



TOWN OF YORK
 2668 Main Street, P O Box 187, York, NY 14592-0187
 Tel: (585) 243-3128 Fax: (585) 243-4618
 TTY NY: (800) 662-1220

Zoning Board of Appeals (ZBA) Application

Project Name: Garage Addition 2448

Applicant Name: Josh Wren

1. Type of Request. Check the type of request you are applying for and complete the indicated sections of this application. If you are uncertain which request you are applying for, consult with the Town of York Code Enforcement Officer or the Town of York Zoning Clerk.

✓ All requests	Request Type	Complete All Required Sections
	Appeal and/or Interpretation	1, 2, 3, 4, 5, 6
✓	Area Variance	1, 2, 3, 4, 5, 7
	Use Variance	1, 2, 3, 4, 5, 8

All use variances and area variances (except those involving single-family and two-family dwellings), (Check with Code Enforcement Office to see which form is needed) **SEQR: State Environmental Quality Review Act (SEQR) Forms - NYS Dept. of Environmental Conservation**

All use and area within 500' of agriculture: If the proposed activity will be on property within an agricultural district containing a farm operation or on property with boundaries within 500 ft. of a farm operation located within an agricultural district, then an ag data statement must be completed. Check with Town Assessor for property owners to be listed on the form.
NEW Copy of Agricultural Data Statement 002 .pdf (yorkny.org)

Notice to Applicant: By law, the application or amendment must be referred to the County Planning Board if it applies to real property within 500 feet of: A municipal boundary, The right-of-way of any state or county road, A state or county park or recreation area (existing or proposed), State or county land on which a public building or institution is located, A farm operation within an agricultural district as defined by Article 25-AA of the New York State Agriculture and Markets Law, Existing or proposed right-of-way of any county stream or drainage channel. Referral Trigger Map

Requests will also require a public hearing seeking comments from the public on the requested variance.

Please describe your request, in general:

I would like to build an attached garage in front of my existing garage. I am seeking two area variance as the garage will be about 9 feet from the lot line, and the front of the new garage will fall 10 feet short of the minimum set back, 60 feet, for a residence on Route 63.



TOWN OF YORK
 2668 Main Street, P O Box 187, York, NY 14592-0187
 Tel: (585) 243-3128 Fax: (585) 243-4618
 TTY NY: (800) 662-1220

5. Application Procedure. The following check list includes all documents required for the Town of York Code Enforcement Officer or Zoning Clerk to begin the ZBA process.

NOTE: Partial sets will not be accepted for submittal.

- Application Form and Fees.** A completed application form and the application fee are required with the initial submittal.
- SEQR Short Environmental Assessment Form.** A completed Short EAF is required for all Use Variance applications and for Area Variance applications related to properties other than single-family and two-family dwelling properties.
- Proof of Ownership.** Current proof of ownership of the property to utilized or contractual ability to acquire such land. If applicant is a tenant or agent of owner, then proof of ownership and written permission of owner for applicant to apply for zoning relief. Copy of Tax bill is not proof of ownership. *Documents A, B, C*
- Response to Criteria.** A completed, detailed written response to the review criteria referenced in section 1 and described in section 6, 7, and 8.
- Copies.** At the time of submittal, a complete electronic file of the site plan, landscape plan, elevation drawing, color renderings, complete checklist and application documents must be emailed to planningzoningclrk@yorkny.org. This will then be forwarded to the zoning board.

NOTE: The applicant and property owner will be notified when the application will be heard at a scheduled hearing.

I, Josh Wren (applicant), do hereby swear that the information given herein is true and correct.

I, Josh Wren (property owner), do hereby give permission for Town of York officials, staff, and consultants to go on the property for which the above referenced site plan is proposed for purposes of verifying information provided on the submitted application.

