



TOWN OF WILTON
22 TRAVER ROAD
GANSEVOORT, NEW YORK 12831-9127

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Mark Mykins
Senior Building Inspector
Code Enforcement Officer
Zoning Officer

John Herlihy
Building Inspector
& Code Enforcement Officer

Marcus Hart
Asst. Building Inspector
& Asst. Code Enforcement Officer

DETERMINATION OF ZONING ENFORCMENT OFFICER

DATE: July 8, 2024 ZONING DISTRICT: R-2/R-3

APPLICANT: Stephen & Donna Kloss
ADDRESS: 27 Corinth Mountain Rd.
Gansevoort, New York 12831

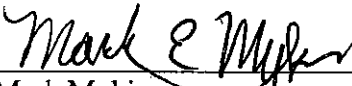
OWNER: Stephen & Donna Kloss
PROPERTY LOCATION: 27 Corinth Mountain Rd.
Gansevoort, NY 12831

TAX MAP NO.: 101.-1-65.11, 101.-1-64 and 101.-1-65.2

PROPOSED USE: Lot Line Adjustments on Lots 1-3

DETERMINATION:

Pursuant to **Schedule B, R-2 Residential Two District. Schedule C, R-3, Residential Three District.** The applicant is proposing to provide two lot line adjustments on existing lots to remove the lot line from going through the existing barn structure on Lot #2 East. Lot #2 has a barn on the south side of the property located 14.00 feet from the new side property line in the R-3 Zone the required setback is 100.00 feet, the amount of relief requested is 86.00 feet. Previous variances given during subdivision in zoning appeal 2021-07



Mark Mykins
Zoning Enforcement Officer

NOTE TO APPLICANT: This is to inform you that you may appeal this determination to the Town of Wilton Zoning Board of Appeals by filing a Notice of Appeal with the Zoning Enforcement Officer and the Zoning Board of Appeals within sixty (60) days of the date this determination was filed in the Code Enforcement Office.
Effective May 30, 2007

ZONING BOARD OF APPEALS
TOWN OF WILTON

APPLICATION FOR AN AREA VARIANCE

Appeal No. 2024-18
Date: 7/11/2024

APPEAL FROM THE DECISION OF THE BUILDING INSPECTION AND
APPLICATION FOR RELIEF UNDER THE ZONING ORDINANCE.

Donna and Stephen Kloss 27 Corinth Mtn. Rd.
(Name of Applicant(s)) (Mailing Address)
Wilton NY 12831
(City/Town) (State) (Zip Code)

Telephone No. [REDACTED] (cell, home, work (circle one))

I (we) hereby appeal to the Zoning Board of Appeals from the Decision of the Building Inspector, denying me (us) permission to adjust 2 lot lines

I. Property Information:

- A. Location of Property (Number and Street): 25, 27 + 29 Corinth Mtn Rd
B. Tax Map No.: 101-65, 101-65-2 C. Zoning District: R-2/R-3
G. Name and address of owner, if other than applicant: _____

- E. Present use of property: residential
F. Has a previous appeal been filed with the board for this property? yes
If yes, when and what number: 2021-07
G. Is premises located within 500 feet from a state park, municipality boundary, state or county highway? Yes If yes, identify: Co. 101
H. Is premises located in an Agricultural District: no

II. Facts upon which this appeal is based:

- A. Provision of the Ordinance appealed: Schedule B, R-2 & Schedule C, R-3
B. Brief description of proposed action: 2 lot line adjustments on existing lots to remove the lot line going through existing barn structure
C. Type of area variance requested: lot line adjustment
D. Requirement in applicable zone: 100 ft.
E. Applicant has (in feet, percent, sf, etc.): 14 ft.
F. Exact amount of relief requested: 86 ft.
(Subtract line E from line D)
G. Has work, use or occupancy to which this appeal relates already begun? no If yes, when? _____
H. Are other approvals needed from any state, county or town agencies: no If so, which ones? _____
Has application for approval been filed for above? _____
I. Is project worth more than \$300,000: Yes _____ No X

- III. Reason for appeal. Use additional sheets of paper, if necessary.
- A. A variance to the Zoning Ordinance is requested for these reasons:
1. An undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will not be created by the granted of the area variance because there will be no physical change
 2. The benefit sought cannot be achieved by some method feasible to pursue, other than an area variance because the current lot line goes through the middle of barn on property
 3. The requested area variance is not substantial because the only ones affected by the change is us (owners) and daughter and son-in-law
 4. The requested area variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because nothing will change physically, just on paper
 5. The alleged difficulty was/ was not self-created because during previous surveys the lines got moved (?)
- (Note: Consideration of Number 5 shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude granting of the area variance.)

