



**GENESEE COUNTY PLANNING BOARD  
ZONING REFERRALS NOTICE OF FINAL  
ACTION**

GCDP Referral ID **T-03-BETH-5-16**

Review Date **5/12/2016**

Municipality  
Board Name  
Applicant's Name

**BETHANY, T.**  
**ZONING BOARD OF APPEALS**  
**Robert & Patricia Puleo**

Referral Type  
Variance(s)  
Description:

**Area Variance(s)**  
**Area Variances to build a garage for a single-family home.**  
**Accessory structure in front yard.**  
**Front Yard Setback**  
**Minimum required: 75 ft.**  
**Proposed: 27.4 ft.**  
**Side Yard Setback**  
**Minimum required: 25 ft.**  
**Proposed: 10 ft.**

Location  
Zoning District

**9718 Bethany Center Rd., Bethany**  
**Agricultural-Residential (A-R) District**

**PLANNING BOARD DECISION**

**DISAPPROVAL**

**EXPLANATION:**

**The proposed variances are too large, are out of character with the area and the applicant has the option to minimize the number of variances by building the garage in line or set back from the residence.**

Director

May 12, 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, NY 14020-9404  
Phone: (585) 815-7901



**DEPARTMENT USE ONLY:**  
GCDP Referral # T-03-BETH-5-16

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

RECEIVED  
Genesee County  
Department of Planning  
4/12/2016

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

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

Board(s) Zoning Board of Appeals  
Address 10510 Bethany Center Road  
City, State, Zip East Bethany NY 14054  
Phone (585) 343-1399 Ext. \_\_\_\_\_

**2. APPLICANT INFORMATION**

Name Robert & Patricia Puleo  
Address PO Box 145  
City, State, Zip East Bethany NY 14054  
Phone (585) 721-1468 Ext. \_\_\_\_\_ Email \_\_\_\_\_

MUNICIPALITY:  City  Town  Village of Bethany

**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. Full Address 9718 Bethany Center Road
- B. Nearest intersecting road Mayne Road
- C. Tax Map Parcel Number 2.-1-76
- D. Total area of the property 1.3 a Area of property to be disturbed 24'X30'
- E. Present zoning district(s) A-R

**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  
Articale III, Section 301, Subsec. Schedule A
- C. Please describe the nature of this request Erect a 24'x30'x10' pole barn framed accessory building for a private garage. 1) in front of house, 2) 27.4' from ROW, 3) 10' from side yard line (25' required for side yard, 75' required for front yard)

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

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

Name Thomas Douglas Title CEO/ZEO Phone (585) 356-0824 Ext. \_\_\_\_\_  
Address, City, State, Zip 10510 Bethany Center Rd, E Bethany NY 14054 Email tdgoldenrod@yahoo.com



# TOWN OF BETHANY

Area  Use  Interpretation Variance

APPLICATION NO. AV11602

DATE: 4/6/16

PROPERTY OWNER: Robert J & Patricia Puleo

ADDRESS: PO Box 145 BALAVIA NY 14020 PHONE NO: 585-721-1468

APPLICANT (if other than owner): SAME

ADDRESS: \_\_\_\_\_ PHONE NO: \_\_\_\_\_

LOCATION OF PROPERTY: 9718 Bethany Ctr Rd.

ZONING DISTRICT: A-R TAX MAP PARCEL NO: 2-1-76

### PROVISION OF ZONING LAW INVOLVED:

ARTICLE: III SECTION: 301 SUBSEC: Sch A PARA: \_\_\_\_\_  
III

PURPOSE OF REQUEST: Erect a 24' x 30' x 10' pole Barn Eaned Accessory Bldg. for a private garage  
1) IN FRONT of MY HOUSE  
2) 27' H FROM ROW, 3) 10' FROM  
The owner must submit appropriate supporting materials including site plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps and any other materials that will assist the Board in understanding the request.  
SIDE Yd line (25' req on side yd 75' req for FRZ Yd)

**CERTIFICATION:** I hereby certify that I have read the instructions and examined this application and supporting attachments and know the same to be true and correct. All provisions of laws and of work or use will be complied with whether specific herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinance or performance of construction.