[Signature]
 Signature of Applicant Date 02/05/26

Josh Wren
 Printed Name of Applicant

 Signature of Property Owner (If different) Date

 Printed Name of Property Owner (If different)





TOWN OF YORK
 2668 Main Street, P O Box 187, York, NY 14592-0187
 Tel: (585) 243-3128 Fax: (585) 243-4618
 TTY NY: (800) 662-1220

7. Criteria for AREA Variances. The ZBA may grant an area variance only upon a finding that a practical difficulty exists. Please respond to the following statements.

a. **Public Safety and Welfare.** Will the granting of a variance create an undesirable change to the character of the neighborhood or be a detriment to nearby properties?
See attachment for response.

b. **Alternate Options.** Can the benefit sought by the applicant be achieved by some other method, feasible for the applicant to pursue, other than an area variance?
See attachment for response.

c. **The degree of variance.** Is the requested area variance substantial?
See attachment for response.

d. **Level of effect.** Will the requested variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?
See attachment for response.

e. **Not Self-Created.** Is the alleged difficulty self-created?
See attachment for response.

The ZBA, in granting an area variance, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.



TOWN OF YORK
 2668 Main Street, P O Box 187, York, NY 14592-0187
 Tel: (585) 243-3128 Fax: (585) 243-4618
 TTY NY: (800) 662-1220

NIA

8. Criteria for USE Variances. A Use variance is issued to permit a use that is otherwise not permitted in the existing zoning district. The ZBA may only grant a use variance upon a showing by the applicant that applicable zoning regulations and restrictions have caused an unnecessary hardship. Please respond with regard to the following criteria. In addition, a use variance request shall include a plot plan drawn to scale detailing the specific use and improvements proposed by the applicant. The applicant must demonstrate all the following criteria to obtain a use variance.

a. Unreasonable Current Zoning Designation. Describe how the applicant, without a use variance, cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence. Can the property be reasonably used for any purpose permitted in the zoning district without the use variance?

b. Unique Circumstances. Describe how the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood. What are the circumstances or conditions peculiar to the subject property that are not generally applicable in the area or to other properties in the same zoning district?

c. Character of the Area. Describe how granting of the requested use variance will not alter the essential character of the neighborhood. Take into consideration the established type and pattern of land uses in the area as well as the natural characteristics of the site and surrounding area when evaluating this criteria.

d. Not Self-Created. Describe how the alleged hardship has not been self-created. Are there special conditions or circumstances related to subject property that make the variance request necessary and which have not been created by or resulted from the actions of the applicant or the applicant's predecessors?

The ZBA, in granting a use variance, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

A)

3. Edward P. Langenfeld
Raylene M. Langenfeld
husband and wife

Warranty Deed

Dated February 22, 2017

Ack. Same date

Rec. February 27, 2017

-TO-

Liber 1281 of Deeds, page 1798

Joshua D. Wren
Kayla J. Valentino
as joint tenants with rights
of survivorship

Conveys: All that tract or parcel of land, situate in part of the Town of York, County of Livingston and State of New York, and is more particularly described as follows: Beginning at a concrete monument which is $08^{\circ} 46' 46''$ W a distance of 28.88 feet from the centerline of Pavilion-Greigsville State Highway (also known as Genesee Street & N.Y.S. Route 63), said point being $N 81^{\circ} 13' 14''$ W, a distance of 344.00 feet from a concrete monument marking the northwest corner of lands described in a Deed to Willard H. Green and Florence Wise Green recorded in the Livingston County Clerk's Office in Liber 386 of Deeds, page 99; thence (1) $S 08^{\circ} 46' 46''$ W for a distance of 300.00 feet to a point; thence (2) $N 81^{\circ} 13' 14''$ W for a distance of 150.00 feet to a point; thence (3) $N 08^{\circ} 46' 46''$ E for a distance of 300.00 feet to a point which is a distance of 28.88 feet from said centerline of Pavilion-Greigsville State Highway; thence (4) $S 81^{\circ} 13' 14''$ E along a line parallel to said centerline, for a distance of 150.00 feet to the point and place of beginning.

Subject to all covenants, easements and restrictions of record, if any affecting said premises.

Being the same premises conveyed to Edward P. Langenfeld and Raylene M. Langenfeld, his wife, herein, by Warranty Deed dated August 6, 1999 and recorded in the Office of the Livingston County Clerk on August 10, 1999 in Liber 988 of Deeds, page 196.

Contains "Lien Fund" Clause.

Genesee Valley Title Services, Inc.

