

# Town of Canandaigua

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## ZONING BOARD OF APPEALS DECISION NOTIFICATION

**Public Hearing Opened:** June 21, 2022  
**Public Hearing Closed:**

**Meeting Date:** June 21, 2022  
**Project:** CPN-21-036

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
Venezia & Assoc., 5120 Laura Ln., Canandaigua	Three Guys Properties Inc., 5275 Parrish St. Ext., Canandaigua	Side setback	5275 Parrish Street Ext., Canandaigua	97.00-2-67.200

### Type of Application

☒ Area Variance      ☐ Use Variance  
☐ Interpretation      ☐ Rehearing

### Variance/Interpretation Requested

Applicant is requesting Area Variance side setback of 33.5 feet when 100 feet is the minimum, *66.5-foot side setback variance required.*

**Shall the applicant be granted a 66.5 ft. side setback 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:

CANANDAIGUA TOWN CLERK

JUN 28 2022

RECEIVED



### 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 information presented during the Public Hearing on June 21, 2022 as well as information received 5/2/2022 and 5/31/2022. The benefit to the applicant does outweigh the detriment to the community therefore, the variance is granted. The variance will not change the neighborhood. The applicant showed why this cannot be done in another way—location of the septic system. The owner will retain ownership of both lots. The structures are more than 100' apart.

### **Conditions**

1. The variance granted is specific to the layout and site plan presented to the Zoning Board of Appeals dated May 31, 2022. Any change in plans, shall invalidate the variance.
2. The variance is conditioned on the subdivision being done within one (1) year of the date the variance is granted. Failure to complete the subdivision within one (1) year shall invalidate the variance.

Certified By:



Chairperson of the Zoning Board of Appeals

Date:

6/24/22