



TOWN OF NEW LEBANON  
ZONING BOARD OF APPEALS APPLICATION



Application fee = \$35.00 plus any reimbursement of public notice publishing fees which are approx. \$25.00 dependent upon characters/words

1. Name of Applicant: Rendell House

2. Date: 5/24/16

3. This Application is for: (CHECK ONE)

- Appeal From a Determination by the Zoning Enforcement Officer (attach completed Appeal Statement form)
- Appeal: Interpretation of Zoning Classification Boundary
- Area Variance (attach completed Area Variance Application and SEQRA forms)
- Use Variance (attach completed Use Variance Application and SEQRA forms)
- Special Permit for \_\_\_\_\_ (identify use) (attach completed SEQRA form and drawings showing compliance with relevant requirements of Article EIGHT, Section 7 and Article TWELVE, Section 5(c) of the Zoning Ordinance)

4. Applicant's Mailing Address: 233 Poyner Road New Lebanon

5. Location of Property Involved in this Application: 423 Rt 20

6. Tax Parcel Identification: 20.1-1-62

7. 911 Address if available: 423 Rt 20

8. Zoning District(s) in which Property is Located: Commercial

FOR CLERK'S USE:

Date Received: 5/24/16 Application Number: ZBA-2016-010-

Fee Paid: 35.00/692782

Was Application complete when received? Yes  No

If No: Date when completed: \_\_\_\_\_

Date of meeting when Application will be first reviewed by ZBA: 7/5/16

Referred to: Planning Board on n/a County Planning Board on n/a



TOWN OF NEW LEBANON  
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APPLICATION FOR AN AREA VARIANCE

1. Name of Applicant: Kendall House
2. Date: 5/18/16
3. Describe, and identify by section number, the Zoning Law requirements from which you seek relief. (Attach a drawing showing the problem and your solution.)  
*Chapter 162 Signs + Posters*
4. Describe the impact to (a) abutting property owner and (b) the neighborhood that would result from granting your request for a variance. *None.*
5. Describe other means you have considered to accomplish your objective that do not require a variance and your reasons for rejecting them. *Cut down trees on front lawn to expose our building. We'd rather keep them*
6. List the names and addresses of owners of all property within 100 feet of your property and within 100 feet of any road frontage that is directly opposite your property's road frontage. (The ZBA Clerk will assist you with this.)
7. Attach a drawing showing all features that are relevant to the variance you are seeking, such as the location of the structure or use in question, and the adjoining properties, roads, etc.

RECEIVED  
MAY 24 2016  
TOWN OF NEW LEBANON

Appeal Statement

5. We approached the Town Supervisor so it didn't get this far. Some signs have been there since opening. Nothing was said about too many signs at inspection opening. We are in a business that every sign is for sale. What better way to sell than to display them for sale. We sell food, ice cream merchandise, etc. and signs are to let people know what we sell.

People travel at 50 MPH and we are limited to 1 driveway that was in compliance with what the town wanted which makes us hard to be noticed. If you go back to your notes, you will see when we applied to do business in the town, it was brought to your attention that everything inside and out was for sale, and even the table you sit at and you had no problem with it.

The town also asked that we not cut down trees on the front lawn. We complied but they make it hard for travelers to see our building.

We are allowed to have signs on the building but all of them are cited. Open signs aren't business signs. We are asking for permission to advertise what we sell by signage. Also the Dept. of Transportation route signs on our property cover our signs and distract from our advertising.

**TOWN OF NEW LEBANON**

Code Enforcement  
PO Box 328  
New Lebanon NY 12125  
Ph: 518.794-8884  
Fax: 518.794-9694

# VIOLATION NOTICE

Citation Number: C16-009



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**Certified Mail and First Class**

May 9, 2016

Kendall House Properties LLC  
233 Poyneer Rd  
Nassau, NY 12123

RE: Violation(s) of Chapter 162. Signs and Poster Control Law located  
Location of Violation(s): Kendall House - 423 Us 20; New Lebanon 12125  
SBL# 20.1-1-62

Dear Property Owner:

According to records of the Town of New Lebanon Assessor, you are the owner of the above referenced property.

As a result of a visual inspection conducted on 4/22/2016, your property was found to be in violation of Chapter 162-Sign and Poster Control Law as outlined on the attached page(s).

These violations must be corrected by the respective compliance dates listed at which time a re-inspection of your property will be made. Please have all violations corrected by that time otherwise a court appearance ticket shall be issued. This is the final request for your compliance.

Thank you for your anticipated cooperation. Should you have any questions or comments, please feel free to contact me.

