



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-07-BETH-10-18**
Review Date **10/11/2018**

Municipality	BETHANY, T.
Board Name	ZONING BOARD OF APPEALS
Applicant's Name	Ronald Heywood
Referral Type	
Variance(s)	Area Variance
Description:	Area Variance to divide one parcel into two. Lot Frontage Minimum required: 200 ft. Proposed: 198.32 ft.
Location	5868 East Bethany-LeRoy Rd., Bethany
Zoning District	Agricultural-Residential (Ag-R) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The proposed variance is not significant and should pose no significant county-wide or inter-community impact.

Director

October 11, 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-07-BETH-10-18



*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

RECEIVED
Genesee County
Dept. of Planning
9/12/2018

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 Ronald Heywood
Address 5868 East Bethany-LeRoy Road
City, State, Zip East Bethany NY 14054
Phone (585) 343-9111 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 5868 East Bethany-LeRoy Road, East Bethany, NY 14054
B. Nearest intersecting road Ellicott Street Road and Clipnock Road
C. Tax Map Parcel Number 6.-1-19.1
D. Total area of the property 12.6 A Area of property to be disturbed n/a
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, Subsection Schedule A, Paragraph A-R, Frontage

C. Please describe the nature of this request Create a lot with 198.32 feet of frontage. 200' feet required.

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 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 Title CEO/ZEO Phone (585) 356-0824 Ext. _____
Address, City, State, Zip 10510 Bethany Center Rd, East Bethany NY 14054 Email ceobethanyny@yahoo.com



TOWN OF BETHANY

Area Use Interpretation Variance

APPLICATION NO: SA18011

DATE: 9/11/18

PROPERTY OWNER: Ronald Heywood

ADDRESS: 5868 E Bethany-Ledy Rd PHONE NO: 565-343-9111

APPLICANT (if other than owner): _____

ADDRESS: _____ PHONE NO: _____

LOCATION OF PROPERTY: Beth-Ledy Rd 5868

ZONING DISTRICT: A-R TAX MAP PARCEL NO: 6-1-19.1

PROVISION OF ZONING LAW INVOLVED:

ARTICLE: III SECTION: 301 SUBSEC: Sch A PARAD-R, Frontage

PURPOSE OF REQUEST: create a lol with
198.32 Eol of Frontage (200' 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: Ronald Heywood Date: 9/12/18
(only applications signed by the property owner may be considered)

OFFICE USE ONLY:

Amount/Date Fee Paid: \$200.00 9/12/18
Check No/Cash: V1114

500 ft Notification: _____
1st Public Hearing: 10/24/18
2nd Public Hearing: _____

Planning Board Submission: 9/12/18
Planning Board Recommend: _____
G.C.P.B. Submission: 9/12/18
G.C.P.B Recommend: _____
Date Received: _____

ZBA Recommend: _____
Signature: _____
File Closed: _____



Town of Bethany
10510 Bethany Center Road
East Bethany, New York 14054
Phone: 585-343-1399 Fax: 585-343-3605
<http://www.townofbethany.com>
Email: tob-clerk@townofbethany.com

To: Mr. & Mrs. Ronald Heywood

From: Town of Bethany Planning Board

Re: Recommendation of Variance Application

Date: 8/22/2018

The Planning Board is recommending that you apply for an area variance to allow a land separation with 198.32 feet of road frontage (200' required per Town of Bethany Zoning Law) on your property located at 5868 East Bethany-LeRoy Road.

Please contact Zoning Officer Douglas to make your application.

Thank you.

