



CASE NO. 1316

DATE OF HEARING 3/15/18

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

Zoning Board of Appeals Application Form

I. TYPE OF REQUEST

AREA VARIANCE SPECIAL USE PERMIT USE VARIANCE INTERPRETATION

II. APPLICANT/PETITIONER

Applicant's Name Douglas A. Brown / Karin L. Dajnik
Address 993 Clean Rd
City East Aurora State NY ZIP 14052
Phone 711 Fax do om
Interest in r/purchaser/developer OWNER

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

Property Owner(s) Name(s) _____
Address _____
City _____ State _____ ZIP _____
Phone _____ Fax _____ Email _____

III. PROPERTY INFORMATION

Property Address 993 Clean Rd. East Aurora NY 14052
SBL# 188.01-1-14
Property size in acres 2.9 Property Frontage in feet 90
Zoning District RR Surrounding Zoning B1, B2, R2, RR, A
Current Use of Property Residential

IV. REQUEST DETAIL

(check all that apply)

Variance from Ordinance Section(s) # 116-8.4 B2 and E4
 Special Use Permit for: _____
 Use Variance for: _____
 Interpretation of _____

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

Douglas A. Brown / Karin L. Sojick
Signature of Applicant/Petitioner

Douglas A. Brown / Karin L. Sojick
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 16th day of February in the year 2018 before me, the above individual appeared, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein stated.

Sheryl A. Miller
Notary Public

(Notary stamp)

SHERYL A. MILLER
Reg. #01Mi6128663
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 13, 2021

Office Use Only: Date received: 2/16/18 Receipt #: 229102 *Sam*

Application reviewed by: *B. Kramer / M. Libroh*

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)

B2 - Not to exceed 15 feet - We need to have 10' doors to bring in tractor and other recreational vehicles so they are not an eye sore on the property.

E4 - Front Yard - Back yard consists of house septic tank, Iron Kettle Restaurant = septic tank, chlorination tank, dual dosing chambers, 2 distribution boxes and sand filter. Also, sand filter for Aurora Trailer Park.

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
Southside Municipal Center
300 Glead Avenue, East Aurora, NY 14052
www.townofaurora.com

TOWN COUNCIL MEMBERS
Susan A. Friess
sfriess@townofaurora.com

Jeffrey T. Harris
jharris@townofaurora.com

Jolene M. Jeffe
jjeffe@townofaurora.com

Charles D. Snyder
csnyder@townofaurora.com

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

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

ASSESSOR
Richard L. Dean
assessor@townofaurora.com
(716) 652-0011

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

TOWN ATTORNEY
Ronald P. Bennett

TOWN JUSTICE
Jeffrey P. Markello
Anthony DiFilippo IV

HISTORIAN
Robert L. Goller
(716) 652-7944
historian@townofaurora.com

FAX: (716) 652-3507
NYS Relay Number:
1(800) 662-1220

^{Brown}
Douglas ~~Braun~~ & Karin Dojnik
993 Olean Rd
East Aurora, NY 14052

2/23/2018

Re: Accessory building in front yard & Mean Height

Douglas & Karin,

The Building Dept. has reviewed your application for an accessory building at 993 Olean Rd. We have denied your application because the proposed building does not meet the zoning regulations for accessory buildings as specified in the RR District of the Town Code. We therefore request that you apply to the Town Zoning Board of Appeals for an area variance if you wish to continue with this project.

116-8.4.B(2)

Required: Maximum Mean Hgt. of Acc. Building of 15'

Requested: 15'7.75"

Variance required: 7.75"

116-8.4.E(1)

Required: 75' setback from Right of Way

Requested: 60' setback from Right of Way

Variance required: 15'

116-17.D

Required: 9' Maximum garage door height.

