

# 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  
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## DENIAL NOTICE

Date: February 24 , 2019

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

Subject: Baker,Robert / Lorraine, Mott  
118/120 Webster Road  
Caroga Lake NY 12032

Mailing Address: P.O. Box 353  
Caroga, NY 12032

SBL#: 52.14-2-23/24  
Zoned: LF 2.5  
APA land use Low Intensity

The property owner proposes to demolish two camps and a garage and rebuild 2 new structures and a new garage.

Article 4, Section I, Subsection B, of the Zoning Ordinance 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. ZBA approval, if granted will need to be reviewed by the Adirondack Park Agency (APA). If the variance is granted by the ZBA and approved by the APA, building plans would then be reviewed and a determination would be made about whether to issue a building permit.

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 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. (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 two-thirds allowance sets the front yard setback at 16.5, side yard at 13.2 This is a shore line property so the setback in the LF 2.5 is 75'

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

The proposed side yard setback remains the same as the existing at 5' which is a 8' 2" encroachment.

The shoreline setback for the proposed is 40' which is 6' closer to the water than the existing and a 35' encroachment and almost wholly in the shoreline setback. Refer to site plans.

Sincerely,



John Duesler  
Code Enforcement Officer  
Town of Caroga