



CASE NO. 1418
DATE OF HEARING 9/15/22

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 TIM FRANCIS
Address 2584 BLAKELEY RD
City SOUTH WAVER State NY ZIP 14139
Phone 7 Fax _____ Email @GMAIL.COM
Interest in _____
er/purchaser/developer) ON

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 2610 BLAKELEY RD
SBL# 188.00-2-6.12
Property size in acres 1.75 Property Frontage in feet 150
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) # 116-8.4E(4) & 116-18A(1); 116-8.4E(1);
 Special Use Permit for: _____
 Use Variance for: _____ 116-8.4E(2) & 116-18B2
 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)



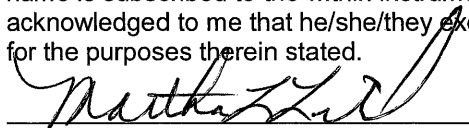
Signature of Applicant/Petitioner

Tim FRANCIS

Print name of Applicant/Petitioner

State of New York; County of Erie

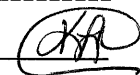
On the 8 day of August in the year 2022 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.



Notary Public

MARTHA L. LIBROCK
Notary Public, State of New York
No. 01LI5028312
Qualified in Erie County
My Commission Expires May 31, 2026

(Notary stamp)

Office Use Only: Date received: 8/9/2022 ck 349 Receipt #: 385922 

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)

VARIANCE IS REQUESTED TO CONSTRUCT A
ACCESSORY BUILDING HAVING A 2ND FLOOR FOR
STORAGE SPACE.

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: NEIGHBOR TO THE
EAST RECENTLY CONSTRUCTED AN ACCESSORY BUILDING
OF SIMILAR DIMENSIONS. NEIGHBORHOOD IS AGRA-
CULTURAL IN NATURE, WARRANTING BARN-LIKE
STRUCTURES

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: AS ABOVE

4) Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please explain: EVERYONE NEEDS A PLACE TO PUT LAWN
MOWERS, RVS, BOATS, AND STUFF, OTHERWISE IT ALL
CUTTERS UP THE YARD.

(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

Charles D. Snyder
csnyder@townofaurora.com

Luke Wochensky
lwochensky@townofaurora.com

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jgranville@townofaurora.com

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Christopher Musshafen
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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 9, 2022

Tim Francis
2584 Blakeley Rd
South Wales, NY 14139

Dear Tim:

The Building Department has reviewed request to construct an accessory building on your property at 2610 Blakeley 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 116-8.4E(4) & 116-18A(1)

Required: No accessory building shall be erected in the front yard

Requested: Accessory building in the front yard

Variance: Accessory building in the front yard

Section 116-8.4E(1)

Required: Front yard setback is a minimum of 75' from the ROW

Requested: Front yard setback for an accessory building of 46'

Variance: 29'

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

Required: Maximum mean height for accessory building: 1 story not to exceed 15'

Requested: 2 story accessory building with a 16' mean height

Variance: 2 story accessory building and a 1' mean height

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,

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 - m. 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** 09/15/2022 **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: 2610 Blakeley Road

5a. S.B.L. of Property: 188.00-2-6.2 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 in proposed front yard, front yard setback and building
(specify the action, such as the scope of variances or site plans) 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			
2610 BLAKELEY RD BARN			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: CONSTRUCT NEW 24 X 34 ACCESSORY BUILDING WITH ATTIC			
Name of Applicant or Sponsor:		Telephone:	
TIM FRANCIS		[REDACTED]	
Address:		E-Mail: [REDACTED]@GMAIL.COM	
2584 BLAKELEY RD			
City/PO:		State:	Zip Code:
SOUTH WALES		NY	14129
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?			NO <input checked="" type="checkbox"/>
b. Total acreage to be physically disturbed?			YES <input type="checkbox"/>
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			NO <input checked="" type="checkbox"/>
1.75 acres			
7.5 acres			
60 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

