



original

CASE NO. 1408

DATE OF HEARING 7/21/22

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 Chris Rudolph  
Address 1916 Reading Rd.  
City West Falls State NY ZIP 14170  
Phone 716 x          Email @gmail.com  
Interest in th 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 1916 Reading Rd  
SBL# 199.00-3-22  
Property size in acres 1.8 Property Frontage in feet 200  
Zoning District RR Surrounding Zoning \_\_\_\_\_  
Current Use of Property Residential

#### IV. REQUEST DETAIL

(check all that apply)  
 Variance from Ordinance Section(s) # 116-8.4 Section B-2 + 116-18B; 116-17D; 116-8.4 F(2)  
 Special Use Permit for: \_\_\_\_\_  
 Use Variance for: \_\_\_\_\_  
 Interpretation of \_\_\_\_\_

**V. SIGNATURES** (This application must be signed by the applicant/petitioner. If the applicant is not the owner of the property, a separate owner authorization form must be submitted – see pg. 5)

*[Handwritten Signature]*

Signature of Applicant/Petitioner

*Chris Rudolph*

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 2nd day of June in the year 2022 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.

*Timothy James O'Gara*

Notary Public

(Notary stamp)

TIMOTHY JAMES O'GARA  
NOTARY PUBLIC, STATE OF NEW YORK  
REG# 010G6402120  
QUALIFIED IN NIAGARA COUNTY  
COMMISSION EXPIRES 12/23/2023

Office Use Only: Date received: 6/17/22 cash Receipt #: 385811

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 looking to erect a 36x48 pole barn with 14ft walls. The total mean height of my building is 17ft and the max allowed is 15ft. The reason why my mean height is such, is because I would like to install a 12ft overhead door so that I am able to park and store my truck camper in this building. The UV rays from the sun are really not good after awhile with this type of camper. The 12ft overhead door is the second variance I need because I was told that 10ft doors are max. allowable.

**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)

Town of Aurora  
300 Glead Avenue  
East Aurora, NY 14052  
www.townofaurora.com

**Zoning Board of Appeals  
Application  
Owner Authorization**

The undersigned, who is the owner of the premises know as:

.....1916 Reading Rd. West Falls, 14179..... identified as Tax Map (SBL)#.....  
(address)

hereby authorizes ..... to bring an application for  area variance  
( ) special use permit ( ) use variance ( ) interpretation before the Town of Aurora Zoning Board of Appeals for review and potential approval. The undersigned further permits the Town or its authorized representative(s) access to the property to review existing site conditions during the review process.

Chris Rudolph  
Owner (print)

\_\_\_\_\_  
Date

[Signature]  
Owner (signature)

STATE OF NEW YORK     )  
  SS  
COUNTY OF ERIE        )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a notary public in and for said state, personally appeared \_\_\_\_\_, personally known to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
Notary Public

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

Aurora Municipal Center  
575 Oakwood Avenue, East Aurora, NY 14052  
[www.townofaurora.com](http://www.townofaurora.com)

### TOWN COUNCIL MEMBERS

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[csnyder@townofaurora.com](mailto:csnyder@townofaurora.com)

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

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Jeffrey P. Markello  
Anthony DiFilippo IV

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(716) 652-7944  
[historian@townofaurora.com](mailto:historian@townofaurora.com)

FAX: (716) 652-3507

*This institution is an equal  
opportunity provider and employer.*

June 21, 2022

Chris Rudolph  
1916 Reading Rd  
West Falls, NY 14170

Dear Chris:

The Building Department has reviewed request to construct a pole barn on your property at 1916 Reading Rd. The request has been denied because it fails to meet the code requirements for an accessory building in the Rural Residential (RR) Zoning District in which it is located.

#### Section 116-8.4B(2) & 116-18B

Required: Maximum mean height of an accessory building not to exceed 15 feet.  
Requested: Accessory building with a mean height of 17'  
Variance: 2'

#### Section 116-17D

Required: In any R District the accessory use shall not include a private garage with vehicular entrance headroom more than ten feet high.  
Requested: 12' door height  
Variance: 2'

#### Section 116-8.4F(2)

Required: The side yard setback for an accessory building is a distance equal to the mean height of the proposed accessory building, but not less than 10 feet.  
Requested: Side yard setback of 15'  
Variance: 2'

This letter serves as notice that we have received the application and fee for the Zoning Board of Appeals. You will receive notification from the Town Clerk with the date and time of the hearing next month. If you have any questions, please contact our office at 652-7591.

