

CASE NO. 1517

DATE OF HEARING 9/18/2025

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

~~X~~ AREA VARIANCE _____ SPECIAL USE PERMIT _____ USE VARIANCE _____ INTERPRETATION _____

II. APPLICANT/PETITIONER

Applicant's Name Richard Turlington
Address 1025 Grover rd.
City East Aurora State NY. ZIP 14052
Phone 61 FAX _____ Email richa gmail.com
Interest in _____ (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 1025 Grover rd. East Aurora, NY. 14052
SBL# 186.00-2-8.11
Property size in acres 10.3737 Property Frontage in feet 136'
Zoning District RR/A Surrounding Zoning RR/A & R1
Current Use of Property Residence

IV. REQUEST DETAIL

(check all that apply)

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-8.5F(2) & 116-18A(1)

☐ 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)

Richard W. Turlington
Signature of Applicant/Petitioner

Richard W. Turlington
Print name of Applicant/Petitioner

State of New York; County of Erie

On the 4 day of August the year 2025 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.

Dorothy Bailey
Notary Public

DOROTHY BAILEY
Reg #01BA0023544
(Notary Public) State of New York
Qualified in Erie County
Commission Expires April 15, 2028

Office Use Only: Date received: 8/8/25 \$100 OK 118 Receipt #: 713271

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)

Building 40'x60'x14' pole barn for equipment & vehicle storage. Requiring 12x12 ft. door for camper height access. Variance needed. I believe because limit in door height typically is 10'ft. Also requesting variance in placement of barn. I believe it is technically ever-so-slightly forward of my house when accounting for the angle of the road. Road is approximately 700 ft. from my house & proposed barn location which cannot be seen whatsoever from the road. Further back placement of barn on the property would be too close to the tree line and require removal of many of our beautiful trees.

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: Structure is impossible to see from the road or any public right-of-way. It is surrounded by forest.

- 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)

From: Rick Turlington <richard.turlington@gmail.com>
Sent: Monday, August 11, 2025 10:16 AM
To: Richard Miga
Subject: Re: 1025 Grover

I wanted to comment additionally that the reason we're building the pole barn is so that we can properly store many of the lawn equipment items that we've acquired over the years which do not fit in our existing small shed that was on the property when we bought the house. items such as a log splitter, large push leaf blower, zero turn mower, brush hog, snow blower, etc. We have to play musical lawn equipment to get many of these items out for use, and a few do not fit in the garage or the small storage shed when not needed. Being able to put these things away properly will help us to keep the property slightly.

- Richard Turlington
1025 Grover Rd, East Aurora, NY 14052

On Mon, Aug 11, 2025, 10:15 AM Richard Miga <rmiga@townofaurora.com> wrote:

Richard Miga
Town of Aurora/ Village of East Aurora
Asst. Code Enforcement Officer
716 652-7591 – Office
716 432-5537 – Cell
rmiga@townofaurora.com

Town of Aurora
575 Oakwood Avenue
East Aurora, NY 14052
www.townofaurora.com

**Zoning Board of Appeals
Application
Owner Authorization**

The undersigned, who is the owner of the premises know as:

1025 Graver rd., East Aurora, NY 14052, identified as Tax Map (SBL)# 186.00.2.8.11
(address)

hereby authorizes Richard Turlington to bring an application for () area variance
() special use permit () use variance () interpretation before the Town of Aurora Zoning Board of
Appeals for review and potential approval. The undersigned further permits the Town or its authorized
representative(s) access to the property to review existing site conditions during the review process.

Richard Turlington
Owner (print)

8/4/2025
Date

Richard W. Turlington
Owner (signature)

STATE OF NEW YORK)
SS
COUNTY OF ERIE)

On this _____ day of _____, 20____, before me, the undersigned, a notary public in and for said state,
personally appeared _____, personally known to me on the basis of
satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their
signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted,
executed the instrument.

Notary Public

**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** 9/18/2025 **Time** 7:00pm **Location** 575 Oakwood 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 ☒ Address: 1025 Grover Rd., E. Aurora

5a. S.B.L. of Property: 186.00-2-8.11

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 (pole barn) in front yard of residence not allowed by Town Code
(specify the action, such as the scope of variances or site plans)

8. Other remarks: _____

9. Submitted by: Martha Librock, Town Clerk **Email:** townclerk@townofaurora.com

10. Return Address: 575 Oakwood 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. ☐ 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:** _____

SUPERVISOR
Charles D. Snyder
(716) 652-7590
csnyder@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 8, 2025

Luke Wochensky
lwochensky@townofaurora.com

James F. Granville
jgranville@townofaurora.com

Joseph M. McCann
jmccann@townofaurora.com

Raymond M. Wrazen
rwrazen@townofaurora.com

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

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

ASSESSOR
Stephen R. 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

Richard Turlington
1025 Grover Road
East Aurora, NY 14052

Mr. Turlington:

The Building Department has reviewed your request to construct an accessory structure (post-framed barn) in your front yard at 1025 Grover Rd. (SBL 186.00-2-8.11). The request has been denied because it fails to meet the requirements for no accessory buildings/structures in the front yard.

