

Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: LUPTON, ALAN MICHAEL II & ELIZABETH BROOKE

PROPERTY ADDRESS: 3459 LAKEVIEW LANE

TAX MAP NUMBER: 98.13-1-18.110

ZONING DISTRICT: RLD

DETERMINATION REFERENCE:

- Application for Zoning Board Area Variance, dated 01/10/2020. Received for review by Town on 01/10/2020.
- Application for One Stage Site Plan, dated 01/10/2020. Received for review by Town on 01/10/2020.
- Application for New Structure/Addition Building Permit, dated 01/12/2020. Received for review by Town on 01/13/2020.
- Application for Soil Erosion and Sediment Control Permit, dated 01/10/2020. Received for review by Town on 01/10/2020.
- Plans titled, "One Stage (Preliminary/Final) Site Plan Set for the Lupton Family" by Venezia Land Surveyors and Civil Engineers, dated 01/09/2020, revised on 02/06/2020, received by the town on 02/06/2020.
- Certificate of Non-Conformity, dated 01/27/2020. Filed with Town Clerk 01/27/2020.

PROJECT DESCRIPTION:

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

DETERMINATION:

- Proposed swimming pool to be located in the rear yard when such structure shall not be located in the rear yard of a lot where said rear yard adjoins Canandaigua Lake.
- Proposed dwelling to have 34.15 ft. front yard setback when required front setback shall be no less than 60 ft.
- Proposed building coverage to be 20.8% when maximum permitted is 15%.
- Proposed lot coverage to be 29.9% when maximum permitted is 25%.
- Proposed dwelling to have 40.41 ft. rear (lake) yard setback when 60 ft. is required. Preexisting nonconforming dwelling has a rear (lake) setback of 36.14 ft.
- Changes to preexisting nonconformities that reduce the degree of nonconformance shall be allowed.

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 Area Variance to allow swimming pool in rear yard adjoining Canandaigua Lake.
- Application received for 25.85 ft. front setback area variance.
- Application received for 5.8% building coverage area variance.
- Application received for 4.9% lot coverage area variance.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval is required for development greater than 1,000 sq. ft. within the RLD Zoning District.

CODE SECTIONS: Chapter §1-17; §165; §220-9; §220-21; §220-64; §220-107; §220a Sch. 1 Zoning Schedule

DATE: 2/6/2020

BY: Kyle Ritts
Kyle Ritts- Zoning Inspector

CPN- 20-003

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

