



CASE NO. 1480

DATE OF HEARING 9/19/2024

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 David VONA  
Address 976 Olean Rd  
City EA State Ny ZIP 14052  
Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_  
Interest in (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 976 Olean Rd EA  
SBL# 188-01-2-10  
Property size in acres 6.975 ± Property Frontage in feet 170  
Zoning District R2 Surrounding Zoning R2, C1, R2A, C2  
Current Use of Property Residential

#### IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-8.2B; 116-18B; 116-17D  
 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 )



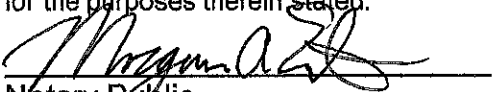
Signature of Applicant/Petitioner

David Vona

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 2 day of August in the year 2024 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)

Morgan A Eaton  
Notary Public, State of New York  
Registration No. 01EA638512B  
Qualified in Erie County  
My Commission Expires October 2, 2025.

Office Use Only: Date received: \_\_\_\_\_ Receipt #: \_\_\_\_\_

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 \_\_\_\_\_



SUPERVISOR  
Charles D. Snyder  
(716) 652-7590  
[csnyder@townofaurora.com](mailto:csnyder@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

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

James F. Granville  
[jgranville@townofaurora.com](mailto:jgranville@townofaurora.com)

Joseph M. McCann  
[jmccann@townofaurora.com](mailto:jmccann@townofaurora.com)

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

CODE ENFORCEMENT  
OFFICER  
Elizabeth Cassidy  
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ASSESSOR  
Stephen R. 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  
Brigid M. Maloney

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

David Vona  
976 Olean Rd  
East Aurora, NY 14052

August 2, 2024

David:


The Building Department has reviewed your request to construct a polebarn at your residence at 976 Olean Rd. The request has been denied because it fails to meet the code requirements accessory buildings in the Residence 2 (R2) district in which it is located.

Section 116-8.2B(2) & 116-18B  
Required: Accessory buildings/structures: One story, not to exceed 15'  
Requested: Accessory building with a mean height of 21'5"  
Variance: 5'5"

Section 116-17D  
Required: In any R District, no accessory use on any premises shall include a private garage with vehicular entrance headroom more than 10' high.  
Requested: Accessory building with 14' high overhead door  
Variance: 4'

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 next available hearing. If you have any questions, please contact our office at 652-7591.

Sincerely,

  
Elizabeth Cassidy  
Code Enforcement Officer

**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.  
AND REPLY TO MUNICIPALITY**

Submit this form with full statement of proposed action (as described in GML 239-m(c)) at [www.Erie.gov/IRonline](http://www.Erie.gov/IRonline), OR mail a hard copy (retain a copy for your files) to: Erie County Division of Planning, 95 Franklin Street, Room 1053, Buffalo, N.Y., 14202

DO NOT WRITE IN THIS SPACE

Case No.: ZR-24-446

Postmark/Delivery Date: 8/22/24

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 1 - nn  
A Municipal Referral Map is available to help determine whether an applicable action is subject to referral.

**Description of Proposed Action**

**1. Name of Municipality:** Town of Aurora

§239-m(4)(b) provides that the county shall have 30 days after receipt of a full statement of the proposed action to reply.  
If the county fails to reply within such period, the referring body may take final action.  
However, any county reply received after 30 days but 2 or more days prior to final action by the referring body shall be subject to §239-m(5)  
The referring body shall file a report of its final action with the county within 30 days per §239-m(6).

**2. Hearing Schedule:**      **Date** 9/19/2024      **Time** 7pm      **Location** 575 Oakwood Ave., E. Aurora, NY

**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       Address: 976 Olean Rd

**5a. S.B.L. of Property:** 188.01-2-1

**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:** Proposed pole barn and garage doors taller than allowed by Town Code  
(specify the action, such as the scope of variances or site plans)

**8. Other remarks:** \_\_\_\_\_

**9. Submitted by:** Martha Librock, Town Clerk      Email: townclerk@townofaurora.com

**10. Return Address:** 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 8/23/24. 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.  Comment on proposed action is attached hereto.
3.  The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4.  No Recommendation; proposed action has been reviewed and determined to be of local concern.

