CITY OF SARATOGA SPRINGS

ZONING BOARD OF APPEALS

CITY HALL - 474 BROADWAY
SARATOGA SPRINGS, NEW YORK 12866
PH) 518-587-3550 FX) 518-580-9480
WWW.SARATOGA-SPRINGS.ORG

Bill Moore
Chair
Keith Kaplan
Vice Chair
Adam McNeill
Secretary
George "Skip" Carlson
Gary Hasbrouck
James Helicke
Susan Steer

6:30 P.M. **Workshop**

Salute The Flag

Role Call

New Business

1. **#2870 Orangecat Properties, LLC Two-Family**
   78 South Franklin Street, area variance for demolition of existing structure and construction of a new two-family residence; seeking relief from the minimum average lot width and lot area requirements and from the minimum front yard and rear yard setbacks for the new residence in the Urban Residential – 3 District.

   Documents: 2870 ORANGECAT RENOVATION_APP_REDACTED.PDF

2. **#2871 GROSECLOSE AND POLNAC RESIDENCE**
   136 Circular Street, area variance for a new front porch addition to an existing single-family residence; seeking relief from the minimum front and side yard setback requirements within the Urban Residential – 3 District.

   Documents: 2871 GROSECLOSEPOLNACPORCH_APP_REDACTED.PDF

3. **#2872 SBDT VENTURES, LLC SINGLE-FAMILY**
   66 Franklin Street, Area variance for a lot line adjustment and to construct a new single-family residence and detached garage; seeking relief from the minimum mean lot width requirement for the lot, minimum front yard setback, minimum side yard (both sides) setback, minimum total side yard setback and maximum principal building coverage requirements for the house and minimum side yard and rear yard setback requirements for the garage in the Urban Residential – 4 District.

   Documents: 2872 SBDTVENTURESSINGLEFAMILY_APP_REDACTED.PDF

Old Business

1. **#2865 BOUGHTON GARAGE**
   1 Alger Street, area variance to construct an attached garage with second-story master suite addition to an existing single-family residence; seeking relief from the minimum front yard setback (Alger), minimum total side yard setback and maximum principal building coverage requirements in the Urban Residential – 3 District.

Adjourned Items

1. **#2856 MOORE HALL**
   28 Union Avenue/35 White Street, area variance to convert the existing building to a 53-unit apartment building; seeking relief from the minimum lot size and minimum parking requirement in the Urban Residential – 4 District.

2. **#2808.1 CONGRESS HOTEL, LLC SIGNS**
   46 Congress Street South, area variance for construction of wall and freestanding signs for Embassy Suites, seeking relief from the maximum number of wall signs, maximum area of wall and freestanding signs, placement of wall signs on an elevation without street frontage, placement of a wall sign above the first floor level of the building and maximum height of logo within the Transect – 6 District.

Other Business

1. **Appointment Of Officers**

2. **Next Zoning Board Meeting**
   Jan. 25, 2016

3. **Approval Of Draft December Meeting Minutes**

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[FOR OFFICE USE]

(Application #)

REC'D NOV 25 2015

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Jesse George (Orangecat Properties LLC)		Jesse Boucher (Kodiak Construction)
Address	[redacted]		PO Box 657
			Saratoga Springs, NY 12866
Tel./Fax		/	[redacted] / (212) 731-0315
Email			jesse@KodiakofSaratoga.com

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.
Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

Property Address (No. & St.) 78 South Franklin Street Side of St. (north, east, etc.) East

Tax Parcel No.: 165 . 66 - 2 - 31 *(for example: 165.52 – 4 – 37)* Tax District: ☒ Inside ☐ Outside

1. Date acquired by current owner: October 2015 2. Zoning District when purchased: UR-3

3. Present use of property: Three-Family Residential 4. Current Zoning District: UR-3

5. Has a previous ZBA application/appeal been filed for this property? ☐ Yes (when? _____ for what? _____) ☒ No

6. Is property located within (check all that apply)?: ☐ Historic District ☐ Architectural Review District ☐ 500' of a State Park, city boundary, or county/state highway?

7. Brief description of proposed action: Remove the existing 3-unit building due to severe structural inadequacies and zoning violations that prevent rehabilitation. Construct a new two-story, two-family residential building on the property that Includes 1,626 sf of indoor & outdoor living space for each of the two families. Construct a maintenance shed on the rear.

8. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

9. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

10. Identify the type of appeal you are requesting *(check all that apply)*:

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

INTENTIONALLY BLANK

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) _____.

Dimensional Requirements	From	To
Minimum Front Setback	10 ft	6 ft
Minimum Rear Setback	25 ft	15.5 ft
Minimum Lot Size	8,000 sf (2-unit)	6,556 sf (2-unit)
Minimum Width	80 lf (2-unit)	66 lf (2-unit)

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The benefit sought cannot be achieved by other feasible means. An alternative design, using the existing footprint was considered, but surveying showed that the existing structure is built on the City's property, an even greater non-conformity. An alternative design that drops the units from 3-bedroom to 2-bedroom was considered, however the lost revenue from the 2-bedroom model does not work financially for the property. The design submitted in this application is a very efficient 3-bedroom model to provide the appropriate return on investment. The Applicant attempted to purchase 72 South Franklin Street to increase the available property, but the Owner was unwilling to sell.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The design and construction of a residential structure is in-character with the surrounding neighborhood. The request to decrease the front setback to 6' is also in-character with the neighborhood and a sincere improvement over the existing condition (6' over the front property line). The existing building is severely dilapidated, beyond the point of prudent repair. Replacing the existing structure with new construction will greatly improve the character of the neighborhood. The rear setback reduction will not have a negative impact on the neighborhood as it is only 76 sf of structure which overstep the rear setback due to the odd-shape of the parcel, 90% of which is only one-story for an accessory structure that is being attached for greater efficiency, within the required setbacks of an allowable accessory structure.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The requested front and rear setback variances are the minimum distances required to make the project possible in its most efficient form and are not substantial as compared to both the existing structure and the existing neighboring properties. The 4' front setback variance allows for greater ease of parking at the rear, greater access and storage capacity for snow removal, and permits the construction of outdoor living space that serves as a critical design element to add character to the facade and a necessary amenity for the residents. The minimum lot size & width reductions are only 18% each and are not out-of-character with the neighborhood.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The variance will have no adverse physical or environmental effects on the neighborhood or district because its use is consistent as a residential property. The construction of this building will improve zoning compliance of this parcel within the neighborhood as compared to the existing conditions. Lot coverage by the primary structure will decrease from 41% to 30%. Current front setback overage will decrease from 812 sf to 72 sf of structure.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The difficulty posed by the structural deficiencies of the existing structure are not self-created, but were the result of years of neglect and alteration. The difficulty created by proposing a new structure that requires front and rear setback variances is self-created, but the benefit of this new structure greatly out ways any detriment caused by self-creation.

In accord with Article 240-14.4A(1)(b)(6) of the Zoning Ordinance, "any request for an area variance, which shall effect a change in density, shall be applied for and considered as a use variance and decided under criteria for the same". A request that involves any of the following relief will require an application for a use variance and will be decided under the use variance criteria:

(1) Dimensional relief from minimum lot size requirements that would allow additional permitted units and/or uses
(2) Relief from on site parking requirements
(3) Reduction in land area requirements for multi-family units

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

(applicant signature)

(applicant signature)

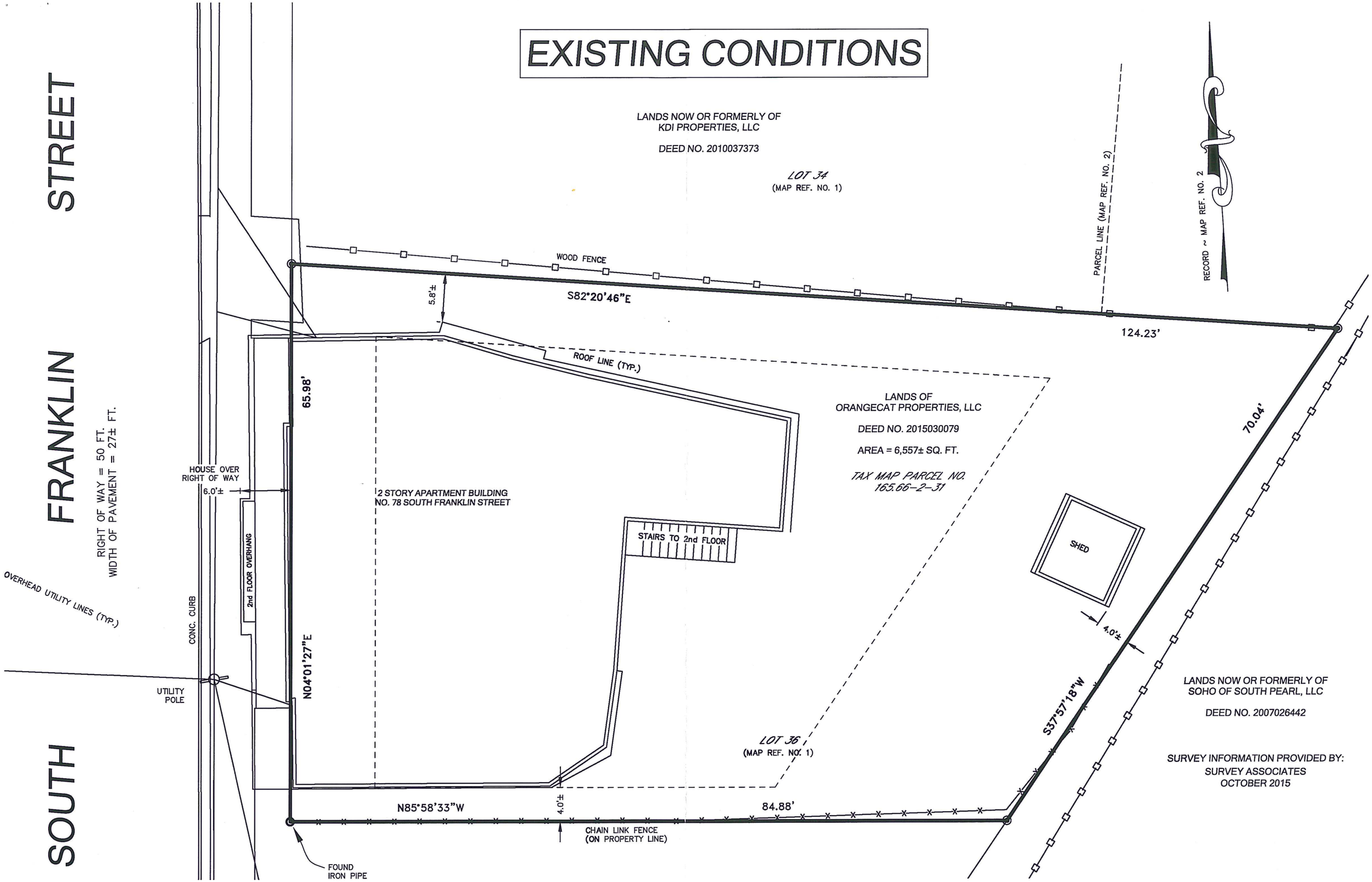
Sworn to before me this date:

