

5440 Routes 5 & 20 West Canandaigua, NY 14424

ZONING BOARD OF APPEALS

Tuesday, February 18, 2014, 6:00 p.m.

MEETING AGENDA

MEETING CALLED BY: Graham Smith, Chairperson

BOARD MEMBERS: Gary Davis, Terence Robinson, Chip Sahler, Rick Szkapi

ALTERNATE MEMBER: Roy Beecher SECRETARY: Cheryl Berry

STAFF MEMBERS: Amanda Catalfamo, Development Office

Christian Nadler, Attorney

PLEDGE OF ALLEGIANCE

CONTINUED PUBLIC HEARINGS:

CPN-087-13 Walker Lee, representing Canandaigua Sportsman Club, owner of property at 5280 Emerson Road, TM#56.00-2-17.000, is requesting an area variance to expand a pre-existing non-conformity (accessory structure) in the CC zoning district.

CPN-089-13 Joel and Kathy Hochman, owners of property at 4411 Chosen Spot Drive, TM#126.16-2-3.300, are requesting an interpretation of a Zoning Law Determination dated 10/7/13.

CPN-108-13 Bayer Landscape Architecture, representing Schottland Chosen Spot LLC, owner of property at 4710 County Road 16, TM#140.11-1-37.100, is requesting area variances to construct a single-family dwelling in the RR-3 zoning district.

NEW PUBLIC HEARINGS:

CPN-109-13 Venezia Associates, representing Randall Farnsworth, owner of property at 2350 NYS Route 332, TM#70.06-1-63.100, is requesting an area variance to construct a car dealership in the CC zoning district.

CPN-002-14 Michael & Kathleen Foster, owners of property at 4065 Onnalinda Drive, TM#113.17-1-7.000, are requesting area variances to construct a residential addition (covered porch) and an accessory building (detached garage) in the RLD zoning district.

CPN-005-14 Design Works Architecture, representing Ryan & Diane Denhaese, owners of property at 3400 Poplar Beach Road, TM#98.15-1-1.100, are requesting an area variance to expand a pre-existing non-conformity in the RLD zoning district.

CPN-012-14 Venezia Associates, representing Philip & Amanda Goliber, owners of property at 3414 Poplar Beach Road, TM#98.15-1-7.100, is requesting area variances to tear down and rebuild a single-family dwelling in the RLD zoning district.

CLOSED PUBLIC HEARINGS: None at this time

BOARD BUSINESS:

- 1. Approval of December 17, 2013 & January 21, 2014 Meeting Minutes
- 2. Review of Next Month's Agenda (March 18, 2014)
- 3. Requests for Rehearing: *None at this time*

Last Update: 2/7/2014



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Public Hearing Opene		Meeting Date: 2/18/2014						
Public Hearing Closed	l <u>:</u>		Project: 005-14					
Applicant Design Works Architec 3300 Monroe Avenue, S 117 Rochester, NY 14618		ne Drive	Project Type Construct porch (pre- existing non- conformity)		Location plar Beach	<u>Tax Map #</u> 98.15-1-1.100		
TYPE OF APPLICATION	!:				SEQR:			
✓ Area Variance Variance/Interpretation variance to expand a pre Applicant is requesting APPLICANT REQUEST: ☐ Granted ☐ Der ☐ See attached resolute	e-existing non-conforn an area variance in the	nity (single f	e granted an area amily dwelling)?		Negative Dec	Entrype II Ched resolution(s) claration Date:		
VOTING:	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY	□A □A □A	abstained abstained abstained abstained abstained			
REASONS/CONDITIONS								
Certified By:Chairp	erson, Zoning Board o	of Appeals	Dat	te:				