By the Division of Planning:

*Sarah E. Gatti*

Date: 8/28/24

# 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.

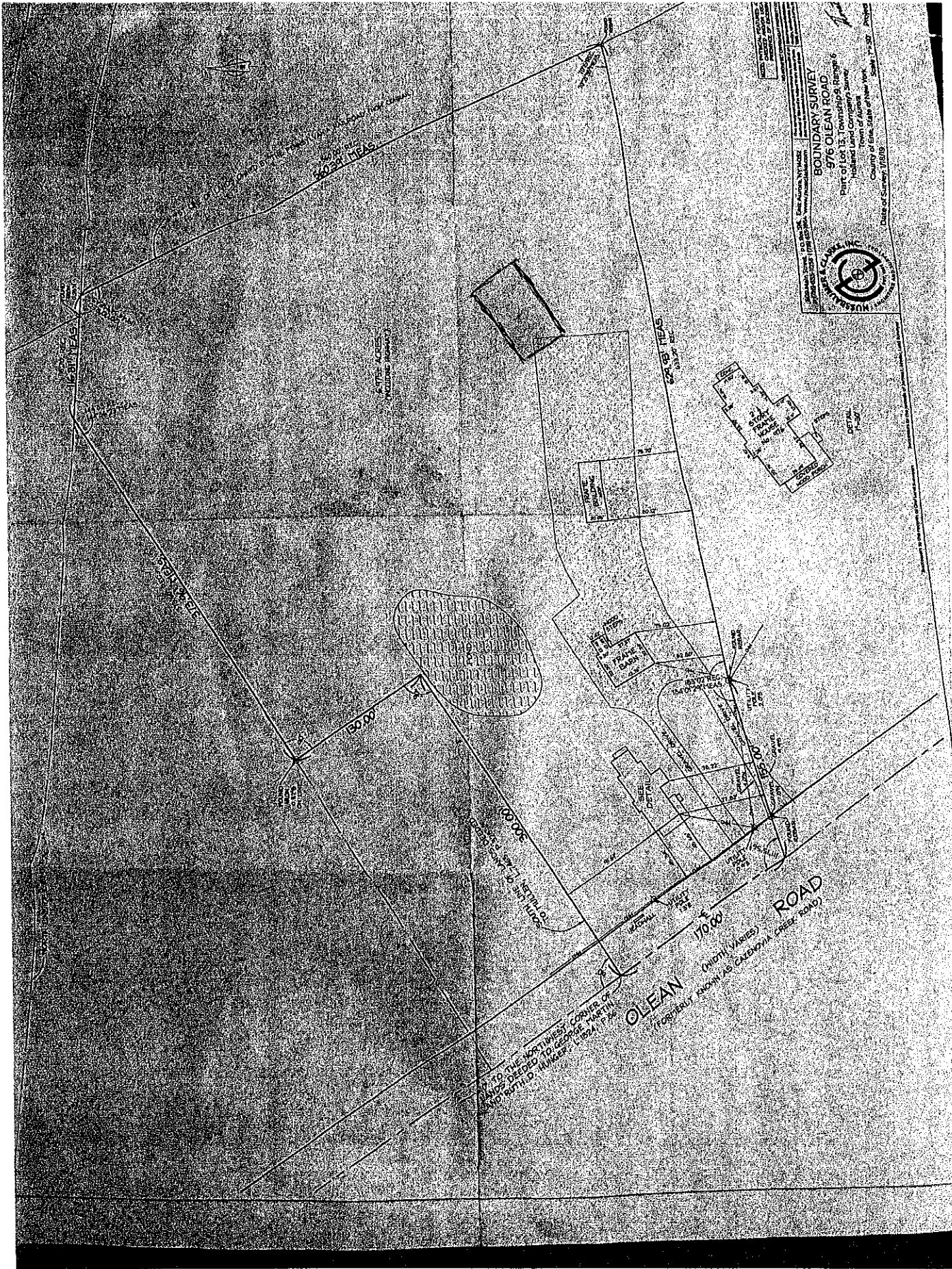
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: <i>Storage Building</i>			
Project Location (describe, and attach a location map): <i>976 Clear rd Rear of Property.</i>			
Brief Description of Proposed Action: <i>Storage Building</i>			
Name of Applicant or Sponsor: <i>David Vona</i>		Telephone: <i>5</i>	
		E-Mail:	
Address: <i>976 Clear rd</i>			
City/PO: <i>EA</i>		State: <i>Ny</i>	Zip Code: <i>14052</i>
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u>			NO
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.			YES
2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u>			NO
If Yes, list agency(s) name and permit or approval: <i>TOA Building Permit</i>			YES
3. a. <u>Total acreage of the site of the proposed action?</u> <i>7.2</i> acres			
b. <u>Total acreage to be physically disturbed?</u> <i>.11</i> acres <i>4800 sq ft</i>			
c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u> <i>7.2</i> acres			
4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u>			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" 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. <u>A permitted use under the zoning regulations?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. <u>Consistent with the adopted comprehensive plan?</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. <u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. <u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u>		<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. <u>Does the proposed action meet or exceed the state energy code requirements?</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If the proposed action will exceed requirements, describe design features and technologies: _____ <i>N/A</i> _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. <u>Will the proposed action connect to an existing public/private water supply?</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing potable water: _____ <i>N/A</i> _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. <u>Will the proposed action connect to existing wastewater utilities?</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing wastewater treatment: _____ <i>N/A</i> _____		<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?		<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. <u>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?</u>		<input checked="" type="checkbox"/>	<input checked="" 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: _____ <i>Federally designated pond</i>				

