



CASE NO. 1380  
DATE OF HEARING 4/15/2021

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 Colley's Pool + Spa  
Address 4953 Camp Rd  
City Hamburg State NY ZIP 14075  
Phone 716-649-7640 ext 353 Fax 716-649-6830 Email maryjot@colleys.com  
Interest in the property (ex: owner/purchaser/developer) Contractor

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

Property Owner(s) Name(s) Scott + Karin Socha  
Address 871 Knox Rd  
City East Aurora State NY ZIP 14052  
Phone 716-649-7640 Fax \_\_\_\_\_ Email \_\_\_\_\_

#### III. PROPERTY INFORMATION

Property Address 871 Knox Rd, East Aurora, NY 14052  
SBL# 163.00-3-20.12  
Property size in acres 15.21 Property Frontage in feet \_\_\_\_\_  
Zoning District \_\_\_\_\_ Surrounding Zoning \_\_\_\_\_  
Current Use of Property \_\_\_\_\_

#### IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-18 B ; 116-18 A(1)  
116-8.4(B)(2); 116-8.4E(4)  
 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 )

Scott Colley  
Signature of Applicant/Petitioner

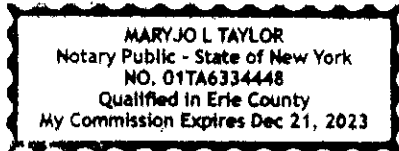
Scott Colley  
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 4 day of March in the year 2021 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Mary Jo L Taylor  
Notary Public

(Notary stamp)



Office Use Only: Date received: 3/9/2021 Receipt #: 369710

Application reviewed by: [Signature]

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: Case # 1328 1) GARAGE DOOR HGT  
Date: SEPT 2018 Type of Appeal: FY VARIANCE 2) BUILDING HGT  
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)

Constructing a garage. Variance is being applied for due to size of structure ahead of primary and roof height.

**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](mailto:jbach@townofaurora.com)



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

## TOWN OF AURORA

Aurora Municipal Center  
575 Oakwood Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

### TOWN COUNCIL MEMBERS

Susan A. Friess  
[sfriess@townofaurora.com](mailto:sfriess@townofaurora.com)

Jolene M. Jeffe  
[jjeffe@townofaurora.com](mailto:jjeffe@townofaurora.com)

Charles D. Snyder  
[csnyder@townofaurora.com](mailto:csnyder@townofaurora.com)

Luke Wochensky  
[lwochensky@townofaurora.com](mailto:lwochensky@townofaurora.com)

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

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

ASSESSOR  
Roger P. Pigeon  
[assessor@townofaurora.com](mailto:assessor@townofaurora.com)  
(716) 652-0011

DIR. OF RECREATION  
Christopher Musshafen  
(716) 652-8866  
[chris@townofaurora.com](mailto: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](mailto:historian@townofaurora.com)

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

*This institution is  
an equal opportunity  
provider and  
employer*

March 8, 2020

Colley's Pools & Spas  
4953 Camp Rd  
Hamburg, NY 14075

RE: 871 Knox Rd variance for Scott & Karin Socha

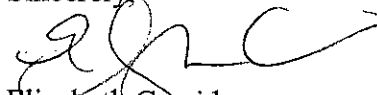
The Building Department has reviewed the submittal for the construction of an accessory building at the Socha property at 871 Knox Rd. The request has been denied because it fails to meet the requirements of the Town of Aurora Code for the Rural Residential (RR) zoning district in which it is located.

