

**LIVONIA JOINT ZONING BOARD OF APPEALS**  
**February 1, 2021**

Present: Chairman M. Sharman, R. Bergin, D. Major, J. Prato, B. Weber, Zoning Compliance Assistant Julie Holtje

Excused: Attorney J. Campbell, CEO A. Backus, Recording Secretary A. Houk.

**AGENDA:**     ***(1) Accept and approve the meeting minutes of January 4, 2021***

***(2) Mary Williamee – 4706 East Lake Road, Livonia, NY***

Note, Public Meetings (Covid-19) precautionary policies were followed to the best of our ability and included:

- Applicants would typically be asked to wait in their vehicles until instructed to enter the building; however, the attendees at this meeting were able to maintain social distancing and wore face coverings.
- Hand sanitizer was made available at the entrance of the town hall.
- Meeting room occupancy was restricted to no more than 50% of the maximum occupancy (or 48 persons). Less than 48 persons attended this meeting.

Chairman Mike Sharman brought the meeting to order at 6:58 p.m., and opened with the Pledge of Allegiance.

Chairman Mike Sharman welcomed new members Doug Major and Joe Prato.

Chairman Mike Sharman asked if everyone reviewed the meeting minutes from January 4<sup>th</sup>, 2021. The Board agreed they had and a motion was made to approve. M/2/C (B. Weber/R. Bergin) Carried: 3-0.

***(2) Mary Williamee – 4706 East Lake Road, Livonia, NY***

PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday **February 1, 2021** at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York to consider the application of **Mary Williamee** for an area variance pursuant to Section 150-17C of the Zoning Code of Livonia.

This area variance is requested for a proposed 5' X 40' Addition which will violate Sections 150-31 G (2) & 150-71, Side Setback, 9' required (7' proposed), and Section 150-70 A (2), extension of a non-conforming building. This property is located at **4706 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.

**LIVONIA JOINT ZONING BOARD OF APPEALS**  
**February 1, 2021**

ZCA Julie Holtje polled the Board for site visits:

Chair M. Sharman:	Yes
R. Bergin:	Yes
D. Major:	Yes
J. Prato	Yes
B. Weber:	No

Chairman Mike Sharman asked Mary Williamee to come forward and address the Board for the proposed 5' X 40' Addition. Mary stated for the record that she had brought letters from neighbors, Timothy Lynch located at 4704 East Lake Road, and Brian Bocketti of 4708 East Lake Road. They have both been there physically, reviewed the proposal and have no objections. Mary stated that she is proposing to extend the existing Porch out about 5' for an Addition. This area will be used for a master bedroom, bathroom and closet. The outside features such as windows and doors will remain the same. Chairman Mike Sharman asked Mary if she intends to be a full-time resident in Livonia. Mary stated that she plans to live there year-round.

With no one wishing to comment from the public, Chairman Mike Sharman closed the Public Hearing.

Rosemary Bergin asked if the Addition was going to be two stories? Mary stated that it will push out approximately 5', but won't be a full two story. Rosemary asked if there were renderings of the property. ZCA Julie Holtje provided drawings for the Board's review. Bill Weber noted that the Legal Notice referenced the Variance of 7' for the south side of the property. The Variance should also include the north side. The Addition will be approximately 5' off the north property line. Chairman Mike Sharman stated that the northside lot line becomes more in conformity. Bill Weber stated that it should be noted that both sides require a Variance.

Chairman Mike Sharman asked for a motion to accept that both sides require a Variance. Motion to approve. M/2/C (B. Weber/R. Bergin) Carried: 5-0

Chairman Mike Sharman asked the Board if there were any further questions.

This application was determined to be a Type II action, and SEQR was not required per # 10 & # 12 of the New York Codes, Rules and Regulations 617.5 Type II Actions.

Chairman Mike Sharman 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

**LIVONIA JOINT ZONING BOARD OF APPEALS**  
**February 1, 2021**

3. Is the variance substantial? (Moderately) 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

Mary noted that the property currently doesn't meet the Setback requirements. Bill Weber stated that the property is considered pre-existing, non-conforming.

Chairman Mike Sharman asked the Board for a motion to approve or disapprove the Area Variance for the proposed Addition. Bill Weber made a motion to approve the Variance to include both north west and southwest corners of the property structure after construction as submitted, and the expansion of the nonconforming structure. Motion to approve. M/2/C (B. Weber/R. Bergin) Carried: 5-0

Chairman Mike Sharman asked for a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:22 pm. M/2/C (B. Weber/J. Prato) Motion carried: 5-0

---

Respectfully submitted,  
Alison Houk, Recording Secretary