Requested: 10' Garage door

Variance required: 1'


116-18A1

Required: No accessory building in the front yard

Requested: An accessory building in the front yard

Variance required: An accessory building in the front yard

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

William R. Kramer

Code Enforcement Officer

SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY AND REPLY TO MUNICIPALITY

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: _____

Received: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: Town of Aurora

2. Hearing Schedule: **Date** 3/15/2018 **Time** 7:00pm **Location** 300 Glead Ave., E. Aurora, NY

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 Specific as follows 993 Olean Rd., 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: (be specific) Accessory building in front yard; garage door hgt - too tall; building in front of buildable lot

8. Other remarks: (ID#, SBL#, etc.) SBL#188.01-1-14

9. Submitted by: Martha Libroch, Town Clerk 2/6/18

300 Glead Ave., E. 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. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____



Building #1 Specifications

Style	Width	Height	Length	Truss Spacing	Roof Pitch	Lower Chord	Peak Height	Soffit Height
306	30'	12'	48'	8'	4/12	0/12	18' 6.5"	12' 9"

306 30'x12'x48' (#1) - Building Use: Suburban - Storage

Foundation

Morton Buildings, Inc. exclusive foundation system. Reinforced precast concrete column with an internal threaded adjustment bracket set in a readi-mix poured footing set below frost depth or a minimum of 4'-0" below building grade. Fastened to a laminated wood column with an internal column connector bracket.

Siding

South, East, North, West wall(s) Fluoroflex™ 1000 Hi-Rib Steel Minimum .019 (Fastened with Stainless Steel Screws)

Wainscot

South, East, North, West with 36" tall Fluoroflex™ 1000 Hi-Rib Steel Minimum .019 wainscot (Fastened with Stainless Steel Screws)

Roof

Fluoroflex™ 1000 Hi-Rib Steel Minimum .019 (Fastened with EPDM Washer Nails) with Vent-A-Ridge

Overhangs

South, North wall(s) 1' Wide Vented Sidewall Overhang with Standard 6" fascia, T#78
 East, West wall(s) 1' Wide Non Vented Endwall Overhang with Standard 6" fascia

Walk Doors

1 A | 3' x 6'8" MB 910 9 Lite Tempered Glass in Leaf with Embossed Crossbuck Walk Door(s) in swing left hinge with lockset

