

TOWN OF PENDLETON
ZONING BOARD OF APPEALS
09/27/2022 Meeting

Members:

Wolfgang Buechler, Chairman
David Kantor
Jonathan Welka
Nicholas Graves
Dennis Welka, Secretary

The ZBA open regular meeting was called to order by Mr. Buechler at 7:00 pm. ZBA members David Kantor, Nicholas Graves, Jonathan Welka, and Dennis Welka were present at the meeting. Mr. Theodore Joerg, Esq., Pendleton Town Prosecutor was also present.

PUBLIC HEARINGS:

No Public Hearings Scheduled

REGULAR ZBA MEETING:

Review Minutes from Prior Meeting:

A motion was made by David Kantor to accept the minutes of the 08/23/2022 meeting, and was seconded by Jonathan Welka. All voted in favor.

Changes to the Agenda:

None

Specific Board Deliberation Actions:

Castellani, Chris – 6102 Campbell Blvd (Public Hearing held on 8/23/22)

Owner wishes to construct a 2,816 SF accessory structure (approx.. 44 ft x 64 ft x 20 ft height) in addition to an existing 592 SF accessory structure for an aggregate accessory structure size of 3,408 SF where the maximum aggregate accessory structure allowed is 2,000 SF per Town Code §247-34.E.(3). Property is 9.8 acres and zoned R2 Medium-Density Residential. Area variance sought is 1,408 SF aggregate accessory structure size variance.

The ZBA board reviewed the Area Variance and commented as follows:

- a. Will the granting of the variance result in an undesirable change to the character of the neighborhood or will it be detrimental to nearby properties?

The Board had mixed opinions on this subject

- b. Are there alternative solutions that would not require a variance?

The only alternative is to build to code

- c. Is the requested variance substantial?

The Board felt that the size request was substantial.

- d. Will the variance have an adverse effect on the physical or environmental conditions in the neighborhood or district?

Effect was unknown.

- e. Is the applicant's difficulty self-created?

Yes

A motion was made by Nick Graves to approve a total aggregate accessory structure size of 3000 SF with a one-year time limit. The motion was seconded by Dave Kantor. Voting in favor were Nick Graves, Dave Kantor, and Wolf Buechler. Opposed were Jonathan Welka and Dennis Welka. A variance of 1000 SF aggregate accessory structure size variance was granted.

New Inquiries to ZBA: None

Correspondence: None

Special Topics:

Training hours and opportunities were discussed

Miscellaneous ZBA Topics:

1. The next scheduled ZBA meeting will be on Tuesday, 10/25/2022 at 7:00 pm.

A motion was made by Nick Graves to adjourn the meeting at 7:20 pm and seconded by Dave Kantor. All voted in favor.

Submitted for:

Dennis J. Welka
Secretary

Attachments:

Town of Pendleton Public Hearing Request for Chris Castellani
Town of Pendleton Notice of Public Hearing for Chris Castellani
Town of Pendleton Denial of Building Application for Chris Castellani
Public Hearing Mailing List for Chris Castellani
Site Survey of Property for Chris Castellani

Sign-in Sheet