

**TOWN OF CANANDAIGUA**

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

**ZONING BOARD OF APPEALS PROCEEDINGS**

**Meeting Date:** July 10, 2007

**Public Hearing Opened:** June 12, 2007

**Public Hearing Closed:** July 10, 2007

**Decision Date:** July 10, 2007

**Project #:** CPN-053-07

**Name of Applicant(s):** John Kennedy, Esq. and FRA Engineering PC for  
James and Barbara Willoth

**Address of Applicant(s):** 66 North Main Street, Canandaigua, NY 14424

**Subject Property Address & Tax Map #:** 3316 Fallbrook Park; TM# 098.11-1-008.000

X  **Area Variance**           **Use Variance**           **Interpretation**           **Rehearing**

**Variance / Interpretation Requested:** Shall the applicant be granted an area variance to construct a new driveway with a setback to the right side property line of 6.5 feet when 20 feet is required? Applicant is requesting an area variance of 13.5 feet to the right side property line for the driveway setback.

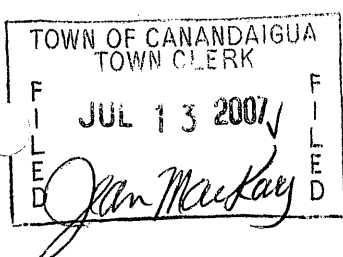
**Zoning Board of Appeals Decision:**

X  **Granted**           **Denied**           **Continued**

**Voting:**

Rick Szkapi	<u>      </u>	Aye	<u>      </u>	Nay	<u> X </u>	Absent
Chip Sahler	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Gary Davis	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Graham Smith	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Julie Hoffman	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained

**Conditions/Comments:** The benefit to the applicant does outweigh the detriment to the neighborhood or Community, therefore, the variance is granted. The Board's decision is based upon the facts as presented during the public hearing. The driveway and parking will be parallel to a private road with no thru traffic. As depicted in the descriptions and drawings submitted June 25, 2007.



CERTIFIED BY:

Julie E. Hoffman  
Chairperson, Zoning Board of Appeals

**TOWN OF CANANDAIGUA**

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

**ZONING BOARD OF APPEALS PROCEEDINGS**

**Meeting Date:** July 10, 2007

**Public Hearing Opened:** June 12, 2007

**Public Hearing Closed:** July 10, 2007

**Decision Date:** July 10, 2007

**Project #:** CPN-053-07

**Name of Applicant(s):** John Kennedy, Esq. and FRA Engineering PC for  
James and Barbara Willloth

**Address of Applicant(s):** 66 North Main Street, Canandaigua, NY 14424

**Subject Property Address & Tax Map #:** 3316 Fallbrook Park; TM# 098.11-1-008.000

X  Area Variance           Use Variance           Interpretation           Rehearing

**Variance / Interpretation Requested:** Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with a left setback of 8.5 feet when 12 feet is required? Applicant is requesting a left setback area variance of 3.5 feet.

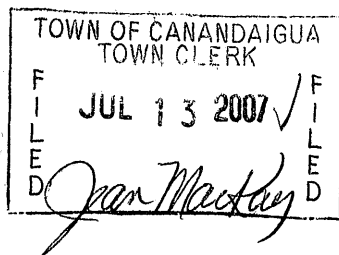
**Zoning Board of Appeals Decision:**

X  Granted           Denied           Continued

**Voting:**

Rick Szkapi	<u>      </u>	Aye	<u>      </u>	Nay	<u> X </u>	Absent
Chip Sahler	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Gary Davis	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Graham Smith	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Julie Hoffman	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained

**Conditions/Comments:** The benefit to the applicant does outweigh the detriment to the neighborhood or Community, therefore, the variance is granted. The Board's decision is based upon the facts as presented during the public hearing. The variances will not change the character of the neighborhood, as there are other properties with similar setbacks. As depicted in the descriptions and drawings submitted on June 25, 2007.



