

LIVONIA JOINT ZONING BOARD OF APPEALS

MEETING MINUTES- June 16, 2014

Present: Chair P. Nilsson, M. Sharman, C. Rider, Code Enforcement Officer A. Backus,
Recording Secretary J. Brown

Absent- G. Cole, B. Weber

Excused- J. Campbell-Town Attorney

AGENDA: (1) Accept and approve the meeting minutes of June 2, 2014

(2) *Jacqueline Sperring*

Area variance requested to construct a deck addition at **3557 Pebble Beach Rd., Livonia, NY 14487**

Chair P. Nilsson opened the meeting at 7:00p.m.

M/2/C (M. Sharman/ C. Rider) to approve the June 2, 2014 Livonia Joint Zoning Board of Appeals meeting minutes as submitted.

Motion carried 3-0

Code Enforcement Officer A. Backus read aloud the legal notice:

-PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday June 16, 2014 at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York to consider the application of Jacqueline Sperring for an area variance pursuant to Section 50-17C of the Zoning Code of Livonia.

The area variance is requested for a deck addition. The Proposed addition will violate the requirements according to Section 150-70A(2) which states no nonconforming building shall be enlarged, extended or increased and Section 150-31G(2) which determines side setbacks.

The property is located at 3557 Pebble Beach Road, Livonia, New York and is zoned Neighborhood Residential District (NR).

The application is on file in the Building Zoning Department in the Livonia Town Hall, 35 Commercial Street, Livonia, New York, for public review.

All interested parties will be heard at this time.

Code Enforcement Officer A. Backus asked to have the board members polled on a site visit:

Chair Nilsson- YES

M. Sharman- YES

C. Rider- YES

Chairman Nilsson invites Ms. Jacqueline Sperring to come forward and explain her request.

Ms. Sperring approached the board and explained that she wants to have a deck built against the side of her house facing the lakefront. She says that there are no setback issues between her house and the lake

and that her proposed deck will not extend on the sides of her house any further than the current width of her house. Ms. Sperring indicates that she hasn't had a chance to get any letter documentation from her neighbors, as they are not often home.

Chair Nilsson mentions that a neighboring house to Jacqueline's, has a similar situation with their house and deck.

Jacqueline states that the proposed deck will come straight out from sliding doors on her house as to eliminate the use of steps.

M. Sharman asks if she will use pressure treated woods with breathing space between the slats. Fran Kosakowski is here with Jacqueline Sperring and explains the deck specifications to the satisfaction of the Board.

In their respective site visits the board has noticed and agrees that the house is well-kept and the deck would be a nice addition to the property.

Chairman Nilsson made an announcement to close the public comment portion of this meeting as there is no gallery observed in attendance.

Chairman Nilsson asked the 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 of impact on the physical or environmental conditions in the neighborhood?
NO
5. Is the alleged difficulty self-created?
YES

Chairman Nilsson asked for a motion on the application.

Motion: (M. Sharman/ C. Rider) to approve the application as submitted.

Motion accepted 3-0

Meeting adjourned at 7:15p.m.

Respectfully submitted,

Jeanne Brown

Recording Secretary