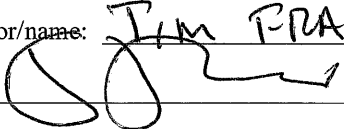
	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<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: _____ _____	NO	YES	
	<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? 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

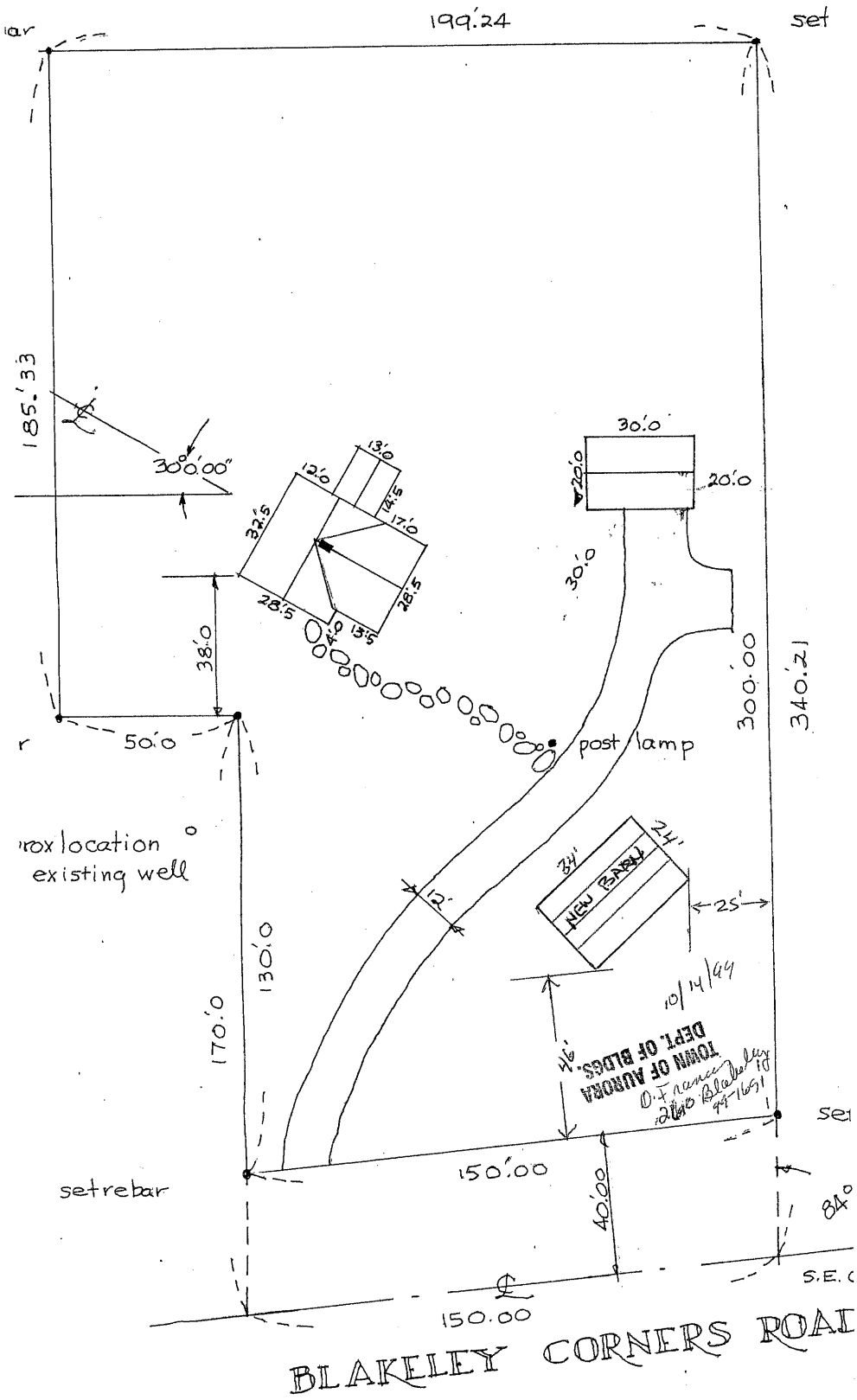
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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"/>

