

# *Town of Canandaigua*

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

*Established 1789*

## **ZONING LAW DETERMINATION**

**PROPERTY OWNER:** ROYAL WASH CANANDAIGUA

**PROPERTY ADDRESS:** 2586 ST RT 332

**TAX MAP NUMBER:** 70.16-4-6.100

**ZONING DISTRICT:** CC

### **DETERMINATION REFERENCE:**

- Application for One Stage Site Plan, dated 03/06/2019. Received for review by Town on 03/08/2019.
- Application for Special Use Permit, dated 03/06/2019. Received for review by Town on 03/08/2019.
- Application for Soil Erosion and Sediment Control Permit, dated 03/06/2019. Received for review by Town on 03/08/2019.
- Application for Area Variance, dated 03/06/2019. Received for review by Town on 03/08/2019
- Site Development Plans titled "Royal Car Wash" by Passero Associates, dated 03/2019, no revisions noted, received by the town on 03/15/2019.

### **PROJECT DESCRIPTION:**

- Applicant proposes to demolish existing principle building on parcel and construct a car wash establishment within the CC Zoning District with associated signs and development.

### **DETERMINATION:**

- Applicant SHALL provide complete New Structure application.
- Proposed driveway is 6 ft. from side property line when 20 ft. is required.
- Proposed business identification sign of 77.3 sq. ft. when 32 sq. ft. is the maximum.
- Proposed second business identification sign of 32.5 sq. ft. when 16 sq. ft. is the maximum.
- Proposed third business identification sign when no more than two signs are permissible.
- Proposed ground sign meets all requirements for zoning and building purposes.
- Planning Board shall have the authority to waive provisions of Off-Street Parking regulations where applicant bears the burden of proof, including:
  - o Proposed parking stalls of 13 when 41 spaces are required. Planning board may not reduce the number of required parking spaces by more than 50%.
  - o Off-street parking areas for more than five vehicles shall be effectively screened on the rear and side yards by a fence of acceptable design, unpierced masonry wall, landscaped berm or compact evergreen hedge. Such fence shall be erected and maintained in accordance with § 220-9K of these regulations. Such wall or hedge shall not be less than six feet in height and shall be maintained in good condition.
- Planning Board shall have the authority to waive provisions of Landscaping and Buffering regulations where applicant bears the burden of proof, including:
  - o In addition, in all nonresidential zones, automotive uses shall be separated from the streetside property line by a vegetated, landscape buffer strip 25 ft. in width.

### **REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:**

- This application is required to be reviewed by the Ontario County Planning Board as it relates to Site Plan, Special Use, and Variances within 500 ft. of a State Highway.

### **REFERRAL TO ZONING BOARD of APPEALS FOR:**

- Application received for 14 ft. driveway setback area variance.
- Application received for 45.3 sq. ft. sign size area variance.
- Application received for 16.5 sq. ft. sign size area variance.
- Application received for sign quantity area variance.
- Applicant SHALL apply for 8 parking space area variance.

**REFERRAL TO PLANNING BOARD FOR:**

- Planning Board Site Plan approval required for all development greater than 1,000 sq. ft. within the CC Zoning District.
- Planning Board Special Use Permit approval required for Commercial Speech signs within the CC Zoning District.

**CODE SECTIONS:** Chapter §1-17; §220-9V; §220-76; §220-23; §220-62.1; § 220-64; §220-73; §220a Sch.I Zoning Schedule; §220c Sch.II Off-Street Parking

DATE: 3/26/2019

BY: *Eric A Cooper*  
Eric Cooper – Zoning Inspector

**CPN- 19-017**

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 File  
Property Owner  
Town Clerk

