

Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: WERGES, LAWRENCE A.; FOX-WERGES, JENNIFER

PROPERTY ADDRESS: 4963 WATERS EDGE DRIVE

TAX MAP NUMBER: 98.09-1-20.100

ZONING DISTRICT: RLD

DETERMINATION REFERENCE:

- Application for Zoning Board Area Variance, dated 04/08/2020. Received for review by Town on 04/08/2020.
- Application for One Stage Site Plan, dated 04/08/2020. Received for review by Town on 04/08/2020.
- Application for Soil Erosion and Sediment Control Permit, dated 04/08/2020. Received for review by Town on 04/08/2020.
- Application for New Structure/Addition Building Permit, dated 04/08/2020. Received for review by Town on 04/08/2020.
- Plans titled, "Lawrence A. Werges & Jennifer Fox-Werges: New Residential Site Plan" by Marks Engineering, dated 04/08/2020, revised on 04/17/2020, received by the town on 04/17/2020.
- Certificate of Non-Conformity, dated 04/22/2020. Filed with Town Clerk 04/22/2020.

PROJECT DESCRIPTION:

- Applicant proposes to tear down existing dwelling and construct a new, single-family dwelling and attached garage.

DETERMINATION:

- Proposed lot coverage to be 44.5% when maximum permitted is 30%.
- Proposed building coverage to be 25.1% when maximum permitted is 20%.
- Proposed dwelling to have a 35 ft. front setback (West right-of-way) when required front setback shall be no less than 55 ft.
- Proposed dwelling to have 10.10 ft. front setback (South right-of-way) when required front yard setback shall be no less than 55 ft. Preexisting nonconforming dwelling has a front setback of 6.97 ft.
- Changes to preexisting nonconformities that reduce the degree of nonconformance shall be allowed.

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 variance requests within 500 ft. of the right-of-way of a recreation area (Canandaigua Lake).

REFERRAL TO ZONING BOARD OF APPEALS FOR:

- Application received for a 14.5% lot coverage area variance.
- Application received for a 5.1% building coverage area variance.
- Application received for a 20 ft. primary structure front setback area variance.

REFERRAL TO PLANNING BOARD FOR:

- Planning Board Site Plan approval is required for development in the Residential Lake District which exceeds thresholds as would require a soil erosion permit.

CODE SECTIONS: Chapter §1-17; §165; §220-8; §220-9; §220-21; §220-64; §220a Sch. 1 Zoning Schedule

DATE: 4/22/2020

BY: Kyle Ritts
Kyle Ritts- Zoning Inspector

CPN- 20-024

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

