

LIVONIA JOINT ZONING BOARD OF APPEALS
JUNE 5TH, 2017

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

AGENDA: (1) *Accept and approve the meeting minutes of May 15, 2017*

(2) *Jeff Padlick – 4836 East Lake Road, Livonia, NY*

Chair P. Nilsson brought the meeting to order at 7:05 p.m...

Chair P. Nilsson asked if everyone reviewed the meeting minutes from May15th. The Board agreed they had and Chair P. Nilsson asked for a motion to approve. M/2/C (G. Cole/R. Bergin)
Carried: 4-0

(2) *Jeff & Kathleen Padlick – 4836 East Lake Road, Livonia, 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 June 5th, 2017 at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York to consider the application of Jeff Padlick 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 rear and side setback requirements according to Section 150-31G (2 & 3); lot coverage requirement according to Section 150-31F; and the expansion of a non-conforming building according to Section 150-70A (2). This property is located at 4836 East Lake 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.

CEO A. Backus polled the Board for site visits:

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

Chair P. Nilsson asked Jeff & Kathleen Padlick to come forward and address the Board to explain what they are proposing to do. J. Padlick stated that they are requesting a variance to build a Deck on the west (Lakeside) & south side of the dwelling. The Deck would be 34' X 14' angled down with a 4' X 14' walkway with steps. There is an existing Shed on the North West side next to the break wall that will be removed. When this Shed was put in years ago, it was partially placed on the neighbor's property. J. Padlick provided the Board Members with new information packets with a slight modification. They had revised the Deck plan to include the

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North West corner section of the house. Since this area is their bedroom, the future plans would be to add sliding glass doors. J. Padlick stated that the pictures they provided showed other nearby homes with Decks that are close to & over the break walls. Their request was similar to what has already been done. Chair P. Nilsson asked if they were planning to use Pressure Treated wood as he had mild concerns of the chemicals leaching into the Lake. He also wanted clarification that the water would flow through the boards back into the ground. R. Bergin asked if they had any future plans of enclosing the Deck. J. Padlick stated that they have no plans to enclose the Deck, but may install a retractable awning in the future. G. Cole asked CEO A. Backus if the Survey Map was the most up to date version. CEO A. Backus stated that it was. K. Padlick stated that prior to the start of the meeting they were discussing with their neighbor to the north about installing a privacy fence. She stated that they are very willing to work with the neighbor regarding privacy and install whatever would satisfy the neighbor. B. Weber asked when they purchased the property and if it was ever used as a rental. J. Padlick stated that they had purchased it in June 2016. They had rented it over the winter from November to April, and rent it out six weeks over the summer. The rest of the time they will use the cottage. In the future, they plan to use it as their retirement home. B. Weber stated that the rear setback requirements are 18'. B. Weber asked if they were consider splitting the difference and moving the proposed Deck further back and extending it further to the South. K. Padlick stated that she didn't want to lose their grass area, their Grandchildren play games on the grass, and they have camp fires in that area. There is also a big maple Tree that they don't want to remove. She stated that they would like to request what was being proposed.

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. Julie Smith of 4829 & 4833 East Lake Road stated that she just purchased their property. Padlick's property is very close to the lot line and they are concerned about privacy, especially when it is being rented. They don't want this proposal to decrease their property value.

R. Bergin asked if they would consider having a Deck on the South side of the house which would be away from the neighbor's property line. K. Padlick stated that it would be less desirable for the homeowner and wouldn't leave any lawn space. The Deck would also be facing the South, not looking at the Lake. There were other suggestions discussed regarding possible placement of the Deck & the privacy Fence requirements. The Padlicks would like to discuss their possibilities with their contractor and return for the next meeting.

Chair P. Nilsson stated that the Public Hearing would remain open. The Board would table the decision until the next Zoning Board meeting of June 19th.

Chair P. Nilsson asked for a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:20pm. M/2/C (B. Weber/G. Cole) Motion carried: 4-0

Respectfully submitted, Alison Houk, Recording Secretary

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