



CASE NO. 1411

DATE OF HEARING 9/14/2022

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 Joseph Pearson
Address 1132 Grover Rd
City EA State NY ZIP 14052
Phone _____ Fax _____ Email _____
Interest in (applicant/owner/purchaser/developer) owner

III. PROPERTY OWNER INFORMATION (If different from applicant information.)

Property Owner(s) Name(s) Joseph Pearson
Address 1132 Grover Rd
City EA State NY ZIP 14052
Phone 652-1916 Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 1132 Grover Rd EA NY 14052
SBL# 187.00-1-35
Property size in acres 1.23 Property Frontage in feet 151'
Zoning District R1 Surrounding Zoning R1, RP & A
Current Use of Property SFR

IV. REQUEST DETAIL

(check all that apply)
 Variance from Ordinance Section(s) # _____
 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

Joseph Pearson

Print name of Applicant/Petitioner

State of New York; County of Erie

On the ^{25th} day of July 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.

[Handwritten Signature]

Notary Public

SHERYL A. MILLER
Reg. #01MI6128663
Notary Public, State of New York
Qualified In Erie County
Commission Expires June 13, 2025

(Notary stamp)

Office Use Only: Date received: 8/2/22 Receipt #: 385912

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)

2 Story Storage Shed

Need space to store things Lawn mower, snowblower

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: _____

Country living, most everyone has a storage shed

- 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



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

Charles D. Snyder
csnyder@townofaurora.com

Luke Wochensky
lwochensky@townofaurora.com

James F. Granville
jgranville@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

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

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

ASSESSOR
Roger P. 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

August 2, 2022

Joseph Pearson
1132 Grover Rd
East Aurora, NY 14052

Dear Joseph:

The Building Department has reviewed request to construct an accessory building on your property at 1132 Grover Rd. The request has been denied because it fails to meet the code requirements for an accessory building in the Residence 1 (R1) Zoning District in which it is located.

Section 116-8.1B(2) and 116-18B

Required: Maximum mean height for Accessory buildings/structures: One story not to exceed 15'

Requested: 2 story accessory building with a 15' mean height

Variance: 2 story accessory building

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

Sincerely,


Elizabeth Cassidy
Code Enforcement Officer

This institution is an equal

opportunity provider and employer.

**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 I - 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** 09/14/2022 **Time** 7:00 pm **Location** 575 Oakwood Ave., EA

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: 1132 Grover Road

5a. S.B.L. of Property: 187.00-1-35 East Aurora, NY

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 - height and second story exceed code
(specify the action, such as the scope of variances or site plans)

8. Other remarks: _____

9. Submitted by: Martha L. Librock **Email:** townclerk@townofaurora.com

10. Return Address: 575 Oakwood Avenue, East 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:** _____

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>Joseph Pearson</i>			
Project Location (describe, and attach a location map): <i>Shead</i>			
Brief Description of Proposed Action: <i>2 story shead</i>			
Name of Applicant or Sponsor: <i>Joseph H Pearson</i>		Telephone: [REDACTED]	
Address: <i>1132 Grover Rd</i>		E-Mail: [REDACTED]	
City/PO: <i>EA</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>1.2</i> acres	
b. Total acreage to be physically disturbed?		<i>2</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or 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,	NO	YES	N/A
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 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"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <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: _____ <i>NA</i> _____ _____	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: _____ <i>None</i>	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: _____ <i>None</i>	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"/> <input checked="" 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: _____ _____ _____	NO <input checked="" type="checkbox"/> <input checked="" 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?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

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

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

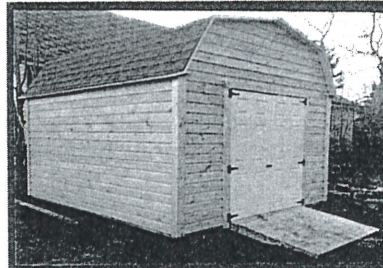
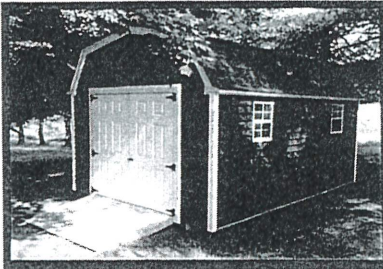
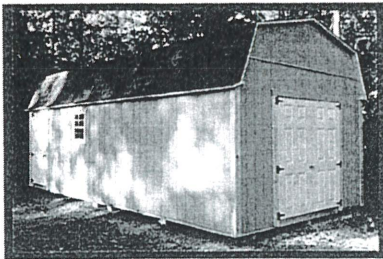
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Joseph Pearson</u>	Date: <u>7/25/22</u>	
Signature: <u>[Signature]</u>	Title: _____	

