoning Board of Appeals for an area variance if you wish to continue with this project.

Existing legal non-conforming residence: 51.73
Required: Minimum front yard setback as per R-1: 75'
Requested: 44.73'
Variance required: 30.27'
Previous allowed setback under R-3 Zoning: 50'
Required variance if still Zoned R-3: 5.27'

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer

Code Enforcement Officer

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: <i>Front porch</i>							
Project Location (describe, and attach a location map): <i>Front of house</i>							
Brief Description of Proposed Action: <i>Build a covered open porch and move front entrance 6 feet towards middle of house.</i>							
Name of Applicant or Sponsor: <i>Bruce + Anna Davidson</i>		Telephone:					
		E-Mail:					
Address: <i>140 Geneva Rd</i>							
City/PO: <i>East Aurora</i>		State: <i>NY</i>	Zip Code: <i>14052</i>				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<i>1.6</i> acres					
b. Total acreage to be physically disturbed?		<i>< 1</i> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>1.6</i> acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)							
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>NA</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>N/A</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

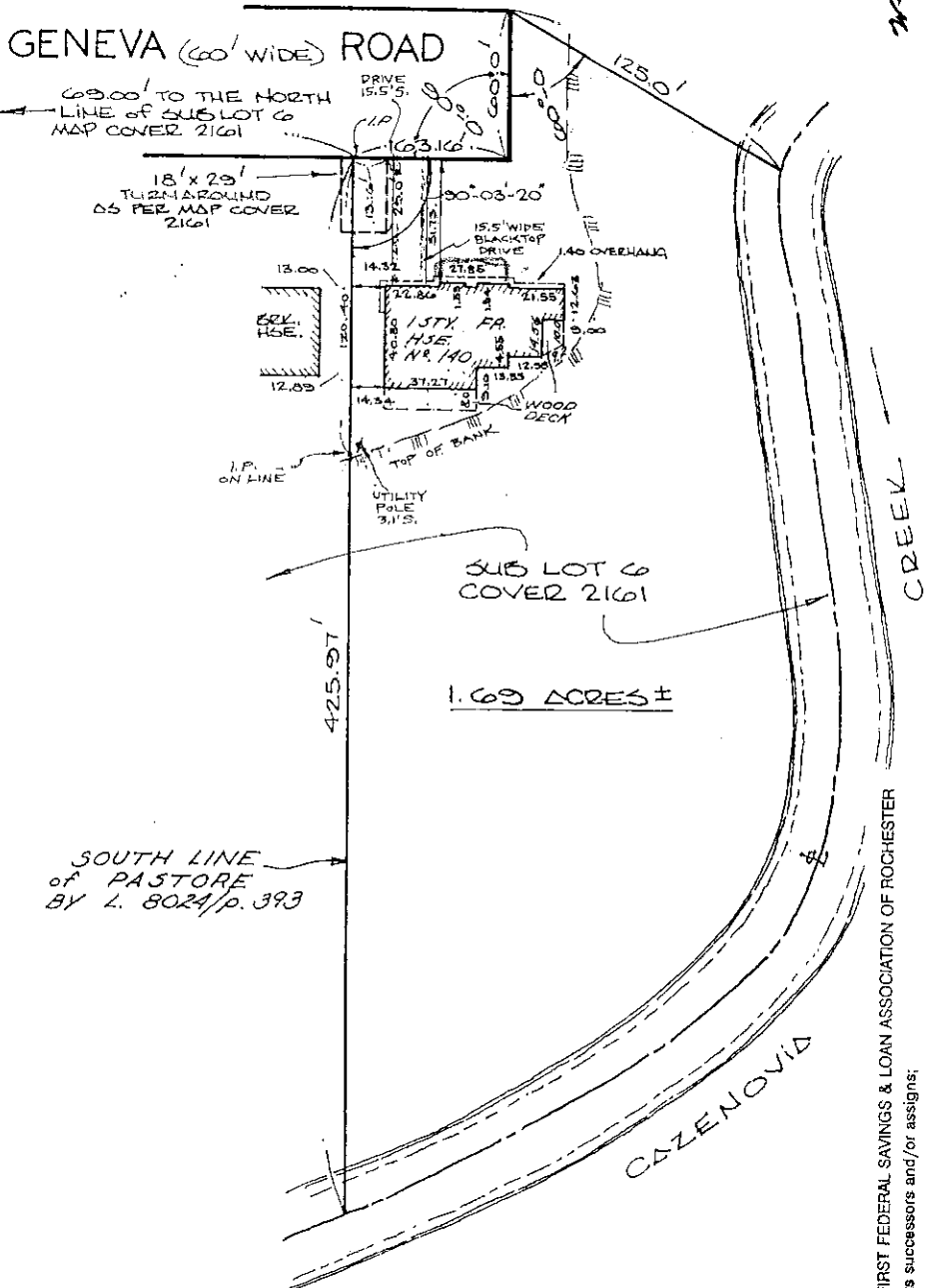
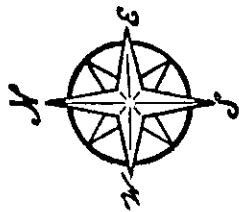
<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

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

Applicant/sponsor name: Anna Lisa Davidson

Signature: [Handwritten Signature]

Date: 8/24/17



PART of SUB LOT 6
MAP COVER 2161
OVERBROOK SUBDIV.

