



CASE NO. 1381

DATE OF HEARING 5/20/2021

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 JASON MAZURKIEWICZ
Address 400 Sewett Holmwood Rd
City EA State NY ZIP 14054
Phone [REDACTED] Fax [REDACTED] Email [REDACTED].com
Interest [REDACTED] (owner/purchaser/developer) Help

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

Property Owner(s) Name(s) LEANNY + SCANNY MAZURKIEWICZ
Address 964 LAWRENCE AVE
City EA State NY ZIP 14054
Phone [REDACTED] Fax [REDACTED] Email [REDACTED].com

III. PROPERTY INFORMATION

Property Address 964 Lawrence Ave
SBL# 165.13-4-17
Property size in acres .285 Property Frontage in feet [REDACTED]
Zoning District R1 Surrounding Zoning R1
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # 116-8.1 F(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)

J. Mazurkiewicz
Signature of Applicant/Petitioner

JASON MAZURKIEWICZ
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 4th day of April 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.

Julie M. Mazurkiewicz
Notary Public

(Notary stamp)

JULIE M. MAZURKIEWICZ
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01MA6161125
QUALIFIED IN ERIE COUNTY
COMMISSION EXPIRES 02/20/20 23

Office Use Only: Date received: 4/12/21 Receipt #: 364759 CK# 2402
\$100.00

Application reviewed by: _____

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

PREVIOUS APPEAL(S):

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

Previous appeals:

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

Date: _____ Type of Appeal: _____ Granted _____ Denied _____

PETITIONER'S LETTER OF INTENT

Please describe in detail the proposed project, reason the variance and/or special use permit is being requested and any additional information that may be helpful to the Zoning Board of Appeals in deciding this appeal: (attach additional pages if needed)

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)

From: Road Runner jmazu17@roadrunner.com

Date: Apr 2, 2021 at 11:31:45 AM

To: Jason jmazu17@roadrunner.com

Letter of Intent

We would like to build a new garage. The existing garage floods when it rains. The garage floor is also very damaged. To get the correct pitch we need to put in a new floor. While taking on such a big project it makes sense to replace the garage that is well over 40 years old and poorly built. The distance from the garage to the house will be increased by 2'4" to create a larger area to get to the backyard. The garage currently is 2'3" away from the property line it will stay at 2'3" away from the property line we cannot move it further away from the property line as it will not line up with the driveway and the garage then would block the kitchen window if moved over any further. There are also establish flower gardens and a landscaped fire pit with rocks that would be ruined if we had to move the garage over. We are making it 2 feet wider to allow a SUV to park in the garage and have room for my dad to get out of the car while in the garage he uses a wheelchair. We also want to make the garage 2 feet longer with a shed area behind it. There is currently a shed behind the garage and there really will be no change what's on the neighbors property line besides it being longer.

Thanks for your consideration.

Jason Mazurkiewicz

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

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sfriess@townofaurora.com

Jolene M. Jeffe
jjeffe@townofaurora.com

Charles D. Snyder
csnyder@townofaurora.com

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(716) 652-0011

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(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*

April 12, 2021

Jason Mazurkiewicz
400 Jewett Holmwood Rd
East Aurora, NY 14052

RE: 964 Lawrence Ave variance for Lenny & Jenny Mazurkiewicz

The Building Department has reviewed the submittal for the construction of an accessory building at the Mazurkiewicz property at 964 Lawrence Ave. The request has been denied because it fails to meet the requirements of the Town of Aurora Code for the Residential (R1) zoning district in which it is located.

Section 116-8.1 F (2)

Required: Accessory building a distance equal to the mean height of the proposed accessory building, but not less than 10 feet

Requested: Side yard setback of 2.30 feet

Variance: 7.7 feet

Section 116-18 A (3)

Required: Nearer than 10 feet to any dwelling unless attached thereto and considered part thereof for purposes of yard measurements.

