



**PAID**  
5/8/17 *Sam* Receipt # 228729

CASE NO. 1296  
DATE OF HEARING 6/15/17

Town of Aurora Zoning Board of Appeals  
300 Glead 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 DOUGLAS CLARK  
Address 1580 GROVER RD  
City EAST AURORA State NY ZIP 14052  
Phone 716 Email dclar runner.com  
Interest in the (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 1580 GROVER RD, EAST AURORA, NY  
SBL# 187.00-4-47.121  
Property size in acres 8 Property Frontage in feet \_\_\_\_\_  
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) # 116-18 A(1), 116-8.4 E1  
 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)

Douglas R Clark

Signature of Applicant/Petitioner

DOUGLAS CLARK

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 8<sup>th</sup> day of May in the year 2017 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.

Sheryl A. Miller

Notary Public

**SHERYL A. MILLER  
Reg. #01MI6128663**

(Notary stamp) **Notary Public, State of New York  
Qualified in Erie County  
Commission Expires June 13, 2017**

-----  
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 \_\_\_\_\_

**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)

*I am proposing construction of a detached garage - dimensions of 24' x 34'. The reason for my request for variance is that I do not have any suitable location to place this building other than in an area in front of my residence. The proposed location is 60 feet from the property front (streetside). It is highly shielded from view from the street. The neighboring property has a variance to the same Ordinance that was constructed several years ago (2014?). The building will only be utilized for vehicle storage and workshop area.*

**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**  
**Southside Municipal Center**  
300 Glead 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)

Jeffrey T. Harris  
[jharris@townofaurora.com](mailto:jharris@townofaurora.com)

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

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

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

SUPT. OF BUILDING  
Patrick J. Blizniak  
(716) 652-7591  
[building@townofaurora.com](mailto:building@townofaurora.com)

ASSESSOR  
Richard L. Dean  
[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

Douglas Clark  
1580 Grover Rd  
East Aurora, NY 14052

5/8/2017

Re: Accessory building in front yard & set back

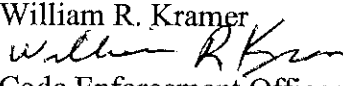
Doug,

The Building Dept. has reviewed your application for an accessory building at 1580 Grover Rd. We have denied your application because the proposed building does not meet the zoning regulations for accessory buildings as specified in the RR District of the Town Code. We therefore request that you apply to the Town Zoning Board of Appeals for an area variance if you wish to continue with this project.

116-8.4E1  
Required: Minimum front yard setback: 75'  
Requested: 60'  
Variance required: 15'

116-18A1  
Required: No accessory building in the front yard  
Requested: An accessory building in the front yard  
Variance required: An accessory building in the front yard

If you wish to pursue this matter further you must apply to the Town of Aurora Zoning Board of Appeals for an Area Variance. You must include your application, application fee, and any information you need to support your need for a variance from the Town Code. If you have any questions contact us at 652-7591.

William R. Kramer  
  
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:<br><b>CONSTRUCTION OF DETACHED GARAGE</b>   |                                     |  |   |    |     |                                     |                                     |
| Project Location (describe, and attach a location map):<br><b>1580 GROVER RD, EAST AURORA, NY</b>  |                                     |  |   |    |     |                                     |                                     |
| Brief Description of Proposed Action:<br><b>DETACHED GARAGE FOR 2 VEHICLE STORAGE AND WORK SHOP SPACE</b>  |                                     |  |   |    |     |                                     |                                     |
| Name of Applicant or Sponsor:<br><b>DOUGLAS CLARK</b>  |                                     | Telephone: <b>716-359-6467</b>           |   |    |     |                                     |                                     |
| Address:<br><b>1580 GROVER RD</b>  |                                     | E-Mail: <b>dclark1580@roadrunner.com</b> |   |    |     |                                     |                                     |
| City/PO:<br><b>EAST AURORA</b>   |                                     | State:<br><b>NY</b>                      | Zip Code:<br><b>14052</b>   |    |     |                                     |                                     |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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.   |                                     |  | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> | NO | YES | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| NO   | YES                                 |  |   |    |     |                                     |                                     |
| <input checked="" type="checkbox"/>  | <input type="checkbox"/>            |  |   |    |     |                                     |                                     |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   |                                     |  | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table> | NO | YES | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| NO   | YES                                 |  |   |    |     |                                     |                                     |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> |  |   |    |     |                                     |                                     |
| 3.a. Total acreage of the site of the proposed action?   |                                     | <u>8</u> acres                           |   |    |     |                                     |                                     |
| b. Total acreage to be physically disturbed?   |                                     | <u>&lt; 1</u> acres                      |   |    |     |                                     |                                     |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |                                     | <u>8</u> acres                           |   |    |     |                                     |                                     |
| 4. Check all land uses that occur on, adjoining and 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)<br><input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br><input type="checkbox"/> Parkland |                                     |  |   |    |     |                                     |                                     |

|   |                                     |                          |
|---|-------------------------------------|--------------------------|
| 18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br>If Yes, explain purpose and size: _____<br>_____<br>_____ | 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?<br>If Yes, describe: _____<br>_____<br>_____   | 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?<br>If Yes, describe: _____<br>_____<br>_____   | NO                                  | YES                      |
|   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: DOUGLAS R. CLARK Date: 5-8-17  
 Signature: Douglas R Clark