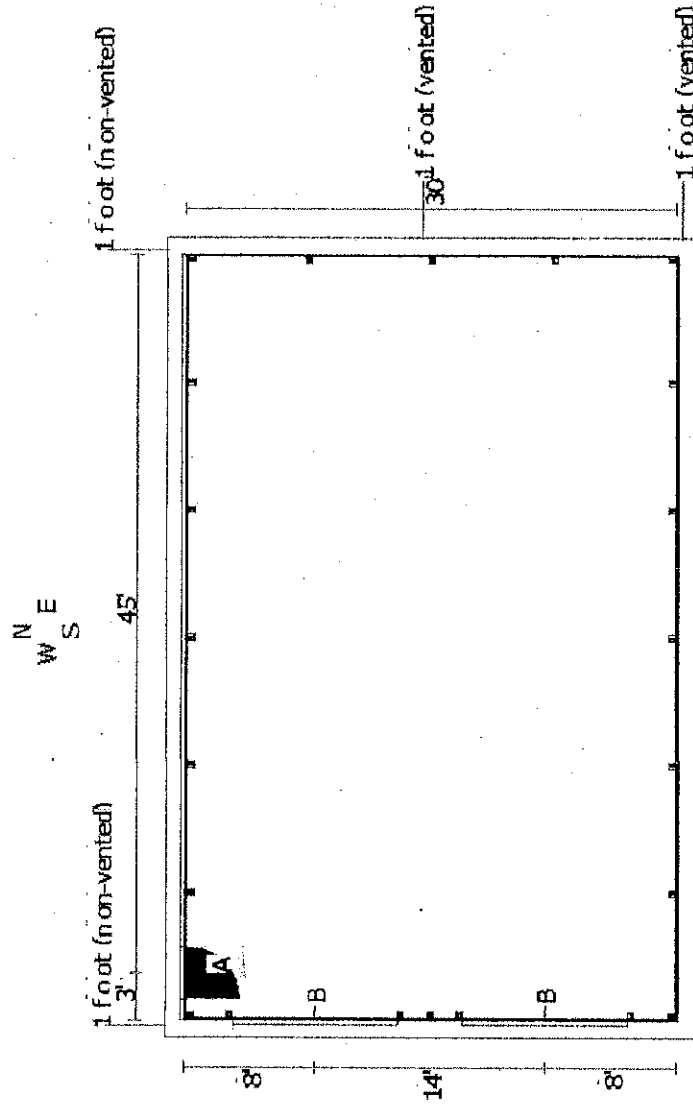
Overhead Door Opening

2 B | 10'0" x 10'0" Overhead Door Opening (Requires a minimum 10' 2" X 10' 1" panel), 1' 6" Headroom

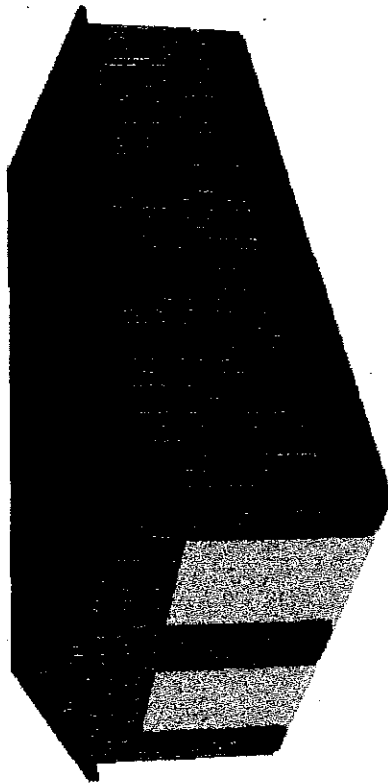
Skybelts

1 | 48' Lineal Feet of Half Panel Skybelt (Approx. 3'0" high) on North wall (from 0' to 48')