Signature of Property Owner: [Signature] Date: 4/6/2016  
(only applications signed by the property owner may be considered)

### OFFICE USE ONLY:

Amount/Date Fee Paid: \$200.00 4/12/16

Check No/Cash: Cash

Planning Board Submission: 4/12/16

Planning Board Recommend: \_\_\_\_\_

G.C.P.B. Submission: 4/12/16

G.C.P.B Recommend: \_\_\_\_\_

Date Received: \_\_\_\_\_

500 ft Notification: \_\_\_\_\_

1st Public Hearing: \_\_\_\_\_

2nd Public Hearing: \_\_\_\_\_

ZBA Recommend: \_\_\_\_\_

Signature: \_\_\_\_\_

File Closed: \_\_\_\_\_



# TOWN OF BETHANY

Area  Use  Interpretation Variance

APPLICATION NO: AV-16-02

DATE: 4/6/16

PROPERTY OWNER: Robert J & Patricia Puleo

ADDRESS: PO Box 145 BALAWIA NY 14020 PHONE NO: 585-721-1408

APPLICANT (if other than owner): SAME

ADDRESS: \_\_\_\_\_ PHONE NO: \_\_\_\_\_

LOCATION OF PROPERTY: 9718 Bethany Ctr Rd.

ZONING DISTRICT: A-R TAX MAP PARCEL NO: 2-1-76

PROVISION OF ZONING LAW INVOLVED:

ARTICLE: III SECTION: 301 SUBSEC: Sch A PARA: \_\_\_\_\_  
III

PURPOSE OF REQUEST: Erect a 24' x 30' x 10' pole Barn Eaned  
ACCESSARY Bldg. for a private garage 1) in front of my house  
2) 274 ft from ROW, 3) 10' from  
The owner must submit appropriate supporting materials including site plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps and any other materials that will assist the Board in understanding the request.  
SIDE Yd liner (25' req on side yd 75' req for FRt Yd)

**CERTIFICATION:** I hereby certify that I have read the instructions and examined this application and supporting attachments and know the same to be true and correct. All provisions of laws and of work or use will be complied with whether specific herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinance or performance of construction.

Signature of Property Owner: Original Signed Date: \_\_\_\_\_  
(only applications signed by the property owner may be considered)

### OFFICE USE ONLY:

Amount/Date Fee Paid: \_\_\_\_\_ / \_\_\_\_\_

Check No/Cash: \_\_\_\_\_

Planning Board Submission: \_\_\_\_\_

Planning Board Recommend: \_\_\_\_\_

G.C.P.B. Submission: \_\_\_\_\_

G.C.P.B Recommend: \_\_\_\_\_

Date Received: \_\_\_\_\_

500 ft Notification: \_\_\_\_\_

1st Public Hearing: \_\_\_\_\_

2nd Public Hearing: \_\_\_\_\_

ZBA Recommend: \_\_\_\_\_

Signature: \_\_\_\_\_

File Closed: \_\_\_\_\_

TOWN VILLAGE CITY OF Bethany  
(circle one)  
**Agricultural Data Statement**

Application # AV1602  
 Date 4/6/16

**Instructions:** This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: <u>Robert + Patricia Puleo</u> Address: <u>9718 Bethany Center Rd</u> <u>E. Bethany NY 14054</u>	Name: _____ Address: _____

- Type of Application:  Special Use Permit;  Site Plan Approval;  <sup>Area</sup> Use Variance;  Subdivision Approval  
(circle one or more)
- Description of proposed project: Erect a 24' x 30' x 10' pole barn  
framed accessory bldg. 3 AREA variances req'd. 1 in rear  
of house, 24' from Row, 10 from side yep. Not here
- Location of project: Address: 9718 Bethany Ctr Rd  
Tax Map Number (TMP) 2-1-76
- Is this parcel within an Agricultural District?  NO  YES (Check with your local assessor if you do not know)
- If YES, Agricultural District Number \_\_\_\_\_
- Is this parcel actively farmed?  NO  YES
- List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: <u>Wayne Nichols</u> Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES
Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

[Signature]  
 Signature of Applicant

\_\_\_\_\_  
 Signature of Owner (if other than applicant)

Reviewed by: [Signature]  
 Signature of Municipal Official

4/6/16  
 Date

**NOTE TO REFERRAL AGENCY:** County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.



# Memo

**To:** Zoning Board of Appeals  
**From:** Thomas J. Douglas  
Code Enforcement Officer  
**Re:** SEQR

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This action, AV4602, is an Area Variance only. x3

Therefore this action is covered under NYS Dept. of Environmental Conservation, Rules and Regulations, 6 NYCRR Part 617. State Environmental Quality Review (SEQR)

Section 617.5(C) (12) granting of individual setback and lot line variances; and Section 617.5(C) (13) granting of an area variance (s) for a single-family, two-family, or three-family residence, are listed as Type II actions not subject to review.