**BUILDING DEPARTMENT**  
**Town of Aurora/Village of East Aurora**  
**300 Glead Avenue, East Aurora, NY**

Permit # \_\_\_\_\_  
 Reissue from \_\_\_\_\_

Phone (716) 652-7591  
 Fax (716) 652-3507

|   |   |
|---|---|
| Circle one <input checked="" type="radio"/> Town or Village | Date _____                                |
| App Fee \$ _____  | ZBA <input checked="" type="radio"/> or N |
| Permit Fee \$ _____   |   |
| Park/Rec Fee \$ _____                                       |   |

**APPLICATION FOR BUILDING PERMIT**

|                              |                    |                     |                      |
|------------------------------|--------------------|---------------------|----------------------|
| New Building                 | Addition           | Demolition          | Solid Fuel Appliance |
| Alteration-Renovation        | Accessory Building | Accessory Structure | Special Use          |
| Temporary Accessory Building | Tower              | Generator           |                      |

Location 1580 GROVER RD SBL# 187.00-4-47.121

Property Owner Name DOUGLAS / DIANE CLARK

1. Give a brief description of request/intention for building permit: CONSTRUCTION OF GARAGE/UTILITY BUILDING
2. Existing use and occupancy Residential  Commercial \_\_\_\_\_ (Check which applicable)  
 Intended use and occupancy Residential  Commercial \_\_\_\_\_ (Check which applicable)  
**Is there more than one dwelling on the parcel?**
3. Size of completed building 34.ft wide 24.ft long 15.ft high 1 stories Total sq ft 800
4. Estimated Cost (determined by Building Department) \_\_\_\_\_
5. Zone or use district in which premises are situated RR
6. Does proposed construction violate any zoning law, ordinance or regulation?  YES
7. Name of Architect ROBERT LEARY  
 Address of Architect 11418 TOMARSUE DR, MARILLA NY Phone Number 652-5097 / 202-2386
8. Name of Contractor TBD  
 Address of Contractor \_\_\_\_\_ Phone Number \_\_\_\_\_
9. Contractors GL/WC/Disability Insurance Certificates on file \_\_\_\_\_  
 Number of Policy \_\_\_\_\_ Date of Expiration \_\_\_\_\_
10. 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 \_\_\_\_\_
11. DPW Action Required WATER TAP \_\_\_\_\_ SEWER TAP \_\_\_\_\_ CURB CUT \_\_\_\_\_ BACKFLOW PREVENTER \_\_\_\_\_  
 GREASE TRAP \_\_\_\_\_

|  |                       |
|--|-----------------------|
| Bldg Dept Use Only   | ZBA                   |
| Examined _____ 20 _____  | Reason _____          |
| Approved _____ 20 _____  | Approved/Denied _____ |
| Disapproved _____ 20 _____   | Case # _____          |
| ..... Signature of Code Enforcement Officer/Building Inspector   |                       |
| Receipt is hereby acknowledged of the sum of \$..... equal to the fees schedule established by the Town Board of the Town of Aurora NY |                       |
| ..... Town Clerk/ Deputy Clerk   |                       |
| Date: _____  | Receipt _____         |

**PLEASE READ BEFORE SIGNING APPLICATION**

- This application must be completely filled in by typewriter or in ink and submitted to the Building Department.**
- Survey showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application. Indicate distance to nearest building on adjoining lot.
- This application must be accompanied by 2 complete set of plans (3 sets for commercial applications) showing proposed construction and 1 complete set of specifications.** Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical, electrical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of Building Permit.
- Upon approval of this application, the Building Department will issue a Building Permit to the applicant. Such permit shall be kept on the premises available for inspection throughout the progress of the work.



2.75 AC - 64 & 50 AC. & MEAS. TO NORTH LINE - LAI  
CONVEYED TO JAMES W. BOIS L. 128 7342

250'00

07' 26' 30"

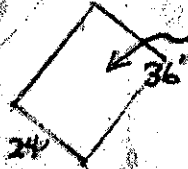
08' 03' 30"

FR  
SPEDS

2 5/8" DIA. & FR  
HSE. # 1210  
D5 1210  
SEE ALSO DE VAL

AREA = 55.0

07' 26' 30"