Date: 12/1/2015

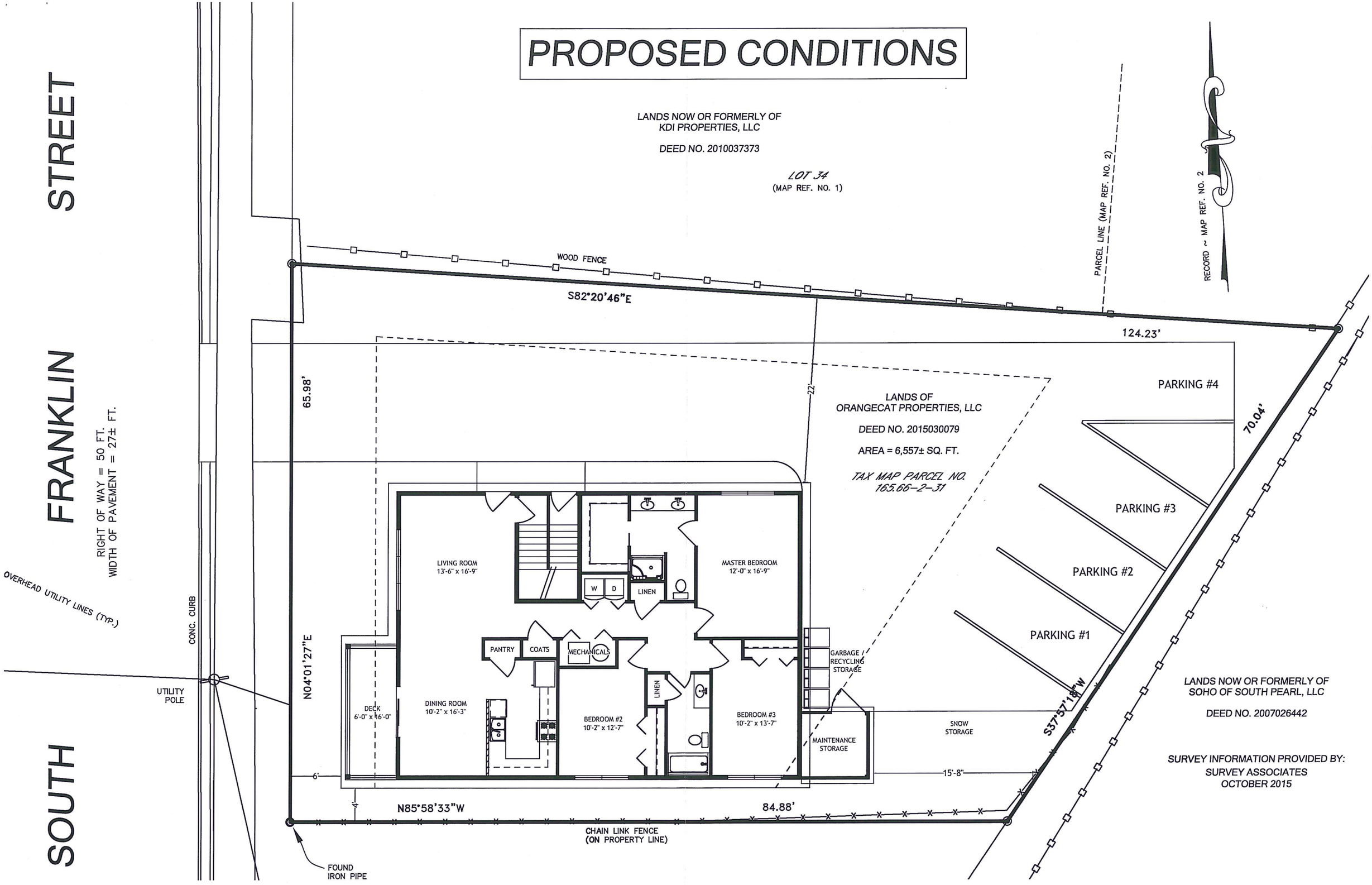
Notary Public

NANCY MACDANIEL
Notary Public in the State of New York
No. 4810298
Residing in Albany County
My Commission Expires March 30, 2018

EXISTING CONDITIONS



PROPOSED CONDITIONS



FRONT ELEVATION

Kodiak CONSTRUCTION INC
PO Box 657
Saratoga Springs, NY 12866

OFFICE LOCATION
372 Broadway
Saratoga Springs, NY 12866
M - F 8:00am - 4:30pm
or by appointment

Office: (518) 587-4847
eFax: (212) 731-0315
info@kodiakofsaratoga.com

November 25, 2015

CLIENT INFORMATION

Jesse George
Orangecat Properties LLC

PROJECT INFORMATION

Project: Residential Duplex
Site: 78 South Franklin Street
Saratoga Springs, NY 12866
Phone: (315) 292-3431
Email: jgeorge20@gmail.com

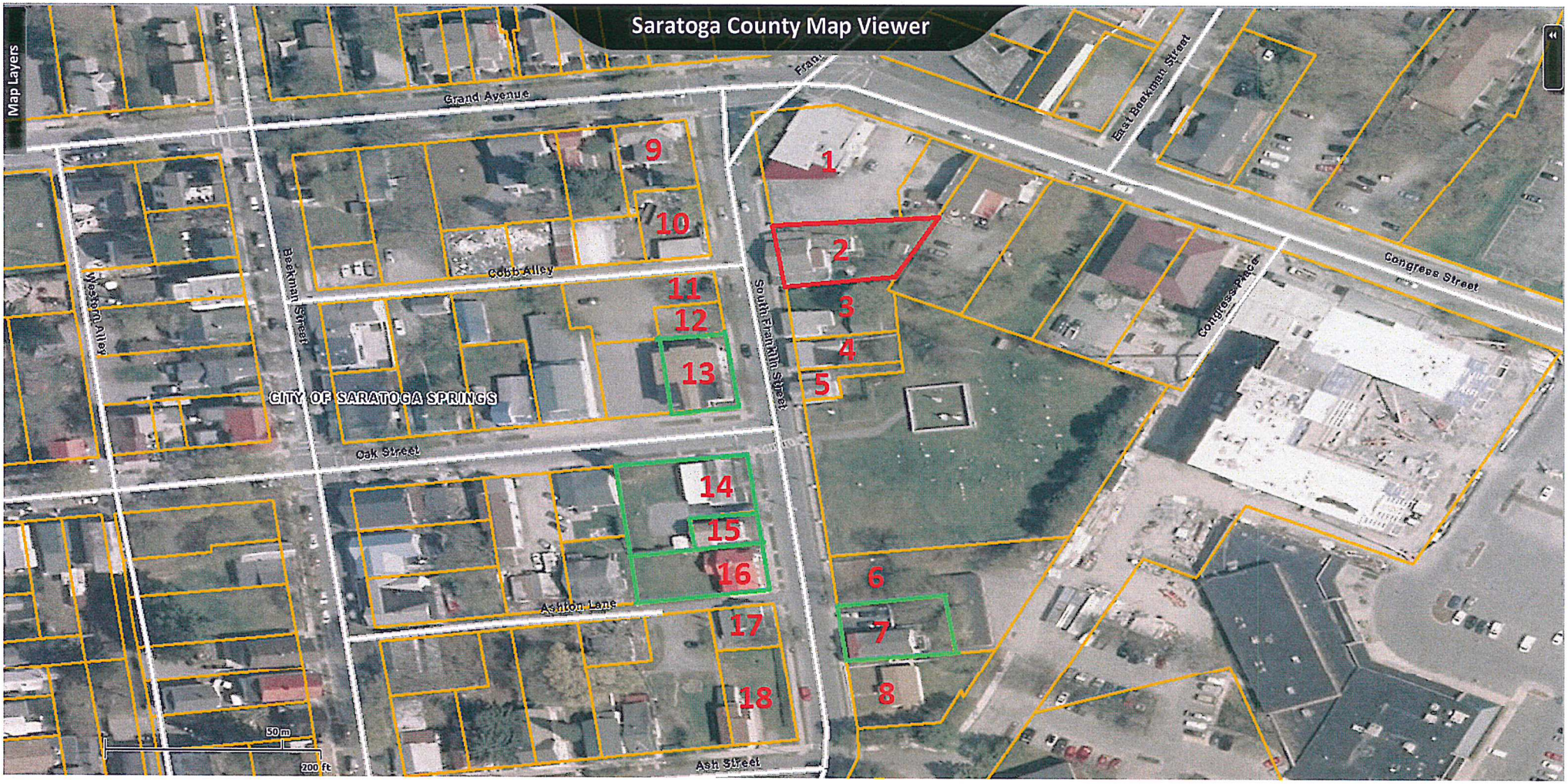
ZONING STATISTICS

UR-3 District	CODE	EXISTING		PROPOSED	
Use	1 or 2 Family	3 Family		2 Family	
Min. Lot Size	8,000sf (2-unit)	6,557		**6,557**	
Min. Avg. Width	80lf (2-unit)	66		**66**	
Max. Bldg. Coverage					
Primary	30%	2,691	41%	1,967	30%
Accessory	10%	103	2%	0	0%
Setbacks					
Front	10	-6.0		**6.0**	
Rear	25	40.3		**15.7**	
Side #1	4	4.0		4.0	
Side #2	8	5.8		22.0	
Max. Height	60			32	
Min. % Permeable	25%	4,035	62%	1,786	27%

Living Space per unit: 1,530 sf
Outdoor Space per unit: 96 sf

NEIGHBORHOOD STATISTICS

Map #	Tax ID	Address	Frontage	Size (Ac)	Size (sf)	Use	
1	165.66-2-109	108 Congress	78'	0.29	12,632	Mixed	
2	**165.66-2-31**	**78 S. Franklin**	**66'**	**0.15**	**6,557**	**2-Family**	**(Subject Property)**
3	165.66-2-44	72 S. Franklin	55'	0.10	4,356	1-Family	
4	165.66-2-43	68 S. Franklin	32'	0.06	2,614	1-Family	
5	165.66-2-42	66 S. Franklin	32'	0.03	1,307	1-Family	
6	165.66.-2-39	52 S. Franklin	50'	0.27	11,761	Garage	
7	**165.66-2-41**	**46 S. Franklin**	**60'**	**0.11**	**4,792**	**2-Family**	**(Comparable Use)**
8	165.66-2-40	44 S. Franklin	72'	0.15	6,557	1-Family	
9	165.66-2-67	120 Grand	56'	0.10	4,356	1-Family	
10	165.66-2-66	xx S. Franklin	72'	0.08	3,485	Scrap Yard	
11	165.66-2-59	75 S. Franklin	33'	0.13	5,663	1-Family	
12	165.66-2-58	71 S. Franklin	33'	0.04	1,742	Vacant	
13	**165.66-2-57.2**	**1 Oak**	**50'**	**0.09**	**3,920**	**Apartment**	**(Comparable Use)**
14	**165.66-2-47**	**2 Oak**	**100'**	**0.18**	**7,841**	**2-Family**	**(Comparable Use)**
15	**165.66-2-46**	**59 S. Franklin**	**33'**	**0.04**	**1,742**	**2-Family**	**(Comparable Use)**
16	**165.66-2-45**	**53 S. Franklin**	**50'**	**0.11**	**4,792**	**2-Family**	**(Comparable Use)**
17	165.74-2-18	51 S. Franklin	44'	0.05	2,178	1-Family	
18	165.74-2-66	31 Ash	50'	0.11	4,792	1-Family	


