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. **#2768.1 KAY-GRAHAM MULTI-FAMILY**
   109 Washington Street, area variance extension for a three-family residence; relief granted (6/23/2014) from the minimum lot size and minimum parking requirement in the Urban Residential – 4 District.

   Documents: 2768.1 KAYMULTIFAMILY_APP_REDACTED.PDF

2. **#2873 2 WEST BAR & GRILLE EXPRESS SIGNS**
   2 West Avenue, area variance for construction of a freestanding sign, seeking relief from the maximum area for a freestanding sign within the Transect – 5 District.

   Documents: 2873 2WESTBARANDGRILLESIGNAGE_APPLICATION_REDACTED.PDF

3. **# 2735.1 MOORE HOME OCCUPATION**
   75 South Franklin, area variance modification for a home occupation seeking relief to permit the accessory use within a previously approved (finished interior) detached garage in the Urban Residential-3 District.

   Documents: 2735.1 MOOREGARAGEMOD_APPLICATION_REDACTED.PDF

4. **#2733.1 ARNOLD GARAGE**
   795 North Broadway, area variance modification for constructed changes to an attached garage and maintenance of an A/C unit; additional relief required from the minimum side yard setback and maximum principal building coverage requirements and minimum rear yard setback requirement for the accessory structure in the Urban Residential – 1 District.

   Documents: 2733.2 ARNOLDGARAGEMODIFICATION_APPLICATION.PDF

5. **#2874 REED RESIDENTIAL ADDITION**
   12 Clubhouse Dr., area variance for a residential addition to an existing single-family residence (attached townhouse); seeking relief from the minimum total side yard setback requirement in the Urban Residential – 4 District.

   Documents: 2874 REEDRESIDENCEADD_APPLICATION_REDACTED.PDF

Old Business

1. **#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.

   Documents: 2808.1 EMBASSYSUITESSIGN_APP_REDACTED.PDF

2. **#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.

   Documents: 2865 BOUGHTONGARAGE_APP_REDACTED.PDF

3. **#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

4. **#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, 2016 01 11_136 CIRCULAR STREET_ZBA LTR.PDF, 16_0112_MEMO_SARARTOGAZBA_COVERAGESUMMARY.PDF

5. **#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

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.

Other Business

1. **APPOINTMENT OF OFFICERS**

2. **NEXT ZONING BOARD MEETING**
   FEB. 8, 2016

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 10 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	Valerie Kay and Bruce Graham		balzer + tuck architecture, pllc
Address	[redacted]		468 Broadway
			Saratoga Springs, NY 12866
Tel/Fax	[redacted]	/	518.580.8818 /
Email	[redacted]		bbalzer@balzertuck.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

1. Property Address/Location: 109 Washington St Tax Parcel No.: 165 . 66 - 2 - 12
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: September 2013 3. Zoning District when purchased: UR-4

4. Present use of property: Multifamily Residence 5. Current Zoning District: UR-4

6. Has a previous ZBA application/appeal been filed for this property?
☑ Yes (when? May 2014 For what? Area Variance)
☐ 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: Renovation of existing (2) story rental property.

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) _____

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: June 30, 2014
2. Type of variance granted? ☐ Use ☑ Area
3. Date original variance expired: December 30, 2015
4. Length of extension requested: 18 Months
5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

After received all the approvals from the three boards we were asked to get a new survey of existing utilities. That survey uncovered and existing city sanitary sewer line running through the site. This discovery required and easment to be drafted which has caused the in filing for permit.

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:

There has been no change to the site, design, or intent of the project since the original variance was granted. We will be moving forward with the design we submitted to the three boards for approval.

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) _____

Dimensional Requirements	From	To

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.

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:

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

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:

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:

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)

Sworn to before me this date:

Date: December 9, 2015

(applicant signature)

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: _____

KAREN A. PURTELL FREITAS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PU5022054
Qualified in New York County
My Commission Expires August 30, 20__

KAREN A. PURTELL FREITAS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01PU5022054
Qualified in New York County
My Commission Expires August 30, 20__
September 22, 2018

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

APPLICANT: _____ TAX PARCEL NO.: _____.____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

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

CITY OF SARATOGA SPRINGS
ZONING BOARD OF APPEALS
CITY HALL - 474 BROADWAY
SARATOGA SPRINGS, NEW YORK 12866
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Bill Moore
Chair
Keith B. Kaplan
Vice Chair
Adam McNeill
Secretary
Gary Hasbrouck
George "Skip" Carlson
Oksana Ludd
James Helicke

#2768
IN THE MATTER OF THE APPEAL OF
Valerie Kay and Bruce Graham
109 Washington St.
Saratoga Springs, NY 12866

from the determination of the Building Inspector involving the premises at 109 Washington St. in the City of Saratoga Springs, New York being tax parcel number 165.66-2-12 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 three-family residence in a UR-4 District and public notice having been duly given of a hearing on said application held on May 12th and June 9th and 23rd, 2014.

