

State of New York
County of Fulton
Town of Caroga

Notice of Decision from the Zoning Board of Appeals

Date: March 18, 2020

A Public Hearing before the Zoning Board of Appeals of the Town of Caroga was held on March 18, 2020 at 7:00 pm via conference call (per Governor's Executive Order 202.1) to consider

Application Number [Z2020-02](#),

by Lynn Garski, 3474 Woodlands Circle, Macedon, NY 14502

for the property located at 621 South Shore East Caroga

and identified as parcel [SBL#83.13-7-5](#) in LF-2.5 zoning district, APA Low Intensity.

The property owner proposes to build a new garage. Said property is a legal, noncomplying lot. The property owner had a garage but tore it down because it was in poor condition and the property owner needed that square footage for new front and rear decks for the house. This consideration involves the following sections of the local [Zoning Ordinance](#). [Article 4, Section I, Subsection B](#) lists the applicability of regulations and states "No building or structure shall herein be erected, constructed or altered to exceed the dimensional standards of the zoning district said building or structure is located within." The actual area of the lot is 11,319 square feet. The proposed garage will put the allowed 10 percent coverage over by 248 square feet. [Article 9, Section VI, Subsection B](#) discusses noncomplying lots and states "Where 2/3

of current minimum yard setbacks and other dimensional requirements cannot be met, the owner shall have the right to apply for one or more area variances.” The proposed garage is located 10 feet off the western property line. As per the 1/3 allowance of the 20 foot side yard setback, this is encroaching by 3.33 feet.

The variance was granted subject to the condition that the applicant obtain a survey of the side where the proposed garage will be built to accurately ensure side setback distance.

The Zoning Board of Appeals (ZBA) variance will be referred by the ZBA to the Adirondack Park Agency (APA). The APA has 30 days after it receives a complete referral to reverse the granting of the variance. If the variance is not reversed by the APA, then building plans would be reviewed and a determination made about whether to issue a building permit.

Zoning Board of Appeals Chair
Douglas H. Purcell, Jr.

DHP/JML