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"/> 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 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)?	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"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>David Vonn</u> Date: <u>8/2/24</u>		
Signature: <u></u> Title: <u>owner</u>		





BOUNDARY SURVEY  
 976 OLEAN ROAD  
 Part of Lot 15, Townships 9 Range 6  
 Highland Land of Huron  
 County of Erie, State of New York  
 Date of Survey: 11/10/09  
 Scale: 1" = 50'



REFERENCE TO THE NORTHWEST CORNER OF  
 LANDS BELONGING TO GEORGE MARTIN  
 AND SETTLED NUMBER 1304

OLEAN ROAD  
 (WITH VARIES)  
 (FORMERLY MONTAG CLEMONA CREEK ROAD)

# DAVID VONA STRUCTURAL PLANS FOR 60 X 80 POLE BUILDING UNHEATED STORAGE

976 OLEAN RD  
EAST AURORA, NY

PREPARED FOR EASTERN STATES METAL ROOFING

JULY 10, 2024

These are Structural plans only for a new structure. All other required documentation related to the project including Site Plan, Electrical, and Stormwater to be provided by owner or their representative.

Plans consist of cover sheet plus sheets 1 of 5 to 5 of 5.

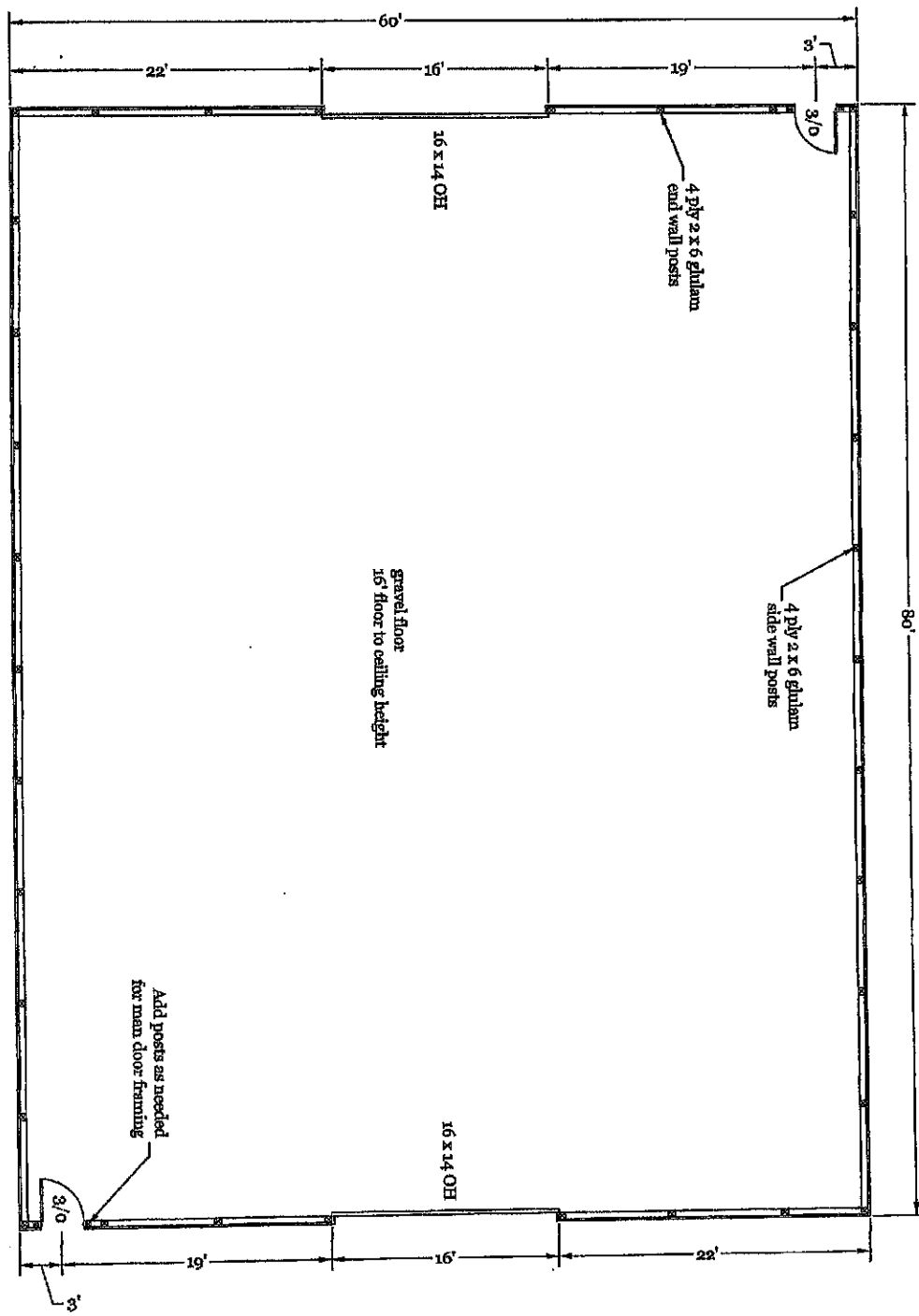
1. Install any electric according to NY Building Code. Presumed use is unheated cold storage.
2. These plans do not show all the standard details used during construction. NYS Building Code practices should be followed. These are structural drawings only. Owner shall provide all other documentation necessary for securing a building permit.
3. Design is based on a 50 psf ground snow load with applicable modifications. Roof design dead load is 8 psf. Trusses should be designed for these loads plus a 5 psf ceiling load. Design checked for wind loads based on 90 mph (ASD) (115 mph Ultimate) wind and exposure B. Design is based on gravel floor only without the support of a concrete floor.
4. Posts to be Laminated Treated Lumber with min Fb = 2350 psi by Rigidly Rafters or equal treated to a retention of 6 pcf to a minimum of 24" above grade.
5. Trusses should be braced during construction and permanently according to truss manufacturers drawings and specifications. Additional bracing is shown on the roof plan.
6. For pressure treated lumber applications use hot dipped galvanized G85 connectors and hardware or stainless steel.
7. The footings for this structure have been designed for an allowable soil bearing load of 1500 psf.
8. V bracing shall be placed on the end walls and side walls.
9. Purlins and girts to be SPF no. 2 or better. Headers to be LVL with Fb = 2500 psf min.
10. Minimum 28 day compressive strength for future concrete slab is 4000 psi to minimize cracking due to shrinkage.