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 variance for the following amount of relief:

	REQUIREMENT	PROPOSED	RELIEF REQUESTED
MINIMUM LOT SIZE: THREE DWELLING UNITS	9,000 SQ. FT.	5,931 SQ. FT.	3,069 SQ. FT. (34%)
MINIMUM SETBACK TO PARKING	25'	0'	25' (100%)

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

1. The applicants have demonstrated this benefit cannot be achieved by other means feasible to the applicants. This residence has been used as a three family prior to the current ownership. The applicant notes that there is no additional land available to purchase which would avoid this non-conforming situation. Given the shape and topography of the property, oriented on the corner of Washington and Walworth Sts., the parking area is limited to the absolute rear of the lot. The alternative would be to have no off street parking, which would not be feasible to the neighborhood.

2. The applicants have demonstrated that granting this variance will not create an undesirable change in neighborhood character or detriment to nearby properties as the neighborhood is characterized by a mix of single, two, and multi-family residences. In addition, neither the existing footprint nor height of the building will be altered with the proposed variance. Three new off-street parking spaces will reduce current on-street parking.

3. Both areas of relief may be considered substantial; however no change in the practical use of the property is proposed and the current use of the property will be improved by the creation of on-site parking for the units.

4. The proposed construction will not have a significant adverse physical or environmental effect on the neighborhood or district as the applicant is proposing to restore the property to a properly functioning residence with a quality appearance which will be a benefit to the neighborhood.

5. The difficulty may be considered self-created. This, however, is not necessarily fatal to the application.

Adopted by the following vote:

AYES: 6 (B. Moore, K. Kaplan, A. McNeill, G. Hasbrouck, S. Carlson and J. Helicke)

NAYES: 0

Dated: June 23, 2014

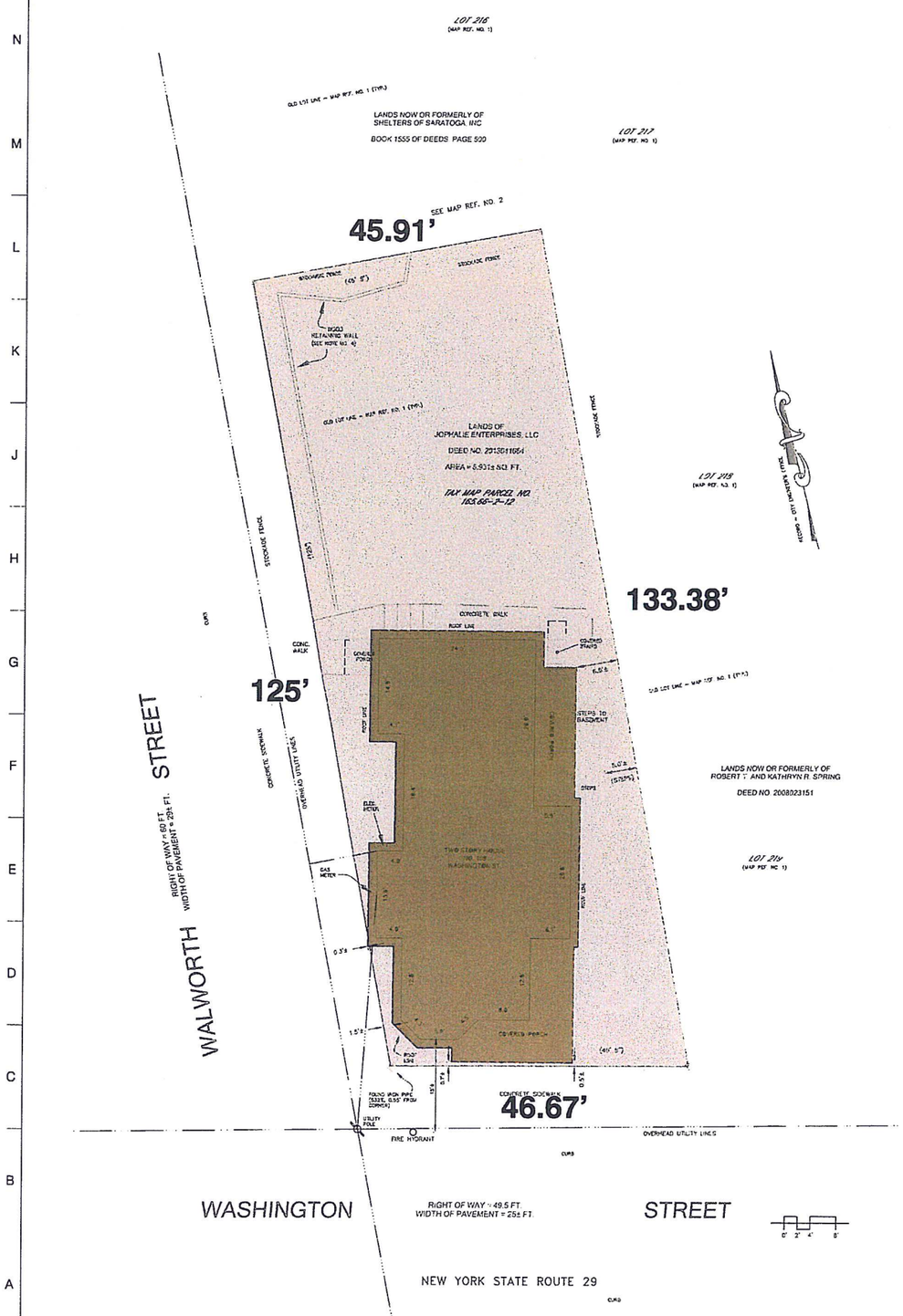
This variance shall expire 18 months following the filing date of such decision unless the necessary building permit has been issued and actual construction begun as per 240-8.5.1.

