



CASE NO. 1412

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 Cameron Hicks
Address 2252 Lewis Rd.
City South Wales State N.Y. ZIP 14139
Phone _____ Fax _____ Email _____@_____il.com
Interest _____ (owner/purchaser/developer) Own.

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 2252 Lewis Road
SBL# 201.00-3-17
Property size in acres 10 Property Frontage in feet 230
Zoning District Agriculture Surrounding Zoning Agriculture
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-8.4B(2) & 116-18B; 116-19D
 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)



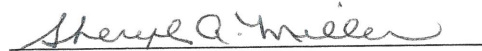
Signature of Applicant/Petitioner

Cameron Hicks

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 2nd day of August 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.



Notary Public

SHERYL A. MILLER
Reg. #01MI6128663
Notary Public, State of New York
Qualified In Erie County

(Notary stamp)

Commission Expires June 13, 2025

Office Use Only:

Date received: 8/8/22

Receipt #: 385918 Sam
\$100.00 CB#083

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)

The proposed project is a pole barn capable of housing a large Recreational vehicle. In order to house the RV the project would require a mean height variance and due to the location of my septic system it would also require a variance due to the distance from the property line. Both of these issues as well as the building plans have been discussed with the neighbor who is willing to provide a letter stating they have no issues with the construction of the planned building.

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



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

August 2, 2022

Charles D. Snyder
csnyder@townofaurora.com

Cameron Hicks
2252 Lewis Rd
South Wales, NY 14139

Luke Wochensky
lwochensky@townofaurora.com

James F. Granville
jgranville@townofaurora.com

Dear Cameron:

Joseph M. McCann
jmccann@townofaurora.com

The Building Department has reviewed request to construct an accessory building on your property at 2252 Lewis 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.

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

Section 116-8.4B(2) and 116-18B

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

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

Requested: 1 story accessory building with a 19.3' mean height
Variance: 4.3'

ASSESSOR
Roger P. Pigeon
assessor@townofaurora.com
(716) 652-0011

Section 116-8.4F(2)

Required: Side yard setback for accessory building is a distance equal to the mean height of the proposed accessory building, but not less than 10'

Requested: 5' side yard setback for a 19.3' mean height accessory building
Variance: 14.3'

DIR. OF RECREATION
Christopher Musshafen
(716) 652-8866
chris@townofaurora.com

116-17D

Required: In any R District, the permitted uses on any premises shall not include a private garage with vehicular entrance headroom more than 10' high

Requested: Two 14' overhead doors
Variance: 2, 4' variances

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

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth Cassidy".

Elizabeth Cassidy
Code Enforcement Officer

**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 1 - 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: 2252 Lewis Road

5a. S.B.L. of Property: 201.00-3-17 South Wales, 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, proposed side yard setback and overhead door height not allowed by code

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>Pole Barn</i>			
Project Location (describe, and attach a location map): <i>Rear Yard</i>			
Brief Description of Proposed Action: <i>The construction of a cold storage pole barn.</i>			
Name of Applicant or Sponsor: <i>Cameron Hicks</i>	Telephone:	<i>[Redacted]</i>	
	E-Mail:	<i>[Redacted]@rail.com</i>	
Address: <i>2252 Lewis Rd.</i>			
City/PO: <i>South Wales</i>	State: <i>N.Y.</i>	Zip Code: <i>121139</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	YES
		<input checked="" type="checkbox"/>	<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	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<i>10</i> acres	
b. Total acreage to be physically disturbed?		<i>2240</i> <i>30</i> acres <i>PA</i>	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>10</i> 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 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			

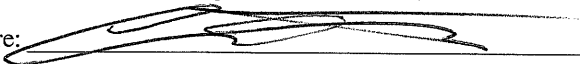
	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<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: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

