

CASE NO. 1503DATE OF HEARING 6/18/2025Town 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 Allsun Moreh
Address 1195 Schopper Rd
City East Aurora State NY ZIP 14052
Phone 7 Fax _____ Email allsun
Interest in owner/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 1195 Schopper Rd.
SBL# 200.00-4-9.12
Property size in acres 1 Property Frontage in feet 165ft
Zoning District RR/A Surrounding Zoning RR/A
Current Use of Property Residential - SFD**IV. REQUEST DETAIL**

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-8.44(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 am requesting a Variance for the Shed on my property to be less than 10 ft from the line. will be 5 ft, precluding it from needing to be fire rated. The shed was previously approved by the town 1 year ago as acceptable to the 10 ft, however now that the adjacent property has sold, the survey has it less than 10 ft but still on my property. We have already paid someone to lay stone properly in the area where it is. Moving the shed 1 ft to be outside fire rating will change nothing as there is enough stone. Moving the shed entirely will create financial hardship as the stone pad cost \$1,000 and would ~~not~~ require a new stone pad plus the cost of moving it.

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)

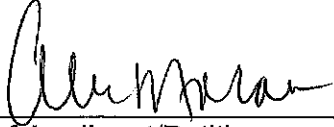
- 2) Describe why your alleged hardship relating to the subject property is unique and does not apply to other properties in the zoning district or neighborhood: _____

- 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)



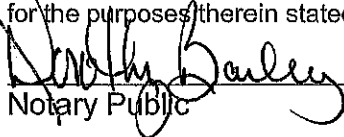
Signature of Applicant/Petitioner

Allison Moran

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 12 day of May in 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.


Notary Public

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

Office Use Only: Date received: _____ Receipt #: _____

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

TOWN COUNCIL MEMBERS

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(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

May 12, 2025

Allsum Moran
1195 Schopper Road
East Aurora, NY 14052

Allsum:

The Building Department has reviewed your request to construct an accessory structure (shed) at 1195 Schopper Road (SBL 200.00-4-9.12). The request has been denied because it fails to meet the requirement for an accessory building/structure setback from the side yard.

Sections 116-8.4G(2): Side yard

Required: Accessory building/structure: a distance equal to the mean height of the proposed accessory building/structure, but not less than 10 feet.

Requested: 5'

Variance: 5'

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,

Richard Miga
Assistant 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** 06/18/2025 **Time** 7:15pm **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: 1195 Schopper Rd, E. Aurora

5a. S.B.L. of Property: 200.00-4-9.12

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 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:** _____