- IV. Evidence to be submitted with this application. It is the applicant's responsibility to see that submission is complete. The following items **must** be submitted with two copies of this form with **ORIGINAL SIGNATURES** in order for the application to be considered complete:
- A. Proof of contract to purchase, if property not owned by applicant, or
 - B. Statement from owner that applicant has the right to represent him/her.
 - C. Two copies of a site plan of the property, drawn to scale.
 - D. Environmental Assessment Form, if applicable.
 - E. Filing Fee: Make all checks payable to the Town of Wilton.
- Other information, such as statements from the adjacent landowners, photographs, or any other information that the applicant wishes reviewed may be submitted with this application.
- V. Evidence to be submitted after the application is filed: Adjacent landowners must be notified by certified mail, return receipt requested. The **original white certified receipts** stamped by the post office must be submitted to the board for each adjacent landowner notified. A copy of the notice is to be submitted to the ZBA office for review before mailing. Notification should be made at least two weeks prior to the hearing date, but **NOT UNTIL AFTER**

THE APPLICATION IS FILED. All signed return receipt cards must be submitted. See instruction sheet for more information on notification requirements.

This form must be signed before a notary. Notaries are available at the town hall if needed. Do not sign form until you appear before the notary.

I hereby affirm that the foregoing statements of fact are true, under penalty of perjury, this 11 day of July, 2024.

STEPHEN KLOSS

Donna Kloss

Stephen Kloss

Donna Kloss
Signature of Applicant(s)

**STATE OF NEW YORK
COUNTY OF SARATOGA**

Sworn to this 11 day of July, 2024.

Sandra J. Holcomb
Notary Public

SANDRA J. HOLCOMB
Notary Public, State of New York
Saratoga County #01H00010833
Commission Expires July 10, 2027

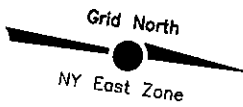
Received by the Wilton Zoning Board of Appeals on 7/11/2024 by Lisa Chesebrough

Reviewed by the Building Department on 7/11/2024 by Mark E. Meyer

PLEASE MAKE SURE TO READ ALL INSTRUCTIONS PRIOR TO FILING APPLICATION. ALL APPLICATIONS MUST HAVE BEEN REFERRED BY THE BUILDING DEPARTMENT.

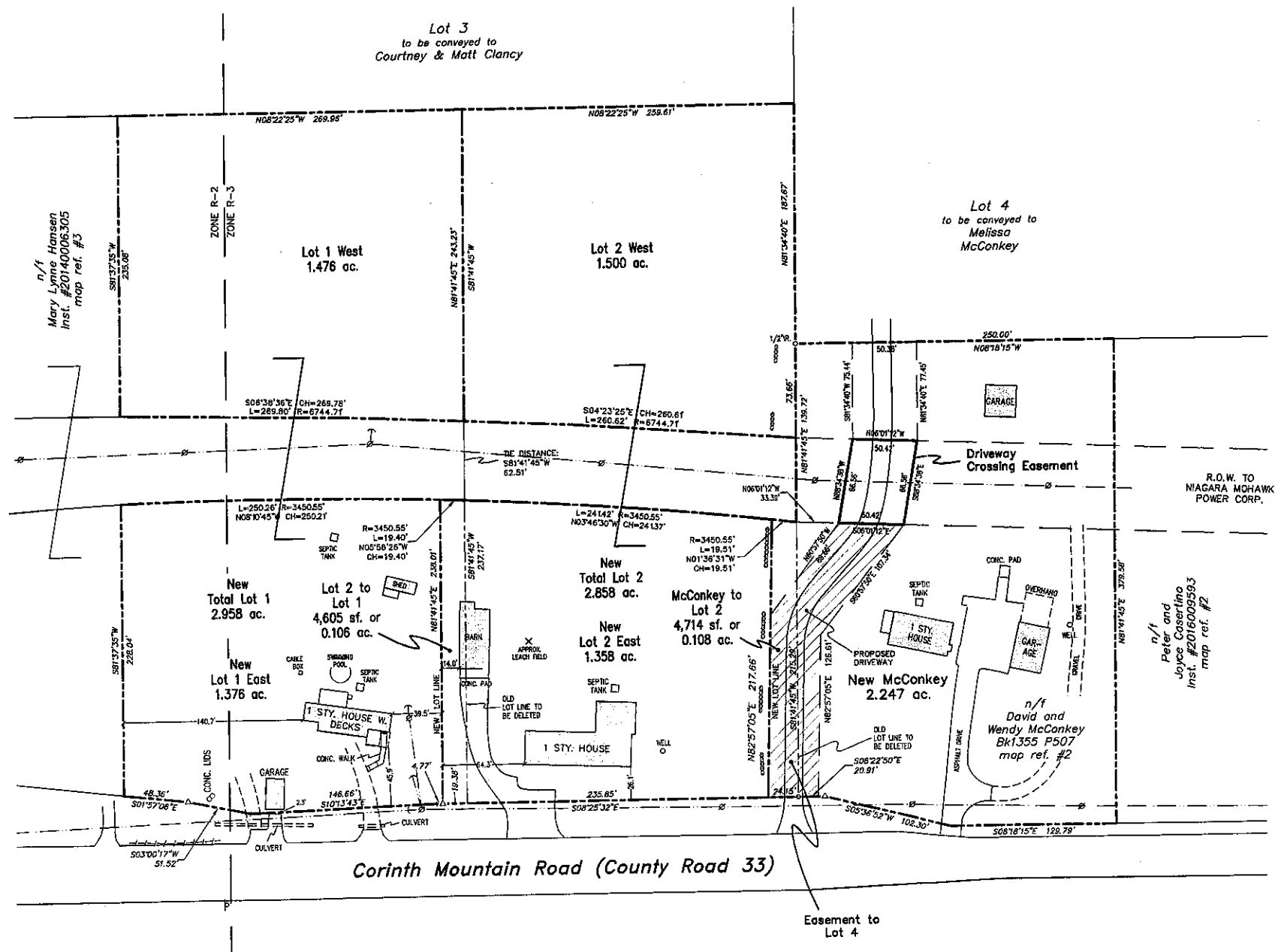
Fees:

| | |
|--|----------------------------|
| Area Variance – Residential-Single & Two Family Homes | \$50.00 |
| Area Variance – Commercial & Multi-Family Units: | |
| Est. < \$300,000 value | \$300.00 |
| Est. > \$300,000 value | \$500.00 |
| Use Variance – Residential-Single & Two Family Homes | \$100.00 (Non-Refundable) |
| Use Variance – Commercial & Multi-Family Units: | |
| Est. < \$300,000 value | \$750.00 (Non-Refundable) |
| Est. > \$300,000 value | \$1250.00 (Non-Refundable) |
| Signs | \$100.00 |
| Special Permit – Residential-Single & Two Family Homes | \$50.00 |
| Special Permit – Commercial & Multi-Family Units: | |
| Est. < \$300,000 value | \$300.00 |
| Est. > \$300,000 value | \$500.00 |
| Interpretations | \$50.00 |



Location Map

Lot Line Adjustment
for
Keiper, Kloss, McConkey & Clancy
Situate at
Corinth Mountain Road
Town of Wilton, Saratoga County NY



JUL 11 2024
TOWN OF WILTON

Map Legend

- 5/8" steel rod set with a tag
- marker found, labeled
- triangular concrete monument found
- utility pole
- overhead wires
- guard rail
- stone wall

Deed References:

- Steven Kloss and Donna Fuller Kloss Bk840 P49
- Steven Kloss and Donna Fuller Kloss Bk962 P876

Map References:

- "Map of a portion of lands of Thomas Baker & Albert Middleton" dated May 21, 1981 revised July 1, 1981 by Coulter & McCormack filed in the Saratoga County Clerk's Office as Map B-96.
- "Proposed Subdivision of lands of Stephen Kloss & wife" dated May 3, 1990 by James Data filed in the Saratoga County Clerk's Office as Map K-197.
- "Subdivision Map for Kenneth J. and Tina M. Yellen" dated June 20, 2003 by Thompson-Fleming Land Surveyors, P.C. filed in the Saratoga County Clerk's Office as Map Y23.
- Niagara Mohawk Power Corp. Spler Falls-Saratoga-Ballston Lake" filed in the Saratoga County Clerk's Office as MapQ-197 Sheet 3 of 15
- Ballard Road County Road No. 33 filed in the Saratoga County Clerk's Office as Map No. 27 Parcel No. 39
- "Lot Line Adjustment and Subdivision Map for Keiper, Kloss, McConkey & Clancy" dated August 18, 2020 last revised 5/25/23 by Thompson-Fleming Land Surveyors, P.C. filed in the Saratoga County Clerk's Office as Map M2023122.

THOMPSON-FLEMING
LAND SURVEYORS, P.C.
Voice: (518) 587-5665
Fax: (518) 587-5772
12 Lake Avenue
Saratoga Springs NY
12866

| DATE | DESCRIPTION |
|---------------------|-------------|
| REVISIONS | |
| DATE: June 6, 2024 | |
| JOB NO.: S20-125.24 | |
| TAX MAP: 999 | |
| SCALE: 1" = 50' | |
| 25 0 25 50 | |

Stephen and Donna Kloss
27 Corinth Mountain Road
Gansevoort, New York, 12831
101.-1-65.2, 101.-1-65.11, 101.-1-64
R-2/R-3

| Zoning Ordinance Section | Required | Proposed | Relief requested |
|----------------------------|---------------------------|--------------------------------|---------------------------------------|
| LOT #2E Schedule C, R-3 | 100 ft. side yard setback | 14 ft. south side yard setback | 86 ft. south side yard setback relief |