



original
CASE NO. 1520
DATE OF HEARING 10/16/25

Town of Aurora Zoning Board of Appeals
300 Gleed 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 Eric Horan
Address 1760 Bailey Rd
City East Aurora State N.Y. ZIP 14052
Phone 7 ax _____ Email eric@ com
Interest in _____ (purchaser/developer) contractor

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

Property Owner(s) Name(s) Ian Finn
Address 5 wood crest Dr.
City Orchard Park State N.Y. ZIP 14127
Phone 716 x _____ Email _____

III. PROPERTY INFORMATION

Property Address 5 wood crest Dr.
SBL# 174.17-3-2
Property size in acres 5.1 Property Frontage in feet 363.07
Zoning District RR/A Surrounding Zoning RR/A
Current Use of Property single family house

IV. REQUEST DETAIL

(check all that apply)

☒ Variance from Ordinance Section(s) # 116-8.4 C(2); 116-18 B; 116-8.4 F(1); 116-8.4 F(4); 116-8.4 G(2); 116-18 A(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)



Signature of Applicant/Petitioner

Eric Hosen

Print name of Applicant/Petitioner

State of New York; County of Erie

On the 9th day of Sept 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

KATHLEEN BARRY KANE

01KA4866586

(Notary stamp)

Notary Public, State of New York

Qualified in Erie County

My commission expires AUGUST 4th, 2026

Office Use Only:

Date received:

9/8/25

Receipt #:

713330

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)

Attached to current driveway, ease of use for size, not enough in door parking for vehicles

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)

Town of Aurora
300 Gleed 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:

5 wood crest Dr., identified as Tax Map (SBL)#.....
(address)

hereby authorizes Eric Hogan to bring an application for (x) 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.

[Signature]
Owner (print)

8.5.25
Date

[Signature]
Owner (signature)

STATE OF NEW YORK)
COUNTY OF ERIE) SS

On this 9th day of Sept, 2025, before me, the undersigned, a notary public in and for said state,
personally appeared IAN FENN, 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.

[Signature]
Notary Public

KATHLEEN BARRY KANE
01KA4866586
Notary Public, State of New York
Qualified in Erie County
My commission expires AUGUST 4th, 2026

**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.: 572-ZR-25

Postmark/Delivery Date: 9/17/25

The proposed action described herein is referred in accordance with the provisions of NYS General Municipal Law §239 l - 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** 10/16/2025 **Time** 7:00pm **Location** 575 Oakwood Ave., East Aurora

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: 5 Woodcrest Dr., PO Orchard Park

5a. S.B.L. of Property: 174.17-3-2

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: Proposed accessory building (garage with basketball court) height, front yard location, front and side yard setbacks, second story not in conformance with 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., East Aurora, NY 14052

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 9/17/25. 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:

Collette McDaniel

Date: 9/17/25

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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Anthony DiFilippo IV

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Robert L. Goller
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historian@townofaurora.com

FAX: (716) 652-3507

*This institution is an equal
opportunity provider and employer.*

EH Enterprise Construction Inc
Attn: Eric Honan
1760 Bailey Rd
East Aurora, NY 14052

September 8, 2025

RE: 5 Woodcrest Dr

Eric,

The Building Department has reviewed the application submitted on behalf of your client, Ian Finn, to construct an accessory building in the front yard of his property at 5 Woodcrest Dr. The request has been denied because it fails to meet the code requirements for accessory buildings in the Town.

Section 116-8.4C(2)

Required: Maximum mean height for accessory buildings/structures is one story not to exceed 15'

Requested: Accessory building with a mean height of 23.2' and a partial second story
Variance: 8.2', partial second story

Section 116-18B

Required: Accessory buildings/structures not over one story or 15' in height

Requested: Accessory building with a mean height of 23.2' and a partial second story
Variance: 8.2', partial second story

Section 116-8.4F(1)

Required: Front yard setback of 75' from the street right-of-way

Requested: Front yard setback of 63.75'
Variance: 11.25'

Section 116-8.4F(4)

Required: No accessory building/structure shall be erected in the front yard

Requested: Accessory building in the front yard
Variance: Accessory building in the front yard

Section 116-18A(1)

Required: No accessory building/structure shall be erected in the front yard

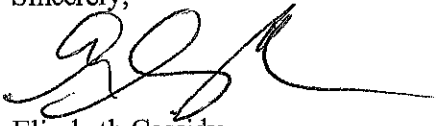
Requested: Accessory building in the front yard
Variance: Accessory building in the front yard

Section 116-8.4G(2)

Required: Accessory building/structure side yard is a distance equal to the mean height of the proposed accessory building/structure but not less than 10'. In this case the mean height of the proposed accessory building is 23.2'.
Requested: Accessory building with a 12.6' side yard setback
Variance: 10.53'

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 'Elizabeth Cassidy', with a long horizontal flourish extending to the right.

