



CASE NO. 1340

DATE OF HEARING 8/15/19

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 Dennis Sawicki  
Address 496 GROUCH Rd  
City EAST AURORA State NY ZIP 14052  
Phone 716 919 5829 Fax \_\_\_\_\_ Email dennis@awicki.com  
Interest in owner/purchaser/developer

#### 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 496 GROUCH Rd  
SBL# 174.00-2-18  
Property size in acres .4 ACRES Property Frontage in feet 161.9'  
Zoning District R1 Surrounding Zoning \_\_\_\_\_  
Current Use of Property HOME

#### IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 3  
 Special Use Permit for: \_\_\_\_\_  
 Use Variance for: \_\_\_\_\_  
 Interpretation of \_\_\_\_\_

**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)

A 3NC + 1/2 GARAGE. Requesting VARIANCE BECAUSE OF SLOPE PROPERTY MAKES THE 121A REQUESTED THE ONLY POSSIBILITY ON PROPERTY.

**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)

**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

DENNIS P. SAWICKI

Print name of Applicant/Petitioner

State of New York; County of Erie

On the <sup>12<sup>th</sup></sup> day of JULY in the year 2019 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

(Notary stamp)

K. MICHAEL SAWICKI  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires ~~Jan 31, 2020~~  
4/13/2021

Office Use Only: Date received: 7/17/19 PCH Receipt #: 121642

Application reviewed by: \_\_\_\_\_

ECDP ZR-1 form sent to EC: \_\_\_\_\_ Hearing publication date: \_\_\_\_\_

**PREVIOUS APPEAL(S):**

A previous appeal to the Zoning Board of Appeals ( ) has ( ) has not been made with respect to this property.

**Previous appeals:**

Date: \_\_\_\_\_ Type of Appeal: \_\_\_\_\_ Granted \_\_\_\_\_ Denied \_\_\_\_\_

Date: \_\_\_\_\_ Type of Appeal: \_\_\_\_\_ Granted \_\_\_\_\_ Denied \_\_\_\_\_

# Short Environmental Assessment Form

## Part 1 - Project Information

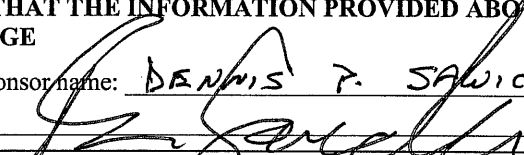
### Instructions for Completing

**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.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <b>NEW GARAGE</b>			
Project Location (describe, and attach a location map): <b>496 GROVER ROAD, E. AURORA, N.Y.</b>			
Brief Description of Proposed Action: <b>BUILD NEW GARAGE IN FRONT OF RESIDENCE</b>			
Name of Applicant or Sponsor: <b>DENNIS P. SAWICKI</b>	Telephone: <b>[REDACTED]</b>	E-Mail: <b>[REDACTED]</b>	<b>6</b> <b>MAIL.COM</b>
Address: <b>496 GROVER ROAD</b>			
City/PO: <b>E. AURORA</b>	State: <b>NY</b>	Zip Code: <b>14057</b>	
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"/>
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:			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			NO <input checked="" type="checkbox"/>
4. Check all land uses that occur on, adjoining and near the proposed action.			YES <input type="checkbox"/>
<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 type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



<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><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></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><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></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><b>NO</b></p> <p><input checked="" type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>DENNIS P. SAWICKI</u> Date: <u>7/14/19</u></p> <p>Signature: <u></u></p>		

SUPERVISOR  
James J. Bach  
(716) 652-7590  
[jbach@townofaurora.com](mailto:jbach@townofaurora.com)

TOWN CLERK  
Martha L. Librock  
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[townclerk@townofaurora.com](mailto:townclerk@townofaurora.com)

**TOWN OF AURORA**  
**Southside Municipal Center**  
300 Glead Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

TOWN COUNCIL MEMBERS

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NYS Relay Number:  
1(800) 662-1220

Dennis Sawiki  
496 Grover Rd.  
East Aurora, NY 14052

Re: Accessory building in front yard & set back

Dennis,

The Building Dept. has reviewed your application for an accessory building at 496 Grover Rd. We have denied your application because the proposed building does not meet the zoning regulations for accessory buildings as specified in the R1 District of the Town Code. 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.

