

Town of Canandaigua

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ZONING BOARD OF APPEALS DECISION NOTIFICATION

Public Hearing Opened: July 19, 2022
Public Hearing Closed: July 19, 2022

Meeting Date: July 19, 2022
Project: CPN-22-048

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Richard Tiede, Marathon Engineering, 39 Cascade Dr., Rochester, NY	Josef and Elizabeth Brunner/Brunner Properties (Josef's Artisan Meats), 2640 Brickyard Rd, Canandaigua, NY	Side Setback, Rear Setback	2640 Brickyard Rd, Canandaigua, NY	70.00-1-42.100

Type of Application

☒ Area Variance ☐ Use Variance
☐ Interpretation ☐ Rehearing

Variance/Interpretation Requested

Applicant is requesting Area Variance side setback of 52 feet when 80 feet is required, *a 28 foot side setback variance required*. The applicant is also requesting Area Variance rear setback of 5 foot when 50 feet is required, *a 45 foot rear setback variance required*.

A.) Shall the applicant be granted a 28 ft. side setback area variance?

B.) Shall the applicant be granted a 45 ft. rear setback?

Applicant Request

☒ Granted
☐ Denied
☐ Continued to:
☐ See attached resolution(s)

A. Voting:

SEQR

☐ Type I
☒ Type II
☐ Unlisted
☐ See Attached Resolution(s)
Neg Dec Date:
Pos Dec Date:

John Casey	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler (Chair)	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

Shannon Chevier (Alternate)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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B. Voting:

John Casey	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler (Chair)	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

Shannon Chevier (Alternate)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Reasons

The Board's decision is based on descriptions presented during the Public Hearing on July 19, 2022 as well as information received 6/1/2022, 6/17/2022, and 7/11/2022. The variance is in keeping with the character of the neighborhood. One of the variances was previously granted that went past the twelve-month time limit. The variance will not have an adverse effect on the property or neighboring properties. There is an easement running adjacent to the north property line and that will create a buffer and prevent anyone from building close to the lot line.

Conditions

1. The variance granted is specific to the site plan presented to the Zoning Board of Appeals dated June 17, 2022. Any change in plans, shall invalidate the variance.
2. The variance is conditioned on a building permit being obtained within one (1) year of the date the variance is granted. Failure to obtain a building permit within one (1) year shall invalidate the variance.

Certified By: _____
Chairperson of the Zoning Board of Appeals

Date: _____