



CASE NO. 1487

DATE OF HEARING 12/19/21

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 Kenneth Wawzyniak
Address 1558 Emery Rd
City EAST AURORA State NY ZIP 14052
Phone 7 ax _____ Email _____
Interest in _____
(r/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 1558 Emery
SBL# 187.00-3-13
Property size in acres .76 Property Frontage in feet 184.46
Zoning District RR/A Surrounding Zoning RR/A
Current Use of Property SFD

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-8.4(2)
 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)

Replace shed that has deteriorated shed
will be ~~within~~ within 8' of property line
Neighbor (Chas Lasker) Has no issue with
structure

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
Charles D. Snyder
(716) 652-7590
csnyder@townofaurora.com



TOWN CLERK
Martha L. Libroek
(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

Luke Wochensky
lwochensky@townofaurora.com

James F. Granville
jgranville@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

Raymond M. Wrazen
rwrazen@townofaurora.com

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

CODE ENFORCEMENT
OFFICER
Elizabeth Cassidy
(716) 652-7591
building@townofaurora.com

ASSESSOR
Stephen R. Pigeon
assessor@townofaurora.com
(716) 652-0011

DIR. OF RECREATION
Christopher Musshafen
(716) 652-8866
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

FAX: (716) 652-3507

November 22, 2024

Kenneth Wawrzyniak
1558 Emery Road
East Aurora, NY 14052

Mr. Wawrzyniak:

The Building Department has reviewed the request to have a *pre-built shed 6.69' from the side property line at 1558 Emery Road, East Aurora, NY (SBL: 187.00-3-13)*. The request has been denied because it fails to meet the minimum side yard setback requirement for your RR zoning district.

Section 116.8.4G(2)
Required: Accessory structure (shed) shall be a minimum of 10' from side property line.
Requested: Location of shed to be 6.69' from side property line.
Variance: 3.31'

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 Village Clerk with the date and time of your hearing. If you have any questions, please contact us at 652-7591.

Sincerely,

Richard Miga
Assistant 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.

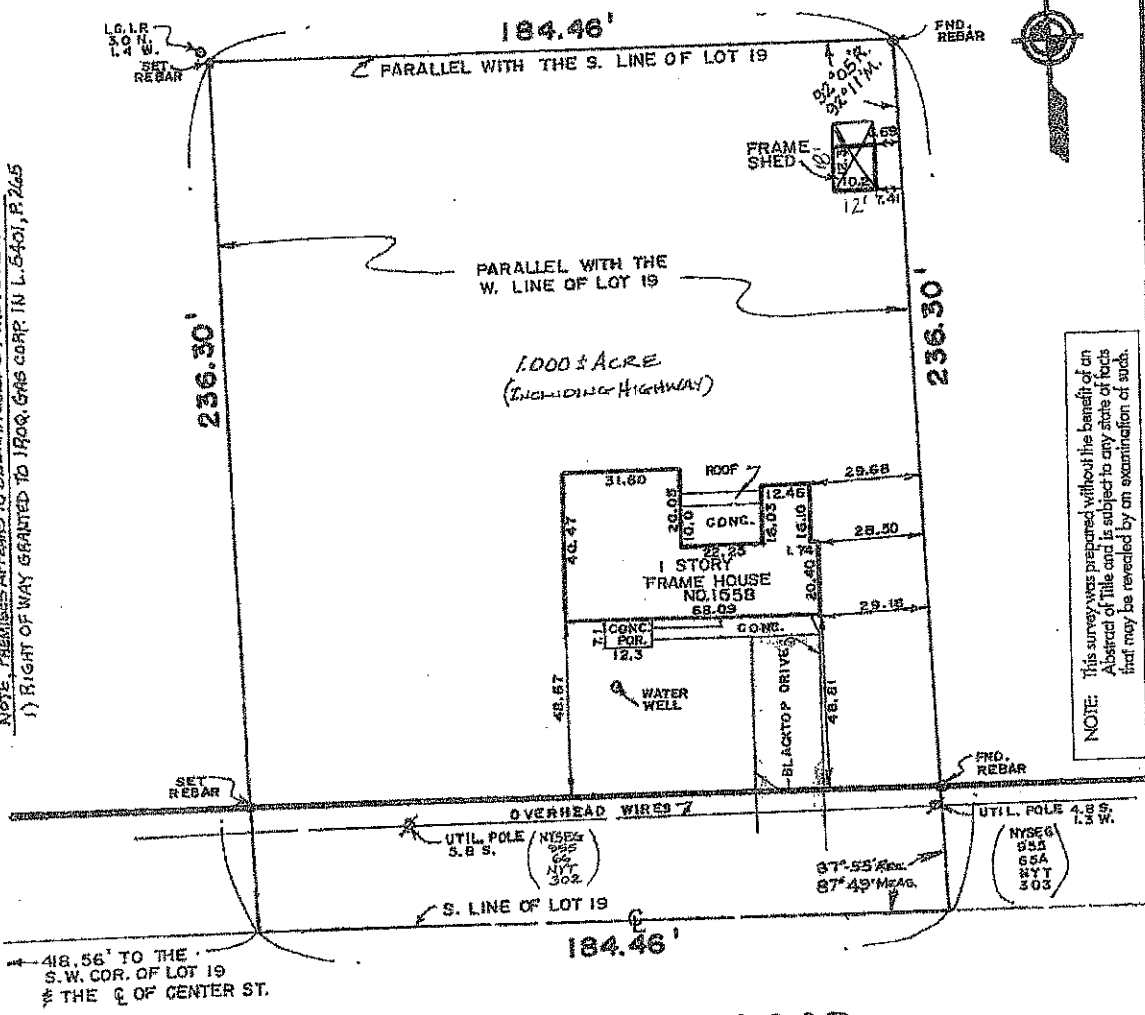
Part 1 - Project and Sponsor Information			
Name of Action or Project: <i>Replace Shed</i>			
Project Location (describe, and attach a location map): <i>Same location as original</i>			
Brief Description of Proposed Action: <i>Replace Deteriorated Shed</i>			
Name of Applicant or Sponsor: <i>Kenneth Wawrzyniak</i>		Telephone: _____	
		E-Mail: _____	
Address: <i>1558 Emery Rd</i>			
City/PO: <i>East Aurora</i>		State: <i>NY</i>	Zip Code: <i>14052</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?		<i>.0050</i> acres	
b. Total acreage to be physically disturbed?		<i>.0050</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0</i> 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			

