

LIVONIA JOINT ZONING BOARD OF APPEALS

Approved 5-5-14

MEETING MINUTES – April 21, 2014

PRESENT: Chair Nilsson, G. Cole, M. Sharman, B. Weber, C. Rider, Code Enforcement Officer Adam Backus, Recording Secretary – Adam Backus.

Excused - Town Attorney Jim Campbell.

AGENDA:

Call meeting to order.

Accept and approve meeting minutes of March 17, 2014

Chair Nilsson asked board members to address meeting minutes as a last time on agenda. Board confirmed.

Recording secretary read aloud the first legal notice:

Re: Application for the removal of a rear property detached shed and the addition of a 15'x14' onto an existing shop type building. The proposed shed will violate the side setback requirements according to Section 150-32 G (2) and rear setback requirements according to Section 150-32 G (3) of the Livonia Zoning Code. Another variance is being applied for to add a front porch which will violate the side setback according to Section 150-32 G (2) of the Livonia Zoning Code. The property is located at 4105 East Lake Rd., Livonia NY and is zoned Agricultural Residential Conservation (ARC-3).

Chair Nilsson asked to have the board members polled on a site visit:

Chair Nilsson - yes

B. Weber - yes

G. Cole - yes

M. Sharman - yes

C. Rider - yes

Chair stated such board members have visited the property and for the record could the applicant explain their request.

Bradley stated that the back shed is in poor condition and needs to be torn down. Bradley shared his drawing of the proposed addition to the remaining building. A letter of support from neighbors Dave and Karen Ross was presented which gave their support for this proposal. Drawings were also presented showing an addition of a front porch as well.

B. Weber raised the question of the need for a front porch setback (as indicated in the legal ad). A. Backus explained that the map previously provided was not legible and it appeared that a variance was needed, however, this is not necessary per the current map. Bradley added that he'd like to make the porch 8' deep rather than the submitted 6' porch.

Chair asked if there was any public comments. Hearing and seeing none, Chair closed that portion of the hearing.

Chair asked board members to review the criteria for the area variance criteria form:

(1) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance?

NO.

(2) Can the benefit sought by the applicant be achieved by some feasible method other than a variance?

NO.

(3) Is the variance substantial?

Yes.

(4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

NO

(5) Is the alleged difficulty self-created?

YES.

Chair asked for a motion on the application.

M/2/C (B. Weber/M. Sharman) to approve the application as submitted.

Motion carried 5-0

Recording secretary read aloud the second legal notice:

Re: Application for an area variance for the installation of a 26' x 30' detached garage. The proposed shed will violate the rear setback requirements according to Section 150-34 E (3) of the Livonia Zoning Code. The property is located at 4683 Main St., Hemlock, NY 14466 and is zoned Mixed Use Hamlet (MUH).

Chair Nilsson asked to have the board members polled on a site visit:

Chair Nilsson - yes

B. Weber - No

G. Cole - yes

M. Sharman - yes

C. Rider - yes

Chair stated such board members have visited the property and for the record could the applicant explain their request.

Cory Pragle explained that his lot is very small and he wishes to locate a new shed/barn in the back of his property with sufficient clearance between the barn and pool for access. Wendy Pragle added that they would like to improve the property by removing the two other deteriorated sheds and consolidate storage and a neater fashion.

Chair asked if there was any public comments. Francis Pratt from 4693 Main St. added that he supports the proposal and that it would fit in with other buildings in the area. Francis also mentioned that it will increase Pragles and the neighbor's property values as well. Paul, a neighbor to the North, mentioned that he has no problem with the barn location either.

Hearing no other comments, Chair closed that portion of the hearing.

Chair asked board members to review the criteria for the area variance criteria form:

(1) Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by granting the variance?

NO.

(2) Can the benefit sought by the applicant be achieved by some feasible method other than a variance?

NO.

(3) Is the variance substantial?

Yes.

(4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

NO

(5) Is the alleged difficulty self-created?

YES.

Chair asked for a motion on the application.

M/2/C (G. Cole/C. Rider) to approve the application as submitted.

Motion carried 5-0

Respectfully Submitted:

Adam Backus

Recording secretary