

LIVONIA JOINT ZONING BOARD OF APPEALS
AUGUST 15TH, 2016

Present: Chair P. Nilsson, R. Bergin, G. Cole, M. Sharman, B. Weber, Code Enforcement Officer-A. Backus, Attorney, James Campbell, Recording Secretary-A. Houk

AGENDA: ***(1) Accept and approve the meeting minutes of July 18th, 2016***

(2) Richard Versluys – 5996 Big Tree Road, Lakeville, NY

An area variance is requested for a proposed addition which will violate the side setback requirements according to Section 150-31G (2) Minimum required side setbacks shall be Side: 15 feet. The variance is also requested for the expansion of a non-conforming buildings which violates Section 150-70A (2) no nonconforming building shall be enlarged, extended or increased. This property is located at 5996 Big Tree Road, Lakeville, New York and is zoned Neighborhood Residential District (NR).

Chair P. Nilsson brought the meeting to order at 7:00 p.m...

Chair P. Nilsson asked if everyone reviewed the meeting minutes. The Board agreed they had and Chair P. Nilsson asked for a motion to approve. M/2/C (M. Sharman/G. Cole) Carried: 5-0

(2) Richard Versluys – 5996 Big Tree Road, Lakeville, NY

CEO A. Backus read the Public Notice:

PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday August 15th, 2016 at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York to consider the application of Richard Versluys for an area variance pursuant to Section 150-17C of the Zoning Code Of Livonia.

This area variance is requested for a proposed addition which will violate the East side setback requirements according to Section 150-31G (2) which states the minimum required side setbacks shall be 15 feet. The variance is also requested for the expansion of a non-conforming building which violates Section 150-70A (2) which states that no nonconforming building shall be enlarged, extended or increased. This property is located at 5996 Big Tree Road Lakeville, 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.

CEO A. Backus polled the Board for site visits:

Chair P. Nilsson:	Yes
R. Bergin:	Yes
G. Cole:	Yes
M. Sharman:	Yes
B. Weber:	Yes

Chair P. Nilsson asked Richard Versluys – 5996 Big Tree Road to come forward and address the Board to explain what he is proposing to do. Mr. Versluys came forward to explain that he is requesting a 2’

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addition to the east side of his house where the utilities for a washer and dryer are located. He would like to put a washer and dryer side by side in this area. When this home was built as a cottage, the area for the washer and dryer was designed very small. This only allowed for a washer and dryer that could be stacked on top of each other, which cut off the light for this room. He would like to extend the east side of the home out 2' using the existing foundation which is cantilevered out. Mr. Versluys did speak with both neighbors and they have no objections to his proposal. This addition would not be seen from the road or obstruct the view of any of the neighbors. G. Cole confirmed that she spoke with neighbor and they are in agreement with the proposal. B. Weber asked for clarification on the setback. It would be approximately 3' from the corner. Approval would be per the application, not for the setback.

Chair P. Nilsson opened the meeting up for questions from the public. Chair P. Nilsson asked that they state your name, address and state your questions or concerns. Not hearing any response, the public hearing was closed.

Chair P. Nilsson asked the Board if there was any further questions. Being none Chair P. Nilsson asked the Board to go through the area variance criteria:

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 be sought by the applicant be achieved by some feasible method other than a variance? No
3. Is the variance substantial? No
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

Chair P. Nilsson asked the Board for a motion. M/2/C (B. Weber/R. Bergin) carried 5-0 to approve the application as submitted for a 2' addition as indicated on the map.

Bruce Beardsley approached the Board to discuss development that he is pursuing at the end of Meadow Drive. Bruce started to give his rendition of events that have taken place thus far. The Board then realized that his intentions were not appropriate for this venue and closed the meeting.

Chair P. Nilsson asked if there is any further discussion by the Board, being none

Chair P. Nilsson asked for a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:22 pm.
M/2/C (G. Cole/B. Weber)
Motion carried: 5 to 0

Respectfully submitted,

Alison Houk
Recording Secretary

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