



# GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-05-ALA-8-20**

Review Date **8/13/2020**

Municipality  
Board Name  
Applicant's Name  
Referral Type  
Variance(s)  
Description:

**ALABAMA, T.**

**ZONING BOARD OF APPEALS**

**Ronald Mullen**

**Area Variance(s)**

**Area Variance to replace an existing accessory structure.**

**Side Yard Setback  
Minimum required: 25 ft.  
Existing: 5 ft.  
Proposed: 5 ft.**

Location  
Zoning District

**7480 Macomber Rd., Alabama**

**Agricultural-Residential (A-R) District**

## PLANNING BOARD DECISION

**APPROVAL**

## EXPLANATION:

Given that the new accessory structure will not encroach any further onto the side yard setback than the existing one, the proposed variance should pose no significant county-wide or inter-community impact.

Director

August 13, 2020

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

SEND OR DELIVER TO:  
GENESEE COUNTY DEPARTMENT OF PLANNING  
3837 West Main Street Road  
Batavia, NY 14020-9404  
Phone: (585) 815-7901

DEPARTMENT USE ONLY:  
GCDP Referral # T-05-ALA-8-20



**\* GENESEE COUNTY \*  
PLANNING BOARD REFERRAL**

RECEIVED  
Genesee County  
Dept. of Planning  
8/3/2020

Required According to:  
GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N  
(Please answer ALL questions as fully as possible)

**1. REFERRING BOARD(S) INFORMATION**

Board(s) TOWN OF ALABAMA  
Address 2281 JUDGE ROAD  
City, State, Zip OAKFIELD, NY 14125  
Phone (585) 948 - 9341 Ext. -

**2. APPLICANT INFORMATION**

Name RONALD MULIEN  
Address 7480 MACUMBER ROAD  
City, State, Zip OAKFIELD, NY 14215  
Phone (585) 813 - 4819 Ext. \_\_\_\_\_ Email \_\_\_\_\_

MUNICIPALITY:  City  Town  Village of \_\_\_\_\_

**3. TYPE OF REFERRAL:** (Check all applicable items)

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Area Variance | <input type="checkbox"/> Zoning Map Change         | <input type="checkbox"/> Subdivision Proposal |
| <input type="checkbox"/> Use Variance             | <input type="checkbox"/> Zoning Text Amendments    | <input type="checkbox"/> Preliminary          |
| <input type="checkbox"/> Special Use Permit       | <input type="checkbox"/> Comprehensive Plan/Update | <input type="checkbox"/> Final                |
| <input type="checkbox"/> Site Plan Review         | <input type="checkbox"/> Other: _____              |   |

**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**

A. Full Address 7480 MACUMBER ROAD OAKFIELD NY 14125  
B. Nearest intersecting road BATAVIA OAKFIELD TOWNLINE ROAD  
C. Tax Map Parcel Number 20.-1-28  
D. Total area of the property 43500 Area of property to be disturbed 288  
E. Present zoning district(s) A-R

**5. REFERRAL CASE INFORMATION:**

A. Has this referral been previously reviewed by the Genesee County Planning Board?  
 NO  YES If yes, give date and action taken \_\_\_\_\_

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law  
SECTION 403 A.2

C. Please describe the nature of this request REPLACING EXISTING BUILDING WITH NEW 12x24 STRUCTURE WHICH IS 5' FROM PROPERTY LINE. NEEDS 20' VARIANCE FOR SIDE YARD.

**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Local application      | <input type="checkbox"/> Zoning text/map amendments  | <input type="checkbox"/> New or updated comprehensive plan |
| <input type="checkbox"/> Site plan              | <input type="checkbox"/> Location map or tax maps    | <input type="checkbox"/> Photos                            |
| <input type="checkbox"/> Subdivision plot plans | <input type="checkbox"/> Elevation drawings          | <input type="checkbox"/> Other: _____                      |
| <input type="checkbox"/> SEQR forms             | <input type="checkbox"/> Agricultural data statement |  |

**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)

Name DREW KLOTZBACH Title CHAIRMAN - ZONING BOARD OF APPEALS Phone (116) 560-1979 Ext. \_\_\_\_\_  
Address, City, State, Zip 7342 ALLEGHANY ROAD BASOM NY 14013 Email DREW@ALLEGHANYFS.COM

TOWN OF ALABAMA  
Genesee County New York

**APPLICATION FOR AN AREA VARIANCE**

If the Applicant is NOT the owner of the property for which the request is being made, a letter signed by the property owner giving authorization for the applicant to apply for the request **MUST** accompany the application or no action can be taken

PLEASE PRINT OR TYPE

Date:

Applicant's Name Ronald Mullen Phone: 585-813-4819

Applicant's Mailing Address: 7480 Macomber Rd. Oakfield NY 14125

Area Variance requested for property located at: 7480 Macomber Rd. Oakfield NY 14125

