

# Town of Canandaigua

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

Canandaigua, NY 14424  
Fax (585) 394-9476

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## ZONING BOARD OF APPEALS DECISION NOTIFICATION

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

**Meeting Date:** July 19, 2022  
**Project:** CPN-22-045

<u><b>Applicant</b></u>	<u><b>Owner</b></u>	<u><b>Project Type</b></u>	<u><b>Project Location</b></u>	<u><b>Tax Map #</b></u>
Scott Hill	Scott Hill 4220 Co Rd 16, Canandaigua, NY	Front setback, Chapter 220-8 D.(1)(b)3 relief	4220 Co Rd 16, Canandaigua, NY	126.12-2-4

### **Type of Application**

☒ Area Variance      ☐ Use Variance  
☐ Interpretation      ☐ Rehearing

### **Variance/Interpretation Requested**

Applicant is requesting Area Variance front setback of 40 feet when 60 feet is the minimum, *20-foot front setback variance required.*

Applicant is also seeking relief from Chapter 220-8 D. (1)(b)3 which prohibits accessory structures that require greater than 4,000 square feet of land disturbance when the applicant is proposing 7700 square feet of area disturbance within a Steep Slope Protection Area.

**A.) Shall the applicant be granted a 20 ft. front setback area variance?**

**B.) Shall the applicant be granted relief from Chapter 220-8 D. (1) (b)3?**

### **Applicant Request**

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

### **SEQR**

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

**A. 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

**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

**Reasons**

The Board's decision is based on descriptions presented during the Public Hearing on July 19, 2022 as well as information received 6/17/2022 and 3/25/2014. Granting of the variance was in keeping with the character of the neighborhood and will not changed the character of the neighborhood. The variance will not impact the neighboring properties. The garage is in the optimal location with regards to soil disturbance as pushing it back would impact soil disturbance. There is no lake view. There is the potential to improve drainage in that area.

**Conditions**

1. The variance granted is specific to the layout and 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: \_\_\_\_\_