

State of New York  
County of Fulton  
Town of Caroga

Notice of Decision from the Zoning Board of Appeals

Date: April 2, 2020

A Public Hearing before the Zoning Board of Appeals of the Town of Caroga was held on April 2, 2020 at 7:00 pm via conference call (per Governor's Executive Order 202.1) to consider

Application Number [Z2020-04](#),

by Robert Baker & Lorraine Mott, PO Box 353, Caroga Lake NY 12032

for the property located at 118/120 Webster Road in the Town of Caroga

and identified as parcels [SBL#52.14-2-23](#) and [SBL#52.14-2-24](#) in LF-2.5 zoning district, APA Low Intensity.

The property owner proposes to demolish two camps and a garage and rebuild two new structures and a new garage

[Article 4, Section I, Subsection B](#) of the [Zoning Ordinance](#) 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."

With the condition that the applicants will combine the two parcels, the existing lot coverage of 11% is 1% over the allowed 10%. The proposed lot coverage will be increased by 6% for a

total of 17%. This will be 7% over the allowed 10% in the LF-2.5 zoning district.

[Article 9, Section VI, Subsection A](#) of the Zoning Ordinance lists noncomplying lots and states “ If a lot of record, duly existing prior to the adoption of this Ordinance or any applicable amendment thereto, fails to meet applicable density, set back or lot size standards as set forth herein, the lot may be developed with any allowable use listed for the zoning district in which such noncomplying lot is located provided that such lot has sufficient width, depth, and area to undertake development that will meet at least two-thirds of the current minimum yard setbacks, and other dimensional requirements.” [Article 9, Section VI, Subsection B](#) states “Where two-thirds 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.”

This allowance sets the front yard setback at 16.5 feet and the side yard setback at 13.3 feet. The shoreline setback is 75 feet.

The proposed encroachment on the front yard setback of 16 feet 6 inches for the primary structures (breezeway) is 5 feet and the encroachment for the garage (accessory structure) is 9 feet 10 inches.

The proposed side yard setback remains the same as the existing setback at 5 feet, which is an 8 foot 2 inch encroachment.

The shoreline setback for the proposed structures is 40 feet, which is 1.5 feet closer to the water than the existing encroachment. (Note: shoreline setback of 46 feet is incorrectly noted on the survey.) Refer to site plans.

The variance was granted with the condition that the applicants proceed with the lot line adjustment to combine the two parcels.

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 (Executive Order 202.11 temporarily suspends the 30-day rule). 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