



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-01-ELBA-6-19**
Review Date **6/13/2019**

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

ELBA, T.
ZONING BOARD OF APPEALS
David Rigerman
Area Variance(s)
Area Variance to replace an existing barn with a larger one.
Rear Yard Setback
Minimum required: 50 ft.
Proposed barn: 41 ft.

Location
Zoning District

4749 Batavia- Elba Townline Rd., Elba
Agricultural-Residential (A-R) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

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

Director

June 13, 2019

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-ELBA-6-19



**GENESEE COUNTY
PLANNING BOARD REFERRAL**

RECEIVED
Genesee County
Dept. of Planning
6/4/2019

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) Elba Zoning Board
Address PO BOX 295
City, State, Zip Elba, NY 14058
Phone (585) 757-2762 Ext. 1

2. APPLICANT INFORMATION

Name David Rigerman
Address 4749 Batavia-Elba Townline Rd
City, State, Zip Batavia, NY 14020
Phone (585) 81-5921 Ext. 4 Email

MUNICIPALITY: City Town Village of Elba

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: <u></u> | |

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

- A. Full Address 4749 Batavia-Elba Townline Road, Town of Elba
- B. Nearest intersecting road State Street Road
- C. Tax Map Parcel Number 11.-1-17
- D. Total area of the property 285' x 200' Area of property to be disturbed rear
- 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
Zoning Schedule A
- C. Please describe the nature of this request New pole barn location will not meet the
require rear setback of 50'.

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 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: <u></u> |
| <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 John Babcock Title Chair, ZBA Phone (585) 757 6831 Ext.
Address, City, State, Zip 6788 Snyder Rd, Oakfield, NY Email jbkb1@outlook.com

TOWN OF ELBA
Genesee County, New York

PETITION TO THE ZONING BOARD OF APPEALS

Petition is made to the Board of Appeals of the Town of Elba for one of the following reasons (please check):

- Variance Special Permit Zoning change Other

STATE THE NATURE OF PETITION:

less than required 50' set back TO back
property line.

Name and Address of Petitioner(s):

David Rigerman
4744 Bat. - Elba Twn. Rd
Batavia, NY 14020

Signature: David Rigerman

Date: 5/14/19

Petition Fee: \$65.00 Special Public Hearing: additional \$125.00

Date paid: 5/14/19

Date paid: _____

Received by: Reeth
Town Clerk/Deputy Town Clerk

Received by: _____
Town Clerk/Deputy Town Clerk

To be completed by ZBA:

Public Hearing date: _____	Special Hearing date: _____
ZBA Chairman: _____	
Dated: _____	

APPLICATION FOR: BUILDING PERMIT

APPLICATION NO. _____

TOWN OF ELBA, NY 14058

APPLICATION DATE _____

APPLICANT: David Rigerman PROJECT SITE LOCATION: 4749 Bat-Elba Twn. Rd.

ADDRESS: 4749 Bat-Elba Twn. Rd. Batavia NY 14020

TELEPHONE # 585-815-9214 TAX MAP # (TMP) _____
(CHECK WITH LOCAL ASSESSOR)

INSTRUCTIONS: PLEASE FILL OUT THIS ENTIRE APPLICATION WITH A BALL POINT PEN AND SUBMIT THE COMPLETED APPLICATION AND REQUIRED ATTACHEMETS TO THE ZONING ENFORCEMENT OFFICER (ZEO) PRIOR TO COMMENCING CONSTRUCTION. A LIST OF REQUIRED ATTACHEMETS IS INCLUDED IN THIS PACKET.
THIS APPLICATION IS NON-TRANSFERABLE.

- 1. APPLICATION FOR: RESIDENTIAL COMMERCIAL INDUSTRIAL AGRICULTURAL
- 2. APPLICATION FOR PERMIT FOR (CHECK ONE): NEW CONSTRUCTION ADDITION RELOCATION ALTERATION REPAIR
DEMOLITION CHANGE IN USE

3. IS THIS PARCEL: A CORNER LOT? YES NO IN A SEWER DISTRICT? YES NO

4. LIST DIMENSIONS OF LOT 300' x 285' AND/OR LOT AREA (ACRES) 1.31
(LENGTH) (WIDTH)

5. WHAT IS THE FRONT SETBACK (FEET) FROM THE PROJECT TO THE STREET RIGHT-OF-WAY (R.O.W.) 130, AND THE YARD SETBACKS (FEET)
FROM THE PROJECT TO PROPERTY LINE(S) SIDE (A) 120' (B) 28', REAR 41'

6. TOTAL % OF COVERAGE OF ALL BUILDINGS ON LOT (INCLUDING PROPOSED PROJECT): _____ TOTAL %.

7. NAME OF ARCHITECT OR ENGINEER _____ TELEPHONE # _____
ADDRESS _____

8. NAME OF CONTRACTOR _____ TELEPHONE # _____
ADDRESS _____

9. ESTIMATED COST OF PROJECT: \$12,000 (SUBSTANTIATION MAY BE REQUIRED).

10. TOTAL DWELLING UNITS 1

11.