Section 116-8.5(F)(2) & 116-18A(1)

Required: No accessory buildings/structures shall be erected in the front yard.

Requested: 40'x60'x18' post-framed barn to be constructed in front yard located approximately 650' from ROW.

Variance: 40'x60'x18' post-framed barn to be constructed in front yard located approximately 650' from ROW.

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 "Richard Miga".

Richard Miga
Assistant Code Enforcement Officer

X

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: Construction of Pole Barn			
Project Location (describe, and attach a location map): 1025 Grover rd., East Aurora, NY. 14052 (see attached map/drawing)			
Brief Description of Proposed Action: Construct basic 40'x60'x14' pole barn for equipment & vehicle storage.			
Name of Applicant or Sponsor: Richard Turlington		Telephone: 99 E-Mail: r@gmail.com	
Address: 1025 Grover rd.			
City/PO: East Aurora		State: NY.	Zip Code: 14052
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 ☒ ☐
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 ☐ ☒
3. a. Total acreage of the site of the proposed action? 10.3237 acres b. Total acreage to be physically disturbed? 0.080348 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.055096 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
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?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>None - no water necessary</u>	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>None - N/A</u>	☒	☐	
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?	NO	YES	
	☒	☐	
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?	☒	☐	
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: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ 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
	☒	☐
16. Is the project site located in the 100-year flood plan?	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 would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Richard W. Turlington</u> Date: <u>8/4/2023</u>		
Signature: <u>Richard W. Turlington</u> Title: <u>Owner</u>		

1025 GROVER ROAD
AURORA, NEW YORK

GAZENOVIA

WEST

480' +/-

PARCEL "A"
11.50 Acres +/-
(Includes Road)

PARCEL "A"

No. 1025
2-Story
Frame
House
(See Detail)

(See Detail)

19.7'x17.8'
Frame
Shed

812' + / -

DETAIL

12-30

REQUESTED BY: Jay A. Pohlman, Esq.

GENZEL LAND SURVEYING, P.C. 
7033 COLE ROAD COLDEN, NEW YORK 14033
PH: (716) 667-9733 FAX: (716) 667-9735
JOB NO. 5258 DATE: 12/14/17 DWN. BY: JAG

CONDUCTED BY DR. ALAN K. HARRIS
CHAIRMAN, SCIENTIFIC COMMITTEE

ICE & SNOW NOTE:
AT THE TIME OF THIS SURVEY THERE WAS A CONSIDERABLE AMOUNT OF
SNOW AND ICE ON THE GROUND HINDERING THE LOCATION OF SURFACE
IMPROVEMENTS. ENCROACHMENTS MAY EXIST THAT WOULD OTHERWISE
BE SHOWN.

ADDRESS: 1025 GROVER ROAD, AURORA, NEW YORK
DATE OF SURVEY: 12/11/17 DATE OF MAP: 12/14/17
DEED REF: LIBER 11098 PAGE 952

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACT THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH

LEGAL: PART OF LOT-45, T-9, R-8 OF THE HOLLAND LAND COMPANY'S SURVEY, TOWN OF AURORA, ERIE COUNTY, NEW YORK

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP
BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF
SECTION 7209, SUB-DIVISION 2, OF NEW YORK STATE EDUCATION

 $\gamma = 100$

SURVEY

10033 GOLF ROAD
PH: (716) 667-9735
FAX: (716) 667-9735
JOB NO. 5258 DATE: 12/1/17 DWN BY: JAC

GENZEL LAND SURVEYING, P.C. INC.
COLDEN, NEW YORK 14033

1"=50'

Bar - driveway of front

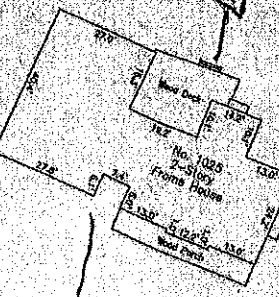
IF A DISCREPANCY
SHOWN AND THE SURVEYOR
HAS NO RECORD OF THE
DISCREPANCY MAY BE
REVIEWED BY AN EXAMINER
OF SUCH

ADDRESS: 10033 GOLF ROAD, JACOB, NEW YORK
DATE OF SURVEY: 12/1/17 DATE OF MAP: 12/1/17
DEED REF: DEED 1009 PAGE 62

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN
ADJUSTED TITLE AND IS SUBJECT TO ANY STATE OF FACTS
THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH

UNLESS OTHERWISE NOTED, THIS SURVEY IS A SURVEY AND
RELYING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF
SECTION 2109, SUB-DIVISION 2, OF NEW YORK STATE EDUCATION
LAW

LEGAL: THIS SURVEY IS A SURVEY OF THE HOLDING LAND
FOR THE SURVEYOR'S SERVICE, TO BE A SURVEYOR'S SERVICE
NO PROPERTY CONVEYED HERE BY AS PART OF THIS SURVEY



DETAIL

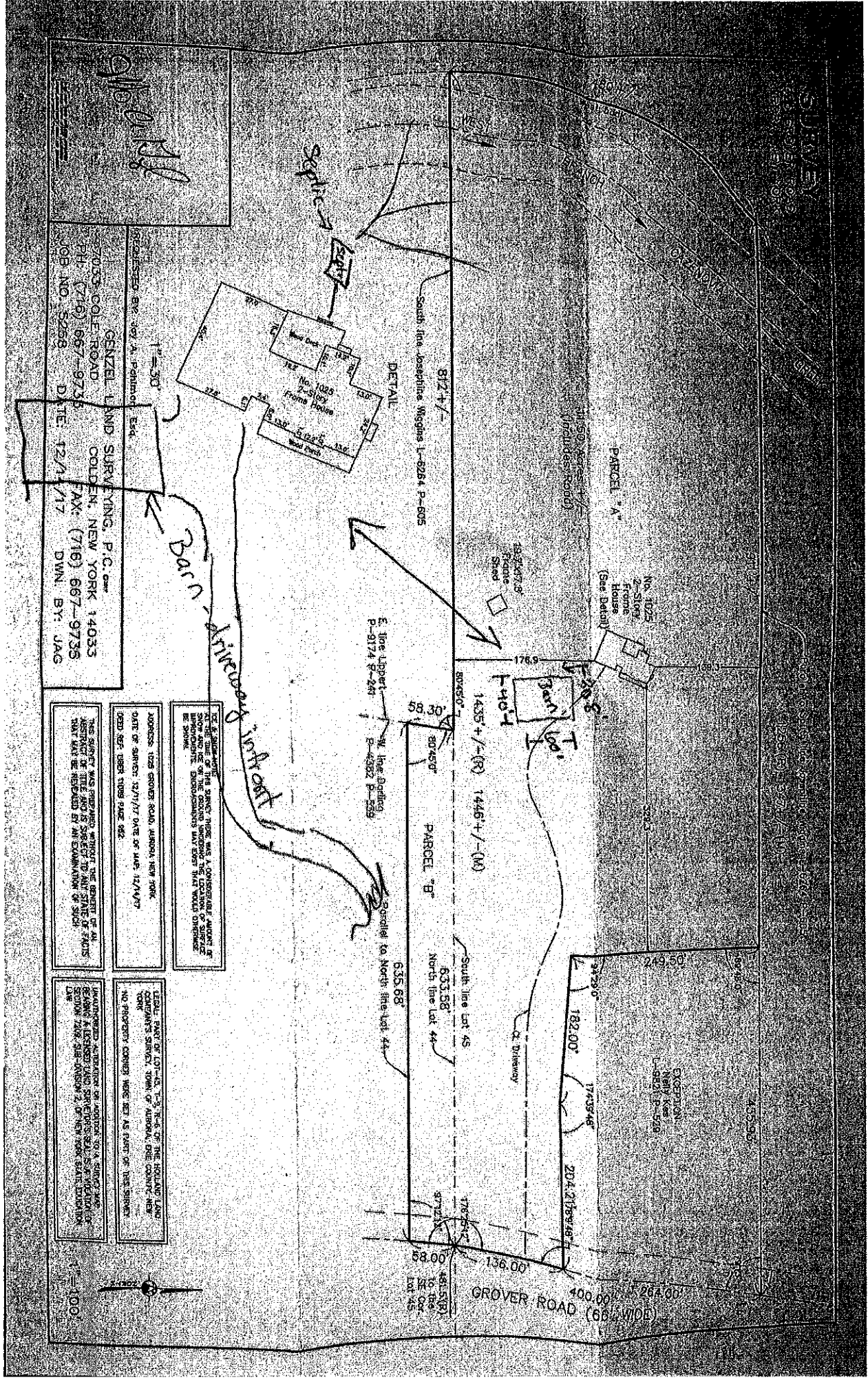
South line Josephine Higgins L-6264 P-605

E. line Upper P-3174 P-241
W. line Lower P-4062 P-559

South line Lot 45
North line Lot 44

GROVER ROAD (66' WIDE)

1"=100'





Parcels

75 封

0	0.07	0.1 Miles
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**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

