

**GENESEE COUNTY PLANNING BOARD - ZONING REFERRAL SUMMARY SHEET**

**Review Date:** Thursday, April 14, 2016

<b><u>NUMBER</u></b>	<b><u>LOCATION</u></b>	<b><u>APPLICANT'S REQUEST</u></b>	<b><u>BOARD ACTION</u></b>
<b>T-01-ALA-4-16</b>	Entire Town of Alabama	Zoning Text Amendments to extend a moratorium that prohibits Commercial Development outside the Commercial (C) District for an additional 12 months (3rd extension).	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  The required modification is that the Town amend the language in the moratorium for clarity as per the memo attached. With this required modification, the proposed moratorium should pose no significant county-wide or inter-community impact. The moratorium appears to meet the intent of the municipality to have enough time to study and draft changes to their Zoning Law to protect the health, safety and welfare of the community.
		All Districts except the Commercial (C) District	
<b>C-06-BAT-4-16</b>	220 E. Main St. (NYS Rts. 5 & 33), Batavia	Sign Permit to place a 18.56 sq. ft. (16 x 1.16 ft.) unlit wall sign for a new retail use (Vinyl Record Revival).	<b><u>APPROVAL</u></b>  The proposed sign should pose no significant county-wide or inter-community impact.
		Central Commercial (C-3) District	

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<b>C-07-BAT-4-16</b>	11 South Spruce St., Batavia	Area Variance to place a 6 ft. fence for a single-family home.  Fence height in front yards within 15 ft. of property line Maximum allowed: 3 ft. Proposed: 6 ft.	<b><u>APPROVAL</u></b>  The height of the proposed fence should pose no significant county-wide or inter-community impact. The height should not pose visibility issues for drivers.
Residential (R-3) District			
<b>C-08-BAT-4-16</b>	85-89 Main St. (NYS Rts. 5 & 33), Batavia	Sign Permits to place two 23.46 sq. ft. (15.64 x 1.5 ft.) window signs at an existing fitness center.	<b><u>APPROVAL</u></b>  The proposed window signs should pose no significant county-wide or inter-community impact.
Central Commercial (C-3) District			

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<b>C-09-BAT-4-16</b>	5 Verona Ave., Batavia	Area Variance to construct a deck for a single-family residence.  Rear Yard Setback Minimum required: 35 ft. Existing garage: 1.5 ft. Proposed deck: 17.7 ft.	<b><u>APPROVAL</u></b>  Given that the existing garage is significantly closer to the property line than the proposed deck. The variance should pose no significant county-wide or inter-community impact.
		Residential (R-2) District	
<b>C-10-BAT-4-16</b>	202 E. Main St. (NYS Rts. 5 & 33), Batavia	Sign Permits and Special Sign Permit to place two window signs and a canopy sign for a new fashion and home boutique (Pollyanna & Dot and The Hidden Door).  Total Window Sign Coverage Area Maximum allowed: 25% (16.3 sq. ft.) Proposed Sign: 27.6% (18 sq. ft.)	<b><u>APPROVAL</u></b>  The proposed signs do not significantly deviate from the City's sign provisions and should pose no significant county-wide or inter-community impact.
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<b>T-01-BAT-4-16</b>	Industrial Park District, Batavia	Zoning Text Amendments to eliminate the requirement that certain uses allowed in an Industrial Park (IP) District be directly accessed from a State Highway.	<b><u>APPROVAL</u></b>  The proposed zoning amendment should pose no significant county-wide or inter-community impact. The Town Zoning Board of Appeals has issued variances to this provision three times in the past.
		Industrial Park (IP) District	
<b>T-02-BAT-4-16</b>	8282 Park Rd., Batavia	Site Plan Review to include outdoor cooking for a new restaurant.	<b><u>APPROVAL</u></b>  The proposed outdoor cooking should pose no significant county-wide or inter-community impact.
		Commercial (C) District	

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<b>T-03-BAT-4-16</b>	5220 Clinton Street Rd. (NYS Rt. 33), Batavia	Site Plan Review to reconfigure a previously approved site plan for a multi-family residential development.	<b><u>APPROVAL</u></b>  The proposed residential buildings should pose no significant county-wide or inter-community impact. It is recommended that the applicant submits the enclosed application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that the addresses of the proposed units meets Enhanced 9-1-1 standards.
		Commercial (C) District	
<b>T-04-BAT-4-16</b>	8364 Lewiston Rd. (NYS Rt. 63), Batavia	Special Use Permit and Area Variances for a new restaurant with drive-thru service (Arby's). Lot size: Min. req. 40,000 sq. ft., Proposed 29,664 sq. ft. Lot width: Min req. 200 ft., Proposed 150 ft. Rear Yard Setback for Accessory Structure: Min req. 15 ft. Prop. 5.7 ft. Parking Space Size: Min. req. 10 x 20 ft., Proposed: 9 x 18 ft. Directional Signs Total Area: Max. 8 sq. ft., Proposed: 9.3 sq. ft. Number of Signs: Max. 2, Proposed: 3 Free Standing Sign Size: Max. 50 sq. ft., Proposed: 77.83 sq. ft.	<b><u>WITHDRAWN</u></b>  Withdrawn per the applicant/Town.
		Commercial (C) District	