PROPOSED PROJECT	HEIGHT	LENGTH	WIDTH	SQ. FT.
HOUSE				
GARAGE				
ACCESSORY BUILDING	16	36	28	1008
COMMERCIAL				
INDUSTRIAL				
OTHER				
TOTAL Sq. Ft.				1008

12. DESCRIBE PROPOSED PROJECT AND USE: Remove old pole Barn - Erect new pole barn over part of old pad and be 21' wider and 2' longer than old 17' x 21' Barn

(USE ADDITIONAL SHEET(S) FOR MORE SPACE AND ANY SUPPORTING INFORMATION)

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 ordinances covering this type of work or use will be complied with whether specified 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 law or ordinance regulating construction or performance of construction.

David Rigerman
Signature (applicant)

Signature (owner, if other than applicant)

OFFICE USE ONLY

ACTION TAKEN BY Z.E.O.: APPROVED DENIED , IF DENIED REASON: Does not meet the required rear setback of 50'

DATE: 5-15-19 Z.E.O. Mark A. Micholoff (SIGNATURE) FEE: _____
SENT TO: PLANNING BOARD DATE _____ BOARD OF APPEALS DATE _____

ACTION TAKE BY C.E.O.: APPROVED DENIED , IF DENIED REASON: _____

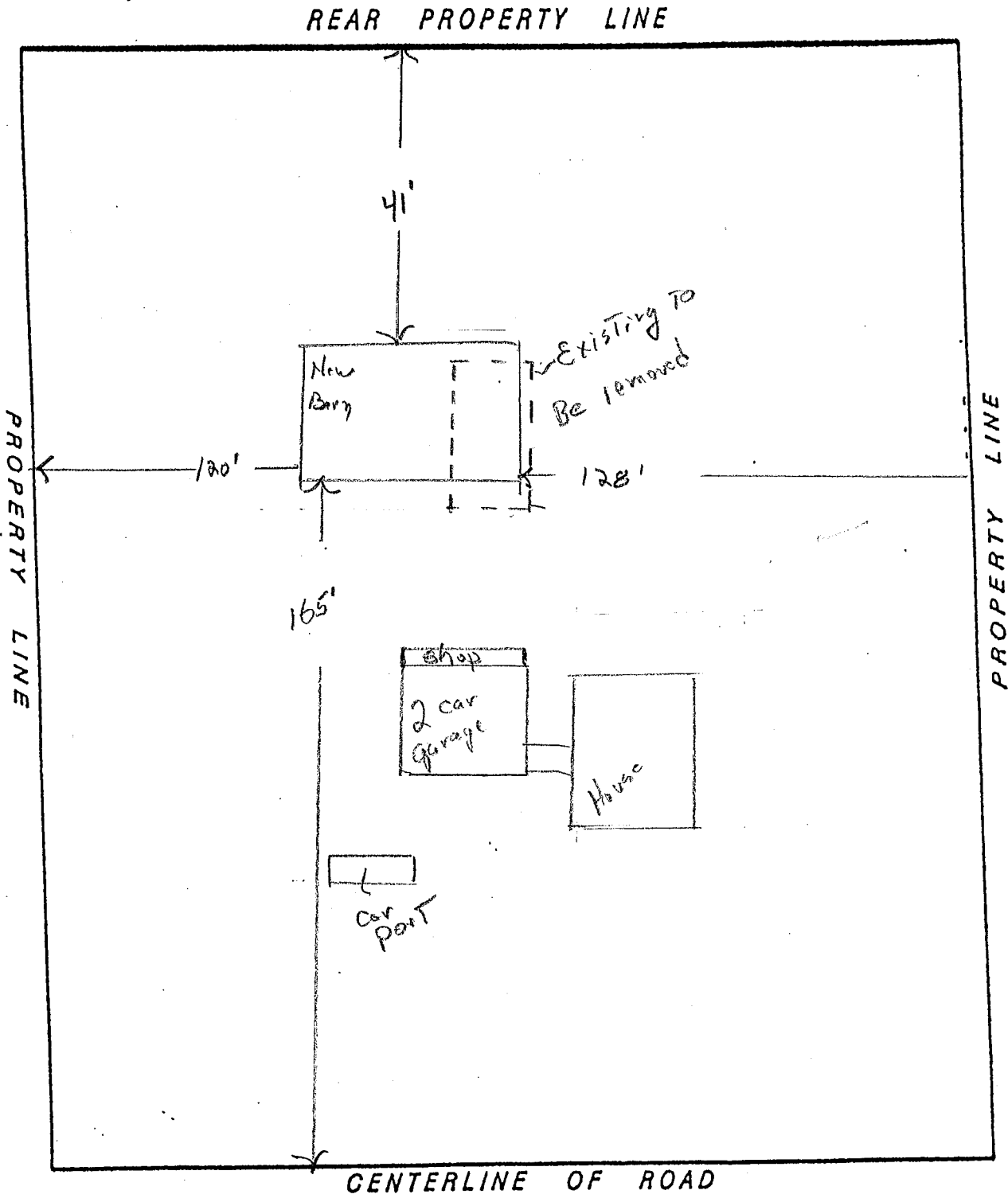
DATE _____ C. E. O. _____ (SIGNATURE) FEE: _____

Date Paid: _____
Amount: _____
Clerk: _____

— PLOT DIAGRAM —

TOWN OF ELBA, GENESEE COUNTY, NEW YORK

Locate clearly and distinctly all buildings, whether existing or proposed, and indicate all yard dimensions from property lines. Give identifying information or deed description, show street names and adjacent property owners names, and any other information.