Elizabeth Cassidy
Code Enforcement Officer

Short Environmental Assessment Form

Part 1 - Project Information

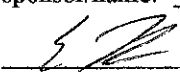
Instructions for Completing

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.

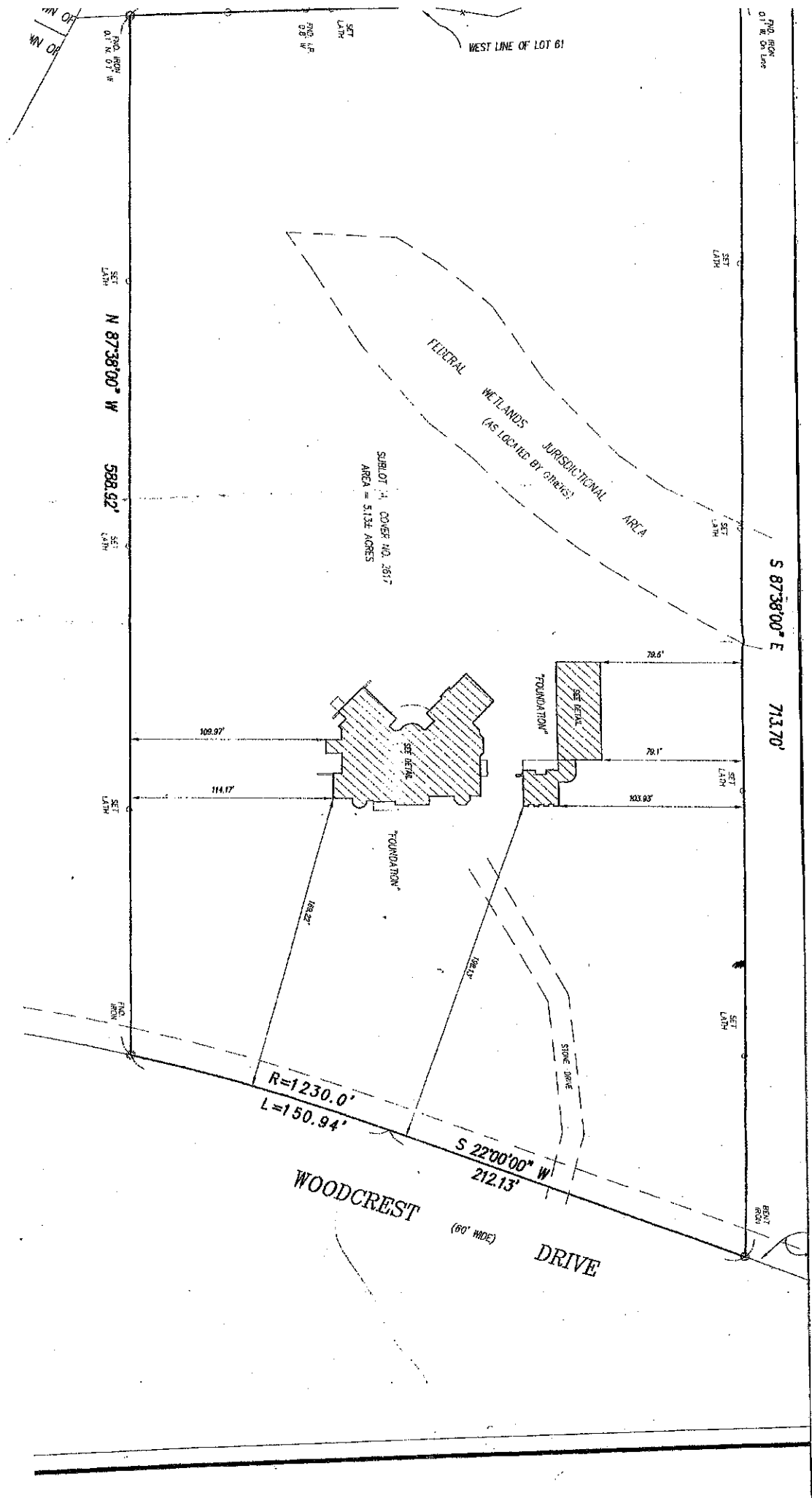
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

