



CASE NO. 1377

DATE OF HEARING 3/18/2021

Town of Aurora Zoning Board of Appeals
575 Oakwood Avenue, East Aurora, New York 14052

Zoning Board of Appeals Application Form

I. TYPE OF REQUEST

AREA VARIANCE SPECIAL USE PERMIT USE VARIANCE INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name Christopher Lehner
Address 1102 Grover Rd
City East Aurora State NY ZIP 14052
Phone Fax Email chris.lehner@ny.com
Interest in the property (as 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 1102 Grover Rd
SBL# 187.00-1-37
Property size in acres 4.6 Property Frontage in feet 250'
Zoning District R1/A (building location) Surrounding Zoning R1/A
Current Use of Property residence

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-8.5C(2); 116-8.5G(2)
 Special Use Permit for: _____
 Use Variance for: _____
 Interpretation of _____

V. SIGNATURES (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5)



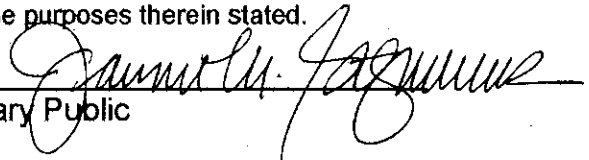
Signature of Applicant/Petitioner

Christopher Lehner

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 5 day of ~~February~~ the year 2021 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.



Notary Public

(Notary stamp)

JEANNE M. STEGMEIER
Notary Public, State of New York
No. 01ST6073546
Qualified in Erie County
Commission Expires April 22, 2022

Office Use Only: Date received: 2/8/21 Receipt #: 304683 Net # 2169

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 _____

0

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)

I am hoping to build a pole barn tall enough to house my equipment. The ceiling will be at 16' high and the roof peak at 26' high.

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

Aurora Municipal Center
575 Oakwood Avenue, East Aurora, NY 14052
www.townofaurora.com

TOWN COUNCIL MEMBERS

Susan A. Friess
sfriess@townofaurora.com

Jolene M. Jeffe
ijeffe@townofaurora.com

Charles D. Snyder
csnyder@townofaurora.com

Luke Wochensky
lwochensky@townofaurora.com

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

CODE ENFORCEMENT
OFFICER
William Kramer
(716) 652-7591
building@townofaurora.com

ASSESSOR
Roger P. Pigeon
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

*This institution is
an equal opportunity
provider and
employer*

February 8, 2021

Christopher Lehner
1102 Grover Rd
East Aurora, NY 14052

Dear Christopher:

The Building Department has reviewed your submittal for the construction of a pole barn at your residence at 1102 Grover Rd. The request has been denied because it fails to meet the requirements of the Town of Aurora Code for the Agricultural (A) zoning district in which it is located.

Section 116-8.5C(2)

Required: Maximum mean height of accessory building not to exceed 20 feet
Requested: 21' mean height
Variance: 1 foot

Section 116-8.5G(2)

Required: Side yard setback for accessory building: a distance equal to the mean height of the proposed building but not less than 20 feet
Requested: 15' side yard setback
Variance: 6'

This letter serves as notice that we have received your application and fee for the Zoning Board of Appeals. You will receive notification from the Town Clerk with the date and time of your hearing next month. If you have any questions contact our office at 652-7591.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Cassidy".

Elizabeth Cassidy
Asst. 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: Construct pole barn				
Project Location (describe, and attach a location map): 1102 Grover Rd East Aurora NY 14052				
Brief Description of Proposed Action: Build cold storage pole barn				
Name of Applicant or Sponsor: Christopher Lehner		Telephone: E-Mail: ch.lesner@ny.com		
Address: 1102 Grover Rd				
City/PO: East Aurora		State: NY	Zip Code: 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.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Aurora			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		.18 acres		
b. Total acreage to be physically disturbed?		.25 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.6 acres		
4. Check all land uses that occur on, are adjoining or 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				

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 checked="" type="checkbox"/> <i>(initials)</i>
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 services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<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: _____	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: <u>no waste water</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<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 checked="" type="checkbox"/>	<input 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 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 plan?	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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Gutter downspouts directed to existing drainage swale</i>		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