Hence no SEQR review is required as part of this action

AU-16-02



REFERENCE ONLY

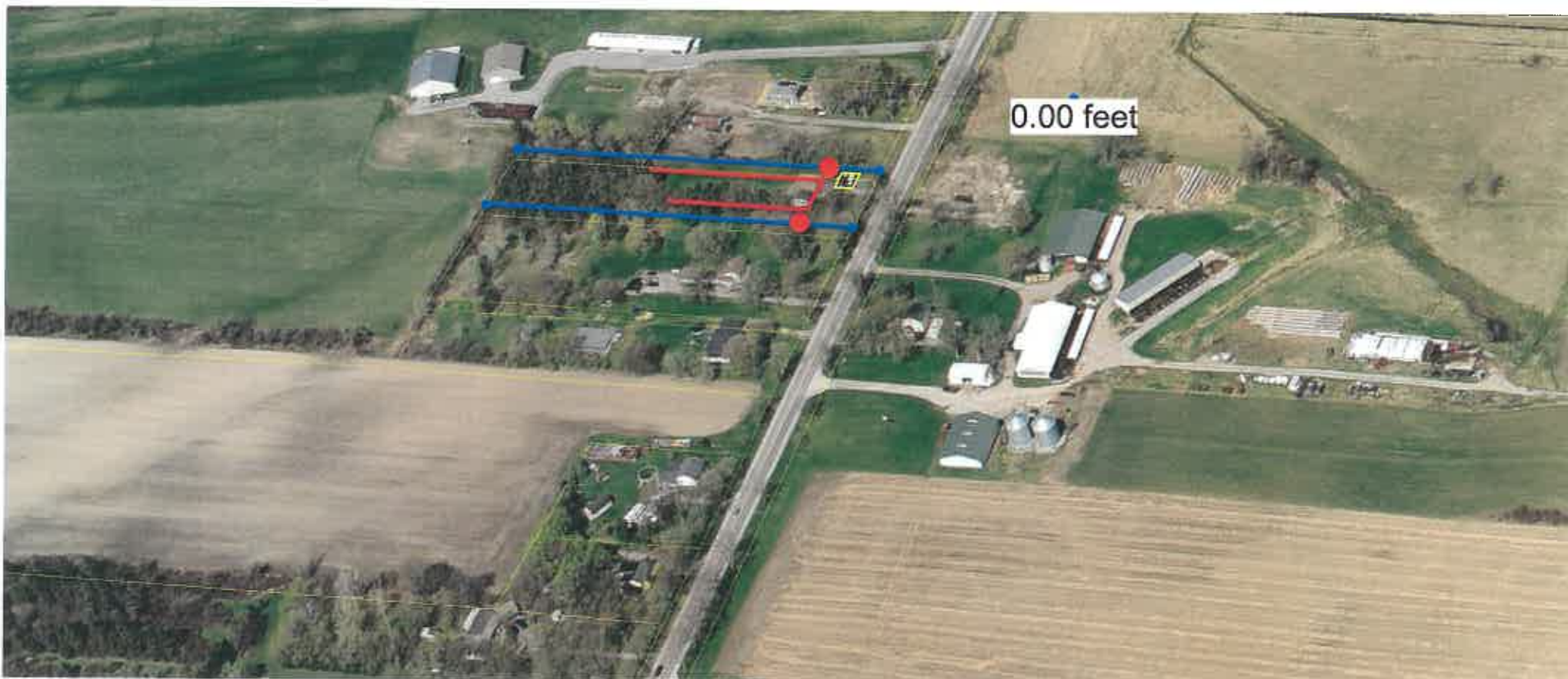
10 ft



27.40 feet

Copyright © 2010 Pictometry International Corp.

