

Town of Canandaigua

5440 Routes 5 & 20 West
Phone (585) 394-1120

Canandaigua, NY 14424
Fax (585) 394-9476

ZONING BOARD OF APPEALS DECISION NOTIFICATION

Public Hearing Opened: February 18, 2020 **Meeting Date:** February 18, 2020
Public Hearing Closed: February 18, 2020 **Project:** CPN-20-003

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Venezia Associates	Alan & Elizabeth Lupton 3459 Lakeview Lane	Area variance for swimming pool to be located in rear yard	3459 Lakeview Lane	98.13-1-18.110

Type of Application

☒ Area Variance ☐ Use Variance
☐ Interpretation ☐ Rehearing

Variance/Interpretation Requested

Applicant is requesting an Area Variance for placement of a swimming pool in the rear yard adjoining Canandaigua Lake, when such is not allowed. Shall an Area Variance be granted for placement of a swimming pool in rear yard adjoining Canandaigua Lake when such placement is not allowed?

SEQR

☐ Type I
☐ Type II
☐ Unlisted
☐ See Attached Resolution(s)

Neg Dec Date:

Pos Dec Date:

Applicant Request

☐ Granted
☐ Denied
☒ Continued to: March 17, 2020
☐ See attached resolution(s)

Certified By:

Terence Robinson

Chairperson of the Zoning Board of Appeals

Date: February 28, 2020

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Venezia Associates	Alan & Elizabeth Lupton, 3459 Lakeview Lane	Area variance for front yard setback	3459 Lakeview Lane	98.13-1-18.110

Type of Application

☒ Area Variance ☐ Use Variance
☐ Interpretation ☐ Rehearing

Variance/Interpretation Requested

Applicant is requesting an Area Variance for 34.15 ft. front yard setback, when 60 ft. is required. Shall the applicant be granted a front yard setback variance of 25.85 ft. when 60 ft. is required?

SEQR

☐ Type I
☐ Type II
☐ Unlisted
☐ See Attached Resolution(s)

Neg Dec Date:

Pos Dec Date:

Applicant Request

☒ Granted
☐ Denied
☐ Continued to:
☐ See attached resolution(s)

Voting

John Casey (Alternate)(absent)	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
David Emery(absent)	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler (Vice Chair)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson (Chair)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

Reasons

The Board's decision is based on facts presented during the Public Hearing at the February 18, 2020, meeting as well as information received on January 10, 2020, January 13, 2020, January 17, 2020 and February 6, 2020. The Board has considered the unique character of the lot. The application will not have an adverse effect on the neighborhood. Neighboring parcels are similar. The home will be placed further back from the lake than the current home is. The parcel is included in a "Forever Wild" common area parcel, that if included in the acreage of the property would not require a variance.

Conditions

1. The variance granted is specific to the plan presented to the Zoning Board of Appeals dated January 10, 2020. Any change in plans, with the exception of the hot tub that can be removed without detriment, shall invalidate the variance.
2. The variance is conditioned on building permits being issued within one (1) year of the date the variance is granted. Failure to obtain building permits within one (1) year shall invalidate the variance.

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<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Venezia Associates	Al & Elizabeth Lupton, 3459 Lakeview Lane	Area variance for building coverage	3459 Lakeview Lane	98.13-1-18.110

Type of Application

☒ Area Variance ☐ Use Variance
☐ Interpretation ☐ Rehearing

SEQR

☐ Type I
☐ Type II
☐ Unlisted
☐ See Attached Resolution(s)

Variance/Interpretation Requested

Applicant is requesting an Area Variance for building coverage to be 20.8% when maximum permitted is 15%. Shall the Applicant be granted a 5.8% building coverage variance?

Neg Dec Date:

Pos Dec Date:

Applicant Request

☒ Granted
☐ Denied
☐ Continued to:
☐ See attached resolution(s)

Voting:

John Casey (Alternate)(absent)	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Reasons

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Conditions

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Venezia	Al & Elizabeth	Area variance for	3459 Lakeview	98.13-1-18.110
Associates	Lupton, 3459	Lot coverage	Lane	
	Lakeview Lane			

Type of Application

☒ Area Variance ☐ Use Variance
☐ Interpretation ☐ Rehearing

Variance/Interpretation Requested

Applicant is requesting an Area Variance for lot coverage of 29.9%, when maximum permitted is 25%. Shall the applicant be granted a 4.9% variance for lot coverage?

SEOR

☐ Type I
☐ Type II
☐ Unlisted
☐ See Attached Resolution(s)
Neg Dec Date:
Pos Dec Date:

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☐ Continued to:
☐ See attached resolution(s)

Voting:

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