Section 116-8.4B(2) and 116-18B  
Required: Mean height of accessory building not to exceed 15'  
Requested: 19.41'  
Variance: 4.41'

Section 116-8.5F(2) and 116-18A(1)  
Required: No accessory building in the front yard  
Requested: Accessory building in the front yard  
Variance: Accessory building in the front yard

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

Sincerely,

  
Elizabeth Cassidy  
Asst. Code Enforcement Officer

## Short Environmental Assessment Form

### Part 1 - Project Information

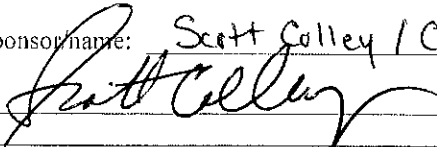
#### Instructions for Completing

**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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <div style="text-align: center; font-size: 1.2em;">Socha</div>			
Project Location (describe, and attach a location map): <div style="text-align: center; font-size: 1.2em;">871 Knox Rd, East Aurora, NY 14052</div>			
Brief Description of Proposed Action: <div style="text-align: center; font-size: 1.2em;">Construct garage</div>			
Name of Applicant or Sponsor: <div style="text-align: center; font-size: 1.2em;">Colley's Pools + Spa</div>		Telephone: 716-649-7640 ext 353	
		E-Mail: maryjote.colleys.com	
Address: <div style="text-align: center; font-size: 1.2em;">4953 Camp Rd</div>			
City/PO: <div style="text-align: center; font-size: 1.2em;">Hamburg</div>		State: NY	Zip Code: 14075
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 government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
<div style="text-align: center; font-size: 1.2em;">Town of Aurora Building Permit</div>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		15.21 acres	
b. Total acreage to be physically disturbed?		.33 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		15.21 acres	
4. Check all land uses that occur on, are adjoining or 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 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify: _____			
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies: <u>Will meet</u>			
10. Will the proposed action connect to an existing public/private water supply?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing potable water: <u>No water in building</u>			
11. Will the proposed action connect to existing wastewater utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing wastewater treatment: <u>No bathroom in building</u>			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<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?	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?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
_____		
_____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<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?	NO	YES
If Yes, describe:	<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?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Scott Colley / Colley's Pools + Spas</u> Date: <u>3/4/21</u>		
Signature: <u></u> Title: <u>VP</u>		





**BUILDING DEPARTMENT**  
**Town of Aurora/Village of East Aurora**  
**575 Oakwood Avenue, East Aurora, NY**  
**Phone (716) 652-7591**

Permit # \_\_\_\_\_  
 Reissued \_\_\_\_\_  
 Date \_\_\_\_\_

**APPLICATION FOR BUILDING PERMIT**

Please check one:  New Building  Addition  Alteration/Renovation  Fence  
 Accessory Building  Accessory Structure  Generator  Other \_\_\_\_\_

Property Owner Name Scott + Karin Socha Phone # \_\_\_\_\_  
 Property Address 871 Knox Rd, East Aurora, NY 14052  
 SBL # 163.00-3-20.12 Zoning District \_\_\_\_\_  
 Applicant (if not Owner) Colley's Pools + Spas Phone # 716-644-7640 ext 353

1. Brief description of request/intention for building permit: Build garage
2. Use:  Residential  Commercial Occupancy/Occupancy Load: \_\_\_\_\_
3. Construction Type:  I  II  III  IV  V
4. Size of completed construction .30...ft wide .54...ft long 26...ft high Total sq ft... 1620
5. Construction Cost \$200,000
6. Name of Architect JRZ Architecture PLLC  
 Address of Architect 91 North Forest, Williamsville, NY 14221 Phone # 716-635-6544
7. Name of Contractor Colley's Pools + Spas  
 Address of Contractor 4953 Camp Rd, Hamburg, NY 14075 Phone # 716-644-7640
8. Contractors GL/WC/Disability Insurance Certificates with Town & Village as Certificate holder  Yes/No
9. Electrical work done, to be inspected by, and a Certificate of Approval obtained from an inspection agency approved by the Town of Aurora.  Yes  NA
10. DPW Action Required WATER TAP \_\_\_\_\_ SEWER TAP \_\_\_\_\_ BACKFLOW PREVENTER \_\_\_\_\_ GREASE TRAP \_\_\_\_\_

**IMPORTANT**

- The work covered by this application may not be commenced before the issuance of Building Permit.
- No building shall be occupied or used in whole or in part for any purpose whatsoever until a Certificate of Occupancy shall have been granted by the Building Department.

