



# GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-01-BETH-4-18**  
Review Date **4/12/2018**

Municipality	<b>BETHANY, T.</b>
Board Name	<b>ZONING BOARD OF APPEALS</b>
Applicant's Name	<b>Bethany Volunteer Fire Co.</b>
Referral Type	
Variance(s)	<b>Area Variance(s)</b>
Description:	<b>Area Variance to construct a 600 sq. ft. accessory building.</b>  <b>Side Yard Setback</b> <b>Minimum required: 50 ft.</b> <b>Existing building: Approx. 19 ft.</b> <b>Proposed accessory building: Approx. 27 ft.</b>
Location	<b>5251 Old Telephone Rd., Bethany</b>
Zoning District	<b>Agricultural-Residential (A-R) District</b>

### PLANNING BOARD DECISION

**APPROVAL**

### EXPLANATION:

**Given that the existing building is closer to the property line, the proposed variance for the accessory building should pose no significant county-wide or inter-community impact.**

Director

April 12, 2018

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-01-BETH-4-18



\* GENESEE COUNTY \*  
PLANNING BOARD REFERRAL

RECEIVED  
Genesee County  
Dept. of Planning  
4/2/2018

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 Bethany Volunteer Fire Company  
Address 5251 Old Telephone Road  
City, State, Zip East Bethany NY 14054  
Phone ( ) - Ext. \_\_\_\_\_ Email \_\_\_\_\_

MUNICIPALITY:  City  Town  Village of Bethany

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 5251 Old Telephone Road, East Bethany NY 14054  
B. Nearest intersecting road Bethany Center Road  
C. Tax Map Parcel Number 8-F-13.12  
D. Total area of the property \_\_\_\_\_ Area of property to be disturbed < 1/2 acre  
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  
Article III, Section 301, Schedule A Non-Residential, side line  
C. Please describe the nature of this request Construct a 20x30 free standing accessory building for storage too close to side and rear lot lines

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

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Local application | <input type="checkbox"/> Zoning text/map amendments             | <input type="checkbox"/> New or updated comprehensive plan |
| <input checked="" type="checkbox"/> Site plan         | <input checked="" 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 checked="" type="checkbox"/> Agricultural data statement |  |

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

Name Thomas Douglas, CEO Title CEO/ZEO Phone (585) 356-0824 Ext. \_\_\_\_\_  
Address, City, State, Zip 10510 Bethany Center Road Email ceo.bethany.ny@yaho.com  
East Bethany NY 14054



# TOWN OF BETHANY

Area  Use  Interpretation Variance

APPLICATION NO. SA18003

DATE: 3/12/18

PROPERTY OWNER: Bethany Fire Dept

ADDRESS: 5251 Old Telephone Rd PHONE NO: \_\_\_\_\_

APPLICANT (if other than owner): Jeff Wolak

ADDRESS: Bethany Center Rd PHONE NO (H): 344-1962

LOCATION OF PROPERTY: 5251 Old Telephone Rd.

ZONING DISTRICT: A-R TAX MAP PARCEL NO: 8.-1-13.12

### PROVISION OF ZONING LAW INVOLVED:

ARTICLE: III SECTION: 301 SUBSEC: SCH A. PARA: NON RES. SIDE LINE

PURPOSE OF REQUEST: Erect a 20' x 32' x 10' (EAVES) FREE STANDING ACCESSORY Bldg FOR STORAGE

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: [Signature] Date: 3-28-2018  
(only applications signed by the property owner may be considered)

### OFFICE USE ONLY:

Amount/Date Fee Paid: WAIVED/WAIVED

Check No/Cash: WAIVED

Planning Board Submission: 3/28/18

Planning Board Recommend: \_\_\_\_\_

G.C.P.B. Submission: 3/28/18

G.C.P.B Recommend: \_\_\_\_\_

Date Received: \_\_\_\_\_

500 ft Notification: \_\_\_\_\_

1st Public Hearing: \_\_\_\_\_

2nd Public Hearing: \_\_\_\_\_

ZBA Recommend: \_\_\_\_\_

Signature: \_\_\_\_\_

File Closed: \_\_\_\_\_

**TOWN**  
(circle one)

VILLAGE CITY OF Bethany Application # 5A18003

**Agricultural Data Statement**

Date 3/12/18

**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>Self, Wolah</u> Address: <u>Bethany Centre Rd</u> <u>2 Bethany NY</u>	Name: <u>Bethany FD</u> Address: <u>5251 Old Telephone Rd</u> <u>2 Bethany NC</u>

