



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

V-01-ALE-06-24

Review Date

6/13/2024

Municipality

ALEXANDER, V.

Board Name

ZONING BOARD OF APPEALS

Applicant's Name

William & Ruth Lang

Referral Type

Variance(s)

Description:

Area Variance(s)

Area Variance to exempt the lot width dimensional standard required for frontage of a buildable lot.

Lot Width

Minimum Required: 80 ft.

Proposed Frontage: 25 ft.

Location

Bartz Dr., Alexander

Zoning District

Residential (R-1) District

PLANNING BOARD RECOMMENDS:

APPROVAL

EXPLANATION:

The proposed variance should pose no significant county-wide or inter-community impact.

Director

June 13, 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:

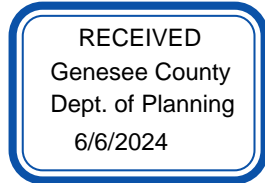
GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901



DEPARTMENT USE ONLY:

GCDP Referral # V-01-ALE-06-24

*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**



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) Village of Alexander ZBA

Address 3350 Church St

City, State, Zip Alexander, NY 14005

Phone (585) 708 - 4167 Ext. _____

2. APPLICANT INFORMATION

Name William & Ruth Lang

Address 3325 Broadway Rd

City, State, Zip Alexander, NY 14005

Phone (585) 815 - 5252 Ext. _____ Email _____

MUNICIPALITY: City Town Village of Alexander

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 Bartz Drive Alexander, Ny 14005

B. Nearest intersecting road Broadway

C. Tax Map Parcel Number 1.-1-18.22

D. Total area of the property 0.9 acres Area of property to be disturbed 0

E. Present zoning district(s) R-1 Residential

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
Village of Alexander Zoning Code Article III section 306-(C)

C. Please describe the nature of this request Applicant is requesting an area variance to have a building lot that has 25' of Road frontage on Bartz Drive

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 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 Matthew Mahaney Title CEO Phone (585) 343 - 1729 Ext. 238

Address, City, State, Zip 3833 West Main St Rd Batavia, NY 14020 Email mmahaney@townofbatavia.com

Agricultural Data Statement

Date 06/06/2024

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>William & Ruth Lang</u> Address: <u>3325 Broadway Rd</u> <u>Alexander, NY 14005</u>	Name: _____ Address: _____ _____

1. Type of Application: Special Use Permit; Site Plan Approval ; Use Variance;
(circle one or more) Subdivision Approval

2. Description of proposed project: Applicant requesting an area variance to have a building lot with 23' of rod frontage

3. Location of project: Address: Bartz Dr Alexander, NY 14005
Tax Map Number (TMP) 1.-1-18.22

4. Is this parcel within an Agricultural District? NO YES (Check with your local assessor if

5. If YES, Agricultural District Number _____ you do not know)

6. Is this parcel actively farmed? NO YES

7. List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

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

Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by:

Signature of Municipal Official

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.

Building and Zoning Application Permit No. _____

Village of Alexander 3350 Church Street P.O. Box 266 Alexander, NY 14005 PH. 585-708-4167

Date 4/27/2024 Zone _____ Flood Zone _____ Wellhead Protection _____ Corner Lot _____

- New Construction Fence Pond Sign Alteration(s) Addition Demolition
Accessory Bldg. Mobile Home Fill Permit Home Occupation Land Separation Site Plan Approval
Special Use Permit Temporary Use Subdivision Zoning Variance Request Other Specify: _____

Tax Map No. 10-1-1-18.22

Owners Name Willian and Ruth Lang Phone No. (585) 815-5252

Address 3325 Broadway Rd. Project Road Width 25 ft

Applicants Name William and Ruth Lang Project Address Vacant Land

E Mail Address wlang5@rochester.rr.com Phone No (585) 815-5252

Description of Project: Request zoning variance with regard to required road frontage

Existing Use Vacant Land Proposed Use Building Lot

Estimated Cost Building _____ Plumbing _____ Mechanical _____ Miscellaneous _____

SEQR CLASSIFICATION Type 1 Type 2 Unlisted

Review completed by Planning Board Zoning Board of Appeals

Permit Fee \$ _____ Application Date ___/___/___ Permit Expires On ___/___/___

Issuing Officer _____ Date ___/___/___

IN SIGNING THIS DOCUMENT I HEARBY GIVE THE RIGHT OF AN ON SITE INSPECTION TO THE TOWN OF BATAVIA CODE ENFORCEMENT OFFICIAL OR THEIR DESIGNE. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED 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 LAW REGULATING CONSTRUCTION OR THE PREFORMANCE OF CONSTRUCTION.

