

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120
Fax (585) 394-9476

Established 1789

MEMO FOR THE RECORD

DATE: October 22, 2010

SUBJECT: 4926 County Road 16, Tax Map # 154.06-1-12.000, RR-3 Zoning District

The purpose of this memo is to clarify that, at this time; the property owner is not required to obtain a Special Use Permit from the Town as they are only using two bedrooms for transient guests.

In talking with Dave LeClair, Code Enforcement Officer, this morning, the property owner is requesting a (operating) permit based the NYS Uniform Fire Prevention and Building Code. We discussed the following:

- A. Per the definition of "Tourist Home" in Chapter 1 Section 1-17 of the Town Code, a tourist home is an "owner occupied dwelling providing overnight accommodations and containing at least three but not more than five bedrooms for transient guests for compensation."
- B. Chapter 220 Section 220-16, RR-3 Rural Residential District-Three Acre Lots, a tourist home is listed as a specially permitted use.
- C. At this time a Special Use Permit **is not required** as the property owner is only using two bedrooms for transient guests (see website page printed 10/22/2010).
- D. Once the property owner begins renting a third bedroom to transient guests, they shall apply to the Town's Planning Board for a special use permit, preliminary site plan approval and final site plan approval.
- E. Dave LeClair agreed to add a note to the (operating) permit putting the property owner on notice that once they begin using a third bedroom for transient guests, they shall apply to the Town Planning Board for the special use permit.

Respectfully submitted,


Jean Chrisman
Zoning Officer