



39 Cascade Drive / Rochester, NY 14614 / Phone (585) 458-7770

April 8, 2016

Doug Finch  
Town of Canandaigua  
5440 Routes 5 & 20 West  
Canandaigua NY 14424

Re: Revised Single Family Residential Site Plan  
Ted & Pat Brewer Residence  
4727 West Lake Road  
Town of Canandaigua, Ontario County

Dear Doug,

On behalf of our client, Ted Brewer, we are pleased to submit 15 copies of the revised plans and this Letter of Intent for the above referenced project.

The project is located on the southeastern side of West Lake Road (County Road 16), approximately ½ mile south of the intersection of Wells Curtis Road and West Lake Rd. The property is 0.531 acres in size, and is zoned RLD - Residential Lake District.

The applicant proposes to demolish the existing single family home, shed, and garage, and construct a new single family residence. The original application required six variances. After meeting with the ZBA on January 19 and hearing their concerns, we have significantly revised the plans; only four variances are now being requested.

The detached garage has been eliminated, and the height of the house has been reduced. The new septic system location has been changed, and the driveway shape/configuration modified. Consequently, the building and lot coverage numbers have been reduced.

We are now requesting a lesser degree of relief; the previously submitted material supporting our original request still applies.

The revised septic system design was discussed and developed in consultation with the NYS Department of Health and the Canandaigua Lake Watershed Inspector. We expect formal approval in the near future.

*Going the distance for you.*

**Variances No Longer Needed:**

ITEM:	EXISTING	REQUIRED	ORIGINAL
Min Front Setback (Garage)	32.8'	60'	43'
Max Garage Height	15.4'	16'	19.5'

**Variances Requested:**

ITEM:	EXISTING	REQUIRED	ORIGINAL	REVISED
Min Rear (Lake) Setback	40.6'	60'	41'	41'
Max Building Coverage	14%	15%	19%	17.2%
Max Lot Coverage	34%	25%	33%	29.9%
Max Building Height	23'	25'	29'	27'

**Key Considerations**

**Lake Setback Variance**

- Existing setback is 40.6' (improvement from existing condition)
- Neighborhood average setback is 33.7' (7.3' improvement)
- Immediate neighbors' average setback is 27.5' (13.5' improvement)
- All four closest neighbors have submitted letters of approval
- The house itself is 44' from the lake. A small second floor balcony accounts for 3' of the setback (balcony is not in neighbors' sight lines)
- The narrow nature of the lot requires that the septic system be placed near the road pushing the house towards the lake
- Seven of the eight houses in the neighborhood have less setback
- Numerous neighbors have received lake setback variances
- Placement of the house further back from the lake would damage the Brewer's view (more view of sides of neighbors houses and less lake view)

### **Building Coverage Variance**

- Variance requested reduced from 19% building coverage to 17%
- Two immediate neighbors average building coverage is 21%
- All four closest neighbors submitted letters of approval
- Neighborhood average building coverage is 20% (8 properties)
- Neighbors have received building coverage variances
- Seven of eight neighbors have a higher building coverage ratio
- Neighborhood building coverage goes as high as 27%
- Inability to construct a basement pushes building out
- It seems that the stepped function regulation, ie 20% coverage allowed for lots of 10-20,000 square feet (sf) and 15% for lots over 20,000 sf, has led to a curious situation. Namely, a larger lot is allowed less building coverage than a smaller lot. At 23,130 sf, the Brewer lot is just over the step point of 20,000 sf and is thus allowed 3,470 s. f. of building coverage. However, a 20,000 sf lot is allowed 4,000 sf of coverage. This revised proposal reduces total building square footage to 3,998 sf, which is what is allowed for a smaller 20,000 sf lot. This, despite the fact that Brewer's lot, at 23,130 sf is 16% larger in size.

### **Lot Coverage Variance**

- Existing lot coverage is 34% (proposal is a reduction of 4.1%)
- Total Impervious Surface Area reduced by 900 square feet from original request
- Variance requested reduced from 33% lot coverage to 29.9%
- All four closest neighbors submitted letters of approval
- Neighborhood average lot coverage is 34%
- Two immediate neighbors lot coverage average is 37%
- Seven of eight neighbors have higher lot coverage
- A unique combination of circumstances peculiar to the property drives the need for a longer driveway and thus a variance:
  1. Septic required: no sewer available
  2. Shape of lot: long and narrow
  3. Pointed road side of lot: not square to road

Together, these three circumstances require an abnormally long driveway and that expands the coverage ratio.

- Proposed driveway is 12' wide, conforming to NYS Fire Safety guideline, compared to existing driveway width of 9'
- Lot coverage variances have been granted to others
- The lot is just over the 20,000 sf step point in the Code creating a situation where a smaller lot would be allowed more square feet of coverage

#### **Building Height Variance**

- Height variance requested reduced by 2' from original request
- At least 10 nearby properties have been granted height variances (See Table of Nearby Height Variances Granted)
- Both flanking neighbors have secured height variances (31' and 27' yielding an average neighbor height of 29')
- Brewer revised proposal is 2' less than neighbors' average
- The majority of the proposed roof complies with the 25' required. The average height is 24.5'. Only 45% of the building is 27' (the screened porch is 22.5' and the garage wing averages 22.8')
- No adverse impact on view shed:
  - Property across road is encumbered by lowland swamp and RG&E easement making development unfeasible
  - From the road, house would appear to be 23' tall since the road is 4' higher than the lot (road is at 698' and house is at 694')
  - From the lakeside, proposed height matches that of lowest neighbor thus, it fits in with height of neighboring buildings
  - When granting neighbor's variance for 31' the Town stated: "The Height will not impact the View"
  - The neighbor with the 31' height states in his letter to the Town that he has never had anyone complain about the height of his house
- All four closest neighbors submitted letters of approval
- In floor radiant heat is planned for the first floor. This requires less space than conventional heat and addresses Mrs. Brewer's allergies. This heat system is commonly paired with an AC system located in an attic, which requires a certain amount of headroom to install and maintain.

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- The revised proposal subjects the Brewers to increased practical difficulty and represents the lowest height feasible:
  - Further reduction would result in an adverse aesthetic impact on roofline appearance (losing the defining classic roofline of New England Shingle style architecture)
  - Have employed non-standard architectural approaches such as eliminating 16" of floor joist height and a non-standard 9' 6" ceiling height
  - Have employed a very shallow roof pitch over the open porch as well as numerous dormers to keep height down
  - Lack of basement creates storage hardship. This revised proposal reduces attic headspace such that the only stand up space will be directly under the peak
- The neighbor to the West, facing similar difficulties, solved his problems with a 31' roof height and a crawl space. Our proposal does not have a crawl space and has a 4' lower roof height.
- A more steeply pitched roof is safer for snow load and runoff and extends shingle life

Enclosed is the following information to aid in your review:

- 15 copies of this Letter of Intent
- 15 copies of Table of Nearby Height Variances Granted
- 15 copies of the Site Plans (full size)
- 15 copies of the Architectural Elevations and Floor Plans (11x17)

We are a tabled item and look forward to presenting this application at the Zoning Board of Appeals meeting of April 19, 2016, and subsequently to the Planning Board.

Please do not hesitate to contact our office with any questions or to discuss any issues.

Respectfully submitted,



Eric W Schaaf  
MARATHON ENGINEERING

cc: Ted and Pat Brewer  
Jack Sigrist, Architectural Innovations