

**APPROVED - MINUTES  
LAKE GEORGE VILLAGE ZONING BOARD MEETING  
JUNE 12, 2013- 7:00 PM  
VILLAGE ADMINISTRATION BUILDING  
26 OLD POST ROAD - LAKE GEORGE, NY**

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

**BOARD MEMBERS ABSENT:**

**OTHERS PRESENT:** Doug Frost (Enforcement Officer), Carol Sullivan (Secretary), John Carr, Deacon Frost, Doug Coon, Karen Miller, Alan Miller, Robert Gunther, Robb Hickey

Ron Mogren opened the ZBA meeting and the Public Hearing at 7:00 PM.

**TAX MAP: 251.18-3-37  
OWNER/APPLICANT: DOUG COON  
ADDRESS: 127 CANADA ST  
ZONE: COMMERCIAL MIXED USE  
VARIANCE APPLICATION #1337V – PUBLIC HEARING**

Fun World is located on the corner of Canada St. and McGillis Ave. Lake George Village Code allows for one A-frame sign per storefront. Since this business is on a corner and there are two egresses – one on Canada St. and one on McGillis – the owner is seeking a variance in order to have two A-frame signs from September through May (the dates that A-frame signs are allowed to be out).

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 not be a detriment to nearby properties because this is a temporary sign intended to be out in the off season. The sidewalk is wide enough on McGillis and it will not disrupt foot traffic which is light in the off season.
2. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because this is a temporary sign which will be allowed on the sidewalk in the off season. Since this is a corner lot and there is an egress on McGillis Ave. there is not another feasible alternative to let people know who are traveling McGillis that the business is open in the off season.
3. The area variance is not substantial because it is for an additional temporary sign to be used in the off season.

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4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because there is no physical or environmental impact.
5. The alleged difficulty was not self-created. \_\_\_\_\_

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

|            |               |             |              |              |
|------------|---------------|-------------|--------------|--------------|
| Ron Mogren | Dennis Barden | Kevin Merry | Mike Ravalli | Tom Sullivan |
| Aye        | Aye           | Aye         | Aye          | Aye          |

Ayes = 5 Nays = 0 Motion carried.

**TAX MAP: 251.18-2-16  
OWNER/APPLICANT: KAREN MILLER  
ADDRESS: 104 COOPER ST.  
ZONE: SINGLE FAMILY RESIDENTIAL  
VARIANCE APPLICATION #1345V – PUBLIC HEARING**

Application is to install an accessory structure at the rear of the property. At this location the rear yard setback is 20 feet. Applicant is requesting a 10 foot rear yard setback. Relief sought 10 feet.

Robb Hickey who is the property owner to the rear requested that the property owner at 104 Cooper St. be allowed a zero setback. He would rather look at the back of the shed than items that may be stored behind the shed.

Carol explained to the Board that a zero setback would be a greater variance request than the variance applied for. A neighboring property owner cannot request an increase in the Variance but can request a decrease. For instance if Robb felt the shed was too close to his property he could request a lesser variance or a greater set back providing he could provide ample support for such a request. The applicant can file for another variance for a zero setback if she so chooses.

The applicant indicated they are comfortable with the 10 foot request particularly because of the slope of the land in the corner of the property.

Tom Sullivan made a motion that the variance as applied for in application 1345V be approved as applied for with the stipulation that nothing be stored behind the shed. Ron added 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 not be a detriment to nearby properties because adding a shed for storage is not an undesirable change and with the added condition regarding storage there is not detriment to the nearby properties.

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2. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the location of the shed is necessary in order to maintain access to a cabin located at the rear of the property and because of the addition of the pool and enlarged deck.
3. The area variance is not substantial because it is for a shed and still allows for a 10 foot rear setback behind the shed.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because there is no physical or environmental impact.
5. The alleged difficulty was not self-created \_\_\_\_\_

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

|            |               |             |              |              |
|------------|---------------|-------------|--------------|--------------|
| Ron Mogren | Dennis Barden | Kevin Merry | Mike Ravalli | Tom Sullivan |
| Aye        | Aye           | Aye         | Aye          | Aye          |

Ayes = 5 Nays = 0 Motion carried.

**OWNER/APPLICANT: JOHN CARR  
TAX MAP: 264.06-2-40  
ADDRESS: 33 CANADA ST.  
ZONE: COMMERCIAL MIXED USE  
VARIANCE APPLICATION 1347V – PUBLIC HEARING**

Applicant is seeking a rear yard setback for an L-shaped accessory structure at the northwest corner of the property. At this location the rear yard setback is 15 feet. Applicant is requesting an 8 foot rear yard setback. Relief sought 7 feet. This amends a previous Variance allowed in a decision order dated November 11, 2012; the rear yard setback will be 8 feet and will replace the previous variance granted.

John explained to the Board that the reason he needed an adjustment of the previous variance is because his contractor poured the cement slab in the wrong place. Dennis objected to this variance saying it was John's contractor's fault and he believed it should be fixed to adhere to the previous variance granted.

Ron Mogren made a motion to approve the application for a rear yard setback of 8 feet/7 foot relief. This approval supersedes the variance approval granted on November 11, 2012 for the rear yard setback only. 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 not be a detriment to nearby properties because this is an 8 foot setback which sets the structure deeper into the property and does not affect the character of the neighborhood. There is no detriment.

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2. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the concrete pad has been poured with the 8 foot rear yard setback.
3. The area variance is not substantial because an 8 rear yard setback is not substantial in this area.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because there is no physical or environmental impact.
5. The alleged difficulty was not self-created \_\_\_\_\_

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

|            |               |             |              |              |
|------------|---------------|-------------|--------------|--------------|
| Ron Mogren | Dennis Barden | Kevin Merry | Mike Ravalli | Tom Sullivan |
| Aye        | Nay           | Aye         | Aye          | Aye          |

Ayes = 4 Nays = 1 Motion carried.

**MOTION:** Ron Mogren made a motion to adjourn the meeting at 7:40 PM

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

|            |               |             |              |              |
|------------|---------------|-------------|--------------|--------------|
| Ron Mogren | Dennis Barden | Kevin Merry | Mike Ravalli | Tom Sullivan |
| Aye        | Aye           | Aye         | Aye          | Aye          |

Ayes = 5 Nays = 0. Motion carried

Respectfully submitted,

**Carol Sullivan**

June 26, 2013