



# GENESEE COUNTY PLANNING BOARD ZONING REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-08-STAF-11-16**

Review Date **11/10/2016**

Municipality  
Board Name  
Applicant's Name

**STAFFORD, T.**  
**ZONING BOARD OF APPEALS**  
**James Kujawski**

Referral Type  
Variance(s)  
Description:

**Area Variance(s)**  
**Area Variance to build a new garage for a single-family home.**  
**Side Yard Setback**  
**Minimum required: 30 ft.**  
**Proposed: 8 ft.**

Location  
Zoning District

**5505 Main Rd. (NYS Rt. 5), Stafford**  
**Commercial (C) District**

## PLANNING BOARD DECISION

**APPROVAL**

## EXPLANATION:

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

Director

November 10, 2016

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, N.Y. 14020-9404  
Phone: (585) 815-7901



**DEPARTMENT USE ONLY:**  
G.C.D.P. Referral # T-08-STAF-11-16  
Date Received 10/26/16

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

**RECEIVED**

OCT 26 2016

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

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

Board(s) ZBA  
Address TOWN OF STAFFORD

**2. APPLICANT INFORMATION**

Name JAMES KUJAWSKI  
Address 5505 E. MAIN ST. RD.  
Phone 716-474-2843 Email BATAVIA

MUNICIPALITY:  City  Town  Village of \_\_\_\_\_

**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. Address 5505 E. MAIN ST. RD BATAVIA NY 14020  
B. Nearest intersecting road Prole / Fargo Rd.  
C. Tax Map Parcel Number S.-1-14  
D. Total area of the property 1.8 acres Area of property to be disturbed < 1,000 sq. ft.  
E. Present zoning district(s) Commercial (C) District

**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 Side yard setback variance for new garage  
required: 30ft. proposed: 8ft.

**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"/> Other: _____                      |
| <input type="checkbox"/> Subdivision plot plans       | <input type="checkbox"/> Elevation drawings                  |  |
| <input type="checkbox"/> SEQR forms                   | <input type="checkbox"/> Agricultural data statement         |  |

\*\*\* If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17 in.  
Digital copies may be sent via 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 MICHAEL LATHAN Title CHAIR PERSON Phone 585-356-6159  
Address 8903 RT. 237 STAFFORD ZBA Email \_\_\_\_\_

# TOWN OF STAFFORD

## APPLICATION for APPEALS and/or SPECIAL USE PERMIT

Appeal Number : 52-2016

Date : 10-12-2016

### OWNER


Name : JAMES KUJAWSKI  
Address : 5505 E. MAIN ST RD  
BATAVIA  
Telephone # : 716 474 2843

### APPLICANT (If other than owner)

Name : \_\_\_\_\_  
Address : \_\_\_\_\_  
Telephone # : \_\_\_\_\_

- Request to the Board of Appeals to appeal the Zoning Enforcement Officer's decision to DENY  GRANT  an application for a Zoning Permit Application Number \_\_\_\_\_ Dated \_\_\_\_\_.
- APPLICATION FOR : Use Variance  Special Use Permit   
Area Variance  Interpretation
- Address of Project Site : 5505 E MAIN ST RD  
Tax Map Number : 18 44 005-1-14 Zoning District : \_\_\_\_\_  
S. -1-14
- Has a previous appeal been filed pertaining to this parcel? No   
Yes  If yes, list Appeal No. \_\_\_\_\_ Date \_\_\_\_\_ Purpose of Request : \_\_\_\_\_

5. Justification for Request: General Response I WOULD LIKE A GARAGE (POUL BARN) AT THE END OF MY DRIVEWAY SO I COULD DRIVE RIGHT INTO. CAR, BOAT, ATV STORAGE. A SMALL WORKSHOP. I WOULD LIKE 8' FENCE BETWEEN HOUSE + GARAGE TO REPLACE CAT FEED

 A more SPECIFIC RESPONSE should accompany this application on separate sheet(s) of paper. Address each of the statements listed on the back of the GOLD sheet which pertain to your specific appeal.

The Applicant shall submit with this appeal, appropriate supporting materials including, but not limited to, site plans, elevations, traffic circulation diagrams, neighborhood land use maps and any other material that will assist the Board in making a determination regarding this request.

**CERTIFICATION:** I hereby certify that I have read 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 an appeal does not presume to give authority to violate or cancel the provisions of any other state or local ordinance or law regulating construction or performance of construction and/or use.

James Kujawski

Applicant's Signature

Owner's Signature (if other than applicant)