Red lines represent required set backs  
Blue lines - actual lot lines



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**REFERENCE ONLY**

AU-16-02

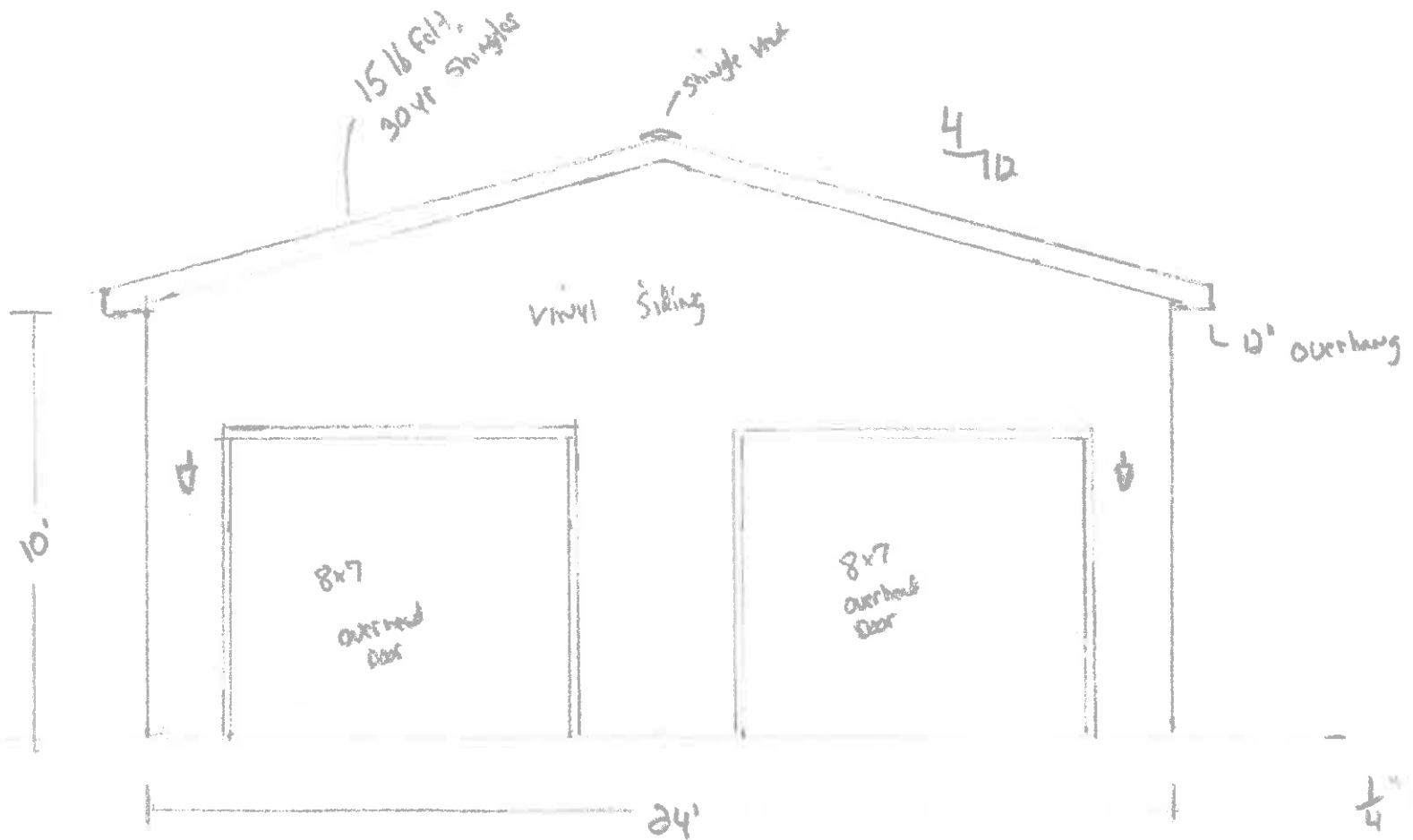
Creation Date: Apr 10, 2010 13:04  
Modification Date: Apr 20, 2010 14:35

Average Scale: 1 inch = 187.5 feet



garage doors to have windows

Bob Pulco  
721-1468



1/4" scale  
North

instead of Plywood  
to be 5" Treated  
OSB Sheathing  
Thereafter

Windows  
size, style, location  
TBD BY OWNER

$\frac{4}{12}$

vented  
ridge

30 yr Shingles  
to match  
house

6" Fascia  
w/ vinyl  
soffit

12" overhang  
Typ.

vinyl siding to  
match house

10'