Respectfully,

Kent J. Pratt

Code/Zoning Enforcement Officer

# TOWN OF NEW LEBANON CODE ENFORCEMENT

## OUTSTANDING VIOLATIONS AND CORRECTIVE ACTIONS REQUIRED

**Property Address:** 423 Us 20  
**Business Name:** Kendall House

**Complaint #**C16-009

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**Violation Date:** 4/22/2016

**Comply By Date:** 6/10/2016

**Issued To:** Kendall House Properties LLC

**Code:** Town Code\Chapter 162. Signs & Posters\3E.(1)

**Code Description:** E. An exterior business sign located in a commercial, recreational commercial or industrial district shall be permitted in connection with any authorized business or industry located on the same premises and meeting the following requirements:

(1) Two signs are permitted with any legally established business; one freestanding, the other attached to the building, and neither to exceed 24 square feet.

**Number of violations under this section of code:** 18

**Area Involved:** Exterior Signage

at least 18 signs in excess of Sign Ordinance allowance. Of these 18 signs, one is a mobile unit sign

**Corrective Action:** Remove all illegal signage or contact this office to apply to the Zoning Board of Appeal to request an appeal/variance

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**Violation Date:** 5/9/2016

**Comply By Date:**

**Issued To:** Kendall House Properties LLC

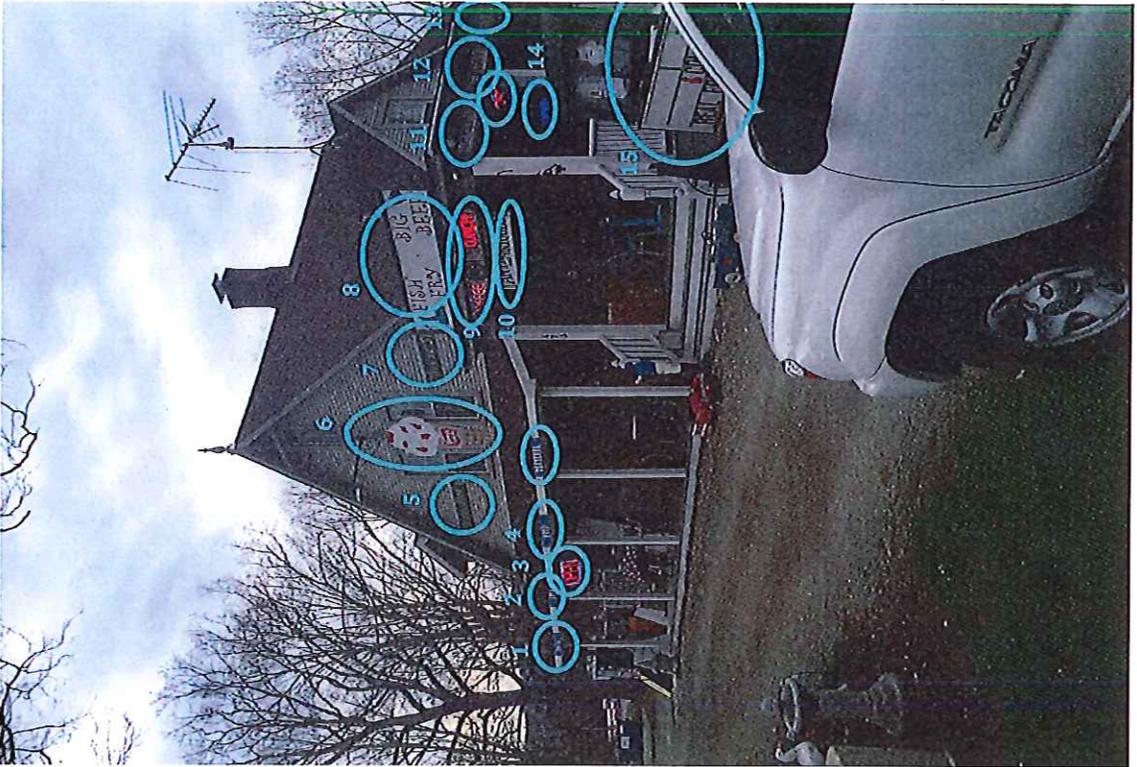
**Code:** Town Code\Chapter 162. Signs & Posters\J.

**Code Description:** Mobile unit signs may be permitted by the Planning Board for businesses located in New Lebanon on a temporary basis only, not to exceed three months, and shall not exceed 24 square feet and shall meet all other provisions of this chapter.

**Number of violations under this section of code:** 1

**Area Involved:**

**Corrective Action:** Remove mobile unit sign or contact this office to apply to the Zoning Board of Appeal to request an appeal/variance



Kendall House Properties LLC - ZBA-2016-010-

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Nassau, NY 12123

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