

**TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING**  
**Held at the Clarkson Town Hall**  
**Wednesday, August 17, 2022 at 7:00 PM**

**Board Members**

Conrad Ziarniak, Chairperson  
Joseph Perry  
Joanne Scheid  
Howard Henick  
Dan Maier

**Support Staff**

Keith O'Toole, Town Attorney  
Kevin Moore, Code Enforcement  
Anna Beardslee, Building Department Clerk

Excused \*

**CALL TO ORDER:**

C. Ziarniak called the Zoning Board meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance with a moment of silence for first responders. He then read aloud the agenda for the night.

**NEW BUSINESS:**

**Applicant:** Don Moyer

**Property Owner:** Don Moyer

**Property Address:** West side of Drake Road +/- 2300' North of W. Ridge Road

**Tax ID:** 053.02-1-19

**Acres:** 56.29

Applicant requesting to build a pole barn within the front setback of his property not in accordance with Town Code 140-7E(1) which states, Any required yard shall be entirely open and unoccupied by buildings other than:

- (1) Entrance porch or steps not over seven feet deep in a front yard.

C. Ziarniak stated that he would like to go over the documents that were submitted. He read through the letter of intention stating that the applicant is looking to subdivide the property and have a site plan for a single family home and pole barn. They have applied to the Zoning Board requesting a variance for the pole barn to be in front of the single family home.

C. Ziarniak then read through the applicant's questions and answers from the application submitted.

C. Ziarniak asked what the gravel driveway is currently used for.

D. Moyer stated that it is used to get to the creek and to hunt.

H. Henick asked how long the driveway is from the road.

D. Moyer said about 300 feet.

H. Henick asked what the distance was from the pole barn to the house.

D. Moyer stated that it was 50 – 75 feet feet.

J. Perry asked what the height of the pole barn wall is.

D. Moyer stated 14 feet, not including the peak.

J. Perry asked what kind of vegetation is out there.

D. Moyer stated that there is ash trees, crab apple trees, and heavy brush.

C. Ziarniak stated he felt the design was nice and also felt that it would be very hard to see from the road.

J. Perry asked what the construction is.

D. Moyer stated that it is post frame construction with metal trim and a metal roof.

J. Perry asked about utilities.

D. Moyer stated that it would just be electric.

D. Moyer stated that driving to the Zoning Board Meeting tonight, he and his wife had counted 10 houses with pole barns in front of the houses on Drake Road.

K. Moore stated that D. Moyer also had requested to build the pole barn first before the house, however it is not on the application and it would be considered a use variance.

K. O'Toole stated that a pole barn is an accessory structure and it is secondary to the house.  
C. Ziarniak stated that a separate application would need to be made if the applicant would like to get a variance to put the pole barn up first.

J. Perry asked what the dimensions of the pole barn are.  
D. Moyer said 40x60.

K. O'Toole asked if a drawing of the pole barn could be submitted.  
D. Moyer said he could submit one.

C. Ziarniak made a motion to place this item on for a Public Hearing on Wednesday, September 7<sup>th</sup>.  
J. Perry seconded.  
Unanimously carried.

H. Henick asked if it was okay if the Board Members could go out to the property.  
D. Moyer said that is fine.

J. Scheid asked if a site visit could be done.  
K. O'Toole stated if a site visit is done with more than 3 members, it would be considered an open meeting and it needs to be advertised. He further stated that if it is advertised then the public is welcome to attend as well.  
D. Moyer said he was unsure if he wanted a lot of people on the property.  
K. O'Toole stated that if two members go at a time, then it would not be considered an open meeting.  
H. Henick stated that he could go with J. Scheid.

H. Henick asked about the accessory buildings on Drake Road that D. Moyer mentioned.  
K. O'Toole stated that there are a lot of illegal accessory buildings, but this applicant has chosen to go about it legally.

**MINUTES:**

H. Henick made a motion to approve the minutes from August 3, 2022.  
J. Perry seconded.  
Unanimously carried.

**ADJOURNMENT:**

C. Ziarniak made a motion to adjourn at 7:45 PM.  
J. Scheid seconded.  
Unanimously carried.

**NEXT MEETING:**

The next meeting of the Zoning Board of Appeals will be Wednesday, September 7, 2022 at 7:00 PM held at the Town Hall.

Respectfully submitted,

*Anna Beardslee, Building Department Clerk*

*Minutes approved on September 7, 2022*