116-8.1E(1)  
Required: Minimum front yard setback 75'  
Requested: 3'  
Variance required: 72'

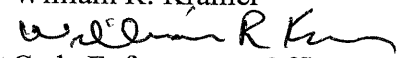
116-8.1E(3)  
Required: Minimum setback from the secondary street on a corner lot 45'  
Requested: 6'  
Variance required: 39'

116-8.1F(2)  
Required: Accessory building at equal to the mean hgt. of the building from the side property line, not less than 10'.  
Request: Accessory building 6' off the side property line.  
Variance required: 4'

116-18A(1)  
Required: No accessory building in the front yard  
Requested: An accessory building in the front yard  
Variance required: 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

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

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**2. Hearing Schedule:**    **Date** 8/15/2019      **Time** 7:30pm    **Location** 300 Glead Ave., E. Aurora, NY

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**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    496 Grover Road

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**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)**    Placement of proposed garage too close to two rights of ways; too close to side yard line and in front yard of residence - all not allowed by Town Code.

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**8. Other remarks: (ID#, SBL#, etc.)**    SBL#174.00-2-18

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**9. Submitted by:**    Martha Librock, Town Clerk      7/18/2019

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300 Glead Avenue, E. Aurora, NY 14052

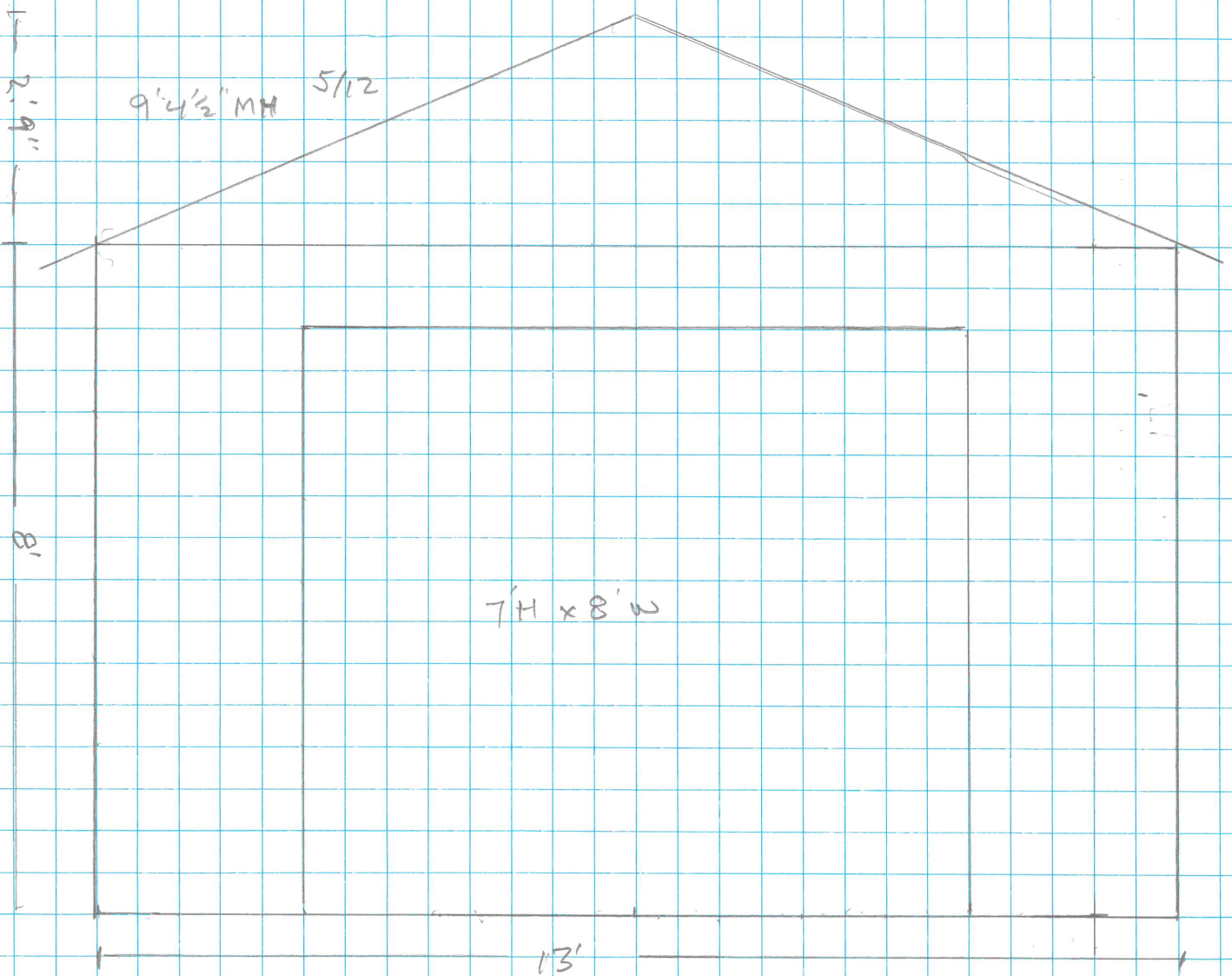
### Reply to Municipality by Erie County Division of Planning