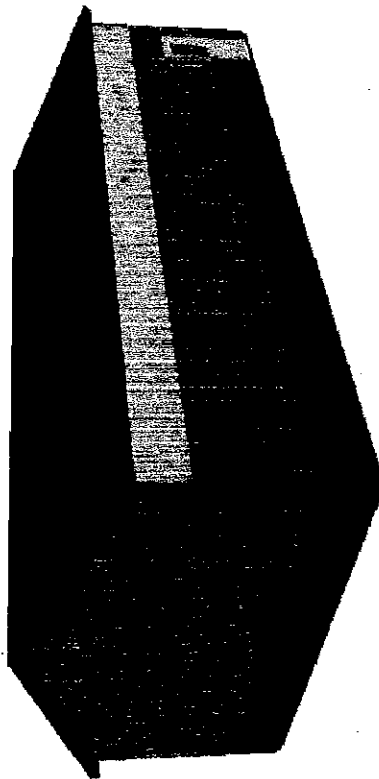
306 30'x12'x48' (#1) Column Plan

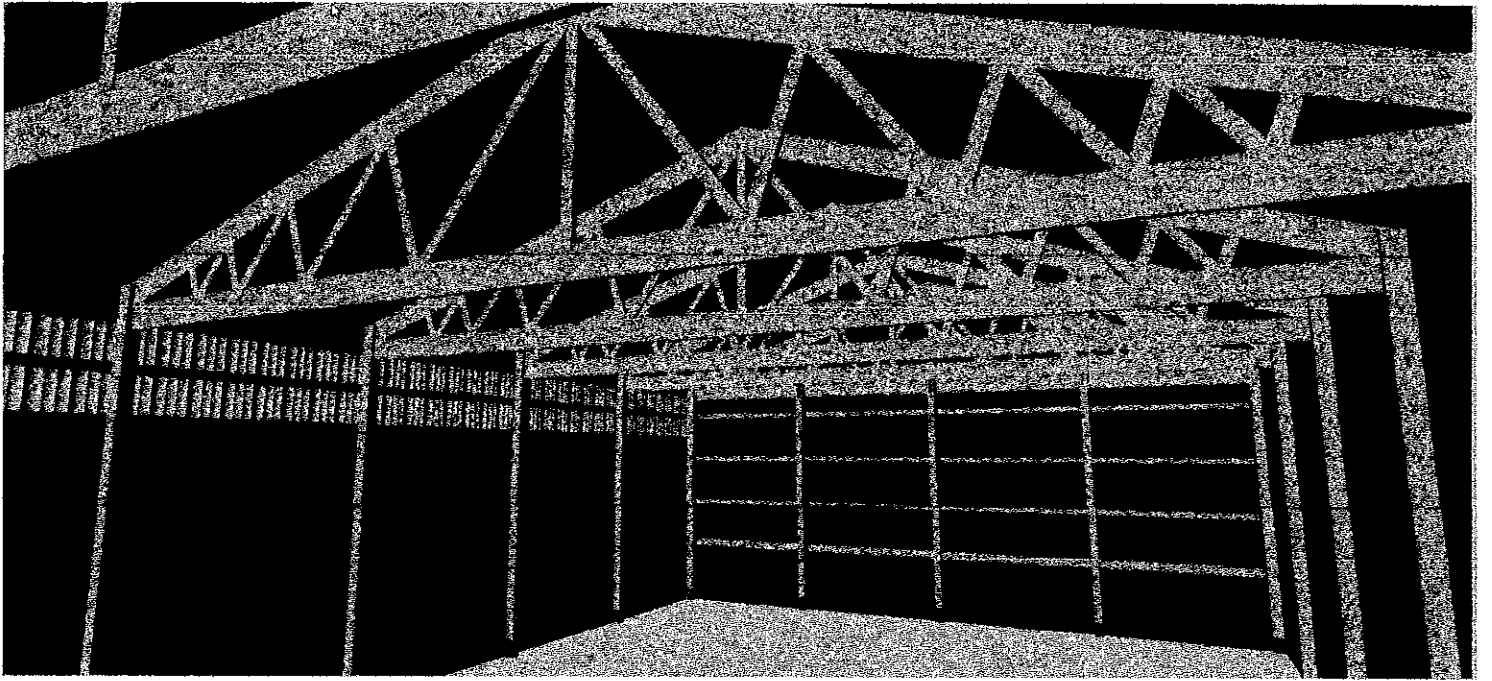


Perspective From The Southwest



Building 306 30'x12'x48' (#1) Perspective From The Northeast





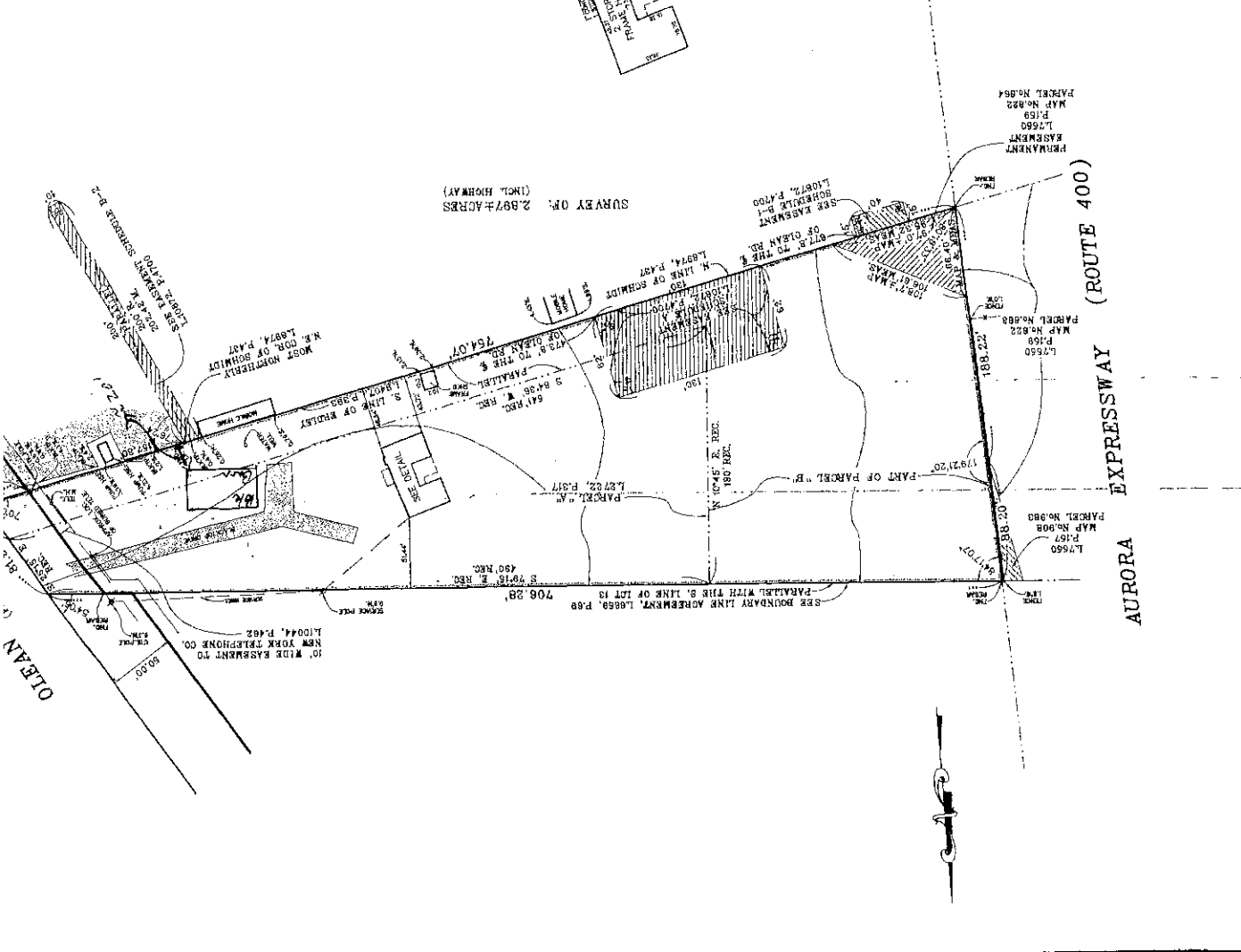
STATE OF NEW YORK
 DEPARTMENT OF TAXATION AND FINANCE
 DIVISION OF REAL PROPERTY SERVICES
 MAP NO. 822
 PARCEL NO. 884
 MAP NO. 822
 PARCEL NO. 884

NOTES:
 1. THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 209 OF THE REAL PROPERTY TAX LAW.
 2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS TO THE CONTRARY OF THE INFORMATION HEREON.
 3. THIS SURVEY MAY BE REVISED BY AN AMENDMENT.