CERTIFIED BY:

Julie E. Hoffman  
Chairperson, Zoning Board of Appeals

**TOWN OF CANANDAIGUA**

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

**ZONING BOARD OF APPEALS PROCEEDINGS**

**Meeting Date:** July 10, 2007

**Public Hearing Opened:** June 12, 2007

**Public Hearing Closed:** July 10, 2007

**Decision Date:** July 10, 2007

**Project #:** CPN-053-07

**Name of Applicant(s):** John Kennedy, Esq. and FRA Engineering PC for  
James and Barbara Willoth

**Address of Applicant(s):** 66 North Main Street, Canandaigua, NY 14424

**Subject Property Address & Tax Map #:** 3316 Fallbrook Park; TM# 098.11-1-008.000

X  **Area Variance**           **Use Variance**           **Interpretation**           **Rehearing**

**Variance / Interpretation Requested:** Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with a right setback of 5.5 feet when 12 feet is required? Applicant is requesting a right setback area variance of 6.5 feet.

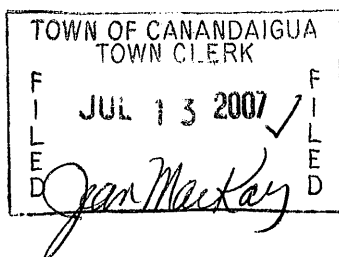
**Zoning Board of Appeals Decision:**

X  **Granted**           **Denied**           **Continued**

**Voting:**

Rick Szkapi	<u>      </u> Aye	<u>      </u> Nay	<u> X </u> Absent
Chip Sahler	<u> X </u> Aye	<u>      </u> Nay	<u>      </u> Abstained
Gary Davis	<u> X </u> Aye	<u>      </u> Nay	<u>      </u> Abstained
Graham Smith	<u> X </u> Aye	<u>      </u> Nay	<u>      </u> Abstained
Julie Hoffman	<u> X </u> Aye	<u>      </u> Nay	<u>      </u> Abstained

**Conditions/Comments:** The benefit to the applicant does outweigh the detriment to the neighborhood or Community, therefore, the variance is granted. The Board's decision is based upon the facts as presented during the public hearing. The variances will not change the character of the neighborhood, as there are other properties with similar setbacks. Applicant is improving upon the right side setback by 1.8 feet. As depicted in the descriptions and drawings submitted on June 25, 2007.



CERTIFIED BY:

Julie E. Hoffman  
Chairperson, Zoning Board of Appeals

**TOWN OF CANANDAIGUA**

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

**ZONING BOARD OF APPEALS PROCEEDINGS**

**Meeting Date:** July 10, 2007

**Public Hearing Opened:** June 12, 2007

**Public Hearing Closed:** July 10, 2007

**Decision Date:** July 10, 2007

**Project #:** CPN-053-07

**Name of Applicant(s):** John Kennedy, Esq. and FRA Engineering PC for  
James and Barbara Willoth

**Address of Applicant(s):** 66 North Main Street, Canandaigua, NY 14424

**Subject Property Address & Tax Map #:** 3316 Fallbrook Park; TM# 098.11-1-008.000

☒ **Area Variance** ☐ **Use Variance** ☐ **Interpretation** ☐ **Rehearing**

**Variance / Interpretation Requested:** Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with a front setback of 16.5 feet when 60 feet is required? Applicant is requesting an area variance of 45.5 feet for the front setback.

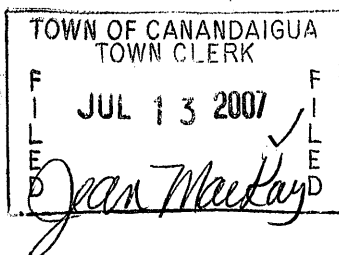
**Zoning Board of Appeals Decision:**

☒ **Granted** ☐ **Denied** ☐ **Continued**

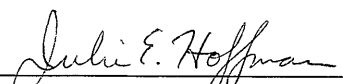
**Voting:**

Rick Szkapi	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input checked="" type="checkbox"/> Absent
Chip Sahler	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstained
Gary Davis	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstained
Graham Smith	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstained
Julie Hoffman	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstained

**Conditions/Comments:** **Conditions/Comments:** The benefit to the applicant does outweigh the detriment to the neighborhood or Community, therefore, the variance is granted. The Board's decision is based upon the facts as presented during the public hearing. Granting this variance is in keeping with the character of the neighborhood (as demonstrated by the applicant). The variances will not change the character of the neighborhood, as there are other properties with similar setbacks. As depicted in the descriptions and drawings submitted June 25, 2007.



