ORIGINAL



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

## **Zoning Board of Appeals Application Form**

<del> </del>		<del></del>	
I. TYPE OF REQU	EST		
X AREA VARIANCE	SPECIAL USE PER	RMIT USE VARIANCE _	INTERPRETATION
II. APPLICANT/PET	<b>FITIONER</b>		
Applicant's Name <u>F</u>	Ugene Jawar	ski	
Address // / /	Stean Ra	- de la companya de l	
Phone	Fax	State <u>// 7</u>	ZIP_ <u>/405</u> 2
-		veloper) Ourier	gmail.com
		f different from applicant informat	ion.) Reliable property
Property Owner(s) Nar	ne(s)		
Address			
City		State Email	ZIP
Phone	Fax	Email	
III. PROPERTY INFO		·	, ,
Property Address	166 Olean Ro	East Avora N	14 14052
SBL# 176.00 -	7-10.1	<del></del> , · , ,	
		Property Frontage in fe	
Zoning District		Surrounding Zoning <u>k</u>	2, 2P-1A
Current Use of Prope	erty <u>Residence</u>		
IV. REQUEST DETA	=		
(check all that apply)		(-8-7/d) 111 B =	-() 34 1- N
Variance from Ord	linance Section(s) #//L	68.2(B) 116-8,2	19(2) Me -111)
Special Use Peri	mit for:	<u> </u>	<del>_</del>
Use Variance for	·		:
Interpretation of			<del></del>

## PETITIONER'S LETTER OF INTENT

Pleas	e describe in detail the proposed project, reason the variance and/or special use permit is being
appea	sted and any additional information that may be helpful to the Zoning Board of Appeals in deciding this al: (attach additional pages if needed)
_	want to put up a 40 x60 Pole barn mean hight of 191-4
r	- personal use. Height so as to install an automobile life
41	a I would like to not building 10 feet and Complete 15
411	10 10 10 10 10 10 10 10 10 10 10 10 10 1
7	,
<u> </u>	
	ront a 14 × 12 on left side and a 10 × 10 on right
TO B	COMPLETED ONLY WHEN A LISE VARIANCE IS REING REQUESTED
<u>10 Di</u>	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)
<b>a</b> )	
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:
<del>~~</del>	
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:
	The state of the s
4)	Is your need for a use variance a result of you own actions (is your difficulty self-created)? Please
,	i:
,	
,	
(Attach	additional pages if needed)

### 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.

P 14 P 17				
Part 1 - Project and Sponsor Information				
Name of Action or Project:	· · · · · · · · · · · · · · · · · · ·			
Project Location (describe, and attach a location map):		. •		
Brief Description of Proposed Action:	·	<del> </del>		-
•				
		•		
Name of Applicant or Sponsor:	Telephone:			-
Eugene Jaworski	E-Mail:			
Address:	<u> </u>			
766 Olean Rd				
City/PO:	State:	^	Zip Code:	
East Auron	<i>N</i> .5	اس.	1405	$\mathcal{L}$
1. Does the proposed action only involve the legislative adoption of a plan, le	ocal law, ordinar	nce,	NO	YES
administrative rule, or regulation?  If Yes, attach a narrative description of the intent of the proposed action and	the environment			
may be affected in the municipality and proceed to Part 2. If no, continue to	question 2.	ai resources ti	nat	
2. Does the proposed action require a permit, approval or funding from any	other governmen	ntal Agency?	NO	YES
If Yes, list agency(s) name and permit or approval:	Č	0,		
3.a. Total acreage of the site of the proposed action?	acres			
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned	O T teres			
or controlled by the applicant or project sponsor?	3 acres			
4. Check all land uses that occur on, adjoining and near the proposed action.				
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Comm		ential (suburb	an)	
□Forest □Agriculture □Aquatic □Other (	specify):			
Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	O YES	N/A
b. Consistent with the adopted comprehensive plan?		
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES
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
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	_	
	NO PE	YES
b. Are public transportation service(s) available at or near the site of the proposed action?	A	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action	?	
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 NO	YES
10. Will the proposed action connect to an existing public/private water supply?	NO	YES
If No, describe method for providing potable water:	-	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES
If No, describe method for providing wastewater treatment:	- 🔽	1
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES
b. Is the proposed action located in an archeological sensitive area?		
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?	NO	YES
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:	K	
	-   ;	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all th  Shoreline Forest Agricultural/grasslands Early mid-successional  Wetland Urban Suburban	at apply:	
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
16. Is the project site located in the 100 year flood plain?	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?  If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:		
	·	