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<b>T-05-BAT-4-16</b>	8276 Park Rd., Batavia	Site Plan Review to convert an existing vacant building into a visitor's center and the Chamber of Commerce office.	<b><u>APPROVAL</u></b>  The proposed office and visitor's center should pose no significant county-wide or inter-community impact.
		Commercial (C) District	
<b>T-06-BAT-4-16</b>	West Main Street Rd. (NYS Rt. 5), Batavia	Zoning Map Change rezone an area from Hamlet Residential, Agricultural-Residential to Industrial.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  Given that the Town is in the process of amending their Comprehensive Plan and that the proposed Industrial District could conflict with the adjacent residential uses, the required modification is that the Industrial rezoning be limited to the area south of Barrett Dr. This would keep the portion of the parcel west of Barrett Dr. and behind existing homes zoned as Hamlet-Residential. It is recommended that the Town also consider extending School Street to Barrett Dr. in order to continue the historic pattern of development of the East Pembroke hamlet. With this required modification, the proposed zoning map change should pose no significant county-wide or inter-community impact.
		HR, I and A-R Districts	

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<b>T-01-BER-4-16</b>	7470 Clinton Street Rd. (NYS Rt. 33), Bergen	Special Use Permit to construct an in-law apartment as part of a new residential use.	<b><u>APPROVAL</u></b>  The proposed in-law apartment should pose no significant county-wide or inter-community impact. It is recommended that the applicant submits the enclosed application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that the address of the proposed unit meets Enhanced 9-1-1 standards.
		Residential (RA-40) District	
<b>T-03-DAR-4-16</b>	1094 Sumner Rd., Darien	Area Variance for the land separation of one parcel into three.  Lot Frontage Minimum required: 300 ft. Proposed: 260 ft.	<b><u>APPROVAL</u></b>  The proposed variance for lot frontage for two of the parcels should pose no significant county-wide or inter-community impact. The building lots would be within a Genesee County Smart Growth Development Area and not enrolled in an Agricultural District. It is recommended that the applicant submits the enclosed application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that the addresses of the proposed units meets Enhanced 9-1-1 standards.
		Low Density Residential (LDR) District	

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<b>T-04-DAR-4-16</b>	11140 Alexander-Darien Townline Rd., Darien	Area Variance for an addition to a single-family home.  Side yard setback Minimum required: 50 ft. Existing: 69.9 ft. Proposed: 45.9 ft.	<b><u>APPROVAL</u></b>  The proposed setback should pose no significant county-wide or inter-community impact.
		Low Density Residential (LDR) District	
<b>T-05-DAR-4-16</b>	10021 Simonds Rd., Darien	Site Plan Review to erect a 100 kW, 161 ft. high wind energy system for a farm operation in a NYS Certified Agricultural District.	<b><u>APPROVAL</u></b>  The proposed wind energy system should pose no significant county-wide or inter-community impact. All of the energy produced will be used to power an existing farm in a NYS Certified Agricultural District. Wind energy systems to power farm operations are considered "sound agricultural practices" by NYS Dept. of Agriculture and Markets.
		Low Density Residential (LDR) District	



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<b>T-01-LEROY-4-16</b>	7921 East Main Rd. (NYS Rt. 5), LeRoy	Site Plan Review for a new 20,000 sq. ft. (100 x 200 ft.) commercial office and warehouse.	<b><u>WITHDRAWN</u></b>  Withdrawn per the applicant/Town.
		Industrial (I-1) District	
<b>V-01-OAK-4-16</b>	57 Main St. (NYS Rt. 63), Oakfield	Site Plan Review to have crafting classes in an existing commercial building.	<b><u>APPROVAL</u></b>  The proposed use should pose no significant county-wide or inter-community impact.
		Commercial (C-2) District	

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<b>T-02-PEM-4-16</b>	2058 Phelps Rd., Pembroke	Special Use Permit to construct a pond for recreational use.	<b><u>APPROVAL</u></b>  The proposed pond meets the provisions of the Town of Pembroke zoning regulations, including all property line setbacks and documentation from the Genesee County Soil and Water Conservation District Office. It is in keeping with the rural character of the area and should pose no significant county-wide or inter-community impact.
Agricultural-Residential (A/R) District			
<b>T-03-PEM-4-16</b>	2197 Main Rd. (NYS Rt. 5), Pembroke	Area Variances to build a barn.  Side Yard Setback Minimum required: 25 ft. Existing barn: 8.5 ft. Proposed barn: 10 ft.  Rear Yard Setback Minimum required: 30 ft. Existing barn: 24.5 ft. Existing shed: 12 ft. Proposed barn: 10 ft.	<b><u>APPROVAL</u></b>  The location of the proposed barn should pose no significant county-wide or inter-community impact. The setbacks are not out-of-character with that of other accessory structures in this and neighboring properties and provide enough distance for maintenance and stormwater absorption.
Limited Commercial (LC) District			