## DESIGN LOAD INFORMATION

Site Elevation 890 ft  
Ground Snow Load 50 PSF  
Ct = 1.2, Cs = 1.0, I = 1.0, Cs = 1.0  
Minimum snow design load 42 psf  
Roof Dead Load 8 psf  
Ceiling Dead Load 5 psf  
Total minimum design load 55 psf  
Design Wind Speed = 90 mph (ASD), 115 mph (ULT)  
Exposure = B, I = 1.0, Kzt = 1.0  
Seismic Design Category B, Site Class D  
Rheinbeck Gravelly Loam  
Allowable soil bearing load 1500 psf  
2020 Building Code of New York State



Rock Hill Engineering LLC  
6948 Kings Corners Rd  
Panama, NY 14767  
(716)782-2206

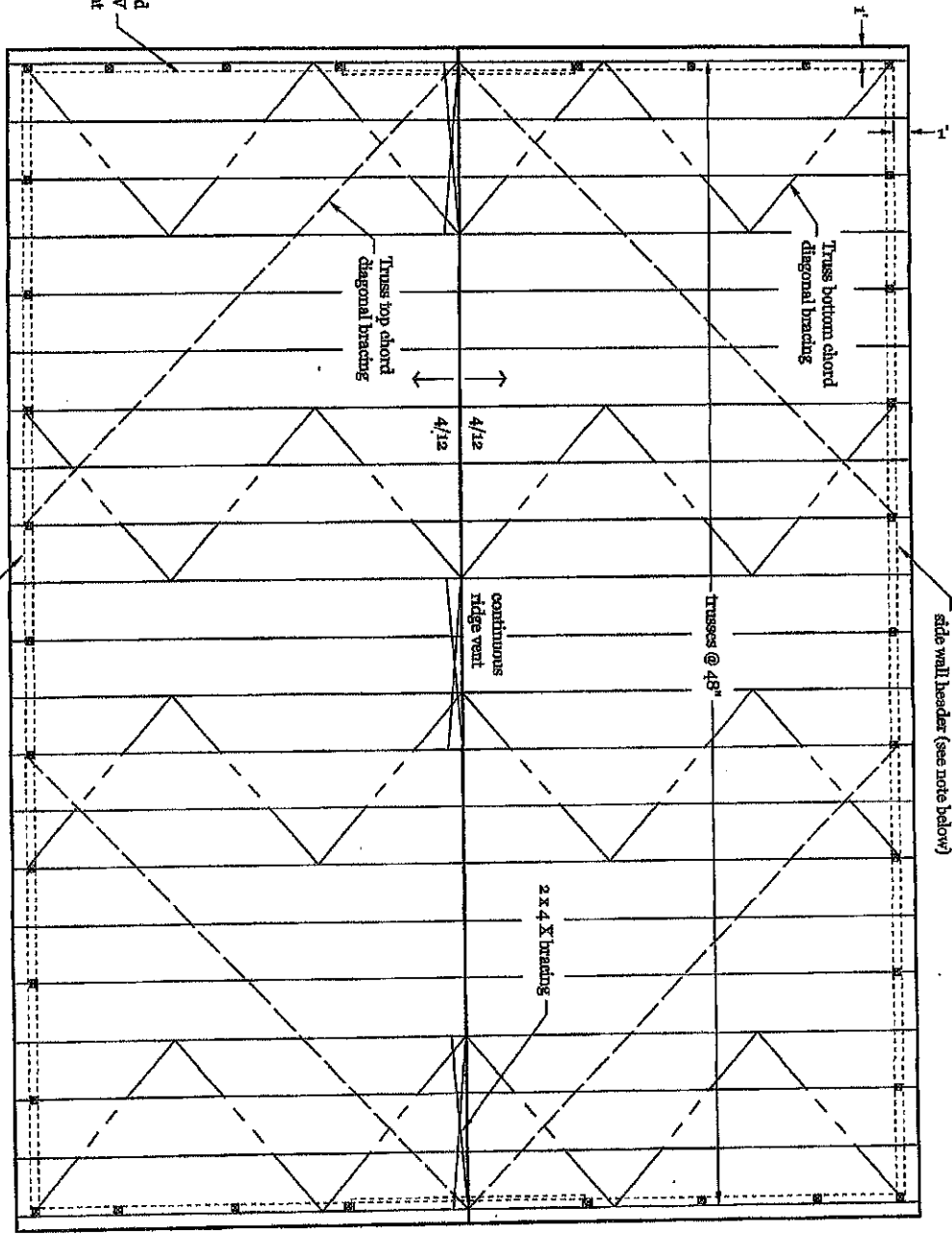


Windows may be added and main door locations may vary as long as post locations remain the same. Posts inset 1/2" to account for girt and header thickness.



<p>Rock Hill Engineering LLC          6948 Kings Corners Rd          Panama, NY 14767          (716)782-2206</p>	<p><b>DAVID VONA          FLOOR PLAN</b></p>
<p>SCALE 1/8" = 1 FT</p>	<p>DATE 7/10/2024 <span style="float: right;">SHEET 1 OF 5</span></p>