### PROVISIONS of ZONING LAW APPEALED:

1.  Article \_\_\_\_\_ Section \_\_\_\_\_  
Subsection \_\_\_\_\_ Paragraph \_\_\_\_\_  
state reason; \_\_\_\_\_

2.  Schedule A - state reason; Too Close to Side Lot Line

**FEE COLLECTED:** Date 10-12-16

TOTAL FEE \$ 75.00 Check # 4745

**ACTION TAKEN:** Date \_\_\_\_\_

Approved  Rejected

By: \_\_\_\_\_ Chairman

Signature  
 Board of Appeals  Town Board  
 Planning Board

OFFICE USE ONLY

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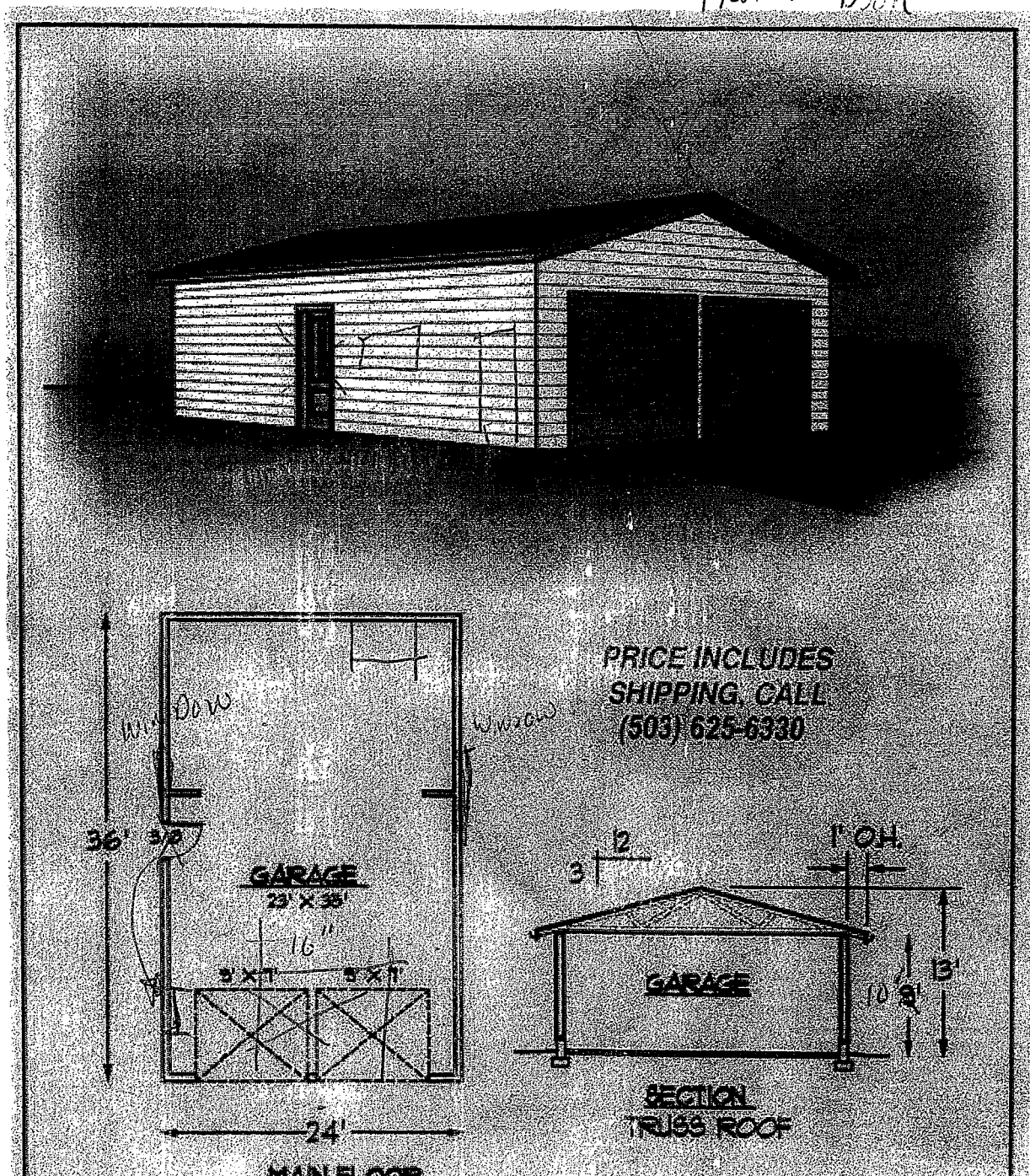
Yellow - CLERK

Pink - Z.B.A./PL. BD./TN. BD.

Gold - APPLICANT

D/Dallerson '98

16' FRONT DOOR



R/0  
KEELER-  
SQUIRES-  
HENNING-  
CO, INC.

R/0 COLANTINO, CARL L. LIBER 430-PAGE 432.

S 82°-07'-00" E 305.63' map & mea  
NORTHWEST CORNER OF  
LAND FORMERLY OWNED BY  
WESLEY  
STRINGHAM  
PARCEL SURVEYED  
CONTAINING 1053± ACRES. LIBER 438.  
PAGE 857.

R/0 KOEPP, PETER M.  
& SUZANNE.  
LIBER 487 PAGE 83

R/0 MERRITH,  
DAVID G.  
LIBER 465  
PAGE 562

R/0 TROKE,  
DOUGLAS.  
& LYNNE  
LIBER 456  
PAGE 366

R/0 PHILOMENA  
MOBLEY.  
LIBER 422  
PAGE 310

HIGHWAY

BOUNDARY

163,50' map.

163,25' mea.

N 80°-39'-00" W

100.00 map & mea.

266,59'

CENTERLINE OF NEW YORK STATE ROUTE 5

EX-COMP.  
R.O.W. MON.  
(BENT)

NOW OR FORMERLY THE  
WESTLINE OF BERNICE PARKER.  
LIBER 280  
AS PER PAGE 37.

EX-IRON  
PIPE 4.34'  
W-Ly  
1.69'-S-Ly

N 00°-00'-00" E  
86,50' deed  
84,27' map & mea.

WOOD  
SHED

WOOD  
SHED

10.3  
WOOD  
SHED.

EX-IRON  
PIPE  
0.47' W-Ly  
0.82' S-Ly

1-STRY WOOD  
FR.

COVERED  
COURT  
POO.

SET IRON  
PIN

SET  
IRON  
PIN

LOT 6  
LOT 4

BENT  
EXISTING  
PIPE.  
BEING THE  
SOUTH EAST

CORNER OF  
LAND FORMERLY  
OWNED BY WESLEY  
STRINGHAM.

T-08-STAF-11-16



04/21/2016

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