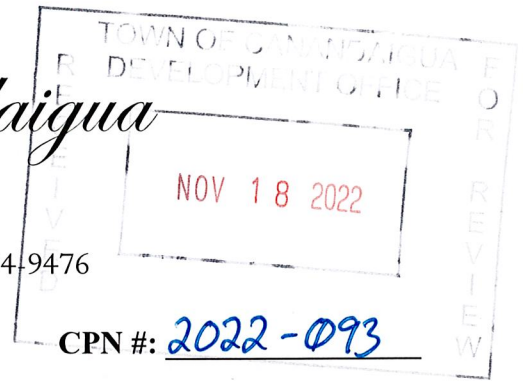


# Town of Canandaigua

5440 Routes 5 & 20 West  
Canandaigua, NY 14424

Phone: (585) 394-1120 / Fax: (585) 394-9476



## ZONING BOARD OF APPEALS APPLICATION

FOR: ☒ AREA VARIANCE ☐ USE VARIANCE ☐ INTERPRETATION

Permission for on-site inspection for those reviewing application:  x  Yes   No

1. Name and address of the property owner: Richard Nelson  
5635 County Rd 30, Canandaigua, NY 14424

Telephone Number of property owner:

Fax #   E-Mail Address: rpdqnelson@yahoo.com

**\*\*If you provide your e-mail address, this will be the primary way we contact you\*\***

2. Name and Address of Applicant *if not the property owner*: Marks Engineering, P.C.  
4303 Rt 5&20, Canandaigua, NY 14424

Telephone Number of Applicant: 585-905-0360

Fax #   E-Mail Address: bmarks@marksengineering.com

**\*\*If you provide your e-mail address, this will be the primary way we contact you \*\***

3. Subject Property Address: Middle Cheshire Rd

Nearest Road Intersection: Butler Rd

Tax Map Number: 97.04-1-58.200 Zoning District: R-1-30, R-1-20

4. Is the subject property within 500' of a State or County Road or Town Boundary? (If yes, the Town may be required to refer your application to the Ontario County Planning Board.)

Please circle one: YES (NO)

5. Is the subject property within 500' of an Agricultural District? (If yes, an Agricultural Data Statement must be completed and submitted with this application – for use variance applications only.)

Please circle one: YES (NO)

(Continued on back)

6. What is your proposed new project and the variance(s) or interpretation requested?  
The intent of this project is to build a new driveway that will start along Middle Cheshire Rd. and provide access to a new single family residence. The driveway will require two retaining walls to hold back steep bank and to cross a stream. The retaining wall will require an area variance for its proximity to the side lot line. The required side setback is 25' and the two retaining walls will be located 2' and 3.08 feet, thus requiring a 21.98' and 23' variance for the proposed structure.
7. Have the necessary building permit applications been included with this form? If not, please verify with the Development Office which forms are required to be submitted.
8. With your completed application for an Area Variance, attach a tape map/survey/site plan, elevation of the proposed structure, and other documentation necessary describing the requested variance(s) illustrating why it is practically difficult for you to conform to the Zoning Law.
- All maps, surveys, or site plans shall accurately depict the property including all existing and proposed structures, setbacks, and dimensions. *All dimensions must be precise.*
9. With your completed application for a Use Variance, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you feel this use variance is necessary, and a completed Environmental Assessment Form.
10. With your completed application for an Interpretation, attach a current survey map/site plan of the subject parcel with a detailed description of the proposed use, a statement as to why you are appealing the zoning law determination, and a copy of the zoning law determination of which said appeal is requested.
11. If the variance requested is related to signs, attach a Sign Detail Sheet, a site plan, and colored renderings of the proposed signage, and any other documentation required in Article IX (Sign Regulations) of the Town of Canandaigua Zoning Law.

*I have examined this application and declare that it is true, correct, and complete. I understand that my application and all supporting documentation will be examined by the Zoning Board of Appeals as an integral component of deliberations.*

***I hereby grant my designee permission to represent me during the application process.***

  
\_\_\_\_\_  
(Signature of Property Owner)

11/15/22  
\_\_\_\_\_  
(Date)