2 x 4 X bracing to be placed from the top chord to the bottom chord over 4 trusses

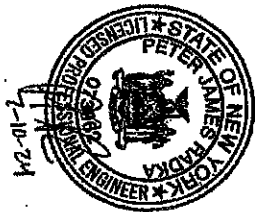
2 x 4 top chord diagonal bracing to be run on the underside of the top chord and is nailed at each truss if crosses

All roof members to be trussed. See cover for design loads. This bracing is in addition to any manufacturer required longitudinal bracing. If truss manufacturer provides other diagonal bracing configurations they may be used in lieu of the bracing shown in this plan.

2 x 4 bottom chord diagonal bracing shall be nailed to each truss or longitudinal (manufacturer specified) brace that it crosses

Header Note: (2) 9 1/4" LVL allowed in lieu of (2) 11 7/8" LVL if using 2.1E, 3100 psf LVL

(2) 1-3/4 x 11 7/8 LVL side wall header (see note below)



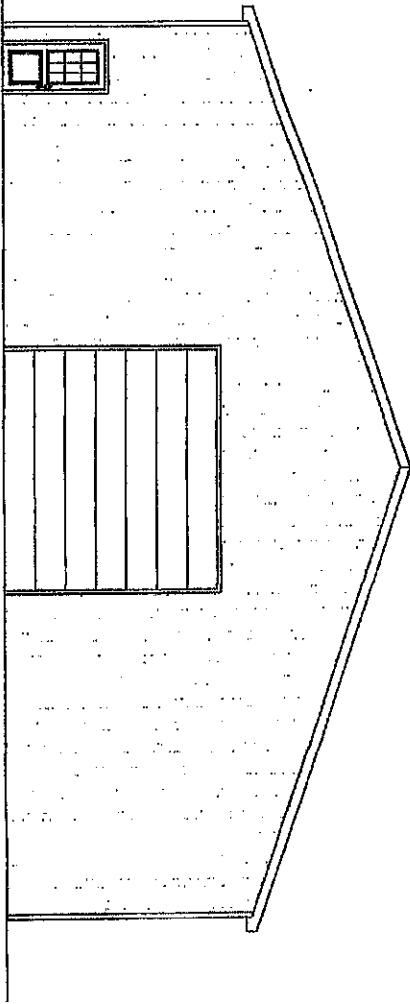
Rock Hill Engineering LLC  
 6948 Klohs Corners Rd  
 Panama, NY 14767  
 (716)782-2206