Requested: 8'4"

Variance: 1'8"

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,

Kevin Glover
Asst. 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.: ZR-21-273

Received: 4/20/21

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 5/20/2021 Time 7:00 Location 575 Oakwood Ave., 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 964 Lawrence Avenue

6. Referral required as State or County Municipal Boundary Farm Operation located in
Site is within 500' of: Property/Institution an Agricultural District

Expressway County Road State Highway Proposed State or County
 Road, Property, Building/
 Institution, Drainageway

7. Proposed change or use: (be specific) Proposed garage closer to side lot line and to dwelling than allowed by Town Code

8. Other remarks: (ID#, SBL#, etc.) SBL# 165.13-4-17

9. Submitted by: Martha Libroek, Town Clerk 4/20/2021

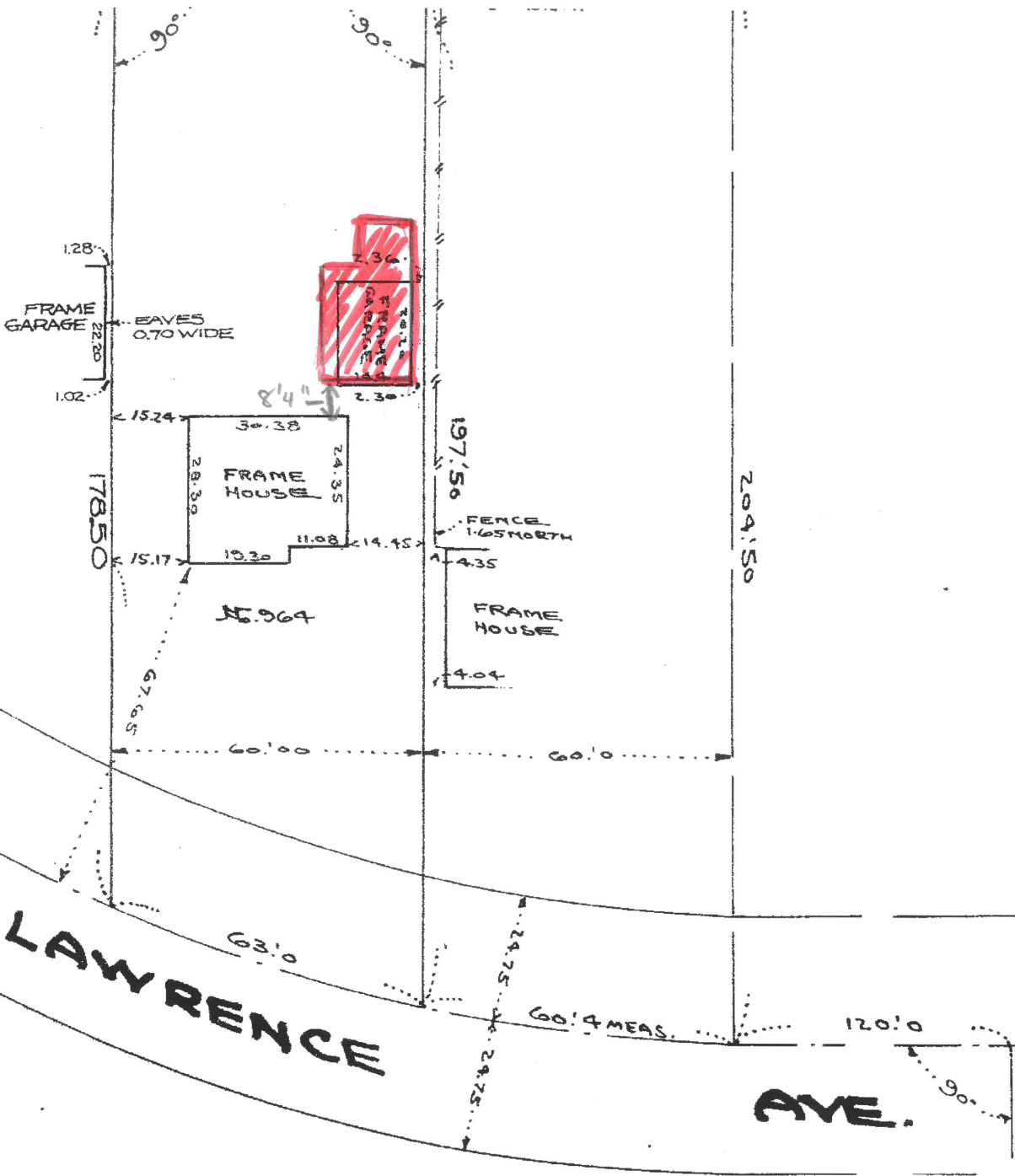
575 Oakwood Ave., E. Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

