

# *Town of Canandaigua*

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

*Established 1789*

## **ZONING LAW DETERMINATION**

**PROPERTY OWNER #1:** Cory Westbrook

**PROPERTY ADDRESS:** 4102 Onnalinda Drive (Tax Map #113.17-1-31.200)  
4118 Onnalinda Drive (Tax Map #113.17-1-31.110)

**PROPERTY OWNER #2:** Gregory & Beth Westbrook

**PROPERTY ADDRESS:** 4096 Onnalinda Drive (Tax Map #113.17-1-32.110)

**ZONING DISTRICTS:** RLD- Residential Lake District

SCR-1- Southern Corridor Residential

### **DETERMINATION REFERENCE:**

- Application Single-Stage Subdivision Approval, dated 05/12/2021, received by the Town on 05/12/2021.
- Application for Area Variance, dated 09/17/2021, received by the Town on 09/17/2021.
- Plan titled, "Subdivision Plat Prepared for Cory R. Westbrook," by Venezia Land Surveyors and Civil Engineers, dated 05/11/2021, revised on 9/17/2021, received by the Town on 09/17/2021.

### **PROJECT DESCRIPTION:**

- Applicants propose to modify the parcel boundaries on Lot #1 (4102 Onnalinda Drive) and Lot #2 (4118 Onnalinda Drive).
- Applicants propose to create two new lots; Lot 3 at 1,088 Acres and Lot 4 at 1.103 acres.

### **DETERMINATION:**

- Proposed Lots #1, #2, #3 and #4 front on Onnalinda Drive (in the RLD District).
- Proposed Lots #1, #2, #3 and #4 all are divided between the RLD and SCR-1 Zoning Districts.
- The proposed revisions to Lot #1 create a landlocked parcel, which is not permitted. Per Town Code, the *lot frontage* shall be construed to be the portion nearest the street. The *front lot line*, per Town Code definition, is the line separating the lot from the boundary of the highway or right-of-way upon which the lot abuts. The *right-of-way or highway line*, as defined per Town Code, is the line, present or proposed, which is the joint boundary line between a lot and the street or highway right-of way. Per Section 174-19(d) of Town Code, no division of land shall result in any parcel becoming land locked. Lot #1's proposed frontage is on a private right-of-way.
- The proposed revisions to Lot #2, fronting Onnalinda Drive, do not meet sufficient lot dimensions for lot frontage in the RLD district (proposed width of 39.48 feet when 125 feet is required).
- Proposed Lots #3 and #4 meet all minimum area and dimension requirements for zoning and building purposes for both the RLD and SCR-1 zoning districts.

**REFERRAL TO ZONING BOARD OF APPEALS FOR:**

- Applicant requires an 85.52-foot front lot frontage area variance for proposed Lot 2.
- Applicant requires relief from the Town Code to create a landlocked parcel.

**REFERRAL TO PLANNING BOARD FOR:**

- Plats for all proposed subdivisions shall be filed with the Town of Canandaigua Planning Board for approval.

**CODE SECTIONS:** Chapters §1-17; §174; §220

DATE: 9/24/21

BY: Shawna Bonshak  
Shawna Bonshak, Town Planner – Zoning Officer

**CPN- 2021-050**

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 Owner  
Town Clerk