Sincerely,

Elizabeth Cassidy  
Code Enforcement Officer

617.20  
Appendix B  
Short Environmental Assessment Form

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: <span style="font-size: 1.2em; margin-left: 100px;">pole barn</span>			
Project Location (describe, and attach a location map): <span style="font-size: 1.2em; margin-left: 100px;">behind house, left of property</span>			
Brief Description of Proposed Action: <span style="font-size: 1.2em; margin-left: 100px;">looking to build a 36x48 pole barn/hobby garage in my backyard.</span>			
Name of Applicant or Sponsor: <span style="font-size: 1.2em; margin-left: 20px;">Chris Rudolph</span>		Telephone:  E-Mail: <span style="font-size: 1.2em; margin-left: 20px;">st@i.com</span>	
Address: <span style="font-size: 1.2em; margin-left: 20px;">1916 Reading Rd.</span>			
City/PO: <span style="font-size: 1.2em; margin-left: 20px;">West Falls</span>		State: <span style="font-size: 1.2em; margin-left: 20px;">NY</span>	Zip Code: <span style="font-size: 1.2em; margin-left: 20px;">14170</span>
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 governmental Agency? If Yes, list agency(s) name and permit or approval: <span style="font-size: 1.2em; margin-left: 20px;">Town of Aurora building permit</span>			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		1.8 acres	
b. Total acreage to be physically disturbed?		1700 sq ft <del>acres</del>	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.8 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
		X	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
			X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	X		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	X		
	X		
	X		
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: _____	NO	YES	
			X
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
			X
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
			X
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?  b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	X		
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	YES	
	X		
	X		
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	
	X		
16. Is the project site located in the 100 year flood plain?	NO	YES	
	X		
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	X		

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)? If Yes, explain purpose and size: _____ _____	NO	YES
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
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
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Chris Rudolph</u> Date: <u>6/13/22</u> Signature: <u>[Signature]</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		



	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

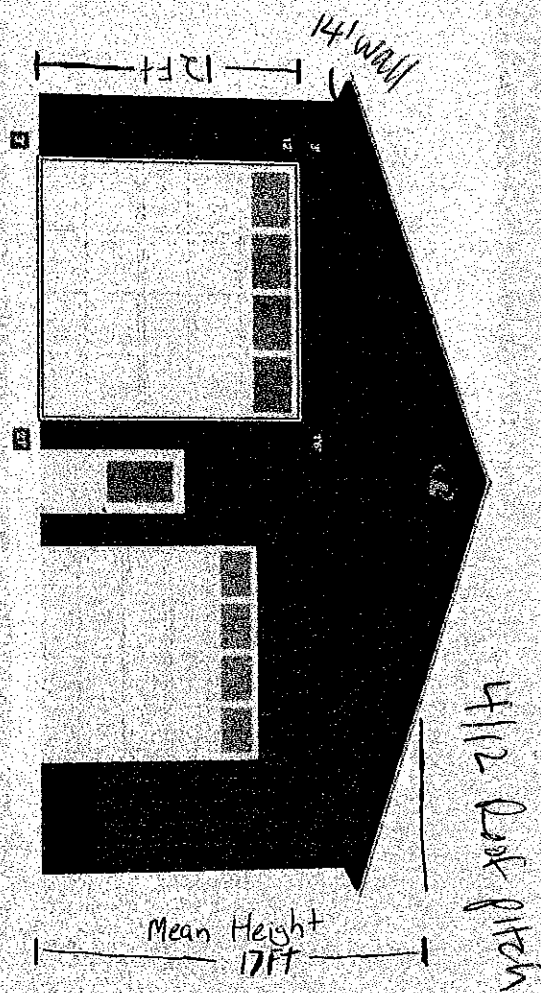
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
<hr/> Name of Lead Agency	<hr/> Date
<hr/> Print or Type Name of Responsible Officer in Lead Agency	<hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

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VIEW IN AR

This is a visual representation only, actual details may vary. Contact your Lester Representative for additional options.