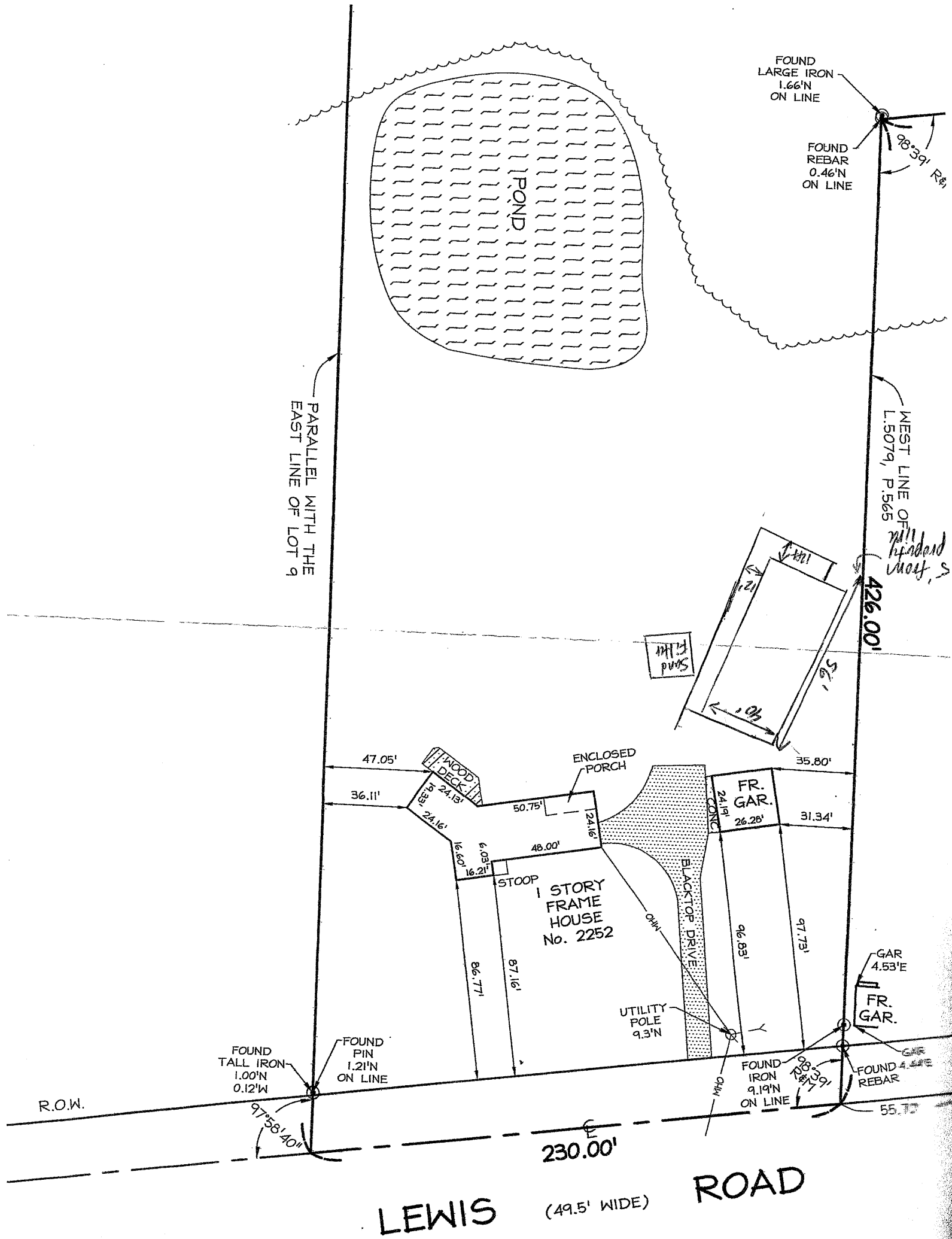
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline	<input type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<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>Cameron Hicks</u>	Date: <u>8/2/22</u>	
Signature: 	Title: _____	



PARALLEL WITH THE EAST LINE OF LOT 9

FOUND LARGE IRON 1.66'N ON LINE

FOUND REBAR 0.46'N ON LINE

WEST LINE OF L.5079, P.565

mill hand made

426.00'

47.05'

36.11'

WOOD DECK

24.16'

16.60'

6.03'

16.21'

86.77'

ENCLOSED PORCH

50.75'

24.16'

48.00'

87.16'

1 STORY FRAME HOUSE No. 2252

STOOP

BLACKTOP DRIVE

UTILITY POLE 9.3'N

FR. GAR.

