

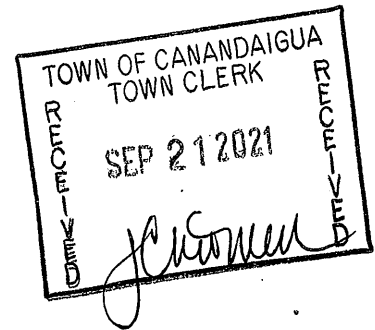
Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: Larry and Jennifer Werges
PROPERTY ADDRESS: 4963 Waters Edge Drive
TAX MAP NUMBER: 98.09-1-20.100
ZONING DISTRICT: RLD



DETERMINATION REFERENCE:

- Application for One Stage Site Plan, dated 09/08/2021, Received for review by Town on 09/08/2021.
- Application for Area Variance, dated 09/08/2021, Received for review by Town on 09/08/2021.
- Plans titled, "Lawrence A. Werges & Jennifer Fox-Werges New Residential Site Plan," by Marks Engineering, dated 04/08/2020, received by the Town on 09/16/2021, revised on 04/17/2020, 06/04/2020, 09/08/2021 and 09/17/2021.

PROJECT DESCRIPTION:

- The Applicant's original Variance Application was approved by the ZBA on 05/19/2020 (20' front setback, 14.5 % lot coverage and 5.1% building coverage).
- The Applicant's original Single Stage Site Plan Application as approved by the Planning Board on 06/09/2020

DETERMINATION:

- Proposed improvements are permitted, with Planning Board approval, within the RLD Zoning District. Because driveway location has shifted, the Planning Board is required to review.

REFERRAL TO ZONING BOARD OF APPEALS:

- Applicant originally received a lot coverage variance for 14.5% (30% is required). Because of disputes related to the adjacent right-of-way, where proposed driveway was to be located, applicants have shifted the driveway onto their property thus necessitating additional lot coverage.
- Applicant is requesting 48.6 % lot coverage when 30% is required therefore an 18.6% variance is requested (4.1% increase from prior approval).

REFERRAL TO PLANNING BOARD FOR:

- Site plan approval is required for development in the Residential Lake District which exceeds 1,000 square feet or such thresholds as would require a permit to be issued pursuant to Chapter 165, Soil Erosion and Sedimentation Control.

CODE SECTIONS: Chapters §1-17; §220; §220-04; §165

DATE: 09/21/2021

BY: Shawna E. Bonshak (electronically signed)
Shawna E Bonshak – Town Planner/Zoning Officer

CPN- 2021-076

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