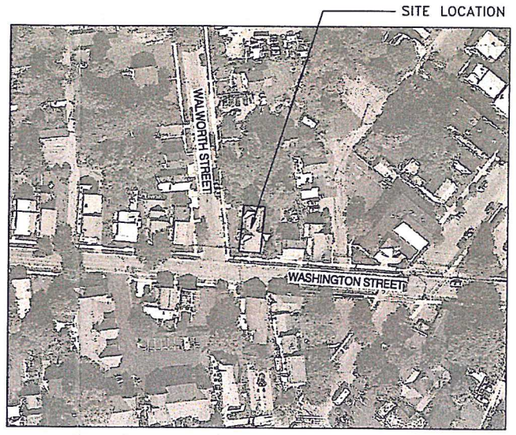
6/30/14
Date

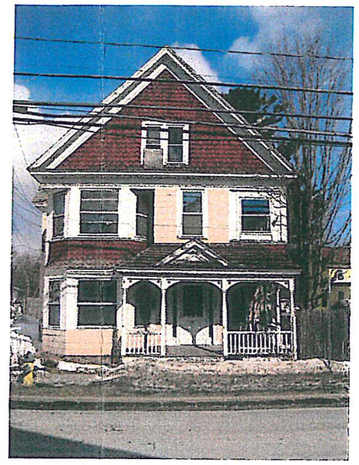
Chair

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, six members of the Board being present.

RECEIVED
JUN 30 2014
ACCOUNTS DEPARTMENT







NOTES:

1.) UNLESS OTHERWISE NOTED, OFFSET DIMENSIONS ARE MEASURED TO ROOF LINES.
2.) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE OR A TITLE REPORT.
3.) THERE WAS SIGNIFICANT SNOW AND ICE COVER PRESENT WHEN THIS SURVEY WAS PERFORMED.
4.) FENCES AND RETAINING WALLS ARE IN POOR CONDITION, THEREFORE LOCATIONS SHOWN ARE APPROXIMATE.
5.) DISTANCES IN PARENTHESIS ARE PER SUBJECT DEED.

DEED REFERENCE:

1.) DEED DATED SEPTEMBER 10, 2013 FROM CITIMORTGAGE, INC. TO JOPHALIE ENTERPRISES, LLC AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE AS DEED NO. 20130411654.

MAP REFERENCE:

1.) MAP ENTITLED "MAP OF PROPERTY AT SARATOGA SPRINGS OWNED BY PUTNAM AND STAFFORD" RE-SURVEYED BY S.R. OSTRANDER, DATED MARCH 4, 1845 AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE AS MAP NO. "FF-43" AND AS MAP NO. "Z-235".

2.) MAP ENTITLED "MAP OF A TOPOGRAPHIC SURVEY MADE FOR SHELTERS OF SARATOGA, INC." DATED DECEMBER 1, 2009, LAST REVISED ON JANUARY 26, 2010, MADE BY VAN DUSEN & STEVES, LAND SURVEYORS AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE AS MAP NO. "M201028".

I HEREBY CERTIFY TO:

1.) JOPHALIE ENTERPRISES, LLC

THAT THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY MADE IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

DANIEL C. WHEELER P.L.S. LIC. NO. 50,137

ZONING INFORMATION:

ZONING DISTRICT: UR-4
MINIMUM LOT SIZE: 3,000 SQ. FT./ D.U.
MINIMUM AVERAGE LOT WIDTH: 100 FT.
MAXIMUM PERCENT OF LOT TO BE OCCUPIED BY:
PRINCIPAL BUILDING: 25 %
ACCESSORY BUILDING: 15%
MINIMUM YARD DIMENSIONS:
FRONT: 25 FT.
REAR: 25 FT.
ONE SIDE: 20 FT.
TOTAL SIDE: 45 FT.
PRINCIPAL BUILDING:
MINIMUM FIRST FLOOR AREA:
1 STORY: 1,800 SQ. FT.
2 STORY: 1,200 SQ. FT.
MAXIMUM BUILDING HEIGHT: 70 FT.
MINIMUM DISTANCE FROM ACCESSORY BUILDING TO:
PRINCIPAL BUILDING: 10 FT.
FRONT LOT LINE: 25 FT.
SIDE LOT LINE: 5 FT.
REAR LOT LINE: 5 FT.
MINIMUM PERCENT OF LOT TO BE PERMEABLE: 15%

PROPERTY OWNER/ APPLICANT: VALERIE KAY AND BRUCE GRAHAM
REPRESENTING APPLICANT: BALZER + TUCK ARCHITECTURE

SURVEY PREFORMED BY:

DANIEL C. WHEELER
P.L.S. LIC. NO. 50,137

SURVEY ASSOCIATES, LLC
DANIEL C. WHEELER, LS
PROFESSIONAL LAND SURVEYING
432 BROADWAY, SUITE 5, SARATOGA SPRINGS, NY 12866
PH. (518) 583-7302 FAX (518) 583-7303

TITLE:
SURVEY OF LANDS OF JOPHALIE ENTERPRISES, LLC

LOCATION:
CITY OF SARATOGA SPRINGS, (I.D.)
SARATOGA COUNTY, NEW YORK

DATE:
JANUARY 30, 2014

SCALE:
1 INCH = 10 FEET

MAP NO. 2014-02-03

USE OF ARCHITECTS DOCUMENTS:

THESE DOCUMENTS PREPARED BY THE ARCHITECT ARE INSTRUMENTS OF SERVICE FOR USE SOLELY WITH RESPECT TO THIS PROJECT, AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT. THE ARCHITECT SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS INCLUDING THE COPYRIGHT (S). THE OWNER SHALL NOT REUSE OR PERMIT THE REUSE OF THESE DOCUMENTS INCLUDING ANY DESIGN & CONSTRUCTION DEVELOPMENT, CHANGES OR ALTERATIONS TO THESE DOCUMENTS, WITHOUT THE WRITTEN ACKNOWLEDGEMENT AND AUTHORIZATION OF THE ARCHITECT

balzer + tuck
architecture · pllc
468 broadway saratoga springs ny
p 518.580.8818 f 518.580.8924

GENERAL CONTRACTOR:

109
WASHINGTON
ST

SARATOGA SPRINGS
NY

No.	Description	Date

PROPERTY OWNER/ APPLICANT
VALARIE KAY AND BRUCE GRAHAM
220 RIVERSIDE BLVD #12J
NEW YORK, NY 10069

Project number	1335
Drawn by	DM
Checked by	BB
Date	05/02/14
Scale	3/16" = 1'-0"