26.28'

96.83'

35.80'

31.34'

24.91'

97.73'

GAR 4.53'E

FR. GAR.

FOUND 4.53'E REBAR

FOUND TALL IRON 1.00'N 0.12'W

FOUND PIN 1.21'N ON LINE

FOUND IRON 9.19'N ON LINE

FOUND 4.53'E REBAR

R.O.W.

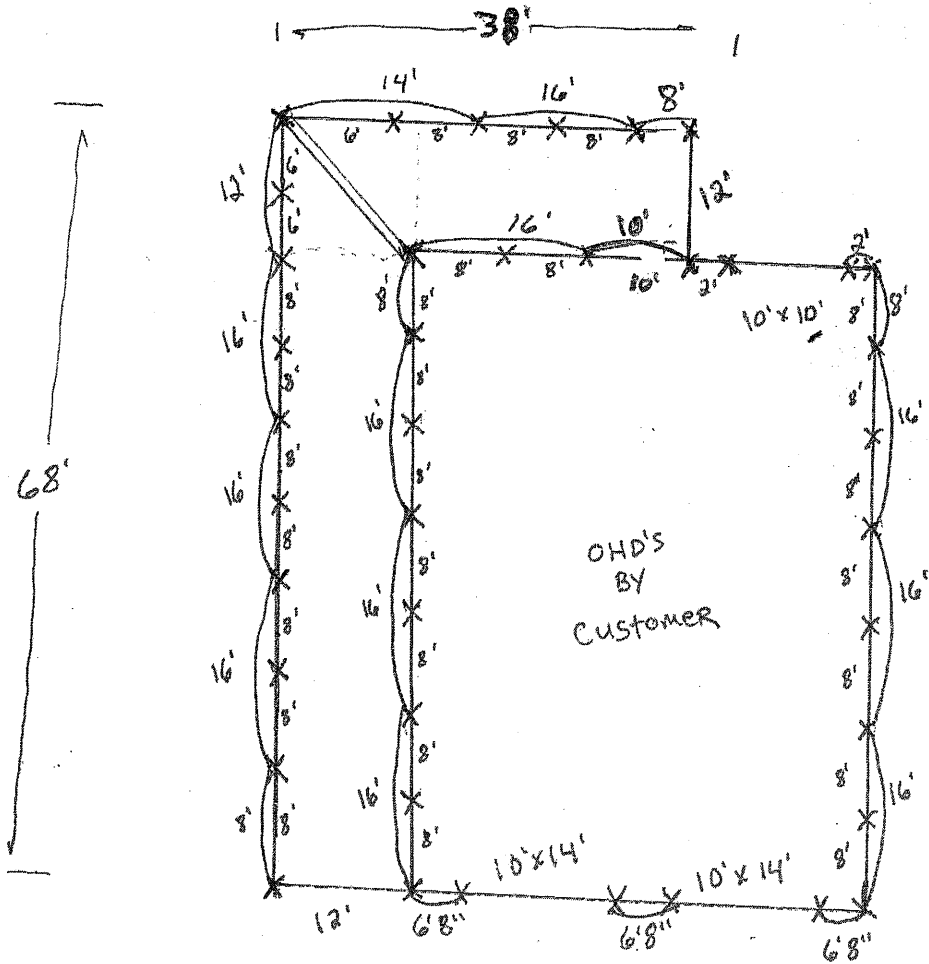
97°58'40"

230.00'