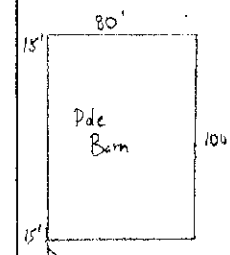
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Christopher Lehner Date: 2-2-21
Signature: *Chris Lehner* Title: property owner

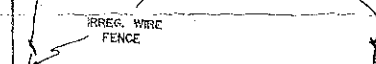
W. LINE LOT 38
E. LINE LOT 44

800.00'

245.88'
91'-13"
E. LINE TO JOHN A. & PATRICIA L. PARSONS (WIFE) L. 601 P. 378
85'-47'

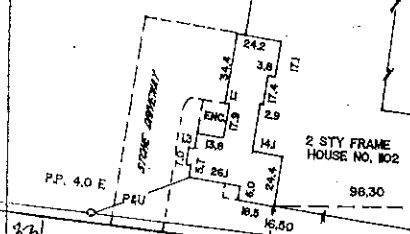


FNC 30'± G



FNC 15.5 S

37'±
357'



10.0
FRAME COTTAGE

43.10

842.70'

FNC 10'± S

IRREG. WIRE FENCE

FNC 3.3 N

33.0' AT 90°
587.00' TO THE N.
LINE LOT 44

P.P. 4.0 E

P&U

37'±
211'-10'

150.80'

166'-49'

99.20'

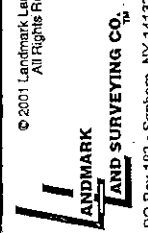
OVERHEAD WIRES

GROVER (66' WIDE) RD.

NOTE: THIS SURVEY MAP IS VALID ONLY FOR THE DATED INTENT.
MAP IS NOT VALID AND WORDS ARE LIABILITY WITH UNAUTHORIZED REPRODUCTION.
THIS MAP IS NOT VALID FOR ANY OTHER PURPOSE OR APPLICATION OF SECTION
7208, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UPDATED
AERIAL PHOTOGRAPHIC SURVEY. THE SURVEYOR HAS MADE A VISUAL CHECK OF FACTS THAT
MAY BE RELEVANT TO AN EXAMINATION OF THIS MAP.

© 2001 Landmark Land Surveying Co.
All Rights Reserved



Niagara County (716) 731-4080
Erie County (716) 854-6338 > Fax (716) 731-4499

Successor to the Records of:

- Newton Land Surveying Est. 1995
- Wilson, W.F. Est. 1980
- Wilson, M.J. Est. 1980
- Peyer, F. M. Est. 1958
- Richards, E.S. Est. 1955
- Basinski, J.S. Est. 1950
- Devlin, J. Est. 1945
- Kuster, A.S. Est. 1922
- Houston, G. Est. 1904

Residential & Commercial
Licensed in the State of New York and Florida

THIS MAP VOID
UNLESS RECORDED WITH
NYSP&S SEAL #899

Paul W. ...