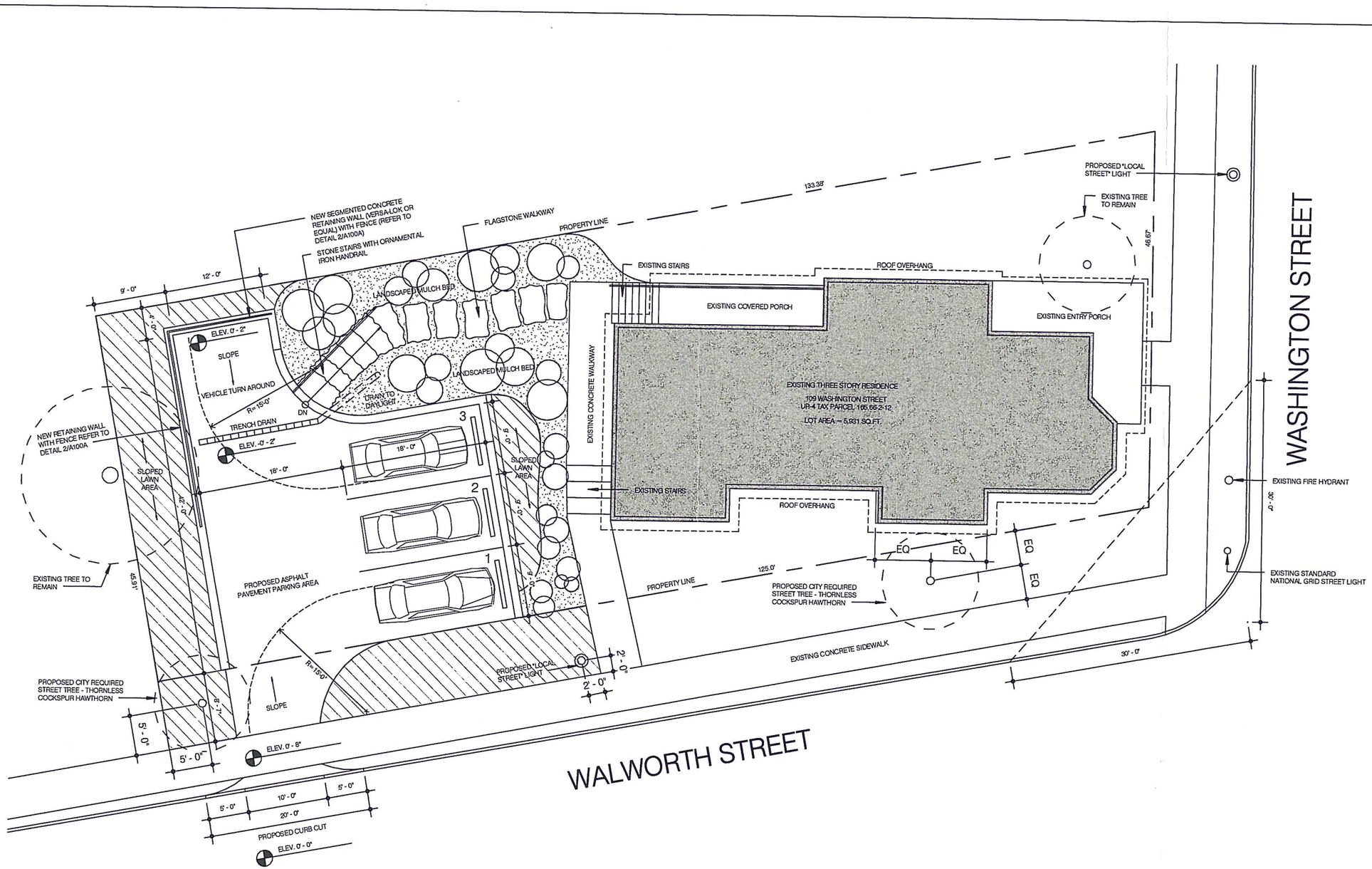
SITE PLAN

sheet title

A100

sheet no.

5/13/2014 1:45:13 PM



balzer + tuck architecture
468 broadway • saratoga springs • ny • 12866
p 518.580.8818 • f 518.580.8824 • balzertuck.com

PROPOSED SITE PLAN

BTA PROJECT NO: 1335 SCALE: 1"=1'-0"

109 WASHINGTON ST

SARATOGA SPRINGS NY

0' 10'

(West Ave)

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 22 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	2 West Bar & Grille	Express 2 West, LLC	Adirondack Sign Co.
Address	2 West Ave. Saratoga Springs, NY	18 Division St. Saratoga Springs	72 Ballston Ave Saratoga Springs, NY
Tel./Fax	[redacted]	[redacted]	409-7446
Email	[redacted]	[redacted]	John@ADKsignco.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.) 2 West Ave. Side of St. (north, east, etc.) East

Tax Parcel No.: 165.10-1-21 *(for example: 165.52 - 4 - 37)* Tax District: ☑ Inside ☐ Outside

1. Date acquired by current owner: 6-2014 2. Zoning District when purchased: T-5

3. Present use of property: Commercial 4. Current Zoning District: T-5

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: Allowed Freestanding sign for site from zoned 12'sq to 20 sq.ft. - increase size 8 sq.ft. proportions (Only Freestander on property proposed)

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) – Signage –

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) T-5 Zone – 6.1.5.3 Freestanding Sign District

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

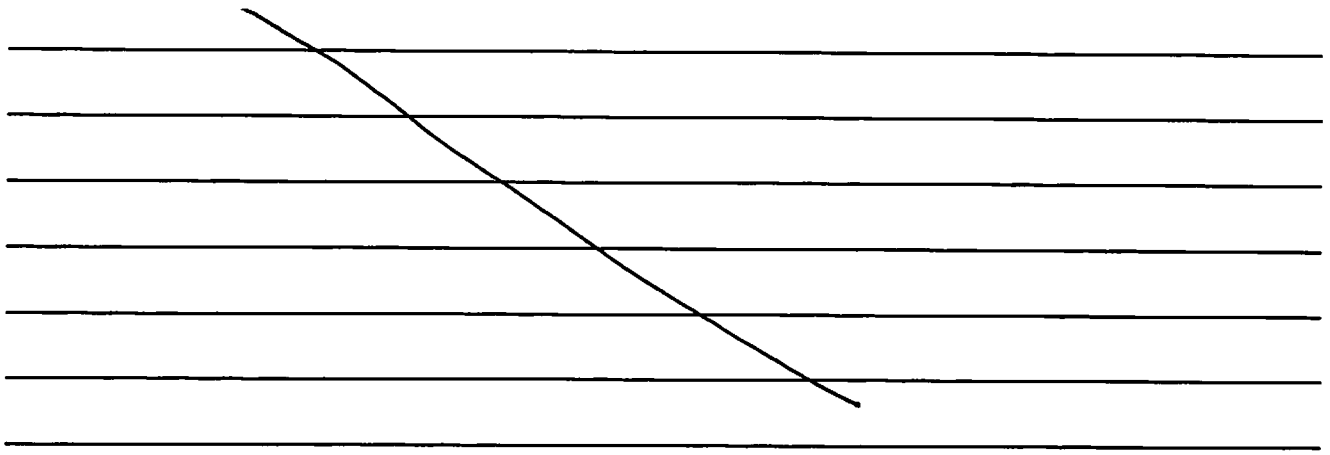
EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

