



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
 Applicant Name: Christine & Larry Harris

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:

We are proposing to construct a 30 x 30 2-car garage on our property. A variance is required for 2 purposes: 1- garage will be in front of the primary residence 2- We do not meet the setback requirement from RT-36.



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2. Identification.

Project Name Garage
 Applicant Name Chris & Lanny Harris
 Address 4101 Main Street
 Town Wadsworth State NY Zip 14533
 Phone (c) (585) 298 - 2162 Fax (585) 243 - 4618
 Email YorkClrk@rochester-rr.com
 Property Owner (If other than applicant) _____
 Address _____
 Town _____ State _____ Zip _____
 Phone (____) _____ - _____ Fax(____) _____ - _____
 Email _____

3. Property Information.

Property Street Address 4101 Main St. Wadsworth
 Permanent Parcel Number Tax Map #: 70-1-60
 Legal Description of Property Single Family residence

Zoning District Residential
 Area 1.38 Acres Width _____ Depth _____
 Current Use(s) Residential
 Zoning District of Adjacent Properties to the:
 North _____ South _____ East _____ West _____

4. Prior Requests.

a. Have you ever requested ZBA relief for this property? Yes ___ No
 If yes, please provide the following information:
 Date of Hearing _____
 Relief Requested _____
 Result _____

 b. Are there any existing variances for this property? Yes ___ No
 If yes, please provide the following information:
 Date of Hearing _____
 Relief Requested _____
 Result _____

TOWN OF YORK: TOWN & COUNTY 2023 TAXES

FISCAL YEAR: 01/01/2023 to 12/31/2023	WARRANT DATE: 12/31/2022	STATE AID - COUNTY: \$17,760,851.00	TOWN: \$4,561,642.00
MAKE CHECK PAYABLE TO:		BANK	BILL NUMBER
			000639
		PAGE	
		1 OF 1	

CHRISTINE HARRIS
TAX COLLECTOR
 2668 MAIN STREET
 YORK, NY. 14592

TO PAY IN PERSON:
 Town Hall
 Monday - Friday
 9:00 AM - 4:30 pm
 Wed. 9am-12 noon

PROPERTY INFORMATION:

TAX MAP #: 245200 70.-1-60
 DIMENSION: 1.38 acres
 RS: 1 CLASS: 1 Family Res
 ADDRESS: 4101 Main St
 SCHOOL: YORK
 FULL MARKET VALUE: 152600.00
 UNIFORM % OF VALUE: 100.00
 ASSESSMENT: 152600

PROPERTY OWNER:

Harris Larry W
 Harris Christine M
 4101 Main St
 Wadsworth, NY 14533

RECEIPT

If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill.

LEVY DESCRIPTION	TAX LEVY	% Change From Prior YR Levy	RATE	TAXABLE VALUE	AMOUNT DUE
LIVINGSTON COUNTY	30810204	4.6000	6.95752400	152600.00	1061.72
YORK TOWN TAX	931320	9.9000	3.51041000	152600.00	535.69
YORK FIRE 1	216691	3.0000	0.61451100	152600.00	93.77
YORK SWR DIST #1 OCC	0	0.0000	308.45528500	1.00 Units	308.46
CONSOLIDATED WTR OCC	0	0.0000	198.68886000	1.00 Units	198.69

PAYMENTS RECEIVED

Receipt#: 28 **Date Paid: 01/03/2023** **Full Payment**

Tax: <u>2198.33</u>	Penalty: <u>0.00</u>	Surcharge: <u>0.00</u>	Notice Fee: <u>0.00</u>
Cash: <u>0.00</u>	Check: <u>2198.33</u>	Check #: <u>2036</u>	Ret. Check Fee: <u>0.00</u>

Received from Harris Larry & Christine - Via Counter: \$2198.33

TOTAL TAXES PAID TO DATE: \$2198.33

PAID IN FULL

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"Proof of ownership"



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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.

NA **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. *(Attached)*

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, Christine Harris (applicant), do hereby swear that the information given herein is true and correct.

I, Christine Harris (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.

CM Harris 3-6-2023
 Signature of Applicant Date

Christine M. Harris
 Printed Name of Applicant

 Signature of Property Owner (If different) Date

 Printed Name of Property Owner (If different)



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6. Criteria for APPEALS / INTERPRETATION.

Appeals: The Zoning Board of Appeals, upon application, shall hear and decide appeals from, and review orders, requirements, decisions, or determinations, including any order requiring an alleged violator to stop, cease and desist, made by the Code Enforcement Officer in the enforcement of the Zoning Ordinance of the Town of York. An appeal must be initiated within sixty (60) days after the filing of such order, requirement, decision, interpretation or determination by the Code Enforcement Officer. The Board must find that the original decision was one or more of the following:

- a. Arbitrary and capricious.
- b. Based on an erroneous finding or a material fact.
- c. Constituted an abuse of discretion.
- d. Was based upon erroneous interpretation of the zoning code or zoning law.

Interpretations: Upon appeal from a decision by an administrative official, or upon request from the Code Enforcement Officer or any other duly constituted Board of the Town, to decide any question involving the interpretation of any provision of the Zoning Ordinance of the Town of York, including determining of the exact location of any district boundary if there is uncertainty with respect hereto.

For an appeal, please describe what determination you are appealing from and your position with regard to such determination, describing how your appeal meets one or more of the above criteria. For an interpretation, please describe that part of the Zoning Ordinance or local law you are seeking an interpretation of. :

Relief from Article V Section 508 C of the Town of York
 Zoning Ordinance.



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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?

NO it will NOT

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?

IF proposed garage had to be moved elsewhere it would require a great deal of fill to be brought in AND we would have to remove a maple tree as well.

c. **The degree of variance.** Is the requested area variance substantial?

The Area variance we are requesting is to construct a 30x30 garage on our property where our existing turn-around is located. IF possible we would also request variance consideration pertaining to set back from RT. 36.

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?

NO it will not

e. **Not Self-Created.** Is the alleged difficulty self-created?

NO it is NOT

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.