DAVID VONA  
 ROOF PLAN

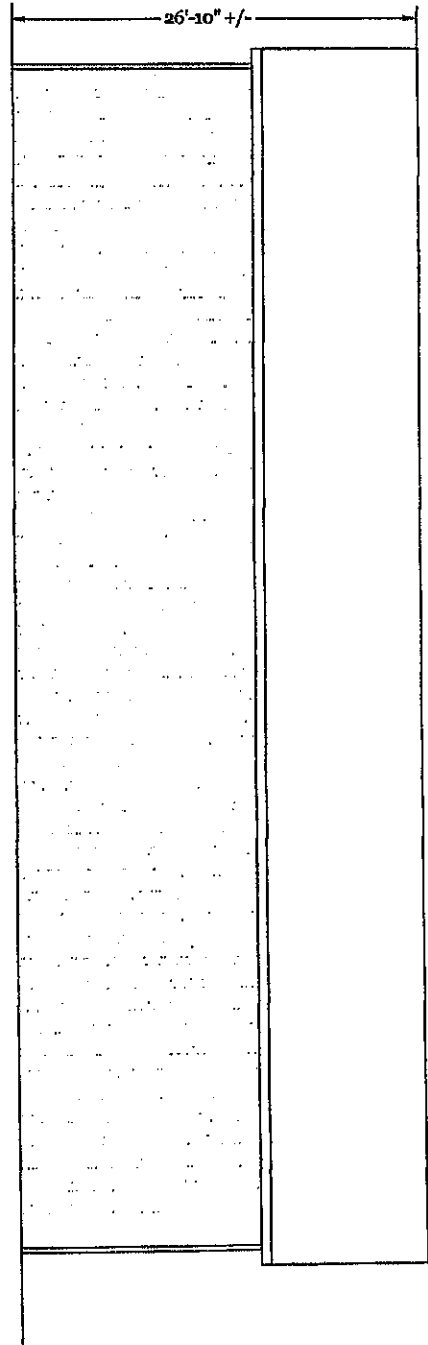
SCALE 1/8" = 1 FT

DATE 7/10/2024

SHEET 3 OF 5



LEFT AND RIGHT ELEVATION



TOP AND BOTTOM ELEVATION

**ROOF HEADER CONNECTION TABLE**

For each header to each post  
header to post and bearing block to post total  
Other options allowed, check with Engineer

Header	4 1/2" Long 1/4" SPAX or 5" LedgerLOK	eight in each header, eight in each bearing block	18" Long bearing block length
(2) 11 7/8" LVL, one each side of post, flush mounted on post, with V-bracing			



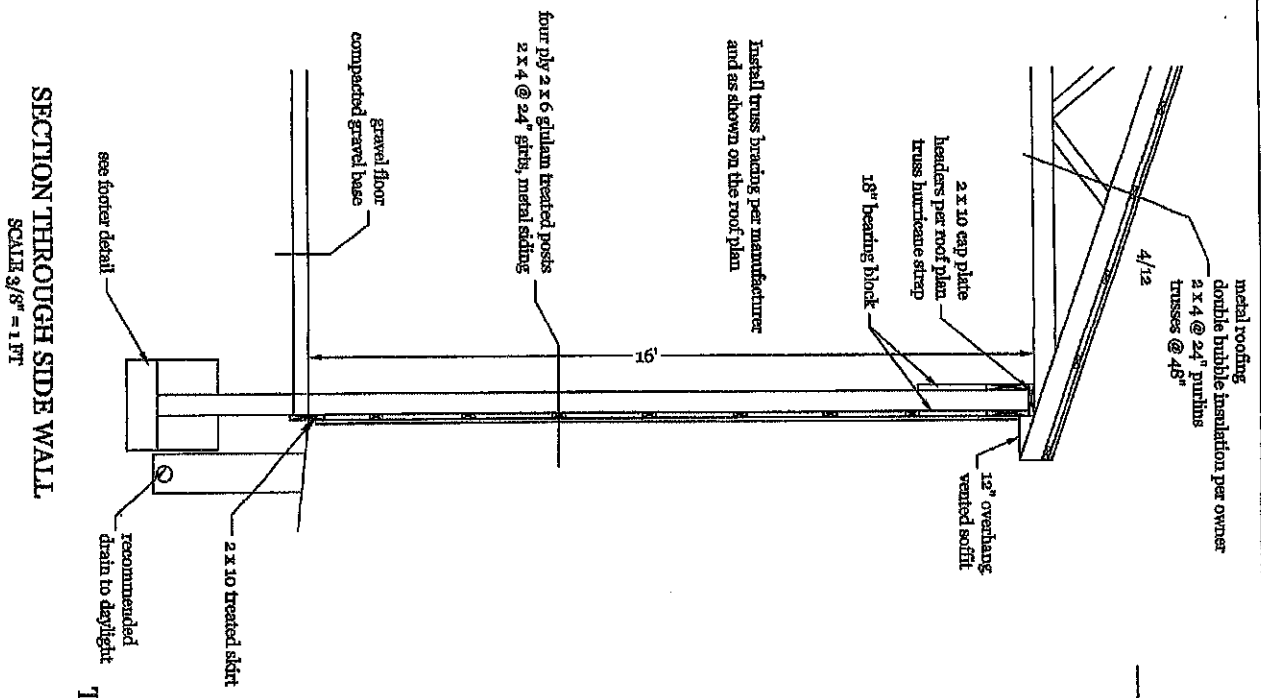
Rock Hill Engineering LLC  
6948 Kings Corners Rd  
Panama, NY 14767  
(716)782-2206