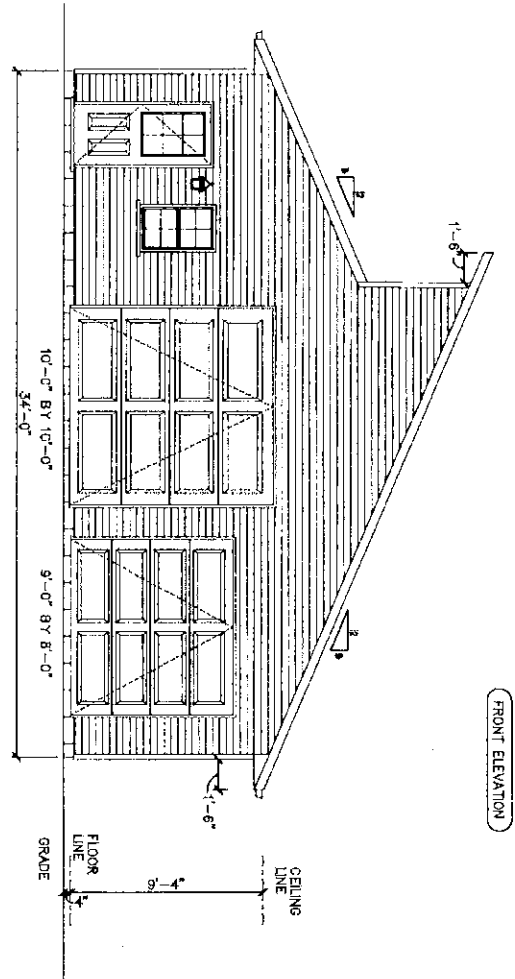
PROPOSED  
GARAGE

SOUTHWEST CORNER

SOUTH LINE OF LAND CONVEYED  
CLARA C. BAUER L. 3160

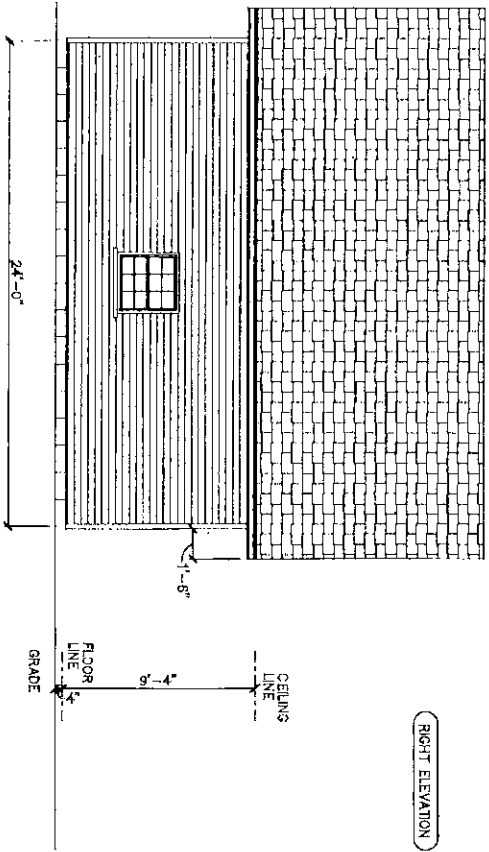
374

REC  
9



FRONT ELEVATION

NOTE: CEILING HEIGHT OF 9'-4"  
CONSISTS OF A NINE FOOT WOOD  
WALL (STUD AND PLATES) AND 4"  
OF BLOCK. SEE SECTION



RIGHT ELEVATION

| DESIGN CRITERION          |                    |                    |  |
|---------------------------|--------------------|--------------------|--|
| DESIGN ITEM               | CODE STANDARD      | DESIGN             |  |
| GROUND SNOW LOAD (PSF)    | 50                 | 50                 |  |
| WIND SPEED (MPH)          | 90                 | 90                 |  |
| SEISMIC DESIGN            | B                  | B                  |  |
| WEATHERING DAMAGE         | SEVERE             | SEVERE             |  |
| TERMINATE DAMAGE          | SLIGHT TO MODERATE | SLIGHT TO MODERATE |  |
| DECAY DAMAGE              | NONE TO SLIGHT     | NONE TO SLIGHT     |  |
| FROST LINE DEPTH (INCHES) | 42                 | 42                 |  |
| WINTER DESIGN TEMP (°F)   | 2                  | 2                  |  |
| FLOOD HAZARD              | TOWN               | TOWN               |  |

NOTES:

GARAGE  
FOR  
DOUGLAS CLARK

FRONT AND RIGHT  
ELEVATIONS

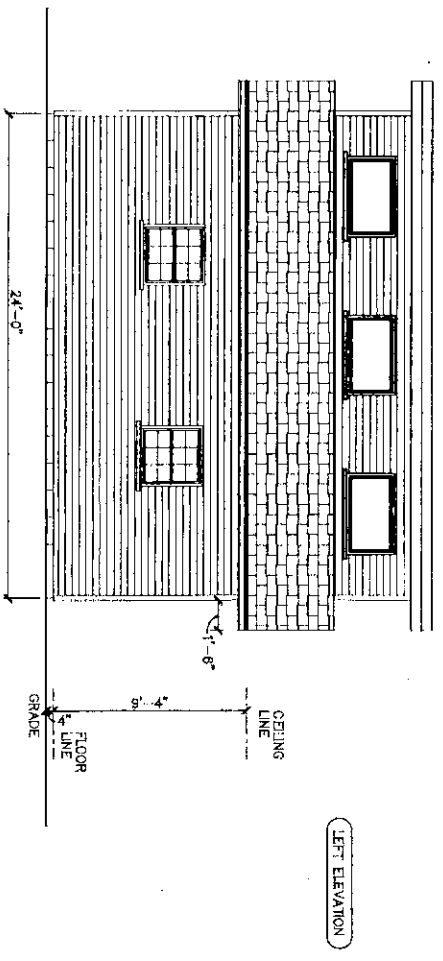
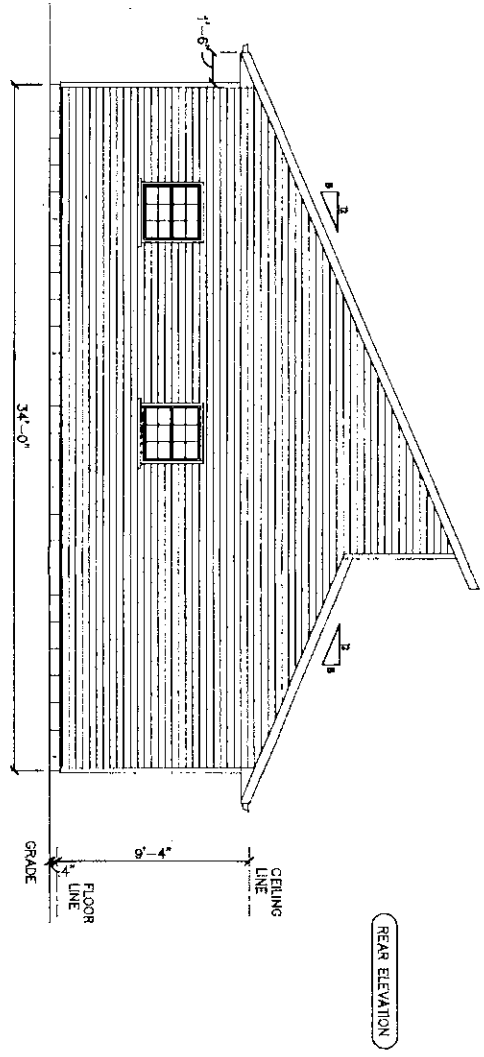
1680 GROVER ROAD  
TOWN OF AURORA

