

**APPROVED**  
**LAKE GEORGE VILLAGE ZONING BOARD MEETING**  
**JANUARY 4, 2012- 7:00PM**  
**VILLAGE ADMINISTRATION BUILDING**  
**26 OLD POST ROAD - LAKE GEORGE, NY**

**BOARD MEMBERS PRESENT:**

Ron Mogren - Chairman, Dennis Barden, Kevin Merry, Virginia Henry

**BOARD MEMBERS ABSENT:** Tom Sullivan

**OTHERS PRESENT:**

Doug Frost (Enforcement Officer), Carol Sullivan (Secretary), John Fox

Ron Mogren opened the ZBA meeting and the Public Hearing at 7:00 PM. Ron noted there was no public attendance this evening.

**TAX MAP: 251.14-1-25.1**

**OWNER/APPLICANT: JOHN FOX**

**ADDRESS: 22 WEST STREET**

**ZONE: RESIDENTIAL**

**VARIANCE APPLICATION #V05-2011 – PUBLIC HEARING**

Applicant is applying for an area variance. Applicant is seeking relief from the 10 foot side yard setback requirement for the construction of a one story addition and construction of a ground level deck attached to the new addition.

Relief is being sought on the east side of the property. Applicant is seeking a 6 foot setback at the north east corner of the existing single family structure. Applicant is seeking a 5.6 setback at the north east corner of the new addition. Applicant is seeking a 5.2 foot set back at the north east/end corner of the deck. Relief sought is 4 feet, 4.4 feet and 4.8 feet respectively.

John Fox provided a description of the project for the addition at the rear of the house. He is seeking a variance so the new addition will align with the rest of the house. An alternative would be to use the current/new setback requirements for the sideyard. In doing so however, the addition will look like an addition and he would prefer to have the entire house appear as 4-square colonial as originally designed. He would prefer not to have the addition look like an addition but rather as though it is actually part of the existing structure.

Ron asked Carol if there had been public comment in response to letters sent to the neighboring properties. Carol indicated there had been no public comment. John mentioned he spoke with the neighbor on the east side; the neighbor directly affected by the granting of a variance. His neighbor had no objection to the variance.

Ron polled the board for comment. The board agreed, the continuation of the site line was more aesthetically pleasing than putting the addition on to compensate for the current setback requirements. Dennis pointed out the neighboring property is a double lot and the house on this particular lot is a good distance away from John's house.

**APPROVED**  
**LAKE GEORGE VILLAGE ZONING BOARD MEETING**  
**JANUARY 4, 2012- 7:00PM**  
**VILLAGE ADMINISTRATION BUILDING**  
**26 OLD POST ROAD - LAKE GEORGE, NY**

Noting there was no public attendance, Ron Mogren made a motion to close the Public Hearing at 7:10.

**MOTION 2<sup>ND</sup>:** Kevin Merry

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Aye	Aye	Aye	Absent

Ayes = 4 Nays = 0. Motion carried.

**MOTION:** Ron Mogren made a motion to grant the variance for a 6 foot setback at the north east corner of the existing single family structure, a 5.6 setback at the north east corner of the new addition and a 5.2 foot set back at the north east/end corner of the deck. Relief sought is 4 feet, 4.4 feet and 4.8 feet respectively. This motion is based on the following Fact Finding items:

1. The benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood or community is greater because there is not much of an impact to the neighborhood.
2. The variance will not have an undesirable effect on the character of the neighborhood because the addition will enhance the single family residence and add to the character of the neighborhood.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the alternative to have the addition meet the required setback would create a structure that is not squared of; i.e. an addition that looks like an addition. The applicant prefers to keep the structure in keeping with the design of the original house and this board agrees.
4. The requested area variance is not substantial because the requested setback is minor in nature.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because the only impact could be stormwater runoff, however, the property at the rear of the structure is large enough to handle stormwater runoff and the applicant mentioned he has plans to implement stormwater runoff controls; this will be reviewed by the Planning Board. There is no other physical or environmental impact to this addition at the rear of the original structure.
6. The alleged difficulty was not self-created because the current zoning law requires a 10 foot sideyard setback and the original structure was built prior to the current zoning laws.

**MOTION 2<sup>ND</sup>:** Dennis Barden

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Aye	Aye	Aye	Absent

Ayes = 4 Nays = 0. Motion carried.

**APPROVED**  
**LAKE GEORGE VILLAGE ZONING BOARD MEETING**  
**JANUARY 4, 2012- 7:00PM**  
**VILLAGE ADMINISTRATION BUILDING**  
**26 OLD POST ROAD - LAKE GEORGE, NY**

**MINUTES**

***September 7, 2011***

Ron Mogren made a motion to approve the September minutes.

**MOTION 2<sup>ND</sup>:** Ginny Henry

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Aye	Aye	Aye	Absent

Ayes = 4 Nays = 0. Motion carried

***October 6, 2011***

Ron Mogren made a motion to approve the October minutes.

**MOTION 2<sup>ND</sup>:** Kevin Merry

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Aye	Absent from October 2011 meeting.	Aye	Absent

Ayes = 3 Nays = 0. Motion carried

Ron Mogren made a motion to adjourn the meeting at 7:30 PM, seconded by Kevin Merry and unanimously carried.

Aye – 4 Nay - 0 Motion carried.

Respectfully submitted,  
Carol Sullivan  
January 10, 2012