Driveway  
side

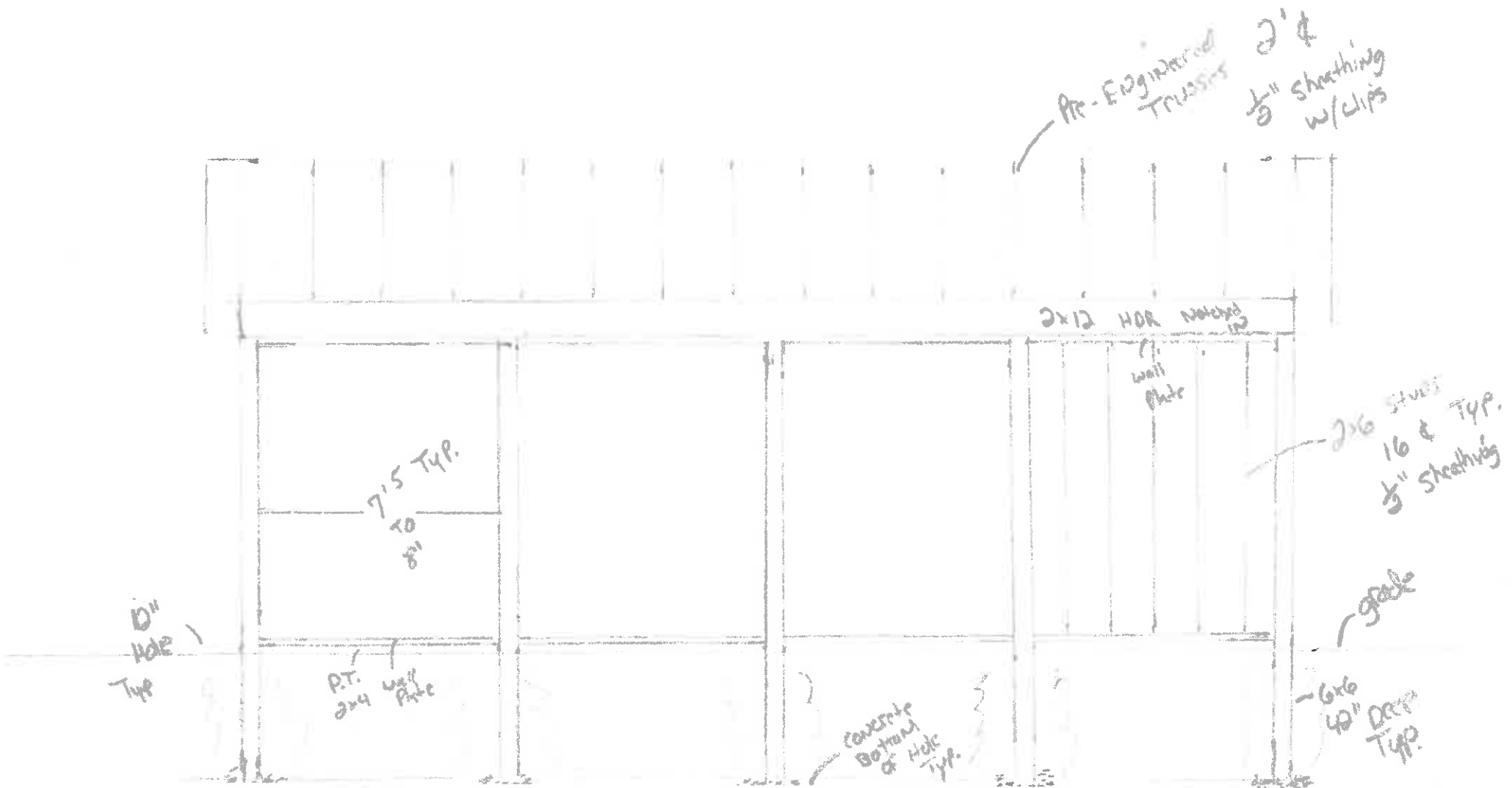
30'

$\frac{1}{4}$ "  
Scale

EAST

36" max Door  
location TBD by owner

$\frac{1}{4}$ " scale  
West



REFERENCE ONLY

# BUILDING APPLICATION

(This is Not a Permit to Build)

*Permit*

No. 75

(PART I)