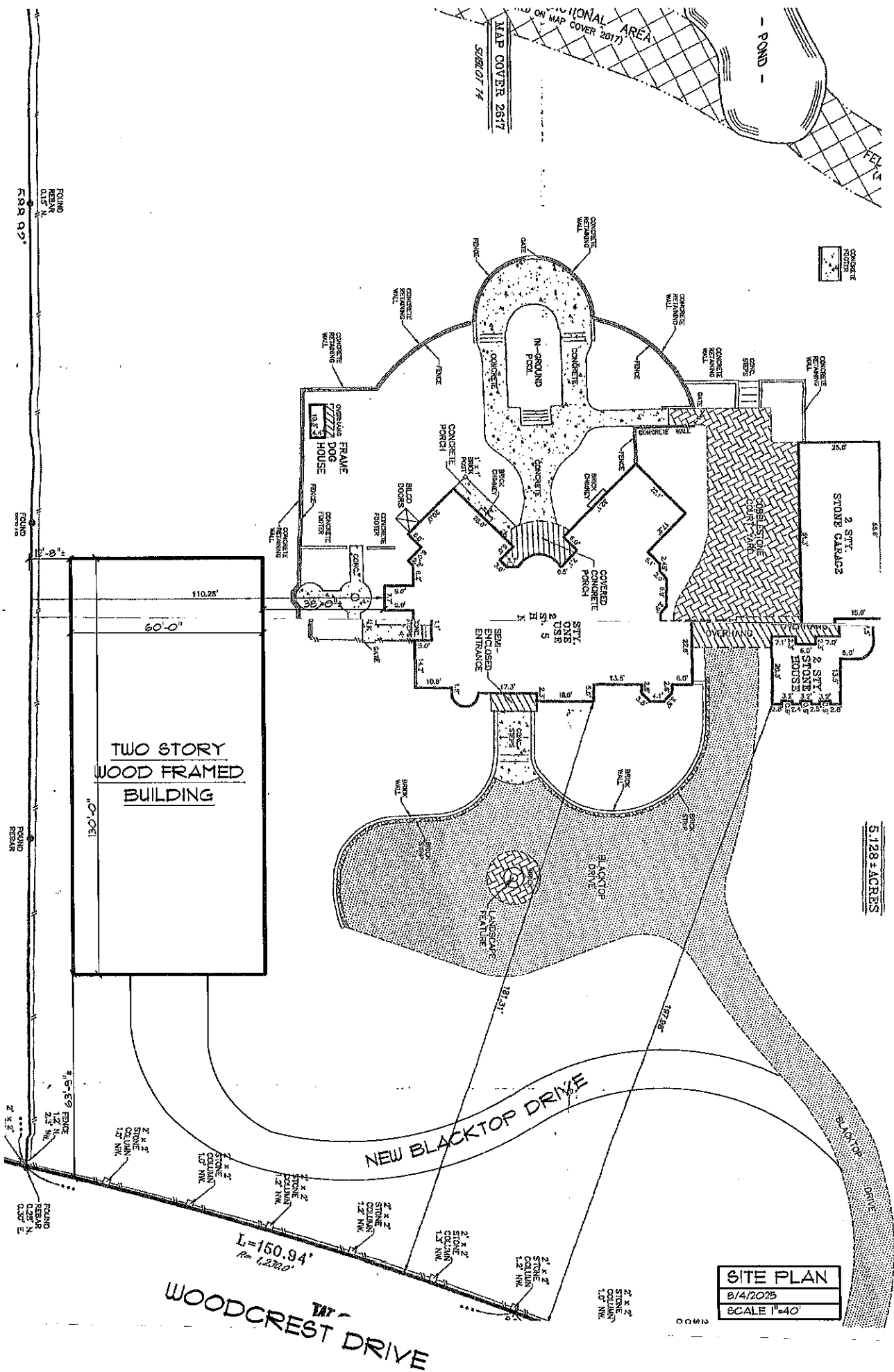
Part 1 - Project and Sponsor Information			
Garage			
Name of Action or Project:			
Front left off driveway			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Installation of garage per print			
Name of Applicant or Sponsor:		Telephone: 7	
Eric Honan		E-Mail: er	
Address:			
1760 Bailey Rd			
City/PO:		State:	Zip Code:
East Aurora		N.Y.	14052
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3. a. Total acreage of the site of the proposed action?			.20 acres
b. Total acreage to be physically disturbed?			.30 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			5.1 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			

