

<i>NUMBER</i>	<i>LOCATION</i>	<i>APPLICANT'S REQUEST</i>	<i>STAFF RECOMMENDATION</i>
C-25-BAT-7-15	1 Prospect Ave., Batavia	Area Variance to construct a fence for a single-family home. Fence Height Maximum allowed: 3 ft. within 15 ft. of front property line Proposed: 4 ft. at property line	<u>APPROVAL</u> Given that neighboring properties exhibit similarly located fences and that the yard to be enclosed is used as a rear yard, the proposed fence should pose no significant county-wide or inter-community impact.
		Residential (R-1A) District	
T-11-BAT-7-15	4975 W Ag Park Dr., Batavia	Area Variances to construct six tanks for a new bio-gas plant at an existing agri-business industrial park. Building Height Maximum allowed: 40 ft. Proposed tanks: 81 ft., 55 ft., and four 50 ft. tanks.	<u>APPROVAL</u> The proposed tank heights should pose no significant county-wide or inter-community impact. It is recommended that the Town forward the site plan to the Town of Batavia Fire Department for comments.
		Industrial Park (IP) District	

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T-02-BER-7-15	2021 Reed Rd., Bergen	Final Subdivision to divide a 5 acre lot into two.	<u>APPROVAL</u> The proposed final subdivision should pose no significant county-wide or inter-community impact. The applicant should note that because the parent parcel is enrolled in the NYS Agricultural District, both subsequent parcels will continue to be enrolled at least through year 2021. Residential-Agricultural (RA-40) District
T-03-ELBA-7-15	5143 North Byron Rd., Elba	Area Variance to construct an attached garage for an existing single-family home Front Yard Setback Minimum required: 75 ft. Existing home: 21.9 ft. Proposed garage: 19 ft.	<u>APPROVAL</u> The proposed garage is not substantially closer to the right-of-way than the existing home and should not pose significant county-wide or inter-community impacts. The applicant is limited from moving the garage back by the septic system and windows on the side of the home. Agricultural-Residential (A-R) District

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V-04-LEROY-7-15	55 Clay St. (NYS Rt. 19), LeRoy	Area Variance to build a new garage for a single-family residence. Side Yard Setback Minimum required: 12 ft. Existing garage: 2.5 ft. Proposed garage: 8 ft. Rear Yard Setback Minimum required: 35 ft. Existing garage: 88.7 ft. Proposed garage: 10 ft. Residential (R-1) District	<u>APPROVAL</u> Given that neighboring properties exhibit similar setbacks for accessory structures, the proposed variances should pose no significant county-wide or inter-community impact.
V-06-OAK-7-15	112 N. Main St. (NYS Rt. 63), Oakfield	Special Use Permit to operate an indoor self-service storage facility. Neighborhood Commercial (C-1) District	<u>APPROVAL</u> The proposed self-service storage facility should pose no significant county-wide or inter-community impact.

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V-07-OAK-7-15	60 Main St. (NYS Rt. 63), Oakfield	Site Plan Review to operate a music instruction and teaching business.	<u>APPROVAL</u> Given that the previous uses of the space gym/health and wellness facility are no more intense than the proposed use, the music instruction and teaching business should pose no significant county-wide or inter-community impact.
		Central Commercial (C-2) District	
T-07-PEM-7-15	2077 Main Rd. (NYS Rt. 5), Pembroke	Area Variances to divide a parcel with two single-family residences into two parcels with a residence in each. Side Yard Setback Minimum required: 25 ft. Proposed: Existing home 9 ft. & "chicken house" 20 ft. Lot Frontage Minimum required: 200 ft. Proposed 150 & 151 ft.	<u>APPROVAL</u> Given that the homes are pre-existing and that neighboring properties exhibit similar setbacks, the proposed variances should pose no significant county-wide or inter-community impact.
		Agricultural-Residential (AG-R) District	

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T-08-PEM-7-15	Entire Town	Zoning Text Amendments to add the definition of topsoil and allowing for Kennels as an allowed use requiring a Special Use Permit in the Agricultural (AG) District.	<u>APPROVAL</u> The proposed Zoning Text Amendments should pose no significant county-wide or inter-community impact as they are meant to improve the health, safety, and welfare of the community.
		Entire Town	