SCALE 1/4" = 1'-0"

DATE APRIL 25, 2017

DRAWN BY R. LEARY

NOTE: SECOND STORY WINDOWS ARE ALSIDE ANNING A4024 (OR EQUAL) INSTALL DOUBLE 2 X 10 HEADER FOR WINDOWS



NOTES:

GARAGE FOR DOUGLAS CLARK

REAR AND LEFT ELEVATIONS

1580 GROVER ROAD TOWN OF AURORA

SCALE 1/4" = 1'-0"

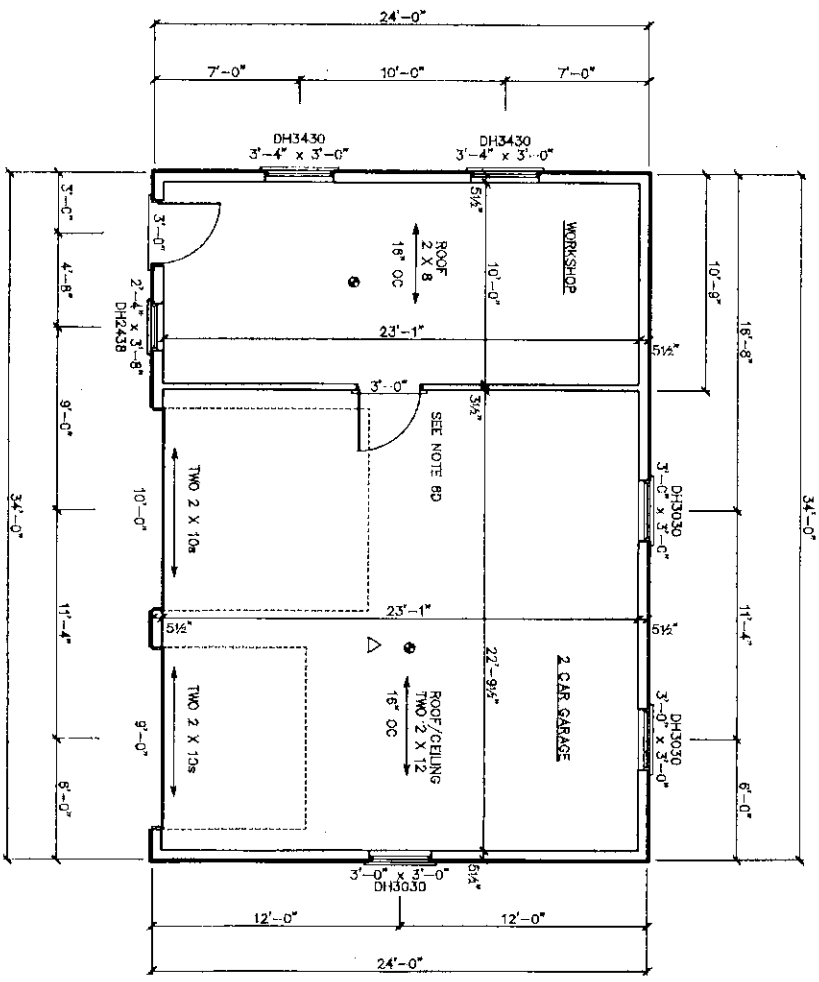
DATE APRIL 25, 2017

DRAWN BY R. LEARY

2 OF 5

WINDOW DATA

| ROOM NAME | ROOM AREA (SF) | REQUIRED GLASS AREA (SF) | PROVIDED GLASS AREA (SF) | REQUIRED VENTILATION AREA (SF) | PROVIDED VENTILATION AREA (SF) |
|-----------|----------------|--------------------------|--------------------------|--------------------------------|--------------------------------|
| WORKSHOP  | 230            | 18.40                    | 18.99                    | 9.16                           | 8.59 PLUS DOOR                 |



NOTES:

1. SMOKE DETECTOR/ALARMS TO BE HARDWIRED AND INTERCONNECTED, TO HAVE BATTERY BACKUP
2. CARBON MONOXIDE DETECTOR/ALARM TO BE HARDWIRED, TO HAVE BATTERY BACKUP
3. AREAS WORKSHOP AREA = 230 SF GARAGE AREA = 550 SF
4. WINDOWS ARE ALSIDE (OR EQUAL) DOUBLE HUNG AND AWNING
5. GARAGE FIRE RATING NOTES
  - a. INTERIOR WALL TO HAVE 1/2" ROUGE SHEET TO CEILING X DRYWALL TO CEILING (WORKSHOP SIDE)
  - b. EXTERIOR WALLS TO HAVE 1/2" TYPE X DRYWALL TO CEILING
  - c. CEILING TO HAVE 1/2" TYPE X DRYWALL
  - d. GARAGE ENTRY DOOR TO BE ONE OF THE FOLLOWING:
    - i. 1 3/8" THICK SOLID WOOD
    - ii. HONEYCOMB STEEL DOOR WITH 20 MINUTE FIRE RATED DOOR WITH SELF CLOSING DEVICE

