



# GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

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

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

<b>ELBA, V.</b>
<b>ZONING BOARD OF APPEALS</b>
<b>Lanor Markle</b>
<b>Area Variance(s)</b>
<b>Area Variance to add a front porch to an existing single-family home.</b>
<b>Front Yard Setback</b> <b>Minimum required: 40 ft.</b> <b>Existing: 34 ft.</b> <b>Proposed: 26 ft.</b>
<b>29 N. Main St. (NYS Rt. 98), Elba</b>
<b>Residential (R-1) District</b>

## PLANNING BOARD DECISION

**APPROVAL**

## EXPLANATION:

The proposed variance should pose no significant county-wide or inter-community impact. Neighboring properties exhibit similar or smaller setbacks.

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 # V-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 Lanor L. Markle  
Address 29 North Main Street  
City, State, Zip Elba, NY 14058  
Phone (585) 208-1965 Ext.  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: _____              |   |

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

A. Full Address 29 North Main Street, Elba, NY 14058  
B. Nearest intersecting road Church Street  
C. Tax Map Parcel Number 4.-1-81  
D. Total area of the property 66' x 165' Area of property to be disturbed \_\_\_\_\_  
E. Present zoning district(s) \_\_\_\_\_

**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  
Village Zoning Schedule A

C. Please describe the nature of this request construction of covered porch which does not meet required 40" setback

**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: _____                      |
| <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 jkbk1@outlook.com



4. Whether or not the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

No absolutely not

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Whether or not the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the Area Variance.

The obstacle presented could be considered self created as the house, built in the 1900's is currently below code guidelines, and the addition of the porch would mean less frontage space. The addition of the porch will enhance my house and the surrounding homes.

David R. Mahalic  
Applicant Signature

4/11/19 29, 2019  
Date

\*\*\*\*\*

Determination of ZBA based on the above factors. The ZBA, after reviewing the above, finds:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairperson Signature

\_\_\_\_\_  
Date

**APPLICATION FOR ZONING  and/or BUILDING  PERMIT  
VILLAGE OF ELBA, New York 14058**

APPLICATION NUMBER: BP-2019-03-EV

APPLICATION DATE: \_\_\_\_\_

<b>OWNER</b>	Name: <u>Lanor L Markle</u>	<b>APPLICANT (IF OTHER THAN OWNER)</b>	Name: _____
	Address: <u>29 North Main Street Elba NY 14058</u>		Address: <u>SAME</u>
	Phone #: <u>585-208-1965</u>		Phone #: _____

PROJECT SITE LOCATION: 29 North Main St. Elba Tax Map # (TMP) 183401 4-1-81  
Check with the local Assessor

**INSTRUCTIONS:** Using a ball point pen please fill out this application as completely as possible. Submit additional Attachment(s) [listed on the back of the Gold sheet] and the completed application to the Town Clerk. This application is NON-TRANSFERRABLE and is NOT a permit to commence work.

- Application for Use: RESIDENTIAL  ; COMMERCIAL  ; INDUSTRIAL  ; RECREATIONAL  ; SITE PLAN
- Permit for: NEW CONSTRUCTION  ; ADDITION  ; ALTERATION  ; REPAIR  ; CHANGE IN USE
- Is this parcel? A corner lot: YES  NO  ; In a Sewer District? YES  NO  ; In a Water District? YES  NO
- List the DIMENSIONS of the parcel: 8' x 24' and/or TOTAL PARCEL AREA (Acres) \_\_\_\_\_
- What are the parcel setbacks [Ft.] from the project. FRONT 26' ; REAR \_\_\_\_\_ & SIDE yards (a) \_\_\_\_\_ (b) \_\_\_\_\_
- Total % of coverage of ALL buildings on the parcel (including the proposed project): 34' TOTAL %
- Does this project require County Health Department approval? NO  YES  , If yes, submit attachment F.
- Is this parcel properly subdivided? NO  YES  , If yes, provide documentation.
- Do you give the Town VALID CONSENT to do the required inspections? YES  NO  , If no, what procedures?
- Name of Architect/Engineer Tagg Construction Company Telephone # 585-313-1335  
Address 74 North Street, Heroy, N.Y. 14482
- Name of Contractor(s) Greg Loughton Telephone # 585-313-1335  
Address 74 North Street, Heroy, N.Y. 14482