	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 type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input 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"/> NO <input checked="" type="checkbox"/> YES	<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 checked="" type="checkbox"/>	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	<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?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> NO <input type="checkbox"/> YES	<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 checked="" type="checkbox"/>	<input type="checkbox"/> NO <input type="checkbox"/> YES	<input 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"/> NO <input type="checkbox"/> YES	<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"/> NO <input type="checkbox"/> YES	<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 checked="" type="checkbox"/>	<input type="checkbox"/> NO <input type="checkbox"/> YES	<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 checked="" type="checkbox"/>	<input type="checkbox"/> NO <input type="checkbox"/> YES	<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 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? 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>Kenneth Wawrzyniak</u>	Date: <u>11/17/24</u>	
Signature: <u>Kenneth Wawrzyniak</u>	Title: <u>OWNER</u>	



NOTE: PREMISES APPEAR TO BE UNAFFECTED BY THE FOLLOWING:
 1) RIGHT OF WAY GRANTED TO IROQ. GAS CORP. IN L. 5401, P. 245



NOTE: This survey was prepared without the benefit of an Abstract of Title and is subject to any state of facts that may be revealed by an examination of such.

EMERY (66' WIDE) ROAD

NOTE: Unauthorized, alteration or addition to any survey, drawing, design, specification, plan, or report is a violation of Section 7209, Provision 2 of the New York State Education Law.

Thornton Kenyon

PART OF L. 19 S. T. 9 R. 6, TOWN OF AURORA, COUNTY OF ERIE, NEW YORK

RESURVEY		
DATE	JOB	DESCRIPTION

JAMES L. SHISLER, L.S., P.C.
PROFESSIONAL LAND SURVEYOR

P.O. BOX 516
 EAST AURORA, NEW YORK 14052-0516 716-655-1058.

DRAWN BY DMS SCALE 1" = 40'
 CHECKED BY TAK DATE SEPTEMBER 23, 2003

JOB 03697 SHEET B-7739

For Delivery Options:
 Amish Valley Sheds LLC
 (716) 255-1194 (Val)
 Stone Pads
 (716) 479-7189 (Frank)

End of Oct / Early Nov
BROOKSIDE SHEDS

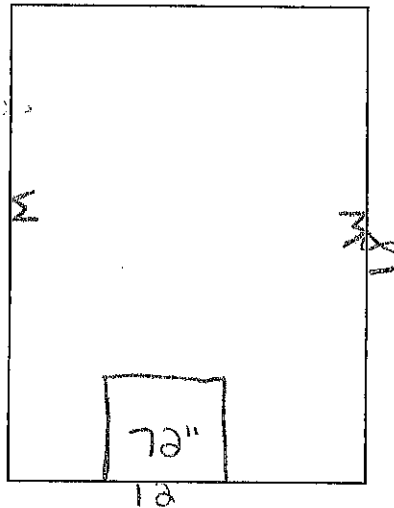
FOR ALL YOUR CUSTOM AMISH SHEDS

All Sheds are being purchased directly from Amish Builders.