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:



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

The applicant requests relief from the following Zoning Ordinance article(s) 6.1.5.3 Freestanding Sec D

Dimensional Requirements	From	To
Zoned T-5 Freestander 12' sq. ft.	12' Sq. Ft.	30' Sq. 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.

Limited visibility to entrance on West Ave. Other business on West Ave signage i see examples larger freestander allows preparation time and less traffic disturbance to make safe entrance to Restaurant.

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 variance would not produce a change in character in the neighborhood - business & medical along West Ave. (see examples) It would balance with building decor and present itself well in the business district.

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

- 66% Increase but in line with neighbor freestanders in place now. Medical Arts and others along West Ave.

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:

No adverse physical affect due to design presentation and location of Freestander. Materials & design present a positive aspect to the neighborhood.

(2 West) ZBA

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:

Not self created - Original building site plan did not take into account entrance visibility for commercial tenant (Resturant)

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: 11/12/2015

Notary Public

EINARS TUPURITIS
NOTARY PUBLIC IN THE STATE OF NEW YORK
QUALIFIED IN SARATOGA COUNTY, NO. 01TU6157178
MY COMMISSION EXPIRES DECEMBER 4, 20__

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

APPLICANT: 2 West Bar & Grille TAX PARCEL NO.: 165.10-1-21

PROPERTY ADDRESS: 2 West Ave. ZONING DISTRICT: T-5

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 ☐ Hardship Appeal from Architectural/Historic Review

☐ Use Variance to permit the following: _____

☑ Area Variance seeking the following relief:

Dimensional Requirements	From	To
Freestander -	12' sq. ft.	20' sq. ft.

Other: _____

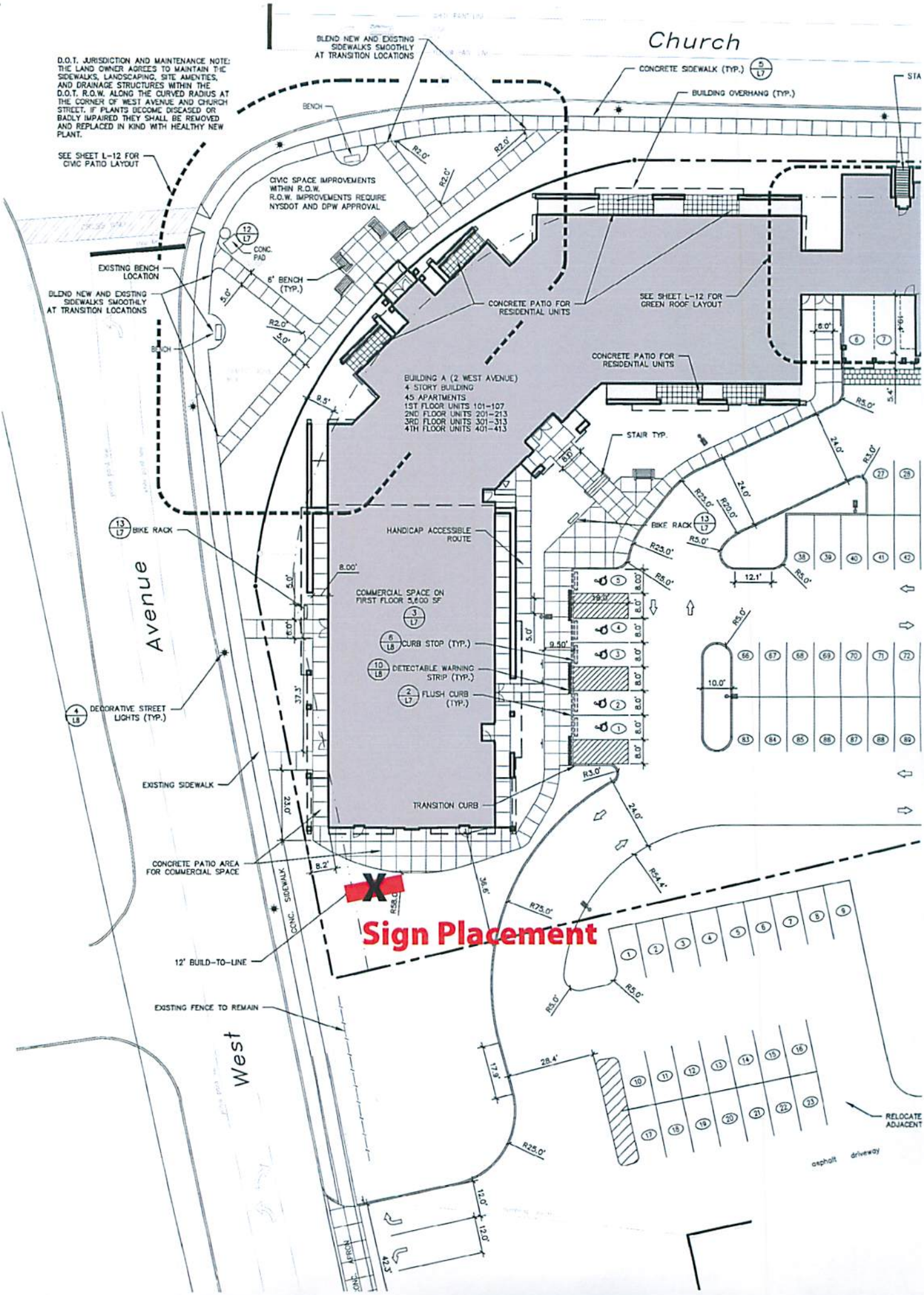
☐ Advisory Opinion required from Saratoga County Planning Board