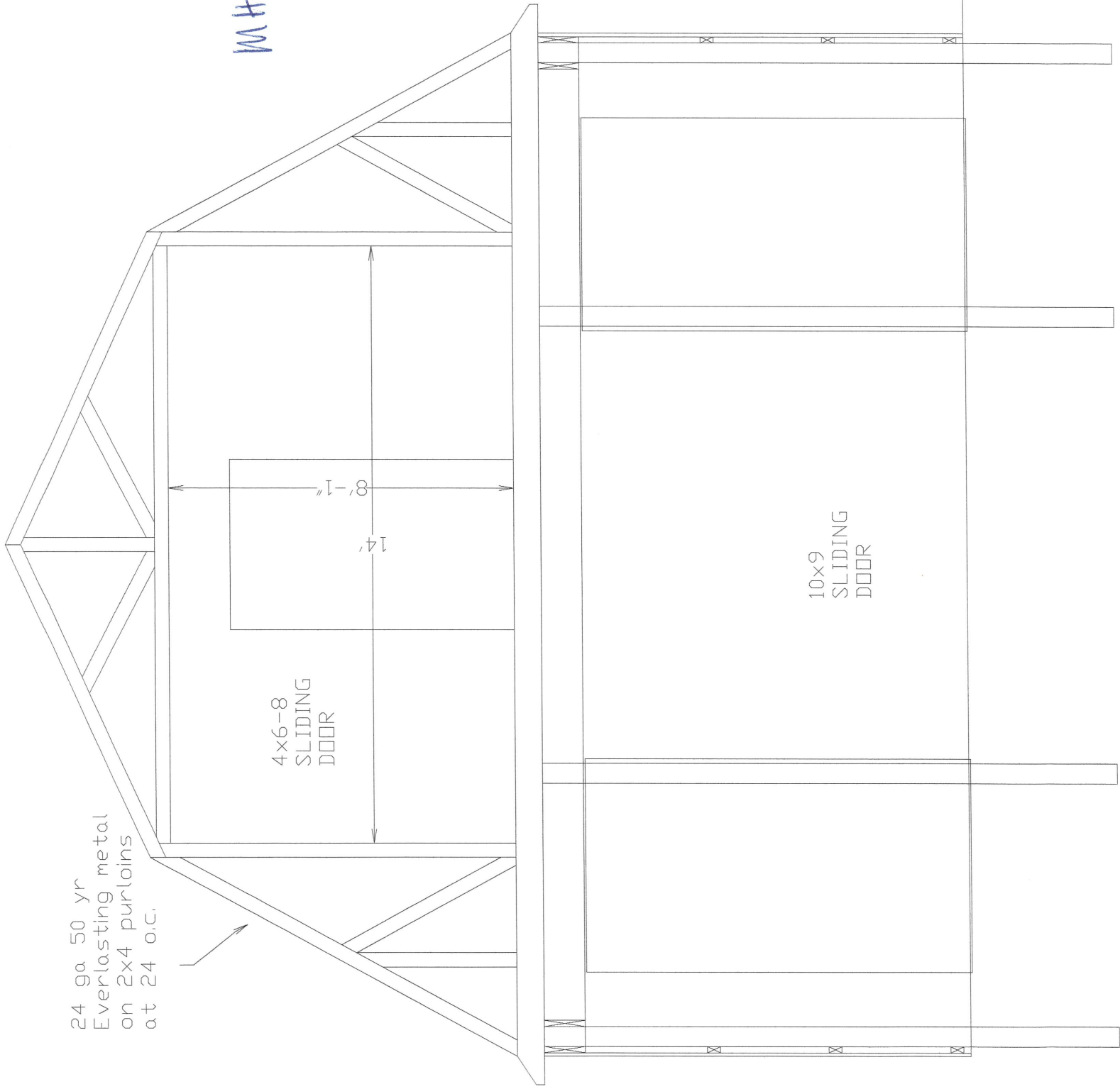
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name:	<u>Jim FRANCIS</u>	Date: <u>8-8-22</u>
Signature:		Title: <u>OWNER</u>



SI

WH = 16'



24 ga. 50 yr
Everlasting metal
on 2x4 purlains
at 24 o.c.