Saratoga County Map Viewer
Map Layers
Grand Avenue
Cobb Alley
Beekman Street
Weston Alley
CITY OF SARATOGA SPRINGS
Oak Street
South Franklin Street
Ashton Lane
Ash Street
East Beekman Street
Congress Street
Congress Place
1
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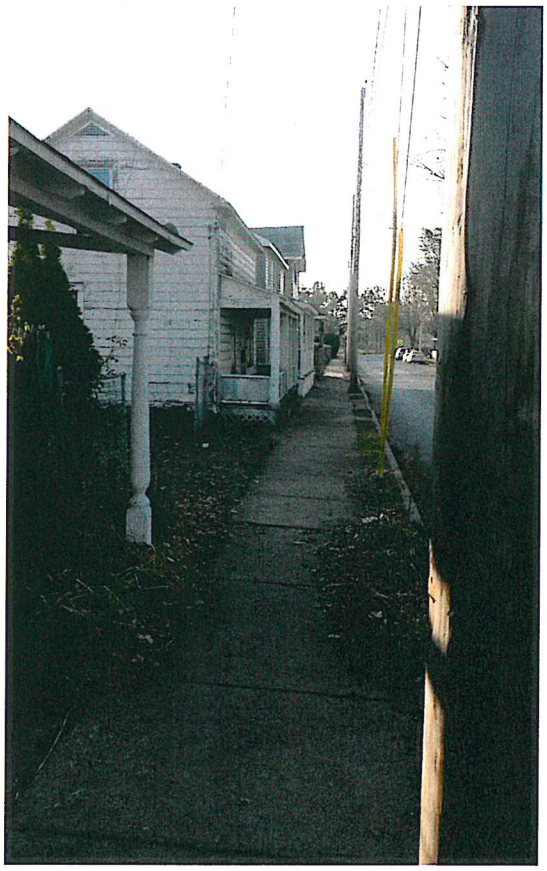
50 m
200 ft



LOOKING SOUTH DOWN S. FRANKLIN JUST BEFORE SUBJECT PROPERTY AND IN FRONT OF SUBJECT PROPERTY. NONE OF THE PROPERTIES MAINTAIN A 10' FRONT SETBACK

SUBJECT PROPERTY w/ NEIGHBORING PROPERTIES JUST TO THE SOUTH

APARTMENT AT 1 OAK STREET DOES NOT MAINTAIN A 10' FRONT SETBACK

balzer + tuck | architecture · pllc

TRANSMITTAL

REC'D NOV 3 0 2015

TO	: City of Saratoga Springs Building Inspector	DATE	: November 30, 2015
		FROM	: Balzer + Tuck Architecture
		PROJECT NAME	: Groseclose Residence
		PROJECT NO.	: 1523
ATTN.	: Dan Cogan	REFERENCE	: Variance Request

VIA:

- [ ] EMAIL
- [ ] USPS
- [x] HAND DELIVER
- [ ] CLOUD
- [ ] COURIER
- [ ] OTHER:

ACTION:

- [x] FOR YOUR REVIEW
- [ ] REPLY REQUESTED
- [x] FOR YOUR RECORD
- [ ] NO ACTION REQUIRED
- [ ] FOR YOUR APPROVAL
- [ ] OTHER:
- [ ] AS REQUESTED

ENCLOSURES:

QUANTITY	DATE	DESCRIPTION
1	11/30/2015	Application Fee Totaling $150.00 Check No. 4391
10	11/30/2015	Use Variance Application
10	11/30/2015	Drawings: Survey, Site Plan, West Elevation, North Elevation, Perspectives, Contextual Images

COMMENTS:

Please find the required application and detailed drawings and photos required for Area Variance review. If additional information is required, or if questions arise, please contact Timothy Wade of Balzer + Tuck Architecture at (518) 580-5880 extension 17 or twade@balzertuck.com.

Many thanks,

Timothy Wade

ENCL.: Application for Area Variance
CC: FILE
Steve Groseclose and Jael Polnac, Owner

468 broadway · saratoga springs · new york · 12866 · p 518.580.8818 · f 518.580.8824 · balzertuck.com

CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480
www.saratoga-springs.org

[FOR OFFICE USE]

(Application #)

REC'D NOV 3 0 2015
(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Balzer + Tuck Architecture Steve Groseclose and Jael Polnac	Steve Groseclose and Jael Polnac	
Address	[redacted]	Saratoga Springs	New York
	12866		
Tel/Fax	[redacted]	/	/
Email	[redacted]		

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☑ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 136 Circular Street Tax Parcel No.: 165.6 . 2 - 19 - _____
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: 2/19/2010 3. Zoning District when purchased: UR3

4. Present use of property: Single Family Residential 5. Current Zoning District: UR3

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? _____ For what? _____)
☑ No

7. Is property located within (check all that apply)?: ☑ Historic District ☑ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

HOLD TO LIGHT TO VIEW WATERMARK IN PAPER. HEAT-SENSITIVE RED IMAGE DISAPPEARS WITH HEAT. DETECTION CIRCLE REVEALS A LOCK WHEN TESTED.

VOID VOID VOID VOID

4391

BALZER + TUCK ARCHITECTURE, PLLC
468 BROADWAY
SARATOGA SPRINGS, NY 12866
(518) 580-8818

THE ADIRONDACK TRUST COMPANY
SARATOGA SPRINGS, NY 12866-0326
50-288-213

11/30/2015

PAY TO THE ORDER OF Commissioner of Finance $ **150.00

One Hundred Fifty and 00/100********** DOLLARS

Commissioner of Finance
City Hall
474 Broadway
Saratoga Springs NY 12866

MEMO 1523 Variance Application

AUTHORIZED SIGNATURE

Security features. Details on back.

CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480
www.saratoga-springs.org

[FOR OFFICE USE]

(Application #)

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APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Balzer + Tuck Architecture Steve Groseclose and Jael Polnac	Steve Groseclose and Jael Polnac	
Address	[redacted]	Saratoga Springs	New York
	12866		
Tel/Fax	[redacted]	/	/
Email	[redacted]		

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☑ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

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(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: 2/19/2010 3. Zoning District when purchased: UR3

4. Present use of property: Single Family Residential 5. Current Zoning District: UR3

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? _____ For what? _____)
☑ No

7. Is property located within (check all that apply)?: ☑ Historic District ☑ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:
Restore home to it's historic heritage through the addition of a previously existing font porch.

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☑ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☑ No

11. Identify the type of appeal you are requesting *(check all that apply)*:

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☑ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance" and attach to top of original application. Fees are cumulative and required for each request below.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☑ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ Extensions:	$ 150

INTERPRETATION – **PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) N.A.

2. How do you request that this section be interpreted? N.A.

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – **PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Date original variance was granted: N.A.
2. Type of variance granted? ☐ Use ☐ Area
3. Date original variance expired: N.A.
4. Length of extension requested: N.A.
5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient? N.A.

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

N.A.

USE VARIANCE – **PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

A use variance is requested to permit the following: N.A.

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

1. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: N.A. Purchase amount: $ N.A.

2) Indicate dates and costs of any improvements made to property after purchase:

Date	Improvement	Cost
N.A.	N.A.	N.A.
N.A.	N.A.	N.A.
N.A.	N.A.	N.A.

3) Annual maintenance expenses: $ N.A. 4) Annual taxes: $ N.A.

5) Annual income generated from property: $ N.A.

6) City assessed value: $ N.A. Equalization rate: N.A. Estimated Market Value: $ N.A.

7) Appraised Value: $ N.A. Appraiser: N.A. Date: N.A.

Appraisal Assumptions: N.A.

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes ☐ No If "yes", for how long? N.A.

1) Original listing date(s): N.A. Original listing price: $ N.A.

If listing price was reduced, describe when and to what extent: N.A.

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: N.A.

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: N.A.

4) How many times has the property been shown and with what results? N.A.

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

N.A.

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

N.A.

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

N.A.

AREA VARIANCE – **PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) 2.3 Districts Area and Bulk

Dimensional Requirements	From	To
Front Yard Setback (Exist'g: 9.10' to house, 0.5' to stoop)	10'-0" req'd	0'-2"
Side Yard Setback (Exist'g: 4.8' to house)	4'-0" req'd	2'-5"

Other:

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

   Restoration of the previously existing front porch cannot be achieved without an approved variance; the existing home presents a currently non-conforming condition as it is less than 10'-0" to the front property line. This street relationship is common to a majority of the properties that front Circular Street, most of which include some form of a front porch similar in volume to the proposed addition.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

   The addition of the formerly existing front porch will provide an architectural element common to the character of neighboring properties and very much in context with the prominent vernacular of Circular Street residences

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

Due to the location of the existing concrete stoop, the addition would not further a currently existing, non-conforming front yard setback and does not propose an addition larger than that of the previously existing, nor that of surrounding residences with similar features.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The request proposes the addition of a previously existing historic element and one that is contextual to surrounding properties

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

It was not - the original porch had been removed prior to the current owner purchasing the property. Historic photos indicate a wrap-around porch, or front porch as an element of the original architecture.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☐ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

Jack Polrac
(applicant signature)

Sworn to before me this date:

_____
(applicant signature)

DOUGLAS HENRY HANLIN
NOTARY PUBLIC
STATE OF NEW YORK
SARATOGA COUNTY
Reg. No. 01HA6325131
COMM. EXP. 05/18/19

Date: 11/30/15

Douglas Hanlin
Notary Public

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____

BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: Steve Groseclose and Jael Polnac TAX PARCEL NO.: 165.60 . 2 - 19 - ____

PROPERTY ADDRESS: 136 Circular Street ZONING DISTRICT: UR3

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

_____

_____

_____

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

_____

_____

_____

☑ Area Variance seeking the following relief:

