

Town of Canandaigua

5440 Routes 5 & 20 West

Canandaigua, NY 14424

(585) 394-1120

Fax: (585) 394-9476

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: Keuka Park Strong Hall LLC

PROPERTY ADDRESS: **** Brickyard Road

TAX MAP NUMBER: 56.00-1-55.220

ZONING DISTRICT: PUD

PROJECT DESCRIPTION: Apartment Buildings / Community Center / Swimming Pool

This determination is based upon a Concept Plan prepared by McMahon LaRue Associates received April 22, 2013.

ISSUE: The property owner wishes to construct 13 apartment buildings (122 dwelling units), a community center building, a swimming pool, and resubdivide the property to relocate the property line to be located between 5577 Centerpointe Boulevard and proposed Building 310. The existing apartment building (5577 Centerpointe Boulevard) is proposed to be 28.05 feet from the right side property line (proposed resubdivision line). Proposed Building 310 is proposed to be 18.71 feet from the left side property line (proposed resubdivision line). Building 311 is proposed to be 40.78 feet from the property line. Building 314 (community center) will be 0.5 feet from the property line. The patio for the swimming pool will be 2.25 feet from the property line. Building 301 is proposed to be 23 feet from the property line.

DETERMINATION: Apartment buildings are a permitted use in the Centerpointe Planned Unit Development District. Page 3, Subsection II, (C), (3)(a) of the 1986 Town Board resolution states – *No apartment building shall be closer than 60 feet from any boundary line of a designated apartment area or zone.* It has been determined that no apartment building within a designated apartment area or zone can be closer than 60 feet to any property line. As required in Chapter 220, a swimming pool and its concrete patio is required to be a minimum of 15 feet from a side or rear property line.

The property owner shall obtain setback area variances for 5577 Centerpointe Boulevard located on Tax Map #56.00-1-55.210, Building 310, Building 311, Building 301, the community center, and the swimming pool concrete patio. The area variance and interpretation applications are not required to be reviewed by the Ontario County Planning Board. The application for site plan approval is required to be reviewed by the Ontario County Planning Board. The property owner shall obtain site plan approval (One Stage Review) from the Town Planning Board. The Planning Board chairperson shall sign the final site plan prior to any permits being issued.

REFERRAL TO (ZBA) (PLANNING BOARD) FOR: An area variance application shall be submitted to the ZBA. An application requesting site plan approval (One Stage Review) shall be submitted to the Town's Planning Board.

CODE SECTION: Local Law 10 of 2005; Town Board Resolution Adopted October 28, 1986
Chapter 220 Section 220-9-W

DATE: 5/1/2013

BY: Juan Chirino

CPN-029, 030, 031-13

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 File
Property Owner
Town Clerk