

**Village of Lansing
Board of Zoning Appeals
November 19, 2002**

The meeting of the Village of Lansing Board of Zoning Appeals was convened at 7:35 P.M. by Acting Chairperson Mary Sirois. Present at the meeting were Board members Don Eckrich, and Mike Ward, Code Enforcement Officer Curtis, Village Attorney William Troy, and members of the public.

Appeal No. 2002-5, LJM Hospitalities, Inc (Lakewatch Inn):

The first item on the agenda was Appeal No. 2002-5, LJM Hospitalities, Inc. (Lakewatch Inn), requesting a variance from Section 402.05(a) of the Village of Lansing Zoning Law to construct an approx. 420sf roof over an existing walk-in cooler, freezer and adjacent walkways and attached to the existing Lakewatch Inn building at 1636 East Shore Drive in the Low Density Residential District, Tax Parcel No. 42.1-1-28.2. A variance is required because the use of the building as a catering and banquet hall is a pre-existing non-conforming use of a structure and the addition of the roof would enlarge that structure.

Curtis received the required proof of mailing.

Leo Mahool, 20 Ladoga Park (Lansing), stated he was not expanding the use of the facility. He is simply proposing to cover and shield the existing outdoor cooler, freezer and accessories. The request is for health and safety of employees. In the winter, with rains and wind, there are problems with deliveries getting wet and boxes breaking open. Mahool stated the locks on the freezers have also been known to freeze. Mahool stated an enclosure is not needed but there is a need for a roofed area to cover the entrances to the kitchen, walk-in cooler and freezer. Mahool does not see this as an expansion to a non-conforming use. Mahool stated the plans are simple.

Eckrich asked for clarification as to the location of the proposed action. Mahool stated it is on the south end of the building and runs from east to west. Mahool stated the structure would look better than what is there currently with the exposed cooler and freezer. The roof would be the same as the rest of the building.

Ward moved to close the Public Hearing. Seconded by Eckrich. All aye.

Sirois stated a variance is required for this structure and Ward agreed and stated he felt it would be a visual improvement for the neighbors. Ward would like to see screening and Mahool has stated it could be screened although it does not show up on the plans because he wanted to receive approval first. Mahool stated he is amenable to screening and would entertain any suggestions.

The Board considered the following for an area variance:

- a) Whether an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by granting the area variance.*

Finding: None. It would be an improvement.

- b) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance.*

Finding: Covering existing outdoor equipment, enhancing the safety of the area and making it more aesthetically appealing will benefit this site. Relocation of the equipment might be a possibility but not without considerable work, expense and disruption; it would not really be feasible.

- c) Whether the requested area variance is substantial.*

Finding: Not for this size lot and building.

- d) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.*

Finding: It would have a beneficial impact and no one was present to speak against it.

- e) Whether the alleged difficulty was self-created.*

Finding: No, this is a preexisting grandfathered situation. It is in operation now and what the applicant is proposing would address a safety concern.

Eckrich moved to grant the requested variance for 2002-5, LJM Hospitalities, Inc. (Lakewatch Inn) for the roof to cover the existing equipment as requested. A condition of the variance is that the owner shall install screening or siding which is consistent with the existing building as approved by the Code Enforcement Officer. This variance is specifically not for creating an interior space but for a screened space. Seconded by Ward. A vote was taken to approve Appeal 2002-5. All aye.

Other Business:

Curtis provided a sample of an unpainted, non-reflective surface for the stacks at the Ornithology Lab and a sample of a shinier surface. The Board approved the non-reflective sample as meeting the conditions of the variance granted for the new Ornithology Lab.

Approval of Minutes – June 18 :

Ward moved to approve the revised minutes of June 18. Seconded by Eckrich. All aye.

Adjournment:

Eckrich moved to adjourn the meeting at 7:55 P.M. Seconded by Ward. All aye.