Dimensional Requirements	From	To

Other: _____

_____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

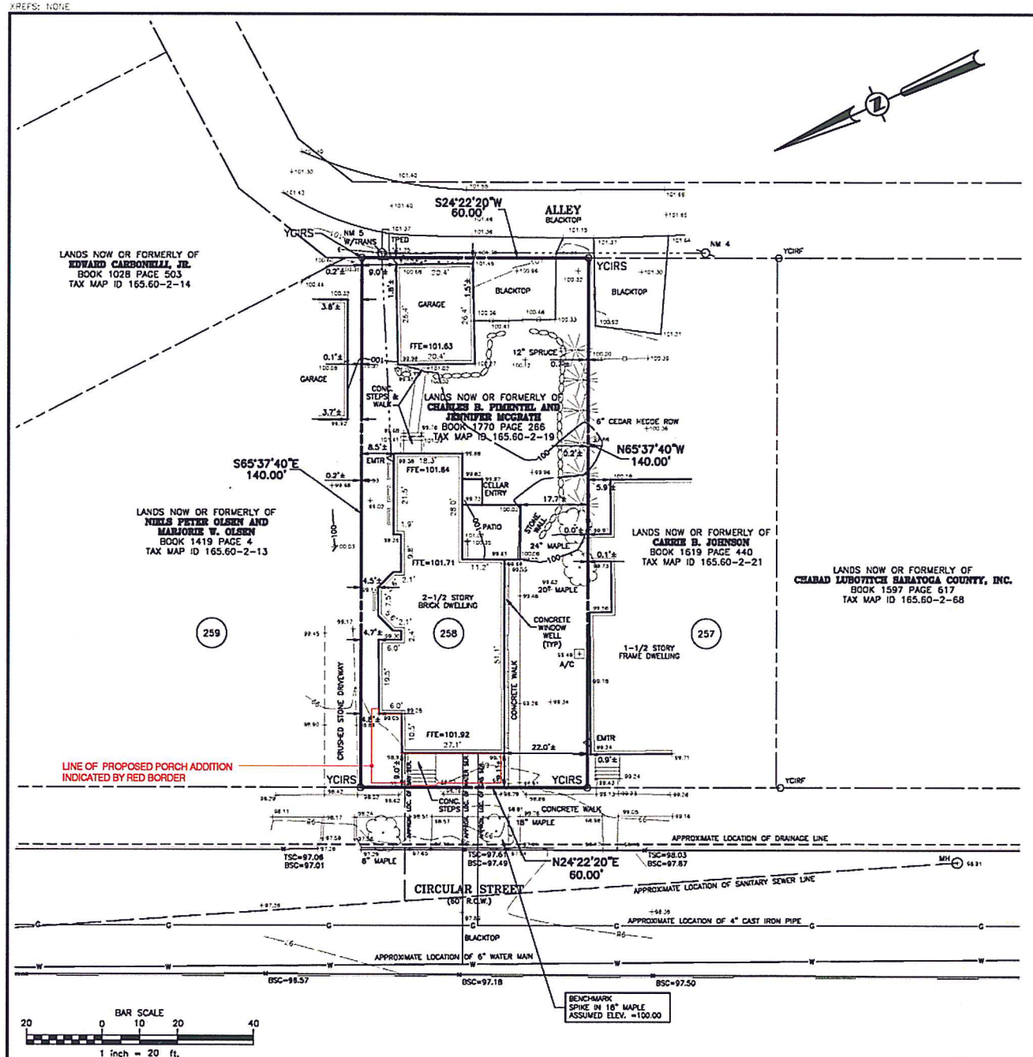
_____ _____

ZONING AND BUILDING INSPECTOR DATE

Revised 11/2/15

XREFS: NONE

PROJECT NUMBER: 10.1047



MAP REFERENCES:

1. "Copy of H. Woltons Map of January 1839 showing Lots as then Subdivided, marked & numbered" filed in the Saratoga County Clerk's Office as map number Z-234.

MAP NOTES:

1. Boundary and topographic information shown hereon was compiled from an actual field survey conducted February 01, 2010 through February 02, 2010.
2. North orientation and bearing base per Book 1419 of Deeds at Page 4.
3. Vertical datum shown hereon is an assumed base.
4. Objects shown on this drawing with a distance indicating how far that object is from a particular line, lie on the same side of the line that the offset distance is written.
5. Underground facilities, structures, and utilities have been plotted from data obtained from previous maps and record drawings. Surface features such as catch basin rims, manhole covers, water valves, gas valves, etc. are the result of field survey unless noted otherwise. There may be other underground utilities, the existence of which is not known to the undersigned. Size and location of all underground utilities and structures must be verified by the appropriate authorities. Dig Safely New York must be notified prior to conducting test borings, excavation and construction.
6. This survey does not constitute a record search by C.T. Male Associates, P.C. to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, the surveyor relied upon title commitment number S-051923 prepared by Lawyers Title Insurance Corporation, dated January 12, 2010.

LEGEND

A/C	AIR CONDITIONING UNIT
EMTR	ELECTRIC METER
←------	GUY WIRE
MH	MANHOLE
	UTILITY POLE
YCIRF	YELLOW CAPPED IRON ROD FOUND
YCIRS	YELLOW CAPPED IRON ROD SET
TSC	TOP OF SLATE CURB
BSC	BOTTOM OF SLATE CURB
FFE	FINISHED FLOOR ELEVATION

I certify to the following that this survey has been prepared in accordance with the Code of Practice for Land Surveys adopted by the N.Y.S. Association of Professional Land Surveyors as last revised.

Steve Groseclose
Jael Polnac
Saratoga National Bank and Trust Company,
Its successors and or assigns
Lawyers Title Insurance Corporation

Raymond T. Liuzzo PLS 50366 Date

CAD DWG. FILE NAME: BS_10-1047.DWG

RAYMOND T. LIUZZO
PLS NO. 50366

DATE		REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.
	1				
	2				
	3				
	4				
	5				
	6				
	7				
	8				
	9				

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW.

© 2010
C.T. MALE ASSOCIATES, P.C.

APPROVED: WJN
DRAFTED : MDD
CHECKED : WJN
PROJ. NO: 10.1047
SCALE : 1"=20'
DATE : FEB. 1, 2010

BOUNDARY AND TOPOGRAPHIC SURVEY

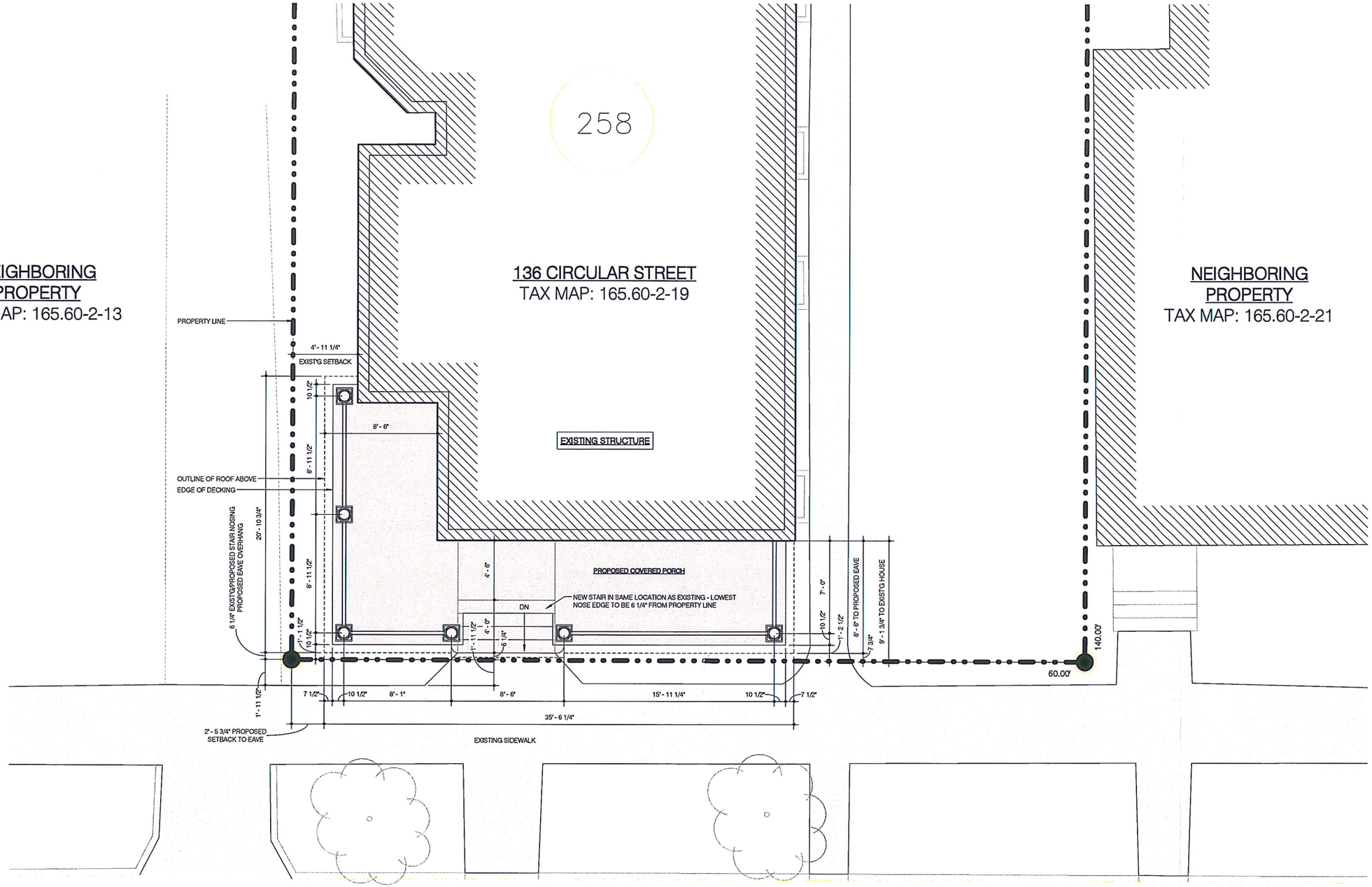
LANDS NOW OR FORMERLY OF
CHARLES B. PIMENTEL AND JENNIFER MCGRATH
TO BE CONVEYED TO
STEVE GROSECLOSE AND JAEL POLNAC
136 CIRCULAR STREET

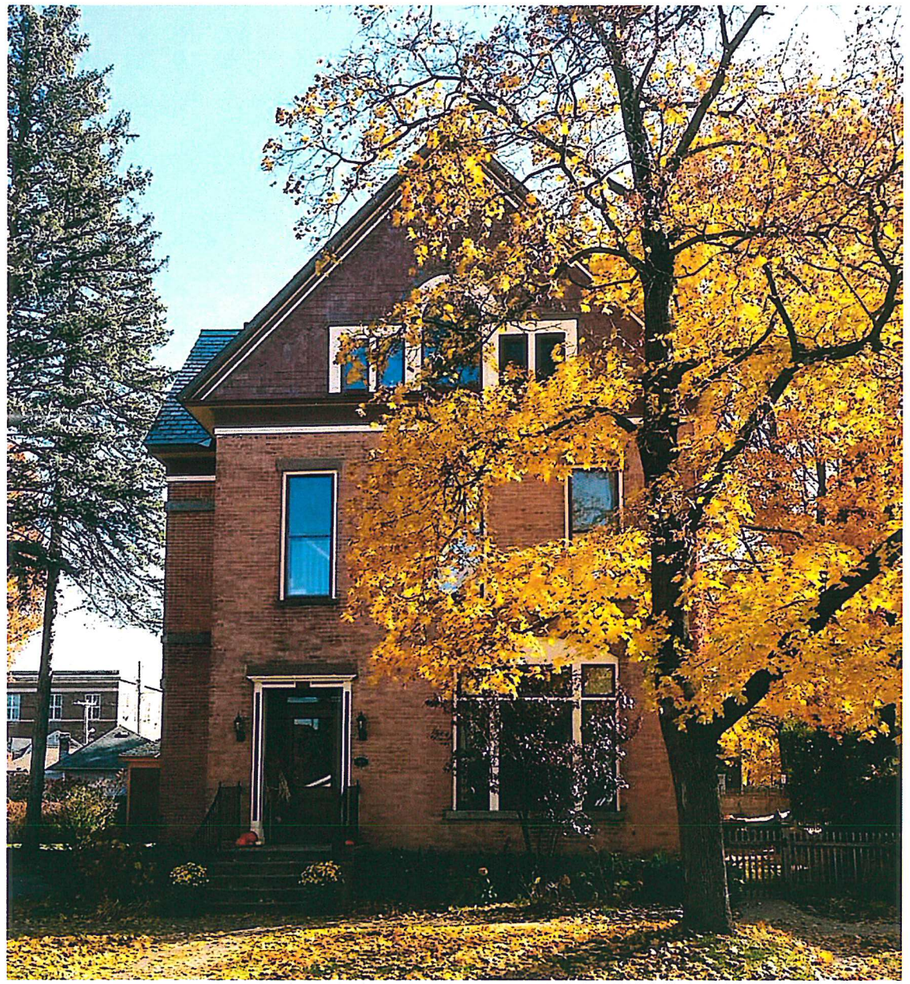
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK

