

LIVONIA JOINT ZONING BOARD OF APPEALS

August 18th, 2025

Present: Chairman M. Sharman, J. Prato, M. Thompson, Zoning Compliance Assistant J. Holtje.

Excused: CEO A. Backus, R. Bergin, D. Major, Attorney J. Campbell.

AGENDA: *(1) Accept and approve the meeting minutes of July 7, 2025.*

(2) Daniel & Debra Richardson – 5890 Big Tree 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 stated that the Meeting Minutes from July 7th would be tabled until the next meeting, when all Board members are present.

(2) Daniel & Debra Richardson – 5890 Big Tree Road, Livonia, New York

PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday, August 18th, 2025, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York, to consider the application of Daniel & Debra Richardson for an area variance pursuant to Section 150-17C of the Zoning Code of Livonia. This area variance is requested for proposed Additions, which will violate the side Setback requirements according to Sections 150-31 G (2) and 150-71. The proposed structure also violates the maximum lot coverage requirement of 25%, according to Section 150-31F, and violates 150-70 A (2); no nonconforming building shall be enlarged. This property is located at 5890 Big Tree 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:	Excused
D. Major:	Excused
J. Prato	Yes
M. Thompson	Yes

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 Daniel & Debra Richardson to come forward and opened the Public Hearing.

D. Richardson introduced himself, his family, and how they came to Livonia. They would like to be able to stay in place as they age. The current home lacks three things to make this possible. 1. A first-floor master suite, 2. More storage space, 3. A roof covering over the existing patio on the lakeside. This is important because there are large trees on both property lines that they have no control over. The trees frequently lose branches. They feel this is a necessary improvement. The neighbors have been made aware of the proposed improvements and are supportive, as evidenced by letters in the application. Aesthetic impact is minimal. The additions will be between the garage and the house. They currently have drainage on both sides of the house, and the additions would not impact that. They hope that the Board will take into consideration the confines of the narrow lot and that nobody from the road or lake will see any difference.

Discussion:

Chairman M. Sharman- Explained that because two Board members are absent, they would need all three attending members' votes to approve the requested variance. The applicant does have the right to postpone if he would like the full five-member board present. The Richardsons chose to continue.

Discussion:

- M. Thompson confirmed that the shed will be removed if a variance is granted.
- Fire-rated construction is necessary because of the <3' to side property line on additions.
- Lot coverage proposed is 25.9%
- Drainage improvements will be made. There are existing in-ground side drainage structures.
- D. Richardson- with regards to impervious surfaces, there is not going to be any change, as the addition areas are already covered with sidewalks or by the shed.
- M. Sharman- The Board agrees these small additions are not unreasonable requests since this is already nonconforming because of setbacks. It is a difficult decision to increase the nonconformity, but it is not out of character with the neighborhood.
- M. Thompson- it seems Livonia needs a separate plan for zoning on nonconforming lots because most of the ones they do are on the lake.

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 (# 12) 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

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2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? No

3. Is the variance substantial? Yes – the house is pre-existing non-conforming / No – Already existing.

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood? No, not if the stormwater is controlled.

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. Mary Ann Thompson made a motion to approve the proposed additions as submitted with no conditions. (10' X 18'.4' Garage, 12' X 21' Main House, enclose "open walk below" and 18.9' X 23.6' roof over existing wood deck/patio all as shown on the Survey Map prepared by J. Ransom dated 7/10/2025) . Motion to approve. M/2/C (M. Thompson/J. Prato) Carried: 3-0.

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/M. Thompson). Motion carried: 3-0

Respectfully submitted,
Julie Holtje, Zoning Compliance Assistant