Tax Map # 20.-1-28 Zoning District of property: A-R

Lot was created - 1990

Explain why you are requesting a variance: Requesting to place shed closer to the lot line than the required 25' side yard set back

*\*A detailed plot diagram clearly showing lot lines, lot size and all buildings and structures located on the property is required. It must also clearly and accurately show the distances from any proposed buildings or structures to all lot lines.*

Ronald Mullen  
Applicant's Signature

**Fees for application must be paid before a public hearing will be scheduled**

**For official use only**

The above request is for an Area Variance from the Town of Alabama Zoning Board of Appeals according to Article VIII Section 807-I-3 of the Town of Alabama zoning law

Article 1 Section 307 Table 1 requires      side yard setback of 25'     

An Area Variance is needed for: installation of 12' X 24' prefab shed 5'-9" from side property line  
Date     /    /     request was sent to the County (County recommendations attached).  
Request has been - [ ] Approved [ ] Disapproved Date     /    /     (see attached resolution)

Board Chairman     

Board Members     

Application Fee \*\* \$200.00

Received By Ronald Mullen

Date Received 7/1/2010

**\*\*Section 813 - Public hearing and Notice Requirements. Town of Alabama Zoning Law.** When a public hearing is required by the Town of Alabama Zoning Law, the requirements set forth in this section, as well as the applicable requirements of the NYS Town Law, shall be followed. All costs for the public hearing including, but not limited to the legal ad(s), required mail notifications and posting of signs, shall be paid by the applicant.

\*\* And any additional cost incurred by the town to process this application as per town fee schedule

Permit # \_\_\_\_\_  
 Zoning Permit Fee \$ \_\_\_\_\_  
 Building Permit Fee \$ \_\_\_\_\_  
 Fee Total \$ \_\_\_\_\_

**Town of Alabama**  
 Genesee County, New York

**Application For Zoning/Building Permit**

Fill out the application with a black or blue ballpoint pen. Return the completed application to the Town Clerk.  
 Once the application has been processed the Town Clerk will contact the applicant to inform them it is ready to be picked up and the cost of the permit. Permits must be picked up within two weeks from the date the town clerk notifies the applicant. If applicant fails to pick up the permit within the time stated the application will be returned to the Zoning/Building Officer and Voided. A new application will need to be submitted for the project. Permits Expire one year from the date it is Issued.

Ronald & Renee Mullen  
 Property Owners Name (Print)

*Ronald & Renee Mullen*  
 Property Owners Signature

06 / 18 / 2020  
 Date Submitted

Property Owners Mailing Address 7480 Macumber Rd Oakfield N.Y. 14125

Owners Home Phone: (585)813-4819 Owners Cell Phone: (585)813-4819

Address of property where work will be done if different than mailing address \_\_\_\_\_

Contractors Name Ron Mullen Electric Contractors Phone Number (585)813-4819  
 \*Contractors MUST provide proof of Workers Compensation Insurance before starting work.

Nature of work:  New structure 12"x24" pre fab [ ] Addition to \_\_\_\_\_ [ ] Remodel \_\_\_\_\_  
What is it? - Is it Pre Fab or Stick built (What) (Number of rooms)  
 Other (explain) \_\_\_\_\_

If a NEW dwelling: No. of Stories \_\_\_\_\_ No. of Families \_\_\_\_\_ Garage - Attached \_\_\_\_\_ Unattached x No. Cars \_\_\_\_\_

1. Solid Fuel Burning Units (what type) \_\_\_\_\_ Must provide MF installation manual

2. Remodeling \_\_\_\_\_ Total Sq. Ft. \_\_\_\_\_

3. Dimensions of addition \_\_\_\_\_ Ft. BY \_\_\_\_\_ Ft. Total Sq. Ft. \_\_\_\_\_

4. Dimensions of New structure 12 \_\_\_\_\_ Ft By 24 \_\_\_\_\_ Ft Total Sq Ft 288

5. Pools, Spas & Hot tubs \_\_\_\_\_ Ft BY \_\_\_\_\_ Ft Depth \_\_\_\_\_  
What is it? If a pool above or in-ground

6. Size and Area of the lot 174 \_\_\_\_\_ Ft. BY 250 \_\_\_\_\_ Ft. Total Sq. Ft. 43500  
Width Depth (Lot size must be feet not Acres)

7. Zoning District in which property is located -  Agricultural / Residential [ ] Residential [ ] Commercial [ ] Industrial  
 WNY Science & Technology Advanced Manufacturing Park - [ ] TD-1 [ ] TD-2 [ ] TD-3

8. Tax Map # 13 9. Estimated cost of project \$ 4000 Lot creation date per Table 1 Row \_\_\_\_\_  
(This will be provided by ZEO)

**DO NOT WRITE BELOW THIS LINE, FOR OFFICIAL USE ONLY**

Does the proposed construction or use violate any Town Zoning Law, Ordinance, or Regulation? Yes  
 If yes give details Does not meet yard set back requirements

