

original



CASE NO. 1488

DATE OF HEARING 1/16/2025

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 Joshua Craig
Address 2095 Center St.
City East Aurora State NY ZIP 14052
Phone (716) N/A Email josh com
Interest in t urchaser/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 2095 Center St East Aurora NY 14052
SBL# 200.00-4-12.21
Property size in acres 2.4 Property Frontage in feet 350
Zoning District RR-A Surrounding Zoning RR-A
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # 116-18A(1) & 116-0.4F(4)
 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)

- Shed is 12'x36' built by Amish. Shed is placed on crushed stone.
- Shed is placed approximately 160' from road
- There is a heavily wooded area preventing shed from being easily observed from roadway
- Shed is placed on elevated area making it difficult to observe from roadway
- Entry way to house is located on west side of property making East side of property used more as a "back yard"
- Shed is in proximity to mechanics of pool making storage for equipment accessible

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)

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)

Joshua Craig Joshua Craig

Signature of Applicant/Petitioner

Joshua Craig

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 4th day of December 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.

Karin L. Dojnik
Notary Public

(Notary stamp)

KARIN L. DOJNIK
Notary Public, State of New York
Reg. # 01DO6445148
Qualified in Erie County
Commission Expires December 12, 2026

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 _____

**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, 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.: _____

Postmark/Delivery Date: _____

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 l - 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 1/16/2025 Time 7:00pm 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: 2095 Center Street

5a. S.B.L. of Property: 200.00-4-12.21

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: Accessory building (shed) in front yard of residence not 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 _____. 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: _____ Date: _____

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

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

December 5, 2024

Joshua Craig
2095 Center Street
East Aurora, NY 14052

Joshua Craig:

The Building Department has reviewed your request to construct *an accessory structure (shed) in your front yard at 2095 Center Street (SBL 200.00-4-12.21)*. The request has been denied because it fails to meet the requirement for *no accessory buildings/structures in the front*.

Sections 116-8.4F(4) and 116-18A(1)

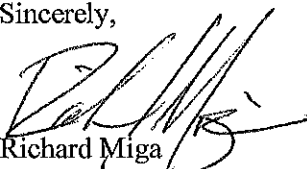
Required: No accessory buildings/structures shall be erected in the front yard.

Requested: Prebuilt Amish shed in front yard approximately 160' from right-of-way.

Variance: Shed in 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 next available hearing. If you have any questions, please contact our office 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: Pre-Built Shed in front yard.			
Project Location (describe, and attach a location map): 2095 Center St. East Aurora NY 14052			
Brief Description of Proposed Action: Pre-built shed placed in front yard			
Name of Applicant or Sponsor: Joshua Craig		Telephone: _____	
		E-Mail: j_____@.com	
Address: 2095 Center St			
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"/>
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: TOA Building Permit			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2 acres	
b. Total acreage to be physically disturbed?		.009 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2 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 checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input 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: _____		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?		NO <input checked="" type="checkbox"/>	YES <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: _____ <u>N/A</u> _____ _____		NO <input checked="" 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: _____ <u>N/A</u> _____ _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ <u>N/A</u> _____ _____		NO <input checked="" 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?		NO <input checked="" type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input checked="" 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 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
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>Joshua Craig</u>	Date: <u>12/4/24</u>	
Signature: <u>Joshua Craig</u>	Title: <u>owner</u>	

Shed Order Form 3930

Overall Size 12x36 (4610)

Windows Four 2x3 (400)

Roof Color Ash Grey

Additional Modifications Double door/ramp on center of 12 foot side, double door/no ramp on second 12 foot side (150), 2 windows on each 36 foot side

Buyer Name

Email _toj

Buyer phone

Delivery address 2095 Center St, East Aurora, NY 14052

Shed Cost (not counting delivery) 5160

Down Payment (Via Check) 2985

Payment remaining (not counting delivery) 2175 COD

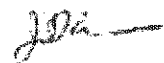
Approximate Date of shed completion About 30 days

