

**APPROVED - MINUTES
LAKE GEORGE VILLAGE ZONING BOARD MEETING
NOVEMBER 6, 2013- 7:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY**

BOARD MEMBERS PRESENT: Ron Mogren - Chairman, Dennis Barden, Kevin Merry, Tom Sullivan
BOARD MEMBERS ABSENT: Mike Ravali

OTHERS PRESENT: Carol Sullivan (Secretary), Jeff Milet.

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

**TAX MAP: 264.06-2-32 and 264.06-2-31
OWNER: ATLANTIC NATIONAL TRUST
REPRESENTED BY: JEFF MILET
ADDRESS: 35 DIESKAU ST.
ZONE: COMMERCIAL MIXED USE
VARIANCE APPLICATION #1367V – PUBLIC HEARING**

The property line between these lots currently runs east and west. The property owner has requested a property line adjustment to have the property line between the two lots run north and south. This property line adjustment will create one lot for the existing cottages and one vacant lot. Moving the property line to the north and south position will require a variance for the rear setback for the lot which the existing cottages will be located on. The Lake George Village zoning code requires a rear setback of 20 feet. The property owner is requesting a 2 foot rear setback. Relief sought is 18 feet.

Ron Mogren asked Jeff why dividing the property was necessary thus creating the need for a variance. Jeff explained the property is currently bank owned after being acquired through foreclosure. Hal Halliday and Jeff currently manage the property in the summertime renting the cabins to foreign students. The ultimate goal, however is to sell the property. As currently divided the property line runs through one of the cabins; there are two lots with the property line between both running through the middle cabin. The two lots consist of cabins and a large portion of property fronting Dieskau St which is vacant and unusable. Dividing the lots in the north and south direction will eliminate the problem of the property line through the cabin and will create one vacant, buildable lot on Dieskau. The lots then can be sold individually.

Ron asked Carol if the vacant lot created by this adjustment would be a buildable lot. Carol assured Ron it is, 10,000 square feet are required in the Residential Mixed Use Zone; the lot created will be 10,500 square feet.

The Board discussed the requested 2 foot setback. Rear lot setbacks in this zone are 20 feet therefore, if anything is constructed on the newly formed vacant lot a structure would be at least 22 feet away from the cabins. The Board agreed that the 2 foot setback made sense because there is no need for additional property behind the cabins.

Ron Mogren made a motion to approve the application and addressed the benefit to the applicant as weighed against the detriment to the health safety and welfare of the neighborhood or community is greater because

1. An undesirable change will not be produced in the character of the neighborhood or will

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not be a detriment to nearby properties because the use of the property is not changing and if something new is built on one or both lots it will have to be a satisfactory use as allowed in this zone.

2. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the current property line runs through one of the cabins. To move it north or south in order to remove it from the cabin would not achieve the goal of having one vacant property and one property for the cabins.
3. The area variance may be substantial in allowing 18 feet of relief but as the property currently exists there is no reason for more than a 2 foot setback behind the cabins therefore, the Board does not view it the variance as substantial.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because the property currently exists as occupied; adjusting the property line does not create an adverse effect or impact. _
5. The alleged difficulty was not self-created _____

MOTION 2ND: Tom Sullivan

Ron Mogren	Dennis Barden	Kevin Merry	Mike Ravalli	Tom Sullivan
Aye	Aye	Aye	Absent	Aye

Ayes = 4 Nays = 0 Motion carried.

MOTION: Ron Mogren made a motion to close the public hearing and adjourn the meeting at 7:25 PM..

MOTION 2ND: Kevin Merry

Ron Mogren	Dennis Barden	Kevin Merry	Mike Ravalli	Tom Sullivan
Aye	Aye	Aye	Absent	Aye

Ayes = 4 Nays = 0 Motion carried.

Respectfully submitted,
Carol Sullivan
November 13, 2013