

# TOWN OF CAROGA

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## OFFICE OF CODE ENFORCEMENT

MUNICIPAL OFFICE BUILDING  
1840 STHWY 10, P.O. BOX 328  
CAROGA LAKE, NY 12032  
Telephone: (518) 835-4211 ext. 25  
Email: carogacodes@nycap.rr.com

## DENIAL NOTICE

Date: October 9, 2019

To: Town of Caroga Zoning Board of Appeals (ZBA)

Subject: Michael F. Geraghty  
118 West Stoner Lake Road  
Caroga Lake, NY 12032

Mailing Address: Michael F. Geraghty  
PO Box 8  
Caroga Lake, NY 12032

SBL#: 24.6-2-56

Zoned: LF-1 – Lakefront 1 Acre

The property owner proposes to build a garage that is 24' wide by 40' long.

Article 4: District Regulations of the Zoning Ordinance lists the uses permitted by right, the uses permitted by site plan review and dimensional requirements for each zoning district established by this section of this ordinance. LF-1 zoning districts have building setbacks of 25 feet for the front and 20 feet from the rear and side lines of the property, 75 feet from the waterfront and 25% lot coverage.

Article 9, section 6, subsection A allows two thirds reduction of all setbacks. The property owner would need a variance for the rear setback which at minimum would be 13 feet. The proposed garage would be 8' from the rear property line.

A variance of 5 feet for the rear line setback would be required prior to review of any building plans. If the variance is granted by the Zoning Board of Appeals and the Adirondack Park Agency (APA), building plans for the garage would then be reviewed and a determination would be made about whether to issue a building permit.

Sincerely,



John Duesler  
Code Enforcement Officer  
Town of Caroga

ZONING BOARD OF APPEALS  
TOWN OF CAROGA, NY

Application for Zoning Board of Appeals

Appeal Number: Z2019-06 Dated: 2019-10-09

To the Zoning Board of Appeals, Town of Caroga, New York.

I (we) \_\_\_\_\_ (name of applicant)

\_\_\_\_\_ (mailing address)

\_\_\_\_\_

HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE  
CODE ENFORCEMENT OFFICER ON APPLICATION FOR:

Building Permit Number: \_\_\_\_\_ Dated: \_\_\_\_\_

WHEREBY THE CODE ENFORCEMENT OFFICER:

( ) GRANTED

(X) DENIED

Name of Permit Applicant: Michael F. Geraghty II

Property Location/Street Address: 118 W. Stoner Lake Rd.

Section, Block and Lot Number: 24.6-2-56

Zoning District of said Property: Caroga

Type of Permit Applied for: Building Permit

Is this applicant in need of a certificate for continuation of a nonconforming use: NO

Is the applicate seeking a review of the decision of the code officer: (Yes) / No

Provisions(s) of the Zoning Ordinance (Local Law) Appealed:  
Indicate the article, subsection and paragraph of the Zoning Ordinance that is being appealed by number.  
Do not quote the Ordinance.

ARTICLE: 4 SECTION: I SUBSECTION: B PARAGRAPH: \_\_\_\_\_

Type of Appeal this application pertains to:

( ) An interpretation of the zoning ordinance or zoning map

(X) A variance to the zoning ordinance

Previous Appeals:  
A previous appeal:  
    ( ) has  
    (~~X~~) has not been made with respect to this decision of the building inspector or with respect to the property.  
Such appeal(s) was (were) in the form of  
    ( ) a requested interpretation  
    ( ) a request for a variance and was (were) made in;

Appeal No. \_\_\_\_\_, dated: \_\_\_\_\_, 20\_\_\_\_  
Appeal No. \_\_\_\_\_, dated: \_\_\_\_\_, 20\_\_\_\_  
Appeal No. \_\_\_\_\_, dated: \_\_\_\_\_, 20\_\_\_\_  
Appeal No. \_\_\_\_\_, dated: \_\_\_\_\_, 20\_\_\_\_

- Reason for Appeal. Complete Sections below or Use extra sheet if necessary.