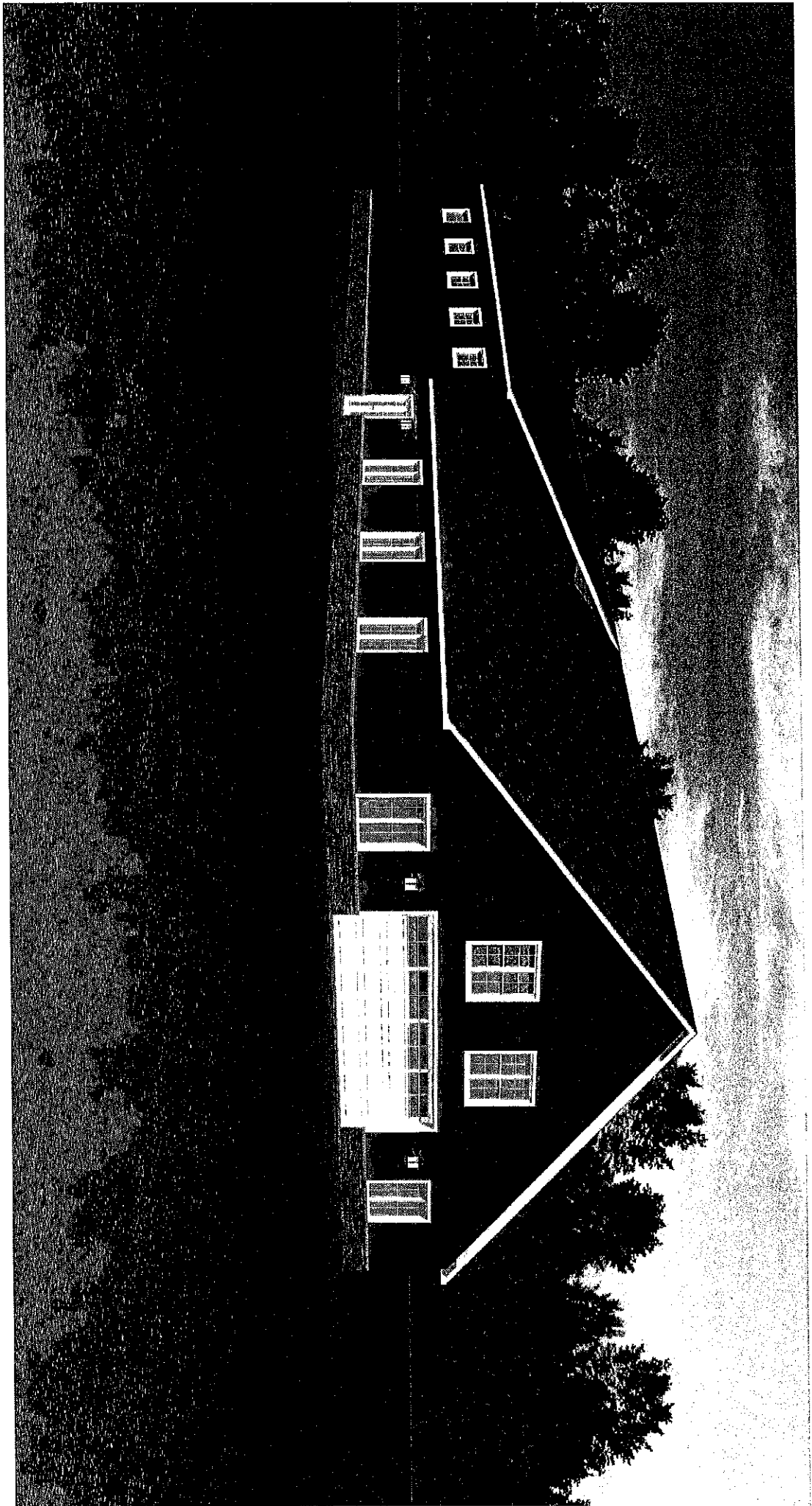
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☒ ☐	N/A ☐ ☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed 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? 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?	NO ☒ ☒ ☒	YES ☐ ☐ ☐	
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 ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☐	YES ☒	
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? 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?	NO ☒ ☒	YES ☐ ☐	
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? 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: _____ _____ _____	NO ☒ ☒	YES ☐ ☐	