TOWN OF BETHANY, NEW YORK

Date Oct 21, 1974

1. This application is for the purpose of the erection of:

New Building

Alteration of Building

Conversion of Building

Sign

Other

2. Type of Construction: Stump

3. Use of Building: Residence

4. Zone Classification:

5. Size of Lot: 114ft x 524ft

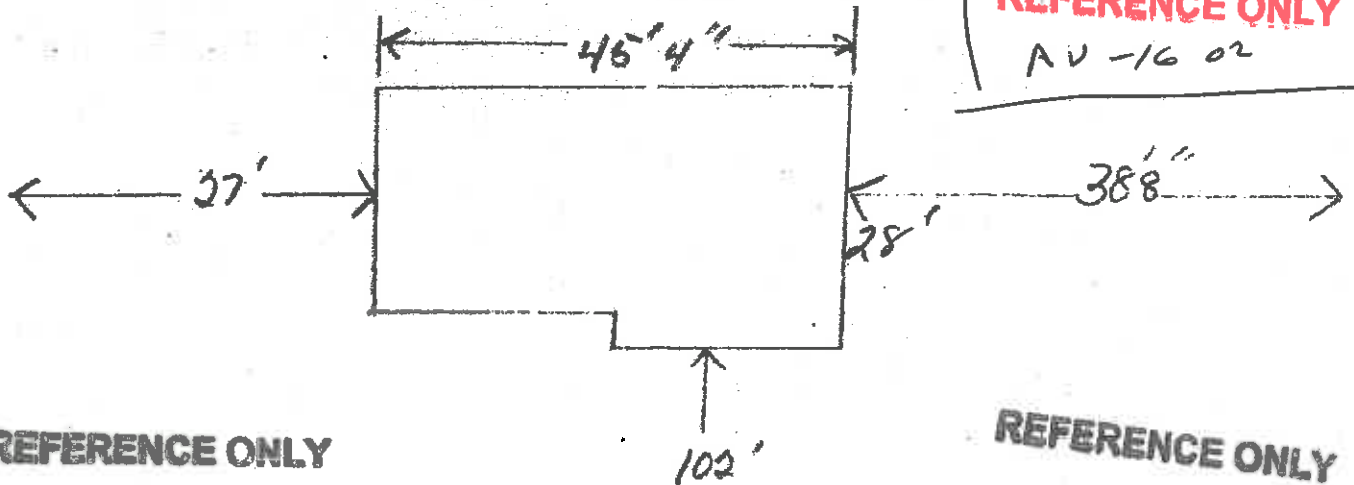
6. Location: BETHANY CENTER ROAD, BETHANY

7. Other Information and Estimated Cost: \$ 31,000

REFERENCE ONLY

REFERENCE ONLY

8. Sketch Lot showing Proposed or Present Building if any, Distance from Highway and Lot Lines:



REFERENCE ONLY

REFERENCE ONLY

Attach drawings showing floor plans, two elevations showing construction.

9. I hereby agree to comply with the terms of the permit laws of the State of New York, and the Town Ordinances, the rules and regulations of the County and Town Health Departments and all rules and regulations of the various departments of the Town and the State of New York to observe the established building lines and give full information to the Zoning Enforcement Officer, not to use or permit to be used the structure or structures covered by the permit until sanitary facilities are completely furnished, and such other information as the Zoning Enforcement Officer, Zoning Board of Appeals or Town Board may require. I represent that person named below is the record owner of premises for which permit is sought.

REFERENCE ONLY

AV-16e-02

1550(S)

<p>1.5A(C) <b>85.11</b></p>	<p>202.09 311.43 • 002</p>	<p>343.16 524 <b>76 • 1.3A(C)</b> 111</p>	<p>162.9 <b>77.1 • 2.0A(C)</b> 162.9</p>	<p>20 20 <b>78 • 1.3A(C)</b> 110 524</p>	<p>108 <b>84.11</b></p>	<p>170.32 208.39 • 172.01</p>	<p>115 125 • •</p>
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Puleo  
AV1602

TOWN OF BETHANY

VARIANCE MEETING SCHEDULE

- > Town of Bethany Planning Board  
10510 Bethany Center Road  
East Bethany NY 14054  
Date: 5/5/16  
Day: Thursday  
Time: 7:30 p.m.
  
- > Genesee County Planning Board  
County Building #2  
Batavia NY 14020  
Date: 5/12/16  
Day: Thursday  
Time: 7:00 p.m.  
(Arrive 15 min. early)
  
- > Town of Bethany Zoning Board of Appeals  
10510 Bethany Center Road  
East Bethany NY 10440  
Date: 5/25/16  
Day: Wednesday  
Time: 7:30 p.m.
  
- > Public Hearing  
10510 Bethany Center Road  
East Bethany NY 14054  
Date: 5/25/16  
Day: Wednesday  
Time: 7:30

# T-03-BETH-5-16



04/04/2013

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