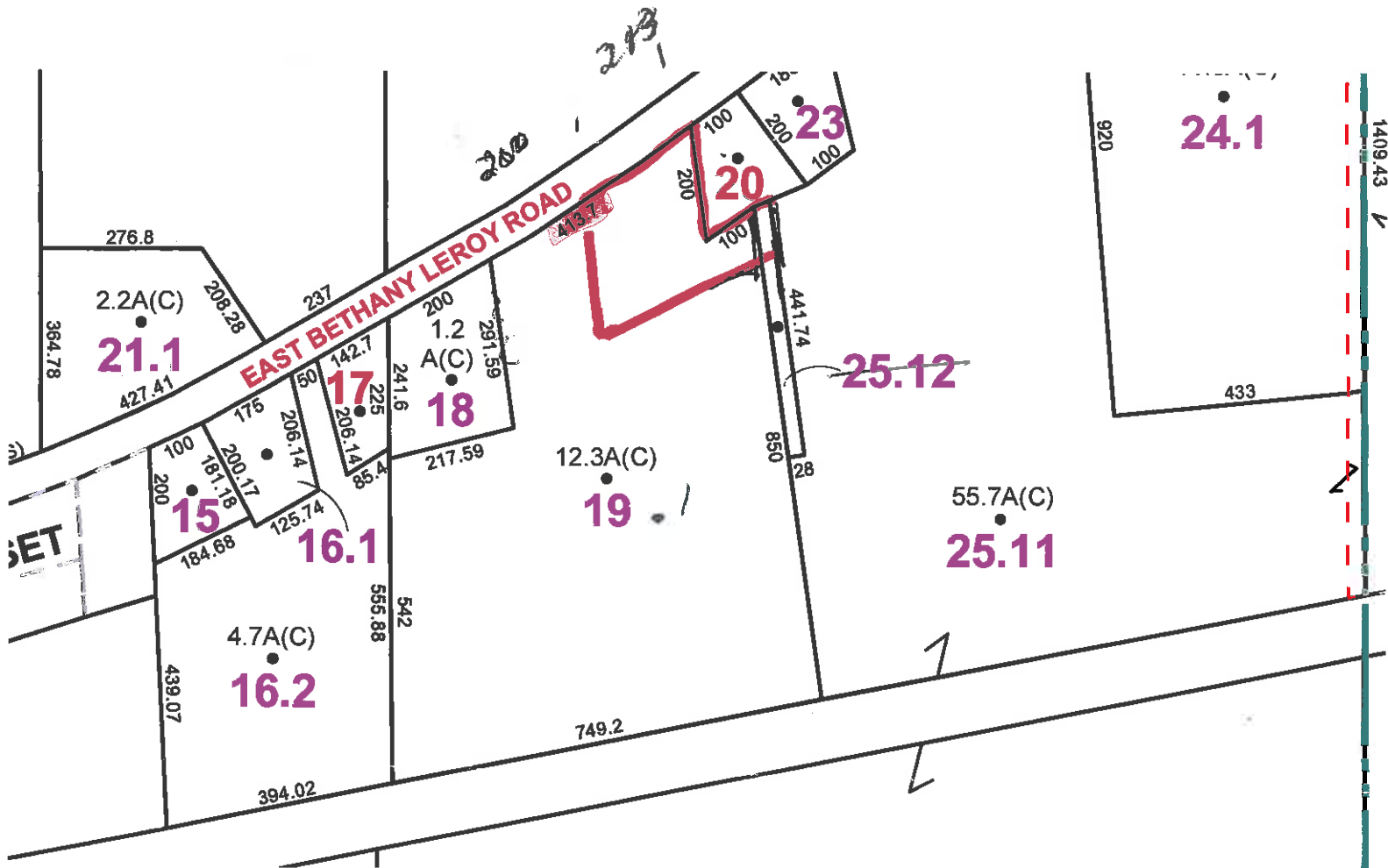
Regards,

Barbara Czworka
Planning Board Secretary

Cc: Town of Bethany CEO
Town of Bethany Clerk
Bethany Town Board

New SA18011

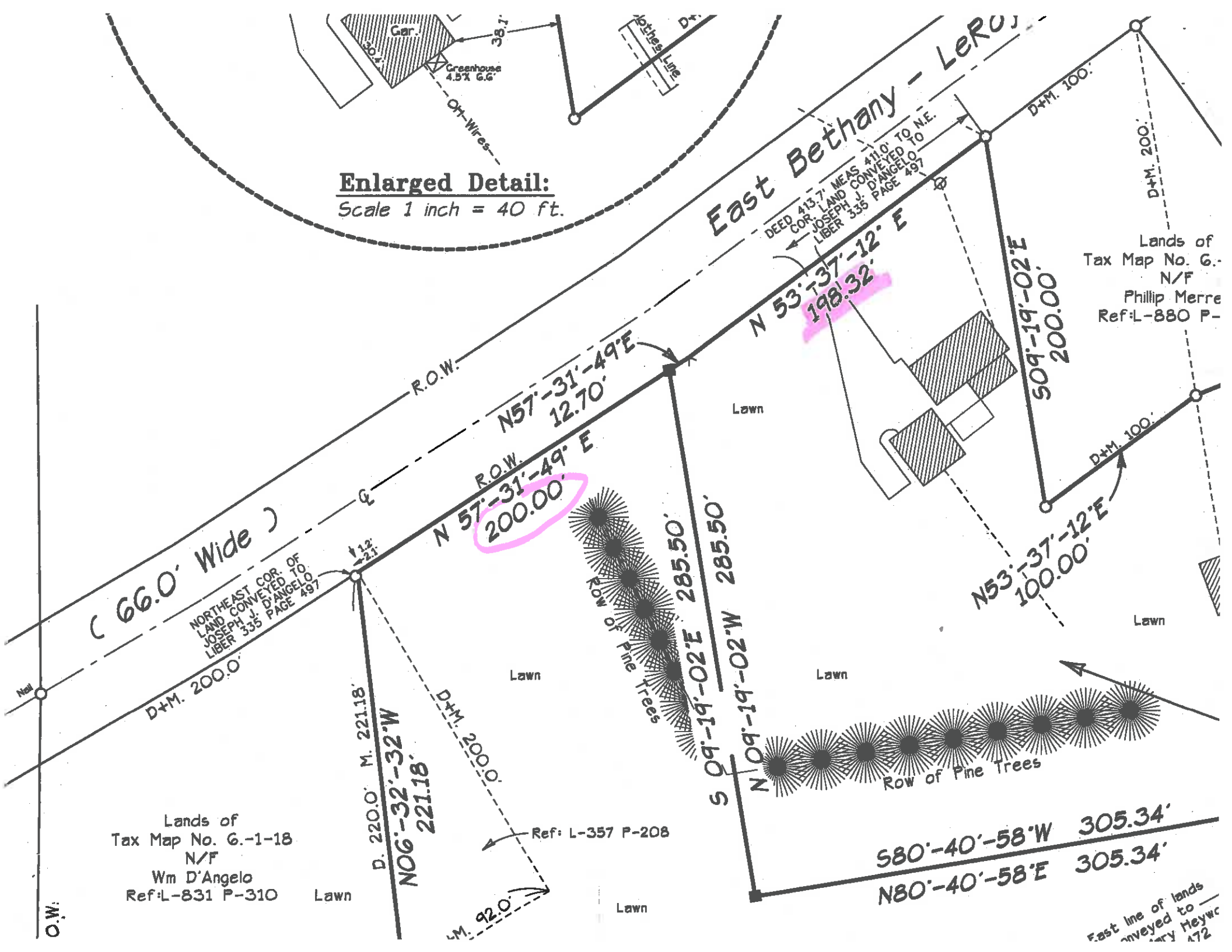
LS1507
Ronald Heywood
5868 E. Beth-Leroy Rd
6-1-19



Tax map shows 413.7 for hard sep.
but survey shows 398.32.

6:1-25.12 has been merged onto 6:1-19
to create 6:1-19.1

Enlarged Detail:
Scale 1 inch = 40 ft.



