



# GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

**T-04-LER-10-24**

Review Date

**10/10/2024**

Municipality  
Board Name  
Applicant's Name  
Referral Type  
Variance(s)  
Description:

<b>LEROY, T.</b>
<b>PLANNING BOARD</b>
<b>Donald Hall</b>
<b>Special Use Permit</b>
<b>Area Variance(s)</b>
<b>Special Use Permit, Site Plan Review and Area Variances for an addition to a single-family home as an expansion of a nonconforming use.</b>
<b>Side Yard Setback</b> <b>Minimum required: 12 ft.; Existing and Proposed: 3.58 ft.</b>
<b>Rear Yard Setback</b> <b>Minimum required: 35 ft.; Existing and Proposed: 30 ft.</b>
<b>Lot Coverage</b> <b>Maximum allowed: 40%; Existing: Approx. 44%, Proposed: 46%</b>

Location  
Zoning District

<b>7186 W. Main Rd. (NYS Rt. 5), LeRoy</b>
<b>General Commercial (C-2) District</b>

### PLANNING BOARD RECOMMENDS:

**APPROVAL**

### EXPLANATION:

**The proposed addition and associated variances should pose no significant county-wide or inter-community impact.**

Director

October 10, 2024

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-04-LER-10-24

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

RECEIVED  
Genesee County  
Dept. of Planning  
10/1/2024

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) LeRoy ZBA and Town Boards

Address 48 Main St.

City, State, Zip LeRoy, New York 14482

Phone (585) 768 - 6910 Ext. 223

**2. APPLICANT INFORMATION**

Name Donald Hall

Address 7186 West Main Rd

City, State, Zip LeRoy, New York 14482

Phone (585) 813 - 2890 Ext. \_\_\_\_\_ Email don.hall@chassix.com

MUNICIPALITY:  City  Town  Village of LeRoy

**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 checked="" 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 7186 West Main Rd

B. Nearest intersecting road East Bethany LeRoy Road

C. Tax Map Parcel Number 29.-1-20

D. Total area of the property 5969sqft Area of property to be disturbed 134sqft

E. Present zoning district(s) C-2

**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  
165-13 C(2) and 165-19D(1) (3)(b)(d)

C. Please describe the nature of this request Homeowner needs a first floor bedroom to care for a family member who is disabled and can not use the stairs. Requires Variance for lot coverage, Side & Rear setbacks. Requires a Special Use permit to enlarge a non conforming use (Residential in a C-2 Zone)

**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 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 type="checkbox"/> Agricultural data statement |  |

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

Name Michael Risewick Title CEO Phone (585) 768 - 6910 Ext. 223

Address, City, State, Zip 48 Main St LeRoy, NY 14482 Email mrisewick.code@leroyny.org

TOWN/VILLAGE of LEROY

Application

SPECIAL USE PERMIT

PERMIT #

68-2024

*For office use only*

Applicant: DON HALL

Date Received: 9/30/24

Address: 7186 W MAIN RD

Date advertised: \_\_\_\_\_

LEROY, N.Y. 14482

Date of Hearing: 10/24/24

Phone # 585-813-2890

SBL # \_\_\_\_\_

Fee: \$250.00 (R+A Zones)

~~\$200.00~~ (all other zones)

100

Decision \_\_\_\_\_

I hereby apply for a Special Use to:

ADD A DOWNSTAIRS (FIRST FLOOR) BED ROOM

Reasons for proposed change of present status:

1] A DISABLED SON WHO CAN NOT USE THE STAIRS.  
TBI INJURY.

2] \_\_\_\_\_

If additional information is necessary, use reverse side and so indicate \_\_\_\_\_

Signature of Applicant: Don Hall

Date: 9/28/2024

Signature of CEO

[Signature] for Mike Risewick

Amt. Rec'd. \$100.00

Ck. # \_\_\_\_\_

Date rec'd. 9/30/24

By [Signature]

Town Clerk

APPLICATION  
to the  
LEROY ZONING BOARD OF APPEALS

PERMIT #

69-2024

Applicant: DON HALL

Location: 7186 W. Main Rd  
LeRoy, N.Y. 14482

Phone # \_\_\_\_\_

Tax Map # 29.-1-20

Subject AREA USE VARIANCE

Fee: \$100.00

Date Received: 9/30/24

Date Advertised: \_\_\_\_\_

Date of Hearing: 10/22/24

Decision: \_\_\_\_\_

Application for permission to use property located in a C-2 District for use  
as Residential property.

Reasons for proposed change of present status:

- 1] DISABLED SON, CAN'T USE THE STAIRS AND NEEDS A BEDROOM ON THE FIRST FLOOR. (TBI)
- 2] THE ADDITION WILL START 7 INCHES INSIDE THE HOUSE'S EXTERIOR WALL WHICH IS 3' FROM THE PROPERTY LINE. IT WILL RUN 8' INTO AN EXISTING STRUCTURE (GARAGE)
- 3] IT WILL RUN SOUTH FOR 16'8" WHICH IS THE LENGTH OF GARAGE.

If additional information is necessary, use reverse side and so indicate.

