

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

ZONING BOARD OF APPEALS DECISION NOTIFICATION

Public Hearing Opened: July 19, 2022
Public Hearing Closed: August 16, 2022

Meeting Date: July 19, 2022
Project: CPN-22-031

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Brian & Mary Wiser, 8009 Arbour Hill Trail, Canandaigua, NY	Brian & Mary Wiser, 8009 Arbour Hill Trail, Canandaigua, NY	Lot coverage, building coverage, square footage of an accessory structure, front setback	3981 Co Rd 16, Canandaigua, NY	113.17-1-6.000

Type of Application

☒ Area Variance ☐ Use Variance
☐ Interpretation ☐ Rehearing

Variance/Interpretation Requested

A.) Applicant is requesting Area Variance lot coverage of 45.4% when pre-existing, nonconforming lot coverage is 42.9%, *a 2.5% variance for lot coverage required.*

B.) Applicant is requesting Area Variance for the square foot of an accessory structure of 192 square foot when 100 square feet is the maximum, *92 square foot variance required for accessory structure square footage.*

C.) Applicant is requesting Area Variance front setback for an accessory structure of 13 feet, when 50 feet is required, *37 foot front setback for accessory structure required.*

SEQR

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

A.) Shall the applicant be granted a 2.5%

variance for lot coverage?

B.) Shall the applicant be granted a 92 square foot variance for accessory structure square footage?

C.) Shall the applicant be granted a 37 foot front setback variance for accessory structure?

Applicant Request

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

A. Voting:

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

B. Voting:

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

C. Voting:

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

Reasons

As depicted in the descriptions, drawings, and materials presented during the Public Hearing on July 19, 2022 and August 16, 2022 plus the materials submitted on 4/1/2022, 6/30/2022, 7/1/2022, and 8/10/22, the benefit to the applicant does not outweigh the detriment to the neighborhood and therefore the variance request is denied. The variance is a significant one, at 92% greater than what is allowed. The variance is self-created. The other variances are created by the size of the proposed structure.

Conditions

Certified By: CO Sullivan Date: 8/17/22

CANANDAIGUA TOWN CLERK
AUG 22 2022
RECEIVED

[Signature]