

LIVONIA JOINT ZONING BOARD OF APPEALS
October 20th, 2025

Present: Chairman M. Sharman, R. Bergin, J. Prato, Zoning Compliance Assistant J. Holtje, CEO A. Backus.

Excused: D. Major, M. Thompson, Attorney J. Campbell.

AGENDA: ***(1) Accept and approve the meeting minutes of October 6th, 2025.***

(2) Matthew Kenyon – 4744 East 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 had reviewed the meeting minutes from October 6th, 2025. With J. Prato not in attendance at that meeting, there was no quorum to approve.

(2) Matthew Kenyon – 4744 East Lake Road, Livonia, New York

PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday, **October 20, 2025**, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York, to consider the application of **Matthew Kenyon** for an area variance pursuant to Section 150-17C of the Zoning Code of Livonia. This area variance is requested for a proposed second-story Addition & Porch, which will violate the front and side setback requirements according to Sections 150-31G (1 & 2), the requirements for nonconforming buildings per Sections 150-70 A (2) & 150-7, and will violate Lot coverage per Section 150-31 F. This property is located at **4744 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.

Chairman M. Sharman polled the Board for site visits:

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

Chairman Mike Sharman stated for the record:

This application was submitted to the Livingston County Planning Board for their review. They determined that it has no significant Countywide or inter-municipal impact. Approval or disapproval of this application is a matter of local option.

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Chairman Mike Sharman asked Matthew Kenyon to come forward and opened the Public Hearing.

M. Kenyon explained that he and his family would like to move to Livonia and occupy this house full-time by the time school starts next year. In order to do that, he has consulted with an architect, and the most practical and less intrusive way is to add a second story. The small front porch/overhang was added for architectural detail so that the front of the building isn't flat.

Discussion:

- Lot coverage – it appears high because lot area is not measured to the mean high water mark, which is where ownership is. Only 59.5 square feet of additional lot coverage is proposed, and this is in overhangs only.
- A 10x12 shed with an attached covered deck was added to the property prior to Kenyon's purchase. The Board discussed eliminating the covered deck.
- Scaling the map, it appears that they meet the rear setback to the MHW (not using the survey tie line).

With no more discussion and no one present from the public, Chairman M. Sharman closed the Public Hearing.

This application was determined to be a Type II action, and SEQR was not required per (# 11) of the New York Codes, Rules, and Regulations 617.5 Type II Actions.

The Board went 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? No
3. Is the variance substantial? Somewhat because of lot coverage and lack of green space, but much of this area is overhangs.
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

With no more discussion, Chairman Mike Sharman asked the Board for a motion for or against, with or without conditions. R. Bergin made a motion to approve the proposed with the condition that the shed roof extension be removed. Motion to approve. M/2/C (R. Bergin/J. Prato)
Carried: 3-0.

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With no further discussion, Chairman Mike Sharman requested a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:38 p.m. M/2/C (J. Prato/R. Bergin). Motion carried: 3-0

Respectfully submitted,
Julie Holtje, Zoning Compliance Assistant