

PRESENT: Chair. P. Nilsson, M. Sharman, R. Ehmann, J. Case, B. Weber - Code Enforcement Officer, J. Campbell - Town Attorney, Tammie Schwerzler - Acting Recording Secretary

Excused: C. Rider, Kevin P. Masterson - Recording Secretary

AGENDA: - Boyd Brokaw
- Lakeville Office Park on Thomas Drive
- Area Variance
- Replace sign

Chair. P. Nilsson opened the meeting at 7:00 p.m. and asked the board members to review the June 4, 2012 meeting minutes before them.

M/2/C (R. Ehmann/M. Sharman) to approve the June 4, 2012 Livonia Joint Zoning Board of Appeals meeting minutes as amended.

Motion carried 3-0.

Recording Secretary read aloud the first Legal Notice:

RE: Application of **Boyd Brokaw** for a public hearing for an Area Variance to replace a sign which will violate the maximum square footage allowed according to Section 150-97 C of the Zoning Ordinance of the Town of Livonia. The property in question is located at the Lakeville Office Park on Thomas Drive, Livonia, New York and is zoned Gateway Commercial (GC) District.

Chair P. Nilsson polled the board members for site visit:

Chair. P. Nilsson	-	yes
Mike Sharman	-	yes
R. Ehmann	-	yes

Chair. Nilsson stated that the board members have all had a copy of the application and have been to the site in question. He asked Boyd to explain his request for the record.

Boyd explained that the original sign was damaged by the winter weather and he wishes to replace it with a sign in the following dimensions.

- Width 112"
- Posts: 6" x 6" (he'll be using the existing posts)
- Base: 16" concrete blocks
- Height: 7' from top of concrete block to sign arc

The proposed sign would be a little over 80 sq. ft.

The sign will be placed in the same location as the existing sign. It will not be any closer to the road.

Atty. J. Campbell asked how many tenants Boyd has at this time.

Answer was twelve (12). With a total of fourteen (14) spaces.

Chair. P. Nilsson noted for the record that there were no audience members therefore he closed the public hearing portion of the meeting.

Chair. P. Nilsson asked if the application was forwarded to the Livingston County Planning Department.

Atty. J. Campbell said it was not required as it was a modification.

Chair. P. Nilsson then asked the Board to review the **Area Variance** legal 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 sought by the applicant be achieved by some feasible method other than a variance?
- suppose
- (3) Is the request substantial?
- yes
- (4) Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood district?
- no, should be improvement
- (5) Is the alleged difficulty self created?
- yes

M/2/C (M. Sharman/R. Ehmman) to approve the area variance for a sign as presented.

M/2/C (J. Case/M. Sharman) to adjourn the meeting at 7:20 p.m.

Respectfully submitted,

Tammie Schwerzler
Recording Secretary