

# *Town of Canandaigua*

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

*Established 1789*

## **ZONING LAW DETERMINATION**

**PROPERTY OWNER:** Carol L. Eiffert  
**PROPERTY ADDRESS:** 3535 State Route 364  
**TAX MAP NUMBER:** 98.19-1-20.100  
**ZONING DISTRICT:** R-1-20  
MUO – Mixed Use Overlay District

### **DETERMINATION REFERENCE:**

- Petition to Amend the official zoning map – Mixed Use Overlay District – dated 12/28/2020. Received for review by Town on 1/25/2021.
- Application for Two-Stage - Preliminary Site Plan, dated 10/07/2020. Received for review by Town on 10/07/2020.
- Plans titled, “Canandaigua Shores – Townhome/Residential Development” by Marks Engineering, dated 4/7/2021, no revisions noted, received by the town on 4/7/2021.

### **PROJECT DESCRIPTION:**

- Applicant proposes:
  - o Twenty-Nine 4-unit Single-Family Residential Townhomes
  - o Two Single Family Dwellings
  - o 4-lot Subdivision
  - o Associated roadway, utilities, infrastructure, and improvements

### **DETERMINATION:**

- The parcel of land is located within a growth node delineated on the Official Zoning Map of the Town of Canandaigua as a Mixed Use Overlay District.
- Applicant has submitted a rezoning petition to the Town Board requesting the adoption of a local law to rezone the parcel of land to a Mixed Use District consistent with the growth node.
- The Town Board decided to consider the petition and referred the petition to the Planning Board for an advisory report.
- After receipt of the advisory report, the Town Board decided to further consider the rezoning petition and directed the owner to prepare and submit an application for Preliminary Site Plan approval to the Planning Board.
- The owner shall have 180 days to obtain preliminary site plan approval from the Planning Board conditioned upon the proposed rezoning to a Mixed Use District.
- The Town Board, after receipt of the preliminary site plan approval, may consider the rezoning petition for final determination.

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

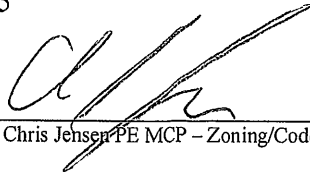
- This application is required to be reviewed by the Ontario County Planning Board due to proximity to:
  - o Town of Hopewell
  - o Town of Gorham
  - o State Route 364

**REFERRAL TO PLANNING BOARD FOR:**

- Development of new single-family dwellings require site plan review.
- Per Mixed Use Overlay District requirements, preliminary Site Plan approval is required prior to final determination by Town Board for rezoning.

**CODE SECTIONS:** Chapter §1-17; §174; §220; §165

DATE: 4/27/2021

BY:   
Chris Jensen PE MCP – Zoning/Code Enforcement Officer

**CPN- 2021-035**

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