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)?	NO	YES
If Yes, explain purpose and size:	ر کر ا	ŀ
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:		_
	1 4	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or	NO	YES
completed) for hazardous waste?	/	·
If Yes, describe:	M	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE	DECE O	T > # X /
KNOWLEDGE	REST O	FMY
C	0	
Applicant/sponsor name: Company Date: 8-23-6	1017	
Signature:	·	
Signature:		

# 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				. <u>.</u>	
2. Hearing Schedule:	Date	10/17/2019	Time	9 7:00pm	Location	300	Gleed Ave., E. Aurora, NY
3. Action is before:		Legislative Body	$\boxtimes$	Board of Ap	peals		Planning Board
4. Action consists of:		New Ordinance		Rezone/Map	o Change		Ordinance Amendment
☐ Site Plan		Variance		Special Use	Permit		Other
5. Location of Property:		Entire Municipality	$\boxtimes$	Specific as f	follows 76	66 Ole	an Road
6. Referral required as Site is within 500'of:		State or County Property/Institution		Municipal Be	oundary		Farm Operation located in an Agricultural District
⊠ Expressway		County Road	$\boxtimes$	State Highw	ray .		Proposed State or County Road, Property, Building/ Institution, Drainageway
7. Proposed change or use	e: (be s	Accessory buspecific) line less than	ilding allow	height more ved by code;	than allowed	ed by o	code; setback from side lot than allowed by code.
8. Other remarks: (ID#, SB	L#, etc	s.) SBL#176.00-4-16.1					
9. Submitted by: Martha Librock, Town Clerk 9/18/19							
300 Gleed Ave., E. Aurora, NY 14052							
	Reply	to Municipality by Er	ie Co	ounty Divisi	on of Plan	ning	<del></del>
Receipt of the above-described and repsubmits its review and repsubmitted with this referra	ly und	proposed action is ackr ler the provisions of ap	nowle plica	edged on ble state and	d local law	Th base	e Division herewith d on the information
1.	tion is	not subject to review u	unde	r the law.			
2.  Form ZR-3, Com	ment o	on Proposed Action is a	ittach	ned hereto.			
3.  The proposed ac Form ZR-4, Reco	tion is mmen	subject to review; the dation on Proposed Ac	Divis	ion makes t which is att	he recomn tached here	enda eto.	tion shown on
4. No recommendate	tion; p	roposed action has bee	en re	viewed and	determined	l to be	of local concern
By the Division of Planning: Date:							

SUPERVISOR James J. Bach (716) 652-7590 jbach@townofaurora.com

TOWN CLERK
Martha L. Librock
(716) 652-3280
townclerk@townofaurora.com

8/28/2019

#### **TOWN OF AURORA**

#### Southside Municipal Center

300 Gleed Avenue, East Aurora, NY 14052 www.townofaurora.com

TOWN COUNCIL MEMBERS

Susan A. Friess
Whofaurora com
766 Olean Rd.

sfriess@townofaurora.com

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jjeffe@townofaurora.com

Charles D. Snyder csnyder@townofaurora.com

SUPT. OF HIGHWAYS David M. Gunner (716) 652-4050

highway@townofaurora.com

Code Enforcement Officer William R. Kramer (716) 652-7591

building@townofaurora.com

ASSESSOR Roger Pigeon

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

Eugene Jaworski

East Aurora, NY 14052

Re: Accessory Building

Eugene,

The Building Dept. has reviewed your application for an accessory building at 766 Olean Rd.. We have denied your application because the proposed building does not meet the zoning regulations for accessory buildings as specified in the R2 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.

116-8.2 B(2)

Required: Mean Height not to exceed 15'

Requested: 19'4"

Variance required: 4'4"

116-8.2F(2)

116-17D

Required: Minimum side yard setback equal to the mean hgt. of the proposed

accessory building: 19'4"

Requested: 10' Variance required: 9'4"

variance required: 9 4

Required: Garage door height not more than 9'

Request: 1 garage door 14' high and 1 garage door 10' high.

Variance required: 5' and 1'

