

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
Phone: (585) 394-1120 / Fax: (585) 394-9476

TOWN OF CANANDAIGUA DEVELOPMENT OFFICE		F O R R E V I E W
R E C E I V E D	OCT 6 2021	

CPN #: 21-086

ZONING BOARD OF APPEALS APPLICATION

FOR: ☐ AREA VARIANCE ☐ USE VARIANCE ☒ INTERPRETATION

Permission for on-site inspection for those reviewing application: ☒ Yes ☐ No

1. Name and address of the property owner: Chuck + Kate Vasilius
ANALOG PROPERTIES LLC 3439 W Lake Blvd Cdga 14424
Telephone Number of property owner: _____
Fax # _____ E-Mail Address: see Worden Hill

If you provide your e-mail address, this will be the primary way we contact you

2. Name and Address of Applicant if not the property owner: Worden Hill Marine
Kevin Dooley PO Box 659, Cdga. 14424
Telephone Number of Applicant: 585-509-0675
Fax # _____ E-Mail Address: Kdooley812@gmail.com

If you provide your e-mail address, this will be the primary way we contact you

3. Subject Property Address: 3439 West Lake Blvd
Nearest Road Intersection: Co Rd 16
Tax Map Number: 98.13-1-16.11 Zoning District: RLD

4. Is the subject property within 500' of a State or County Road or Town Boundary? (If yes, the Town may be required to refer your application to the Ontario County Planning Board.)

Please circle one:

YES

NO

5. Is the subject property within 500' of an Agricultural District? (If yes, an Agricultural Data Statement must be completed and submitted with this application – for use variance applications only.)

Please circle one:

YES

NO

(Continued on back)

Town of Canandaigua

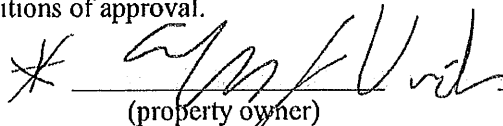
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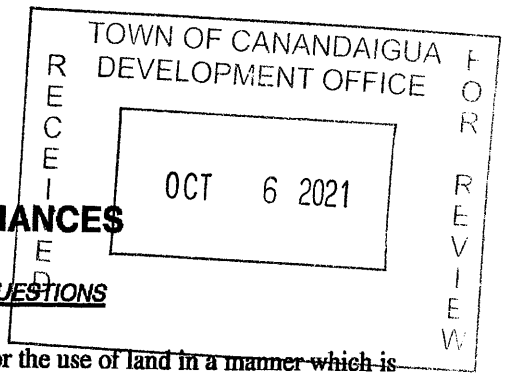
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***Property Owner is responsible for any consultant fees
(Town Engineer, Town Attorney, etc.) incurred during the application process.***

Please note that the **Property Owner** is responsible for all consultant fees during the review of this application including legal, engineering, or other outside consultants. Applications submitted to the Town of Canandaigua Planning Board will normally receive chargeback fees of at least five hours to ten hours for planning services including intake, project review, resolution preparation, SEQR, and findings of fact. PLEASE NOTE that the number of hours will be SIGNIFICANTLY INCREASED due to incomplete applications, plans lacking detail, or repeated continuations. Subdivision applications and larger commercial or industrial projects traditionally require more hours of engineering, legal, and other consultant review and preparation and will incur higher costs. Applications for new construction may be referred to the Town Engineer for engineering review which may include at least an additional eight to twelve hours of review time. The **Property Owner** will also be responsible for legal fees for applications submitted to the Town of Canandaigua Planning Board, Zoning Board of Appeals, or the Town of Canandaigua Development Office. Fees for engineering and legal expenses traditionally range between one hundred and one hundred fifty dollars per hour. A copy of the Town's annual fee schedule is available upon request from the Development Office or the Town Clerk's Office. The **Property Owner's** signature below indicates that the **Property Owner** understands that the **Property Owner** will be responsible for all outside consultant fees incurred as a result of the submitted application, and consents to these charges. Additionally projects approved by the Town of Canandaigua Planning Board may be required to pay a parks and recreation fee as established by the Town Board (currently \$ 1,000 per unit) if required as part of the conditions of approval.

*  CHARLES J.
(property owner) (property owner)

VASILIS



TESTS FOR GRANTING AREA VARIANCES

BE VERY SPECIFIC WHEN ANSWERING THESE QUESTIONS

"Area variance" shall mean the authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations. (Town Law Section 267, subsection 1.(b)).

In deciding whether to grant an area variance, the Zoning Board of Appeals takes into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community. (Town Law Section 267-b, subsection 3.(b)).

To enable the Zoning Board of Appeals to grant an area variance, the applicant must present substantial evidence concerning the following topics by providing supporting evidence for each. Attach additional sheets if necessary.

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

There will not be an undesirable change in the character of the neighborhood OR detriment to nearby properties by granting the variance

- (2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.

An Interpretation is needed to determine how appendage SF is calculated

- (3) Whether the requested area variance is substantial.

The request is not substantial

- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

There will not be an adverse effect or impact on the physical or environmental conditions in the neighborhood

- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of the area variance.

The alleged difficulty is not self created: We are looking for an interpretation of how appendage SF is calculated