Approximate Delivery Cost (Needs paid in cash to driver) 325

Due to fluctuating market prices this agreement must be sent in within 30 days of the date signed by manager below. This is an order form for 1 rough cut, Amish Crafted, Shed. This agreement to build a shed commences when the down payment, paid via check clears the bank. Shed needs paid in full before delivered, and it must be paid off within 30 days of notification of being completed or forfeiture of down payment and structure. Holding it on our build site awaiting for you to accept delivery for more than 30 days will result in a \$200 fee per month's lot fee. More than 6 months behind in lot fees will result in forfeiture of structure w no refund. Twelve foot wide sheds are measured from roof edge to roof edge. If stain is ordered, please note, colors can vary from any example pics from 1 shed to the next. No guarantee of exact shed placement upon delivery; buyer must use their judgement on whether a driver can get the shed to where they want it. If something more than a normal truck and trailer would be needed to place the shed the buyer must communicate that and it should be documented in "Notes for Driver" section. Driver is an independent contractor and delivery date contingent upon road and weather conditions. He will not risk getting stuck in muddy lawns. Buyer understands and hold harmless the seller and or it's owners or employees, in the event damage occurs to property during the delivery process. Our independent contractors strive to be as cautious as possible, damage to, but not limited to, yards, landscaping, driveways, underground or overhead utilities, is possible. We will use our best judgement in trying to avoid damage of any kind, but customer agrees to assume all responsibilities.

Notes for Driver (Nick):