COUNTY OF ERIE NEW YORK

TWP. 9 RANGE 6

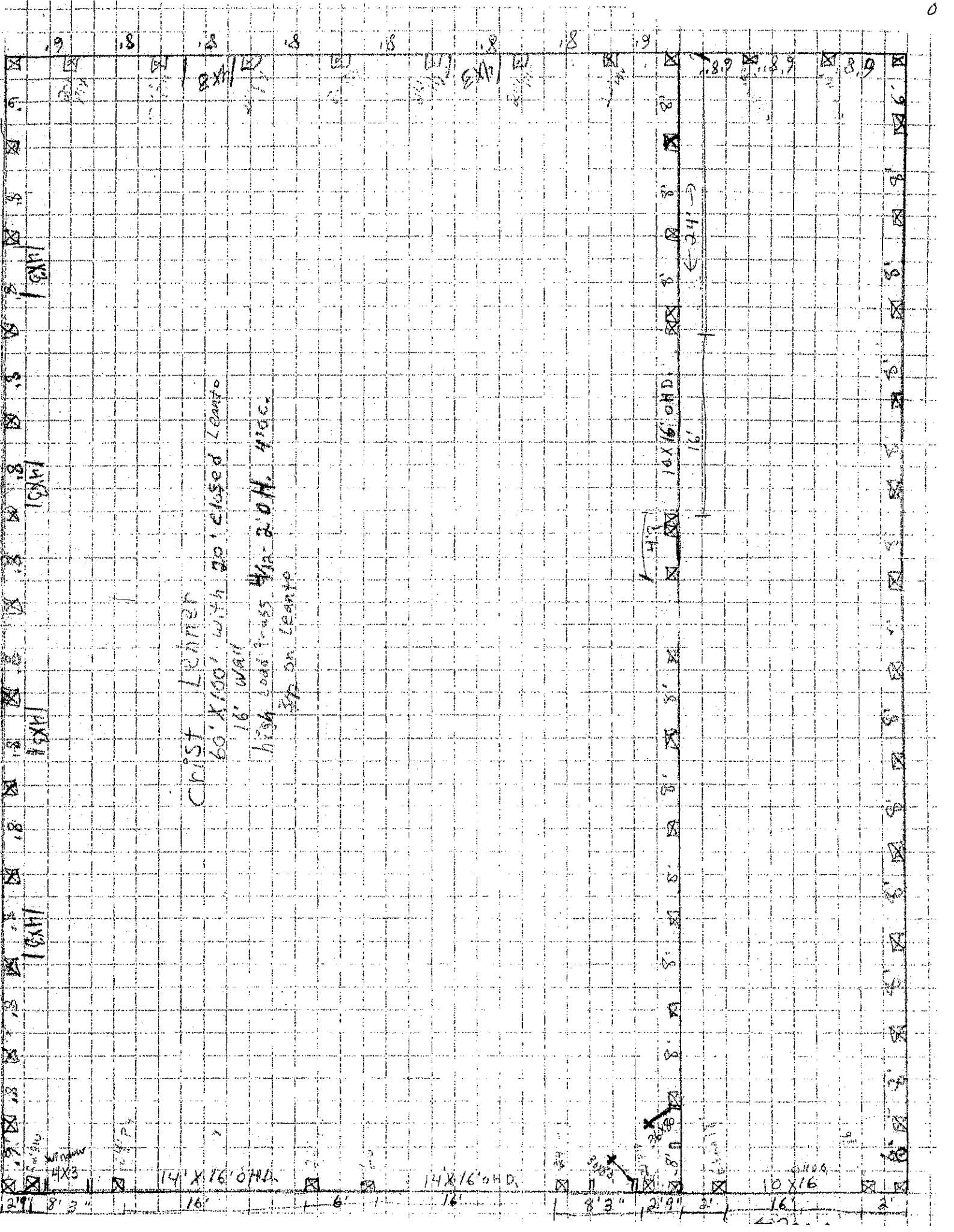
SEC. 44 PART OF LOTS 36 & 44

SUBLOT

SCALE 1" = 60'