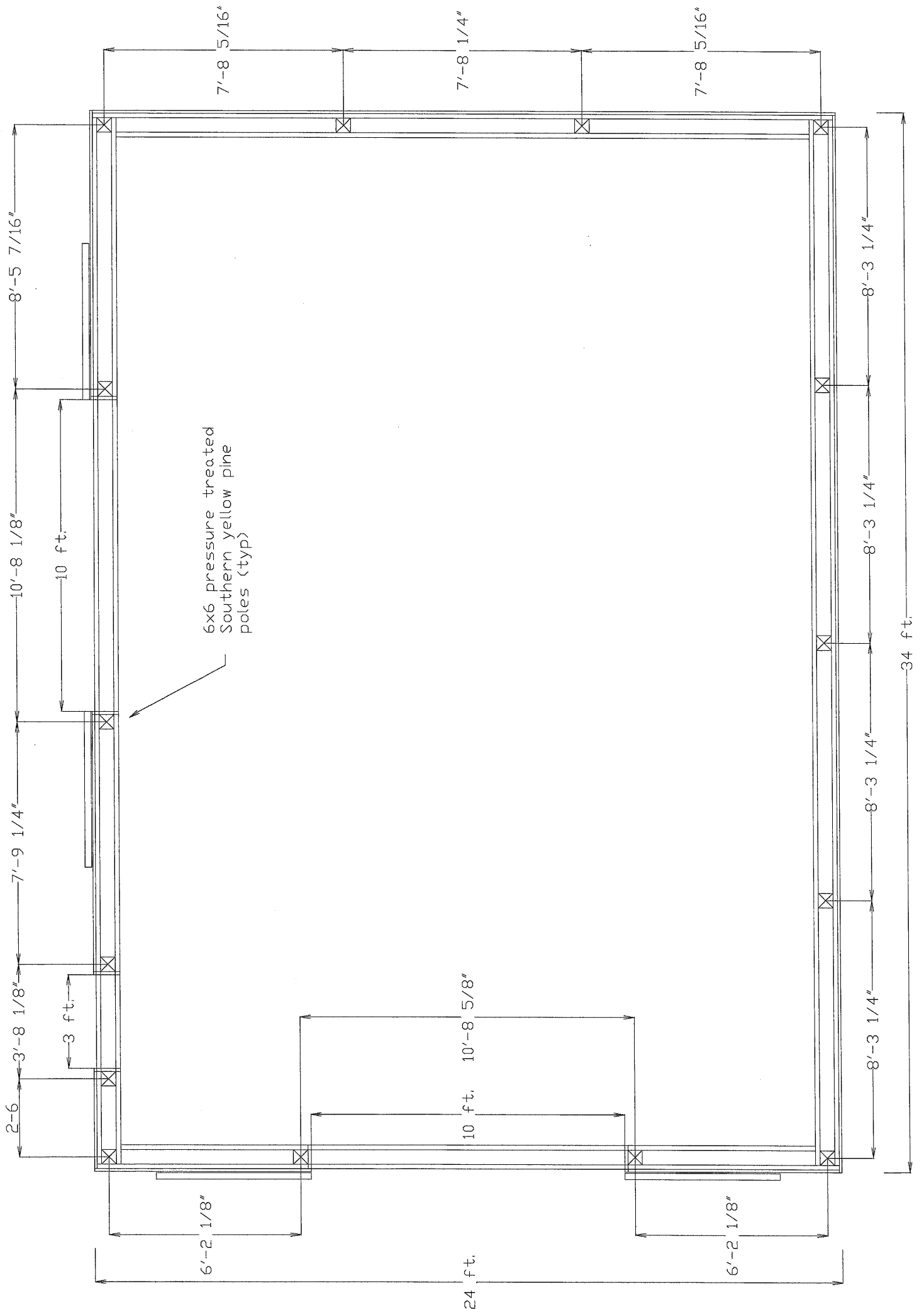
4x6-8
SLIDING
DOOR

10x9
SLIDING
DOOR

8'-1"

