

Zoning Board of Appeals Agenda

August 4th , 2026 @ 7:00 PM

Appeal #:

#158AV-26

Pete Chapman - Earls Hill Road

Area Variance

TOWN OF BENTON

PLANNING BOARD - ZONING BOARD OF APPEALS APPLICATION

Application No. 158 AV-26 Date 7-20-26 Fee \$150. *pd cash*

Name: Pety Chapman phone 585-955-3171

Address: Vacant Lot on Earls H. H. Rd email _____

Applicant is applying for the following:

- | | |
|---|--|
| ☒ Area Variance | ☐ Zoning Interpretation |
| ☐ Use Variance | ☐ Subdivision |
| ☐ Special Use Permit | ☐ Site Plan Review |

Other _____

Location of Property Between 100 old State and 1136 Earls H. H. Rd

Tax Map No. 9.01-14 Zoning District AL-1

Describe Action requested:

SEE Right up

Area Variance Information:

	Required	Actual	Variance Request
Frontage:	<u>200</u>	<u>681</u>	<u>No</u>
Front Setback:	<u>80</u>	<u>67</u>	<u>No</u>
Side Setback:	<u>15</u>	<u>+</u>	<u>No</u>
Rear Setback:	<u>15</u>	<u>00+</u>	<u>No</u>
Lot Size:		<u>12 ac</u>	<u>No</u>

Attached to this application is the following documentation:

☐ Site Plan ☐ Construction Plans ☐ SEQR ☐ Other _____

Property Owner _____ Telephone _____
Address _____

Signature _____ Date _____

Application for an Area Variance:

To enable the Zoning board of appeals to grant an area variance, the applicant should address the five factors listed below. Attach additional sheets if necessary. The Zoning Board of Appeals will consider these five factors when balancing two elements: (1) the benefit to the applicant from the variance and (2) the detriment to the health, safety, and welfare of the community or neighborhood that would occur if the variance were to be granted.

Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the grant of the variance.

Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.

Whether the requested variance is substantial.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or the district.

Whether the alleged difficulty was self-created.

Applicant Signature: _____ Date: _____

TOWN OF BENTON
BUILDING AND ZONING APPLICATION

1000 SR 14A, PENN YAN, NY 14527
Cell (315) 719-3232 Office 315-536-9600
FAX 315-536-7715

E-MAIL: zoning@townofbenton.us

Name of Applicant Pety Chapman Date: 7-20-26
Address Earls Hill Rd Phone: 585-955-3171
Property Owner (if not same) _____
Address _____ Phone: _____

APPLICATION IS BEING MADE FOR:

_____ Building Permit X Variance Special Use ** _____ Septic System Permit** _____ Short Term Rental
_____ Site Plan ** _____ Subdivision** _____ Fire & Safety insp _____ Other (** Add'l Forms)

On Land Located at _____ (Same) or _____

Zoning District AR-1 Tax Map # 9.01-1-4 Vacant Lot on Earls Hill Rd

Present Use of Property Vacant land - Between 100 old State and 1136 Earls Hill

Description of Proposed Improvements and/or Use: SEE Right up

Size of Improvement _____ Sq. Ft. Estimated Cost: _____

Type of Construction: Wood _____, Metal _____, Masonry _____, Other _____

Height: In Stories _____, In Feet _____

Yard Setback: Front _____, Rear _____

Side (Widest) _____, Side (Narrowest) _____

Signature: _____, Date: _____

Approved _____ Not Approved _____ Variance Requested _____

Variance Granted: _____ Yes _____ No _____ Date: _____

Permit # 158 AU-26 Fee \$ 150.- P. Cash

Code Enforcement Officer Thomas W. Houser Date: 7-20-26

Contractor Name: _____ Phone: _____

Address: _____ E-Mail address: _____

Insurance: _____ Workman's Comp. _____ Liability _____ Exemption Form _____

Contractor/Owner agrees to comply with all New York State and Local Codes and Laws.

Contractor/Owner agrees to call for all inspections as required.