LEWIS

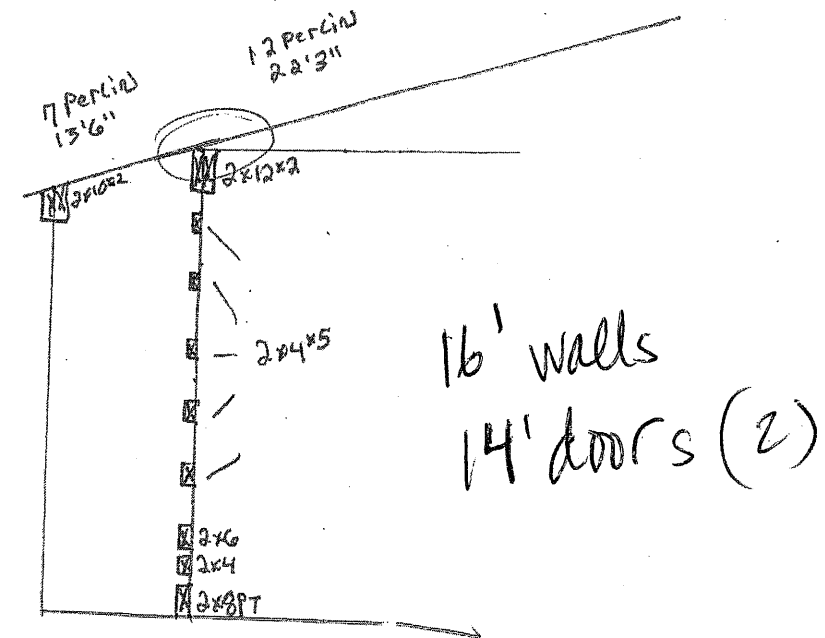
(49.5' WIDE)

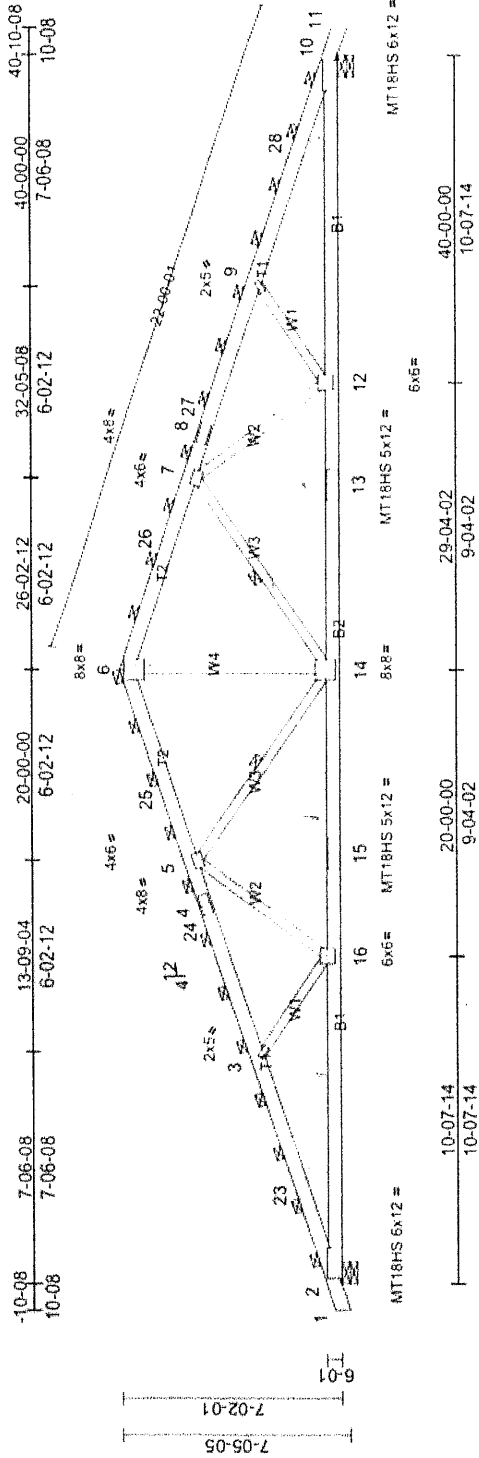
ROAD



40' x 56' x 16'