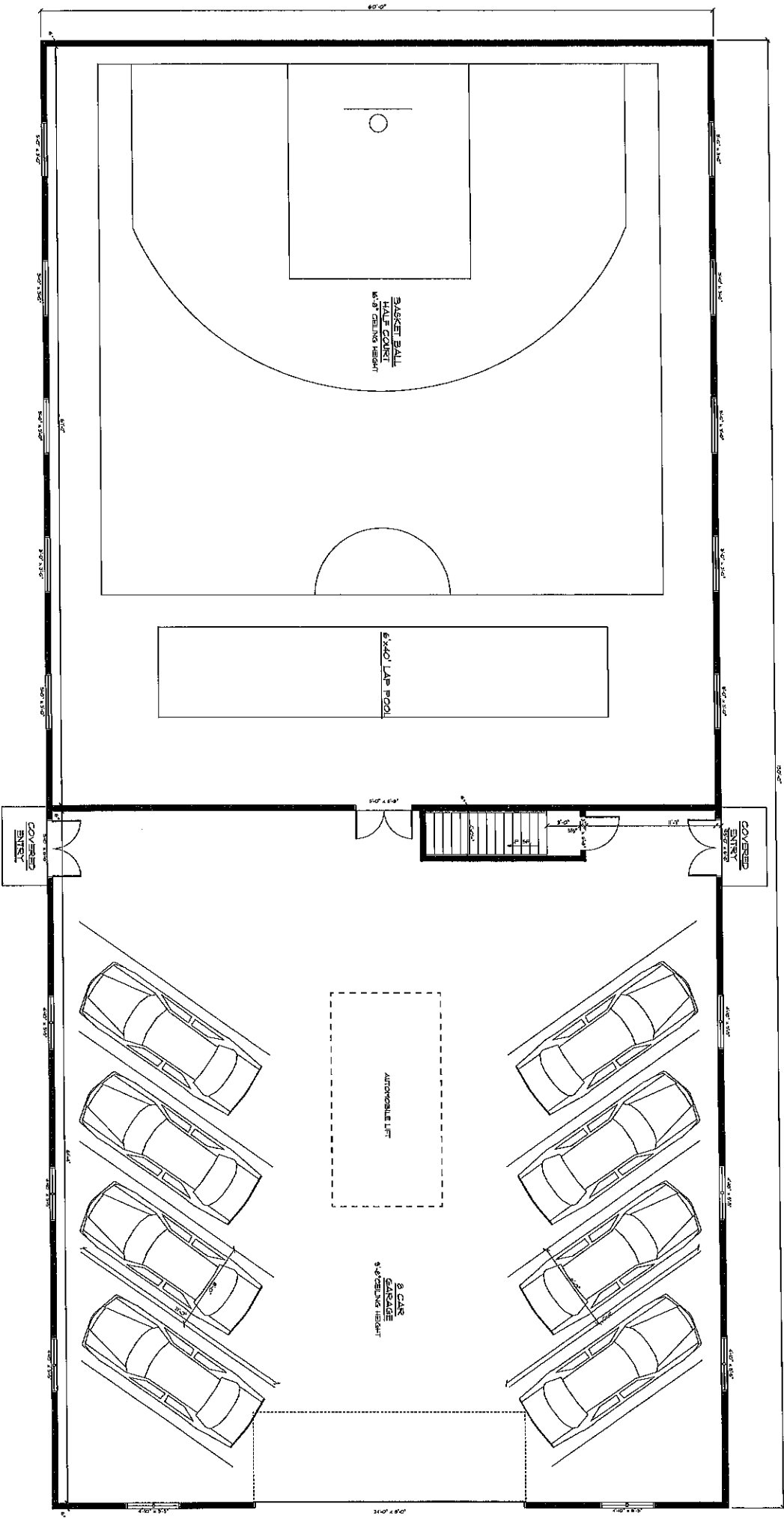
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline ☒ Forest ☒ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or 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>Drain tiles to pond already set</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>Eric Horan</u> Date: <u>9-1-25</u>		
Signature: <u></u> Title: <u>President</u>		