A. Interpretation of the Zoning Ordinance or decision of Code Enforcement Officer is requested because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. A variance to the zoning ordinance is requested for these reasons:

1. Strict Application of the ordinance would produce Undue Hardship because:

*I will be building a garage to store belongings, boat, snowmobiles, ATVs, lawn mowers, cars, etc. so that the property and neighborhood look neat and clean making adjacent property look better.*

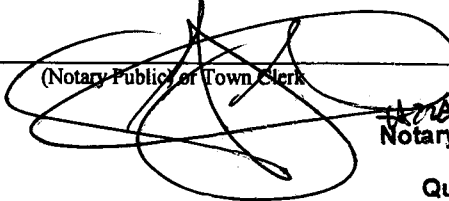
2. The variance would observe the spirit of the ordinance and would Not change the character of the district because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF NEW YORK \_\_\_\_\_ ) ss:  
COUNTY OF ALBANY )

Sworn to me this 8th day of OCTOBER, 2019

*Michael J. Murphy III*  
(Signature)

  
(Notary Public) or Town Clerk

**ANTHONY BLOOMFIELD**  
Notary Public - State of New York  
No. 01-BL6206058  
Qualified in Albany County  
My Commission Exp. 5/18/2021

# Town of Caroga Building Permit Application

## Owner Information:

Name: Michael F. Geraghty III, Michael F. Geraghty Jr, & Kathryn L. Geraghty  
Address: 118 W. Stoner Lake Rd.  
City, State, Zip Code: Caroga Lake, NY, 12032  
Telephone: 518-844-3988

## Contractor Information:

Name: Mohawk Valley Sheds  
Address: 2480 State Hwy 30A  
City, State, Zip Code: Fonda, NY 12068  
Telephone: 518-212-3131  
Insurance Information: \_\_\_\_\_

## Location of Property:

Address (911#): 118 W. Stoner Lake Rd.  
SBL #: 24.6-2-56  
Lot Size: 1.55 acres

## Description of Project:

Garage on 40' x 24' x 6" Concrete Pad  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ Drawings Attached

Estimated Value of Project: \_\_\_\_\_

Code Enforcement Office will fill in Information below.

Permit Type GARAGE

☒ Denied ☐ Approved \_\_\_\_\_

Date of Approval \_\_\_\_\_

Permit Fee \_\_\_\_\_

Paid by Cash or Check # \_\_\_\_\_

Entered in IPS \_\_\_\_\_

Closed/Completed in IPS \_\_\_\_\_

Issue C of C \_\_\_\_\_

Issue C of O \_\_\_\_\_

# Town of Caroga

## Building Permit Application

### Instructions/Signature

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#### **Application for Building Permit and Certificate of Occupancy/Compliance Within the Town of Caroga.**

Application is hereby made to the Code Enforcement Officer for a Building Permit pursuant to the New York State Uniform Fire Prevention and Building Code for the construction of buildings, additions, alterations, removal or demolition as herein described. The applicant agrees to comply with all applicable laws, ordinances, and regulations, etc. as follows:

- A. The applicant shall notify the Code Enforcement Office of any changes in the information contained in the application during the period for which the permit is in effect. A permit will be issued when the application has been determined to be complete and when the proposed work is determined to conform to the requirements of the Uniform Code. The authority conferred by such a permit may be limited by conditions.
- B. A building permit may be suspended or revoked if it is determined that the work for which it pertains is not proceeding in conformance with the Uniform Code or with any condition attached to such a permit, or if there has been a misrepresentation or falsification of a material fact in connection with the application for the permit.
- C. A building permit shall expire one (1) year from the date of issuance or upon the issuance of a Certificate of Occupancy (other than a temporary certificate of occupancy), whichever comes first. The permit may, upon written request, be renewed for successive one-year periods that (1) the permit has not been revoked or suspended at the time the application for renewal is made; (2) the relevant information in the application is up to date; and, (3) the renewal fee is paid.

#### **CERTIFICATION:**

I hereby certify that I have read the instructions and examined this application and know the same to be true and correct. All provisions of Laws and Ordinances covering this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other State or Local Law regulating construction or the performance of construction.

Owner/Authorized Agent: Michael F Geraghty III Date: 10/1/2019