

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

**Review Date:** Thursday, June 08, 2017

<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-05-ALA-6-17</b>	2068 Lewiston Rd., Alabama	Area Variance for a new 200 sq. ft. (10 x 20 ft.) shed.  Side Yard Setback Minimum required: 15 ft. Proposed: 8.5 ft.	<b><u>APPROVAL</u></b>  The proposed variance should pose no significant county-wide or inter-community impact. Adjacent properties exhibit similar such setbacks.
		Agricultural-Residential (A-R) District	
<b>T-06-ALA-6-17</b>	6578 Alleghany Rd. (NYS Rt. 77), Alabama	Special Use Permit to operate a custom sewing and monogram shop as a home occupation.	<b><u>APPROVAL</u></b>  Given that the revised site plan allows for vehicles to turn around, the proposed home occupation should pose no significant county-wide or inter-community impact.
		Residential (R) District	

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<b>C-13-BAT-6-17</b>	15 Clinton St. (NYS Rt. 33), Batavia	Area Variance to construct a deck for residential use.  Side Yard Setback Minimum required: 8 ft. Existing: 0 ft. Proposed: 0 ft.	<b><u>APPROVAL</u></b>  The proposed variance should pose no significant county-wide or inter-community impact. The deck will not encroach onto the side yard any further than the existing home. It is recommended that the applicant obtain an easement from the neighboring property owner to ensure access for the proper maintenance of the existing home and proposed deck.
		Residential (R-2) District	
<b>C-14-BAT-6-17</b>	40-52, 56-70 Ellicott St. (NYS Rt. 63), Batavia	Special Use Permit, Site Plan Review and Area Variances to merge and re-develop five parcels through selective demolition, renovation of a portion of an existing building and construction of two new buildings (Ellicott Station Project).  Number of Stories Maximum Allowed: 4; Proposed: 5 Building Height Maximum Allowed: 45 ft.; Proposed: 60 ft.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  Given the design guidelines adopted by the City for the Central Commercial (C-3) District, the required modifications are as follows: 1) the applicant resubmit building elevation designs for Downtown Design Review based on these guidelines. As depicted, buildings R and C ignore too many of the design guidelines, especially façade fenestration, building materials and colors; and 2) a landscape wall be installed between the parking lot in front of Bldg. B and the sidewalk. With these required modifications, the proposed mixed-use project 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 buildings and residential units meet Enhanced 9-1-1 standards.
		Central Commercial (C-3) District	

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<b>C-15-BAT-6-17</b>	9 Redfield Pkwy., Batavia	Area Variance to construct a fence on a residential property.  Fence Height Maximum Allowed: 6 ft. Proposed: 8 ft.	<b><u>APPROVAL</u></b>  Given that the fence will serve as a buffer between a commercial/recreational use and a residential use, the proposed variance should pose no significant county-wide or inter-community impact.
		Residential (R-1) District	
<b>C-16-BAT-6-17</b>	230 State St., Batavia	Area Variance to construct a fence on a residential property.  Fence Height Maximum Allowed: 3 ft. Proposed: 4 ft.	<b><u>DISAPPROVAL</u></b>  The fence/hedge height restrictions on corner lots are intended to maintain sight lines for vehicular traffic around corners. The proposed variance may pose a safety hazards for drivers especially near the high school where inexperienced drivers would be more common.
		Residential (R-1A) District	

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<b>C-17-BAT-6-17</b>	8-10 Wade Ave., Batavia	Use and Area Variances to operate a household items repair shop, business office for a residential home inspection business and a dog training facility with dog day care in a former commercial building.  Kennels not permitted within 200 ft. of a residential district.  Residential (R-2) District	<b><u>DISAPPROVAL</u></b>  Under the criteria set forth in NYS General City Law, this proposal does not appear to meet the thresholds for the granting of a Use Variance. The parcel has yet to be purchased by the applicant and therefore the hardship appears to be self-created. Under the Law, the applicant must meet all four tests in order for the City's Zoning Board of Appeals to grant the use variance. Possible inappropriate application of use variances may pose significant impacts upon the development policies/processes of the City.
<b>T-11-BAT-6-17</b>	4531 W. Saile Dr., Batavia	Site Plan Review to construct a 3,600 sq. ft. (60 x 60 ft.) addition to an existing tire sales and service business (Parmenter).  Commercial (C) District	<b><u>APPROVAL</u></b>  The proposed addition should pose no significant county-wide or inter-community impact. The addition does not violate the rear setback and height restriction per County Airport easement. It is recommended that any other proposed new exterior alterations, such as lighting, be forwarded to the County Highway Superintendent for review when proposed.