**APPLICATION IS HEREBY MADE to the Code Enforcement Officer for the issuance of a Building Permit pursuant to the NEW YORK UNIFORM FIRE PREVENTION AND BUILDING CODE for the construction of buildings, additions and alterations, as herein described. The applicant agrees to comply with all applicable codes, laws, and regulations. The undersigned hereby certifies that all of the information contained in this application is correct and true.**

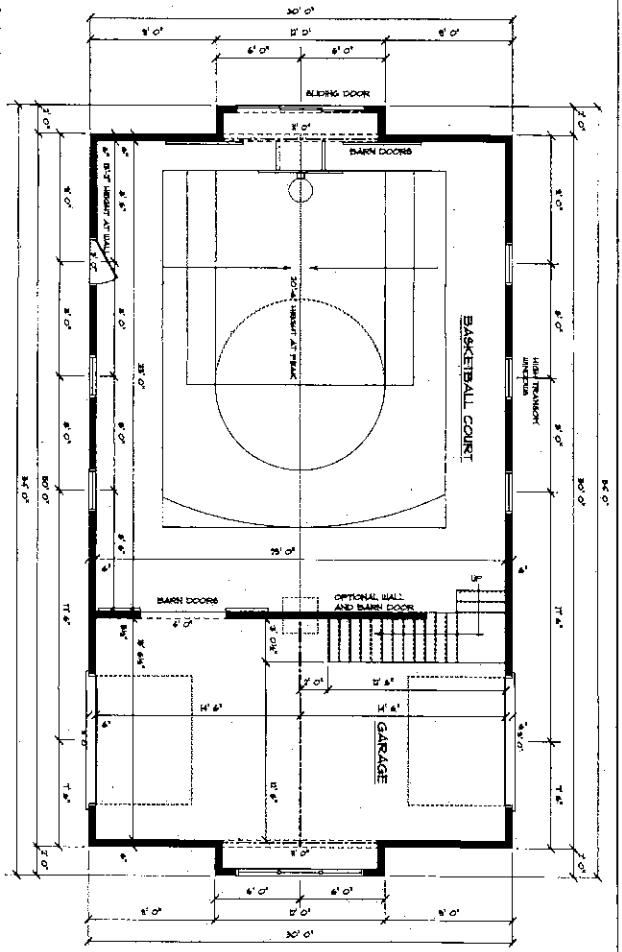
Owner Name Scott + Karin Socha  
 (Contractor and Corp/LLC must complete affidavit on back to sign as owner's agent)

Telephone 716 \_\_\_\_\_ E-mail \_\_\_\_\_

SIGNATURE OF OWNER \_\_\_\_\_ DATE \_\_\_\_\_

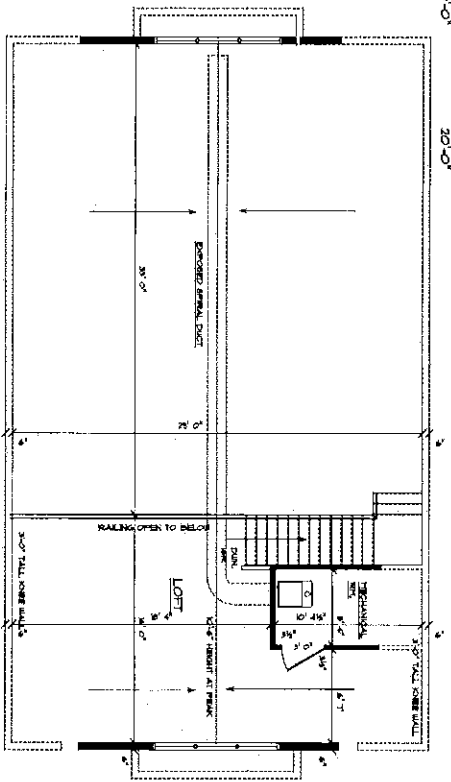
<i>Town or Village</i>	<b>Bldg Dept</b>	<b>ZBA</b>
App Fee \$ _____	Reviewed by _____	Reason _____
Permit Fee \$ _____	Appr on _____	Approved/Denied on _____
Park/Rec Fee \$ _____		Case # _____
..... Signature of Code Enforcement Officer		
Receipt is hereby acknowledged of the sum of \$..... equal to the fees schedule established by the Town Board of the Town of Aurora NY.....		
TC/ DTC Date: _____		Receipt _____