KEY

● = SMOKE DETECTOR/ALARM

△ = CARBON MONOXIDE DETECTOR/ALARM

NOTES:

GARAGE FOR DOUGLAS CLARK

FLOOR PLAN

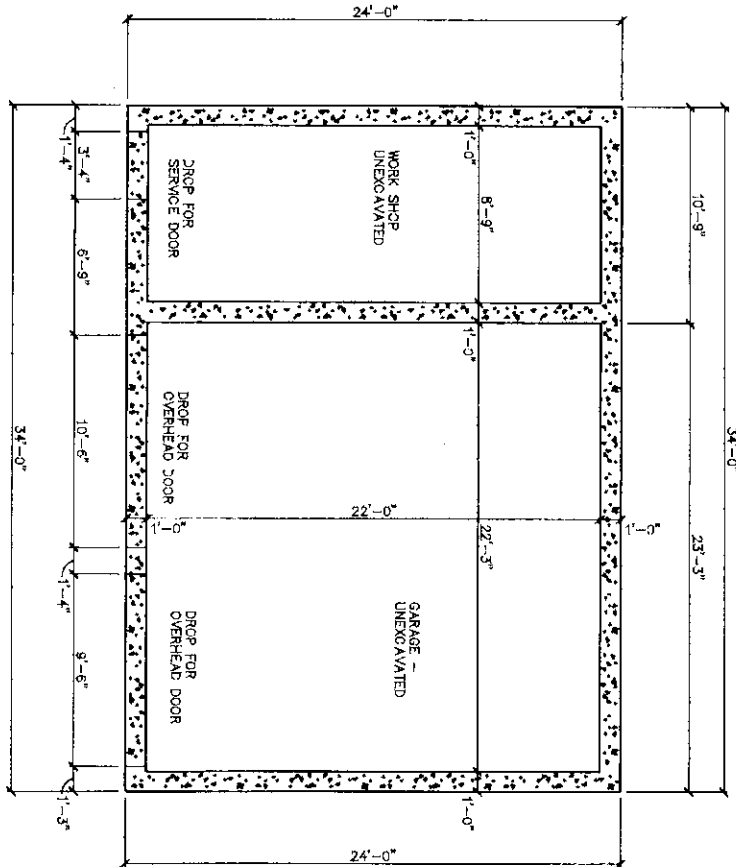
1680 GROVER ROAD TOWN OF AURORA

SCALE 1/4" = 1'-0"