_____ _____

BUILDING INSPECTOR DATE

Revision date: January 2011

Revised 01/05/2011


Church
West
Avenue
D.O.T. JURISDICTION AND MAINTENANCE NOTE: THE LAND OWNER AGREES TO MAINTAIN THE SIDEWALKS, LANDSCAPING, SITE AMENITIES, AND DRAINAGE STRUCTURES WITHIN THE D.O.T. R.O.W. ALONG THE CURVED RADIUS AT THE CORNER OF WEST AVENUE AND CHURCH STREET. IF PLANTS BECOME DISEASED OR BADLY IMPAIRED THEY SHALL BE REMOVED AND REPLACED IN KIND WITH HEALTHY NEW PLANT.
BLEND NEW AND EXISTING SIDEWALKS SMOOTHLY AT TRANSITION LOCATIONS
CONCRETE SIDEWALK (TYP.)
BUILDING OVERHANG (TYP.)
BENCH
SEE SHEET L-12 FOR CIVIC PATIO LAYOUT
CIVIC SPACE IMPROVEMENTS WITHIN R.O.W. R.O.W. IMPROVEMENTS REQUIRE NYSDOT AND DPW APPROVAL
CONC. PAD
EXISTING BENCH LOCATION
6' BENCH (TYP.)
CONCRETE PATIO FOR RESIDENTIAL UNITS
SEE SHEET L-12 FOR GREEN ROOF LAYOUT
BUILDING A (2 WEST AVENUE)
4 STORY BUILDING
45 APARTMENTS
1ST FLOOR UNITS 101-107
2ND FLOOR UNITS 201-213
3RD FLOOR UNITS 301-313
4TH FLOOR UNITS 401-413
STAIR TYP.
BIKE RACK
HANDICAP ACCESSIBLE ROUTE
COMMERCIAL SPACE ON FIRST FLOOR 5,600 SF
CURB STOP (TYP.)
DETECTABLE WARNING STRIP (TYP.)
FLUSH CURB (TYP.)
DECORATIVE STREET LIGHTS (TYP.)
EXISTING SIDEWALK
TRANSITION CURB
CONCRETE PATIO AREA FOR COMMERCIAL SPACE
CONC. SIDEWALK
12' BUILD-TO-LINE
EXISTING FENCE TO REMAIN
Sign Placement
RELOCATE ADJACENT
asphalt driveway

4' x 5' Freestanding Sign
- Push through acrylic letters with HDU painted black on the face. Background to be Brushed aluminum dibond.
- Lit with LEDs
- Double sided

Please proof read carefully upon receipt. Colors viewed on monitors may vary slightly from actual colors in final production. If color critical, please provide accurate color samples (ie: pantone, paint swatches, etc.) Signed proofs indicate review and acceptance of the proof. Once proof is signed and returned with approval, we are not responsible for any discrepencies regarding color, spelling or materials used in production.

PROOFS MUST BE SIGNED AND RETURNED VIA EMAIL OR FAX BEFORE PROCEEDING

ADIRONDACK SIGN COMPANY
72 Ballston Ave., Saratoga Springs, NY 12866
p: 518.409.SIGN(7446) f: 518.478.8489
www.AdkSignCo.com

Customer
2 West Bar & Grille

Proof Approval: ☐ YES ☐ NO ☐ NEEDS CHANGES

Date
11/20/15

Signature:

4' x 5' Freestanding Sign
- Push through acrylic letters with HDU painted black on the face. Background to be Brushed aluminum dibond. Lit with LEDs
- Double sided

Please proof read carefully upon receipt. Colors viewed on monitors may vary slightly from actual colors in final production. If color critical, please provide accurate color samples (ie: pantone, paint swatches, etc.) Signed proofs indicate review and acceptance of the proof. Once proof is signed and returned with approval, we are not responsible for any discrepencies regarding color, spelling or materials used in production.