14'

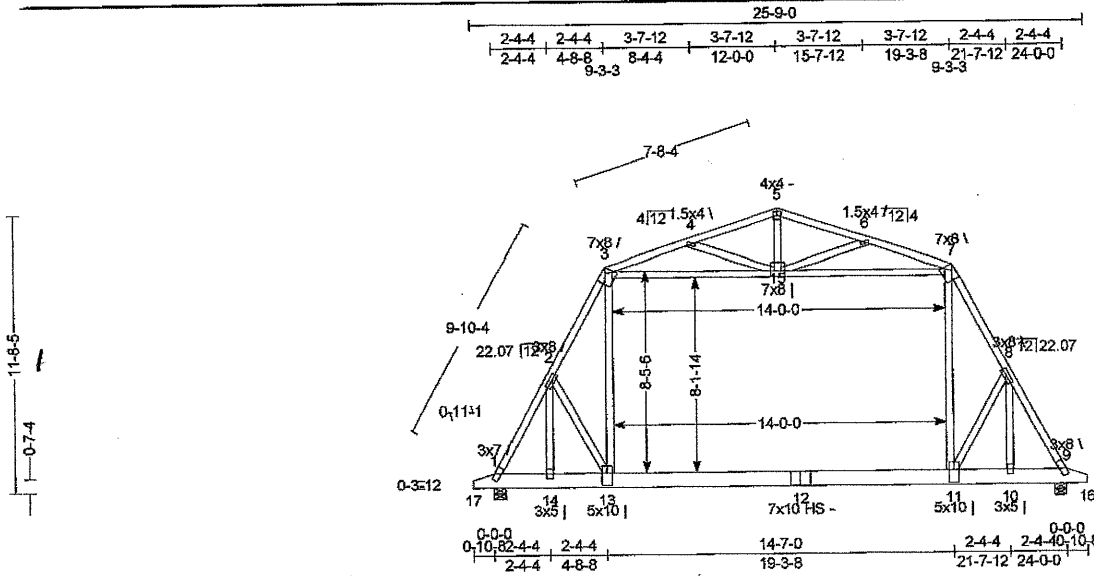




CUSSEWAGO TRUSS, LLC
 Cambridge Springs, PA
 Specializing In Custom Built Trusses

Truss: 24ft
 JobName: 50_2oc_Gambrel_attic
 Designer: KJO
 Date: 01/06/15 13:40:51
 Page: 1 of 1

SPAN 24-0-0	PITCH 22.07/12	QTY 1	OHL 0-0-0	OHR 0-0-0	CANT L 0-0-0	CANT R 0-0-0	PLYS 1	SPACING 24 in	WGT/PLY 183 lbs
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All plates shown to be Eagle 20 unless otherwise noted.

Loading (psf)	General	CSI Summary	Deflection	L/	(Ioc)	Allowed
TCLL: 20 GSL: 50 TCDL: 10 BCLL: 0 BCDL: 10	Bldg Code: IRC 2009/ TPI 1-2007 Rep Mbr Increase: Yes Lumber D.O.L.: 115 %	TC: 0.41 (5-6) BC: 0.76 (11-13) Web: 0.41 (3-13)	Vert TL: 0.51 in Vert LL: 0.31 in Cant/OH TL: 0.04 in UP Cant/OH LL: 0.01 in UP Horz TL: 0.02 in	L/538 L/899 2L/497 2L/999	(12-13) (12-13) 16 16 9	L/240 L/360 2L/120 2L/120