DAVID VONA  
ELEVATIONS AND HEADER TABLE

SCALE 1/8" = 1 FT

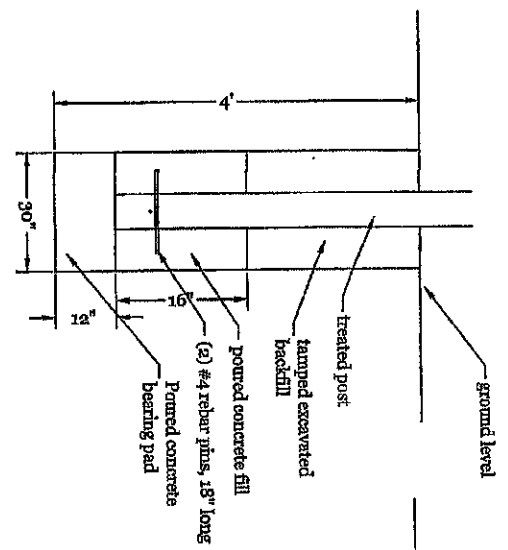
DATE 7/10/2024

SHEET 4 OF 5

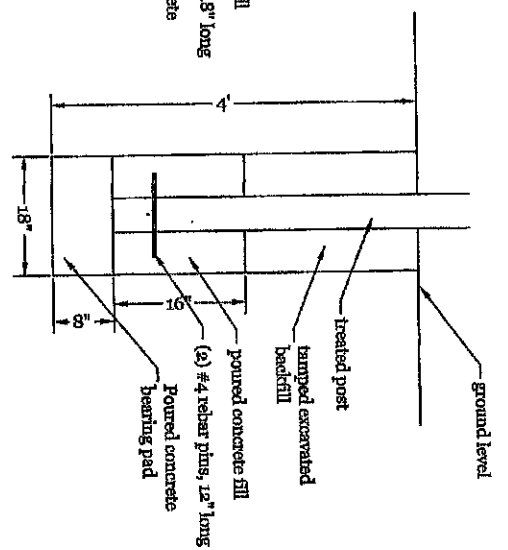


SECTION THROUGH SIDE WALL  
SCALE 3/8" = 1 FT

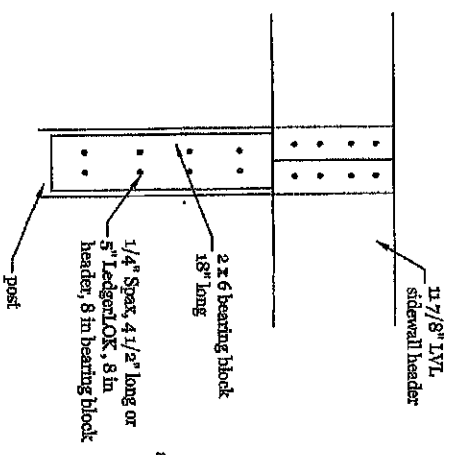
30" FOOTER DETAIL



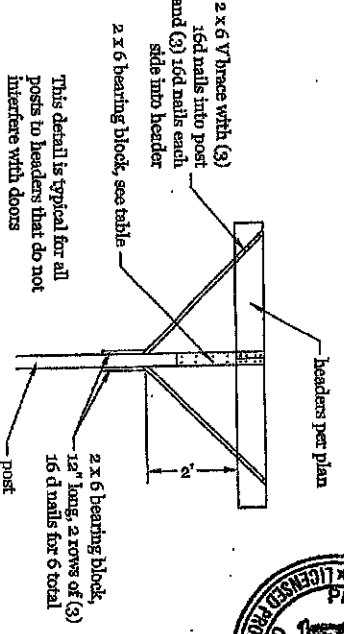
18" FOOTER DETAIL



TYPICAL SIDEWALL HEADER AND BEARING BLOCK ATTACHMENT



V BRACING DETAIL



Rook Hill Engineering LLC  
6948 Kings Corners Rd  
Panama, NY 14767  
(716) 782-2206