PRINT FORM

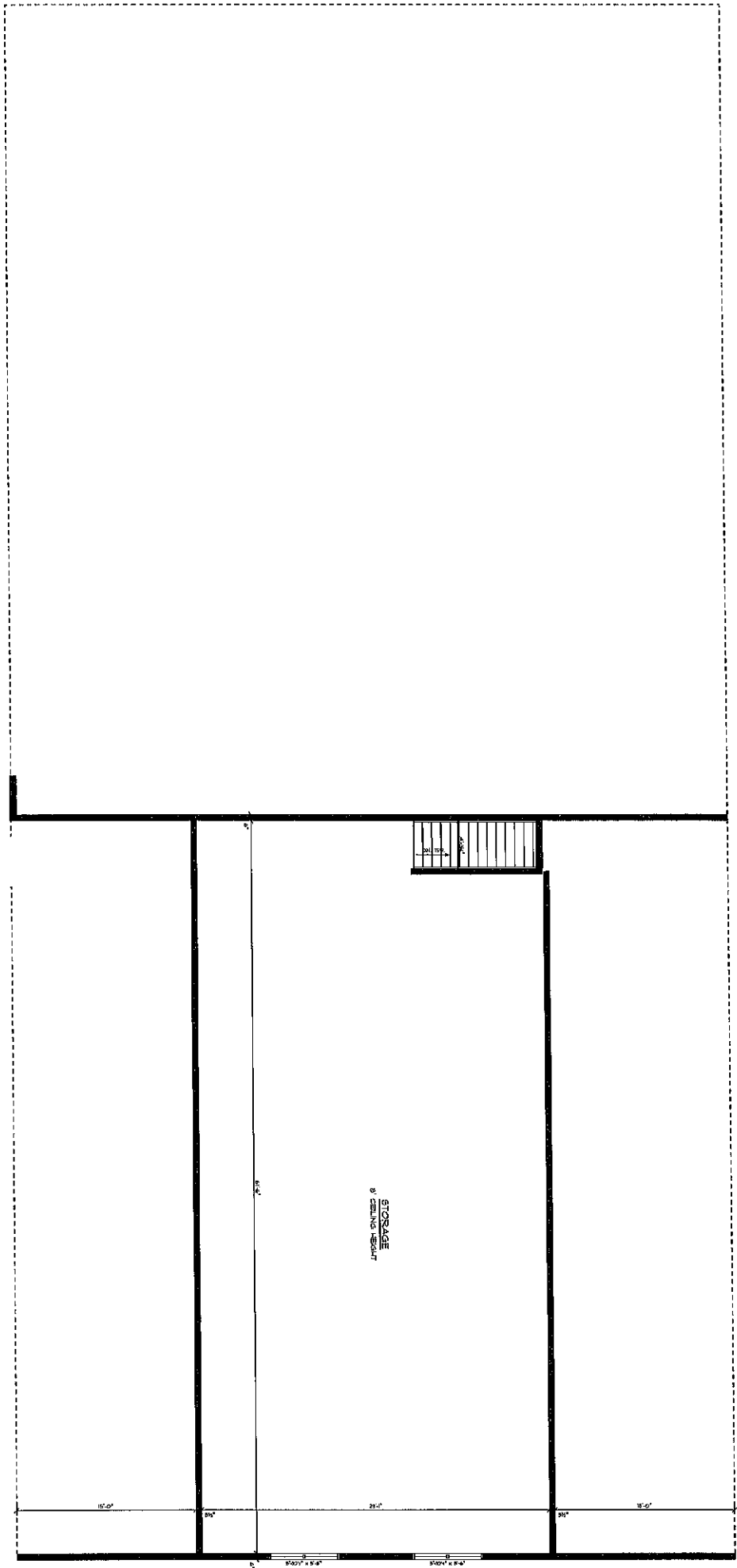




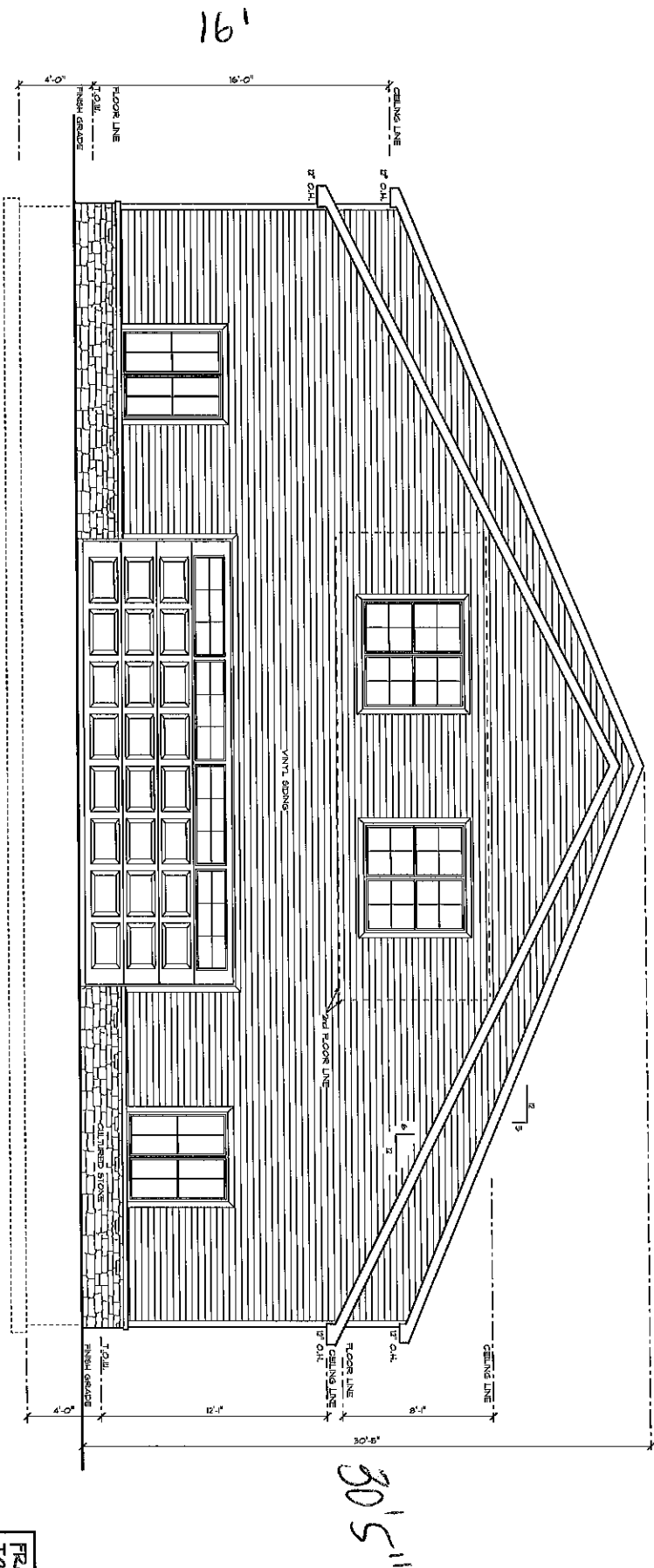




FIRST FLOOR PLAN
 5 Woodcrest Drive
 8/4/2025
 GARAGE AREA: 3593 S.F.
 RECREATION AREA: 2800 S.F.



SECOND FLOOR PLAN
5 Woodcrest Drive
6/14/2025
STORAGE AREA, 116 S.F.



Neighborhood 2321

60'

16'

30' 5"

FROM CONCEPT
TO COMPLETION...

