



# GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-05-BETH-7-20**

Review Date **7/9/2020**

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

**BETHANY, T.**

**ZONING BOARD OF APPEALS**

**Tyrone & Lynn Woods**

**Area Variance(s)**

**Area Variance to construct a roof over an existing deck.**

**Front Yard Setback  
Minimum required: 75 ft.  
Existing deck: Approx. 28 ft.  
Proposed porch: 28 ft.**

Location  
Zoning District

**10458 Francis Rd., Bethany**

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

## PLANNING BOARD DECISION

**APPROVAL**

## EXPLANATION:

**The proposed porch should pose no significant county-wide or inter-community impact.**

Director

July 9, 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-BETH-7-20



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

RECEIVED  
Genesee County  
Dept. of Planning  
7/1/2020

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) Zoning Board of Appeals

Address 10510 Bethany Center Road

City, State, Zip East Bethany NY 14054

Phone (585) 343-1399 Ext. \_\_\_\_\_

**2. APPLICANT INFORMATION**

Name Tyrone & Lynn Woods

Address 10458 Francis Road

City, State, Zip East Bethany NY 14054

Phone (585) 813-6694 Ext. \_\_\_\_\_ Email \_\_\_\_\_

MUNICIPALITY:  City  Town  Village of Bethany

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

- Area Variance
- Use Variance
- Special Use Permit
- Site Plan Review

- Zoning Map Change
- Zoning Text Amendments
- Comprehensive Plan/Update
- Other: \_\_\_\_\_

- Subdivision Proposal
- Preliminary
- Final

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

A. Full Address 10458 Francis Road East Bethany NY 14054

B. Nearest intersecting road Rt 20

C. Tax Map Parcel Number 7.-1-40.12

D. Total area of the property 3.1 A Area of property to be disturbed 638 sq ft

E. Present zoning district(s) AR

**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

Art. III, Sec. 301, Subsec. Schedule A, A-R Front Yard

C. Please describe the nature of this request Construct a porch over an existing deck, 28' from ROW (75' required)

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

- Local application
- Site plan
- Subdivision plot plans
- SEQR forms

- Zoning text/map amendments
- Location map or tax maps
- Elevation drawings
- Agricultural data statement

- New or updated comprehensive plan
- Photos
- Other: \_\_\_\_\_

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

Name Thomas Douglas Title CEO/ZEO Phone (585) 356-0824 Ext. \_\_\_\_\_

Address, City, State, Zip 10510 Bethany Center Rd. E Bethany NY 14054 Email ceobethanyny@yahoo.com



# TOWN OF BETHANY

Area  Use  Interpretation Variance

APPLICATION NO: SA 2020

DATE: 4/15/2020

PROPERTY OWNER: Tyrone & Lynne Woods

ADDRESS: 10458 Francis Rd PHONE NO: 585-813-6694  
585-813-2636

APPLICANT (if other than owner): N/A

ADDRESS: \_\_\_\_\_ PHONE NO: \_\_\_\_\_

LOCATION OF PROPERTY: 10458 Francis Rd

ZONING DISTRICT: A-R TAX MAP PARCEL NO: 7-1-4072

### PROVISION OF ZONING LAW INVOLVED:

ARTICLE: III SECTION: 301 SUBSEC: Sch A PARA: A-R FRT 40

PURPOSE OF REQUEST: Erect a porch over existing Deck, 28' from ROW (75' Req.)

The owner must submit appropriate supporting materials including site plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps and any other materials that will assist the Board in understanding the request.

**CERTIFICATION:** I hereby certify that I have read the instructions and examined this application and supporting attachments and know the same to be true and correct. All provisions of laws and of work or use will be complied with whether specific herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinance or performance of construction.

Signature of Property Owner: Tyrone Woods Date: 4/15/2020  
(only applications signed by the property owner may be considered)

### OFFICE USE ONLY:

Amount/Date Fee Paid: \_\_\_\_\_ / \_\_\_\_\_  
Check No/Cash: \_\_\_\_\_

500 ft Notification: \_\_\_\_\_  
1st Public Hearing: \_\_\_\_\_  
2nd Public Hearing: \_\_\_\_\_

Planning Board Submission: \_\_\_\_\_  
Planning Board Recommend: \_\_\_\_\_  
G.C.P.B. Submission: \_\_\_\_\_  
G.C.P.B Recommend: \_\_\_\_\_  
Date Received: \_\_\_\_\_

ZBA Recommend: \_\_\_\_\_  
Signature: \_\_\_\_\_  
File Closed: \_\_\_\_\_



TOWN VILLAGE CITY OF Belhary

Application # \_\_\_\_\_

# Agricultural Data Statement

Date 6/15/2020

**Instructions:** This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: <u>Tyrone &amp; Lynne Wood</u>	Name: _____
Address: <u>10458 Francis Rd</u> <u>Belhary NY 14054</u>	Address: _____

- Type of Application:  Special Use Permit;  Site Plan Approval;  ~~Use~~ Variance;  Subdivision Approval  
(circle one or more) ALERT
- Description of proposed project: Erect a front porch  
NRAA Variance req, proposal 20' from  
Row, 75' req
- Location of project: Address: 10458 Francis Rd  
Tax Map Number (TMP) 71-1-4012
- Is this parcel within an Agricultural District?  NO  YES (Check with your local assessor if you do not know)
- If YES, Agricultural District Number \_\_\_\_\_
- Is this parcel actively farmed?  NO  YES
- List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: <u>Richard Barie</u>	Name: _____
Address: <u>Belhary</u> <u>10171 Bethany Center Road E Bethany</u>	Address: _____
Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES
Name: _____	Name: _____
Address: _____	Address: _____
Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

X \_\_\_\_\_ Signature of Applicant  
 \_\_\_\_\_ Signature of Owner (if other than applicant)

Reviewed by: [Signature] Date: 6/15/2020  
 Signature of Municipal Official

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.



# Memo

**To:** Zoning Board of Appeals  
**From:** Thomas J. Douglas  
Code Enforcement Officer  
**Re:** SEQR

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This action, AV- 200, is an Area Variance only.

Therefore this action is covered under NYS Dept. of Environmental Conservation, Rules and Regulations, 6 NYCRR Part 617. State Environmental Quality Review (SEQR)

Section 617.5(C) (12) granting of individual setback and lot line variances; and Section 617.5(C) (13) granting of an area variance (s) for a single-family, two-family, or three-family residence, are listed as Type II actions not subject to review.

Hence no SEQR review is required as part of this action



**TOWN OF BETHANY**

**VARIANCE MEETING SCHEDULE**

- > **Town of Bethany Planning Board**  
10510 Bethany Center Road  
East Bethany NY 14054  
Date: 7/2/2020  
Day: Thursday  
Time: 7:00 p.m.
  
- > **Genesee County Planning Board**  
County Building #2  
Batavia NY 14020  
Date: 7/9/2020  
Day: Thursday  
Time: 7:00 p.m.  
(Arrive 15 min. early)
  
- > **Town of Bethany Zoning Board of Appeals**  
10510 Bethany Center Road  
East Bethany NY 10440  
Date: 7/22/2020  
Day: Wednesday  
Time: 7:30 p.m.
  
- > **Public Hearing**  
10510 Bethany Center Road  
East Bethany NY 14054  
Date: 7/22/2020  
Day: Wednesday  
Time: 7:30 AM

7-1-40.11

7-1-40.12

7-1-30.1

Francis Road

28 ft

04/23/2018

© All Pictomete







7-1-4011

7-1-4012

7-1-2712

7-1-2712

7-1-2711

Francis Road

28 ft

