

5440 Routes 5 & 20 West Phone (585) 394-1120

Fax (585) 394-9476

Zoning	Board	of Ap	peals	Decision	Notification

	Zoning Down	и от търр	cais Decision	711 1 100		
Public Hearing Opened: 1/19/2016			Meeting Date: 1/19/2016			
Public Hearing Closed: 1/19/2016			Project: 065-15			
James VanderhoofJames Vanderhoof60 Pinewood Knoll60 Pinewood KnollRochester, NY 14614Rochester, NY 14614		Project Type Residential addition & garage addition	tial 3490 Sandy Beach 98.15-1-56		<u>Tax Map #</u> 98.15-1-56.000	
TYPE OF APPLICATIO	<u>on:</u>				SEQR:	
Area Variance	☐ Use Variance	☐ Interpret	ation	earing	☐ Type I	☑ Type II
expand a pre-existing no	n-conformity (single fan	nily dwelling) w	vith a right side set			
the dwelling of 8' when zoning district.	10' is required? Applica	int is requesting	a 2' variance in th	e RLD	☐ See Attac	ched resolution(s)
					Negative Dec	claration Date:
APPLICANT REQUEST	·•				Positive Decl	laration Date:
☑ Granted ☐ De		ed to:				
☐ See attached resolu	tion(s)					
<u> </u>						
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☑ AYE ☑ AYE ☑ AYE ☑ AYE	☐ NAY ☐ NAY ☐ NAY ☐ NAY ☐ NAY		Abstained Abstained Abstained Abstained Abstained	
REASONS/CONDITION	<u>S:</u>					
The benefit to the applicant information received 8/14, 9 construction has not comme mobility issues. This is the in persons acting in good fair. Certified By: Chairp	9/18, 10/23, 11/6, 11/16 and need within one year of the minimum variance possible	1 12/2 as well as for date of its issuare to accommodate ands of previous d	acts presented during nce. Variance is bein e the living quarters of lenial will be prejudio	g the Public g granted to on the first f ce.	Hearing. This value accommodate a loor for that fami	ariance shall be void if family member with ly member. No rights vested



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Public Hearing Opened: 1/19/2016			Meeting Date: 1/19/2016			
Public Hearing Closed: 1/19/2016			Project: 065-1	<u>5</u>		
Applicant James Vanderhoof 60 Pinewood Knoll Rochester, NY 1461	Owner James Vander 60 Pinewood 1 Rochester, NY	Knoll	Project Type Residential addition & garage addition	Project Location 3490 Sandy Beach Drive	<u>Tax Map #</u> 98.15-1-56.000	
TYPE OF APPLICAT	ION:			SEQR:		
☑ Area Variance	☐ Use Variance	☐ Interpret	tation	earing	I 🗷 Type II	
Variance/Interpretati	on Requested: Shall the non-conformity (single fami	applicant be g	granted an area vari	ance to of 37% Unlist	ed	
	% is allowed? Applicant is			of	ttached resolution(s)	
				Negative	Declaration Date:	
APPLICANT REQUES	ST:			Positive I	Declaration Date:	
	Denied	l to:				
☐ See attached reso	lution(s)					
VOTING:	Bob Hilliard Dave Emery	☒ AYE ☒ AYE	□ NAY □ NAY	☐ Abstained ☐ Abstained		
	Kelly LaVoie	ĭ AYE		☐Abstained		
	Chip Sahler	🗷 AYE	NAY	□Abstained		
	Terence Robinson	⋈ AYE	□ NAY	□Abstained		
REASONS/CONDITIO	ons:					
information received 8/14 construction has not commobility issues. This is the	nt outweighs the detriment to the policy of the detriment to the policy of the detriment to the nenced within one year of the detriment of the detriment on the ground faith and reliance on the ground	2/2 as well as that of its issuant of accommodate	facts presented during nce. Variance is bein the living quarters of	g the Public Hearing. The g granted to accommoda on the first floor for that the	is variance shall be void if	
Certified By:	Ture Louing Board of	f Annada	Dat	e: Januany	21, 7016	
Cna)	uperson, Zoning Board of	Appears			TOWN OF CANANDAIGUA R TOWN CLERK R E E C JAN 26 2016 E	



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Zoning Board of Appeals Decision Notification

Public Hearing Opened: 1/19/2016		Meeting Date: 1/19/2016 Project: 065-15				
Public Hearing Closed: 1/19/2016						
Applicant James Vanderhoof 60 Pinewood Knoll Rochester, NY 14614	Owner James Vander 60 Pinewood I Rochester, NY	Knoll 7 14614	Project Type Residential addition & garage addition		t Location andy Beach	<u>Tax Map #</u> 98.15-1-56.000
TYPE OF APPLICATI	ON:				SEQR:	
☑ Area Variance	☐ Use Variance	☐ Interpreta	tion	earing	☐ Type I	▼ Type II
	on Requested: Shall the a con-conformity (single fami				☐ Unlisted	
area variance in the RL		ij uwoming). 1	ipphoant is reque	oung un	☐ See Attached resolution(s)	
					Negative De	claration Date:
APPLICANT REQUES	APPLICANT REQUEST:				Positive Dec	laration Date:
☑ Granted ☐ □	Denied	l to:				
☐ See attached resol	ution(s)					
VOTING:	Bob Hilliard Dave Emery Kelly LaVoie Chip Sahler Terence Robinson	☑ AYE ☑ AYE ☑ AYE ☑ AYE ☑ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained	
REASONS/CONDITIO	NS:					
information received 8/14, construction has not comm mobility issues. This is the	t outweighs the detriment to the 9/18, 10/23, 11/6, 11/16 and 1 enced within one year of the deminimum variance possible taith and reliance on the ground	2/2 as well as fa- late of its issuance o accommodate t	cts presented during e. Variance is bein the living quarters o	the Public g granted to n the first	Hearing. This voo accommodate a	ariance shall be void if family member with