158AV-26 Peter Chapman

Peter is Asking for 2 different actions in a Variance

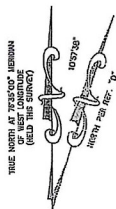
1. Would Like to Build a 62x70 Barn closer to the road than the house will be built. This is a 12 acre lot and plan to build way off the road and would like the barn out front.
2. Would like to Build said barn 67 feet off of the right away instead of the 80 feet asked for in town guidelines. Giving the 13 feet variance would cause less excavation.

REFERENCES

- [A.] - EXECUTOR'S DEED -
ESTATE OF DAVID L. CURTIS
TO: (MARCH 9, 2009) L. 600, PG. 24
JUDITH M. CURTIS
- [B.] - SURVEY MAP -
"LAND TO BE CONVEYED BY
SAMUEL J. ABBOTT & STELLA M. KELLON"
FILED IN L. 104 OF MAPS, PG. 402
PREPARED BY RICHARD L. WILLSON, LS
- [C.] - SURVEY MAP -
"LAND OWNED BY DANIEL A. MCCOWAN"
FILED AS MAP NO. 102-16
PREPARED BY RICHARD L. WILLSON, LS
- [D.] - ABSTRACT OF TITLE -
SEARCH NO. 2-798
LAST DATED APRIL 22, 2026
PREPARED BY KEUKA ABSTRACT

LEGEND

- ○ --- FOUND IRON PIN
--- ⊕ --- FOUND IRON PIPE
--- △ --- CORNER NO MARKER
--- □ --- UTILITY POLE
--- ○ --- SET IRON PIN
--- U --- OVERHEAD UTILITY LINE
--- ○ --- ELECTRIC PASTURE FENCE



0 60 120 180

PLAT #26-YA6-114

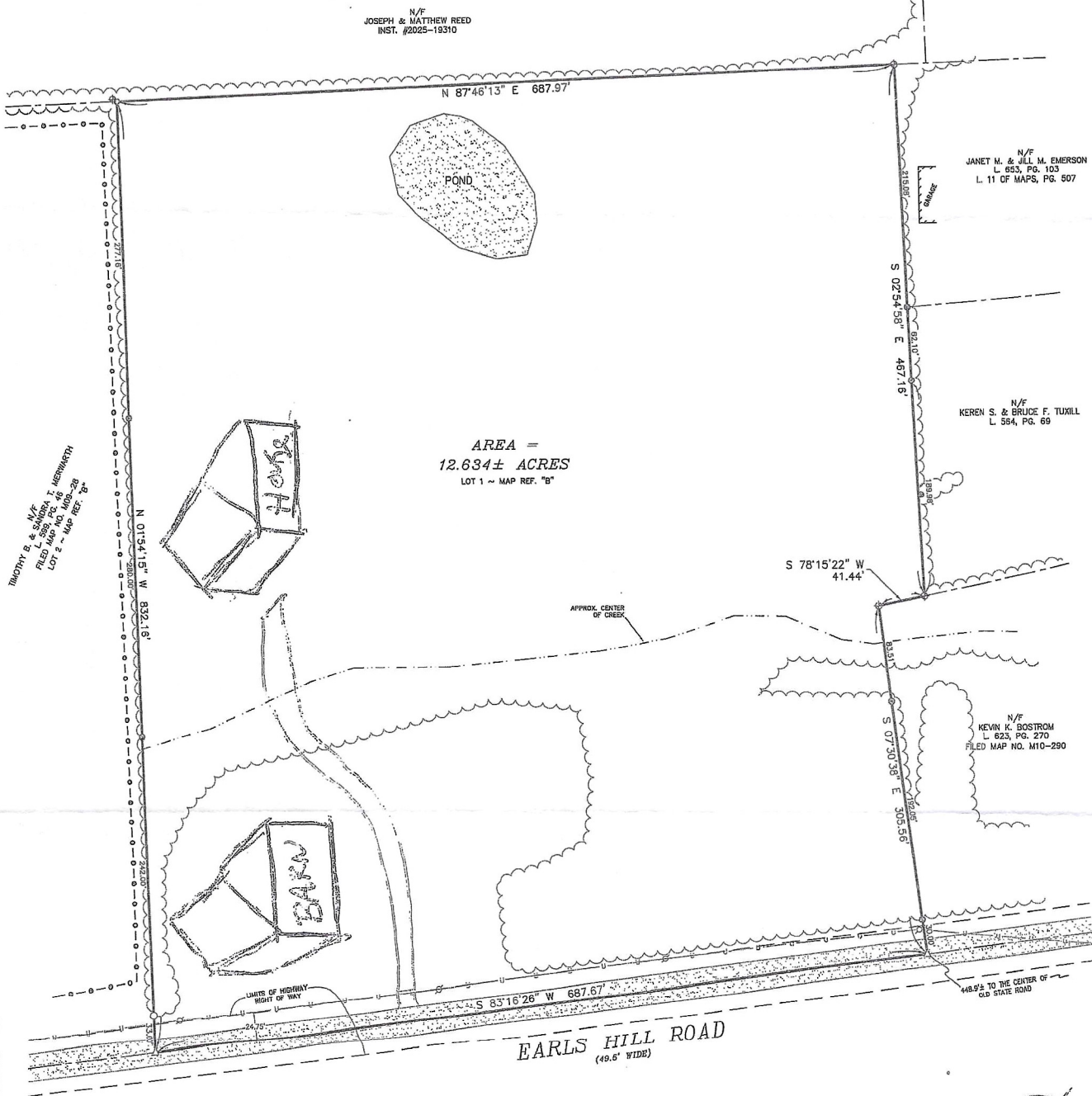
"THIS SURVEY WAS PERFORMED UTILIZING GNSS SURVEY EQUIPMENT AND HAS THEREFORE BEEN PREPARED BASED ON THE CENTRAL ZONE OF THE NEW YORK STATE PLANE COORDINATE SYSTEM. FOR CORRELATION BETWEEN THE RECORD DIMENSIONS OF THE SUBJECT PARCEL AND THE DIMENSIONS HELD ON THIS SURVEY APPLY THE ANGLE OF DECLINATION ASSOCIATED WITH THE NORTH ARROWS SHOWN HEREON."