JOB # 2031050

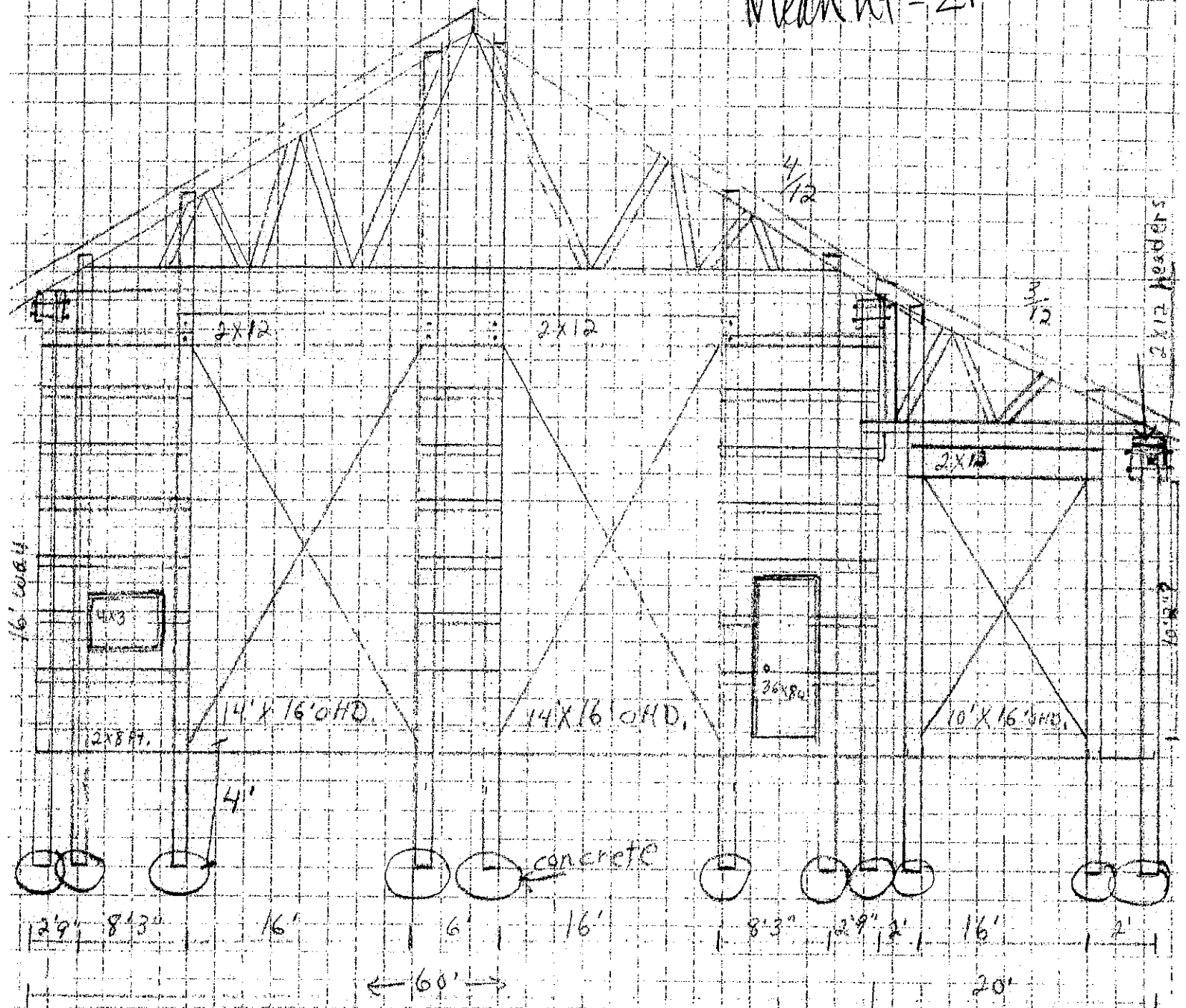
DATE 10-25-03



60' x 100' with 20' x 100' closed lean to

- 60' trusses 4' OC. 24" OH. $\frac{4}{12}$ High Load truss 78 lb.
- 2x6-4 ply post 8' OC. - 4' in earth with concrete footer
- 2x8 pt. Rim Around base At ground level
- 2x12 - 5yp. Headers
- 2x4 perlings 2' OC. And 28 GA. Metal Roof on Roof truss

Mean ht = 21'



EAGLE METAL

12300 Ford Rd, Suite 110
Dallas, Texas 75234

eaglemetal.com

The truss designs referenced below have been prepared by me or under my direct supervision based on the truss design criteria and requirements ("design criteria") provided by **Cussewago Truss, LLC**.

These truss designs are intended for the fabrication of individual building components that will perform to the design criteria provided. Any variance from the design criteria will render the affected truss designs inapplicable.

Listed below are the truss designs included in this package and covered by this seal.

Job: ESM02030686 - 1139771
T01

Any location identification is for file reference only. No determination of the appropriateness of design criteria for any specific project has been made in preparing the truss designs.

Please refer to individual truss designs for specific design criteria.

02/03/2021



Arturo A. Hernandez (NY, 083684-1)

My license renewal date for the state of NY is 10/31/2023.

