

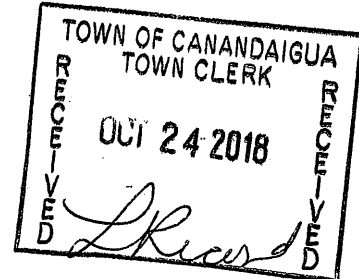
Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: SMITH, JOHN & JOANNE
PROPERTY ADDRESS: 4519 DAVIDSON LANDING DR
TAX MAP NUMBER: 126.20-1-15.200
ZONING DISTRICT: RLD



DETERMINATION REFERENCE:

- Application for One Stage Site Plan, dated 10/11/2018. Received for review by Town on 10/12/2018.
- Application for Area Variance, dated 10/11/2018. Received for review by Town on 10/12/2018.
- Application for Soil Erosion and Sediment Control Permit, dated 10/12/2018. Received for review by Town on 10/12/2018.
- Application for New Structure, dated 10/11/2018. Received for review by Town on 10/12/2018.
- Application for Site Development, dated 10/11/2018. Received for review by Town on 10/12/2018.
- Plans titled "Preliminary/Final Site Plans for Mr. & Mrs. John Smith" by Marathon Engineering, dated 10/12/2018, Revised on 10/18/2018, received by the town on 10/19/2019

PROJECT DESCRIPTION:

- Owner proposes to enclose and reconfigure the existing lakeside porch, expand the Davidson Landing Drive side of the House, Construct an attached garage, and associated development/restoration.

DETERMINATION:

- Proposed Detached Garage has a front setback to Davidson Landing of 24 ft. when 60 ft. is required.
- Existing Pre-Existing Non-Conforming Dwelling has a rear setback of 43.7 ft. and no alterations to structure shall be made that increases the degree of non-conformance.
- Proposed Lakeside porch has a 53.7 ft. rear setback and does not increase the degree of non-conformance.
- Proposed Development shall comply with §220-8 Steep Slope Protection including but not limited to:
 - o The original, natural elevation of a steep slope protection area shall not be raised and/or lowered more than five feet on average across a contiguous area of 2,500 square feet of grading.
 - o Any new or existing retaining wall higher than three feet above finished elevation incorporated into the proposed project design requires the evaluation of a New York professional engineer as to its structural integrity and written direction and certification as to its use.
 - o If total land disturbance exceeds 7,500 square feet and greater than 50% of land disturbance is within a steep slope protection area, then lot coverage for the entire site shall be reduced to 90% of the allowable lot coverage for the underlying zoning district.
 - o All development projects that disturb greater than 10,000 square feet of steep slope protection areas in Zones A and B, and 20,000 square feet of steep slope protection areas in Zone C shall be required to provide for water quality treatment up to the one-year storm event.

- Rolled erosion control products shall be used to temporarily stabilize slopes that are equal to or greater than 1:3 (vertical: horizontal).
- The Planning Board may approve modifications to these standards in § 220-8E if the applicant can prove that such modifications would result in less total site disturbance and/or less change to the natural grade than would compliance with these standards and that such modifications meet the intent of this chapter to the greatest extent possible.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board as it relates to Variance and Site Plan approval within 500 ft. of a County Highway.

REFERRAL TO ZONING BOARD of APPEALS FOR:

- Application received for 36 ft. Front Setback Variance.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan Approval required for development within the RLD that exceeds 1,000 sq. ft.
- Planning Board shall make a determination on compliance and modifications to Steep Slope Protection regulations.

CODE SECTIONS: Chapter §1-17; §220-107; 220-21; 220-8; 220-64

DATE: 10/24/2018

BY: Eric O Cooper
Eric Cooper – Zoning Inspector

CPN- 18-074

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

