

original

CASE NO. 1498
DATE OF HEARING 5/5/25

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 RONALD + VIRGINIA WALDRON
Address 1631 CENTER ST.
City EAST AURORA State N.Y. ZIP 14052
F _____ Email waldron@aurora-ny.com
I _____ (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 1631 CENTER ST.
SBL# 187.00-4-32.121
Property size in acres .839 Property Frontage in feet 130.45'
Zoning District RR Surrounding Zoning RR/A
Current Use of Property RESIDENTIAL

IV. REQUEST DETAIL

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-8.46(2)
☐ Special Use Permit for: _____
☐ Use Variance for: _____
☐ Interpretation of _____

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)

I PURCHASED A SHED & HAD IT DELIVERED + SPOTTED 6'
FROM THE PROPERTY LINE. AT THE TIME I DID NOT KNOW THAT
PORTABLE SHEDS NEEDED A BUILDING PERMIT OR THAT THERE IS AN
OFFSET LAW. AT THE TIME I MEASURED THE DISTANCE FROM
MY NEIGHBORS SHED & THAT WAS 6', ALSO AN EXISTING SHED ON MY
PROPERTY IS LESS THAN 5' FROM THE LINE. SO I HAD THEM SPOT IT
AT 6' FEET, FIGURING I WAS NOT ENCRUCHING TO CLOSE, BUT AT THE
SAME TIME LEAVING ACCESS + PARKING AREA BETWEEN MY HOUSE
AND THE SHED. ALTHOUGH THE SHED IS PORTABLE IT CAME IN 2 HALVES
AND NEEDS TO BE DISASSEMBLED TO BE MOVED. I HAVE SPOKEN TO MY NEIGHBOR
ON 1641 CENTER & SHE DOESN'T HAVE AN ISSUE WITH THE PLACEMENT OF THE SHED.
SHE WILL SIGN AN AGREEMENT LETTER, BUT WASN'T HOME. I WILL BRING IT WITH ME
TO THE Z.B. MEETING.
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)

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)

Ronald M. Waldron
Signature of Applicant/Petitioner

RONALD M. WALDRON
Print name of Applicant/Petitioner

State of New York; County of Erie

On the day of in the year 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

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

Office Use Only:

Date received:

4/14/25

Receipt #:

713793

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 _____

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

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lwochensky@townofaurora.com

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Jeffrey P. Markello
Anthony DiFilippo IV

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

FAX: (716) 652-3507

Ronald Waldron
1631 Center St
East Aurora, NY 14052

April 14, 2025

Ronald:

The Building Department has reviewed your proposal to place a shed at your property at 1631 Center St. The request has been denied because it fails to meet the code requirements for accessory buildings in the Rural Residential (RR) zoning district in which it is located.

Section 116-8.4G

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

Requested: Accessory building with side yard setback of 6'

Variance: 4'

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,

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** 5/15/2025 **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: 1631 Center St., E. Aurora

5a. S.B.L. of Property: 187.00-4-32.121

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 (shed) closer to side lot line than allowed by Town
(specify the action, such as the scope of variances or site plans) Code

8. Other remarks: _____

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

10. Return Address: 575 Oakwood Ave., 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

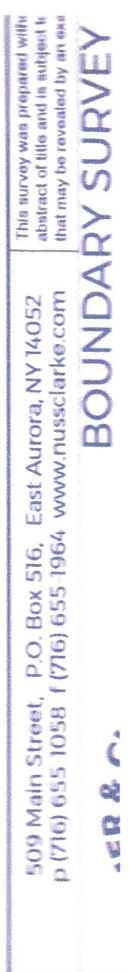
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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>Placement of shed on property</i>			
Project Location (describe, and attach a location map): <i>1631 Center St</i>			
Brief Description of Proposed Action: <i>Shed on property 6' off property line</i>			
Name of Applicant or Sponsor: <i>RONALD M. WALDRON</i>		Telephone: <i>[REDACTED]</i>	
Address: <i>1631 ~~SAD~~ CENTER ST.</i>		E-Mail: <i>u [REDACTED] .com</i>	
City/PO: <i>EAST AURORA,</i>		State: <i>N.Y.</i>	Zip Code: <i>14052</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☐	☒
3. a. Total acreage of the site of the proposed action?		<i>.839</i> acres	
b. Total acreage to be physically disturbed?		<i>481</i> acres <i>SQ FT.</i>	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>.839</i> 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: N/A	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: N/A	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: N/A	☒	☐	
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:	☐	☒
<u>SWAIL ON PROPERTY LINE</u>		
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>RONALD M. WALDRON</u> Date: <u>4/12/25</u> Signature: <u>Ronald M. Waldron</u> Title: <u>owner</u>		



509 Main Street, P.O. Box 516, East Aurora, NY 14052
p (716) 655 1058 f (716) 655 1964 www.nussclarke.com







Dolly Bailey

From: Kathy Hall-zientek <blueslover18@aol.com>
Sent: Friday, April 11, 2025 11:49 AM
To: Dolly Bailey
Subject: Fw: 1631 Center Street - Shed

April 11, 2025

Ms. Elizabeth Cassidy

The Town of Aurora

Building & Zoning Department

575 Oakwood Avenue

East Aurora, NY 14052

Subject: Shed delivered to 1631 Center Street, E. Aurora, NY 14052

Dear Elizabeth:

Please be advised that my new neighbors, Ron & Ginny Waldron, had a shed delivered to their property last week. They have spent the last week making sure they store their gardens tools, lawn mover, etc. so they can enjoy their beautiful home and the new shed.

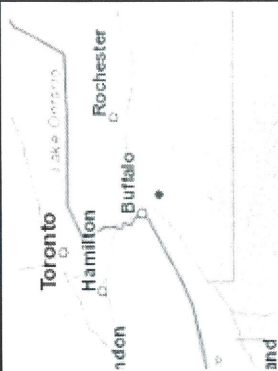
It compliments the neighborhood and is a great asset to our side of Center Street. I am in full compliance to what they did and feel they are improving the neighborhood and enjoying their residence to its fullest.

It actually replaced a huge mound of clay dirt and stones that was a bit of an eye sore so, it is a drastic improvement to the land between the 2 homes. This shed is a fair distance from my actual home and property line so it doesn't interfere at all with my residence. In fact, I don't see the structure from the front of my home because my house is closer to the road than the shed.

Please feel free to reach out to me should you have additional questions.

Sincerely,

Kathy Hall-Zientek



Legend



1: 2,257

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.

**ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS**

0.1 Miles

0.04

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION