

## EDINBURG ZONING BOARD OF APPEALS

October 17, 2024

Date of Meeting

Organizational Meeting  
Regular Meeting

Kind of Meeting

Frederic Lee, Joe Crean, Judy Sterling  
and Robert Hartman

Members Presents

Donna Novotny

Members Absent

Jason Kemper, Director, County Planning  
Michael Stewart, Code Enforcement Officer  
William Ebert, Applicant

Others

Chairman Lee opened the meeting at 6:05 p.m. with a general discussion of practices and procedures, etc.

**Preliminary Conference:   Application No. 2024-001**  
**William Ebert**  
**Tax Map No. 81.-2-13.111**  
**Area Variance**

Director Kemper reviewed the history of the Ebert property as it pertains to the Sacandaga Snowmobile Club<sup>i</sup>. Applicant Ebert is under contract for the sale of this property. In the past, he allowed the Sacandaga Snowmobile Club<sup>ii</sup> to construct a 24' x 48' storage building. The previous Code Enforcement Officer allowed the construction without a building permit as a temporary building. Discussion ensued regarding the Ordinance not allowing any temporary buildings; the importance of the Club to the community; the town bearing some responsibility for the need for a substantial area variance through the CEO not requiring a permit and allowing a temporary building, etc. Applicant Ebert is donating 8.5 acres which meets the requirements of the zone. The setback requirement is 25 feet and the existing storage building is approximately 6 feet from the property line. This would require a 19 foot area variance. The storage building has electrical service and a permanent blacktop floor. The neighbor has no opposition to the granting of the area variance and Director Kemper will submit a letter from that neighbor.

At the time of the Ebert application submission, the Town of Edinburg had a moratorium on any new building requiring an appearance before the Planning and/or Zoning Boards. A waiver was issued which allowed the application to go forward. As of October 10<sup>th</sup>, the moratorium was no longer in effect. CEO Stewart stated the Planning Board would want this resolved prior to granting a subdivision. The alternative would be the Planning Board would grant the subdivision contingent upon the ZBA approving the area variance.

Board Member Crean after reviewing the map questioned the odd shape of the lot. Director Kemper stated it was configured that way to meet the frontage requirement to avoid an additional variance. Discussion ensued regarding building code allowances for setback versus zoning code allowances. There is no SEQRA or submission to County Planning required.

Board Member Hartman made the following motion:

BE IT RESOLVED Application No. 2024-001, William Ebert, Tax Map No. 81.-2-13.111, Area Variance is deemed complete and set for a public hearing on November 7, 2024. Board Member Crean seconded the motion. All in favor, none opposed. Carried: 4-0

**Preliminary Conference:   Application No. 2024-002  
Robert and Christi Day  
Tax Map No. 54.17-1-42  
Area Variance**

CEO Stewart reviewed the application. Applicant Day wishes to construct an 8 x 10 addition to an existing residence and add a roof over an existing deck. The existing structure is three feet from the front property line. The requirement is 25 feet from the property line requiring a 22 foot area variance. It was noted the structure is below the finish grade of the roadway.

Board Member Hartman made the following motion:

BE IT RESOLVED Application No. 2024-002, Robert and Christi Day, Tax Map No. 54.17-1-42, Area Variance is deemed complete and set for a public hearing on November 7, 2024. Board Member Sterling seconded the motion. All in favor, none opposed. Carried: 4-0.

Board Member Sterling made a motion to adjourn the meeting at 7:33 p.m. Board Member Hartman seconded the motion. All in favor, none opposed. Carried: 4-0.

Respectfully submitted,

Diane Byrne  
Secretary

---

<sup>i</sup> Change to Saratoga Snowmobile Club

<sup>ii</sup> Change to Saratoga Snowmobile Club