C.T. MALE ASSOCIATES, P.C.
50 CENTURY HILL DRIVE, LATHAM, NY 12110
518.786.7400 • FAX 518.786.7299
ARCHITECTURE & BUILDING SYSTEMS ENGINEERING • CIVIL ENGINEERING
ENVIRONMENTAL SERVICES • SURVEY & LAND INFORMATION SERVICES

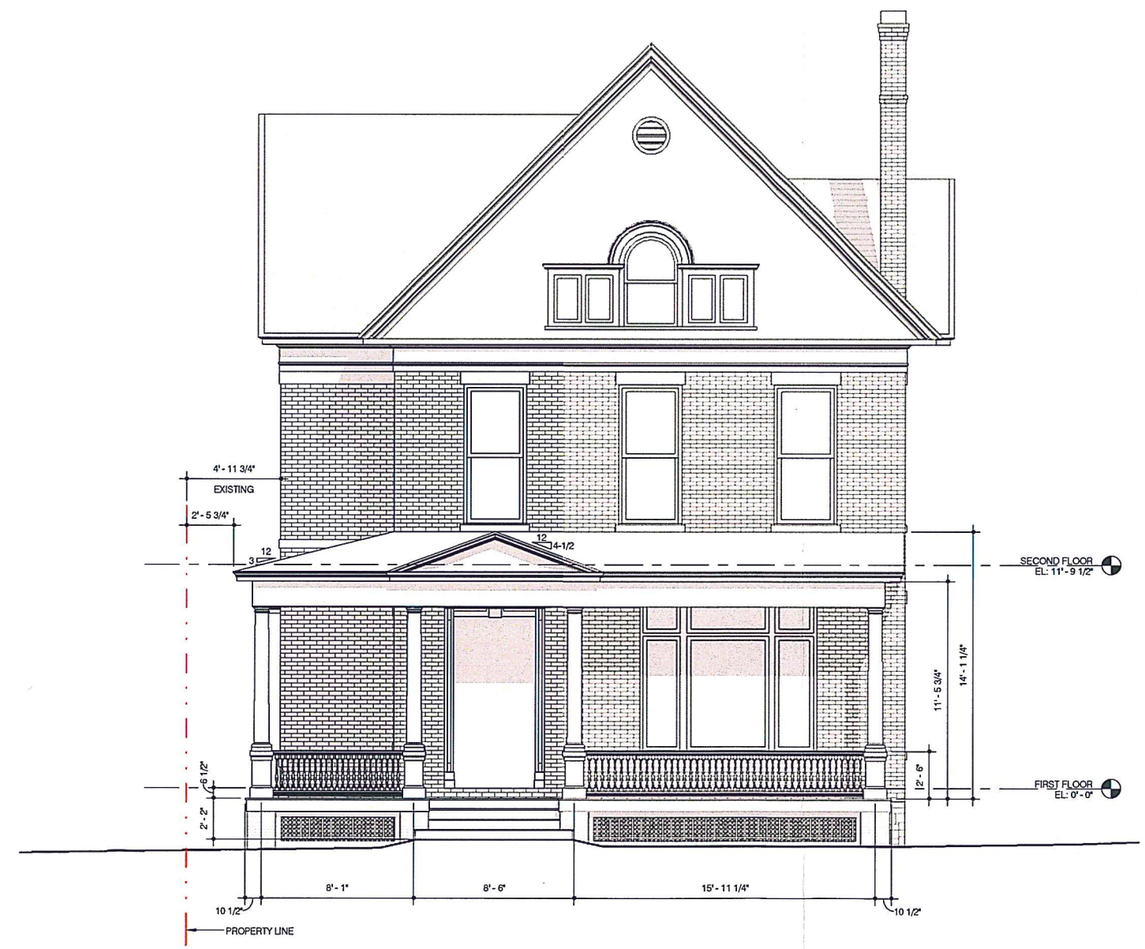
SHEET 1 OF 1
DWG. NO: 10-166

"ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES, P.C. OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID TRUE COPY".


NEIGHBORING PROPERTY
TAX MAP: 165.60-2-13
258
136 CIRCULAR STREET
TAX MAP: 165.60-2-19
NEIGHBORING PROPERTY
TAX MAP: 165.60-2-21
PROPERTY LINE
4' - 11 1/4"
EXIST'G SETBACK
10 1/2"
8' - 6"
EXISTING STRUCTURE
8' - 11 1/2"
OUTLINE OF ROOF ABOVE
EDGE OF DECKING
6 1/4" EXIST'G/PROPOSED STAIR NOSING
PROPOSED EAVE OVERHANG
20' - 10 3/4"
8' - 11 1/2"
PROPOSED COVERED PORCH
4' - 6"
NEW STAIR IN SAME LOCATION AS EXISTING - LOWEST NOSE EDGE TO BE 6 1/4" FROM PROPERTY LINE
DN
1' - 11 1/2"
4' - 0"
6 1/4"
1' - 1 1/2"
10 1/2"
7' - 0"
10 1/2"
1' - 2 1/2"
8' - 6" TO PROPOSED EAVE
7 3/4"
9' - 1 3/4" TO EXIST'G HOUSE
140.00'
60.00'
7 1/2"
10 1/2"
8' - 1"
8' - 6"
15' - 11 1/4"
10 1/2"
7 1/2"
35' - 6 1/4"
1' - 11 1/2"
2' - 5 3/4" PROPOSED SETBACK TO EAVE
EXISTING SIDEWALK
CIRCULAR STREET
(60' R.O.W.)