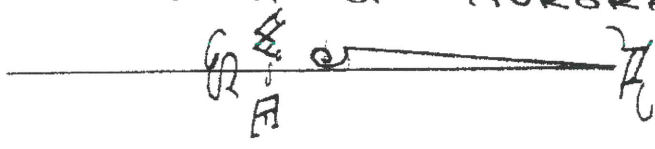
Receipt of the above-described proposed action is acknowledged on 4/22/21. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

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: Sarah Gatti Date: 4/26/21



SOUTH ONE HALF OF SUB-LOT 2
 COVER 1556
 PART OF LOT 16, T.9, R.6
 TOWN OF AURORA



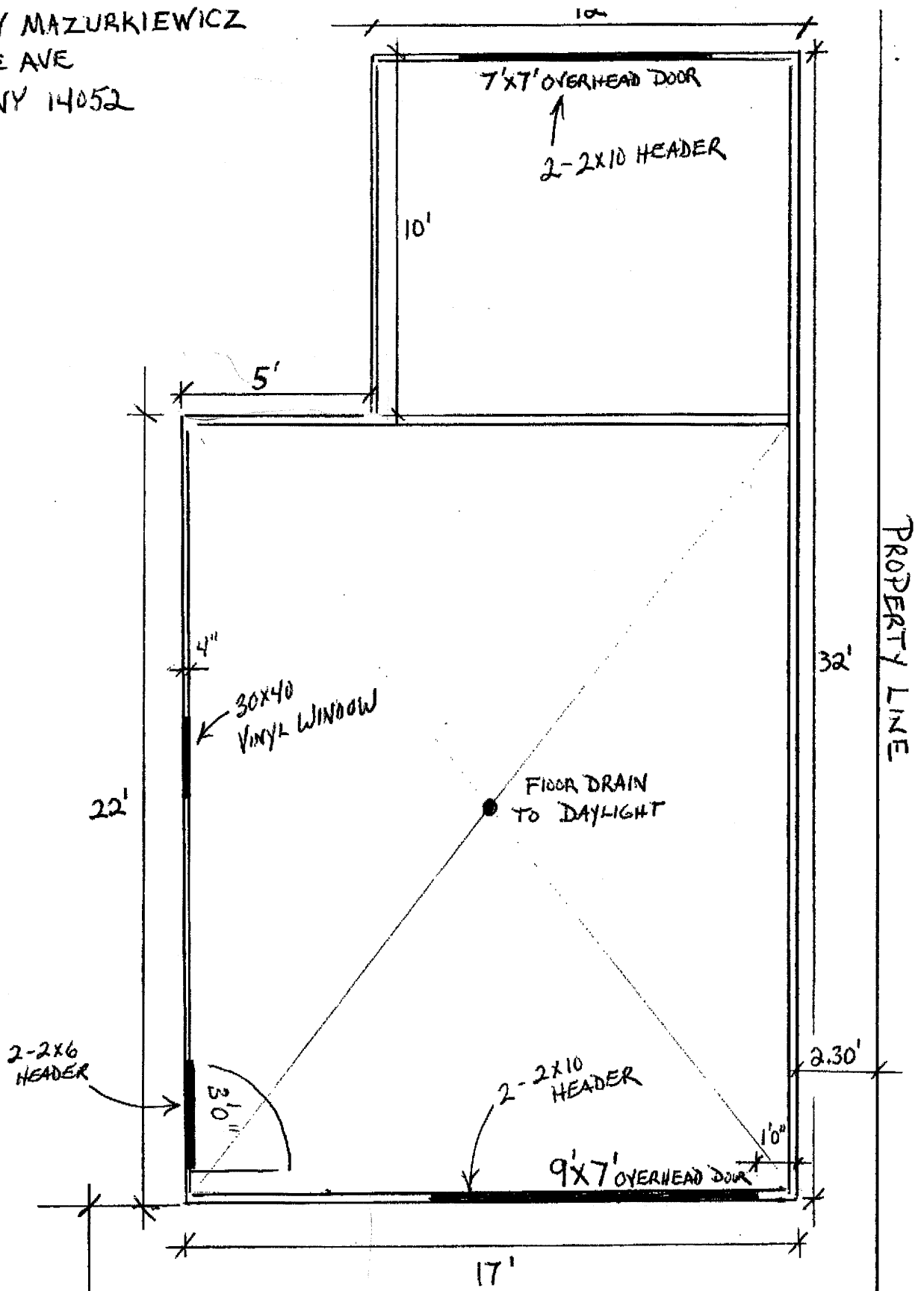
ROMANDER SQUARE
 SOUTH

REVISED 3/22/78

WILLIAM J. NEWTON
 LICENSED LAND SURVEYOR
 1878 DAVIS RD. WEST FALLS, N.Y.

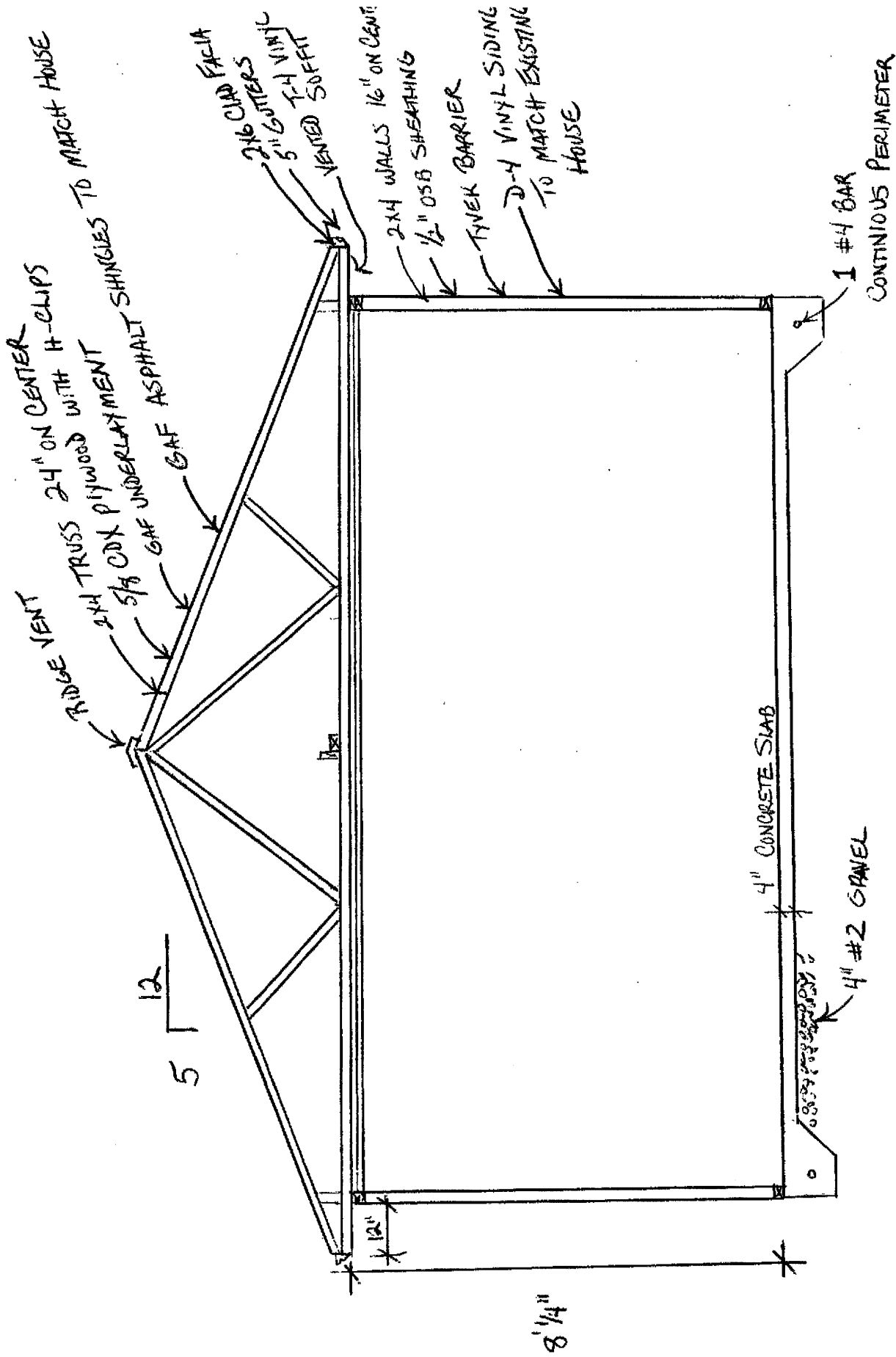
LENNY & JENNY MAZURKIEWICZ
964 LAWRENCE AVE
EAST AURORA, NY 14052
652-2946

