

Town of Canandaigua

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

Established 1789

PERMIT DENIAL - ZONING LAW DETERMINATION

PROPERTY OWNER: Canandaigua Country Club Inc.

PROPERTY ADDRESS: 3280 Fallbrook Park

TAX MAP NUMBER: 98.00-1-39.111

ZONING DISTRICT: 'CC' – Community Commercial

PROJECT DESCRIPTION: Proposed installation of a 2,020sq.ft., 195ft. long, 10 boat slip dock.

REFERENCE:

- Plan titled 'Dock Layout Plan' prepared for Canandaigua Country Club Inc., by Venezia Land Surveyors and Civil Engineers, dated January 1, 2018.

ISSUE:

- Plan details 506.5 lineal feet of shoreline.
- In the absence of a tier assignment by the Town Board, the default tier classification shall be Tier 1.
- The Primary Purpose of the adjoining zoning district is a commercial operation - Country Club and Associated Restaurant and facilities.
- Only the Town Board has the authority to assign a Tier.
- The Zoning Board of Appeals shall not issue a use variance to change the tier.

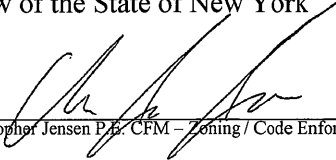
DETERMINATION:

- As the parcel defaults to a Tier 1 assignment, the maximum area permitted for a single dock (with a consolidation of two docks into one dock) shall not exceed 1,080sq.ft.
- The proposed dock exceeds the maximum permitted dock area by 980sq.ft.
- To maintain a uniform set of standards for the regulation of docks and moorings as is required by §46-a(4), Navigation Law of the State of New York, the power to grant variances by the Zoning Board of Appeals is limited to variances from facility area lines and outlet setbacks in all tiers and dock configuration requirements in Tier 1.
- Under no circumstances shall the square footage of a dock allocation be varied.

CODE SECTION: Chapter §96: Canandaigua Lake Uniform Docking and Mooring
§46-a(4), Navigation Law of the State of New York

DATE: April 3, 2018

BY:


Christopher Jensen P.E., CFM – Zoning / Code Enforcement Officer

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.

cc: Binder
Property File
Property Owner
Town Clerk