Reaction Summary

Brg Combo	Brg Width	Rqd Brg Width	Max React	Max Grav Uplift	Max MWFRS Uplift	Max C&C Uplift	Max Uplift	Max Horiz
1	6 in	1.98 in	2,388 lbs			-48 lbs	-48 lbs	77 lbs
9	6 in	1.98 in	2,388 lbs			-48 lbs	-48 lbs	

Material Summary

TC SPF #2 2 x 4
 BC SP 2400/2.0 2 x 8
 Webs SPF #2 2 x 4

Bracing Summary

TC Bracing: Sheathed or Purlins at 3-5-0, Purlin design by Others.
 BC Bracing: Sheathed or Purlins at 10-0-0, Purlin design by Others.

Loads Summary

- This truss has been designed for the effects of balanced and unbalanced snow loads for hips/gables in accordance with ASCE7 - 05 with the following user defined input: 50 psf ground snow load, Terrain Category C, Exposure Category Partially Exposed (Ce = 1.0), Building Category II (I = 1.0), Thermal Condition All Others (Ct = 1.0), DOL = 1.15. If the roof configuration differs from hip/gable, Building Designer shall verify snow loads.
- This truss has been designed for the effects of wind loads in accordance with ASCE7 - 05 with the following user defined input: 90 mph, Exposure C, Enclosed, Gable/Hip, Building Category II (I = 1.00), h=B=L=15 ft, End Zone Truss, Both end webs consider red. DOL = 1.60
- This truss has been designed for the effects of TC LL = 20 psf.
- Minimum storage attic loading has been applied in accordance with IRC 301.5

Member Forces Summary

Table indicates: Member ID, max CSI max axial force. (max compr. force if different from max axial force). Only forces greater than 300lbs are shown in this table.