NEW
494 SQ FT
GARAGE



PROPERTY LINE

EXISTING HOUSE



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.

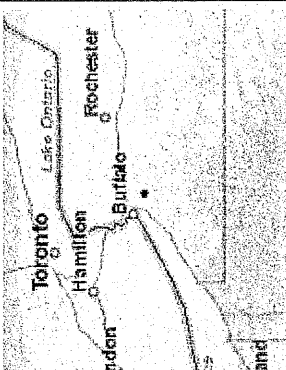
Part 1 – Project and Sponsor Information			
Name of Action or Project: <i>Replace Garage</i>			
Project Location (describe, and attach a location map): <i>964 LAWRENCE AVE</i>			
Brief Description of Proposed Action: <i>REPLACE GARAGE MAKING IT WIDER AND SET IT FURTHER FROM HOUSE. REPAIR DAMAGED GARAGE FLOOR</i>			
Name of Applicant or Sponsor: <i>JASON MAZURKIEWICZ</i>		Telephone: [REDACTED]	
Address: <i>400 Sewett Holmwood</i>		E-Mail: [REDACTED]	
City/PO: <i>EA</i>		State: <i>NY</i>	Zip Code: <i>14058</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 government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	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?		<i>6W SQ FT acres</i> <i>500 SQ FT acres</i> _____ 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? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<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: _____ _____	<input type="checkbox"/>	<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: _____ _____	<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: _____ _____	<input checked="" type="checkbox"/>	<input 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<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? 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"/>
	<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 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,	NO	YES
	<input checked="" type="checkbox"/>	<input 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)? 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: <u>JASON MAZURKIEWICZ</u> Date: <u>4/8/21</u> Signature: <u><i>Jason Mazurkiewicz</i></u> Title: _____		