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW

PART OF L. 225 T. 9 R. 6; TOWN OF AURORA; COUNTY OF ERIE; NEW YORK

RESURVEY		
DATE	JOB	DESCRIPTION
4-14-73	130381	HOUSE LOCATE CAS.
7-2-76	760611	RESURVEY EK.
8-11-76	760611	ADDED NOTE EK.
10-16-92	920403	RESURVEY H. N.L.

TNA ENGINEERS • SURVEYORS • PLANNERS

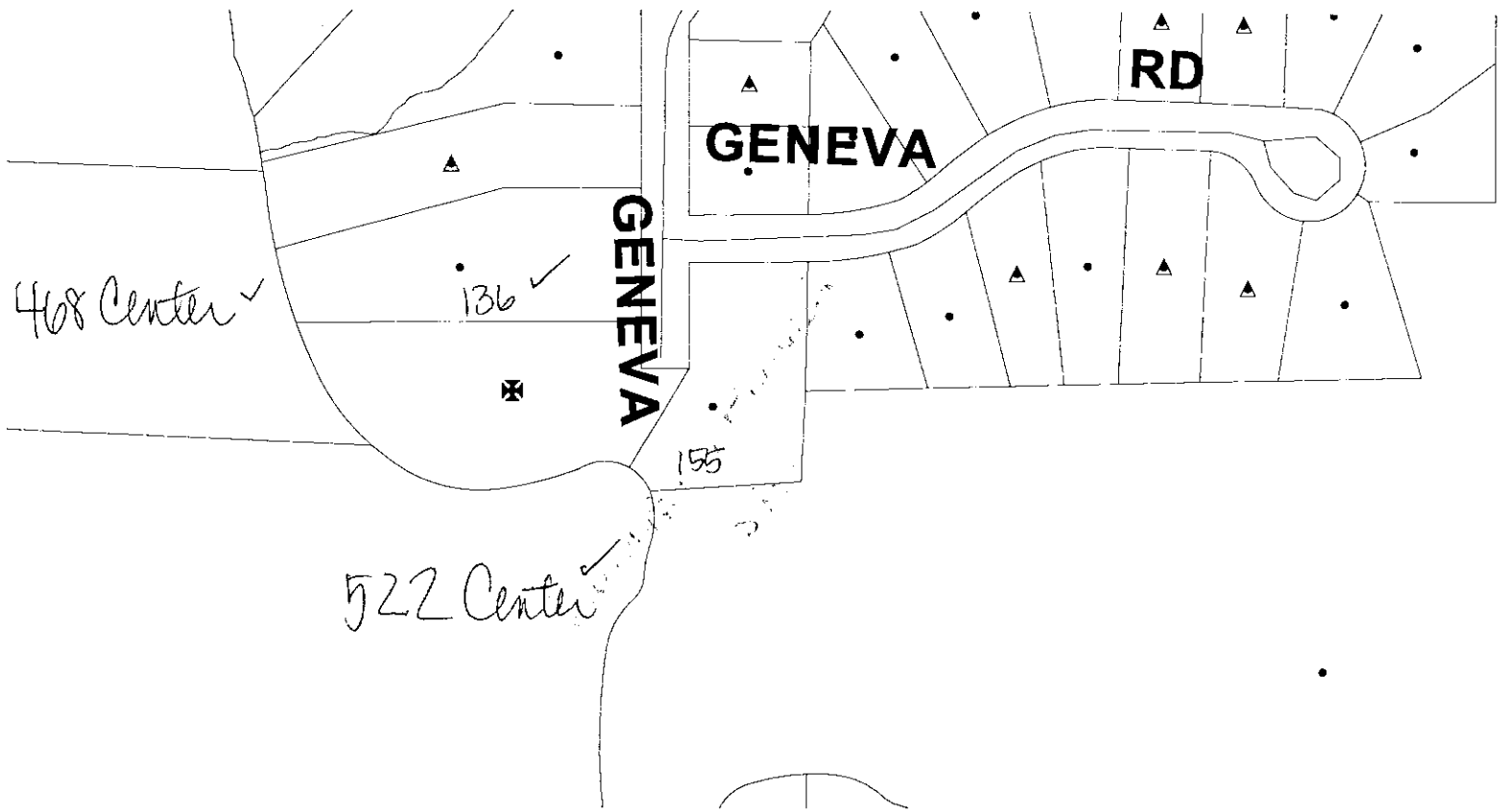
70 LINWOOD AVENUE, PO BOX 718, ORCHARD PARK, NEW YORK 14127
(716) 662-9366

DRAWN BY CAS SCALE 1"=60'

CHECKED BY [Signature] DATE 1-30-73

JOB 730067 SHEET 2E-5266

Bruce & Anna Davidson
140 Geneva Rd
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Joseph Link 522 Center St GA 14052
Alan & Jean Spencer 136 Geneva Rd GA 14052
Suzanne Bolster 155 Geneva Rd GA 14052