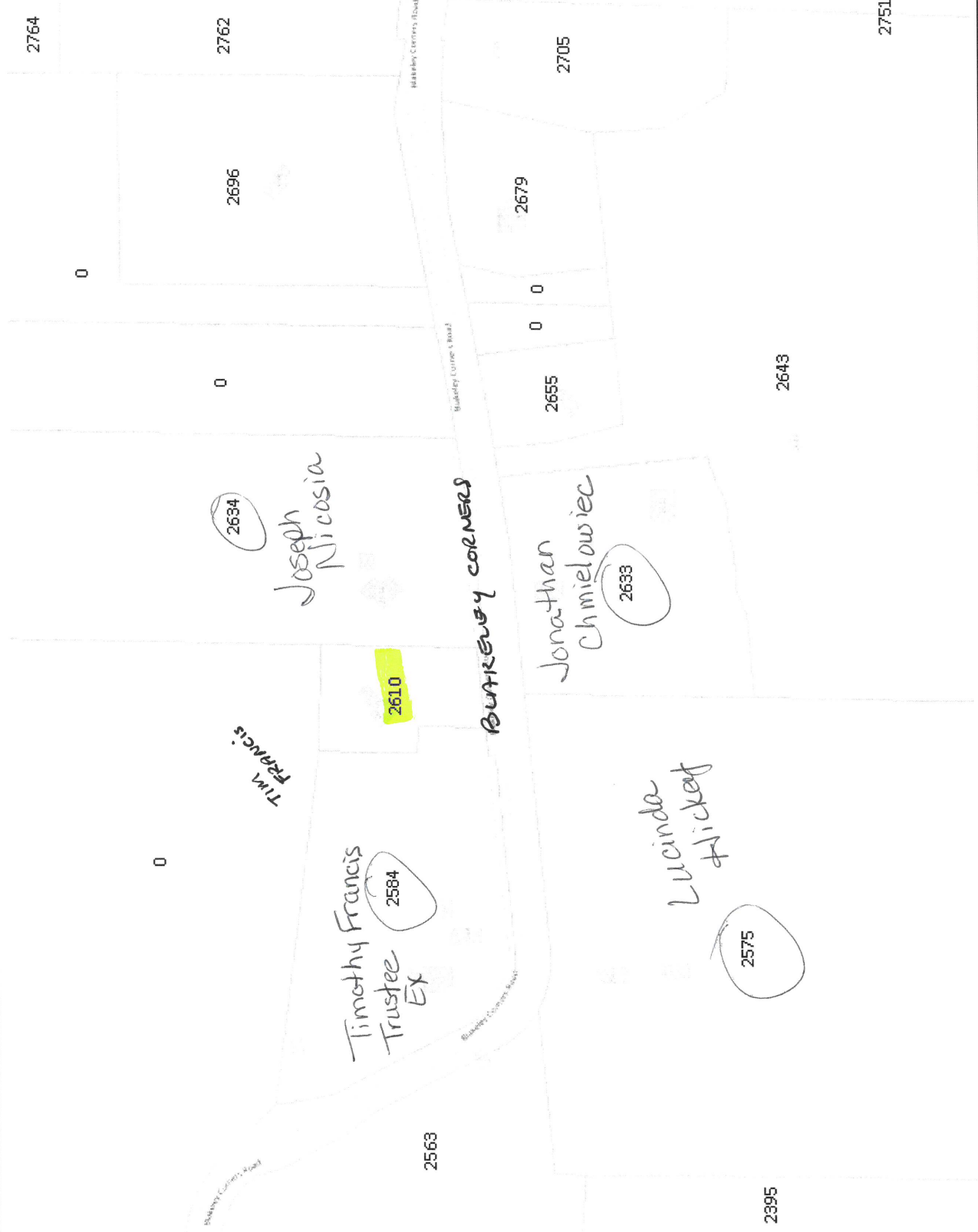
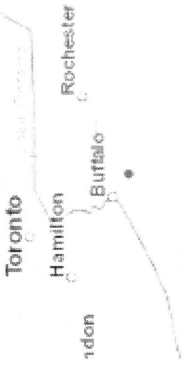
TC	1-2	0.308	-2,520 lbs	3-4	0.371	-2,146 lbs	5-6	0.406	-1,264 lbs	7-8	0.346	-2,741 lbs
	2-3	0.336	-2,741 lbs	4-5	0.406	-1,264 lbs	6-7	0.371	-2,146 lbs	8-9	0.308	-2,520 lbs
BC	9-10	0.114	1,174 lbs	11-13	0.761	1,258 lbs	14-1	0.114	1,174 lbs			
	10-11	0.750	1,174 lbs	13-14	0.750	1,174 lbs						
Webs	2-14	0.329	-1,115 lbs	3-15	0.399	1,146 lbs	6-15	0.269	-930 lbs	8-11	0.141	574 lbs
	2-13	0.141	574 lbs	4-15	0.269	-930 lbs	7-15	0.399	1,146 lbs	8-10	0.329	-1,115 lbs
	3-13	0.412	1,680 lbs	5-15	0.111	454 lbs	7-11	0.412	1,680 lbs			

Notes:

- Attic floor area has been designed as a living area with 40 psf floor live load and a 10 psf floor dead load, and the interior vertical webs and ceiling has been designed for a 5 psf dead load.
- When this truss has been chosen for quality assurance inspection, the Double Polygon Method per TPI 1-2007/Chapter 3 shall be used.
- The profile of at least one structural member has been modified by the user and as a result requires engineering review.
- Brace bottom chord with approved sheathing.
- At least one web of this truss has been designed with a panel point in the web. All panel points on such webs shall be braced laterally perpendicular to the plane of the truss. Lateral braces shall be installed within 6" of each web panel point.
- Creep has been considered in the analysis of this truss.
- Listed wind uplift reactions based on MWFRS & C&C loading.
- Bottom chord in the open area of this truss meets L/360 for live load and L/240 for total load deflection criteria.



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.

1: 4,514