12 Estimated cost of the project? 6,000 [Substantiation may be required] 13 Total Dwelling units: 1

PROPOSED PROJECT	HEIGHT	LENGTH	WIDTH	SQ. FT.
HOUSE				
GARAGE				
ACCESSORY BUILDING				
SWIMMING POOL				
DECK				
COMMERCIAL/INDUSTRIAL				
OTHER <u>Porch</u>	<u>8'</u>	<u>24'</u>	<u>8'</u>	<u>192'</u>
<b>TOTAL SQ. FT.</b>				<u>192'</u>

15 Describe the proposed project and use:  
The addition of an 8'x24'  
covered front porch to  
existing house at 29 North  
Main, Elba.  
Use - a place to sit and watch the  
world go by!  
[Use additional sheet(s) for more information]

\*\*\*\*\*SIGNATURE BLOCK\*\*\*\*\*  
 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 provisions of any other state or local law or ordinance regulating construction or performance of construction.

Lanor L Markle  
 Signature - OWNER  
May 29 2019  
 Date

\_\_\_\_\_  
 Signature - APPLICANT (if different than owner)  
 \_\_\_\_\_  
 Date

\*\*\*\*\*  
 Action taken by Zoning Enforcement Officer [Z.E.O.]: Approved  Denied  , Reason for denial: Schedule A

Article \_\_\_\_\_ Section \_\_\_\_\_ Subsection \_\_\_\_\_ Paragraph \_\_\_\_\_ Briefly Describe: 40' setback Zoning District: \_\_\_\_\_

Attachments Required: Z.E.O. <u>Mark A. Matlack</u> Date of Action: <u>5-31-19</u>	<table border="1"> <tr> <td>Wetlands <input type="checkbox"/></td> <td>YES <input type="checkbox"/></td> <td>NO <input type="checkbox"/></td> </tr> <tr> <td>Flood Plain <input type="checkbox"/></td> <td>YES <input type="checkbox"/></td> <td>NO <input type="checkbox"/></td> </tr> </table>	Wetlands <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Flood Plain <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	<table border="1"> <tr> <td>Cash _____</td> <td>Special Use _____</td> </tr> <tr> <td>Check # _____</td> <td>Variance _____</td> </tr> <tr> <td>Receipt #: _____</td> <td>Public Hearing _____</td> </tr> <tr> <td></td> <td><b>TOTAL</b> _____</td> </tr> </table>	Cash _____	Special Use _____	Check # _____	Variance _____	Receipt #: _____	Public Hearing _____		<b>TOTAL</b> _____	Zoning Building _____ TOTAL <u>6500</u> <u>PD</u>
Wetlands <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>															
Flood Plain <input type="checkbox"/>	YES <input type="checkbox"/>	NO <input type="checkbox"/>															
Cash _____	Special Use _____																
Check # _____	Variance _____																
Receipt #: _____	Public Hearing _____																
	<b>TOTAL</b> _____																

**OFFICE USE ONLY**

H 2 A

Plot Diagram No. ....