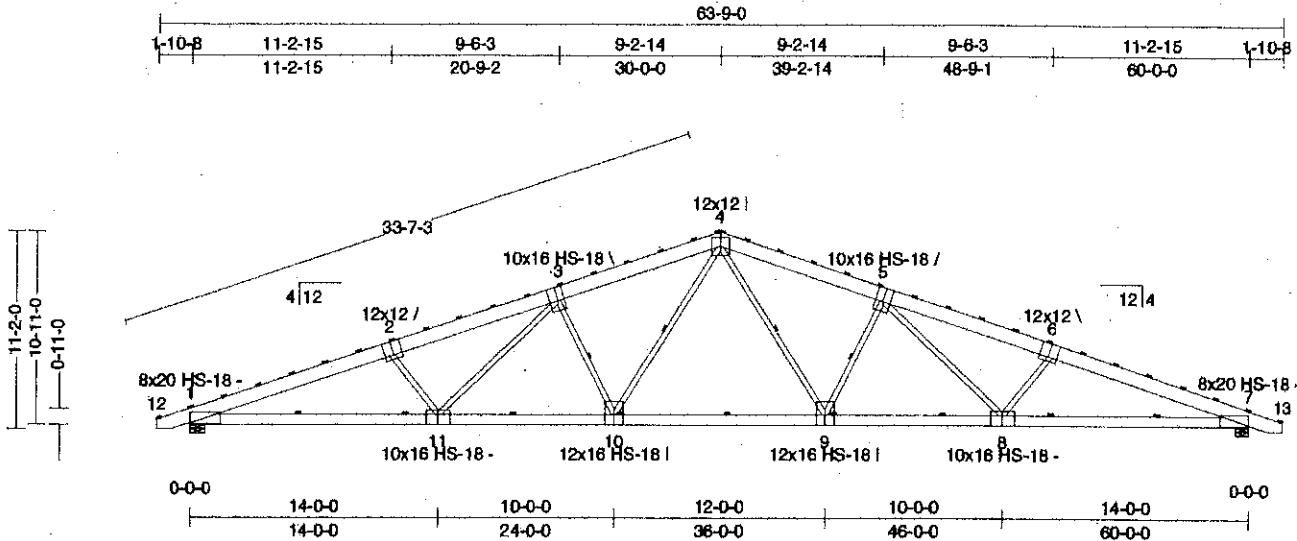
IMPORTANT NOTE: The responsibility of the engineer sealing this package, as a Truss Engineer, is solely for design of individual trusses as individual building components based upon design criteria provided by others and set forth in the referenced truss drawings. The truss design criteria for the components have not been verified as appropriate for any particular building, project or use. Adequacy and suitability of design criteria and requirements for the truss designs for any specific project are the responsibility of the building designer, not the Truss Engineer, per ANSI/TPI-1, Chapter 2.



CUSSEWAGO TRUSS, LLC
Cambridge Springs, PA
Specializing In Custom Built Trusses

Truss:T01
Job: ESM02030686
Design:WJM
Date: 02/03/21 10:51:17
Page: 1 of 2

SPAN 60-0-0	PITCH 4/12	QTY 21	OHL 1-10-8	OHR 1-10-8	CANT L 0-0-0	CANT R 0-0-0	PLYS 1	SPACING 48 in	WGT/PLY 530 lbs
----------------	---------------	-----------	---------------	---------------	-----------------	-----------------	-----------	------------------	--------------------



All plates shown to be Eagle 20 unless otherwise noted.

Loading (psf)	General	CSI	Deflection	L/	(loc)	Allowed
TCLL: 54.6	Bldg Code: IBC 2018/	TC: 0.92 (1-2)	Vert TL: 1.48 in	L/ 475	(9-10)	L/ 240
TCDL: 5	TH 1-2014	BC: 0.90 (11-1)	Vert LL: 1.22 in	L/ 575	(9-10)	L/ 360
BCLL: 0	Rep Mbr: No	Web: 0.76 (6-8)	Horz TL: 0.51 in		7	
BCDL: 5	Lumber D.O.L.: 115 %					

Reaction

JT	Brg Combo	Brg Width	Rqd Brg Width	Max React	Max Grav Uplift	Max MWFRS Uplift	Max C&C Uplift	Max Uplift	Max Horiz
1	1	9.25 in	6.79 in	8,199 lbs		-1,772 lbs		-1,772 lbs	137 lbs
7	1	9.25 in	6.79 in	8,199 lbs		-1,772 lbs		-1,772 lbs	

