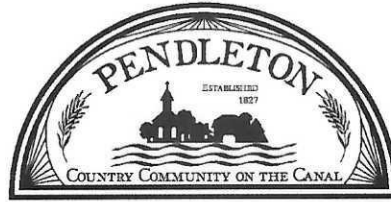


**TOWN OF PENDLETON**  
6570 Campbell Boulevard  
Lockport, NY 14094



**Noreen E. Lemma, Town Clerk**  
Phone: (716) 625-8833  
Fax: (716) 625-6295  
nlemma@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 26<sup>th</sup> day of May 2026 for:

John Yakich  
5430 Tonawanda Creek Road  
North Tonawanda, NY 14120

Owner wishes to construct a 24' x 32' accessory structure on the above referenced property. Proposed structure exceeds maximum allowable size of 600 sq ft per Town Code. An area variance for 168 sq ft is being requested.

Town Ordinance Affected: §247-34E(1) Max. Size  
Variance Sought: 168 Sq. Ft.  
Size of Parcel: 147' x 305'  
Current Zoning: R-2 Residential

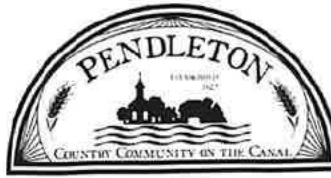
Additional information pursuant to this public hearing may be available at  
<https://pendletonny.us/calendar-events/>.

A handwritten signature in cursive script, reading "Noreen E. Lemma", is written over a horizontal line.

*Noreen E. Lemma, Town Clerk*

*Dated: May 18, 2026*

*Please Publish: May 20, 2026*



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

**Fee:** \$125.00

TO BE HELD BY: Zoning Board of Appeals

DATE OF HEARING: MAY 26<sup>th</sup>

TIME: 7:00 P.M.

REQUESTED BY: John Yakich

PHONE: [REDACTED]

ADDRESS OF PROPERTY: 5433 Tonawanda Creek

ADDRESS OF OWNER: 5430 Tonawanda Creek

E-MAIL ADDRESS: [REDACTED]

To Consider the Following Request: Build a pole building for storage  
Sold my existing Pole Barn in town of Lockport  
and need a place to store boat, lawn mower, UTV ect

Town Ordinances Affected: restricted to 600 sf 247-34E(1) MAX. SIZE

Variance Sought: 768 sf (24 x 32)  
168 S.F. AREA VARIANCE

Size of Parcel: 147 x 305

Current Zoning: R-2

[Signature]  
Applicant Signature

5-7-26  
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: 5438 Tonawanda Creek  
SBL NUMBER: 166.03-1-22  
OWNER: John Yakich  
OWNER ADDRESS: 5430 Tonawanda Creek  
E-MAIL ADDRESS: [REDACTED]

REASON FOR DENIAL

Proposed accessory structure exceeds the permitted maximum size per Town Code 247-34 E(1).  
  