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
walle R.Kramer

Code Enforcement Officer

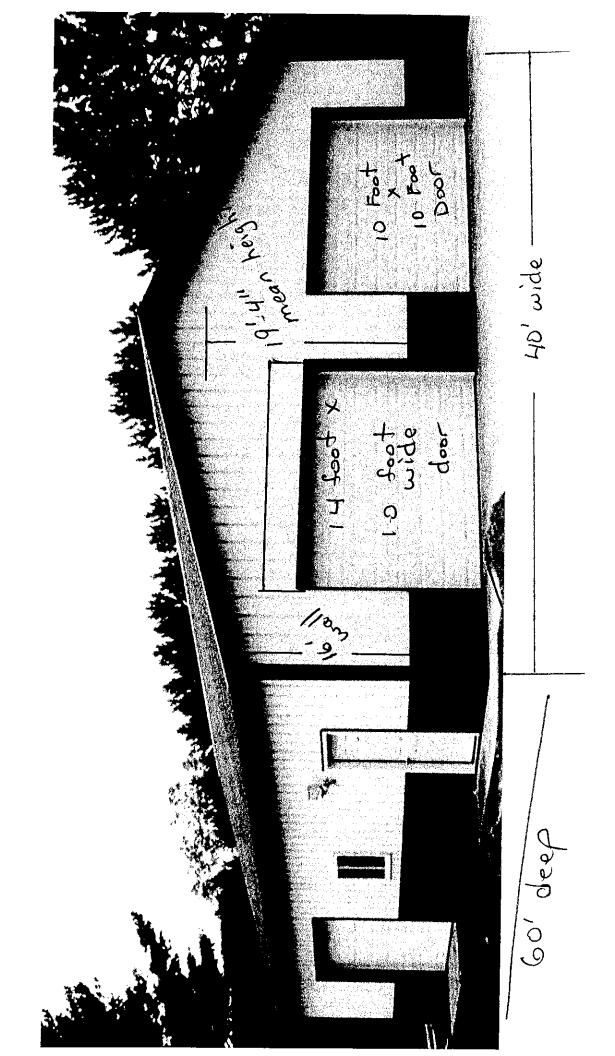
This institution is an equal opportunity provider and employer.

## **BUILDING DEPARTMENT**

Town of Aurora/Village of East Aurora 300 Gleed Avenue, East Aurora, NY Phone (716) 652-7591

## Permit # Reissued

Date						
<b>APPLICATION FOR BUIL</b>	DING PERMIT					
	<del></del>					
Accessory Building Accessory Structure	Alteration/Renovation Fence re Generator Other					
There is a second of the secon						
Property Owner Name Eugene Jaworski Property Address 766 Olean Rd E. Aug. SRI.#	Phone # 4/3 5/87					
Property Address 166 Olean Rd E, Aur.	ora NY 14052					
1/0,00-9-10,1	Zoning District v2 2					
Applicant (if not Owner)  1. Brief description of request/intention for building permit:	Phone #					
2. Bites description of request/intention for ounding permit:	lole barn					
2. Use: Residential Commercial Oc	cupancy/Occupancy Load:					
2. Use: Residential Commercial Occupancy/Occupancy Load:  3. Construction Type: I II III IV V V V V V V V V V V V V V						
4 Size of completed construction 4.0ft wide .6.0ft long						
See Constituction Cost						
of Manie of Architect	·					
Address of Architect	Dhone #					
Name of Contractor Address of Contractor	D1					
8. Contractors GL/WC/Disability Insurance Certificates with Town & Village as Certificate holder Yes						
(9.) 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 TAPBEWER TAPBAC	KFLOW PREVENTER GREASE TRAP					
IMPORTANT	; ₹					
The work covered by this application may not be commerciated by the second	aced before the issuance of Building Permit.					
<ul> <li>No building shall be occupied or used in whole or in part Occupancy shall have been granted by the Building Depa</li> </ul>	for any purpose whatsoever until a Certificate of					
Occupancy shall have been granted by the Building Depa	rtment.					
APPLICATION IS HEREBY MADE to the Code Enforcement	at Officer for the issuance of a Dull line Day					
harsnaur to the MEW LOKE ONITORM FIRE LEGALIOUS	IN AND BUILDING CODE for the construction					
of buildings, additions and afterations, as herein described. T	he applicant agrees to comply with all applicable.					
codes, laws, and regulations. The undersigned hereby certifie	s that all of the information contained in this					
application is correct and true.						
Owner Name Eugene Jaworski						
(Contractor and Corp/LLC must complete affidavit on back to sig	n og over					
Complete anidavit on back to sig	n as owner's agent)					
TelephoneE-mail						
rugar Jamel	8-23-2019					
SIGNATURE OF OWNER	DATE					
Town or Village Bldg Dept	7P.A					
Town or Village Bldg Dept App Fee \$ Reviewed by	ZBA Reason					
App Fee \$ Reviewed by	Reason					
App Fee \$ Reviewed by	ReasonApproved/Denied on					
App Fee \$ Reviewed by Permit Fee \$ Appr on Park/Rec Fee \$	ReasonApproved/Denied on Case #					
App Fee \$ Reviewed by Permit Fee \$ Appr on Park/Rec Fee \$	ReasonApproved/Denied on Case #					
App Fee \$ Reviewed by Permit Fee \$ Appr on Signature o	Reason Approved/Denied on Case #   of Code Enforcement Officer					
App Fee \$ Reviewed by Permit Fee \$ Appr on	Reason Approved/Denied on Case # from Code Enforcement Officer  the fees schedule established by the Town Board of					



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