**Assessor's Office
Town of York**

B)

Date: 3/14/2017

Owner Name and Mailing Address:

Joshua D Wren

Kayla J Valentino

2448 Genesee St

PO Box 57

Acad, NY 14523

Dear Joshua D Wren :

Our records indicate that you recently purchased property 60.20-1-30 located on 2448 Genesee St. As part of our continuing effort to maintain accurate property records, we ask that you please complete the enclosed Residential Sale Verification Form and return it to our office. If you have any questions regarding this form, please call the undersigned at (585) 243-3128.

Your cooperation is appreciated.

Very truly yours,

Brett H. Money

Assessor

Enc.

County of Livingston
Town of York

PARCEL INFORMATION

245200 60.20-1-30
2448 Genesee St
210 - 1 Family Res
1.03 Acres

2017 Notice of Change of Taxable Status

OWNER INFORMATION

Joshua D. Wren
Kayla J. Valentino
2448 Genesee St
Piffard, NY 14533

EXEMPTIONS

No Exemptions on this parcel

In accordance with the provisions of Section 510-a of the Real Property Tax Law, you are hereby notified that the taxable status of the real property identified above has been changed on this year's tentative assessment roll as follows: The exemption(s) granted on last year's final assessment roll has been discontinued.

You should examine the tentative assessment roll regardless of this notice or have discussions with representatives of the assessor's office. If you disagree with your property's assessment, in order to protect your right to assessment review, you must file a formal written complaint on the officially prescribed form (RP-524), available from your assessor or online at www.tax.ny.gov, with your Board of Assessment Review (BAR) on or before **Grievance Day: May 30, 2017**.

A publication entitled "Contesting Your Assessment in New York State" is available at the assessor's office and online: www.tax.ny.gov.

Please note that your assessor and the BAR can only review your **assessed value**; they do not set and cannot adjust your taxes. If you feel that your assessment is fair but your taxes are too high, your comments should be addressed to the appropriate taxing jurisdiction.

The Board of Assessment Review will hear complaints on Tuesday May 30, 2017 at the York Town Hall, 2668 Main St, York, NY, between the hours of 4PM - 8PM.

Gregg Torrey
(585) 243-3128

Variance Application: Garage Addition 2448- Josh Wren

Response for Criteria for Area Variance

7a: No, the granting of the area variance will not result in an undesirable change to the character of the neighborhood, nor pose a detriment to nearby properties. My residence is set in a rural area with a single neighbor to the west, and an agricultural field to the east. Although the proposed attached garage will fall roughly 9 feet from the westward lot line, the neighbor's actual residence is set farther away from the lot line. There are no building near the lot line, only a substantial yard.