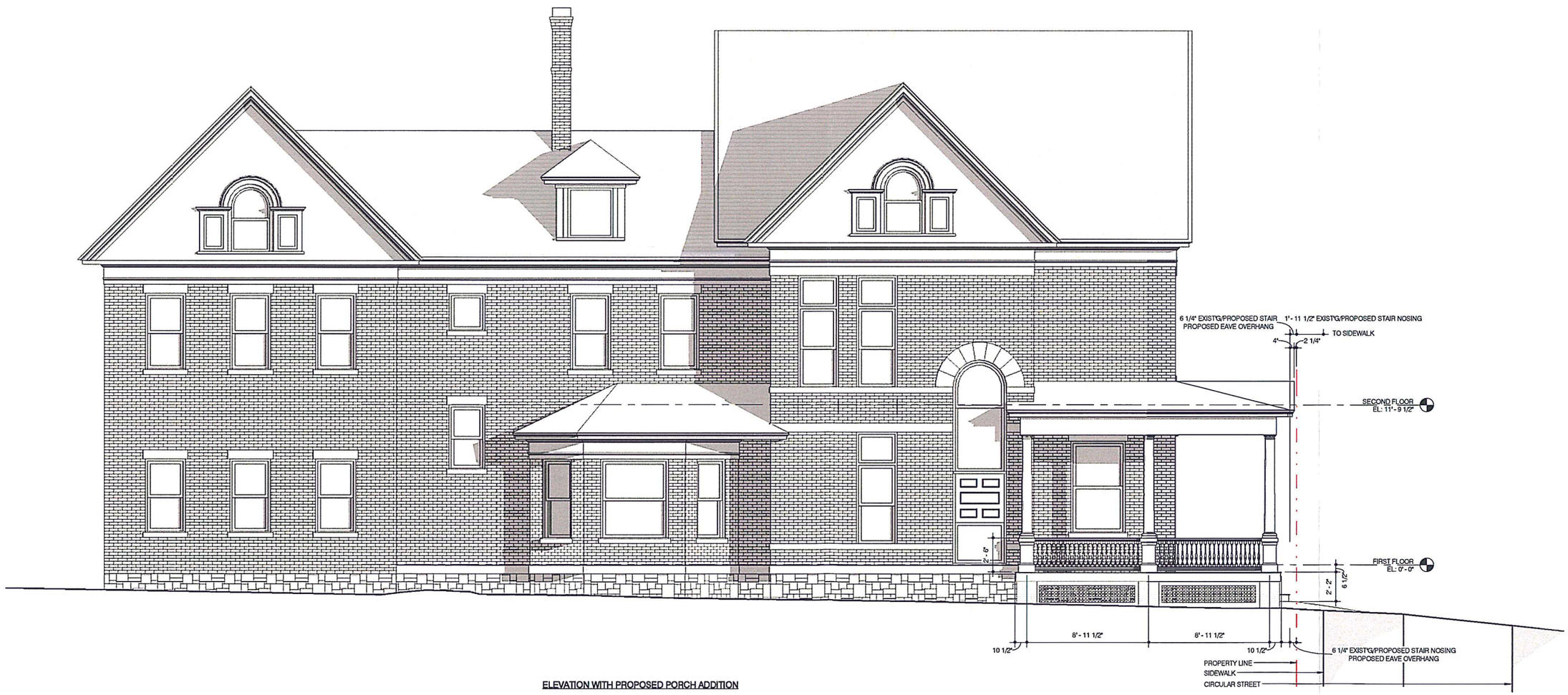


EXISTING CONDITION PHOTOGRAPH



ELEVATION WITH PROPOSED PORCH ADDITION

EXISTING CONDITION PHOTOGRAPH

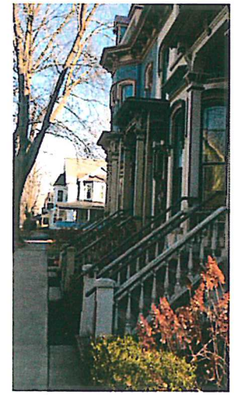


ELEVATION WITH PROPOSED PORCH ADDITION

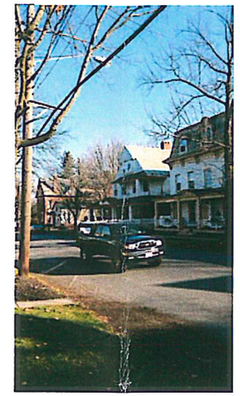
PERSPECTIVE OF PROPOSED PORCH ADDITION

HISTORIC PHOTO

EXISTING CONDITION PHOTOGRAPH

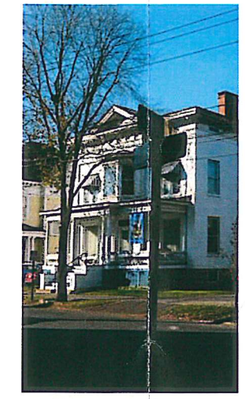


152,154,156 CIRCULAR STREET
- 1'-6" FROM SIDEWALK TO STEPS

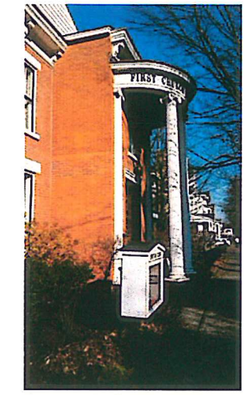


130 CIRCULAR STREET
- 0'-6" FROM SIDEWALK TO STEPS
- 4'-0" FROM SIDEWALK TO PORCH

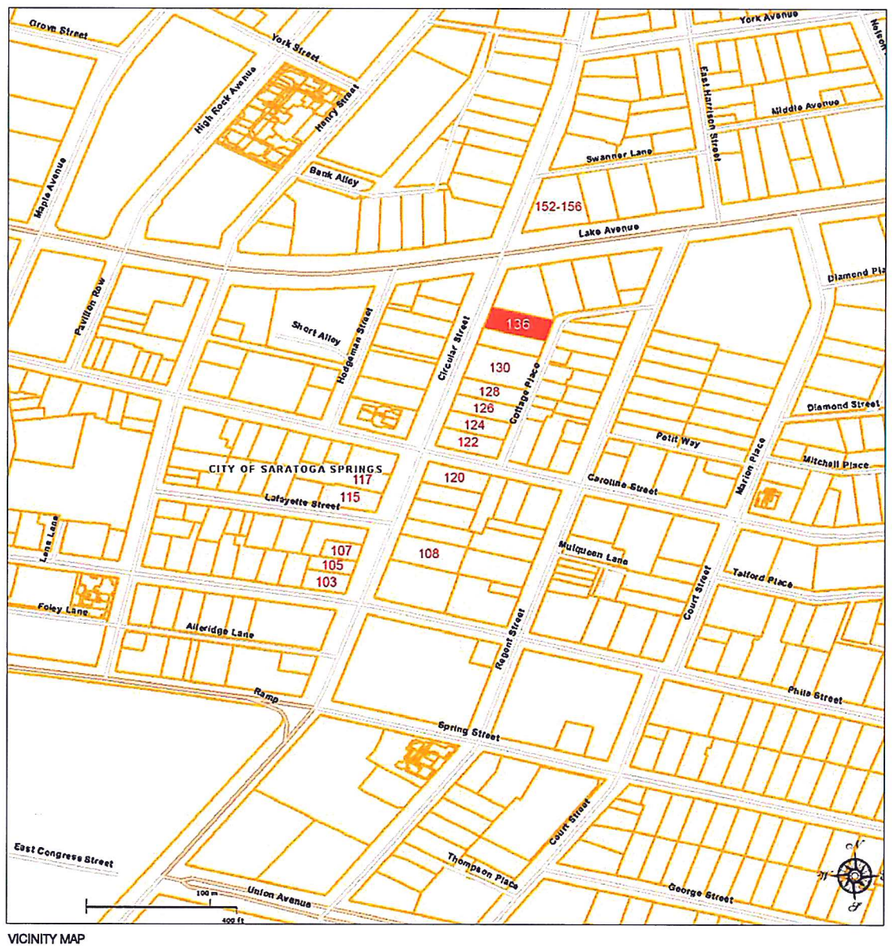
124 CIRCULAR STREET
- 1'-8" FROM SIDEWALK TO STEPS
- 3'-1" FROM SIDEWALK TO PORCH



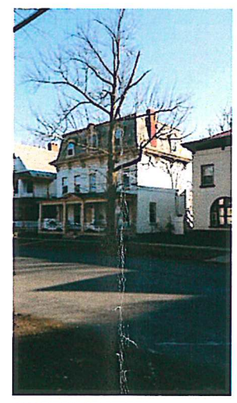
117 CIRCULAR STREET
- 0'-0" FROM SIDEWALK TO STEPS
- 7'-2" FROM SIDEWALK TO PORCH



107 CIRCULAR STREET
- 0'-3" FROM SIDEWALK TO STEPS
- 6'-0" FROM SIDEWALK TO BUILDING

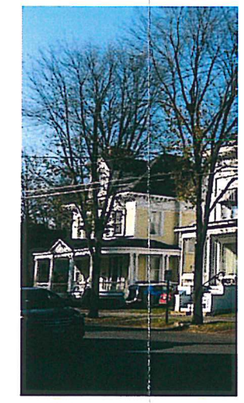


VICINITY MAP

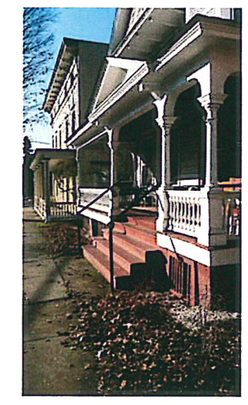


128 CIRCULAR STREET
- 2'-0" FROM SIDEWALK TO STEPS
- 2'-10" FROM SIDEWALK TO PORCH

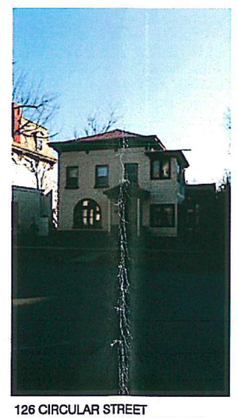
122 CIRCULAR STREET
- 2'-3" FROM SIDEWALK TO STEPS
- 3'-6" FROM SIDEWALK TO PORCH



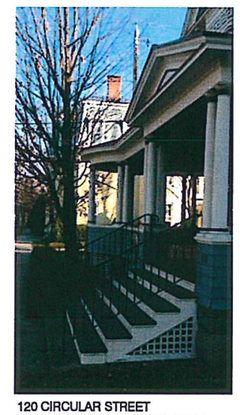
115 CIRCULAR STREET
- 2'-2" FROM SIDEWALK TO STEPS
- 7'-2" FROM SIDEWALK TO PORCH



105 CIRCULAR STREET
- 2'-3" FROM SIDEWALK TO STEPS
- 4'-9" FROM SIDEWALK TO PORCH

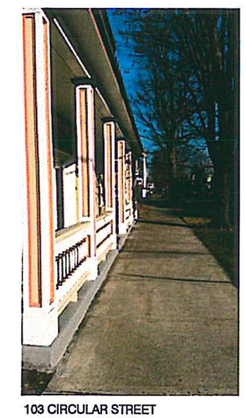


126 CIRCULAR STREET
- 2'-4" FROM SIDEWALK TO STEPS
- 4'-5" FROM SIDEWALK TO PORCH



120 CIRCULAR STREET
- 1'-6" FROM SIDEWALK TO STEPS
- 7'-6" FROM SIDEWALK TO PORCH

108 CIRCULAR STREET
- 1'-10" FROM SIDEWALK TO STEPS
- 4'-6" FROM SIDEWALK TO PORCH



103 CIRCULAR STREET
- RIGHT ON SIDEWALK

CITY OF SARATOGA SPRINGS

CITY HALL - 474 BROADWAY
SARATOGA SPRINGS, NEW YORK 12866
TEL: 518-587-3550 FAX: 518-580-9480
WWW.SARATOGA-SPRINGS.ORG

[FOR OFFICE USE]

_____ (Application #)

REC'D DEC 14 2015
(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	SBDT Ventures, LLC	Joseph D. Boff	Michael J. Toohey, Esq.
Address	18 Division Street	[redacted]	P. O. Box 4367, 160 West Avenue
	Saratoga Springs, NY 12866		Saratoga Springs, NY 12866
Tel./Fax	(518) 584-9007 /	/	(518) 584-1500 / (518) 584-1503
Email	tony@bonacio.com		mtoohey@sktccLaw.com

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.
Applicant's interest in the premises: ☐ Owner ☐ Lessee ☒ Under option to lease or purchase

PROPERTY INFORMATION

Property Address (No. & St.) 66 Franklin Street as reduced by Boundary Line Adjustment Side of St. (north, east, etc.) East

Tax Parcel No.: 165 . 59 - 1 - 52.1 *(for example: 165.52 – 4 – 37)* Tax District: ☒ Inside ☐ Outside

1. Date acquired by current owner: 8/22/08
2. Zoning District when purchased: UR-4
3. Present use of property: Vacant Land
4. Current Zoning District: UR-4
5. Has a previous ZBA application/appeal been filed for this property? ☐ Yes (when? _____ for what? _____) ☒ No
6. Is property located within (check all that apply)?: ☒ Historic District ☐ Architectural Review District ☐ 500' of a State Park, city boundary, or county/state highway?
7. Brief description of proposed action: A boundary line adjustment has been granted by the Chair of the Planning Board reducing the frontage on 66 Franklin Street to 61 ft and reducing the square footage of the parcel by 319.16 sq ft. We are seeking to build a single family residence on the lot.
8. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No
9. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No
10. Identify the type of appeal you are requesting *(check all that apply)*:

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance" and attach to top of original application. Fees are cumulative and required for each request below.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☐ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ Extensions:	$ 150

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

_____

_____

_____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____ 4. Length of extension requested: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?: _____

_____

_____

_____

_____

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

_____

_____

_____

_____

_____

_____

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

_____

_____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

1. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

_____

_____

_____

_____

_____

_____

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: $_____

2) Indicate dates and costs of any improvements made to property after purchase:

Date	Improvement	Cost

3) Annual maintenance expenses: $_____ 4) Annual taxes: $_____

5) Annual income generated from property: $_____

6) City assessed value: $_____ Equalization rate:_____ Estimated Market Value: $_____

7) Appraised Value: $_____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

_____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes ☐ No If "yes", for how long? _____

1) Original listing date(s):_____ Original listing price: $_____

If listing price was reduced, describe when and to what extent: _____

_____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

_____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

_____

4) How many times has the property been shown and with what results? _____

_____

_____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

_____

_____

_____

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) Bulk Schedule UR-4 Zone.

Dimensional Requirements	From	To
Average Lot Width	100 ft	61.94 ft
Maximum Building Coverage	25%	31%
Front Yard Setback	25 ft	7.5 ft
Each Side Principal Building	20 ft	3 ft & 17 ft
Total Side	45 ft	20 ft
Accessory Building - Side	5 ft	3 ft
Accessory Building - Rear	5 ft	1.5 ft

Other:

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

   The lot, subject to the Boundary Line Adjustment granted so the parcel to the south, would be larger and more able to be used as a single family lot, but remains a historically non-conforming lot. Section 5.5 (B) of the Code recognizes such lots and does not require lot size and average width variances. There is no land available on this parcel's north, south, east and west sides and it pre-exists the July 6, 1961 Zoning Code.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

This neighborhood is primarily residential, other than the uses on the northeast, northwest, southeast and southwest corners of the block. At least 4 of the parcels are multi-family and 4 have commercial components. No residential property on the block meets the Average Width requirement. The majority of lots are 50 ft in width or less, thus it is impossible for them to comply with the Total Side Setback of 45 ft and for the same reason, most don't comply with the single side setback requirement. A single family lot of this size is consistent with the neighboring property and the variance that was granted by the Zoning Board of Appeals for the lot to the south on July 27, 2015. (See Exhibits A, B, C and D)

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The Zoning Code allows for the parcel to be used as a single family lot which it the least intense use in this Zone. The lot has a historic substandard configuration and, as a result, reasonable accommodations have to be given to permit the placement of a house on the lot. The standard for what is "substantial" has to be judged in light of this history of the property and of the neighborhood. In this case the requested variances are not substantial.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The neighborhood is intended to be residential. This single family home will have the smallest environmental or physical impact on the neighborhood. From the attached Exhibits, it can be determined that the majority of the lots are smaller and still support their residential use. This home will have no adverse impact on the neighborhood.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

This is not a self-created difficulty. The original lot was historically pre-existing and the City Planning Board allowed it to be reduced so as to make the lot to its south come closer to Zoning Conformity. The lot pre-exists the Zoning Code, so it was the imposition of a Zoning Code on the property's that did not then and does not now meet the Zoning Code thus creating the necessity for this Application.