FIRST FLOOR PLAN

SCALE  
1'-0" 5'-0" 10'-0" 20'-0"



MEZZANINE FLOOR PLAN

SCALE  
1'-0" 5'-0" 10'-0" 20'-0"

PROPOSED ACCESSORY STRUCTURE FOR:  
**SCOTT AND KAREN SOCHA**  
871 KNOX RD.  
EAST AURORA, NEW YORK

SCALE: 1/4" = 1'-0" UNLESS NOTED OTHERWISE (DIMENSIONS SHOWN ON THIS PLAN ARE PRINTED ON 1/4" X 1/4" PAPER. ALL UNITS SHALL BE IN FEET AND INCHES. DIMENSIONS SHALL BE SHOWN TO THE CENTER UNLESS OTHERWISE NOTED.)

PERMITS AND APPROVALS: THIS PLAN IS SUBMITTED FOR PERMITS AND APPROVALS. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE ARCHITECT SHALL BE RESPONSIBLE FOR REVIEWING AND APPROVING THE PERMITS AND APPROVALS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE OBTAINING OF PERMITS AND APPROVALS.

STANDARD PLAN NO. 2000

**JRZ**  
ARCHITECTURE P.C.  
1000 N. WASHINGTON ST.  
AURORA, ILL. 60009  
TEL: 630.833.8800  
FAX: 630.833.8801  
WWW.JRZARCHITECTURE.COM

ROAD

Orchard House Estates  
of East Aurora LLC  
555 Willardshire

163.00-3-20.2

163.00-3-20.11

• Socha

871 KNOX

573.27' CL

**KNOX**

163.00-3-20.13

Orchard House Estates  
of East Aurora  
555 Willardshire Rd

Socha

962.5'

330' CL

**WILLARD**

People of NYS OFC Parks  
ATT: Ray Goll  
PO Box 1132  
Niagara Falls, NY 14303-0132

+  
437 Bfl Rd

163.00-3-15.1  
Best Lawrence & Mary Ann  
16 Pharoahs Ct Wmslve 14221

163.00-3-15.2  
Corigliano Joseph + Theresa  
402 Willardshire

163.00-3-16  
Giacomini Daniel  
372 Willardshire

163.00-3-17  
State Park

163.00-3-19  
Wm. Denz + Dohna  
340 Willardshire

163.00-3-18  
State Park

164.00-1-1.1  
Travers Land Trust  
PO Box 88081  
Card Stream, IL 60188

164.00-1-1.2  
Midlak Tara + Elinor  
272 Willardshire



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

**ZONING BOARD OF APPEALS**

September 25, 2018

Scott Socha  
871 Knox Road  
East Aurora, NY 14052

Re: Zoning Board of Appeals Case No. 1328  
871 Knox Road East Aurora, NY

Dear Mr. Socha:

At the September 20, 2018 Zoning Board of Appeals meeting the following variances were granted for the above referenced property:

- 7 feet 10 inch mean height variance
- 3 feet garage door height variance
- Front yard variance (accessory structure in the front yard of the residence)

**This letter is not a permit.** You must apply to the Building Department of the Town of Aurora for a permit based on your application and in conformity with all other requirements of the Town Code.

Sincerely,

Martha L. Libroch  
Town Clerk  
cc: Building Department  
Case file 1326

