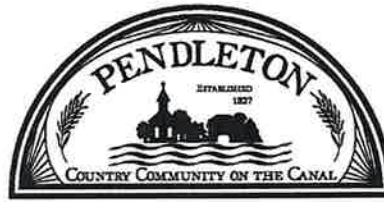


## TOWN OF PENDLETON

6570 Campbell Boulevard  
Lockport, NY 14094



Deborah K. Maurer, Town Clerk

Phone: (716) 625-8833

Fax: (716) 625-6295

dmaurer@pendletonny.us

### TOWN OF PENDLETON NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the ZONING BOARD OF APPEALS, Town of Pendleton, at the Town Hall, 6570 Campbell Boulevard, Lockport, NY, 14094, at 7:00 p.m. on Tuesday, the 28th day of May 2024 for:

Josef & Sara Loeser  
5387 Oakwood Drive  
North Tonawanda, NY 14120

Owner wishes to construct a 34' x 50' (1,700 SF) pole barn on a parcel greater than two but less than four acres. Town Code limits the total square footage to 1,200 SF on a parcel this size. Owner also wishes to position the structure 10' from property line where a minimum 15' side setback is required by Town Code.

Town Ordinances Affected: § 247-34E(2) and § 247-34F(3)  
Variance Sought: 500 SF area variance and 5' side setback variance  
Size of Parcel: 168' x 1,475' ( $\approx$  5.70 acres)  
Current Zoning: R-2 Residential

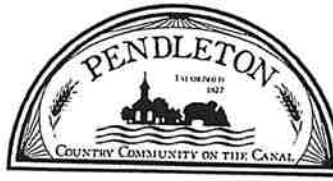
Additional information pursuant to this public hearing may be available at <https://pendletonny.us/calendar-events/>.

A handwritten signature in blue ink that reads "Deborah K. Maurer". The signature is written in a cursive style and is positioned above a horizontal line.

Deborah K. Maurer, Town Clerk

Dated: May 17, 2024

Please Publish: May 22, 2024



**PUBLIC HEARING REQUEST TO PETITION FOR A VARIANCE**

**Fee:** \$125.00

TO BE HELD BY: Zoning Board of Appeals

DATE OF HEARING: May 28<sup>th</sup> 2024

TIME: 7:00 P.M.

REQUESTED BY: Josef & Sara Loeser

PHONE: \_\_\_\_\_

ADDRESS OF PROPERTY: 5387 oakwood dr.

ADDRESS OF OWNER: 5387 oakwood dr.

To Consider the Following Request: \_\_\_\_\_

Owner is requesting an area variance of 500 sf. This represents the difference between the ~~allowable~~ allowable 1,200 sf and the proposed size of 1,700 sf. Owner is also asking for a 5' distance variance. The Town Code required a 15' side setback owner wishes 10'

Town Ordinances Affected: 247-34 E(2) and 247-34 F(3)

Variance Sought: owner is seeking a 500 sf area variance and a 5' side setback variance to allow for the construction of a 1,700 sf accessory structure 10' from side yard lot line

Size of Parcel: 168' x 1475' ≈ 5.70 acres

Current Zoning: R-2 residential

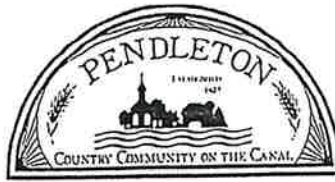
[Signature]

Applicant Signature

5/15/24

Date

Notes: This form must be filed with the Town Clerk, along with the filing fee, 10 days before the date of the Public Hearing. Please bring all documents to the Public Hearing including, Denial for Building Application, Site Survey showing proposed variance, documented reasons for the benefit of relief and any other documents that will support your need for relief. Structures over 1800 SF require a full site plan review by the Town Planning Board, per Town Code §247.34.F (4).



DENIAL OF BUILDING APPLICATION

PROPERTY LOCATION: 5387 OAKWOOD DR  
SBL NUMBER: 166.01-1-1.12  
OWNER: JOSEF + SARA LOESER  
OWNER ADDRESS: 5387 OAKWOOD DR

REASON FOR DENIAL

owner wishes to construct a 34'x50' pole barn totaling 1,700 sf. Town Code 247-34E(2) allows for a maximum of 1,200 sf on a parcel of more than 2 acres but less than 4 acres. Owner also wanted to position the pole barn 10' from property line whereas Town Code requires a 15' minimum side setback.

NOTE: This form and supporting documentation must be filed with the Board of Appeals

Josef Loeser  
Applicant

Ronald Diedrich  
Code Enforcement Officer

5/15/24  
Date

5/14/24  
Date

DRAWING  
NAME  
05.005

LEGEND:

BIT = BITUMINOUS  
CB = CATCH BASIN  
AC = ACRES  
APPROX = APPROXIMATE  
AVE = AVENUE  
CH = CHAIN  
CONC = CONCRETE  
COR = CORNER  
C.T.V. = CABLE TV BOX

