

TOWN OF FARMINGTON
ZONING BOARD of APPEALS RESOLUTION
AREA VARIANCE FINDINGS AND DECISION

APPLICANT: Robert Brenner c/o
Canandaigua Devel. Co., LLC
290 West Main Street
Victor, New York 14564

File: ZB #2026-0101
Zoning District: R-7.2 Planned Subdivision
Published Legal Notice on: 2/17/2026
County Planning Action on: Not Applicable
County Referral #: Not Applicable
Public Hearing held on: February 23, 2026

Property Location: Tax Map Account #41.12-5-68.000, northwest corner of Meadowbrook Lane and Oatfield Drive, Farmington, New York 14425

Property Owner: Canandaigua Development Company, LLC, 290 West Main Street, Victor, New York 14564

Applicable Section of Town Code: Chapter 165, Attachment 1, Schedule 1, Lot Area, Bulk and Coverage Requirements, R-7.2 Zoning District.

Requirement for Which Variance is Requested: The applicant is requesting an area variance to allow relief from the minimum front yard setback requirement of 35 feet in the R-7.2 Planned Subdivision District. The area variance is to allow for a proposed single-family dwelling unit to be constructed on Lot #595 of the Farmbrook Planned Subdivision Tract with a front setback 33.8-feet from the right-of-way of Meadowbrook Lane. The property at 1584 Oatfield Drive is a corner lot with front setbacks along both Meadowbrook Lane and Oatfield Drive. It is the front setback from Meadowbrook Lane that relief is being requested.

State Environmental Quality Review Determination: The granting of an area variance for the construction of a residential structure is classified as a Type II Action under 6 NYCRR, Part 617.5 (c) (11) and (13) of article 8 of the New York State Environmental Conservation Law (ECL), the State's Environmental Quality Review (SEQR) Regulations. Type II Actions have been determined, under the SEQR Regulations, not to have a substantial adverse impact upon the environment or are otherwise precluded from further environmental review under article 8 of the State Environmental Conservation Law (ECL).

County Planning Referral Recommendation: The Ontario County Planning Board Bylaws exempt a Referral for a single area variance.

FACTORS CONSIDERED AND BOARD FINDINGS**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.**

Yes No

Reasons: The Zoning Board of Appeals (hereinafter referred to as the Board) finds that the property is located on a corner lot northwest of the intersection of Meadowbrook Lane and Oatfield Drive. The Board further finds that the property is subject to two front setbacks, one from each road. The Board further finds that the requested area variance is for the front setback from Meadowbrook Lane and it involves a variance request of 1.2-feet from the required 35-foot minimum front setback. The Board further finds that the driveway to the proposed dwelling on Lot 595 is adjacent to the driveway for the existing single-family dwelling on Lot 637, and it will be located as far away from the above referenced intersection as possible so as not to create any adverse impact upon traffic movements at the intersection. The Board further finds that with the proposed layout of Lot 595; there will be rear yards abutting between Lots 594 and 595, and the rear yards of Lots 553 and 637. The Board further finds that if the proposed dwelling for Lot 595 was to be re-oriented with access from Meadowbrook Lane, then the rear yard portion would be much smaller in area potentially creating the need for additional area variances for accessory structures in the side yard portions of the lot. The Board further finds that the R-7.2 Planned Subdivision District zoning is consistent with the zoning for adjacent properties. The Board, based upon these findings, determines that granting the requested relief will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties.

2. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the requested area variance.

Yes No

Reasons: The Board finds that the applicant could re-orient the layout of the single-family dwelling on Lot 595 in a way that would create a driveway from Meadowbrook Lane. The Board further finds that such re-design would result in a back yard area of less than ten feet in depth which would not leave meaningful space to place accessory structures in the rear yard portion of a lot which is required by Town Code. The Board further finds that re-orienting the dwelling would also likely create the need for additional area variances for accessory structures to be placed in the side yard portion of Lot 595. The Board further finds that an alternative design would be out-of-character with nearby proposed dwellings within the neighborhood whose driveways access either Oatfield Drive or Alfalfa Crescent. The Board further understands that with granting the requested relief; to allow the site's development with the one requested area variance, the Board would then be granting a variance that would be in the best interests of the neighborhood and would not be detrimental to adjacent properties nearby. The Board based upon these findings determines that although the applicant could achieve a feasible alternative to the requested area variance, granting such relief would not be in keeping with the character of the neighborhood that has been created.