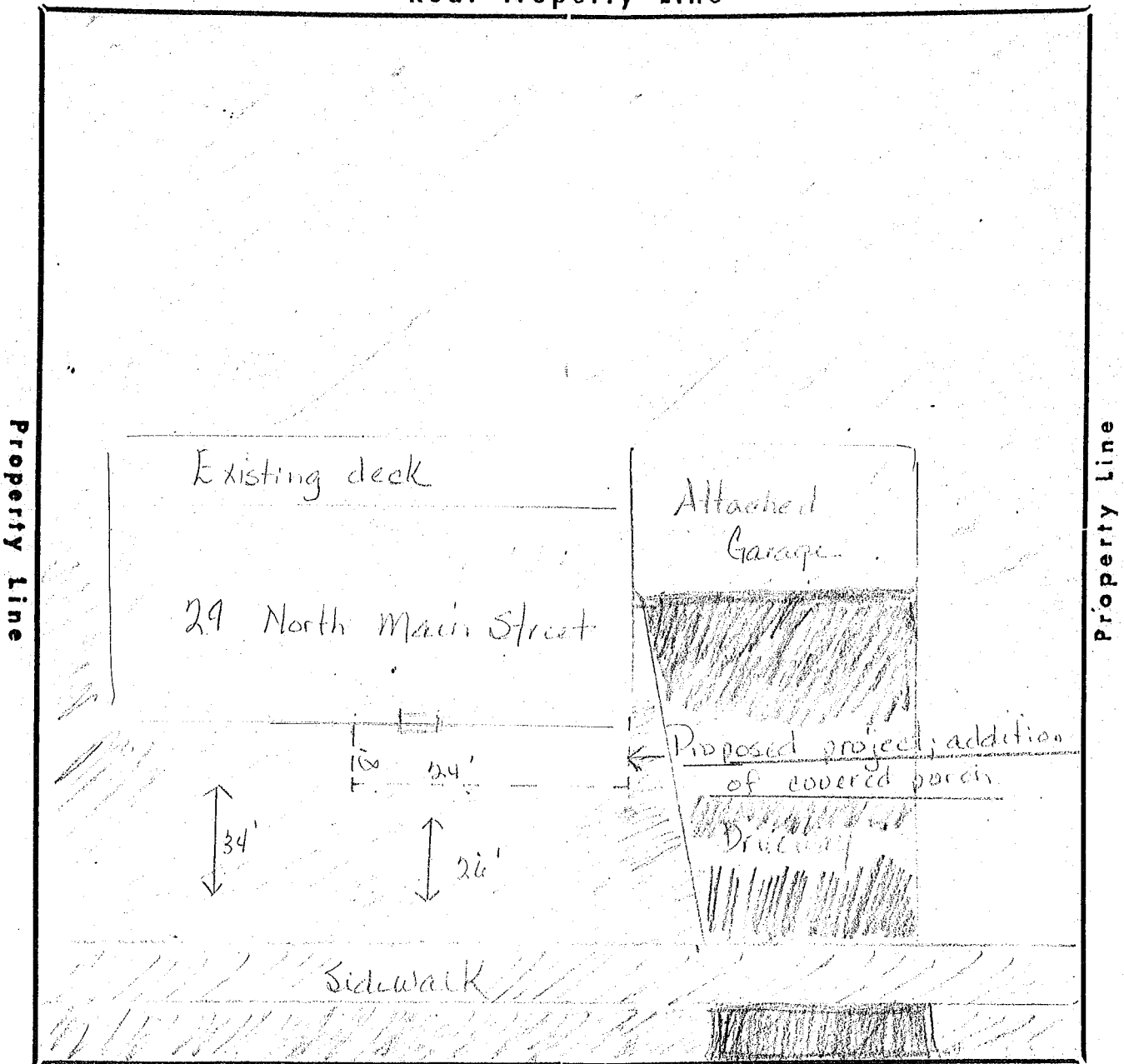
VILLAGE OF ELBA  
Genesee County, New York

PLOT DIAGRAM

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 owner names, and other information required.

The plot diagram of this application or on separate drawings, showing location of all buildings, existing or proposed, together with dimensions from property lines, the surface elevation of 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) and lot description is a part of this application.

Rear Property Line



Centerline of Road

*Genevieve K. M. Kelly*  
(Signature of Applicant)

29 North Main, Elba, NY  
(Address)



# V-01-ELBA-6-19



North Main Street (NY 98)

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