DATE APRIL 25, 2017

DRAWN BY R. LEARY

3 OF 5



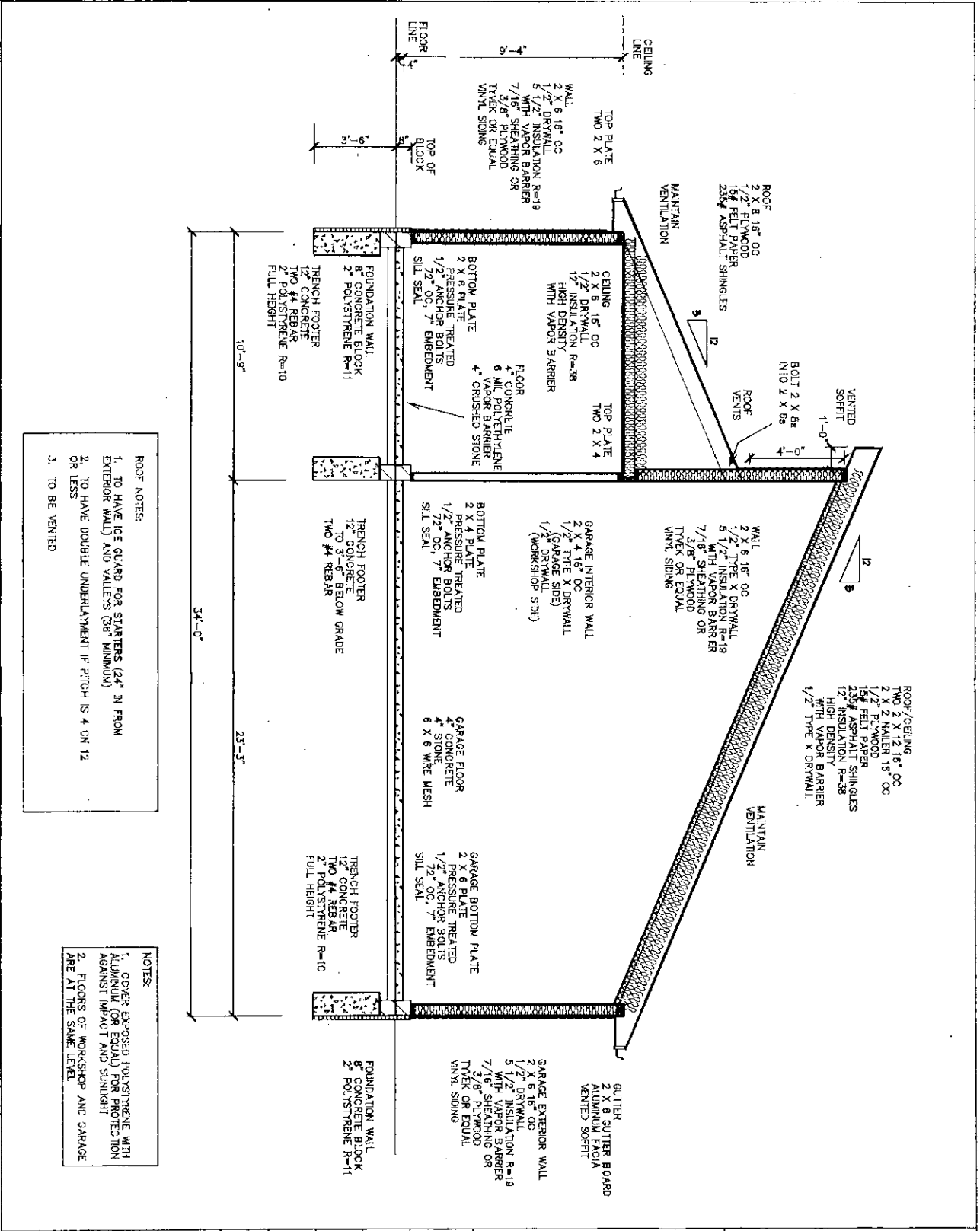
**SOIL/FOUNDATION NOTES**

1. SOIL LOAD BEARING VALUE IS ASSUMED TO BE 2000 PSF. ACTUAL BEARING LOAD FROM GARAGE < 1750 PSF
2. TRENCH FOOTER VERTICAL REINFORCEMENT NONE
3. TRENCH FOOTER HORIZONTAL REINFORCEMENT TWO #4 REBARS

**NOTES:**

1. ALL CONCRETE TO BE 3000 PSI
2. ALL WOOD TO BE SPF #2, HEM FIR #2 OR EQUAL
3. DESIGN LOADS AS FOLLOWS  
SNOW 50 PSF  
DEAD 10 PSF

|   |   |
|---|---|
| <b>GARAGE<br/>FOR<br/>DOUGLAS CLARK</b> | <b>NOTES:</b>   |
|   | FOUNDATION PLAN<br>1880 GROVER ROAD<br>TOWN OF AURORA<br>SCALE 1/4" = 1'-0"<br>DATE APRIL 25, 2017<br>DRAWN BY R. LEARY<br>4 OF 5 |



**ROOF NOTES:**

1. TO HAVE ICE GUARD FOR STARTERS (2" IN FROM EXTERIOR WALL) AND VALLEYS (3/8" MINIMUM) OR LESS
2. TO HAVE DOUBLE UNDERLAYMENT IF PITCH IS 4 ON 12
3. TO BE VENTED