Material

TC: SP2400/2.0 2 x 10
BC: SP2400/2.0 2 x 8
Web: SFF 2100/1.8 2 x 4 except:
SFF #2 2 x 4: 2-11, 6-8

Bracing

TC: Purlins at 24" OC, Purlin design by Others.
BC: Sheathed or Purlins at 6'-0", Purlin design by Others.
Web: One Midpoint Row: 3-10, 4-10, 4-9, 5-9

02/03/2021



Loads

- 1) This truss has been designed for the effects of balanced (54.6 psf) and unbalanced flat roof snow loads in accordance with ASCE7 - 16 with the following user defined input: 78 psf GSL, Terrain C, Exposure (C_e = 1.0), Risk Category II (I = 1.00), Thermal (C_t = 1.00), DOL = 1.15. If the roof configuration differs from hip/gable, Building Designer shall verify snow loads.
- 2) This truss has been designed to account for the effects of ice dams forming at the eaves.
- 3) This truss has been designed for the effects of wind loads in accordance with ASCE7 - 16 with the following user defined input: 115 mph (Factored), Exposure C, Enclosed, Gable/Hip, Risk Category II, h=B=L= 15 ft, End Zone Truss, Both end webs considered. DOL = 1.60
- 4) This truss has been designed for the effects of TC LL = 20 psf.
- 5) Minimum storage attic loading has been applied in accordance with IBC 1607.1

Member Forces

Table indicates: Member ID, max CSI, max axial force (max compr. force if different from max axial force) Only forces greater than 300lbs are shown in this table

Member	CSI	Max Axial Force	Max Compr. Force	Member	CSI	Max Axial Force	Max Compr. Force
TC 12	0.915	-19,236 lbs		3-4	0.643	-14,535 lbs	
TC 23	0.766	-17,924 lbs		4-5	0.643	-14,535 lbs	
BC 78	0.904	17,844 lbs	(-3,627 lbs)	9-10	0.545	11,538 lbs	(-2,026 lbs)
BC 89	0.732	14,917 lbs	(2,859 lbs)	10-11	0.732	14,917 lbs	(-2,859 lbs)
Web 2-11	0.760	-2,094 lbs		3-10	0.754	-4,568 lbs	
Web 3-11	0.525	2,597 lbs	(-574 lbs)	4-10	0.534	5,080 lbs	(-846 lbs)
				5-9	0.754	-4,568 lbs	
				6-8	0.760	2,596 lbs	(-574 lbs)

