

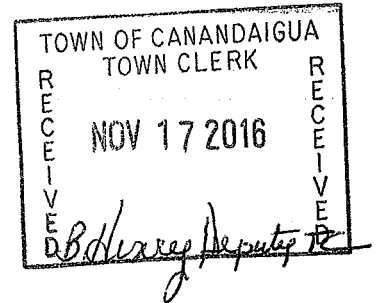
Town of Canandaigua

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

Established 1789

ZONING LAW DETERMINATION

PROPERTY OWNER: Charles & Ellen Miller
PROPERTY ADDRESS: 3524 Woolhouse Road
TAX MAP NUMBER: 96.00-1-25.000
ZONING DISTRICT: AR-2



DETERMINATION REFERENCE:

- Application for Area Variance, dated 11/01/2016, received for review by Town on 11/01/2016.
- Application for Sketch Plan Review dated 11/16/2016, received for review by Town on 11/17/16.
- Plans titled "Miller Woolhouse Road Subdivision" by Freeland-Parrinello Land Surveyors, dated 10/20/2016, no revisions noted, received by the Town on 11/01/2016.

PROJECT DESCRIPTION:

- The owner has applied for sketch plan review on a desired subdivision of a 67.5 acre parcel into a 64.6 acre parcel (Lot #1) and a 3.094 acre parcel (Lot #2).

DETERMINATION:

- Proposed Lot #2 contains an existing principle building that is 30 ft. from the front property line when 60 ft. is required.
- When a new lot is formed so as to include within its boundaries any part of a former lot on which there is an existing building or use, the subdivision must be carried out in such a manner as will not infringe upon any of the provisions of the Town Code, either with respect to any existing structures or use and any proposed structures or use or setbacks.
- Preexisting nonconformities shall not be altered by way of property boundary modifications, or by any other way that increases the degree of nonconformance without first obtaining a variance from the Zoning Board of Appeals. Upon application for such variance, a request shall be made to the Planning Board for a recommendation regarding potential impacts.

REFERRAL TO ONTARIO COUNTY PLANNING BOARD FOR:

- This application is not required to be reviewed by the Ontario County Planning Board because the granting of area variances within 500 ft. of a farm operation in the Agricultural District is exempt.

REFERRAL TO ZONING BOARD of APPEALS FOR:

- An application requesting a 30-ft. area variance for the front setback of Lot #2 has been submitted to the Town ZBA.

REFERRAL TO PLANNING BOARD FOR:

- Due to the requirement for variances in relation to pre-existing nonconforming structures, a recommendation regarding potential impacts is required.

CODE SECTIONS: Chapter §1-17; §174; §220-15 §220-107G; §220a Sch 1 Zoning Schedule

DATE: 11/17/2016

BY: 
Eric Cooper – Zoning Officer

CPN- 074-16

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