LIVONIA JOINT ZONING BOARD OF APPEALS
DECEMBER 5, 2016

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

Excused: Attorney, J. Campbell.

AGENDA: ***(1) Accept and approve the meeting minutes of November 21, 2016***

(2) Judy Salter – 3600 Pebble Beach Road, Lakeville, NY

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/R. Bergin) Carried: 5-0

(2) Judy Salter – 3600 Pebble Beach 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 December 5th, 2016 at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York to consider the application of Judy Salter for an area variance pursuant to Section 150-17C of the Zoning Code Of Livonia.

This area variance is requested for a proposed Deck which will violate the south side setback requirements according to Section 150-31G (2) which states the minimum required side setbacks. 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 3600 Pebble Beach, 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

The applicant was not in attendance. Construction of proposed Deck continued by a contractor without a Building Permit issued. The Board was not comfortable making a decision without the applicant present and without a Building Permit issued or inspections.

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Chair P. Nilsson opened the meeting up for questions from the public. Chair P. Nilsson asked that they state their name & address for the record and state their questions or concerns.

Livonia High School students C. Mattice and R. Moodie wanted clarification of what was being constructed and how close it would be to the property line. CEO A. Backus stated that they were proposing a 12' X 28' Deck off the front of the house. This would violate the south side setback requirements and expansion of a non-conforming lot. The Deck was going to be approximately 3-1/2' from the property line.

With no further question's, Chair P. Nilsson closed the Public Hearing.

Chair P. Nilsson asked the Board for a motion to postpone the decision to act on the variance request. Applicant will be placed on next meeting agenda of December 19th, 2016, pending CEO A. Backus to inspect existing deck and contractor to disassemble as needed to provide access for evaluations. M/2/C (B. Weber/M. Sharman) Carried: 5-0

Chair P. Nilsson asked if there was any further discussion by the Board.

Chair P. Nilsson asked for a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:25 pm. M/2/C (G. Cole/R. Bergin) Motion carried: 5-0

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Respectfully submitted,
Alison Houk, Recording Secretary