

Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: VENEZIA GROUP, LLC
PROPERTY ADDRESS: FOX RIDGE 5B-1; FOX RIDGE 5B-4
TAX MAP NUMBER: 97.04-2-48.000; 97.04-2-49.000; 97.04-2-56.000; 97.04-2-57.000;
97.04-2-101.000
ZONING DISTRICT: R-1-20/281

DETERMINATION REFERENCE:

- Application for Lot Line Adjustment, dated 07/30/2019. Received for review by Town on 07/30/2019.
- Plans titled "Lot Line Amendment Fox Ridge 5B-1" by Venezia Land Surveyors & Civil Engineers, dated 08/16/2019, revised on 08/14/2019, received by the town on 08/16/2019.
- Application for One Stage Site Plan dated 08/09/2019. Received for review by Town on 08/09/2019
- Application for Soil Erosion and Sediment Control Permit, dated 08 /09/2019. Received for review by Town on 08/09/2019.
- Plans titled "Site Plan Hammer Head Turnaround Lakebreezeway" by Venezia Land Surveyors and Civil Engineers, dated 08/16/2019, no revisions noted, received by the town on 08/16/2019.

PROJECT DESCRIPTION:

- Applicant proposes to amend Preliminary Overall Subdivision approval to nullify approvals to constructs further units within Fox Ridge Phase 5B-1 and 5B-4 and to adjust orientation.
- Applicant further seeks a lot line adjustment of existing parcels and proposes to construct hammerhead turn-around at the end of Lake Breeze Way.

DETERMINATION:

- Existing parcels contain no principal building, existing land use is residential vacant.
- Existing parcel (TM # 97.04-2-101.000) contains preserved open space, when preserved open space shall not be included as a portion of a building lot and shall be contained in one or more separate open space lots. Such layout shall be considered a pre-existing non-conformity.
- Proposed lot line adjustment expands parcels (TM # 97.04-2-56.000 & # 97.04-2-57.000) to include preserved open space when preserved open space shall not be included as a portion of a building lot and shall be contained in one or more separate open space lots.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is not required to be reviewed by the Ontario County Planning Board because it does not meet proximity requirements.

REFERRAL TO ZONING BOARD OF APPEALS FOR:

- Applicant SHALL make application for area variance to allow preserved open space as a portion of a building lot (TM # 97.04-2-56.000).
- Applicant SHALL make application for area variance to allow preserved open space as a portion of a building lot (TM # 97.04-2-57.000).

REFERRAL TO PLANNING BOARD FOR:

- Application for Lot Line Adjustment is not required to be reviewed by the Planning Board.
- Upon a finding of compliance, the plat shall be signed by the Planning Board Chair.
- Planning Board Approval required for the final subdivision of a Major Subdivision.
- Due to amendments in Phase Plat, Planning Board approval SHALL be required for Amended Preliminary Overall (Phased) Subdivision.

CODE SECTIONS: Chapter §1-17; §165; §174-8; §174; §220-9; §220-19; §220a Sch. 1 Zoning Schedule

DATE: 9/19/2019

BY: *Kyle Ritts*
Kyle Ritts – Zoning Inspector

CPN- 19-060
19-065

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