$MH = 19.3'$



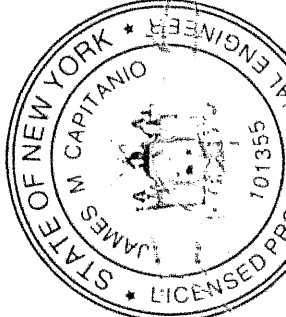


Scale = 1/2"

Loading	Spacing	CSI	DEFL	PLATES	GRIP
TCLL (Ground Snow = 50.0)	Plate Grip DOL 38.5	TC	Vert(LL) 0.91	MT18HS	244/190
TCDL	Lumber DOL 1.15	BC	Vert(CT) 0.85	MT20	197/144
BCLL	Rep Stress Incr 5.0	WB	Horz(CT) 0.87		
BCDL	Code 10.0	Matrix-MS			

Weight: 226 lb FT = 20%

- Wind: ASCE 7-16. Vult=115mph (3-second gust) Vasd=91mph, TCDL=3.0psf, BCDL=6.0psf, h=24ft, Cat II, Exp B. Enclosed, MWFRS (envelope) exterior zone and C-C Extension(2E)-0-10-8 to 3-1-8, Interior (1) 3-1-8 to 16-0-0, Exterior(2R), 16-0-0 to 24-0-0, Interior (1) 24-0-0 to 36-10-8, Exterior(2E), 36-10-8 to 40-10-8 zone, cantilever left and right exposed, end vertical left and right exposed C-C for members and forces & MWFRS for reactions shown. Lumber DOL=1.60 plate grp DOL=1.60
- TCLL: ASCE 7-16, Pg= 50.0 psf, Pf=38.5 psf (Lum DOL=1.15 Plate DOL=1.15), Is=1.0, Rough Cat B. Partially Exp., Ce=1.0, Cs=1.00, Cf=1.10, IBC '607.11.2 minimum roof live load applied where required.
- Unbalanced snow loads have been considered for this design.
- This truss has been designed for greater of min roof live load of 20.0 psf or 2.00 times flat roof load of 38.5 psf on overhangs non-concurrent with other live loads
- Dead loads shown include weight of truss. Top chord dead load of 5.0 psf (or less) is not adequate for a shingle roof. Architect to verify adequacy of top chord dead load.
- All plates are MT20 plates unless otherwise indicated
- This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads
- This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3'-06"-00" tall by 2'-00"-00" wide will fit between the bottom chord and any other members
- One RT7A USP connectors recommended to connect truss to bearing walls due to UPLIFT at joints 2 and 10. This connection is for uplift only and does not consider lateral forces
- This truss is designed in accordance with the 2018 International Building Code section 2306.1 and referenced standard ANSI/TPI 1.
- Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord



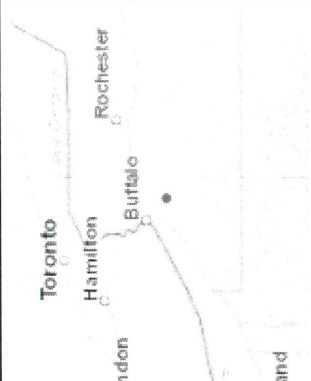
NOTES

Erie County On-Line Mapping Application



Legend

- Parcels



0 0.07 0.1 Miles

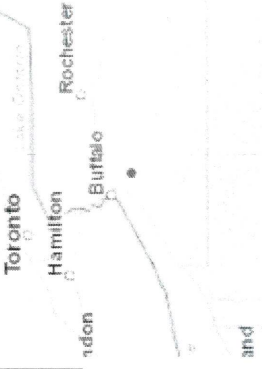
WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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.