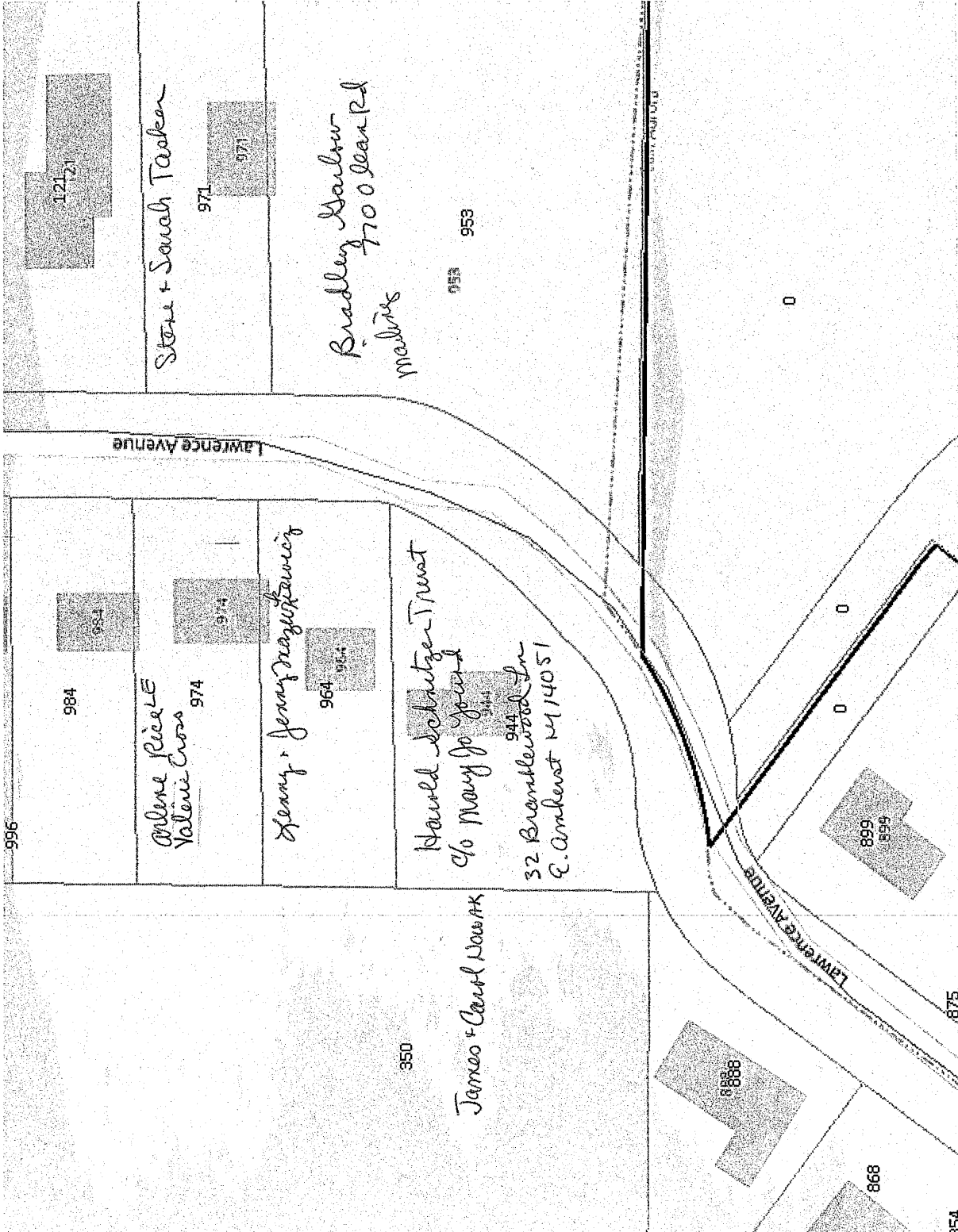


Erie County On-Line Mapping Application



Legend

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



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.

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

0 0.02 0.0 Miles
 WGS_1984_Web_Mercator_Auxiliary_Sphere
 THIS MAP IS NOT TO BE USED FOR NAVIGATION



1: 1,128