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	Public Hearing Opened: 12/17/2015			Mieeting Date: 2/18/2014					
Public Hearing Closed:			Project: 087-13						
Applicant Walker Lee 5280 Emerson Roa Canandaigua, NY 1	d Club .4424 5280 Emer	ua Sportsman rson Road ua, NY 14424	Project Type Place storage building	Project Location 5280 Emerson Road	<u>Tax Map #</u> 56.00-2-17.000				
TYPE OF APPLICAT	ΓΙΟΝ:			SEQR:					
🗷 Area Variance	☐ Use Variance	☐ Interpret	ation □Reh	earing	🗷 Type II				
_	tion Requested: Sha		-						
the CC zoning distr		ioninity (outdoor	recreation racin		ched resolution(s)				
				Negative De	claration Date:				
APPLICANT REQUI	EST:			Positive Dec	claration Date:				
	Denied	iucu							
☐ See attached res	colution(s)								
☐ See attached res	Terence Robinsor Rick Szkapi Chip Sahler Gary Davis Graham Smith	AYE AYE AYE AYE AYE	□ NAY □ NAY □ NAY □ NAY □ NAY	□Abstained □Abstained □Abstained □Abstained □Abstained					
	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	□ AYE □ AYE □ AYE	□ NAY □ NAY □ NAY	□Abstained □Abstained □Abstained					



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Public Hearing Ope	Meeting Date: 2/18/2014							
Public Hearing Clos	<u>ed:</u>		Project: 002-14					
Applicant Michael & Kathleen 1 4065 Onnalinda Driv Canandaigua, NY 14	e Foster 424 4065 Onnal		Project Type Construct porch & detached garage	e Project Locatio 4065 Onnalinda Drive		<u>Tax Map #</u> 113.17-1-7.000		
TYPE OF APPLICATION	ON:				SEQR:			
🗷 Area Variance	☐ Use Variance	☐ Interpreta	ntion	earing	☐ Type I	▼ Type II		
_	on Requested: Shall a residential addition		-		☐ Unlisted			
road right-of-way to	.2 feet when 60			☐ See Attached resolution(s)				
district.					Negative Declaration Date:			
					Positive Dec	laration Date:		
APPLICANT REQUES	<u>T:</u>							
☐ Granted ☐ ☐	Denied	ued to:						
☐ See attached resol	ution(s)							
VOTING:	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	□ AYE □ AYE □ AYE □ AYE □ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITIO	NS:							
Certified By:			Da	te:				
Chai	rperson, Zoning Boar	d of Appeals						



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Public Hearing Opened:			Meeting Date: 2/18/2014				
Public Hearing Clos	sed:	<u>I</u>	Project: 002-14				
Applicant Michael & Kathleen 4065 Onnalinda Driv Canandaigua, NY 14	re Foster	athleen C da Drive c	Project Type Construct borch & detached garage	<u>Tax Map #</u> 113.17-1-7.000			
TYPE OF APPLICATI	ON:				SEQR:		
🗷 Area Variance	☐ Use Variance	☐ Interpretat	ion	earing	☐ Type I	▼ Type II	
	on Requested: Shall the an accessory structure (•		Unlisted		
road right-of-way to	Onnalinda Drive of 16 fe	eet when 60 fee	et is required.		☐ See Atta	ched resolution(s)	
district.	ng a 44' setback to the re	oad right-oi-wa	vay in the KLD zoning		Negative Declaration Date:		
					Positive Dec	claration Date:	
APPLICANT REQUES ☐ Granted ☐ I ☐ See attached reso	Denied	ed to:					
<u>VOTING:</u>	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained		
REASONS/CONDITIO	ONS:						
Certified By:Cha							



Public Hearing Opened:	Meeting Date: 2/18/2014							
Public Hearing Closed:			Project: 002-14					
Applicant Michael & Kathleen Foste 4065 Onnalinda Drive Canandaigua, NY 14424	Owner Michael & Ka Foster 4065 Onnaling Canandaigua,	la Drive			Location nnalinda	<u>Tax Map #</u> 113.17-1-7.000		
TYPE OF APPLICATION:					SEQR:			
	Use Variance	☐ Interpret	ation	earing	☐ Type I	▼ Type II		
Variance/Interpretation Revariance to construct an ac	_		•		☐ Unlisted			
22.25 feet when only 16' is	s allowed? Applica	•	•	iance of		ched resolution(s)		
6.25 feet in the RLD zonin	g district.				Negative Declaration Date:			
					Positive Dec	laration Date:		
APPLICANT REQUEST:					1 00101 (0 2 0 0			
☐ Granted ☐ Denied	l	l to:						
☐ See attached resolution	(s)							
Ri Cl G:	erence Robinson ck Szkapi nip Sahler ary Davis raham Smith	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITIONS:								
Certified By:Chairpers	on Zoning Doord	of Appendix	Dat	e:				