DEED 413.7' MEAS 411.0' TO N.E.
COR. LAND CONVEYED TO
JOSEPH J. D'ANGELO
LIBER 335 PAGE 497

Lands of
Tax Map No. G.-
N/F
Phillip Merre
Ref: L-880 P-

NORTHEAST COR. OF
LAND CONVEYED TO
JOSEPH J. D'ANGELO
LIBER 335 PAGE 497

Lands of
Tax Map No. G.-1-18
N/F
Wm D'Angelo
Ref: L-831 P-310

Ref: L-357 P-208

East line of lands
conveyed to
Mary Meyerc
472



Memo

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

This action, ~~AV~~ **SA18011**, 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 VILLAGE CITY OF Bethany
(circle one)
Agricultural Data Statement

Application # 5818011

Date 9/4/18

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>Ronald Heywood</u> Address: <u>5808 E Bethany Rd</u> <u>Bethany NY</u>	Name: _____ Address: _____

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance;
(circle one or more) Subdivision Approval A.R.C.C.
- Description of proposed project: separate out a lot with only 18.32 sq ft of frontage
- Location of project: Address: _____
Tax Map Number (TMP) 6-1-19.1

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

Name: <u>Mike Adams</u> Address: <u>544 Little Canada Rd</u> <u>E Bethany NY 14054</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

R.H.
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: [Signature]
Signature of Municipal Official

9/11/18
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.

TOWN OF BETHANY

VARIANCE 500 FT CONTACT LIST

APPLICANT NAME: Ronald Heywood
APPLICANT ADDRESS: 5868 E. Bethany - Le Roy Rd
PROPERTY LOCATION: 5868 E. Bethany - Le Roy Rd
APPLICATION NO.: SA18011 **DATE:** 9/12/18
TAX MAP #: 6. -1-19.1

TAX MAP #	PROPERTY OWNER	ADDRESS	CITY, STATE ZIP	
6.-1-20	Phillip Merritt	5872 EB-LR Rd	EB	14054
6.-1-23	Victoria Crocker/Cumple	PO Box 49	Stafford	14143
6.-1-25.11	John Moodie	5899 EB-LR Rd	EB	14054
6.-1-24.1	Wyatt Van Buren	5932 EB-LR Rd	EB	14054
6.-1-76.1	NYS DEC	50 Wolf Rd	Albany	12223
6.-1-65	John Moodie	5899 EB-LR Rd	EB	14054
6.-1-63	Sandra Swanson	9072 Fargo Rd	Stafford	14143
6.-1-72.111	Barbara Lyke	5772 EB-LR Rd	EB	14054
6.-1-16.2	Nichols Hillcrest Apts. LLC	Q+D mgmt 8171 Main St., Rm 7	Wilkinsville	14221
6.-1-18	William D'Angelo	5844 EB-LR Rd	EB	14054
6.-1-17	Marilyn Palotti	5830 EB-LR Rd	EB	14054
6.-1-16.1	Scott Ohlson	5828 EB-LR Rd	EB	14054
6.-1-15	Douglas Heywood	5820 EB-LR Rd	EB	14054
6.-1-22	John Moodie	5899 EB-LR Rd	EB	14054
6.-1-21.2	Norman Fleming	5831 EB-LR Rd	EB	14054
6.-1-21.1	(Louise) Bruce Ward	840 Sundial Loop	Plant City FL	33565
6.-1-14	Catalyst Home Dev. Group LLC	PO Box 186	Batavia	14021

Heywood
SA18011

TOWN OF BETHANY

VARIANCE MEETING SCHEDULE

- > Town of Bethany Planning Board
10510 Bethany Center Road
East Bethany NY 14054
Date: 10/4/18
Day: Thursday
Time: 7:30 p.m.

- > Genesee County Planning Board
County Building #2
Batavia NY 14020
Date: 10/11/18
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: 10/24/18
Day: Wednesday
Time: 7:30 p.m.

- > Public Hearing
10510 Bethany Center Road
East Bethany NY 14054
Date: 10/24/18
Day: Wednesday
Time: 7:30 pm

T-07-BETH-10-18