In accord with Article 240-14.4A(1)(b)(6) of the Zoning Ordinance, "any request for an area variance, which shall effect a change in density, shall be applied for and considered as a use variance and decided under criteria for the same". A request that involves any of the following relief will require an application for a use variance and will be decided under the use variance criteria:

(1) Dimensional relief from minimum lot size requirements that would allow additional permitted units and/or uses
(2) Relief from on site parking requirements
(3) Reduction in land area requirements for multi-family units

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

SBDT Ventures, LLC
BY:
(applicant signature)

Sworn to before me this date:

Date: 12/14/15

(applicant signature)

MICHAEL J TOOHEY
Notary Public, State of New York
Registration #02TO4624118
Qualified In Saratoga County
Commission Expires November 30, 2018

Notary Public

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information		
Name of Action or Project: 66 Franklin Street		
Project Location (describe, and attach a location map): East side of Franklin Street (Tax Parcel 165.59-1-52.1)		
Brief Description of Proposed Action: To obtain the required Area Variance to permit the construction of a single family residence on the parcel designated as 66 Franklin Street, Saratoga Springs, New York 12866		
Name of Applicant or Sponsor: SBDT Ventures, LLC	Telephone: 518-584-9007 E-Mail: tony@bonacio.com	
Address: 18 Division Street		
City/PO: Saratoga Springs	State: NY	Zip Code: 12866

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☐	☑

3.a. Total acreage of the site of the proposed action? 0.17 acres
b. Total acreage to be physically disturbed? .051 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .34 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	✓	☐
b. Consistent with the adopted comprehensive plan?	☐	✓	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	✓
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	✓	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	✓	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	✓
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	✓
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	✓
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	✓
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	✓
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	✓	☐
b. Is the proposed action located in an archeological sensitive area?	✓	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	✓	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	✓	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	✓	☐
16. Is the project site located in the 100 year flood plain?	✓	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	✓	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size:	✓	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	✓	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	✓	

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: SBDT Ventures, LLC Date: 12/14/2015

Signature:

PRINT FORM

EXHIBIT A

ATTACHMENT K

DETAIL OF MAY 1895 SANBORN FIRE INSURANCE MAP
SHOWING 66 AND 60 FRANKLIN STREET

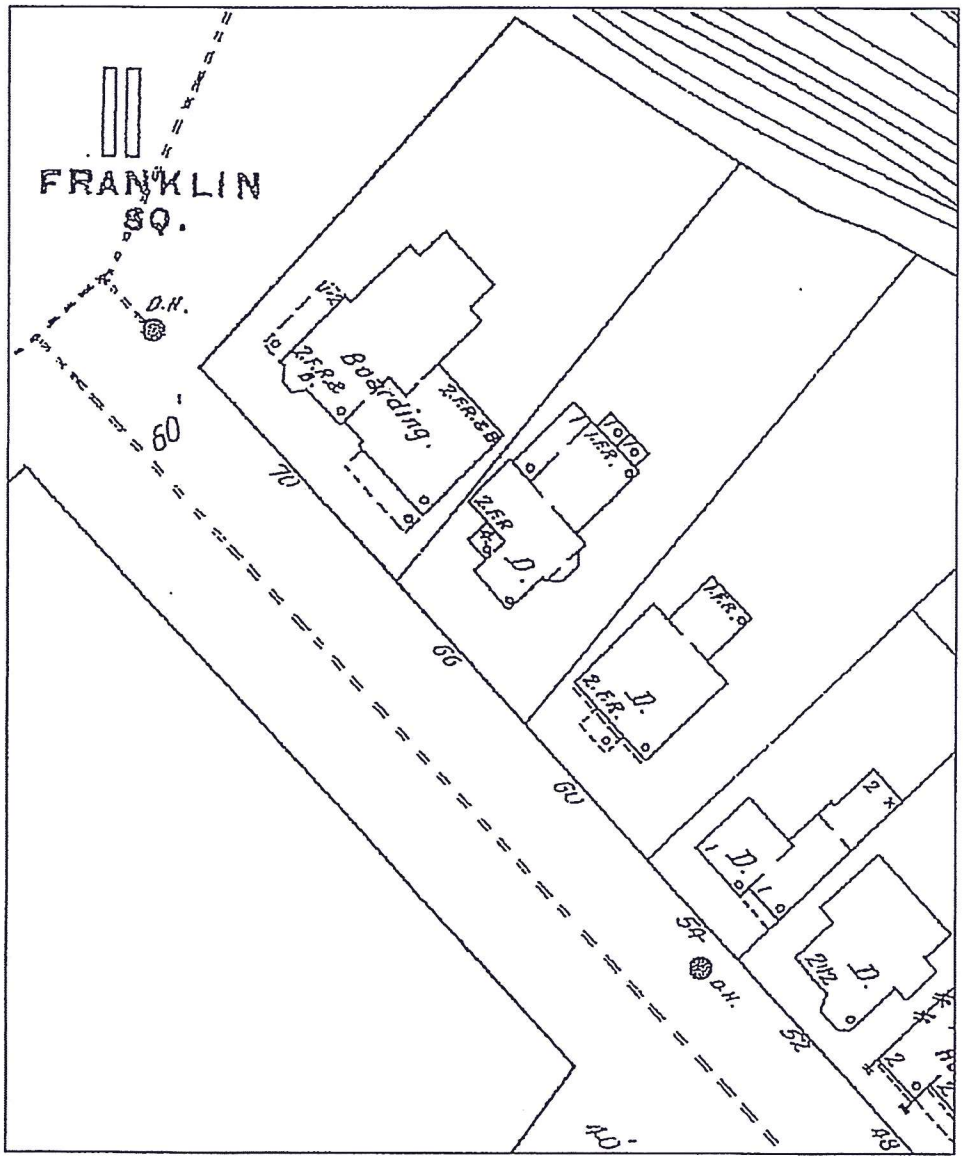


EXHIBIT B

CITY OF SARATOGA SPRINGS

ZONING BOARD OF APPEALS

CITY HALL - 474 BROADWAY
SARATOGA SPRINGS, NEW YORK 12866
PH) 518-587-3550 FX) 518-580-9480
WWW.SARATOGA-SPRINGS.ORG

Bill Moore
Chair
Keith B. Kaplan
Vice Chair
Adam McNeill
Secretary
Gary Hasbrouck
George "Skip" Carlson
James Helicke
Susan Steer

#2844

IN THE MATTER OF THE APPEAL OF

SBDT Ventures, LLC
18 Division St
Saratoga Springs NY 12866

RECEIVED
JUL 29 2015
ACCOUNTS DEPARTMENT

from the determination of the Building Inspector involving the premises at 60 Franklin St. and a sliver of 66 Franklin St. in the City of Saratoga Springs, New York being tax parcels number 165.59-1-51.2 and a portion of 165.59-1-52.1 in the Inside District, on the Assessment Map of said City.

The appellant having applied for an area variance under the Zoning Ordinance of said City to permit a lot line adjustment increasing 60 Franklin St., and the construction of a single-family residence in a UR-4 District and public notice having been duly given of a hearing on said application held on the 13th and 27th days of July 2015.

In consideration of the balance between benefit to the applicant with detriment to the health, safety and welfare of the community, I move that the following area variances for the following amount of relief:

TYPE OF REQUIREMENT	DISTRICT DIMENSIONAL REQUIREMENT	TO	RELIEF REQUESTED
MINIMUM SIDE YARD SETBACK- SOUTH SIDE	20'	2.9'	17.1' OR 85.5%
MINIMUM SIDE YARD SETBACK- NORTH SIDE	20'	12.4'	7.6' OR 38%
MINIMUM TOTAL SIDE YARD SETBACK	45'	15.3'	29.7' OR 66%
MINIMUM FRONT YARD SETBACK	25'	14.8'	10.2' OR 40.8%
MINIMUM AVERAGE LOT WIDTH	100'	55.4'	44.6' OR 44.6%
MAXIMUM PRINCIPAL BUILDING COVERAGE	25%	31%	6% OR 24% RELIEF

As per the submitted plans or lesser dimensions, be approved for the following reasons:

1. The applicant has demonstrated this benefit cannot be achieved by other means feasible to the applicant. As for the side yard setbacks, the applicant notes that the lot width being 55.4 feet, the house would have to be less than 10 feet wide in order to conform to the district total side yard setbacks. The side setbacks individually also appear to be unavoidable; to conform on one side would be impossible without reconfiguration, which would then either cause greater front yard encroachment, or cause the rear yard to no longer conform. Per the applicant, a reconfiguration of the floor plan to have less of a footprint on the first floor would prevent proper circulation of foot traffic in the house and also result in lost functionality such as a first floor bedroom. Furthermore, per the applicant, the current design is in proportion with the neighborhood; a smaller home would not be consistent with the homes around it, and as noted above, would still not fully preclude the need for dimensional relief.

As for the lot width itself, there is no feasible means to mitigate this variance. Purchasing additional property is not feasible to the south due to the placement of the house to the south on its property, and on the northern side the lot is being widened somewhat due to the lot line adjustment. As it is, the current amount

of adjustment is as large as it can be without creating a lot width problem for parcel 165.59-1-52.1.

2. The applicants have demonstrated that granting this variance will not create an undesirable change in neighborhood character or detriment to nearby properties. The applicant furnished information on lot widths and home widths in the neighborhood; the Board concluded that this proposed lot line adjustment and residence construction would be consistent in scale and size with the other homes around it on both sides of Franklin St. Therefore, the Board finds this proposal not significantly impactful to neighborhood character.

3. The Board notes these variances are substantial at 24 to 85.5%, however, given the consistency with the neighborhood character brought up in the previous point, the property variances are not significant in impact. Furthermore, with the inclusion of an attached garage on this property and the condition included below in this resolution to limit total principal and accessory structure coverage to 40%, the impact of these variances on the neighborhood will be further limited, thereby mitigating the effect of the substantiality of the variances.

4. Given the 48% permeability where 15% is required, the board concludes this variance will not have significant adverse physical or environmental effect on the neighborhood or district; also see condition below regarding neighboring trees.

5. The alleged difficulty is self-created insofar as the applicant desires to change the lot line and construct the proposed house on this property, but this is not necessarily fatal to the application.

Conditions/Notes:

a) Accessory structure size is limited to 9% of lot coverage, bringing maximum allowed total principal and accessory structure lot coverage to 40%.
b) DRC Historic Review required.
c) Applicant to submit to Building Department a plan for protection of trees along south property line during excavation.

Adopted by the following vote:

AYES: 7 (B. Moore, K. Kaplan, A. McNeill, G. Hasbrouck, S. Carlson, J. Helicke and S. Steer)

NAYES:0

Dated: July 27th, 2015

This variance shall expire 18 months following the filing date of such decision unless the necessary building permit has been issued and actual construction begun as per 240-8.5.1.

7/29/15
Date

Chair

I hereby certify the above to be a full, true and correct copy of a resolution duly adopted by the Zoning Board of Appeals of the City of Saratoga Springs on the date above mentioned, five members of the Board being present.

