

# G.M.L. §239 REFERRAL TO THE YATES COUNTY PLANNING BOARD

YCPD Office Log # 2009-52

Date Received 9/17/09

**From:** Jerusalem Town Board

**To:** Yates County Planning Board, 417 Liberty St., Penn Yan, NY 14527

**Applicant:** Town of Jersusalem

**1. Location:** \_\_\_\_\_

**2. Tax Map #:** \_\_\_\_\_ **2a. Zoning District:** R-1

**3. Type of Application or Proposal:**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Use Variance                    | <input type="checkbox"/> Area Variance    | <input type="checkbox"/> Special Use Permit      |
| <input type="checkbox"/> Subdivision Review              | <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> X Zoning Text Amendment |
| <input type="checkbox"/> Zoning Map Amendment (Rezoning) | <input type="checkbox"/> Other _____      |  |

**3b. Date of meeting at which the local board expects to take final action:**

10/21/2009

**4. Applicable Sections of Zoning Code:** Section 160-30

**5. Description:** Prescribed rear yard in the R-1 district was stated incorrectly in Local Law 6-2008

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**6. Reason Referred:** 500' from \_\_\_\_\_

**7. Enclose the complete application including the following:**

**SEQR Documentation**

**Detailed Description**

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>• Type of Business</li><li>• Hours of Operation</li></ul> | <ul style="list-style-type: none"><li>• Number of Employees</li><li>• Anticipated Traffic</li></ul> |
|---|---|

**Site Plan**

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• Title, Scale, North Arrow, Dimensions</li><li>• Portion of the Property to be Developed</li><li>• Streets, Easements, Utilities</li><li>• Driveways, Parking (Existing &amp; Proposed)</li><li>• Structures (Existing &amp; Proposed)</li></ul> | <ul style="list-style-type: none"><li>• Landscape Features (i.e., streams, ponds, hedges) (Existing &amp; Proposed)</li><li>• Lighting &amp; Signage (Location and content)</li><li>• Grading Plan, Drainage &amp; Erosion Control (During &amp; After Construction)</li></ul> |
|---|--|

*As declared in G.M.L. §239-l, m, and n, it is in the public interest to have the Yates County Planning Board review certain actions that may have inter-community and countywide impacts. Within thirty days of a complete submittal of the referred matter (or at least two days before the referring board's final action), the County Planning Board shall report its recommendations thereon to the referring agency. If the County Planning Board fails to report within 30 days, the body having jurisdiction to act may do so without such report.*

TOWN OF JERUSALEM

Local Law Number \_\_\_\_\_ of 2009

CORRECTION TO THE TOWN ZONING ORDINANCE  
AS TO REAR YARD SETBACK IN THE R-1 DISTRICT

Be it enacted by the Town of Jerusalem as follows:

Section 1: Purpose.

A mistake has been noticed in the text of Local Law Number 6 of 2008 in that the prescribed rear yard in the R-1 district was stated incorrectly. This local law will correct that mistake.

§ 2: Paragraph (4) of subsection A of Section 160-30 of Chapter 160 of the Code of the Town of Jerusalem is amended to read as follows:

Rear yards. There shall be a rear yard of not less than ~~54.75~~ 30 feet. ~~measured from the edge of the public highway as defined in section 160-5.~~ For a lot between the public highway and the lake, this may be ~~reduced~~ modified to ~~20~~ 44.75 feet measured from the center of the traveled way.

In locations where stairs are necessary for practical access from the public highway to the usable area of a lot, they may be constructed within the ~~20 foot setback prescribed yard,~~ but the top step may not be closer than 24.75 feet from the center of the highway. The stairs may include one or more landings if required for safety, provided that each landing is not more than 16 square feet in area and is not enclosed or covered.

§ 3: Effective Date.

This local law shall take effect upon being filed by the Secretary of State.

[Matter ~~stricken through~~ is deleted. Matter underlined is new.]