Feedback



Type here to search

HOME LEFT RIGHT IN OUT UNDO RESET

**SAVE**

**SUBMIT FOR QUOTE**

1. Select Building Style
2. Select Building Size
3. Add Lean-To, Porches & Attachments
4. Select Siding
5. Add Doors, Windows & Exterior Options
6. Select Colors

Building Details

**SAVE**

**SUBMIT FOR QUOTE**

PARALLEL WITH THE WEST LINE OF LOT 41

Found Cap Rebar 0.2 N & 0.4 E

200.00'

Found Rebar 0.2 S & 3.4 W

4" Iron Pipe (7' Tall) 1.5W

Top of Slope

217.80'

217.80'

435.60'

435.60'

NORTHEAST CORNER OF LIBER 5152 DEEDS PAGE 549

PARALLEL WITH THE WEST LINE OF LOT 41

FRAME SHED

Fire Pit

Service Pole Lines Underground

Overhead Utility Lines

PARALLEL WITH THE SOUTH LINE OF LOT 41

200.00'

EAST LINE OF LIBER 5152 DEEDS PAGE 549

SOUTHEAST CORNER OF LIBER 5152 DEEDS PAGE 549

36'

66.96'

Hot Tub

Pavers

SHED

Fence 26.3 N

PARALLEL WITH THE SOUTH LINE OF LOT 41

Fence 27.2 N

Chicken House

Chicken Cage

PRESENT R.O.W. AS 66' WIDE ROAD

FORMER R.O.W. AS 49.5' WIDE ROAD

217.80'

FRAME HOUSE NO. 1916

70.75'

25.89'

31.19'

18.53'

29.03'

24.94'

17.50'

30.18'

24.18'

59.20'

Crushed Stone Drive

Frame Deck

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Frame Porch

Found Rebar 8.2 W & On Line

200.00'

1000.0' TO THE SOUTHWEST CORNER OF LOT 41

WEST LINE OF LOT 41

READING

(66' WIDE)

ROAD

**BUILDING DEPARTMENT**  
 Town of Aurora/Village of East Aurora  
 575 Oakwood Avenue, East Aurora, NY  
 Phone (716) 652-7591

Permit # \_\_\_\_\_  
 Reissued \_\_\_\_\_  
 Date \_\_\_\_\_

**APPLICATION FOR BUILDING PERMIT**

Please check one:  New Building  Addition  Alteration/Renovation  Fence  
 Accessory Building  Accessory Structure  Generator

Property Owner Name Chris Rudolph Phone # 716  
 Property Address 1916 Reading Rd.  
 SBL # B1367051 Zoning District RR  
 Applicant (if not Owner) \_\_\_\_\_ Phone # \_\_\_\_\_

- Brief description of request/intention for building permit: hobby garage, equipment storage.
- Use:  Residential  Commercial Occupancy/Occupancy Load: \_\_\_\_\_
- Construction Type:  I  II  III  IV  V
- Size of completed construction 36.ft wide 48.ft long 20.ft high Total sq ft. 1,728
- Construction Cost: 32,000
- Name of Architect Self  
 Address of Architect \_\_\_\_\_ Phone # \_\_\_\_\_
- Name of Contractor Self  
 Address of Contractor \_\_\_\_\_ Phone # \_\_\_\_\_
- Contractors GL/WC/Disability Insurance Certificates with Town & Village as Certificate holder Yes/No N/A
- 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
- DPW Action Required WATER TAP \_\_\_\_\_ SEWER TAP \_\_\_\_\_ BACKFLOW PREVENTER \_\_\_\_\_ GREASE TRAP \_\_\_\_\_

**IMPORTANT**

- The work covered by this application may not be commenced before the issuance of Building Permit.
- No building shall be occupied or used in whole or in part for any purpose whatsoever until a Certificate of Occupancy shall have been granted by the Building Department.

**APPLICATION IS HEREBY MADE to the Code Enforcement Officer for the issuance of a Building Permit pursuant to the NEW YORK UNIFORM FIRE PREVENTION AND BUILDING CODE for the construction of buildings, additions and alterations, as herein described. The applicant agrees to comply with all applicable codes, laws, and regulations. The undersigned hereby certifies that all of the information contained in this application is correct and true.**