1. Type of Application:  Special Use Permit;  Site Plan Approval;  Use Variance;  
(circle one or more)  Subdivision Approval A REC
2. Description of proposed project: Erect a 20 x 32 x 10 Acc Bldg  
to close to side + rear yds
3. Location of project: Address: 5251 Old Telephone Rd  
Tax Map Number (TMP) 81-1-13.12

4. Is this parcel within an Agricultural District?  NO  YES (Check with your local assessor if you do not know)
5. If YES, Agricultural District Number \_\_\_\_\_
6. Is this parcel actively farmed?  NO  YES
7. List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: <u>Berniah</u> Address: <u>Bethany NY</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES
Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

[Signature]  
Signature of Applicant

[Signature]  
Signature of Owner (if other than applicant)

Reviewed by: [Signature]  
Signature of Municipal Official

3/15/18  
Date

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~~ S/A 18003, 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

SA18003  
Bethany Vol. Fire Dept.  
5251 Old Telephone Rd  
East Bethany NY 14054

**TOWN OF BETHANY**  
*Area*  
**VARIANCE MEETING SCHEDULE**

- > Town of Bethany Planning Board  
10510 Bethany Center Road  
East Bethany NY 14054  
Date: 4/5/18  
Day: Thursday  
Time: 7:30 p.m.
  
- > Genesee County Planning Board  
County Building #2  
Batavia NY 14020  
Date: 4/12/18  
Day: Thursday  
Time: 7:30 p.m.  
(Arrive 15 min. early)
  
- > Town of Bethany Zoning Board of Appeals  
10510 Bethany Center Road  
East Bethany NY 10440  
Date: 4/25/18  
Day: Wednesday  
Time: 7:30 p.m.
  
- > Public Hearing  
10510 Bethany Center Road  
East Bethany NY 14054  
Date: 4/25/18  
Day: wednesday  
Time: 7:30 PM ✓

