

LIVONIA JOINT ZONING BOARD OF APPEALS
May 20th, 2024

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

Excused: Attorney J. Campbell, CEO Adam Backus.

AGENDA: *(1) Accept and approve the meeting minutes of March 18th, 2024.*

(2) Kenny & Wendy Liesegang – 4550 Easts Lake Road, Livonia, NY

Chairman Mike Sharman brought the meeting to order at 7:00 p.m. and opened with the Pledge of Allegiance.

Chairman Mike Sharman asked if everyone reviewed the meeting minutes from March 18th, 2024. The Board agreed they had, and a motion was made to approve the minutes. M/2/C (D. Major/R. Bergin) Carried: 5-0.

(2) Kenny & Wendy Liesegang – 4550 East Lake Road, Livonia, NY

PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday, **May 20, 2024**, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York, to consider the application of **Kenny & Wendy Liesegang** for an area variance pursuant to Section 150-17C of the Zoning Code of Livonia. This area variance is requested for a proposed 12' X 14' Shed, which will violate the front and side Setback requirements according to Sections 150-31G (1 & 2). This property is located at **4550 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.

ZCA J. Holtje polled the Board for site visits:

Chair M. Sharman:	Yes
R. Bergin:	Yes
D. Major:	Yes
J. Prato	Yes
M. Thompson	Yes

Chairman Mike Sharman asked Kenny & Wendy Liesegang to come forward for the proposed 12' X 14' Shed and opened the public hearing.

K. Liesegang explained his history with the property.

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Discussion:

- Parcel was used for parking by the previous owners and had a Quonset hut covering a pontoon boat, and a small shed located on it. They have taken down the Quonset hut and will remove the remaining shed.
- K. Liesegang would like to use the existing gravel base, as this would be the most economical and convenient.
- They would like the least amount of disturbance as possible on site as they enjoy the open space and view.
- No new curb cuts are proposed.
- D. Major – removing the two sheds is helpful, the other structures were close to the right of way. The front setback is acceptable, but he would like to see it moved 10 feet to meet the 15’ side setback. The Board agreed.
- M. Sharman: There is a lot of land here and room to accommodate the setbacks, R. Bergin in agreement.

With no further comments and no one from the public in attendance, Chairman Mike Sharman closed the Public Hearing.

This application was determined not to require Livingston County Planning Board review per Section 239-m and 239-n of Article 12 of the General Municipal Law agreement (# 5).

This application was determined to be a Type II action, and SEQR was not required per (# 17) 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 sought by the applicant be achieved by some feasible method other than a variance? Yes – It’s a huge piece of land.
3. Is the variance substantial? Yes
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood? No
5. Is the alleged difficulty self-created? Yes

Chairman Mike Sharman asked the Board for a motion to approve or disapprove the Area Variances for the proposed 12’ X 14’ Shed. D. Major made a motion to approve the application with a 15’ north side Setback and 21’ front Setback (roadside). Motion to approve. M/2/C (D. Major/R. Bergin) Carried: 5-0

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Chairman Mike Sharman asked for a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:32 p.m. M/2/C (J. Prato/M. Thompson). Motion carried: 5-0

Respectfully submitted,
Julie Holtje