



GENESEE COUNTY PLANNING BOARD  
ZONING REFERRALS NOTICE OF FINAL  
ACTION

GCDP Referral ID C-10-BAT-8-14  
Review Date 8/14/2014

Municipality BATAVIA, C.  
Board Name CITY PLANNING AND DEVELOPMENT COMM.  
Applicant's Name Kenneth Mistler  
Referral Type Downtown Design (Site Plan) Review  
Variance(s) \_\_\_\_\_  
Description: Downtown Design (Site Plan) Review to make exterior changes to the front façade of an existing commercial buildings.  
Location 35 Jackson St., Batavia  
Zoning District Central Commercial (C-3) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

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

  
Director

8/14/14  
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 at 344-2580 x 5466, or online at <http://www.co.genesee.ny.us/> under Forms and Permits for Towns and Villages.

**SEND OR DELIVER TO:**

GENESEE COUNTY DEPARTMENT OF PLANNING  
3837 West Main Street Road  
Batavia, NY 14020-9404  
Phone: (585) 344-2580 Ext. 5467

DEPARTMENT USE ONLY:  
GCDP Referral # C-10-BAT-8-14

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

**RECEIVED**



Required According to:  
**GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N**  
(Please answer ALL questions as fully as possible)

**JUL 24 2014**

GENESEE COUNTY  
DEPARTMENT OF PLANNING

**1. REFERRING BOARD(S) INFORMATION**

Board(s) Planning and Development Committee

Address One Batavia City Centre

City, State, Zip Batavia, NY 14020

Phone (585) 345 - 6347 Ext. \_\_\_\_\_

**2. APPLICANT INFORMATION**

Name Kenneth Mistler

Address 6 Alva Pl.

City, State, Zip Batavia, NY 14020

Phone (585) 344 - 3700 Ext. \_\_\_\_\_ Email \_\_\_\_\_

MUNICIPALITY:  City  Town  Village of Batavia

**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: Ext. changes in B.I.D.

- Subdivision Proposal
- Preliminary
- Final

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

A. Full Address 35-37 Jackson St.

B. Nearest intersecting road School

C. Tax Map Parcel Number 84.049-1-37

D. Total area of the property \_\_\_\_\_ Area of property to be disturbed \_\_\_\_\_

E. Present zoning district(s) C-3

**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 \_\_\_\_\_

C. Please describe the nature of this request Approval to make changes to the west facade

**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: Cover letter

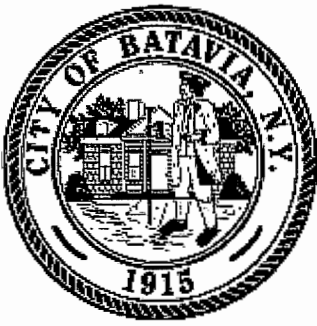
If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17.

Email to [planning@co.genesee.ny.us](mailto:planning@co.genesee.ny.us)

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

Name Douglas Randall Title Code Enf. Officer Phone (585) 345 - 6327 Ext. \_\_\_\_\_

Address, City, State, Zip One Batavia City Centre, Batavia, NY 14020 Email drandall@batavianewyork.com



*City of Batavia*  
*Department of Public Works*  
*Bureau of Inspections*

One Batavia City Center, Batavia, New York 14020 (585)-345-6345 (585)-345-1385 (fax)

To: Genesee County Planning  
Planning and Development Committee

From: Doug Randall, Code Enforcement Officer

Date: 7/22/14

Re: 35-37 Jackson St.  
Tax Parcel No. 84.049-1-37

Zoning Use District: C-3

The applicant, Kenneth Mistler (owner), has applied for a building permit that would involve exterior changes to the west façade of this commercial building that is located in the Business Improvement District.

**Note: This is a type II action as defined by Environmental Conservation Law and is not subject to review under SEQR 6 NYCRR Part 617.5 (c) (1).**

**Review and Approval Procedures:**

**County Planning Board-** Pursuant to General Municipal Law 239 m, referral to the County Planning Board is required since the property is within 500 feet of the boundary of the city; the boundary of a County or State park or other recreation area; **the right of way of a state parkway, thoroughway, expressway, road or highway;** the boundary of county or state owned land on which a public building or institution is situated; the boundary of a farm operation located in an agricultural district (not required for area variances).

**City Planning and Development Committee-** Pursuant to section 190-14 D (2) (a), Prior to permit issuance, the Planning and Development Committee shall review and approve applications for building permits involving exterior changes for properties located within the B.I.D.

DATE: 7-16-14

APPLICANT NAME & PHONE: KENNETH MISTLER (585) 3443700 409/8405

**Project Location and Information**

Permit #: \_\_\_\_\_ Fee: \_\_\_\_\_

Address of Project: 35-37 JACKSON STREET  
Owner & Address: 6 ALVA BLACE BATAVIA SHOWTIME INC, Ken Mistler  
Phone: 585 4098405

**Project Type/Describe Work**

Estimated cost of work: 4700.00 Start date: 7-16-14  
Describe project: Remove existing STORE Frontage of glass wood & Stone. Replace with insulated glass, aluminum & Metal.

**Contractor Information – Insurance certificates (liability & workers comp) required to be on file**

**GENERAL**

Name/Address: MR GLASS 835 EAST MAIN ST Roch NY  
Phone: 271-1270

**PLUMBING (City of Batavia Licensed Plumber Required)**

Name/Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

**HEATING**

Name/Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

**ELECTRICAL (Third Party Electrical Inspection Required)**

Name/Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

**FOR OFFICE USE ONLY**

Zoning District: \_\_\_\_\_ Flood Zone: \_\_\_\_\_ Corner Lot: \_\_\_\_\_ Historic District/Landmark: \_\_\_\_\_

Zoning Review: \_\_\_\_\_ Variance Required: \_\_\_\_\_ Site Plan Review: \_\_\_\_\_ Other: \_\_\_\_\_

National Grid Sign Off (Pools): \_\_\_\_\_ Lot Size: \_\_\_\_\_

Existing Use: \_\_\_\_\_ NYS Building Code Occupancy Class: \_\_\_\_\_

Proposed Use: \_\_\_\_\_ NYS Building Code Occupancy Class: \_\_\_\_\_









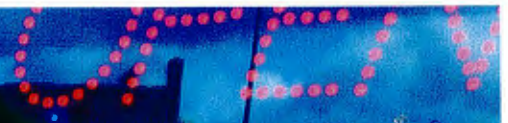


Tue.  
Wed.  
Thu.  
Fri.  
Sat.

**KIT  
H**

Tue.  
Wed.  
Thu.  
Fri.  
Sat.

★ TOP ★  
PRETZEL  
STICKS  
★ WITH ★  
CHEESE  
CHICKEN  
WING DIPS







C-10-BAT-8-14