Proposed: 768 Sq Ft  
Allowable: 600 Sq Ft

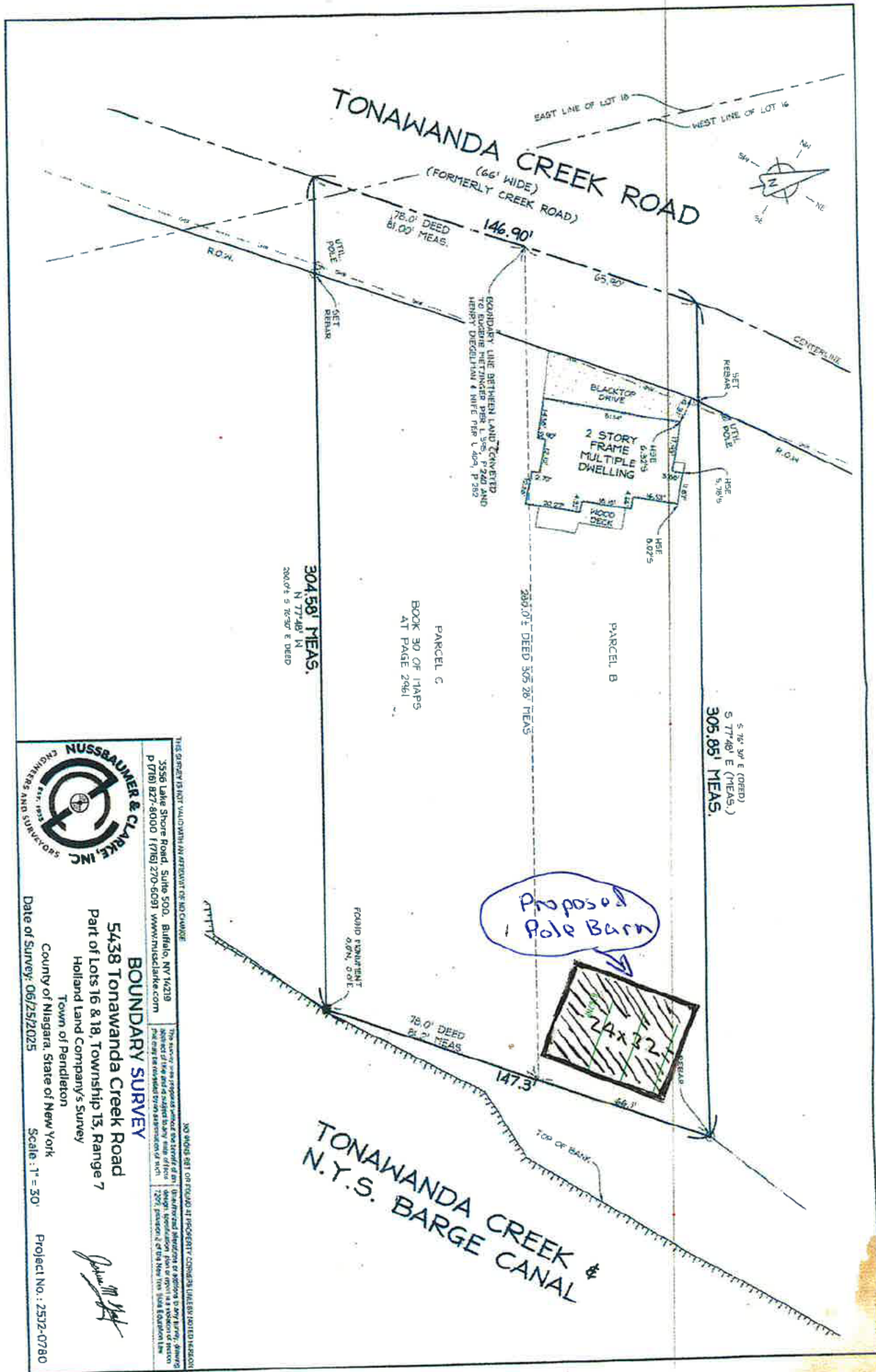
**NOTE: This form and supporting documentation must be filed with the Board of Appeals**

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Code Enforcement Officer

5/7/26  
\_\_\_\_\_  
Date



THE SURVEY IS NOT VALID UNLESS PRESENTED TO THE COURSE  
3556 Lake Shore Road, Suite 500, Buffalo, NY 14219  
P (716) 827-8000 F (716) 270-6091 www.nussclark.com

**BOUNDARY SURVEY**  
5438 Tonawanda Creek Road  
Part of Lots 16 & 18, Township 13, Range 7  
Holland Land Company's Survey  
Town of Pendleton  
County of Niagara, State of New York  
Date of Survey: 06/25/2025

Scale: 1" = 50'

Project No.: 2512-0780

*[Signature]*

NO SHOW SET OR FOUND BY INCIDENTAL CORNER OR UNRECORDED INSTRUMENT  
The fact of an instrument being recorded in the public records does not constitute a warranty of its accuracy or validity. The surveyor is not responsible for the accuracy of the information provided by the client. The surveyor is not responsible for the accuracy of the information provided by the client. The surveyor is not responsible for the accuracy of the information provided by the client.