

Town of Canandaigua

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ZONING BOARD OF APPEALS DECISION NOTIFICATION

Public Hearing Opened: May 17, 2022
Public Hearing Closed: May 17, 2022

Meeting Date: May 17, 2022
Project: CPN-22-024

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Mark Muller	Michael Skinner	Front Setback	3809 Middle	112.02-1-12.000
	3809 Middle	Side setback	Cheshire Rd	
	Cheshire Rd	Lot coverage	Canandaigua	
	Canandaigua			

Type of Application

- ☒ Area Variance ☐ Use Variance
☐ Interpretation ☐ Rehearing

Variance/Interpretation Requested

Applicant is requesting three Area Variances; 1.) 46.5-foot front setback when 60 feet is required, *13.5-foot variance required* 2.) 19.33-foot side setback when 25 feet is required, *5.67-foot variance required* 3.) lot coverage of 20.28% when 20% is the maximum, *.28 percent variance required*.

Shall the applicant be granted a 1.) 13.5 ft. front setback area variance, 2.) a 5.67 ft. side setback area variance, and 3.) a 0.28 percent lot coverage area variance?

Applicant Request

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

SEQR

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

#1 Voting:

John Casey	<input checked="" 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	<input checked="" 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 (Chair)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

#2 Voting:

John Casey	<input checked="" 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	<input checked="" 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 (Chair)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

Reasons

The Board's decision is based on description and drawings presented during the Public Hearing on May 17, 2022. As well as information received on March 28, 2022, April 18, 2022, and May 16, 2022. The benefit to the applicant does outweigh the detriment to the neighborhood or community therefore, the variance is granted for #1 and #2. The variances will not change the character of the neighborhood. Granting this variance is in keeping with the character of the neighborhood. The granting of the variance will not change the character of the neighborhood.

A third variance was presented and is continued pending a receipt of a withdrawal.

Conditions

1. The variance granted is specific to the layout and site plan presented to the Zoning Board of Appeals dated April 18, 2022. Any change in plans, shall invalidate the variance.
2. The variance is conditioned on a building permit being obtained within one (1) year of the date the variance is granted. Failure to obtain a building permit within one (1) year shall invalidate the variance.
3. The proposed variances are conditional on the removal of asphalt such that is no closer than the 19.33' to the side setback. The removal of the asphalt will remove the need for the third variance.

Certified By: *C. S. S.*
Chairperson of the Zoning Board of Appeals

Date: 5/23/22

CANANDAIGUA TOWN CLERK

MAY 24 2022

RECEIVED