TOWN OF CANANDAIGUA ZONING BOARD OF APPEALS

James Vanderhoof 3490 Sandy Beach Drive CPN-065-15

FINDINGS

- Applicant is proposing to construct additions to existing single family dwelling in the RLD Zoning District.
- 2. Applicant is proposing to construct a 96SF addition and a 145SF addition.
- 3. The proposed 96SF addition will be 8 feet from the right side property line when 10 feet is required.
- 4. The Zoning Board of Appeals denied applicant's original request for variances on November 17, 2015.
- 5. Pursuant to NYS Town Law § 267-a(12) and Town of Canandaigua Town Code § 220-92(D), the Zoning Board of Appeals granted applicant's request for a rehearing on December 15, 2015.
- 6. Applicant originally requested a variance to construct a 480SF garage. Applicant has removed the proposed garage from the development plan.
- 7. Applicant's parcel is approximately 13,363SF in size.
- 8. 200SF sidewalks will be removed to improve drainage and add green space.
- 9. Current lot coverage is 37.6%. Proposed lot coverage will be just under 37%.
- 10. No rights vested in persons acting in good faith in reliance upon the ZBA's denial will not be prejudiced.
- 11. Applicant's variance requests are SEQR Type II.
- 12. The benefit to the applicant outweighs the potential detriment to the neighborhood.
- 13. The Zoning Board of Appeals bases its decisions based on the information submitted by applicant on the following dates:
 - a. August 14, 2015

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- b. September 18, 2015
- c. October 23, 2015
- d. November 6, 2015
- e. November 16, 2015
- f. December 2, 2015
- 14. The Zoning Board of Appeals bases its decisions on information received at public hearings held on the following dates:
 - a. November 17, 2015
 - b. January 19, 2016
- 15. Applicant is seeking an area variance to expand preexisting nonconformity
- 16. Applicant is seeking an area variance for lot coverage of 37% when no more than 30% is allowed
- 17. Applicant is seeking an area variance for right side setback of 8' when 10' is required.
- 18. Variance is being granted to accommodate a family member with mobility issues. The minimum variance required to accommodate the wheelchair bound family member is being granted.
- 19. No adverse on property in the neighborhood
- 20. No undesirable change will be produced in the character of the neighborhood because there are other properties with similar setbacks and lot coverage in the area. No detriment will occur to nearby properties in this case because of the removal of impervious surface.
- 21. The benefit sought by the applicant cannot be achieved by another method because of the small size of applicant's parcel.
- 22. The requested variances are not substantial when compared to the original variances requested and when consideration is given to the size and shape of the lot.
- 23. The proposed variances will not have an adverse effect on the physical or environmental conditions in the neighborhood because of the similar structures existing on neighboring parcels.

CONDITIONS

- 1. The variance(s) granted are specific to the plans submitted to the Zoning Board of Appeals. Any change in the plans shall invalidate the variance(s) and applicant shall request a new variance from the Zoning Board of Appeals.
- 2. The variance(s) is conditioned on building permits being issued within one (1) year of the date the variance(s) is granted. Failure to obtain building permits within one (1) year shall invalidate the variance(s).

Town of Canandaigua

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Canandaigua Zoning Board of Appeals Resolution

SEOR Resolution Determination of Significance – TYPE II Action

DIT	T2 #	CDM	-065-	15
1,11	.F #	1 .F N	-1/11/1-	1 1

APPLICANT: JAMES VANDERHOOF, 3490 SANDY BEACH DRIVE

WHEREAS, The Town of Canandaigua Zoning Board of Appeals, hereinafter referred to as ZBA, has determined the above referenced Action to be a Type II under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations;

NOW, THEREFORE, BE IT RESOLVED that the ZBA in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Bob Hilliard and seconded by Dave Emery at a regularly scheduled meeting of the ZBA held on Tuesday, January 19, 2016. Following discussion therein, the following roll call vote was taken and recorded:

VOTING:	Bob Hilliard	🗷 AYE	□ NAY	□Abstained
	Dave Emery	🗷 AYE	NAY	□ Abstained
	Kelly LaVoie	🗷 AYE	NAY	□ Abstained
	Chip Sahler	🗷 AYE	NAY	□ Abstained
	Terence Robinson	🗷 AYE	□ NAY	□ Abstained

I, Cheryl Berry, Secretary of the ZBA, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the Minutes of the Canandaigua ZBA for the January 19, 2016 meeting.

Cheryl Berry, Secretary of the ZBA

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