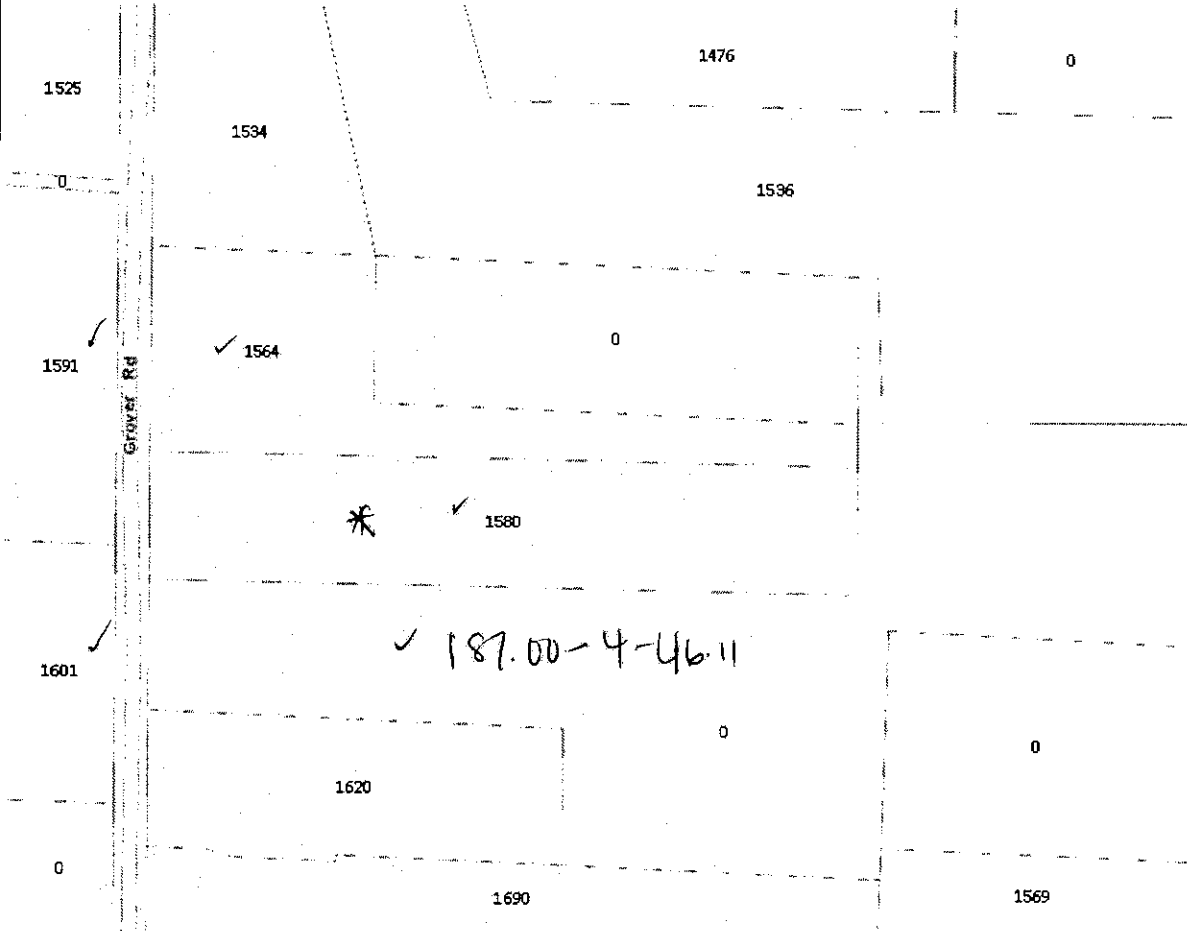
**NOTES:**

1. COVER EXPOSED POLYSTYRENE WITH ALUMINUM (OR EQUAL) FOR PROTECTION AGAINST IMPACT AND SUNLIGHT
2. FLOORS OF WORKSHOP AND GARAGE ARE AT THE SAME LEVEL

|                                    |  |
|------------------------------------|--|
| <b>GARAGE FOR DOUGLAS CLARK</b>    |  |
| <b>TYPICAL SECTION</b>             |  |
| 1880 GROVER ROAD<br>TOWN OF AUBORA |  |
| SCALE 3/8" = 1'-0"                 |  |
| DATE APRIL 25, 2017                |  |
| DRAWN BY R. LEARY                  |  |
| <b>5 OF 5</b>                      |  |



# Erie County On-Line Mapping Application



**Legend**

- Parcels
- Municipal Boundaries

0 376.17 752.3 Feet  
 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

Douglas Clark + DIANE CLARK  
 \* 1580 Grover  
 EA

1564 Grover Rd  
 Douglas & Diane Clark  
 mailing 1580 Grover Rd EA

SBL: 187.00-4-46.11  
 V/L Grover Rd  
 Janet Goodrich  
 mailing 3217 Oakwood Blvd S.  
 Sarasota FL 34237

1591 Grover  
 Kenneth Szczepanski & Sheila Lopez  
 mailing 600 Main St Ste 803  
 Buffalo NY 14202

1601 Grover  
 David & Carol Ann Szczepanski  
 1601 Grover Rd Et.



CASE NO. Review 1260  
DATE OF HEARING 6/15/17

Town of Aurora Zoning Board of Appeals  
300 Glead Avenue, East Aurora, New York 14052

### Zoning Board of Appeals Application Form

#### I. TYPE OF REQUEST

AREA VARIANCE  REVIEW OF SPECIAL USE PERMIT  USE VARIANCE  INTERPRETATION

#### II. APPLICANT/PETITIONER

Applicant's Name CHARLES S. COLLINS  
Address 10 MANCHESTER RD  
City EAST AURORA State N.Y. ZIP 14052  
Phone 716-400-8778 Fax \_\_\_\_\_ Email \_\_\_\_\_  
Interest in the property (ex: 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 10 Manchester  
SBL# 186.01-1-16.1  
Property size in acres 1.38 Property Frontage in feet 300'  
Zoning District \_\_\_\_\_ Surrounding Zoning \_\_\_\_\_  
Current Use of Property Residential

#### IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # \_\_\_\_\_  
REVIEW Special Use Permit for: Bee hives  
 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)

Charles S. Collins  
Signature of Applicant/Petitioner

CHARLES S. COLLINS  
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 12<sup>th</sup> day of May in the year 2017 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.

Martha L. Librock  
Notary Public

**MARTHA L. LIBROCK**  
Notary Public, State of New York  
No. 01LI5028312  
Qualified in Erie County  
My Commission Expires May 31, 2018

(Notary stamp)

-----  
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 \_\_\_\_\_

**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)

*Received permission for 2 late buses last year  
would like to continue doing so.*

**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)

DAVIS (66' WIDE) ROAD

MANCHESTER (60' WIDE) ROAD

300.00'

SUBLOT 32

MAP COVER 1916  
SUBLOT 31

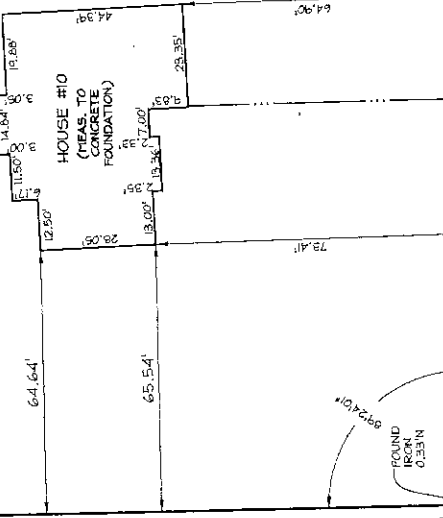
SUBLOT 30

203.48'

300.00'

FOUND IRON 0.33'N

8°



APPROX AREA  
WHERE BEES  
WILL BE KEPT.