NOTES

"UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING THE SEAL OF A LICENSED LAND SURVEYOR IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW"

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"THE CERTIFICATION ON THIS SURVEY MAP IS LIMITED TO THE PERSONS FOR WHOM THE SURVEY WAS PREPARED, THE LENDING INSTITUTION, AND THE TITLE INSURANCE COMPANY, ALL AS NOTED, AND IS NOT TRANSFERABLE"



I HEREBY CERTIFY TO:

- [A.] PETER CHAPMAN
[B.] MAEVE CHAPMAN
[C.] KOVALSKI LEGAL PLLC
[D.] FIRST AMERICAN TITLE INSURANCE COMPANY
[E.] REVOLUTION TITLE AGENCY

I AM A LICENSED LAND SURVEYOR
AND THIS MAP DATED MAY 16, 2026
IS BASED ON AN INSTRUMENT SURVEY
COMPLETED ON MAY 12, 2026 BY ME
PER THE STANDARDS ADOPTED
BY THE NEW YORK STATE ASSOCIATION
OF PROFESSIONAL LAND SURVEYORS.

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SURVEY MAP

LANDS TO BE CONVEYED TO

PETER & MAEVE
CHAPMAN

TAX LOT 9.01-1-4
SITUATE NORTH OF EARLS HILL ROAD
BEING PART OF LOT NO. 41 OF RICHMAN'S LOCATION
TOWN OF BENTON
COUNTY OF YATES
STATE OF NEW YORK



RICHARD DAUGHERTY
PROFESSIONAL LAND SURVEYOR

4071 DELENAP HILL ROAD
HARTFORD, CONNECTICUT 06111
PHONE 860.728.4022



Map: Auto (WCSA) Apr 2026 - May 2026 04/08/2026 - 05/12/2026

- 2019 YATES COUNTY PAID
- FINAL AG DISTRICT MARC
- 2020 YATES COUNTY PARC
- WLAKERD_FD_224
- VILLAGEOFFENNIVAN_FD
- PENNIVAN_FD_223
- BENTON_FD_221
- BELLONA_FD_226
- BELLONA_FD_222
- AG_DISTRICT_MARCH_201
- 2021 Yates County Parcel
- 2022 Yates County Parcel
- AG_DISTRICT_MARCH_202
- 2023 Yates County Parcel
- 2023 YATES COUNTY AG D
- 2024 Yates County Parcel
- 2024 YATES COUNTY AG D