Applicant's Signature Don Hall Date: 9/29/24

Code Enforcement/Zoning Officer: Confused for Mike Kisevich

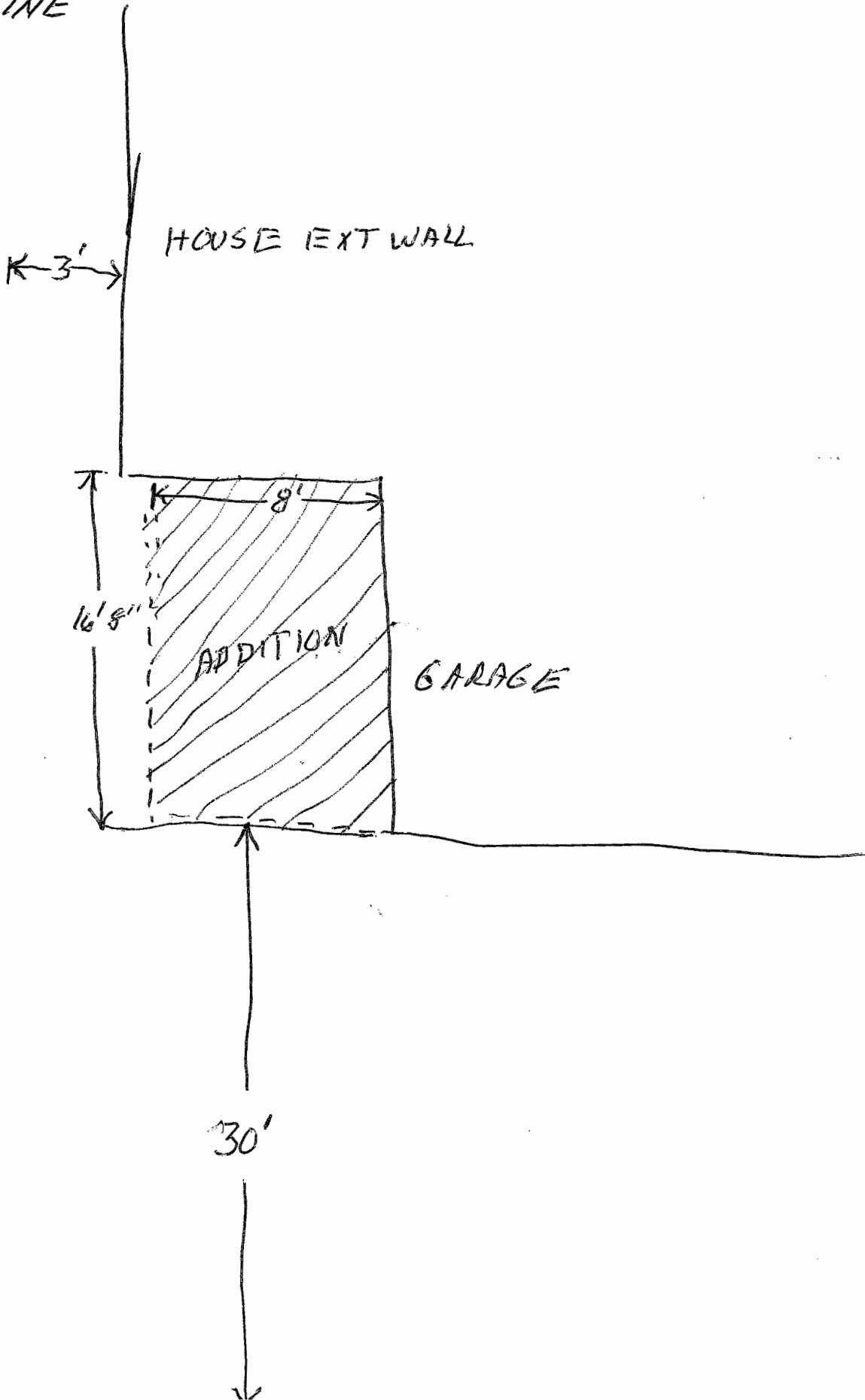
Amount Received: \$100.00 Ck.# \_\_\_\_\_ Date: 9/30/24

By: Confused, Town Clerk

A PORTION OF THE GARAGE WILL MAKE UP THE REST OF THE BEDROOM ADDITION.

THE GARAGE WALL IS ROUGHLY 30' FROM THE REAR PROPERTY LINE

16' x 16'



# 7186 west main




04/02/2023

# View from the rear



04/02/2023

# View from the rear / with proposed addition location

proposed addition 



04/02/2023



**You are receiving this notice because you own property within 250' of 7186  
West Main Rd**

**LEGAL NOTICE**

**NOTICE OF PUBLIC HEARING**

Please take notice that the Town of LeRoy Zoning Board of appeals will hold a Public Hearing to consider the request of Donald Hall for an area Variance to add an addition to his home at 7186 West Main Road, LeRoy, New York 14482. Town zoning in a C-2 zone requires 35 'minimum rear set-back, 12' side set-back and no more than 40% lot coverage. The proposed addition would require a 5' rear variance and 8'5" side variance, proposed addition would also require 6% increase in lot coverage to be granted. Said hearing will be held 22 Oct 2024 at 7:00 PM at the Town Hall, 48 Main Street, LeRoy NY. Inquiries regarding the hearing may be directed to the Zoning Office at 768-6910 ext. 223 or by attending the hearing.

**You are receiving this notice because you own property within 250' of 7186  
West Main Rd**

**LEGAL NOTICE**

**NOTICE OF PUBLIC HEARING**

Please take notice that the Town Board of LeRoy will hold a Public Hearing to consider the request of Donald Hall for an addition to his home at 7186 West Main Road, LeRoy, New York 14482. Residential uses in a C-2 zone are preexisting non-conforming uses and can be enlarged only with a special use permit. Said hearing will be held on 24 Oct at 7:00 PM at the Town Hall, 48 Main Street, LeRoy NY. Inquiries regarding the hearing may be directed to the Town Code Office at 768-6910 ext. 223 or 225 or by attending the hearing.