CERTIFIED BY:

  
Chairperson, Zoning Board of Appeals

**TOWN OF CANANDAIGUA**

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

**ZONING BOARD OF APPEALS PROCEEDINGS**

**Meeting Date:** July 10, 2007

**Public Hearing Opened:** June 12, 2007

**Public Hearing Closed:** July 10, 2007

**Decision Date:** July 10, 2007

**Project #:** CPN-053-07

**Name of Applicant(s):** John Kennedy, Esq. and FRA Engineering PC for  
James and Barbara Willoth

**Address of Applicant(s):** 66 North Main Street, Canandaigua, NY 14424

**Subject Property Address & Tax Map #:** 3316 Fallbrook Park; TM# 098.11-1-008.000

X  **Area Variance**           **Use Variance**           **Interpretation**           **Rehearing**

**Variance / Interpretation Requested:** Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with a rear setback of 57.7 feet when 60 feet is required? Applicant is requesting a rear setback area variance of 2.3 feet.

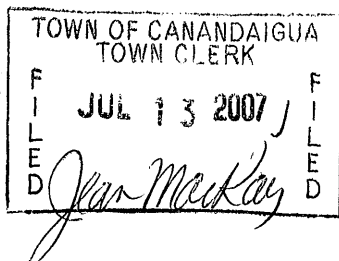
**Zoning Board of Appeals Decision:**

X  **Granted**           **Denied**           **Continued**

**Voting:**

Rick Szkapi	<u>      </u>	Aye	<u>      </u>	Nay	<u> X </u>	Absent
Chip Sahler	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Gary Davis	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Graham Smith	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Julie Hoffman	<u> X </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained

**Conditions/Comments:** The benefit to the applicant does outweigh the detriment to the neighborhood or Community, therefore, the variance is granted. The Board's decision is based upon the facts as presented during the public hearing. The proposed structure will not encroach any closer than existing structures. The applicant is maintaining the existing footprint so there will not be any impact on the neighborhood. As depicted in the descriptions and drawings submitted June 25, 2007.



CERTIFIED BY:

Julie E. Hoffman  
Chairperson, Zoning Board of Appeals

**TOWN OF CANANDAIGUA**

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

**ZONING BOARD OF APPEALS PROCEEDINGS**

**Meeting Date:** July 10, 2007

**Public Hearing Opened:** June 12, 2007

**Public Hearing Closed:** July 10, 2007

**Decision Date:** July 10, 2007

**Project #:** CPN-053-07

**Name of Applicant(s):** John Kennedy, Esq. and FRA Engineering PC for  
James and Barbara Willloth

**Address of Applicant(s):** 66 North Main Street, Canandaigua, NY 14424

**Subject Property Address & Tax Map #:** 3316 Fallbrook Park; TM# 098.11-1-008.000

  X   Area Variance           Use Variance           Interpretation           Rehearing

**Variance / Interpretation Requested:** Shall the applicant be granted an area variance to tear down and rebuild a single family dwelling with lot coverage of 28.6% when 15% is allowed? Applicant is requesting an area variance for lot coverage variance of 13.6%.

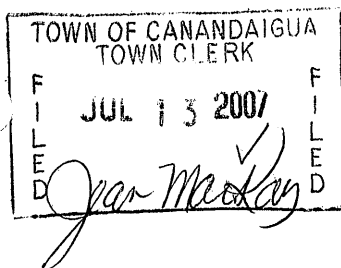
**Zoning Board of Appeals Decision:**

  X   Granted           Denied           Continued

**Voting:**

Rick Szkapi	<u>      </u>	Aye	<u>      </u>	Nay	<u>  X  </u>	Absent
Chip Sahler	<u>  X  </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Gary Davis	<u>  X  </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Graham Smith	<u>  X  </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained
Julie Hoffman	<u>  X  </u>	Aye	<u>      </u>	Nay	<u>      </u>	Abstained

**Conditions/Comments:** The benefit to the applicant does outweigh the detriment to the neighborhood or Community, therefore, the variance is granted. The Board's decision is based upon the facts as presented during the public hearing. Granting this variance is in keeping with the character of the neighborhood (as demonstrated by the applicant). The variances will not change the character of the neighborhood, as there are other properties with similar lot coverage's. As depicted in the descriptions and drawings submitted June 25, 2007.



CERTIFIED BY:

Julie E. Hoffman  
Chairperson, Zoning Board of Appeals