Public Hearing Opened:			Meeting Date: 2/18/2014					
Public Hearing Closed:			Project: 002-14					
Applicant Michael & Kathleen Foster 4065 Onnalinda Drive Canandaigua, NY 14424	Owner Michael & Katl Foster 4065 Onnalinda Canandaigua, N	a Drive	Project Type Construct porch & detached garage	<u>Tax Map #</u> 113.17-1-7.000				
TYPE OF APPLICATION:					SEQR:			
🗷 Area Variance 🗆	Use Variance	☐ Interpret	tation	earing	☐ Type I	▼ Type II		
Variance/Interpretation Recovariance to allow a second					☐ Unlisted			
of access to a public street the RLD zoning district.						☐ See Attached resolution(s)		
the RES Soming district					Negative Declaration Date:			
APPLICANT REQUEST:					Positive Dec	laration Date:		
		To: □ AYE □ AYE	□ NAY □ NAY		Abstained Abstained			
Ch Ga	ip Sahler ary Davis aham Smith	☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY		Abstained Abstained Abstained			
REASONS/CONDITIONS:								
Certified By:Chairperso	on Zoning Roard of	Anneals	Dat	te:				



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Public Hearing Opened	<u>:</u>	<u>N</u>	Meeting Date: 2/18/2014					
Public Hearing Closed:		<u>P</u>	Project: 012-14					
Applicant Venezia Associates 5120 Laura Lane Canandaigua, NY 14424	Owner Philip & Amar Goliber 3413 Poplar B Canandaigua,	nda T re each Road fa	Project Type Tear down, ebuild single- amily welling		Location oplar Beach	<u>Tax Map #</u> 98.15-1-7.100		
TYPE OF APPLICATION:					SEQR:			
✓ Area Variance Variance/Interpretation R variance to tear down and road right-of-way to Pop! Applicant is requesting a APPLICANT REQUEST: Granted Denied See attached resolution	d rebuild a single fam lar Beach Road of 56 4' area variance in the	ily dwelling w feet when 60 f ne RLD zoning	granted an area ith a setback to feet is required?	the	Negative Dec	Entrype II Ched resolution(s) claration Date: laration Date:		
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Certified By:Chairpe	rson, Zoning Board o	f Appeals	Dat	e:				



Public Hearing Opened:	Meeting Date: 2/18/2014							
Public Hearing Closed:			Project: 012-14					
Applicant Venezia Associates 5120 Laura Lane Canandaigua, NY 14424	Owner Philip & Amar Goliber 3413 Poplar B Canandaigua,	each Road	Project Type Tear down, rebuild single- family dwelling		ct Location Poplar Beach Tax Map # 98.15-1-7.100			
TYPE OF APPLICATION:					SEQR:			
☑ Area Variance ☐ U	Jse Variance	☐ Interpret	ation	earing	☐ Type I	▼ Type II		
Variance/Interpretation Required variance to tear down and re				ethack	☐ Unlisted			
of 4' when 12 feet is require side setback in the RLD zon	d? Applicant is re				☐ See Attached resolution(s)			
side setoack in the KLD zon	ing district.		Negative De	claration Date:				
					Positive Dec	laration Date:		
APPLICANT REQUEST:								
☐ Granted ☐ Denied _	☐ Continued	d to:						
☐ See attached resolution(s)							
Ricl Chi _j Gar	ence Robinson k Szkapi p Sahler y Davis ham Smith	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY	_ _	Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITIONS:								
Certified By:Chairperson	7 Zoning Poord	of Appeals	Dat	e:				