The plot diagram of this application and/or separate drawings, showing the location of all buildings, existing or proposed, together with dimensions from property lines, the surface elevation of the front yard at the front wall of the principal building as related to the surface of the street or highway, lot number, street names and type of lot (interior or corner lot) and lot description is a part of this application.

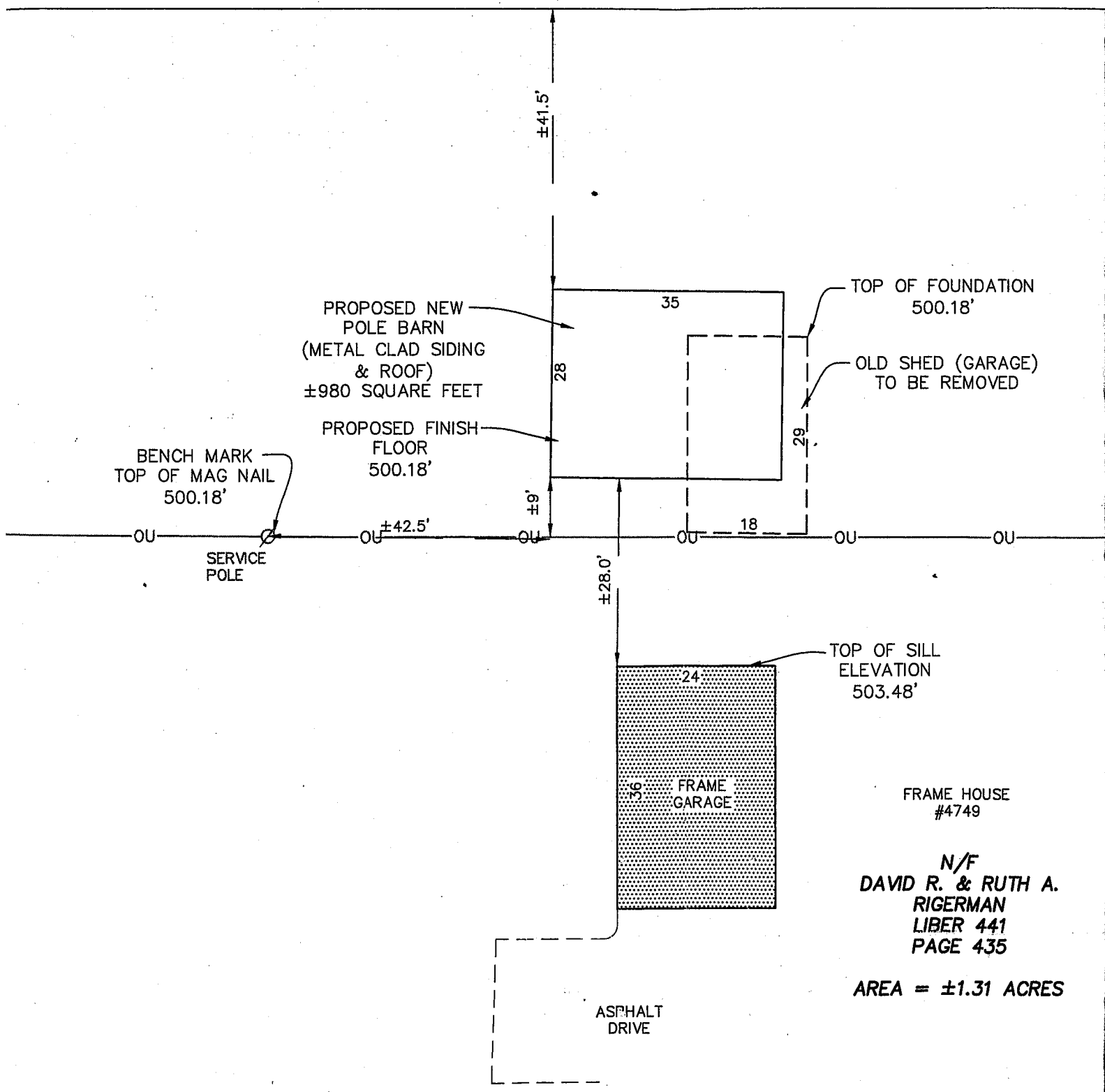
Signature of Applicant

Date

David R. Rejman

5/14/19

285'



FRAME HOUSE #4749

N/F
DAVID R. & RUTH A. RIGERMAN
LIBER 441
PAGE 435

AREA = ±1.31 ACRES

T-01-ELBA-6-19



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