

**APPROVED**  
**LAKE GEORGE VILLAGE ZONING BOARD MEETING**  
**JUNE 6, 2012- 7:00 PM**  
**VILLAGE ADMINISTRATION BUILDING**  
**26 OLD POST ROAD - LAKE GEORGE, NY**

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS ABSENT:**

**OTHERS PRESENT:**

Doug Frost (Enforcement Officer), Carol Sullivan (Secretary), Dennis Quirk

Ron Mogren opened the ZBA meeting and the Public Hearing at 7:05 PM.

**TAX MAP: 264.06-2-20**

**OWNER: KARINE SCROGGY**

**APPLICANT: JAMES D. QUIRK JR.**

**ADDRESS: 31 DIESKAU ST**

**ZONE: RESIDENTIAL MIXED USE**

**VARIANCE APPLICATION #V04-2012 – PUBLIC HEARING**

Applicant is applying for an area variance. Applicant is seeking relief from the 10 foot side yard setback requirement and also from the required 10 foot front yard setback.

Applicant is seeking a 4.8 foot side yard setback for relief of 5.2 feet. Applicant is also seeking a 5 foot front yard setback for relief of 5 feet. Applicant is proposing new construction of a 4 bay garage at ground level and two upper level dwelling units.

- Dennis explained to the Board he is considering buying this property. He is going to demolish the old buildings located on Cortland Street.
- Ron commented that he likes the improvements but questioned why the front yard setback is needed. This property is fairly big at the Cortland St. location and Ron asked if the proposed new building could be moved closed to the home (to the East) and further away from the road. This would avoid having a variance for the front yard.
- Dennis explained he is going to add some additional paving for additional parking. Dennis explained there will be garages in the area where the current structures are. In order to get into the garages easily he feels he needs the variance. Dennis commented that there is already a gravel area that runs North/South and he measured from the property line so the total footage away from the road is approximately 15 feet. Dennis mentioned there will be a 4 bay garage at ground level and 2 dwelling units above the garages; he would prefer to have the structure as far away from the main house as possible.
- Dennis Barden confirmed with Dennis that the proposed buildings will be further away from the road than the existing building.
- Dennis proposed having a setback of 7 ½ feet. Ron polled the Board members. The Board agreed the compromise seemed reasonable.
- The building will have a front setback from Cortland St. of 7 ½ feet. Relief is 2 ½ feet.
- The Board reviewed the request for a variance on the side yard. The existing buildings have a 4.8 foot setback. The required side yard setback is 10 feet. Dennis is seeking a 5.2 foot side yard variance.

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**MOTION:** Ron made a motion to allow for 2.5 foot relief for the front yard setback and to allow for 5.2 relief on the side yard setback.

**MOTION 2<sup>ND</sup>:** Tom Sullivan

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

Ayes = 5 Nays = 0. Motion carried.

**MOTION:** Ron Mogren made a motion to grant the requested variances. 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 no detriment, this is an improvement.
2. The variance will not have an undesirable effect on the character of the neighborhood because the change is an improvement.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because there is no other feasible method for moving the proposed building to within the required setback requirement. The Board did, however, reach an agreement with the applicant to move the building an additional 2 ½ feet, creating a 7 ½ foot front yard setback. The side yard variance is necessary because the driveway is already existing.
4. The requested area variance is not substantial because relief sought is 2 ½ feet and 5.2 feet.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because this is an improvement.
6. The alleged difficulty was not self-created.

**MOTION 2<sup>ND</sup>:** Tom Sullivan

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

Ayes = 5 Nays = 0. Motion carried.

Ron made a motion to close the public hearing

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

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

Ayes = 5 Nays = 0. Motion carried.

**MINUTES – FEBRUARY 1, 2012**

**MOTION:** Ron made a motion to approve the February 1, 2012 minutes.

**MOTION 2<sup>ND</sup>:** Tom Sullivan

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Aye	Absent from Feb 1 mtg.	Aye	Aye

Ayes = 5 Nays = 0. Motion carried.

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**MOTION:** Dennis Barden made a motion to adjourn the meeting at 7:20 PM

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

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

Ayes = 5 Nays = 0. Motion carried

Respectfully submitted,

*Carol Sullivan*

June 11, 2012