

LIVONIA JOINT ZONING BOARD OF APPEALS
March 4th, 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 Nov 6, 23 & Jan 22, 24.***

(2) Susan Duke – 3411 Rochester Road, Lakeville, 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 November 6th, 2023. The Board agreed they had, and a motion was made to approve the minutes. M/2/C (R. Bergin/M. Sharman) Carried: 5-0.

Chairman Mike Sharman asked if everyone reviewed the meeting minutes from January 22, 2024. The Board agreed they had, and a motion was made to approve the minutes. M/2/C (D. Major/J. Prato) Carried: 5-0.

(2) Susan Duke – 3411 Rochester Road, Lakeville, NY

PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday, **March 4, 2024**, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York, to consider the application of **Susan Duke** for an area variance pursuant to Section 150-17C of the Zoning Code of Livonia. This area variance is requested for a proposed office building, which will violate Development standards according to Sections 150-36 F. (2), (4) & (6). This property is located at **3411 Rochester Road, Livonia**, New York, and is zoned Gateway Commercial District (GC). 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	Excused

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Chairman Mike Sharman asked Kat Fantigrossi, Attorney and Stacy McKinney, Legal Operations Coordinator representing Susan Duke, to come forward for the proposed office building application.

Kate explained that there will be one full time employee in this building. This will be a client experience center that supplies resources and a comfortable environment to meet with the attorneys that have their offices on the adjacent property. There are a total of three attorneys that work part time in the existing building and part time remotely.

Discussion: The dead trees on the property will be removed. An addition to the existing building did not provide the options they were looking for. The separate driveways will be combined into one entrance.

With no further questions, Chairman M. Sharman noted:

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.

This application was determined to be a Type II action and SEQR review was not required per #16. 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? No
3. Is the variance substantial? Yes, relatively.
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 proposed Area Variance for the proposed office building. Rosemary Bergin made a motion to approve the application as submitted. Motion to approve. M/2/C (R. Bergin/J. Prato) Carried: 5-0.

Chairman Mike Sharman asked for a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:10 p.m. M/2/C (D. Major/J. Prato). Motion carried: 5-0

Respectfully submitted,
Julie Holtje