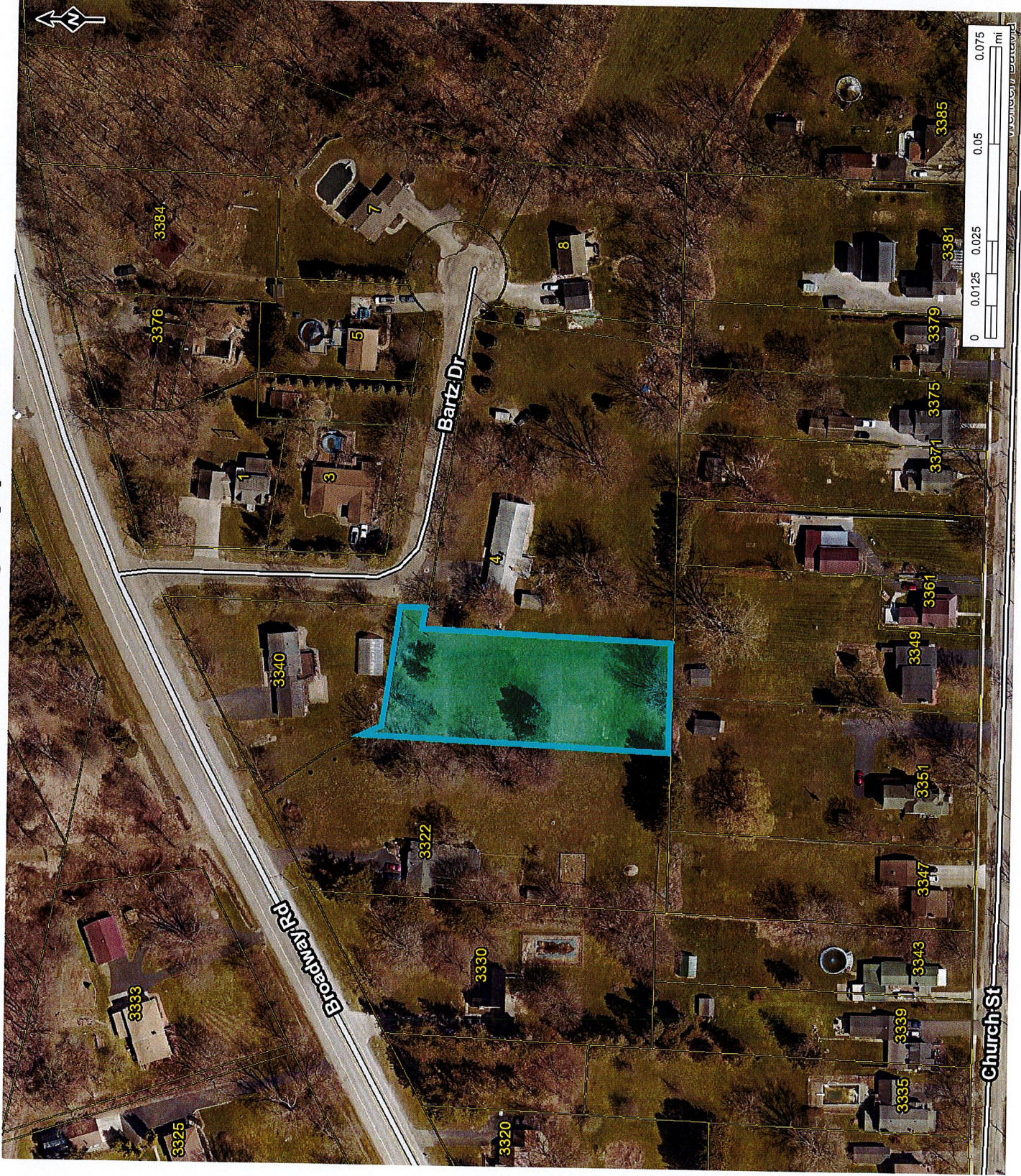
I, William and Ruth Lang, as Owner or Authorized Agent hereby declare that the statements and information on the foregoing application are true and accurate, to the best of my knowledge.

 _____ Date 4/27/2024

Signature of Owner or Authorized Agent

Date

Town of Batavia Web Mapping Application



LEGEND

- Water Tank
- Pump Station
- Hydrant Out of Service
- Red, Out of Service
- Yellow w/ Blue Caps, Out of Service
- Yellow, Out of Service
- Hydrant
- Red
- Yellow
- Yellow w/ Blue Caps
- Blowoff
- Below-Grade Programmable Flushing Unit
- Blowoff Connection
- Portable
- Continuous Flushing Setup
- Portable Programmable Hydrant
- Flushing Unit
- Fittings**
- Type Not Specified
- Bend
- Cap
- Cross
- Coupling
- Reducer
- Blowoff Connection
- Sleeve
- Tee
- Other

GUIDELINES AND CRITERIA TO SUPPORT ZONING APPEAL

AREA VARIANCE

In order to be entitled to an Area Variance, an Applicant to the Village of Alexander must show by documentation in the record that the benefit to the Applicant from the proposed variance will not outweigh the detriment to the health, safety, and welfare of the community and the neighborhood, if the variance is granted. (See Town Law §267-b(3)).

In making this determination the Zoning Board of Appeals shall consider the following factors, and the Applicant must respond to these questions with facts and circumstances and not merely repeat all or part of the questions.

1. Whether or not an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance.

The nature of the variance is consistent with the current use of surrounding properties as residential single family housing. The variance will not change the character of the neighborhood.

2. Whether or not the benefit sought by the Applicant can be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.

Without the variance, it is not possible to build a residence on the lot in question.

3. Whether or not the requested Area Variance is substantial.

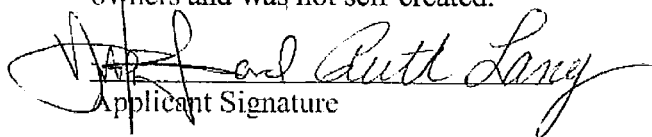
The requested variance is not substantial in as much as the current access to the property is used in similar fashion to the proposed use, with vehicles entering and exiting onto Bartz drive.

4. Whether or not the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

It is not anticipated that the development of this property will have an adverse impact of the physical or environmental condition of the neighborhood.

5. Whether or not the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the Area Variance.

The nature of the situation resulting in the requested variance existed prior to the current owners and was not self-created.


Applicant Signature

4/27/2024
Date

V-01-ALE-06-24



04/08/2023