Price's Subject to change without notice

STAR SHEDS

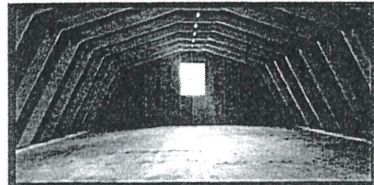
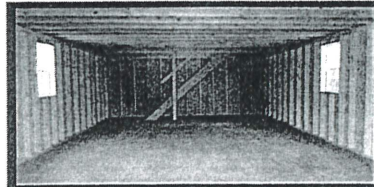
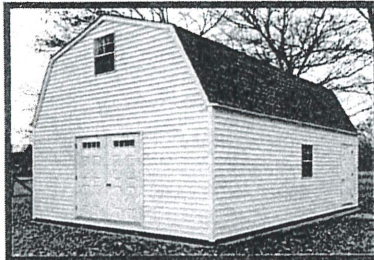
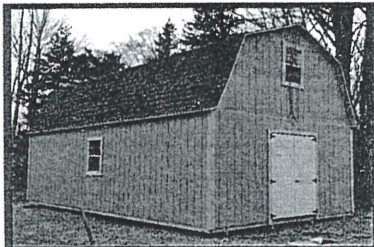
Built by Star Construction



BARNs

SIZE	SMARTSIDE BOARD & BATTON WOOD CLAPBOARD	VINYL SIDED (Plywood SHEETING)
8x8x10	\$3529	\$4379
8x10x10	\$3829	\$4639
8x12x10	\$4079	\$4879
8x14x10	\$4399	\$5079
8x16x10	\$4679	\$5379
8x20x10	\$5239	\$5879
10x10x10	\$4289	\$4879
10x12x10	\$4729	\$5469
10x14x10	\$5099	\$5839
10x16x10	\$5339	\$6199
10x18x10	\$5649	\$6679
10x20x10	\$5979	\$7559
10x24x10	\$6339	\$7999
12x12x12	\$5699	\$6379
12x14x12	\$6199	\$7099
12x16x12	\$6579	\$7829
12x20x12	\$7099	\$8479
12x24x12	\$7899	\$8999

SHEDS ARE SHOWN WITH OPTIONS



TWO STORY BARNs

SIZE	SMARTSIDE WOOD CLAPBOARD	VINYL SIDED (Plywood SHEETING)
12x12x15	\$8599	\$9799
12x16x15	\$9359	\$10,699
12x20x15	\$10,079	\$11,899
12x24x15	\$10,699	\$12,999
16x16x16	\$11,899	\$13,899
16x20x16	\$12,879	\$14,879
16x24x16	\$13,789	\$16,899
16x28x16	\$14,799	\$17,879

STANDARD FEATURES: 4x4pt Runners, 2x6pt Floor Joists, 3/4in T&G Dry Ply Decking on 1st floor-- 2x10 reg. 2nd floor joists-- 5/8 CDX Plywood 2nd floor deck , Stairs

Two Story Barn Options

Overhang Soffit & Rake.....	\$20/FT	36in Man Door.....	\$325
Ice Shield.....	\$12/FT	8w x 7h Garage Door....	\$750
Pull Down Stairs.....	\$600	36in x 36in Loft Door.....	\$135
Tyvek(vinyl sided only).....	quote	72inw Pre-Hung Door....	\$899
Front Porch	quote	Extra Wall Height Per ft ...	10%

Dealer Locations:

Fox's Lawn Furniture
7570 Seneca St.
East Aurora, NY 14052
716-652-3900

John Pasquarella
3290 Atlantic Ave
Penfield, NY 14526
585-245-1668

Alden Pools & Play
12890 Broadway
Alden NY, 14004
716-937-3341

"QUALITY SHEDS BUILT ON SITE"