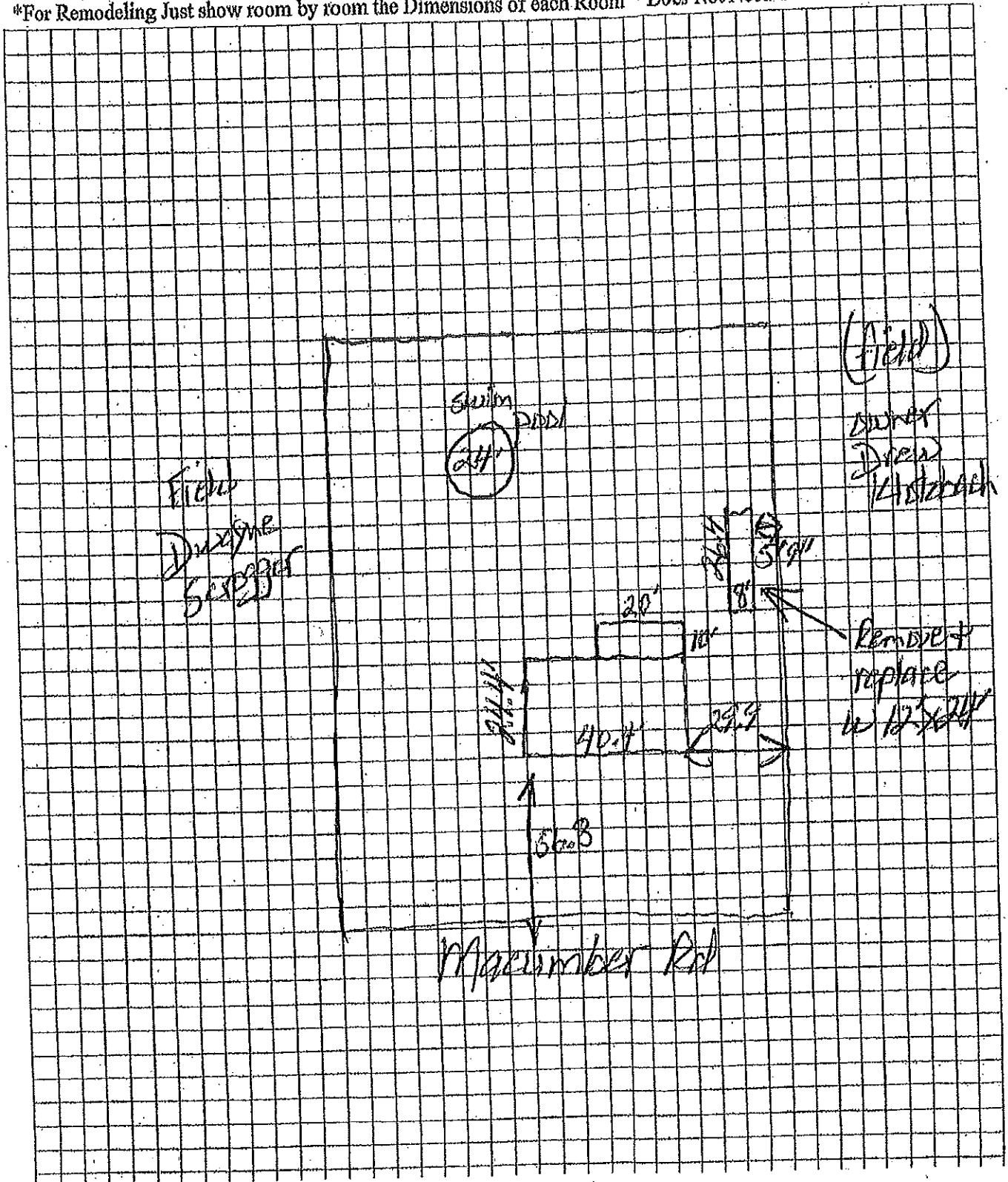
Approved Date \_\_\_\_\_ Permit Expires \_\_\_\_\_ [ ] Denied Date \_\_\_\_\_

Reason Denied  A Is Variance required [ ] A Special Use Permit is required [ ] Other \_\_\_\_\_

*Walter J. ...*  
 Signature of Zoning Enforcement Officer

PLEASE USE Plot Diagram Provided  
**PLOT DIAGRAM INSTRUCTIONS**

- \* The plot diagram must show all existing buildings and structures as well as proposed on the property.
- \* Show dimensions in feet from the Proposed building or structure to All lot lines.
- \* Dimensions not needed for existing
- \* Identify adjoining parcels, the owners of the parcels and clearly identify Street names and property lines.
- \* For Remodeling Just show room by room the Dimensions of each Room \* Does Not Need To Be to Scale



T-05-ALA-8-20



© All Pictometry

04/23/2018