DATE	JOB	RESERVATION

L. S. GARDNER

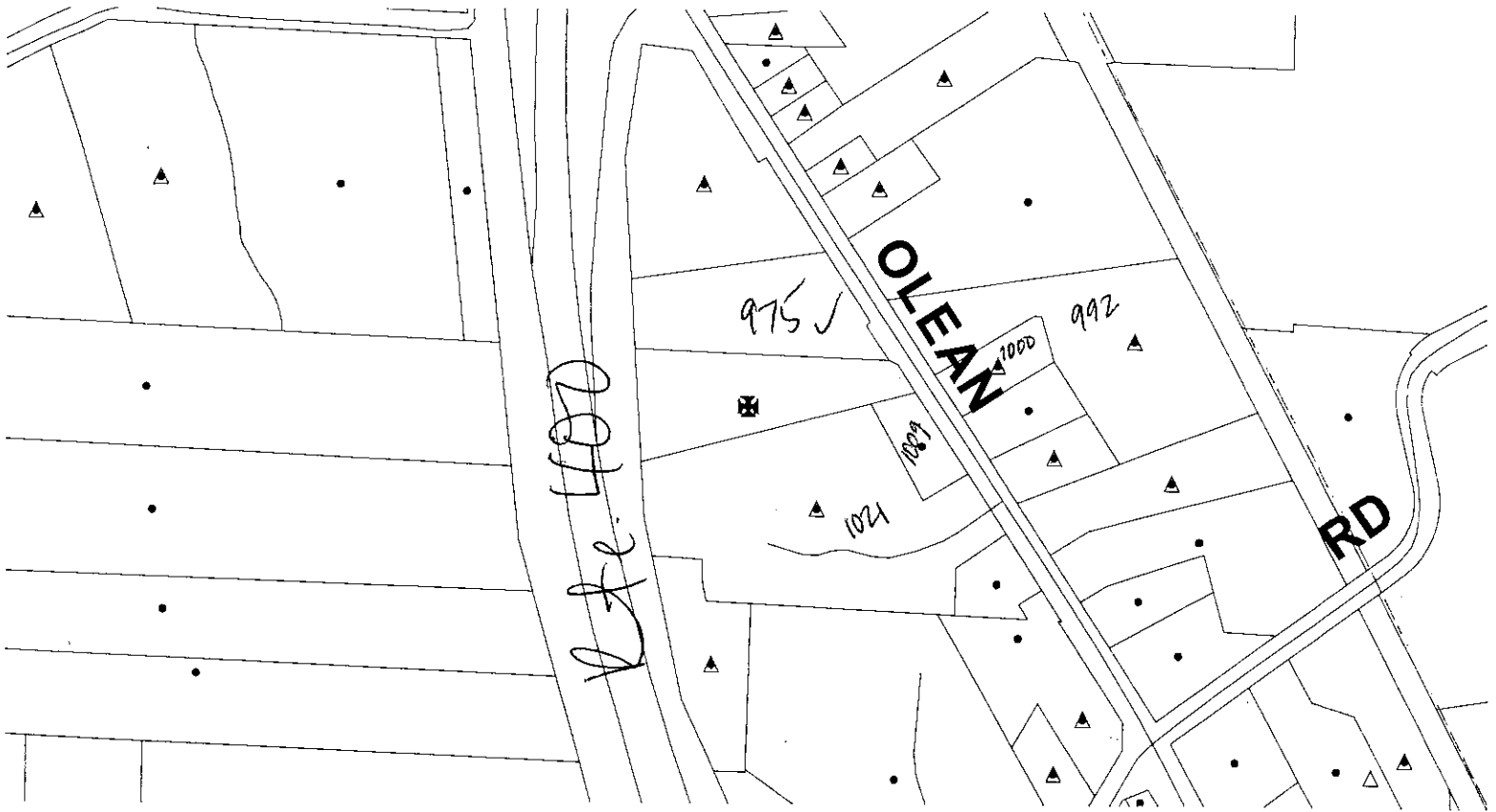
PART OF LOT 131 T. 8; R. 8; HOLLAND LAND COMPANY'S SURVEY; TOWN OF



PART OF LOT 131 T. 8; R. 8; HOLLAND LAND COMPANY'S SURVEY; TOWN OF

NYS DOT
100 Seneca St.
Buffalo NY 14203

Douglas Brown & Karin
Boynik
993 Olean Rd
EA
SBL: 188.01-1-14



Mark & Therese Kumro 975 Olean Rd EA. 14052

Don & Kathleen Pressing 992 Olean Rd EA 14052

David & Amy Christie 1000 Olean Rd EA 14052

Tara Martin 1009 Olean Rd EA 14052

Thyrolff Anna LLC, 1021 Olean Rd

mailing: 16 Van Buren Rd, Pittsford NY 14534