

**TOWN OF PENDLETON**  
**ZONING BOARD OF APPEALS**  
**February 27, 2018 Meeting**

**Members:**

Wolfgang Buechler, Chairman  
Lee Daigler  
James Schlemmer  
James G. Meholick, Secretary  
Dennis Welka

The ZBA open regular meeting was called to order by Mr. Lee Daigler at 7:00 PM. ZBA members Mr. Schlemmer, Mr. Daigler, Mr. Meholick & Mr. Welka were present at the meeting. No changes were made to the ZBA agenda submitted by Lee Daigler.

**PUBLIC HEARINGS:**

**Andrew Rawe**  
**6971 Bear Ridge Road**  
**Pendleton, New York**

APPLICATION FOR VARIANCE of the provisions of the Zoning ordinance of the Town of Pendleton to construct a 44 ft. x 66 ft. (2,640 sq. ft.) accessory structure on his property where a maximum of 2,000 sq. ft. is required per Town Code. There is also an existing accessory structure on the parcel that is 857 sq. ft., for a total area of 3,497 square feet. The area variance request would be 1,497 sq. ft. as per Town Code §247-34.E.(3). The property is approximately 21.9 acres and is R2 medium density residential zoning.

Mr. Daigler indicated to the ZBA members that the above square footage did not include the overhang of the existing & proposed buildings. It was also indicated that a building of this size would require a 24 to 25 ft. peak which would also require a variance, and that the total area of the property is actually 26 acres. The front & side yard setbacks appeared to be okay.

The accessory structures area totals are as follows:

|                                     |   |                                |
|-------------------------------------|---|--------------------------------|
| Existing Horse Barn: Main Structure | - | 1,300 sq. ft.                  |
| Overhang                            | - | 602 sq. ft.                    |
| Proposed Pole Barn: Main Structure  | - | 2,640 sq. ft (60 ft. x 44 ft.) |
| Overhang                            | - | 888 sq. ft. (12 ft. x 74 ft.)  |
| Total Area                          | - | 5,430 sq. ft.                  |

As a result, the variance request for the above application should be 3,430 square feet, and should include a height variance request of 5 feet.

Mr. Rawe presented the Town of Pendleton Building Inspector's denial, site survey illustrating the locations of the new & existing accessory structures, Parco Building Specification, and several renderings of what the accessory structure would look like. Mr. Rawe indicated that the previous owner had horses and that he did not intend to farm the land. The building was going to be used for storage of his RV, trucks, boat, tractors, plow, brush hog, table saw, wood working equipment, firewood, and various other items.

Mr. Rawe's next door neighbor's, Jim & Marge Sztorc, were present at the public hearing and were concerned about the large size of the building in a residential neighborhood, and also felt that it would be detrimental visually from their back yard.

Mr. Dennis Steinmiller was also present at the public hearing and was okay with the proposed building size on the property. He indicated that Mr. Rawe takes good care of his property, has improved the house, and needs the building to store his stuff inside as opposed to outside.

All ZBA members stated that they had driven by or visited the property.

A motion was made by Mr. Meholick to table the public hearing at 7:30PM to allow the ZBA members to revisit the property and confirm the actual sizes of the accessory structures. The motion was seconded by Mr. Schlemmer. All voted in favor.

**Michael Blas**  
**5300 Irish Road**  
**Pendleton, New York**

APPLICATION FOR VARIANCE of the provisions of the Zoning ordinance of the Town of Pendleton to construct a new single family home at a front setback of 300 ft. on his property where a maximum of 250 ft. is required per Town Code. The front yard setback variance request would be 50 ft. as per Town Code §247-11.D.(3). The property is approximately 8.5 acres and is R2 medium density residential zoning.

Mr. Blas presented the Town of Pendleton Building Inspector's denial, and site survey illustrating the location of the new family home. Mr. Blas indicated that he wanted to keep the house in line with the existing & proposed new homes at 5300, 5316 & 5330 Irish Road.

A motion was made by Mr. Schlemmer to table the public hearing at 7:45PM to allow the ZBA members to revisit the property and confirm the proposed front yard setbacks of the homes on the above properties. The motion was seconded by Mr. Meholick. All voted in favor.

### **REGULAR ZBA MEETING:**

#### ***Review Minutes from Prior Meeting:***

A motion was made by Lee Daigler to accept the minutes of the January 23, 2018 meeting, and was seconded by Dennis Welka. All voted in favor.

**Specific Board Deliberation Actions:**        *None*

**New Inquiries to ZBA:**        *None*

**Correspondence:**

- 1. Town of Pendleton telephone list.

**Special Topics:**        *None*

**Miscellaneous ZBA Topics:**

- 1. The next scheduled meeting will be on Tuesday, March 27, 2018, at 7:00PM.

A motion was made by Lee Daigler to adjourn the meeting at 8:00 PM, and seconded by Jim Meholick. All voted in favor.

Submitted for:

James G. Meholick  
Secretary

Attachments: Town of Pendleton Zoning Board of Appeals Sign-In Sheet

Town of Pendleton Denial of Building Application for Mr. Andrew Rawe  
 Town of Pendleton Public Hearing Request for Mr. Andrew Rawe  
 Town of Pendleton Notice of Public Hearing for Mr. Andrew Rawe  
 Public Hearing Mailing List for Mr. Andrew Rawe  
 Site Survey of Property for Mr. Andrew Rawe  
 Parco Building Specification for Mr. Andrew Rawe  
 Site Survey of Property for Mr. Kevin Clark  
 Pictures of Accessory Structure for Mr. Andrew Rawe

Town of Pendleton Denial of Building Application for Mr. Michael Blas  
 Town of Pendleton Public Hearing Request for Mr. Michael Blas  
 Town of Pendleton Notice of Public Hearing for Mr. Michael Blas  
 Public Hearing Mailing List for Mr. Michael Blas  
 Site Survey of Property for Mr. Michael Blas