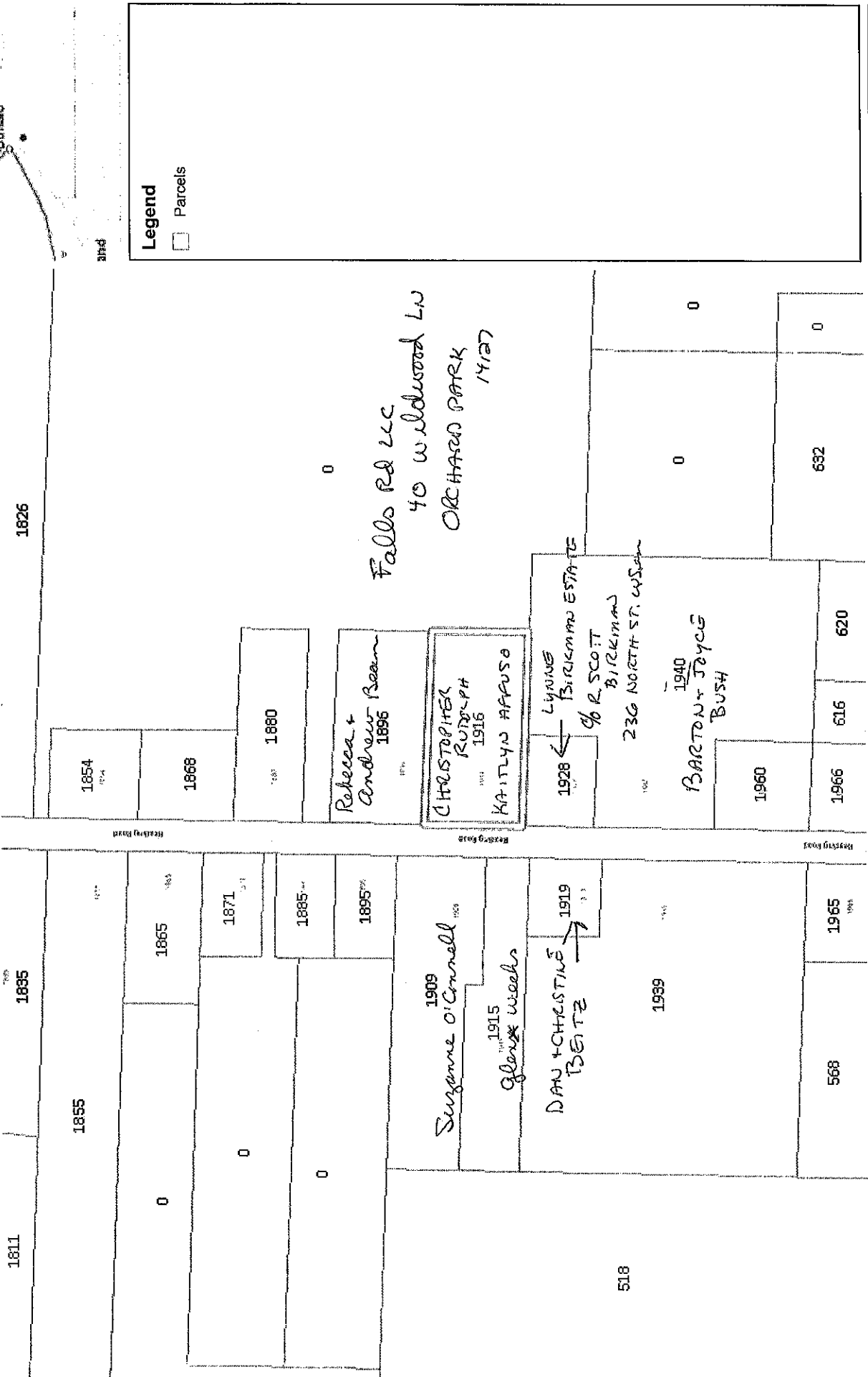
Owner Name Chris Rudolph  
 (Contractor and Corp/LLC must complete affidavit on back to sign as owner's agent)  
 Telephone 7 E-mail CRudolph850@gmail.com  
 \_\_\_\_\_ 6/1/22  
**SIGNATURE OF OWNER** **DATE**

Town or Village	Bldg Dept	ZBA
App Fee \$ _____	Reviewed by _____	Reason _____
Permit Fee \$ _____	Appr on _____	Approved/Denied on _____
Park/Rec Fee \$ _____		Case # _____
..... Signature of Code Enforcement Officer		
Receipt is hereby acknowledged of the sum of \$..... equal to the fees schedule established by the Town Board of the Town of Aurora NY..... TC/ DTC Date: _____ Receipt _____		

1708



# Erie County On-Line Mapping Application



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