Notes

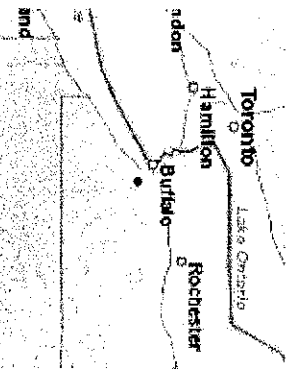
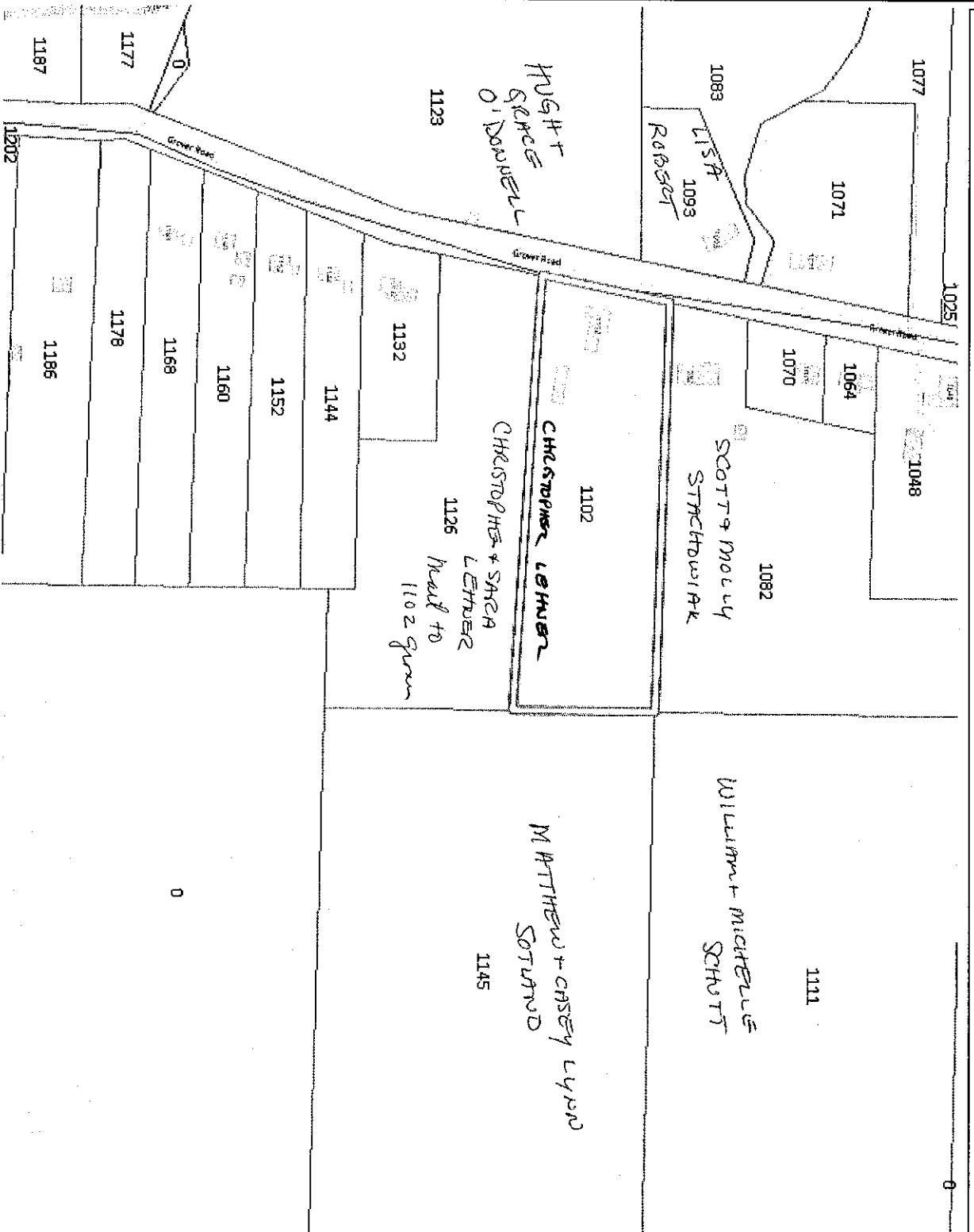
- 1) Unless noted otherwise, do not cut or alter any truss member or plate without prior approval from a Professional Engineer.
- 2) The fabrication tolerance for this roof truss is 20% (C_q = 0.80).
- 3) Building Designer shall verify self weight of the truss and other dead load materials do not exceed TC DL 5 psf.
- 4) Building Designer shall verify self weight of the truss and other dead load materials do not exceed BC DL 5 psf.
- 5) Warning: extreme care is required for trusses over 60 ft. Long span trusses are extremely dangerous to erect and may require a complex temporary restraining system/bracing plan. The erection stresses potentially far exceed the in-service stresses (CSIs Summary) shown particularly because the truss lacks the permanent bracing (Bracing Summary) and their other attachments to the building structural elements such as a complete roof decking system and shear walls during erection. Therefore, it is required that a professional engineer be consulted for the design and inspection of temporary and permanent bracing.
- 6) Design assumes minimum #2 (flat orientation, visually graded) purlins attached to the top of the TC at purlin spacing shown with at least 2-10d nails.
- 7) Brace bottom chord with approved sheathing or purlins per Bracing Summary.
- 8) Lateral bracing shown is for illustration purposes only and may be placed on either edge of truss member
- 9) A creep factor of 1.00 has been applied for this truss analysis.

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

TrueBuild® Truss Software V5.6.375
Eagle Metal Products



Erie County On-Line Mapping Application



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

0 0.07 0.1 Miles
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
 DEPARTMENT OF ENVIRONMENT & PLANNING
 OFFICE OF GIS

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

1: 4,514