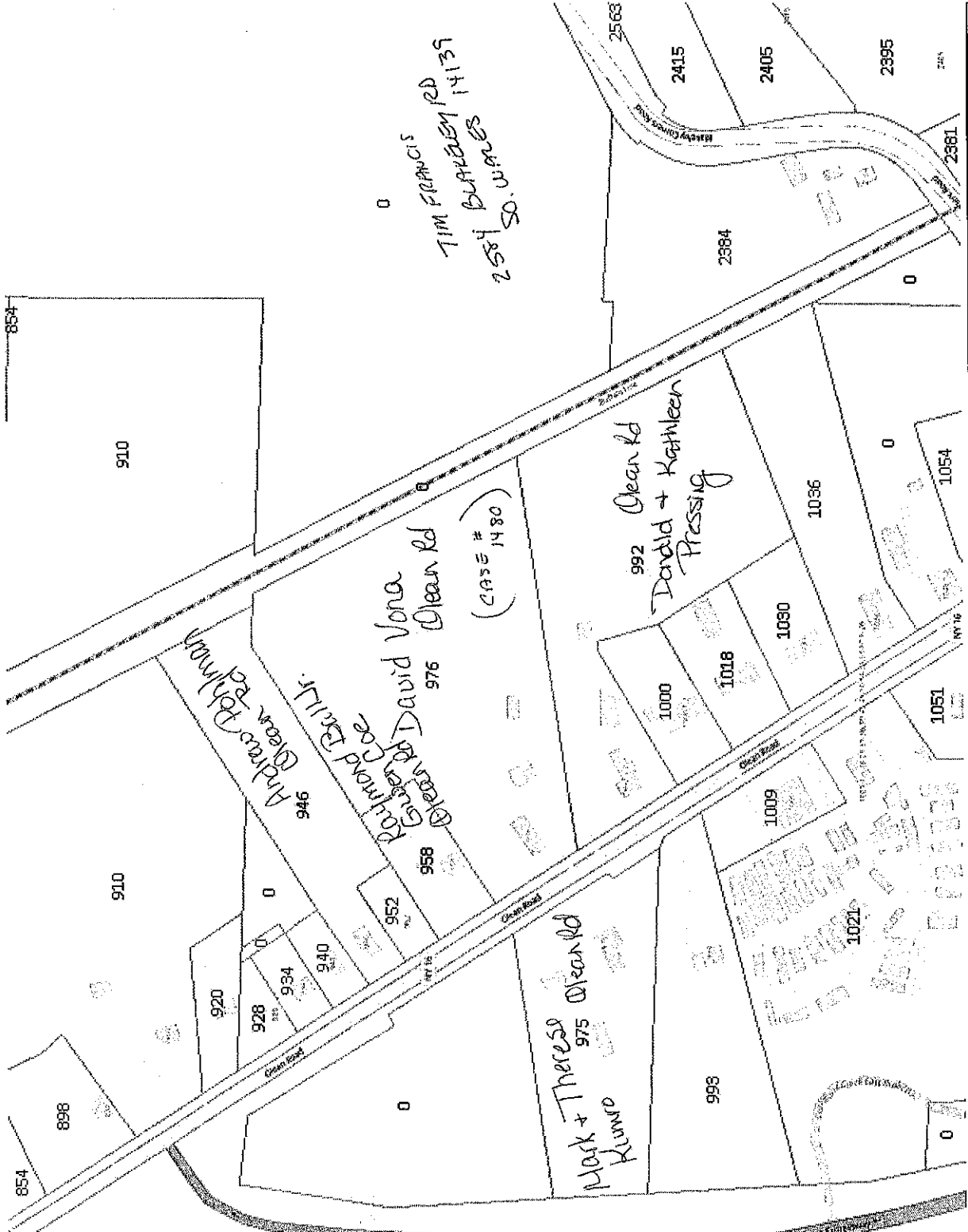
DAVID VONA  
SECTION AND DETAILS

SCALE AS NOTED

DATE 7/10/2024

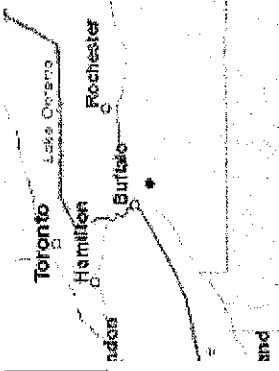
SHEET 5 OF 5

# Erie County On-Line Mapping Application



**Legend**

- Parcels



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