EXHIBIT C

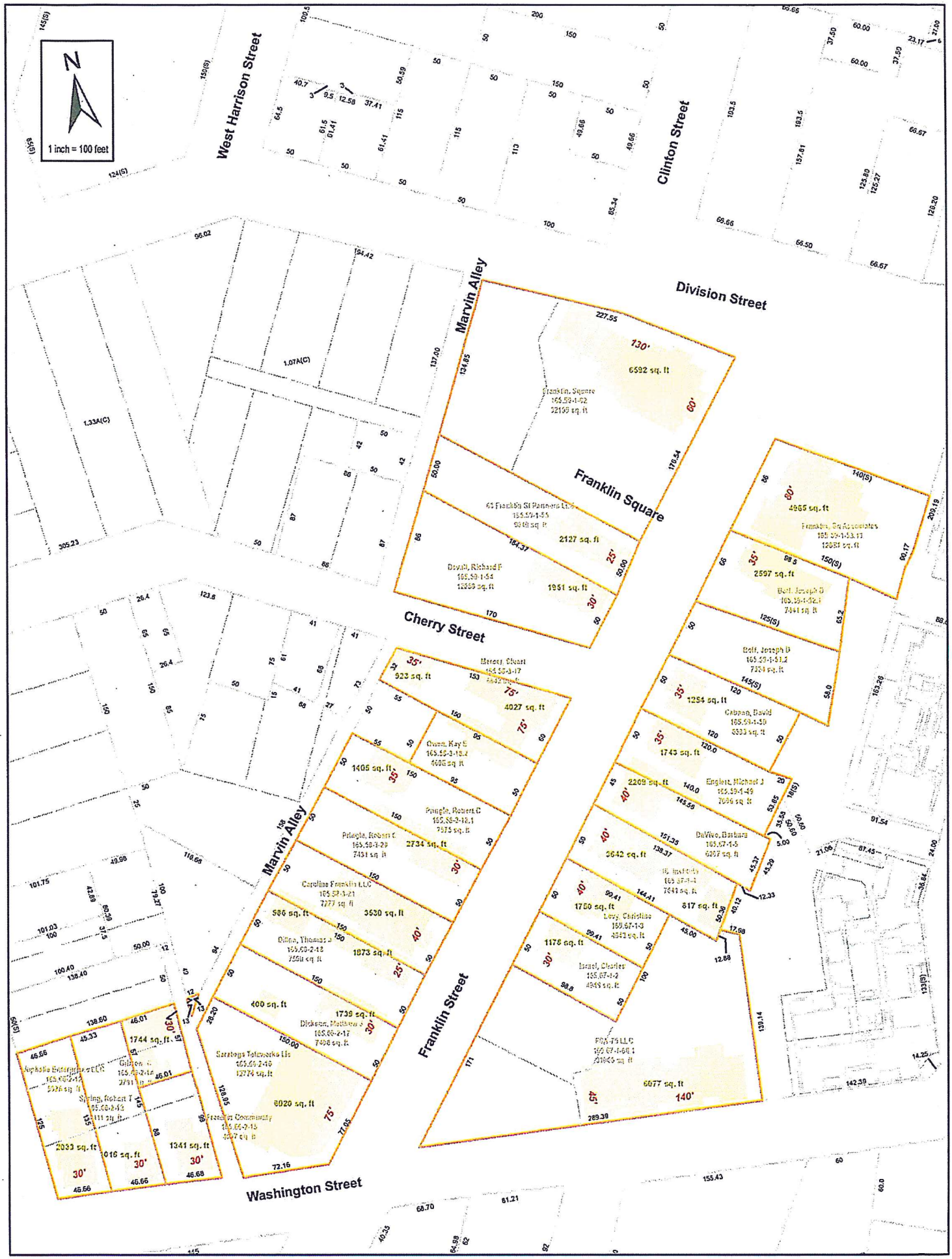

N
1 inch = 100 feet
West Harrison Street
Clinton Street
Division Street
Marvin Alley
Franklin Square
Cherry Street
Franklin Street
Washington Street

EXHIBIT D

Take the commercial parcels on the southwest and southeast corner of Division Street/Franklin Street and the northeast and northwest corner of franklin Street/Washington Street out of the calculation and the width of the properties are as follows:

Width West Side of Franklin Parcels

Tax Parcel	
165.59-1-55	50'
165.59-1-54	50'
165.59-1-17	60'
165.59-1-18.2	50'
165.59-1-18.1	50'
165.59-1-20	50'
165.59-1-21	50'
165.59-1-18	50'
165.59-1-17	50'
	460/9 = 51.11'

Average Width = 51.11 ft

Width East Side of Franklin Parcels

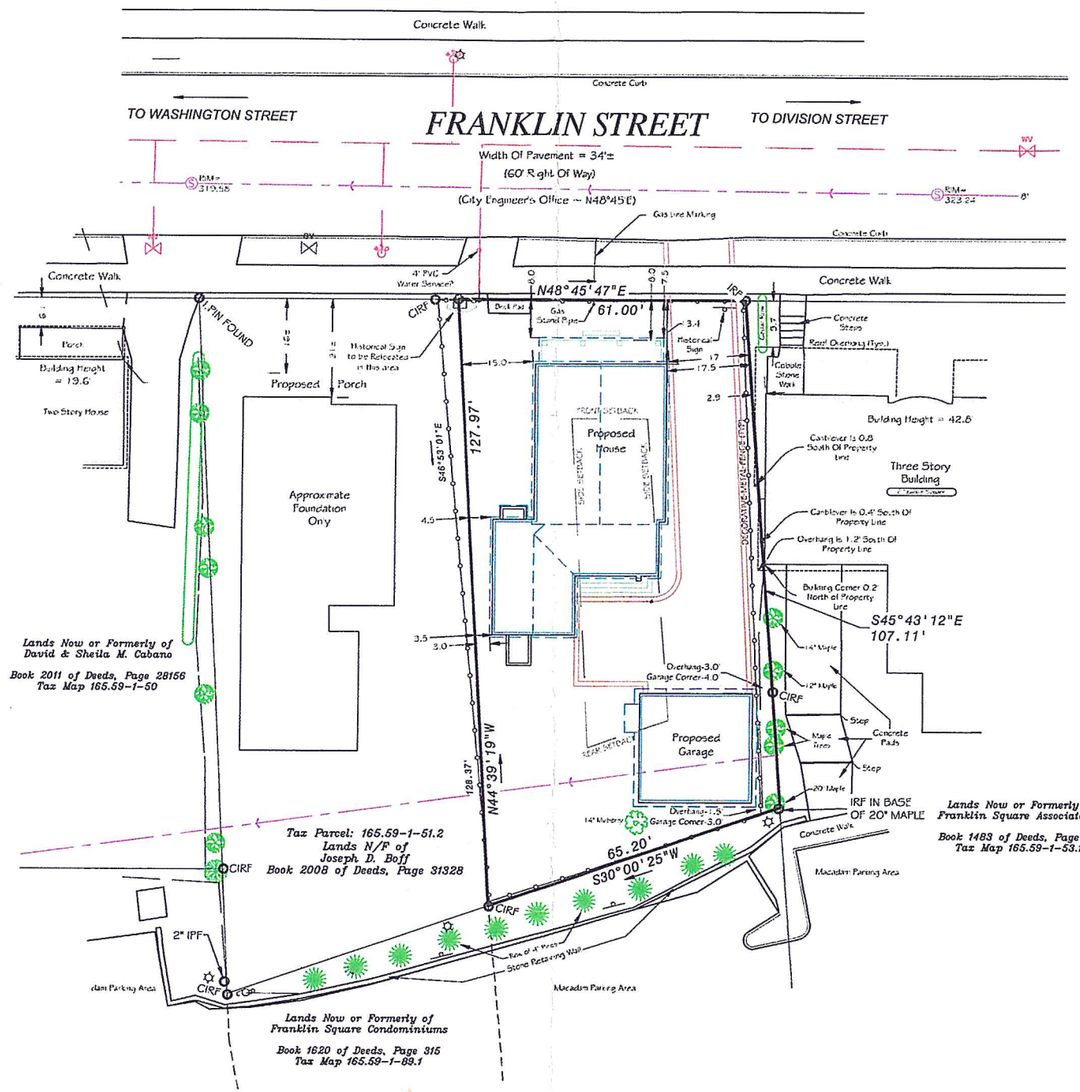
Tax Parcel	
165.59-1-52.1	66'
165.59-1-51.2	50'
165.59-1-50	50'
165.59-1-49	50'
165.59-1-5	45'
165.59-1-4	50'
165.59-1-3	50'
165.59-1-2	50'
	411/8 = 51.38'

Average Width = 51.38 ft

REC'D DEC 14 2015

LEGEND:

- IPF = IRON PIPE FOUND
- IRF = IRON ROD FOUND
- CIRF = CAPPED IRON ROD FOUND
- = WOOD STOCKADE FENCE
- = CHAIN LINK FENCE
- = DECORATIVE METAL FENCE
- = SANITARY MANHOLE
- = FIRE HYDRANT
- = WATER VALVE
- = WATER SHUTOFF
- = GAS VALVE
- = UTILITY POLE
- = LAMP POST
- = SIGN



ZONING INFORMATION:

UR-4/URBAN RESIDENTIAL-4
MINIMUM LOT SIZE = 3,000 SQ. FT.
MINIMUM AVERAGE WIDTH = 100 FT.
MAXIMUM BUILDING COVERAGE:
PRINCIPAL = 25%
ACCESSORY = 15%
MINIMUM FLOOR AREA:
1 STORY = 1,800 SQ. FT.
2 STORY = 1,200 SQ. FT.
MAXIMUM BUILDING HEIGHT = 70 FT.
MINIMUM PERMEABLE = 15%
SETBACKS:
FRONT = 25 FT.
REAR = 25 FT.
SIDE (TOTAL) = 45 FT.
SIDE (MIN) = 20 FT.
MINIMUM DIST. TO ACCESS. BLDG.
PRINCIPAL BUILDING = 10 FT.
FRONT = 25 FT.
SIDE = 5 FT.
REAR = 5 FT.

PROPOSED CONDITIONS:

LOT SIZE = 7,280.31 SQ. FT./0.17 ACRES
AVERAGE LOT WIDTH = 61.94'
BUILDING COVERAGE:
2235/7280.31 = 31%
FLOOR AREA = 2235 SQ. FT.
BUILDING HEIGHT = 32'
PERMEABLE = 44%
HOUSE/GARAGE = 2358 SQ. FT.
DRIVEWAY = 1690 SQ. FT.
NON-PERMEABLE = 4048/7280.31 = 56%

SETBACKS:

FRONT = 7.5'
REAR = 1.5'
SIDE (1) = 3.0'
SIDE (2) = 3.0'

SIDE MIN. = 3.0'
SIDE TOTAL = 6.0'

Van Dusen & Steves
Land Surveyors
169 Haviland Road Queensbury, New York 12804
(518) 792-8474 New York Lic. No. 50135

Map of a Survey made for

SBDT Ventures, LLC

#66 Franklin Street

City of Saratoga Springs (ID), Saratoga County, New York

NO.	DATE	DESCRIPTION
1	11/13/15	Proposed Conditions

Date: May 5, 2015
Scale 1"=20'

S-1

SHEET 1 OF 1

SBDT VENTURES
DWG. NO. 15051

C2968-66

NO
PARKING