Buyer Signature: X _____ Date X _____

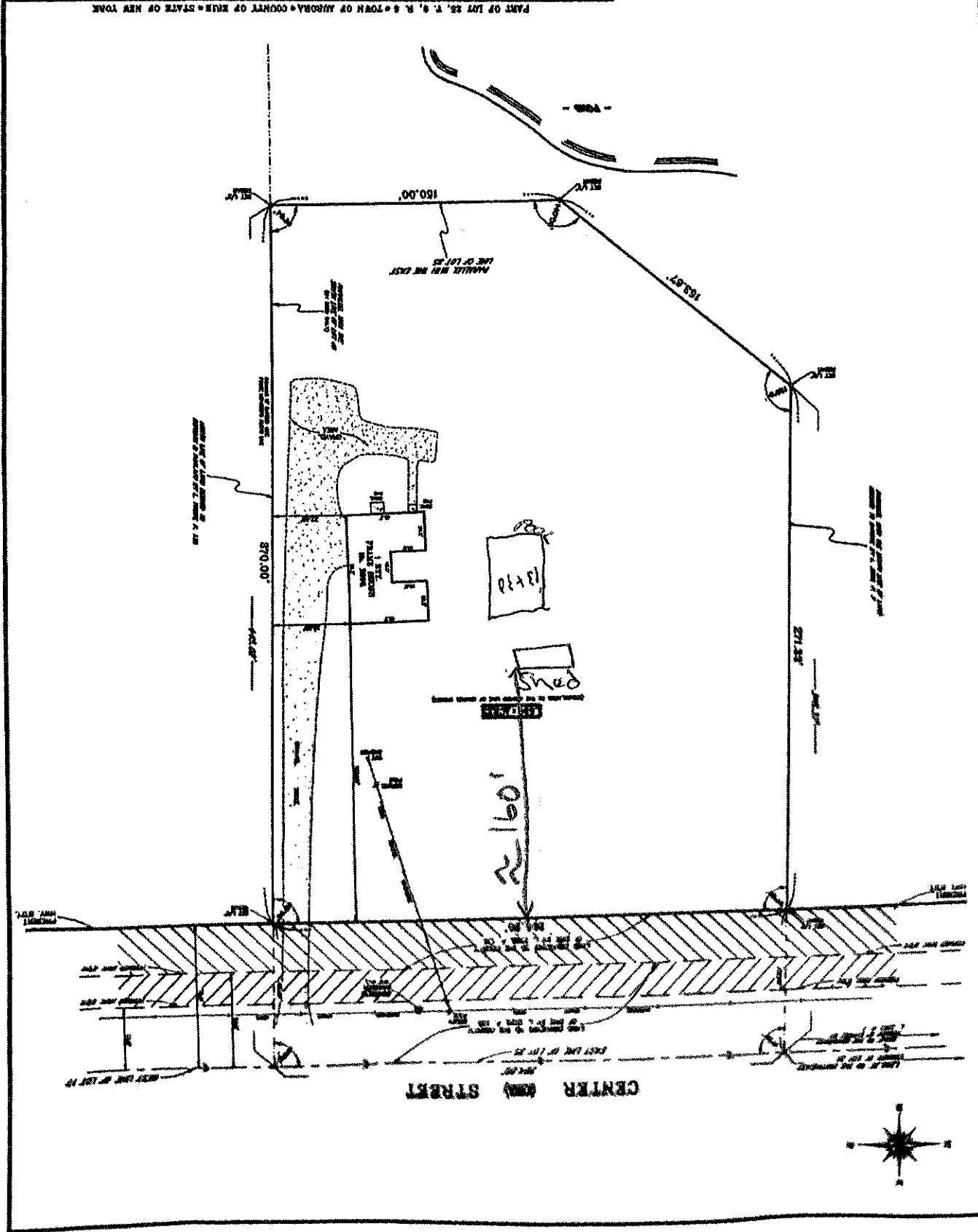
Manager:  Date 5/9/2024

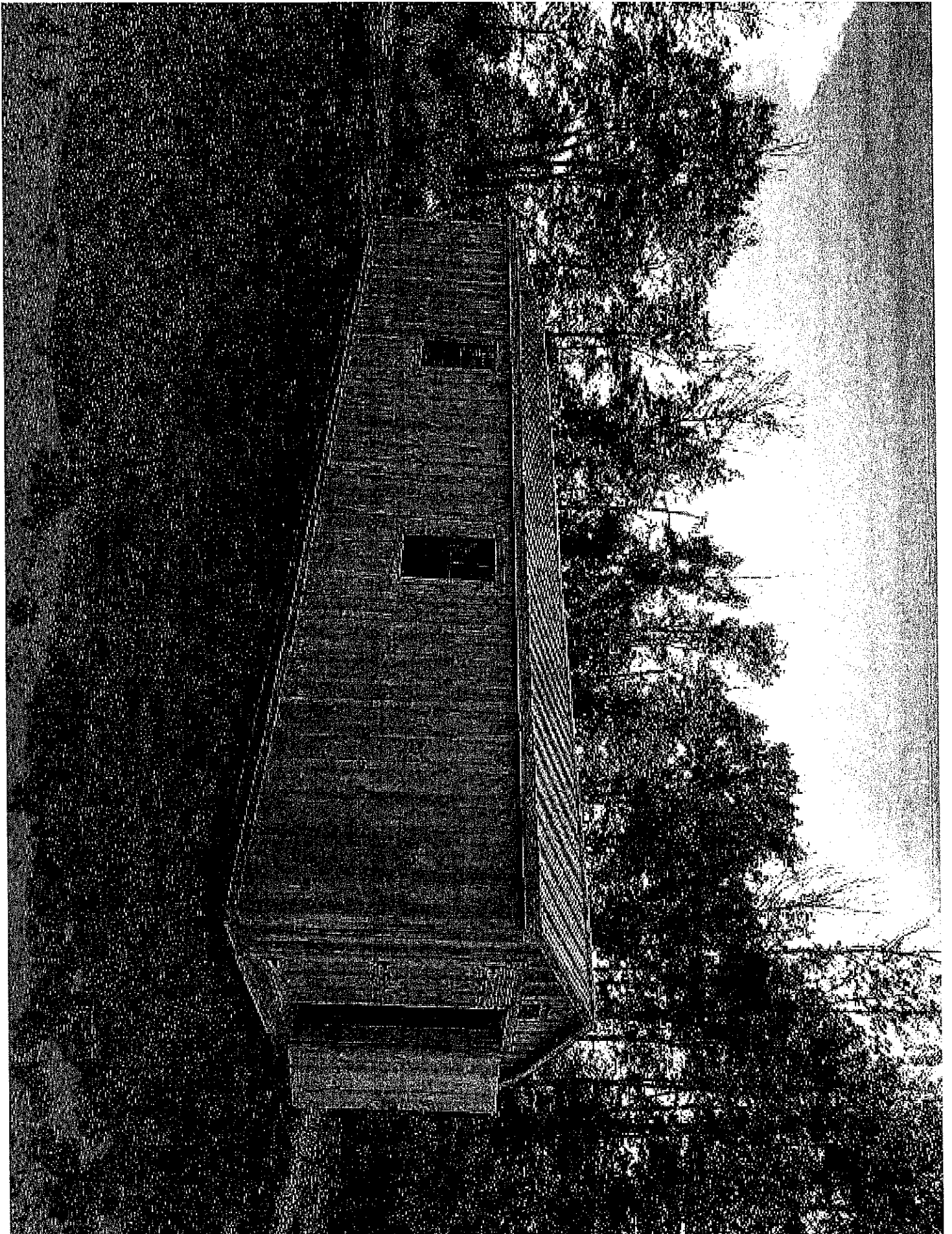
Please make check out to Wally Shetler and send to:

Wally Shetler
4889 Kortwright Road
Ashville, NY 14710

JOB NO. 1519		DATE 10/22/18	
CHECKED BY [Signature]		SCALE 1" = 30'	
DRAWN BY [Signature]		PROF. SEAL NO. 12127	
PAUL G. PAGANO, PLS PROFESSIONAL LAND SURVEYOR			
PART OF LOT 22, T. 9, R. 8, S. 20, TOWN OF AUBURN, COUNTY OF NIAGARA, STATE OF NEW YORK			

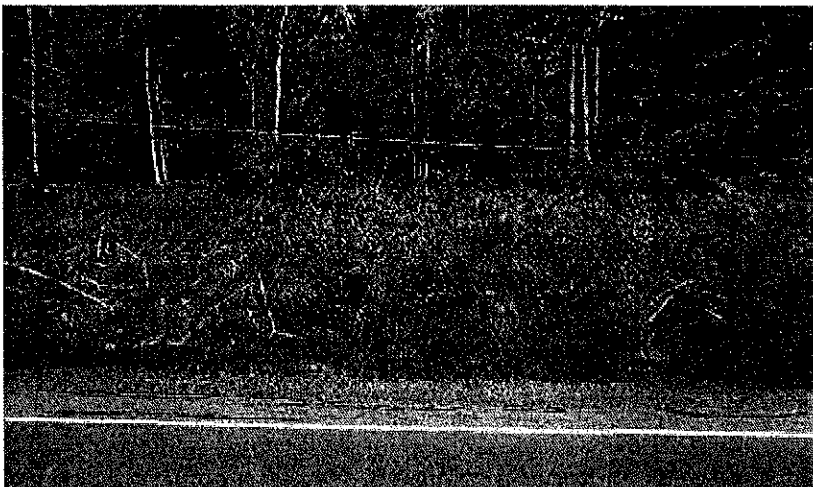
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2095 Center St



Directions



Save



Nearby



Send to
phone



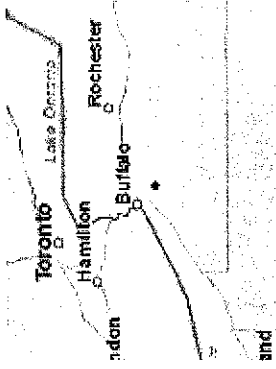
Share



2095 Center St, East Aurora, NY 14052



Erie County On-Line Mapping Application



Jeffrey Brodowski
2095
Center St

Joshua + Elizabeth Craig
2095
Center St.

Joseph Parlato Jr.
0 232 Linwood Ave
Buff NY 14209

2054
Jesse Dora
+ Emily
Shaffer
Hood

Douglas Francis
2098
2108 Center St.

Douglas Francis
2108

2110

2143

Center Street

Legend
 Parcels

0 0,04 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: 2,257