WWW.SCSHEDS.COM



STAR CONSTRUCTION SHEDS

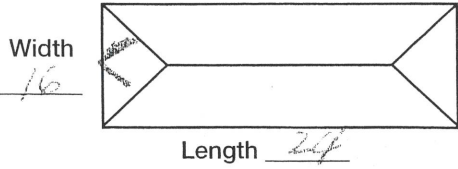
SALES ORDER FORM

51 Walker Road
 Perry, NY 14530
 (585) 297-2247

Sales Lot/Dealer: FOX 109E

KEVIN

Date 5-13-22
 Customer Name JOE PEARSON
 Address 1132 GROVER
E.H. 14052
 Home Phone 716-652-1916
 Day Phone _____
 Email _____
 Delivery Date _____



Windows
 Single Door
 Double Door

5/12 pitch

Comments _____

Size of Shed 16 Width X 24 Length Wood Sided Vinyl Sided Board & Batten

Style of Shed Gable - 5/12 Pitch 8/12 Pitch Carriage House Oversize Barn 2 Story Barn
Includes straight stairs & 2nd floor

Dutchlap Traditional X SMART SIDE

Siding Color _____ Trim Color _____ Shingle Color _____ Corner Post Color _____

MH=15'

\$ 13,789

Additional Options		
Qty	Option	Size/Description
	Window(s)	<u>N/A</u>
	Shutters	<input type="checkbox"/> Louver <input type="checkbox"/> Raised Panel 24" x 27 only
	Flower Box	<input type="checkbox"/> Wood <input type="checkbox"/> Vinyl (*Note: Color of vinyl flower box will match color of shutters)
	Extra Single Door	<input type="checkbox"/> 30" <input type="checkbox"/> 36" Hinge placement on: <input type="checkbox"/> Right <input type="checkbox"/> Left
	Extra Double Door	<input type="checkbox"/> 5' x 6' <input type="checkbox"/> 6' x 6' <input type="checkbox"/> 5' x 78" <input type="checkbox"/> 6' x 78"
	Portable Ramp	Two ramps make one pair
	Permanent Ramp	<input type="checkbox"/> 4' x 4' <input type="checkbox"/> 6' x 4'
	Shelves	<input type="checkbox"/> 8' x 12" <input type="checkbox"/> 10' x 12" <input type="checkbox"/> 12' x 12" <input type="checkbox"/> 16' x 12"
	Work Bench	<input type="checkbox"/> 8' x 18" <input type="checkbox"/> 10' x 18" <input type="checkbox"/> 12' x 18" <input type="checkbox"/> 16' x 18"
	Loft	<input type="checkbox"/> 8' x 4' <input type="checkbox"/> 10' x 4' <input type="checkbox"/> 12' x 4'
	Sheeting	
	Other	

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Deposit Information

Check# _____ Charge M/C Exp. Date 02/23

Acct# _____

Owner has read the foregoing Notice and understands all requirements including warranties. Owner may cancel the transaction at any time prior to midnight on the third business day after the date of this agreement. See Notice of Cancellation on the reverse side for expiration of this right.

Signature: x _____ Date: 5-13-22

DELIVERY	\$
SUB TOTAL	\$ <u>13,789</u>
SALES TAX	\$ <u>1,206.53</u>
TOTAL	\$ <u>14,995.53</u>
25% DEPOSIT	\$ <u>5,000.00</u>
BALANCE DUE	\$ <u>9,995.53</u>



Erie County On-Line Mapping Application



Legend

□ Parcels

0 0.02 0.0 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

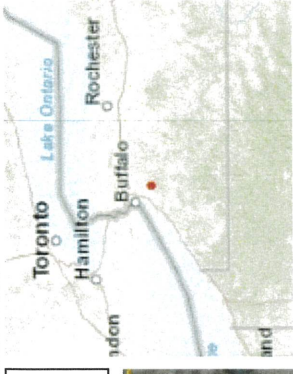
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1: 1,128





Erie County On-Line Mapping Application



Legend
 Parcels

0 0.02 0.0Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
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ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
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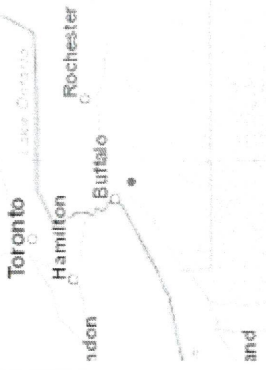
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1: 1,128





Erie County On-Line Mapping Application



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

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1: 2,257