DESIGN & DRAFTING SERVICES
BILLY D. PEARCE JR.
ARCHITECT
1035 VERNAL ROAD
ALBANY, NY 12206
PHONE (518) 507-0078

5 WOODCREST DRIVE
ALBANY, NY

ELEVATION

LAST REVISION DATE:

8/11/2005

SCALE:

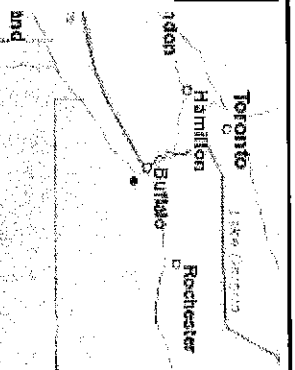
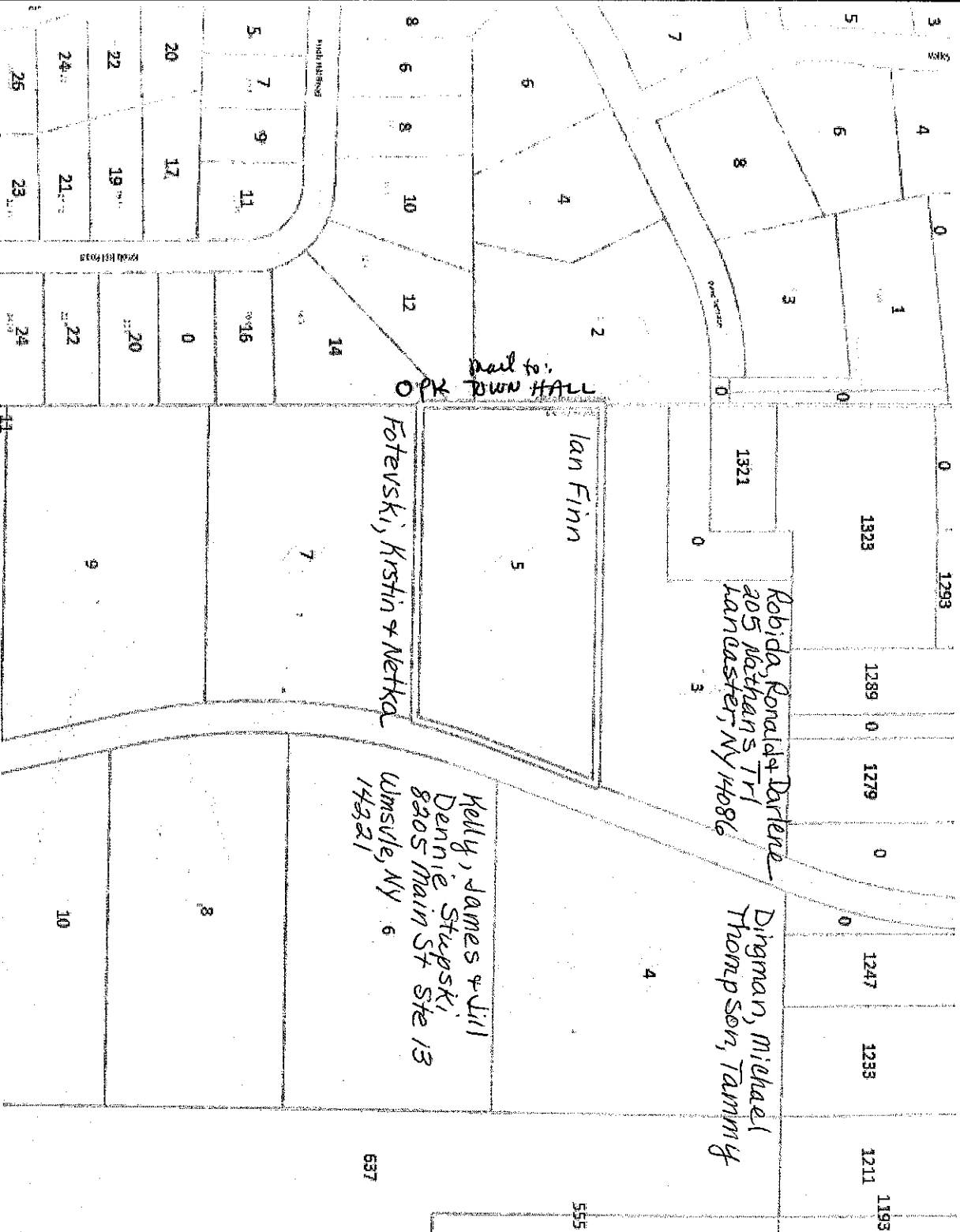
1/4" = 1'-0"

DRAWING NO.:

1 OF 1



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