Short Environmental Assessment Form

Part 1 - Project Information

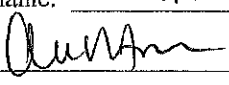
Instructions for Completing

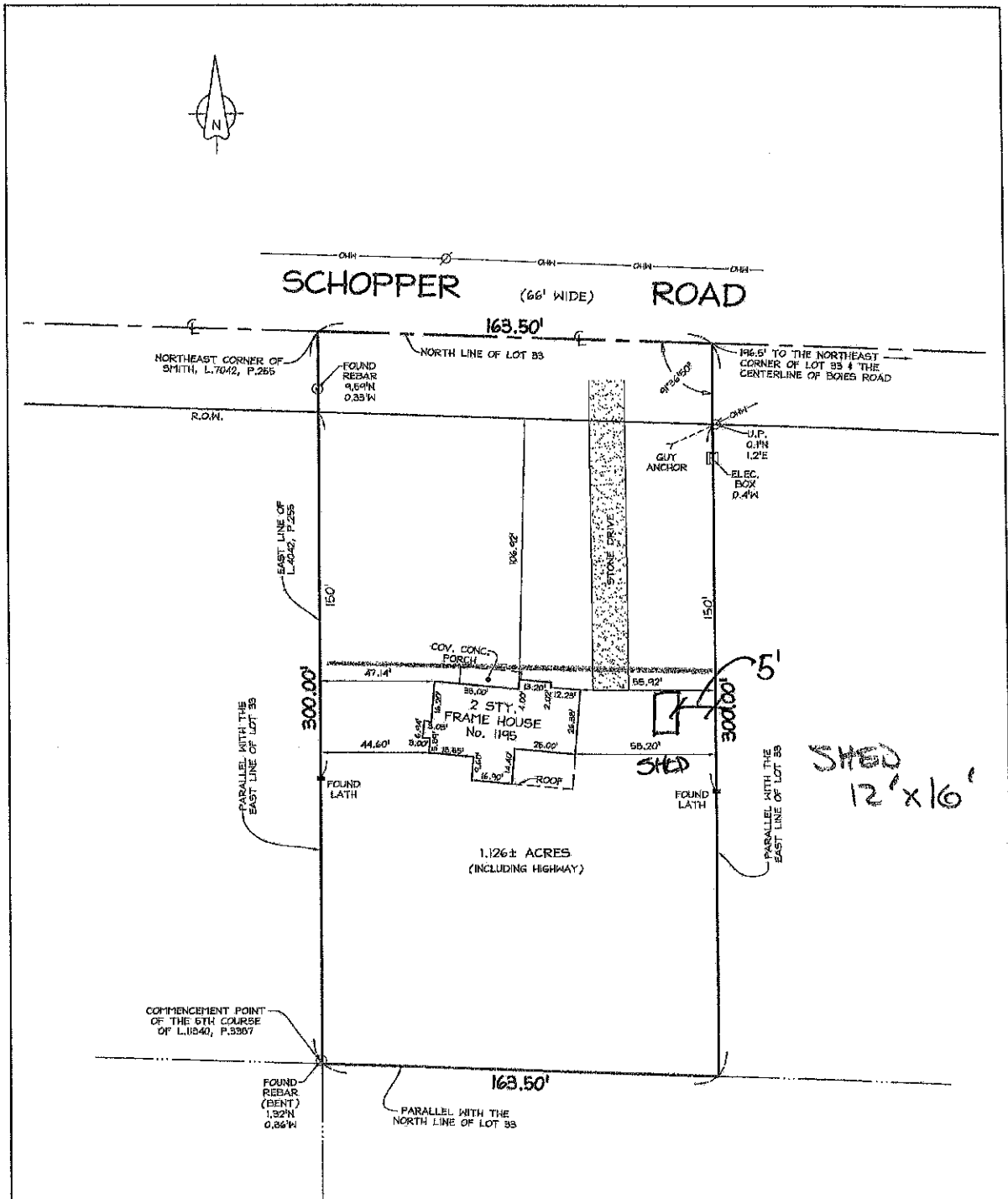
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Shed variance							
Project Location (describe, and attach a location map): 1195 Schopper Rd.							
Brief Description of Proposed Action: Shed variance for 5 Ft to property line							
Name of Applicant or Sponsor: Allison March		Telephone: a					
Address: 1195 Schopper Rd.		E-Mail: a @t.com					
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
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>Alison Mann</u> Date: <u>5/12/25</u> Signature: <u></u> Title: <u>owner</u>		

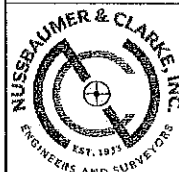


FINAL SURVEY: 9/15/2023

NO IRONS SET OR FOUND AT PROPERTY CORNERS UNLESS NOTED HEREON.

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

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such. Unauthorized alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.



BOUNDARY SURVEY
1195 Schopper Road
Part of Lot 33, Township 9, Range 6
Holland Land Company's Survey
Town of Aurora
County of Erie, State of New York
Date of Survey: 8/31/2022

Thornton A. Kenyon

Scale: 1" = 40' Project No.: 2233-0532-3



Sunset Sheds and Cabins

2022 Price List

All Shed's are made from Kiln Dried lumber and are built on Treated Wood Runners.

