

Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: Mary Ann Eddy / Matthew and Lindsay Bolton

PROPERTY ADDRESS: 4211 St. Route 21 / 4215 St. Route 21

TAX MAP NUMBER: 125.12-1-6.10 / 125.12-1-54.10

ZONING DISTRICT: R-1-30

DETERMINATION REFERENCE:

- Application for Lot Line Adjustment, dated 12/05/2016, received for review by Town on 12/05/2016.
- Plans titled "Mary Ann Eddy & Matthew T. & Lindsay B. Bolton" by Venezia Land Surveyors and Civil Engineers, dated 12/02/2016, no revisions noted, received by the Town on 12/05/2016.

PROJECT DESCRIPTION:

- Owner proposes to annex a portion of 125.12-1-54.10 (Lot 2) to 125.12-1-6.10 (Lot 1) in order to include an existing gravel driveway.

DETERMINATION:

- For lot line adjustments, all resulting lots must meet minimum requirements for building and zoning purposes.
- Changes that reduce the degree of nonconformance shall be allowed.
- Preexisting nonconformities shall not be altered by way of property boundary modifications, or by any other way that increases the degree of nonconformance without first obtaining a variance from the Zoning Board of Appeals. Upon application for such variance, a request shall be made to the Planning Board for a recommendation regarding potential impacts.
- Submitted plats for lot line adjustments shall show information as described in §174-13 and §174-14.
- Application SHALL be signed by both property owners.

Lot 1:

- Existing detached accessory structure is 1 ft. from the right lot line when 15 ft. is required.
- Existing dwelling is approximately 7 ft. from the front lot line when 60 ft. is required.
- Existing driveway is 1.5 ft. from right lot line when 10 ft. is required. However, proposed action reduces the degree of nonconformance and shall be allowed.
- Existing home is approximately 16 ft. from right lot line when 25 ft. is required. However, proposed action reduces the degree of nonconformance and shall be allowed.
- Proposed lot width is 95.14 ft. when 125 ft. is required. However proposed action reduces the degree of nonconformance and shall be allowed.
- Proposed lot size is approximately 15,115 ft.² when 30,000 ft.² is required. However proposed action reduces the degree of nonconformance and shall be allowed.

Lot 2:

- Existing gravel drive is approximately 2 ft. from right property line when 10 ft. is required.
- Existing concrete drive is approximately 8 ft. from left property line when 10 ft. is required.
- Existing dwelling is approximately 33 ft. from front property line when 60 ft. is required.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is required to be reviewed by the Ontario County Planning Board as it relates to multiple variances within 500 ft. of a State Highway.

REFERRAL TO ZONING BOARD of APPEALS FOR:

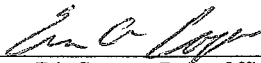
- Applicant shall apply for a 14 ft. area variance for right side setback to existing detached accessory structure on Lot 1.
- Applicant shall apply for a 53 ft. area variance for front setback to existing dwelling on Lot 1.
- Applicant shall apply for an 8 ft. area variance for right side setback to existing gravel drive on Lot 2.
- Applicant shall apply for a 2 ft. area variance for left side setback to existing concrete drive on Lot 2.
- Applicant shall apply for a 27 ft. area variance for front setback to existing dwelling on Lot 2.

REFERRAL TO PLANNING BOARD FOR:

- A request shall be made to the Planning Board for a recommendation on potential impacts.

CODE SECTIONS: Chapter §1-17, §174-8; §174-13; §220-9; §220-17; §220-107; §220a Sch 1 Zoning Schedule.

DATE: 1/23/2017

BY: 
Eric Cooper – Zoning Officer

CPN- 077-16

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

