

# Town of Canandaigua

5440 Routes 5 & 20 West  
Phone (585) 394-1120

Canandaigua, NY 14424  
Fax (585) 394-9476

## Zoning Board of Appeals Decision Notification

**Public Hearing Opened: 2/17/2015**

**Meeting Date: 2/17/2015**

**Public Hearing Closed: 2/17/2015**

**Project: 004-15**

<u>Applicant</u>	<u>Owner</u>	<u>Project Type</u>	<u>Project Location</u>	<u>Tax Map #</u>
David & April Dawson 3692 County Road 16 Canandaigua, NY 14424	David & April Dawson 3692 County Road 16 Canandaigua, NY 14424	Residential and garage addition	3692 County Road 16	113.05-1-18.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing     Type I     Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a residential addition with a right side setback of 8.8' when 12' is required? Applicant is requesting a 3.2' setback in the RLD zoning district.

**SEQR:**

Unlisted  
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to:  
 See attached resolution(s)

**VOTING:**

Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Carol Ingle	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

**REASONS/CONDITIONS:**

The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance is granted. The Board's decision is based on information received January 16, 22, and February 17, 2015 as well as facts presented during the Public Hearing. Granting this variance is in keeping with the character of the neighborhood as demonstrated by the applicant. The variance will not change the character of the neighborhood as there are other properties with similar situations. The granting of this variance will not have an adverse effect on the property or neighborhood. An existing shed, pergola, small portable storage unit, and greenhouse will be removed as part of this application. New addition including the garage will be placed on a portion of the existing paved driveway and therefore will not be increasing the amount of impervious surface. Extensive drainage improvements will be made having a positive effect on the environmental character of the property and the neighborhood. Neighbors on both sides submitted letters in support of the project. Applicant is working with a contractor to remediate drainage issues on the property. Addition is at the rear of the property and in line with the existing structure and will not have an impact on the character of the neighborhood. Existing house already has a 0' lot line setback where the new construction will be continued. While the building coverage is being increased, the water management plan and drainage work being done as part of this application will have a positive impact on the environmental conditions currently existing on the property and neighborhood. The application is unique because the proposed garage is to be built where there is existing blacktop and the proposed addition is to be built where there are existing sheds and greenhouses. Chairman Robinson made a motion that the Board's approval of this application be conditioned upon submission of a Water Management Plan that is approved by both the Town and the County. Chip Sahler seconded the motion.

Certified By: \_\_\_\_\_

Chairman, Zoning Board of Appeals

Date: \_\_\_\_\_

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David & April Dawson 3692 County Road 16 Canandaigua, NY 14424	David & April Dawson 3692 County Road 16 Canandaigua, NY 14424	Residential and garage addition	3692 County Road 16	113.05-1-18.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing     Type I     Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a residential addition with a left side setback of 0' when 12' is required? Applicant is requesting a 12' setback in the RLD zoning district.

**SEQR:**

Unlisted  
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to:  
 See attached resolution(s)

**VOTING:**

Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Carol Ingle	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

**REASONS/CONDITIONS:**

The benefit to the applicant outweighs the detriment to the neighborhood, therefore the variance is granted. The Board's decision is based on information received January 16, 22, and February 17, 2015 as well as facts presented during the Public Hearing. Granting this variance is in keeping with the character of the neighborhood as demonstrated by the applicant. The variance will not change the character of the neighborhood as there are other properties with similar situations. The granting of this variance will not have an adverse effect on the property or neighborhood. An existing shed, pergola, small portable storage unit, and greenhouse will be removed as part of this application. New addition including the garage will be placed on a portion of the existing paved driveway and therefore will not be increasing the amount of impervious surface. Extensive drainage improvements will be made having a positive effect on the environmental character of the property and the neighborhood. Neighbors on both sides submitted letters in support of the project. Applicant is working with a contractor to remediate drainage issues on the property. Addition is at the rear of the property and in line with the existing structure and will not have an impact on the character of the neighborhood. Existing house already has a 0' lot line setback where the new construction will be continued. While the building coverage is being increased, the water management plan and drainage work being done as part of this application will have a positive impact on the environmental conditions currently existing on the property and neighborhood. The application is unique because the proposed garage is to be built where there is existing blacktop and the proposed addition is to be built where there are existing sheds and greenhouses. Chairman Robinson made a motion that the Board's approval of this application be conditioned upon submission of a Water Management Plan that is approved by both the Town and the County. Chip Sahler seconded the motion.

Certified By: \_\_\_\_\_  
Chairman, Zoning Board of Appeals

Date: \_\_\_\_\_

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David & April Dawson 3692 County Road 16 Canandaigua, NY 14424	David & April Dawson 3692 County Road 16 Canandaigua, NY 14424	Residential and garage addition	3692 County Road 16	113.05-1-18.000

**TYPE OF APPLICATION:**

Area Variance     Use Variance     Interpretation     Rehearing     Type I     Type II

Variance/Interpretation Requested: Shall the applicant be granted an area variance to construct a residential addition with a 21% building coverage when no more than 15% is allowed? Applicant is requesting a 6% setback in the RLD zoning district.

**SEQR:**

Unlisted  
 See Attached resolution(s)

Negative Declaration Date:

Positive Declaration Date:

**APPLICANT REQUEST:**

Granted     Denied     Continued to:  
 See attached resolution(s)

**VOTING:**

Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
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Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

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Certified By: \_\_\_\_\_

Chairman, Zoning Board of Appeals

Date: \_\_\_\_\_

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Canandaigua, NY 14424  
(585) 394-1120 / Fax (585) 394-9476

**Canandaigua Zoning Board of Appeals Resolution**

**SEQR Resolution Determination of Significance – TYPE II Action**

FILE # CPN-004-15

APPLICANT: DAVID & APRIL DAWSON, 3692 COUNTY ROAD 16

WHEREAS, The Town of Canandaigua Zoning Board of Appeals, hereinafter referred to as ZBA, has determined the above referenced Action to be a Type II under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations;

NOW, THEREFORE, BE IT RESOLVED that the ZBA in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Terence Robinson and seconded by Chip Sahler at a regularly scheduled meeting of the ZBA held on Tuesday, February 17, 2015. Following discussion therein, the following roll call vote was taken and recorded:

<b><u>VOTING:</u></b>	Chip Sahler	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Carol Ingle	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
	Terence Robinson	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

I, Cheryl Berry, Secretary of the ZBA, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the Minutes of the Canandaigua ZBA for the February 17, 2015 meeting.

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Cheryl Berry, Secretary of the ZBA