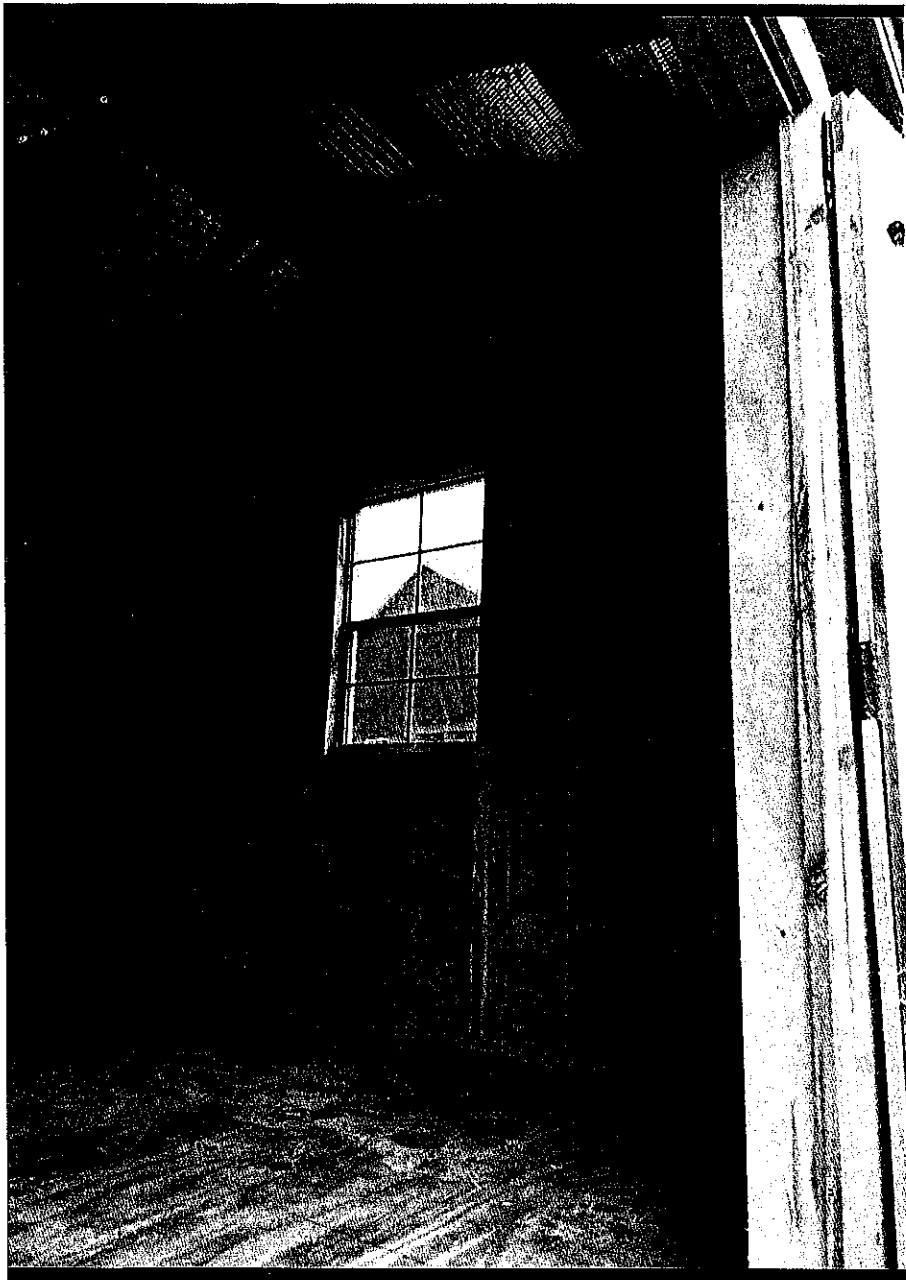
Standard Wall	High Wall	Standard Wall	High Wall	Standard Wall	High Wall
6x8 - \$912.00	\$997.00	10x10 - \$1900.00	\$2137.00	12x12 - \$2595.00	\$2880.00
8x8 - \$1216.00	\$1344.00	10x12 - \$2280.00	\$2400.00	12x14 - \$2956.00	\$3360.00
8x10 - \$1520.00	\$1680.00	10x14 - \$2660.00	\$2940.00	12x16 - \$3464.00	\$3840.00
8x12 - \$1824.00	\$1929.00	10x16 - \$2990.00	\$3160.00	12x18 - \$3882.00	\$4320.00
8x14 - \$2128.00	\$2352.00	10x18 - \$3420.00	\$3780.00	12x20 - \$4480.00	\$4819.00
8x16 - \$2432.00	\$2688.00	10x20 - \$3800.00	\$4100.00	12x22 - \$4788.00	\$5280.00
8x18 - \$2736.00	\$3024.00	10x22 - \$4180.00	\$4500.00	12x24 - \$5184.00	\$5760.00
8x20 - \$3040.00	\$3360.00	10x24 - \$4560.00	\$4680.00	12x26 - \$5619.00	\$6240.00
8x22 - \$3344.00	\$3696.00	10x26 - \$4680.00	\$5219.00	12x28 - \$6048.00	\$6720.00
8x24 - \$3648.00	\$3990.00	10x28 - \$5040.00	\$5609.00	12x30 - \$6480.00	\$7219.00
8x26 - \$3952.00	\$4368.00	10x30 - \$5400.00	\$6029.00	12x32 - \$6912.00	\$7680.00
8x28 - \$4256.00	\$4709.00	10x32 - \$5760.00	\$6419.00	12x34 - \$7349.00	\$8160.00
8x30 - \$4560.00	\$5029.00	10x36 - \$6480.00	\$7209.00	12x36 - \$7779.00	\$8640.00
				12x38 - \$8209.00	\$9120.00
				12x40 - \$8640.00	\$9619.00

Pricing includes:

3/4" Finish Pro Struct Floor - All Treated on Bottom - Metal Roofing /Choice of color

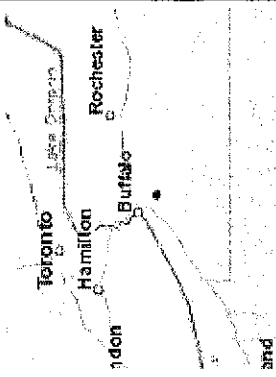
1 Double Door - 1 Wood Ramp - 2 Vents - Double Bubble under roof

High Walls are 7'3" tall ***** Standard Walls are 6' tall





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