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Public Hearing Opened:	1	<u>N</u>	Meeting Date: 2/18/2014					
Public Hearing Closed:		<u>P</u>	Project: 012-14					
Applicant Venezia Associates 5120 Laura Lane Canandaigua, NY 14424	Owner Philip & Amar Goliber 3413 Poplar B Canandaigua,	nda T re each Road fa	Project Type Tear down, Ebuild single- Teamily Welling		Location oplar Beach	<u>Tax Map #</u> 98.15-1-7.100		
TYPE OF APPLICATION:					SEQR:			
✓ Area Variance Variance/Interpretation R variance to tear down and of 10.1' when 12 feet is re right side setback in the R APPLICANT REQUEST: Granted Denies	rebuild a single famequired? Applicant is LD zoning district.	nily dwelling was requesting an	ranted an area	setback	Negative De	Entrype II ched resolution(s) claration Date:		
	Ference Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	AYE AYE AYE AYE AYE AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
Certified By:Chairper	son, Zoning Board o	of Appeals	_ Dat	e:				



Public Hearing Opened:		Meeting Date: 2/18/2014						
Public Hearing Closed:			Project: 012-14					
Applicant Venezia Associates 5120 Laura Lane Canandaigua, NY 14424	Owner Philip & Ama Goliber 3413 Poplar B Canandaigua,	nda each Road	Project Type Tear down, rebuild single- family dwelling		ct Location			
TYPE OF APPLICATION:					SEQR:			
☑ Area Variance □	Use Variance	☐ Interpreta	ation	earing	☐ Type I	▼ Type II		
Variance/Interpretation Revariance to tear down and				ildina	Unlisted			
coverage when only 15%					☐ See Attached resolution(s)			
the RLD zoning district.					Negative Declaration Date:			
					Positive Dec	laration Date:		
APPLICANT REQUEST:								
☐ Granted ☐ Denie		d to:						
☐ See attached resolution	n(s)							
R C C	erence Robinson Lick Szkapi Chip Sahler Gary Davis Graham Smith	□ AYE □ AYE □ AYE □ AYE □ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITIONS:								
Certified By:Chairper	son Zoning Board o	of Appeals	Dat	e:				



Public Hearing Open		Meeting Date: 2/18/2014						
Public Hearing Close	<u>1:</u>		Project: 012-14					
Applicant Venezia Associates 5120 Laura Lane Canandaigua, NY 1442	Owner Philip & Amar Goliber 3413 Poplar B Canandaigua,	nda each Road			roject Location 414 Poplar Beach oad Tax Map # 98.15-1-7.10			
TYPE OF APPLICATION	<u>N:</u>				SEQR:			
★ Area Variance	☐ Use Variance	☐ Interpreta	ation	earing	☐ Type I	▼ Type II		
Variance/Interpretation variance to tear down a				ne	☐ Unlisted			
mean high water mark Applicant is requesting	of Canandaigua Lake o	f 43' when 60	0' is required?	ıc	☐ See Attached resolution(s)			
Applicant is requesting	a 17 area variance in		Negative Declaration Date:					
					Positive Dec	laration Date:		
APPLICANT REQUEST	_							
☐ Granted ☐ De		· to:						
VOTING:	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
REASONS/CONDITION	<u>s:</u>							
Certified By:Chairr	person Zoning Roard o	f Anneals	Dat	e:				



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Public Hearing Opened: 1/21/2014		Meeting Date: 2/18/2014					
Public Hearing Closed	<u>:</u>		Project: *108-13				
Applicant Bayer Landscape Architecture 19 North Main Street Honeoye Falls, NY 144	Owner Schottland Che LLC 777 Driving Pa Avenue Rochester, NY	ark	Project Type Construct single-family dwelling		Location ounty Road 16	<u>Tax Map #</u> 140.11-1-37.100	
TYPE OF APPLICATION	<u>:</u>				SEQR:		
✓ Area Variance Variance/Interpretation to tear down and rebuild 35' is allowed? Applic district. APPLICANT REQUEST: ☐ Granted ☐ Den ☐ See attached resoluti	Requested: Shall the a single family dwell ant is requesting a 3.2' iied Continued	ing with a he height varia	granted an area vight of 38.2' who	variance en only	☐ Type I ☐ Unlisted ☐ See Attach Negative Decl Positive Decla		
VOTING: REASONS/CONDITIONS	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	□ AYE □ AYE □ AYE □ AYE □ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained		
Certified By:Chairpe	erson, Zoning Board o	f Appeals	Dat	e:			