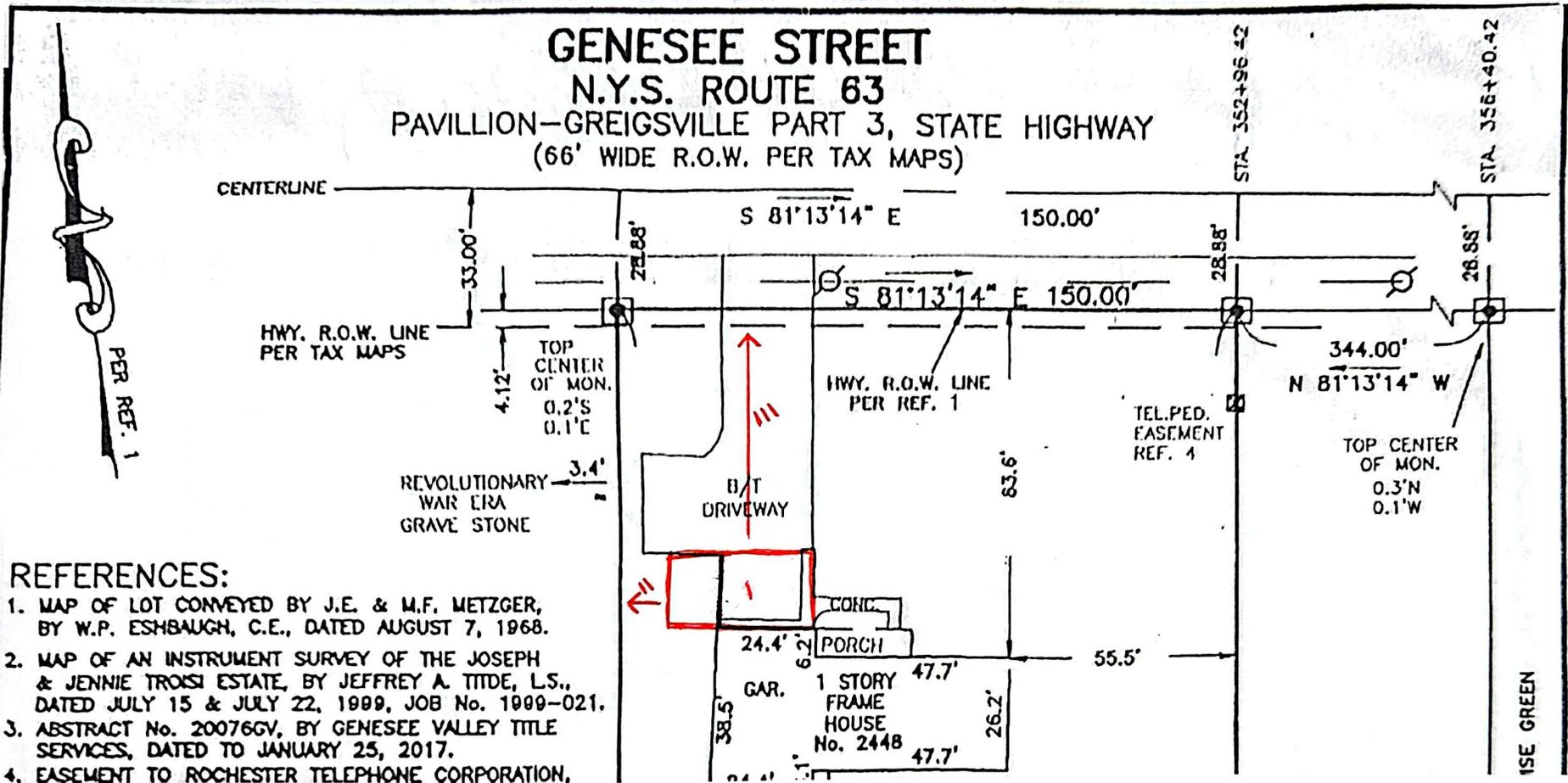
7b: No, the benefit sought can not be achieved by some other method. The existing footprint of the residence includes an attached garage directly in the driveway. The entrance to the property includes a ditch on either side, so re-positioning the driveway to relocate an attached garage would not be feasible.

7c: Although the proposed attached garage may be considered substantial because it changes the overall footprint of the residence, and falls within the side setback, will have no substantial impact on surrounding properties.

7d: No, the proposed attached garage will not have any adverse effect or impact in the neighborhood. The proposed attached garage will not block any neighboring properties view, nor block access to any neighboring property.

7e: Yes, the need for a variance is self created, but as previously mentioned there is no other feasible method to achieve this expansion without the use of an area variance. The proposed attached garage will allow my family to remain at the residence, and deter us from leaving the area.

Plot Plan #1

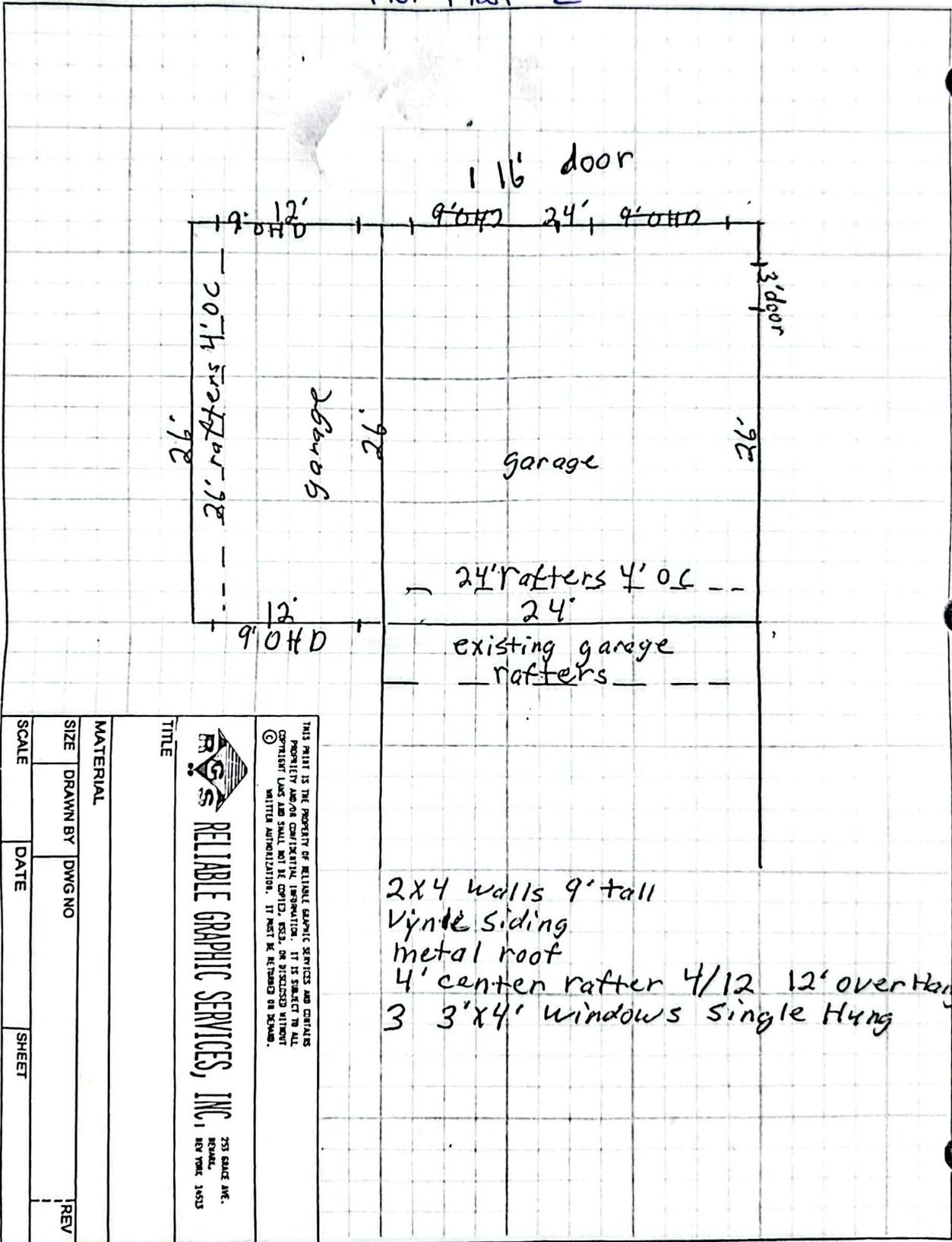


REFERENCES:

1. MAP OF LOT CONVEYED BY J.E. & M.F. METZGER, BY W.P. ESHBAUGH, C.E., DATED AUGUST 7, 1968.
2. MAP OF AN INSTRUMENT SURVEY OF THE JOSEPH & JENNIE TROSI ESTATE, BY JEFFREY A. TITDE, L.S., DATED JULY 15 & JULY 22, 1999, JOB No. 1999-021.
3. ABSTRACT No. 20076GV, BY GENESEE VALLEY TITLE SERVICES, DATED TO JANUARY 25, 2017.
4. EASEMENT TO ROCHESTER TELEPHONE CORPORATION.

- I - Attached Addition (garage)
- II - Approximately 9 feet from lot line
- III - Approximately 50 feet from Route 63 setback

Plot Plan #2



<p>THIS PLOT IS THE PROPERTY OF RELIABLE GRAPHIC SERVICES AND CONTAINS PROPRIETARY AND/OR CONFIDENTIAL INFORMATION. IT IS SUBJECT TO ALL COPYRIGHT LAWS AND SHALL NOT BE COPIED, REPRODUCED, OR DISCLOSED WITHOUT WRITTEN AUTHORIZATION. IT MUST BE RETURNED OR DESTROYED.</p>	
<p>RG'S RELIABLE GRAPHIC SERVICES, INC. 255 GAZE AVE. REHOBOTH BEACH, FLORIDA 33453</p>	
TITLE	
MATERIAL	
SIZE	DRAWN BY DWG NO
SCALE	DATE
	SHEET
	REV