

Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: VIOLAS FAMILY TRUST

PROPERTY ADDRESS: 3320 FALBROOK PARK

TAX MAP NUMBER: 98.11-1-10.000

ZONING DISTRICT: RLD

DETERMINATION REFERENCE:

- Application for One Stage Site Plan, dated 06/24/2019. Received for review by Town on 06/14/2019.
- Application for Zoning Board Area Variance, dated 06/24/2019. Received for review by Town on 06/14/2019.
- Plans titled "Violas Family Trust" by Venezia Land Surveyors and Civil Engineers, dated 06/21/2019, no revisions noted, received by the town on 06/21/2019.
- Certificate of Non-Conformity, dated 06/24/2019. Filed with Town Clerk on 06/24/2019.

PROJECT DESCRIPTION:

- Applicant proposes to tear down existing structures and construct a new, single family dwelling and attached garage.

DETERMINATION:

- Proposed dwelling to have 16.7 ft. front yard setback when 50 ft. is required. Preexisting nonconforming dwelling has a front setback of 45.6 ft.
- Proposed building coverage to be 29.1% when maximum permitted is 25%. Preexisting nonconforming dwelling has a building coverage of 25.8%.
- Proposed lot coverage to be 45.9% when maximum permitted is 40%. Preexisting nonconforming dwelling has a lot coverage of 47.4%.
- Changes to preexisting nonconformities that reduce the degree of nonconformance shall be allowed.
- Preexisting nonconformities shall not be altered by way of additional or more intensive use(s), physical modifications, property boundary modifications, or by any other way that increases the degree of nonconformance without first obtaining a variance from the Zoning Board of Appeals.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board as it relates to multiple variance requests within 500 ft. of Canandaigua Lake.

REFERRAL TO ZONING BOARD of APPEALS FOR:

- Application received for 33.3 ft front setback area variance.
- Application received for 4.1% building coverage area variance.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval is required for development exceeding 1,000 square feet within the Residential Lake District.
- Request SHALL be made to the Planning Board for a recommendation regarding potential impact of the preexisting nonconformity.

CODE SECTIONS: Chapter §1-17; §220-9; §220-21; §220-64; §220-107; §220a Sch.1 Zoning Schedule

DATE: 7/3/2019

BY: Kyle Ritts
Kyle Ritts- Zoning Inspector

CPN- 19-045

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