3. Whether the requested variance is substantial. Yes No

Reasons: The Board finds that the requested area variance for a setback of 33.8-feet, instead of the required 35-feet involves granting a variance of point nine-six-five percent (.965%) from that otherwise required by the Town Code. The Board has consistently found that a variance involving fifty percent (50%) or more is a substantial variance.

4. Whether the proposed variance will have an adverse effect or impact upon the physical environmental conditions in the neighborhood or district. Yes No

Reasons: The Board in accordance with the provisions of 6 NYCRR, Part 617.5 (c) (11) and (13) of article 8 of the New York State Environmental Conservation Law (ECL), has classified the proposed Action as a Type II Action. The Board finds that Type II Actions listed within the ECL have been determined not to have a significant adverse impact upon the environment and has thereby satisfied the procedural requirements of the ECL.

5. Whether the alleged difficulty was self-created which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the Area Variance. Yes No

Reasons: The Board finds that the alleged difficulty is self-created, as the Board finds there is an alternative lot design that could allow a single-family dwelling to meet the required front setback from Meadowbrook Lane, for Lot#595. The Board further finds that such alternative design would likely not complement the adjacent residential sites on nearby lots. The Board finally finds that the requested area variance is small in size and that it will allow a dwelling to be constructed for which the difference in the setback will not be evident to either neighboring properties or to the passing motorists.

The Board, based upon the above findings determines that the difficulty facing the applicant with complying with the Town’s zoning restriction cannot be achieved without some form of relief. The Board further finds that the relief being requested is felt to be the minimum relief necessary for allowing development of this site with accessory uses which would not need additional area variances.

**DETERMINATION OF THE ZONING BOARD OF APPEALS
BASED UPON THE ABOVE FACTORS**

The Zoning Board of Appeals, after reviewing the above five proofs, makes the following determination:

That the benefit to the applicant does outweigh any known detriment to the community or neighborhood; and, therefore, the requested area variance of 1.2-feet from the minimum 35-foot setback requirement is APPROVED with the following conditions:

1. The requested Front Setback for the proposed principal structure to be constructed on Lot #595, shall be 33.8-feet from the right-of-way for Meadowbrook Lane.
2. The driveway for Lot#595 is to be installed and maintained from Oatfield Drive in the location shown on the submitted survey drawing prepared by Passero Associates, for 1584 Oatfield Drive, Lot#595, Project No. 20243932.0595, dated 2026 Jan 6.
3. There shall not be a driveway installed for Lot#595 from Meadowbrook Lane.
4. The Final Site Plan Drawing for Lot#595 is to contain a note that identifies this area variance restriction, including the file number and date such area variance was granted by the Town Zoning Board of Appeals. Said Final Site Plan Drawing for Lot#595 is to be amended on or before the issuance of a Certificate of Occupancy by the Town Code Enforcement Officer, for the proposed structure.
5. The Applicant is to obtain a Building Permit from the Town Code Enforcement Officer for the construction of the proposed structure for Lot #595.

BE IT RESOLVED that the Board in making this Determination has satisfied the procedural requirements under New York State Town Law and the Town of Farmington Town Code.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be provided to John Robortella, Clerk of the Town Planning Board, for distribution to the Town Planning Board members; to Cadin Lloyd, Town Code Enforcement Officer and Paula Ruthven, Town Zoning Enforcement Officer.

BE IT FINALLY RESOLVED THAT the Board directs this Resolution be placed in the public file upon this Action and that a copy be provided to the applicant and another copy to the applicant’s engineer.

The above resolution was offered by _____ and seconded by _____ at a regularly scheduled meeting of the Zoning Board of Appeals held on Monday, February 23, 2026. After Board discussion, the following roll call vote was recorded:

- Kelly Cochran -
- Ralph Bocchino -
- Matthew Demarco -
- Tom Lay -
- Thomas Yourch -

Motion _____

I, Elizabeth Klingenberg, Clerk of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Farmington Zoning Board of Appeals Meeting for February 23, 2026.

L.S.

ELIZABETH KLINGENBERG, CLERK
TOWN OF FARMINGTON ZONING BOARD OF APPEALS

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