## TOWN OF BETHANY

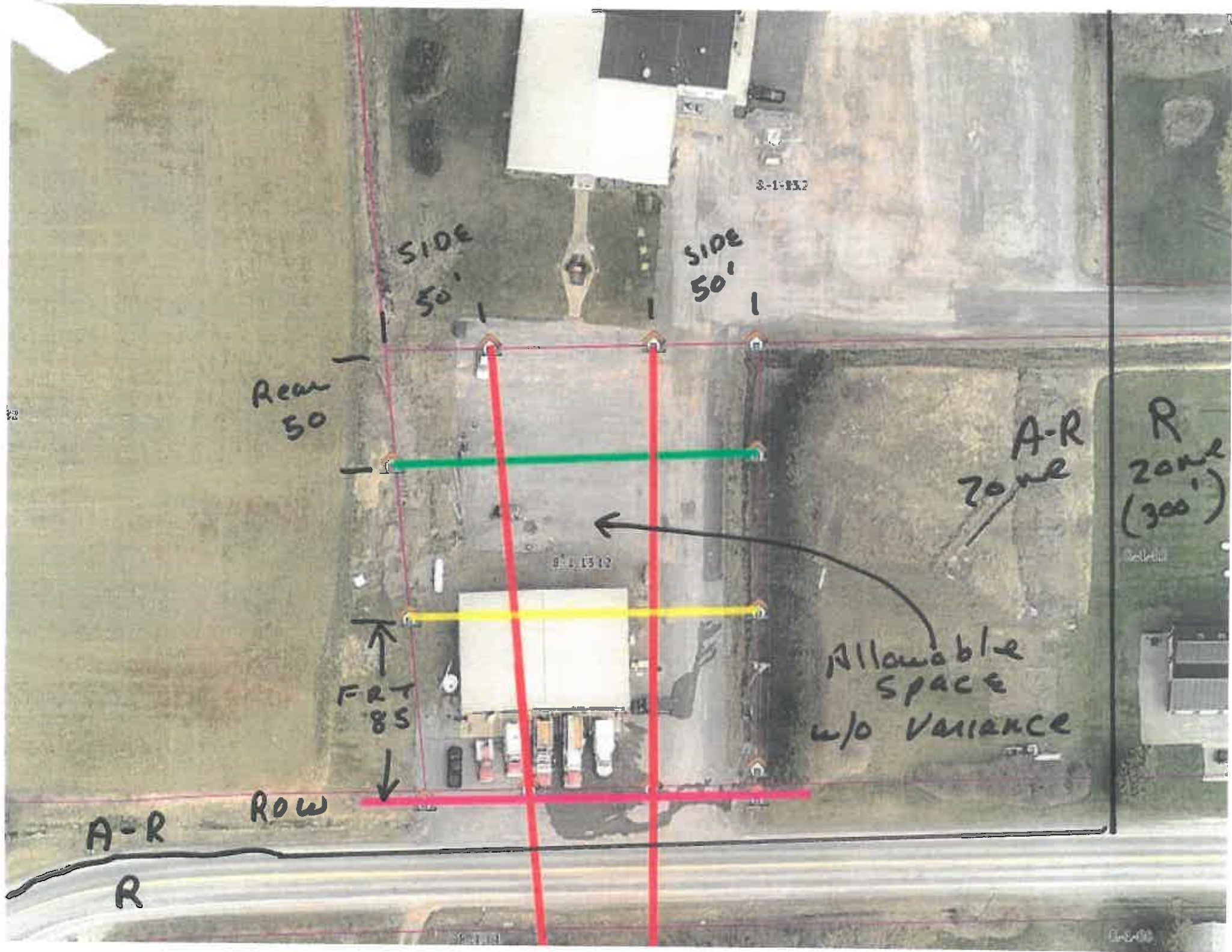
Area  
VARIANCE 500 FT CONTACT LIST

APPLICANT NAME: Bethany Volunteer Fire Company  
 APPLICANT ADDRESS: 5251 Old Telephone Road, East Bethany  
 PROPERTY LOCATION: 5251 Old Telephone Road, East Bethany  
 APPLICATION NO.: SA18003      DATE: 3/28/18  
 TAX MAP #: 8.-1-13.2

TAX MAP #	PROPERTY OWNER	ADDRESS	CITY, STATE ZIP
8.-1-82	Kenneth Barniak	10667 East Road	Pawilion 14525
8.-1-13.2	Town of Bethany	10510 Bethany Center Rd	EB 14054
8.-1-13.11	Bethany Vol Fire Co.	5251 Old Telephone Rd	EB 14054
8.-1-15	Nancy Pfeffer	10480 Bethany Center Rd	EB 14054
8.-1-16	Jackson Woika	10490 Bethany Ctr Rd	EB 14054
8.-1-17	Patrick Reynolds	10504 Bethany Ctr Rd	EB 14054
8.-1-18	Shawn Staskiewicz	10524 Bethany Ctr Rd	EB 14054
8.-1-25	Troy Reilly	10483 Bethany Ctr Rd	EB 14054
8.-1-24.2	Larry Lidd	10493 Bethany Ctr Rd	EB 14054
8.-1-24.1	Michael Doran	10497 Bethany Ctr Rd	EB 14054
8.-1-23	Mary Donnelly	10509 Bethany Ctr Rd	EB 14054
8.-1-22	Joann Petrovich	10513 Bethany Ctr Rd	EB 14054
8.-1-19	Rachael Brown	5278 Old Telephone Rd	EB 14054
8.-1-59.1	Vance Rickenburg	1592 Bank Rd	Wyoming 17591
8.-1-60	Erik Kendall	10534 Bethany Ctr Rd	EB 14054
8.-1-63	David Canterbury	10554 Bethany Ctr Rd	EB 14054
8.-1-64.2	Gerald Wolff	10560 Bethany Ctr Rd	EB 14054
8.-1-64.1	Robert Eckenbrecht	10564 Bethany Ctr Rd	EB 14054
8.-1-73	Patricia Fiety	Unit 3430 PO Box 531	DPO, AA 34039







SIDE  
50'

SIDE  
50'

Rear  
50'

A-R  
zone

R  
zone  
(300')

FRONT  
85'

Allowable  
space  
w/o variance

A-R  
ROW

R

8-1-1312

8-1-1312

8-1-1312

8-2-01



SIDE YARD VARIANCE  
50' REQUIRED

# T-01-BETH-4-18