* Mon or Tue build prefer X

Standard Sheds Include:

- 5' or 6' Double Door
- Tin Roof in Choice of Colors
- LP Smart Siding
- 3/4" T&G LP ProStruct Flooring
- 4"x 6" PT Skids
- 2"x 6" PT Floor Joists



Order # _____
 Date: 9/13/24
 Name: Ken Wawrzyniak
 Address: 1558 Emercy rd
East Aurora, NY 14052
 Phone: (716) 880-4148

- | Intls. | | Color |
|-------------------------------------|---|--------------|
| <input checked="" type="checkbox"/> | LP Smart Siding | Beige Primer |
| <input type="checkbox"/> | Vinyl Siding | _____ |
| <input type="checkbox"/> | Metal Siding | _____ |
| <input type="checkbox"/> | Roll-Up Doors • Size: _____ | \$600 |
| <input type="checkbox"/> | Rampage Door • Size: <u>6'6" or 6'7"</u> | \$850 |
| <input type="checkbox"/> | Garage Door • Size: _____ | \$750 and up |
| <input type="checkbox"/> | Extra Ramps | \$75 ea. |
| <input checked="" type="checkbox"/> | Onsite | _____ |
| <input type="checkbox"/> | Fully Furnished Interior Package with sprayfoam floor | _____ |

- Optional Items:**
- | | | | |
|-------------------------------------|----------------------------------|---------------------------|-----------------|
| <input checked="" type="checkbox"/> | Gambrel Roof | \$2 sq. ft. | <u>432</u> |
| <input type="checkbox"/> | Hip Roof | \$2 sq. ft. | _____ |
| <input checked="" type="checkbox"/> | Taller Walls = 7'4" | \$1.50 sq. ft. | _____ |
| | includes 6'6" tall doors | | |
| <input type="checkbox"/> | Architectural Shingles | \$2.50 sq. ft. | _____ |
| <input type="checkbox"/> | Reinforced Floors | \$1 sq. ft. | _____ |
| <input type="checkbox"/> | Staining or Paint | \$250 or \$2 sq. ft. | _____ |
| | Color _____ | | |
| <input type="checkbox"/> | Transom Windows | _____ | \$ _____ |
| <input checked="" type="checkbox"/> | Windows | 18" x 27" | \$60 <u>120</u> |
| | White & Black | 24" x 36" | \$75 |
| <input type="checkbox"/> | Insul. Windows | 24" x 36" | \$175 |
| | | 30" x 36" | \$200 |
| | | 32" x 48" | \$300 |
| <input type="checkbox"/> | Transom Windows | 10" x 30" | \$100 |
| | Insulated | 10" x 36" | \$100 |
| <input type="checkbox"/> | Flower Boxes | | \$35 |
| <input type="checkbox"/> | Shutters | | \$40/set |
| <input type="checkbox"/> | Extra Single Door | \$100 LP/\$200 fiberglass | |
| <input type="checkbox"/> | Extra Double Door | \$200 LP/\$400 fiberglass | |
| <input type="checkbox"/> | Prehung Doors | | \$375 |
| | add \$50/door for window in door | | |
| | Type _____ | | |
| <input type="checkbox"/> | Dormer & Window | | \$500 |
| <input type="checkbox"/> | Transom Dormer | 8' | \$750 |
| | | 10' | \$1000 |

Disclaimers: No Refunds

Amish Valley Sheds or anyone acting on behalf of them will not be held responsible for any damage to customers yard while delivering shed.

Any shed with 4 skids must go on a level pad or will be the customers responsibility to level the shed.

All changes must be made in writing to Brookside Sheds at 5750 Stoddard Rd., Conewango, NY 14726

Credit card payment is plus 4%

12' & 14' wide sheds are measured at the roof, not the floor because of trucking regulations.

Payment to be made upon delivery in cash or check. Nonpayment will result in a \$750 fee for redelivery.

X _____
 Customer Signature

Leveling Disclaimer:

As a courtesy Amish Valley Sheds will make every effort to level your shed within 6" free of charge and provide the blocks. Due to varying soil conditions some settling may occur and will require re-leveling. We do offer this service starting at \$150.

disc
 Tin Roof Color Bronze
 Shed Price \$ 6,353
 Tax \$ 508.24
 Total \$ 6,861.24
 Deposit \$ 800 (chk #121)
 Balance Due \$ 6,061.24
 5,553
 1000 of wood