LOT 33

TELE BOX 2.2'N  
FOUND IRON 0.37'N  
UTILITY POLE 10.31'E  
1.5'N

UTILITY POLE 8.1'E  
8.1'E

FOUND IRON 0.33'N  
GAS VALVE 2.91'S  
GAS VALVE 1.6'S  
1.5'N

TELE BOX 5.6'N  
465.9'x308'

UTILITY POLE 8.6'S  
8.6'S

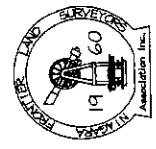
OHN

UTILITY POLE 7.7'S  
7.7'S

OHN

UTILITY POLE 7.0'S  
7.0'S

|  |  |                |             |               |                    |                   |
|--|--|----------------|-------------|---------------|--------------------|-------------------|
| PART OF LOT(S) 1, 60   |  | SECTION 1      | TOWNSHIP 9  | RANGE 16      | STATE OF NEW YORK  | SCALE: 1"=30'     |
| LOCATION: TOWN OF AURORA   |  | COUNTY OF BRIT | KIND SURVEY | DATE 06/04/04 | FOR ALLIANCE HOMES | JOB NO. 0412-0427 |
|  |  |                |             |               |                    |                   |
| <p>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.</p>                                   |  |                |             |               |                    |                   |
| <p>Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7204, provision 2 of the New York State Education Department.</p> |  |                |             |               |                    |                   |
| <p>Case # 1260<br/>Exhibit # 4<br/>Date 3/17/16</p>  |  |                |             |               |                    |                   |
| <p>DRAWING NO. 1916-31</p>   |  |                |             |               |                    |                   |



ZONING BOARD OF APPEALS  
TOWN OF AURORA  
DECISION

RE: APPEAL NO. 1260.

A public hearing on the Application of Charles S. and Melinda L. Collins, Petitioners, 10 Manchester Road, East Aurora, New York having been called before the Zoning Board of Appeals in the Southside Municipal Building, 300 Glead Street, on the 17th day of March, 2016 at 7:00 p.m., after due notice published in the East Aurora Advertiser as prescribed in Section 267-a, Subdivision 7 of the Town Law and Section 116-61 F of the Code of the Town of Aurora (Exhibit 3).

There were present:

Albert Salter  
Donald Aubrecht  
James Whitcomb  
Wayne Nowocin  
Rodney Simeone

The secretary read the Notice of Public Hearing and the Affidavit of Publication which were duly marked as exhibits herein. Exhibits 1 and 2.

Petitioners seek a special use permit to keep two bee hives at 10 Manchester Road SBL #186.01-1-16.1 in an R-1 zone (the "Premises"). Exhibit 3.

Petitioners appeared.

No one else appeared.

At a duly convened public meeting held on the 17th day of March, 2016 and after said public meeting, the Zoning Board of Appeals finds as follows:

**Findings**

1. This is an Unlisted Action pursuant to Article 8 of New York State Environmental Conservation Law and the regulations promulgated thereunder, Part 617 of Title 6 of the New York Code of Rules and Regulations (SEQR). At the hearing the Board issued a negative declaration pursuant to SEQR, dated March 17, 2016 which is filed herewith.
2. Petitioners propose to keep two bee hives at the Premises which is in an R-1 zone. Town Code § 116-19 allows the keeping of bees in an R-1 zone only upon grant of a special use permit by this Board on such conditions as the Board may impose.

3. The two bee hives will be kept by Petitioners as a hobby and to produce honey for personal use. Petitioner Charles Collins has taken courses on the keeping of bees.
4. The Premises is approximately 300 feet by 200 feet. Exhibit 4. The hives will be located at a distance from Petitioner's dwelling in a wooded area between the dwelling and Davis Road. Exhibit 9a-d. The properties across Davis Road are located in an A zone and are predominately used for agricultural purposes.
5. Each hive will have from 8,000 to 20,000 bees. The bees located in the bee hives may travel up to several miles to collect pollen. Bees in gathering pollen will pollenate the plants from which they gather pollen. Pollination is necessary for fertilization and reproduction of plants. Thus, the bees will benefit any plants located in the area.
6. The Board will review the special use in one year to determine if there are have been any complaints concerning the bees and hives.
7. A Special Use Permit allows land uses on such requirements as to assure that the proposed use is in harmony with our zoning ordinances and will not adversely affect the neighborhood if such requirements are met. Applying the foregoing, the Board finds that the Special Use Permit should be granted subject to the condition that Petitioners will be allowed only two hives and this permit will be reviewed after a year. As such, issuance of a Special Use Permit is in harmony the Town Zoning Ordinances and will not adversely affect the neighborhood.

Wayne Nowocin made a motion to grant the Petitioners a special use permit to keep two bee hives at the Premises and the Board will review this special use permit in one year.

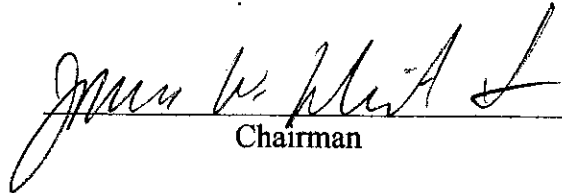
Albert Salter seconded the motion.

On a roll call, the vote was

|                 |     |
|-----------------|-----|
| Albert Salter   | Aye |
| Donald Aubrecht | Aye |
| James Whitcomb  | Aye |
| Wayne Nowocin   | Aye |
| Rodney Simeone  | Aye |

RESOLVED, that the special use permit applied for by Charles S. and Melinda L. Collins, Petitioners, in their Application No. 1260 be and hereby is granted subject to the conditions set forth herein.

Dated: East Aurora, New York  
March 17, 2016.

  
Chairman

1260Collins