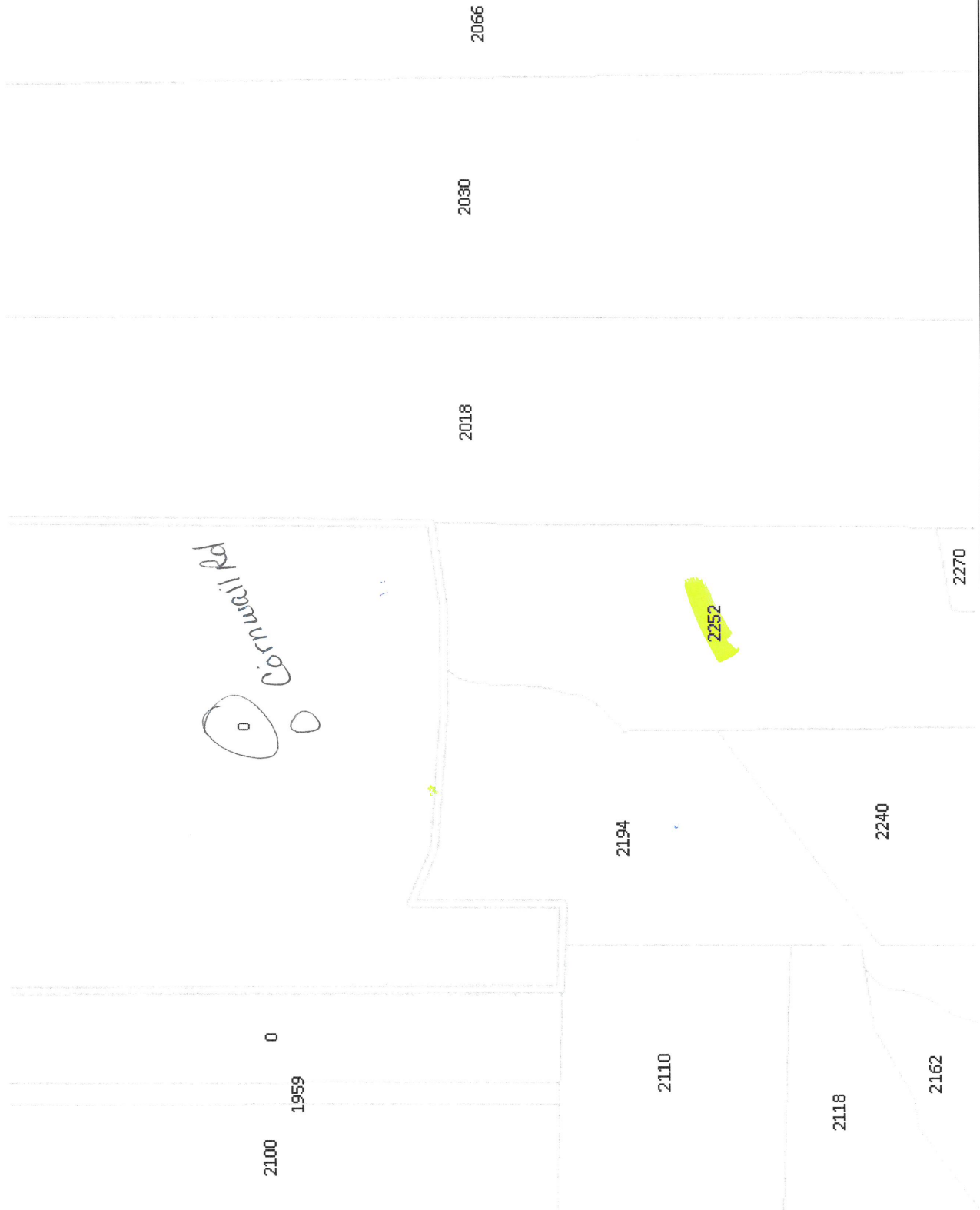
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Erie County On-Line Mapping Application



Legend

Parcels



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

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