

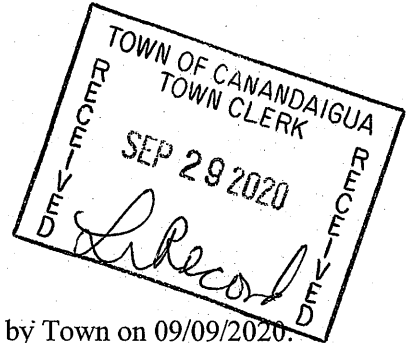
# Town of Canandaigua

5440 Routes 5 & 20 West • Canandaigua, NY 14424 • (585) 394-1120

*Established 1789*

## ZONING LAW DETERMINATION

**PROPERTY OWNER:** TAIT, ROBERT C. & AMY  
**PROPERTY ADDRESS:** 5279 Black Point Dr  
**TAX MAP NUMBER:** 154.04-1-6.000  
**ZONING DISTRICT:** RLD / RR-3



### DETERMINATION REFERENCE:

- Application for New Structure Permit, dated 09/08/2020. Received by Town on 09/09/2020.
- Application for One Stage Site Plan, dated 09/08/2020. Received by Town on 09/09/2020.
- Application for Soil Erosion and Sediment Control Permit, dated 09/08/2020. Received by Town on 09/09/2020.
- Plans titled "Proposed Tait Cabin Rebuild" by Grove Engineering, dated 09/08/2020, revised on 09/17/2020, received by town on 09/18/2020.

### PROJECT DESCRIPTION:

- Applicant proposed to tear down and rebuild existing dwelling unit.

### DETERMINATION:

- Subject parcel contains a pre-existing non-conforming use of two single-family dwelling units on one parcel.
- Subject dwelling unit has a pre-existing non-conforming size of 800 sq. ft. when 1,100 sq. ft. is required.
- Proposed development decreases the degree of nonconformance and shall be allowed.
- Where two or more single-family dwellings exist on a lot of record, subsequent additions to each dwelling, including accessory structures and appurtenances, shall conform to all the requirements of this chapter which otherwise would be applicable to each single-family dwelling if it were on a separate lot of record.

### REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is not required to be reviewed by the Ontario County Planning Board as it relates to a permit for preexisting nonconforming building when the nonconformity involves extension of an existing building line. Exception #08

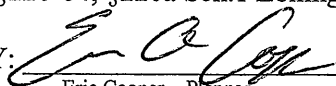
### REFERRAL TO PLANNING BOARD FOR:

- Site Plan approval required for development in the Residential Lake District which exceeds 1,000 square feet.

**CODE SECTIONS:** Chapter §1-17; §220-13; §220-16; §220-64; §220a Sch.1 Zoning Schedule

**DATE:** September 29, 2020

**BY:**

  
Eric Cooper – Planner

**CPN- 20-064**

NYS Town Law, Section 267-a(5)(b), an appeal may be made to the ZBA within 60 days of the date of this determination.

c: Binder  
Property Owner  
Town Clerk