

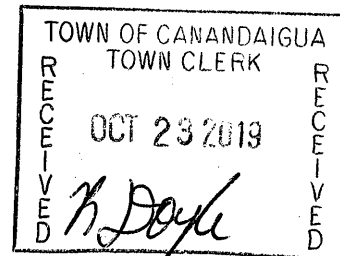
# Town of Canandaigua

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

Established 1789

## ZONING LAW DETERMINATION

**PROPERTY OWNER:** REISER, JOEL M. ; HYMAN, NANCY E.  
**PROPERTY ADDRESS:** 5265 MENTETH DRIVE  
**TAX MAP NUMBER:** 140.11-1-25.000  
**ZONING DISTRICT:** RLD



### DETERMINATION REFERENCE:

- Application for One Stage Site Plan, *undated*. Received for review by Town on 10/11/2019.
- Application for Soil Erosion and Sediment Control Permit, dated 10/10/2019. Received for review by Town on 10/11/2019.
- Application for Floodplain Development Permit, dated 10/10/2019. Received for review by Town on 10/11/2019.
- Plans titled "5265 Menteth Drive" by Costich Engineering, dated 10/16/2019, revised on 10/16/2019, received by the town on 10/18/2019.
- Zoning Board of Appeals decision, meeting dated 07/16/2013, filed with Town Clerk 07/23/2013.

### PROJECT DESCRIPTION:

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

### DETERMINATION:

- Subject property previously granted an area variance to allow a rear (lakeside) setback of 50.3 ft. when 60 ft. is required. Proposed single-family dwelling has a rear setback of 51.2 ft.
- Subject property previously granted an area variance to allow a setback to the bed of stream (carrying water more than 6 months out of the year) of 25 ft. when 60 ft. is required. Proposed single-family dwelling has a setback to the stream of 25.4 ft.
- Proposed development is of sufficient area and dimension to meet minimum requirements for zoning and building purposes within the RLD zoning district.

### REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is not required to be reviewed by the Ontario County Planning Board as it relates to a site plan involving a single-family residential lot. Exception #09.

### REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval is required for development in the Residential Lake District which exceeds thresholds as would require a soil erosion permit.

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

**DATE:** 10/23/19

**BY:** Kyle Ritts  
Kyle Ritts- Zoning Inspector

**CPN- 19-083**

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

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