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: \_\_\_\_\_

Dennis Sawicki  
496 Grover Rd







# 496 Grover Rd





Google Maps 503 Grover Rd

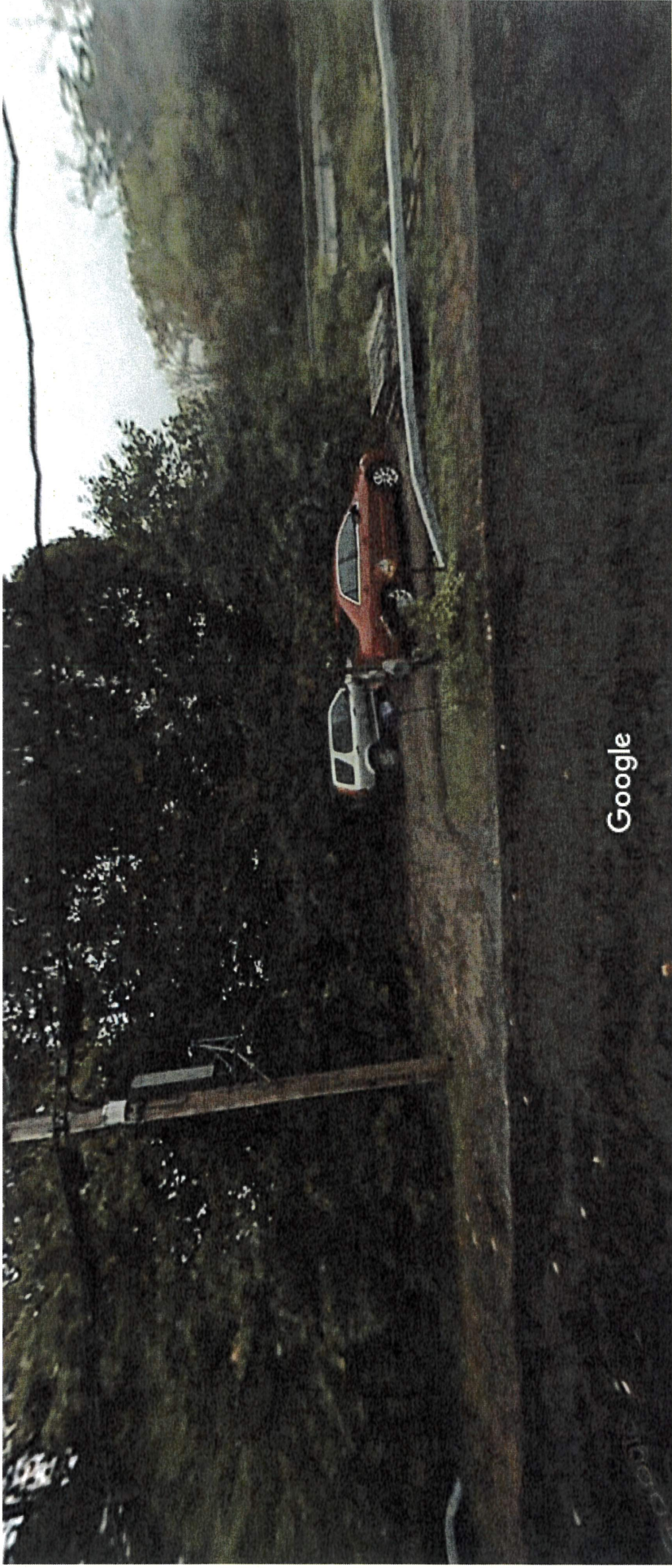


Image capture: Sep 2007 © 2019 Google

East Aurora, New York

Google

Street View - Sep 2007



# Erie County On-Line Mapping Application



0 0.04 0.1 Miles

**ERIE COUNTY**  
**DEPARTMENT OF ENVIRONMENT & PLANNING**  
**OFFICE OF GIS**

WGS, 1984, Web\_Mercator\_Auxiliary\_Sphere  
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

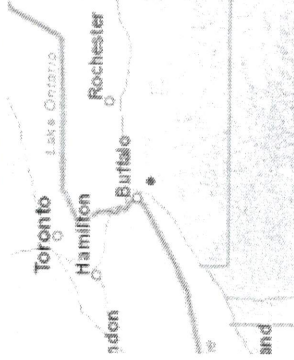
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 2,257



## Legend

- Parcels
- Streets and Highways
  - Interstate
  - Primary State Road
  - Secondary State Road
  - County Road
  - Local Road



1340