E = CENTERLINE  
D = DEED  
DIA = DIAMETER  
DIST = DISTANCE  
E = EAST  
EJB = ELECTRICAL JUNCTION BOX

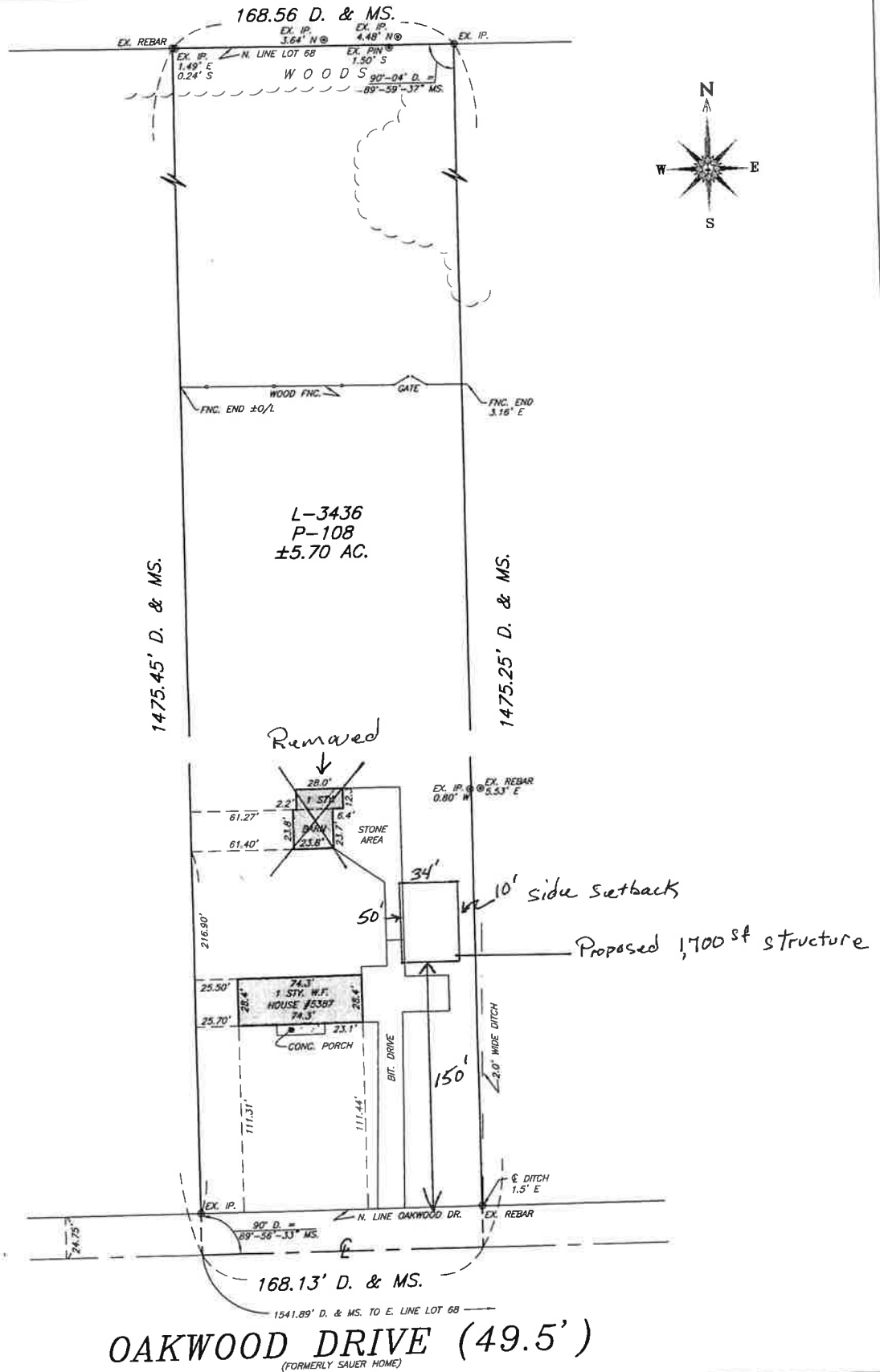
ENC = ENCROACHMENT  
ESMT = EASEMENT  
EX = EXISTING  
FNC = FENCE  
GAR = GARAGE  
IP = IRON PIPE

L = LIBER  
MH = MANHOLE  
MP = MAP  
MS = MEASURED  
N = NORTH  
O/H = OVERHEAD

O/L = ON LINE  
PO = PORCH  
PP = POWER POLE  
P = PAGE  
PL = PROPERTY LINE  
PAVT = PAVEMENT

RD = ROAD  
S = SOUTH  
ST = STREET  
STY = STORY  
TJB = TELEPHONE JUNCTION BOX

TYP = TYPICAL  
W = WEST  
W/ = WITH  
WD = WOOD  
W.F. = WOODFRAME



OAKWOOD DRIVE (49.5')  
(FORMERLY SAUER HOME)

TAX IDENTIFICATION No.: 166.01-1-1.12  
MAP REFERENCE:

NOTES:  
- ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MAP MARKED WITH THE SIGNATURE AND AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.  
- UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 720B, PROVISION 2 OF THE NEW YORK STATE CONSTITUTION.

*Christopher J. Smith*



140 John James Audubon Parkway • Suite 201 • Amherst, New York 1422  
PHONE: 716.688.0766 FAX: 716.625.6825  
WEBSITE: www.wendelcompanies.com

PART OF LOT	68	SEC.	-	TWP	13	RNG.	7
OF THE HOLLAND LAND COMPANY'S SURVEY							
TOWN	PENDLETON			PROJ. NO.	2963-14-05/01		
COUNTY	NIAGARA, NY			SCALE	1" = 60'		
CREW	RNJ	DWN	MLH	CHK	WJS	DATE	4/1/201