

Town of Canandaigua

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Established 1789

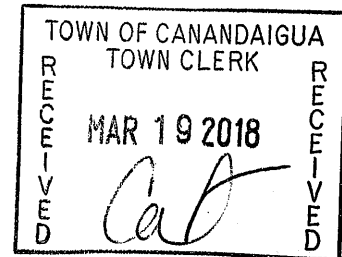
ZONING LAW DETERMINATION

PROPERTY OWNER: Nancy E. Hyman & Joel M. Reiser

PROPERTY ADDRESS: 5265 Menteth Drive

TAX MAP NUMBER: 140.11-1-25.000

ZONING DISTRICT: RLD



PROJECT DESCRIPTION: Proposed removal of existing single-family dwelling & shed and construction of new single-family dwelling with detached garage and associated appurtenances.

REFERENCE:

- Plans titled '5265 Menteth Drive – Site Development Plans' by Costich Engineering, dated March 15, 2018, submitted to the Town on March 16, 2018. No revisions noted on plans.
- Sketch (not signed or stamped) elevations plans by Hanlon Architects, dated March 8, 2018, submitted to Town on March 16, 2018. No revisions noted on plans.
- One-Stage Site Planning Board Application, signed March 8, 2018.
- Zoning Board of Appeals Decision Notifications, Project 046-13, dated July 23, 2013.
- Zoning Board of Appeals Decision Notifications, Project 073-13, dated November 22, 2013.

DETERMINATION:

- Parcel is located within Special Flood Hazard Zone 'AE'. Applicant is required to submit Floodplain Development Permit Application.
- Applicant is proposing the construction of a new single-family dwelling and associated detached garage. Applicant is required to submit a New Structure Permit Application.
- Applicant is proposing development within the Residential Lake District which exceeds such thresholds as would require a erosion and sediment control permit be issued. Applicant is required to submit a Soil Erosion and Sediment Control Permit Application.
- Site plans dated March 15, 2018 refer to detached garage front setback variance (5.2' when 60.0' is required) granted on November 22, 2013. The zoning board of appeals decisions sheets condition the variance based on information received on August 26, September 16, September 17, November 11, November 12, and November 14, 2013. As the Zoning Board of Appeals decisions were conditioned on the plans and information provided with Project #073-13, the variances are specific to that project and do not apply to this new application.
- Site plans dated March 15, 2018 refer to detached garage stream setback variance (18.25' when 100.0' is required) granted on November 22, 2013. The zoning board of appeals decisions sheets condition the variance based on information received on August 26, September 16, September 17, November 11, November 12, and November 14, 2013, as well as facts presented during the public hearing. As the Zoning Board of Appeals decisions were conditioned on the plans and information provided with Project #073-13, the variances are specific to that project and do not apply to this new application.

- Site plans dated March 15, 2018 refer to single family dwelling rear setback variance (50.3' when 60.0' is required) granted on July 23, 2013. The zoning board of appeals decisions sheets condition the variance based on information received on August 12, 2002, May 17, May 24, June 28 and July 10, 2013. As the Zoning Board of Appeals decisions were conditioned on the plans and information provided with Project #046-13, the variances are specific to that project and do not apply to this new application.
- Site plans dated March 15, 2018 refer to single family dwelling stream setback variance (25.0' when 60.0' is required) granted on July 23, 2013. The zoning board of appeals decisions sheets condition the variance based on information received on August 12, 2002, May 17, May 24, June 28 and July 10, 2013. As the Zoning Board of Appeals decisions were conditioned on the plans and information provided with Project #046-13, the variances are specific to that project and do not apply to this new application.
- One single family dwelling and one detached garage (under 900sq.ft. with no habitable space) is a permitted principal use within the Residential Lake District.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board due to the multiple variances required and proximity of project to County Road 16 and Canandaigua Lake.

REFERRAL TO ZBA FOR:

- Proposed single family dwelling is detailed with a Stream Setback of 25.4' when 100.0' is required. Applicant is required to submit an application for a 74.6' stream setback area variance.
- Proposed single family dwelling is detailed with a Rear (lake) Setback of 50.7' when 60.0' is required. Applicant is required to submit an application for a 9.3' rear setback area variance.
- Proposed detached garage is detailed with a Stream Setback of 18.3' when 100.0' is required. Applicant is required to submit an application for a 81.7' stream setback area variance.
- Proposed detached garage is detailed with a Side Setback of 5.2' when 12.0' is required. Applicant is required to submit an application for a 6.8' side setback area variance.
- Proposed detached garage is detailed with a Front Setback of 5.2' when 60.0' is required. Applicant is required to submit an application for a 54.8' front setback area variance.

REFERRAL TO PLANNING BOARD FOR:

- Site plan approval is required for development within the Residential Lake District which exceeds such thresholds as would require an erosion and sediment control permit be issued.

CODE SECTION: Chapter §220-64, §165-7, §220-92, §72, §220-9, 220-21

DATE:

3/19/2018

BY:

Christopher Jensen

Christopher Jensen PE CFM MCP - Zoning Officer - Code Enforcement Officer

CPN-2018-018

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

TOWN OF CANANDAIGUA	
TOWN CLERK	
RECEIVED	RECEIVED
MAR 19 2018	
<i>Cal</i>	
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