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<b>T-03-BER-6-17</b>	Apple Tree Ave., Bergen	Final Subdivision to re-subdivide an 3-acre parcel into two parcels to accommodate a new road and future business in an existing business park (Apple Tree Acres Corporate Park).	<b><u>APPROVAL</u></b>  The proposed re-subdivision should pose no significant county-wide or inter-community impact.
		Interchange (INT-I) District	
<b>T-04-BER-6-17</b>	Apple Tree Ave., Bergen	Site Plan Review to construct a 5,000 sq. ft. (50 x 100 ft.) food processing building in an existing industrial park.	<b><u>APPROVAL</u></b>  The proposed food processing use 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 building meets Enhanced 9-1-1 standards.
		Interchange (INT-I) District	

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<b>T-05-BER-6-17</b>	6630 N. Lake Rd. (NYS Rt. 19), Bergen	Area Variance to construct an addition to a 320 sq. ft. (16 x 20 ft.) single-family home.  Front Yard Setback Minimum required: 50 ft. Existing: 27.2 ft. Proposed: Approx. 30 ft.	<b><u>APPROVAL</u></b>  Given that the addition will be setback further than the existing home, the proposed variance should pose no significant county-wide or inter-community impact.
Residential-Agricultural (RA-40) District			
<b>V-01-CORFU-6-17</b>	15 E. Main St. (NYS Rt. 33), Corfu	Site Plan Review to operate a salon in an existing commercial building.	<b><u>APPROVAL</u></b>  The proposed salon should pose no significant county-wide or inter-community impact.
Commercial (C) District			

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<b>T-07-DAR-6-17</b>	1632 Broadway Rd. (Rt. 20), Darien	Site Plan Review for a new retail sales business (sheds).	<b><u>APPROVAL</u></b>  The proposed shed retail sales business should pose no significant county-wide or inter-community impact.
		Commercial (C) District	
<b>T-08-DAR-6-17</b>	3483 County Line Rd., Darien	Special Use Permit to operate a kennel out of an existing single-family home.	<b><u>WITHDRAWN</u></b>  Withdrawn per the applicant/Town.
		Low Density Residential (LDR) District	

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<b>V-01-ELBA-6-17</b>	37 S. Main St. (NYS Rt. 98), Elba	Area Variance to construct a 336 sq. ft. (24 x 14 ft.) garage for a single-family home.  Side Yard Setback Minimum required: 15 ft. Proposed: 4 ft.  Rear Yard Setback Minimum required: 30 ft. Proposed: 22.5 ft.  Residential (R-1) District	<b><u>APPROVAL</u></b>  The proposed variance should pose no significant county-wide or inter-community impact. Neighboring properties exhibit similar such setbacks.
<b>T-06-LEROY-6-17</b>	Entire Town of LeRoy	Zoning Text Amendments as follows: 1) Eliminate two-family dwellings from the permitted list of uses in the Residential (R-1) District; 2) Add "Concrete/green waste recycling and Technology" as permitted uses in Light Industrial (I-2) District.  General Residential (R-1) and Light Industrial (I-2)	<b><u>APPROVAL</u></b>  The proposed Zoning Text Amendments are intended to protect the health, safety, and welfare of the Town and should pose no significant county-wide or inter-community impact.



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<b>T-06-PEM-6-17</b>	Main Rd. (NYS Rt. 5), Pembroke	Special Use Permit and Site Plan Review for a new tree service business.	<b><u>APPROVAL WITH MODIFICATION(S)</u></b>  The required modifications are as follows: 1) Per NYS Dept. of Environmental Conservation (DEC) requirements, and given that the applicant will be disturbing more than one acre of land, the applicant completes a Stormwater Pollution Prevention Plan (SWPPP) prior to final approval from the Town; 2) The applicant obtain documentation from the NYS DEC as to the project's impacts on threatened and endangered species; 3) the applicant obtain driveway permits from NYS DOT before final approval by the Town, and 4) The applicant obtain documentation and/or a permit from the U.S. Army Corps of Engineers for the suspected wetlands that may be disturbed/filled in. With these required modifications, the proposed contractor's yard should pose no significant county-wide or inter-community impact. It is recommended that the applicant submit the attached application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that an address is assigned that meets Enhanced 9-1-1 standards.
		Commercial (C) District	
<b>T-06-STAF-6-17</b>	8892 Fargo Rd., Stafford	Area Variance to construct a pool.  Side Yard Setback Minimum required: 30 ft. Existing home: 22 ft. Proposed pool: 12 ft.	<b><u>APPROVAL</u></b>  The proposed variance should pose no significant county-wide or inter-community impact. The pool's location is limited by the location of the septic system.
		Agricultural-Residential (A-R) District	

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<b>T-07-STAF-6-17</b>	5596 Main Rd. (NYS Rt. 5), Stafford	Site Plan Review to operate a dance academy/studio in an existing commercial building.	<b><u>APPROVAL</u></b>  The proposed dance academy/studio should pose no significant county-wide or inter-community impact. Given that it will be a separate business on the same parcel, it is recommended that the applicant submit the attached application for 9-1-1 Address Verification to the Genesee County Sheriff's Office to ensure that an address is assigned that meets Enhanced 9-1-1 standards.
Commercial (C) District			