

**LAKE GEORGE VILLAGE ZONING BOARD OF APPEALS MEETING
VILLAGE ADMINISTRATION BUILDING – 26 OLD POST RD.
AUGUST 5, 2009
MINUTES
APPROVED OCTOBER 7, 2009**

BOARD MEMBERS PRESENT: RON MOGREN, CHAIRMEN, KEVIN MERRY, CHUCK LUKE, DICK BUTLER.

OTHERS PRESENT: EDRIE SQUIRES (SECRETARY), DOUG FROST (ENFORCEMENT OFFICER), MICHAEL STAFFORD, JIM BELL, LENA CHASE, WM. KEITH HUNTINGTON, JOE MASTRODEMENICO

Chairman Mogren called the meeting to order at 7 PM and opened the Public Hearing for the Michael Stafford variance application.

TAX MAP: 251.10-3-33

OWNER/APPLICANT: MICHAEL STAFFORD

PETTIS ST.

ZONE: RESIDENTIAL

AREA VARIANCE APPLICATION # 0940

- Applicant is seeking relief from the side yard setback requirement of 15 feet.
- Relief sought is 5 feet on each side yard for a 10 foot setback on each side yard.
- Lot size = 50' x 110' (5,500 square feet)
- Residence = 24' x 40' (footprint = 960 sq. ft.)

Ron Mogren went over the applicant's application and the variance being sought. Ron asked the board if they had any comments this evening.

Mike Stafford provided the Board with an overview of the street elevation – on Pettis St. looking at the front of the house. The steps at the front have been turned and face parallel to the house rather than facing Pettis St. as shown in the previous drawings presented last month. Mike also presented the rear elevation and north elevation. Mike mentioned he recently had the lot surveyed which shows the actual location of the house on the plot plan; he presented this view to the board as well.

At this point Ron Mogren asked for public comment.

Lena Chase – 20 Norman St. Stated she previously owned the lot. She went on to state, the surveyors found some errors but she doesn't believe there should be errors because there is a tree that is the marker. There shouldn't be any reason why someone can't build a house on the lot.

Wm. Keith Huntington – 18 Pettis St. Lives adjacent to Mike's lot and he doesn't have any problem with the proposal.

Mike Stafford – For the record wanted to let the board know, Charles Leonelli who lives across from the lot called Mike today and offered to speak favorably at tonight's meeting. Mike told Mr. Leonelli he didn't think it would be necessary.

Hearing no other public comment Ron Mogren made a motion to close the Public Hearing.

Motion Second: Chuck Luke

Dick Butler – aye. Kevin Merry – aye.

Motion carried.

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Motion by Ron Mogren to accept the variance as applied for 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 to the neighborhood.
2. The variance will not have an undesirable effect on the character of the neighborhood because this is a new home and it won't produce an undesirable effect.
3. After reviewing other alternatives the Board agreed the benefit sought by the applicant cannot be achieved by some other method. The applicant has already reduced the size of the house (24 feet wide) to achieve the maximum setback possible.
4. The requested area variance is not substantial because the setback will be 10 feet on either side with a 5 foot relief on either side.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because construction is for a single family residence in a residential zone.
6. The alleged difficulty was not self-created because the lot size is preexisting.

Motion Second: Kevin Merry

Chuck Luke – aye. Dick Butler – aye.

Motion carried.

MINUTES

Motion: Ron Mogren made a motion to approve the July 1, 2009.

Motion Second: Kevin Merry

Chuck Luke – aye. Dick Butler – Aye.

Respectively Submitted
Carol Sullivan