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Public Hearing Close		Public Hearing Opened: 1/21/2014		Meeting Date: 2/18/2014				
Public Hearing Closed:			Project: *108-13					
Applicant Bayer Landscape Architecture 19 North Main Street Honeoye Falls, NY 14	Owner Schottland Ch LLC 777 Driving F Avenue Rochester, N	Park	Project Type Construct single-family dwelling		Location ounty Road 16	<u>Tax Map #</u> 140.11-1-37.100		
TYPE OF APPLICATION	ON:				SEQR:			
🗷 Area Variance	☐ Use Variance	☐ Interpret	ation □Reh	earing	☐ Type I	▼ Type II		
_	n Requested: Shall the		•		☐ Unlisted			
to tear down and rebuild a single family dwelling with a setback to the bed of a stream that carries water more than six months out of the year of 52'when 100' is required? Applicant is requesting a 48' use variance in the RR-3 zoning district.				00' is	☐ See Attached resolution(s)			
				strict.	Negative Declaration Date:			
A	_				Positive Decla	ration Date:		
APPLICANT REQUEST ☐ Granted ☐ D		d to:						
	emed 🗀 Continue	u io.						
☐ See attached resolu	ution(s)							
See attached resolution See at	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	☐ AYE ☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained			
	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	□ AYE□ AYE□ AYE	□ NAY □ NAY □ NAY		Abstained Abstained Abstained			



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Public Hearing Opened:			Meeting Date: 2/18/2014				
Public Hearing Closed:			Project: *109-13				
Applicant Venezia Associates 5120 Laura Lane Canandaigua, NY 14424	Owner Randy Farnsw 2350 NYS Ro Canandaigua,	orth (orth the state of the sta	Project Type Construct car dealership (Randall Farnsworth)		E Location YS Route 332	<u>Tax Map #</u> 70.06-1-63.100	
TYPE OF APPLICATION:					SEQR:		
★ Area Variance □	Use Variance	☐ Interpretati	ion □Rehe	earing	☐ Type I	▼ Type II	
Variance/Interpretation For variance to construct a care	_		-	c to the	☐ Unlisted		
road right-of-way to Tho is requesting a 91.3' area	mas Road of 8.7 feet	when 100' are	e required? App		☐ See Attach	ned resolution(s)	
is requesting a 71.5° area			Negative Declaration Date:				
A part of the Drownger					Positive Decla	aration Date:	
APPLICANT REQUEST: ☐ Granted ☐ Deni	ed	d to:					
☐ See attached resolution							
]	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	□ AYE□ AYE□ AYE□ AYE□ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained		
REASONS/CONDITIONS:	•						
Certified By:Chairpe	rson, Zoning Board o	of Appeals	Da	te:			



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Public Hearing Opened:			Meeting Date: 2/18/2014				
Public Hearing Closed	Project: *089-13						
Applicant Joel & Kathy Hochman 4411 Chosen Spot Driv Canandaigua, NY 1442	e 4411 Chosen S	Spot Drive	Project Type Interpretation of ZLD dated 10/7/13		t Location ounty Road 16	<u>Tax Map #</u> 126.16-2-3.300	
TYPE OF APPLICATION	<u>v:</u>				SEQR:		
☐ Area Variance	☐ Use Variance	☐ Interpret	ation	earing	☐ Type I	☐ Type II	
Variance/Interpretation the decision of the Zoni			ard of Appeals up	hold	☐ Unlisted		
					☐ See Attach	ed resolution(s)	
A DDI TOTANIE DECLIECTO					Negative Decl	aration Date:	
APPLICANT REQUEST: ☐ Granted ☐ Der		l to:			Positive Decla	ration Date:	
☐ See attached resolut							
VOTING:	Terence Robinson Rick Szkapi Chip Sahler Gary Davis Graham Smith	☐ AYE ☐ AYE ☐ AYE ☐ AYE	□ NAY □ NAY □ NAY □ NAY □ NAY		Abstained Abstained Abstained Abstained Abstained		
REASONS/CONDITIONS	<u>S:</u>						
Certified By:	person, Zoning Board o		Da	ıte:			
Chairp	erson, Zoning Board of	f Appeals					