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72 Ballston Ave., Saratoga Springs, NY 12866
p: 518.409.SIGN(7446) f: 518.478.8489
www.AdkSignCo.com

Customer
2 West Bar & Grille

Date
12/10/15

Proof Approval: ☐ YES ☐ NO
☐ NEEDS CHANGES

Signature:

Monument comparison West of proposed new freestanding sign

Please proof read carefully upon receipt. Colors viewed on monitors may vary slightly from actual colors in final production. If color critical, please provide accurate color samples (ie: pantone, paint swatches, etc.) Signed proofs indicate review and acceptance of the proof. Once proof is signed and returned with approval, we are not responsible for any discrepancies regarding color, spelling or materials used in production.

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72 Ballston Ave., Saratoga Springs, NY 12866
p: 518.409.SIGN(7446) f: 518.478.8489
www.AdkSignCo.com

Customer

Proof Approval: ☐ **YES** ☐ **NO**

☐ **NEEDS CHANGES**

Date

12/18/15

Signature:

Minogue's Signage
South of the 2 West location

Please proof read carefully upon receipt. Colors viewed on monitors may vary slightly from actual colors in final production. If color critical, please provide accurate color samples (ie: pantone, paint swatches, etc.) Signed proofs indicate review and acceptance of the proof. Once proof is signed and returned with approval, we are not responsible for any discrepancies regarding color, spelling or materials used in production.

PROOFS MUST BE SIGNED AND RETURNED VIA EMAIL OR FAX BEFORE PROCEEDING

ADIRONDACK
SIGN COMPANY

72 Ballston Ave., Saratoga Springs, NY 12866
p: 518.409.SIGN(7446) f: 518.478.8489
www.AdkSignCo.com

Customer

Proof Approval: ☐ **YES** ☐ **NO**

☐ **NEEDS CHANGES**

Date

12/18/15

Signature:

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 #)

_____
(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	[redacted]		
Address			
Tel./Fax		/	/
Email			

* 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.) 75 S. Franklin Street Side of St. (north, east, etc.) _____

Tax Parcel No.: 165 . 66 - 2 - 59 (*for example: 165.52 – 4 – 37*) Tax District: ☒ Inside ☐ Outside

1. Date acquired by current owner: 5/14
2. Zoning District when purchased: UR-3
3. Present use of property: Single Family
4. Current Zoning District: UR-3
5. Has a previous ZBA application/appeal been filed for this property? ☒ Yes (when? 11/14 for what? Sidebacks/Finished Garage) ☐ 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: Modification of previous application to include home occupation in space located over garage.
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)
MODIFICATION

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: Home occupation in finished garage space

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) See Narrative .

Dimensional Requirements	From	To

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.

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:

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

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:

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:

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)

[redacted]

Revised: January 2011

617.20

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR

2. PROJECT NAME

3. PROJECT LOCATION:

Municipality County

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)

5. PROPOSED ACTION IS: ☐ New ☐ Expansion ☐ Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:

7. AMOUNT OF LAND AFFECTED: Initially: _____ (acres) Ultimately: _____ (acres)

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
☐ Yes ☐ No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
☐ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☐ Other
Describe:

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
☐ Yes ☐ No If Yes, list agency(s) name and permit/approvals:

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
☐ Yes ☐ No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
☐ Yes ☐ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: _____ Date: _____

Signature: _____

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☐ No

C. COULD ACTION RESULT IN **ANY** ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
☐ Yes ☐ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☐ No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts that **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

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

APPLICANT: _____ TAX PARCEL NO.: _____.____ - _____ - ____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

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 ☐ Hardship Appeal from Architectural/Historic Review

☐ Use Variance to permit the following: _____

_____

_____

_____

☐ Area Variance seeking the following relief:

Dimensional Requirements	From	To

Other: _____

_____

☐ Advisory Opinion required from Saratoga County Planning Board

_____ _____

BUILDING INSPECTOR DATE

Revision date: January 2011

Narrative for Modification

I originally applied for a variance of 3% for size of accessory structure as well as for finished space on the second floor with a half bath. There was also a 1' variance for the sidebacks of the main house. At the time I was under the belief that the home occupation in the accessory structure was covered under typical rules, meaning: no more than one employee who does not live in the home, no more than 10 traffic trips per week to the office by clients, parking provided on site and no more than 15% of space dedicated to the office. I had originally intended this would be just a space for me to work. After working for a period without an office assistant it became clear I did need one.

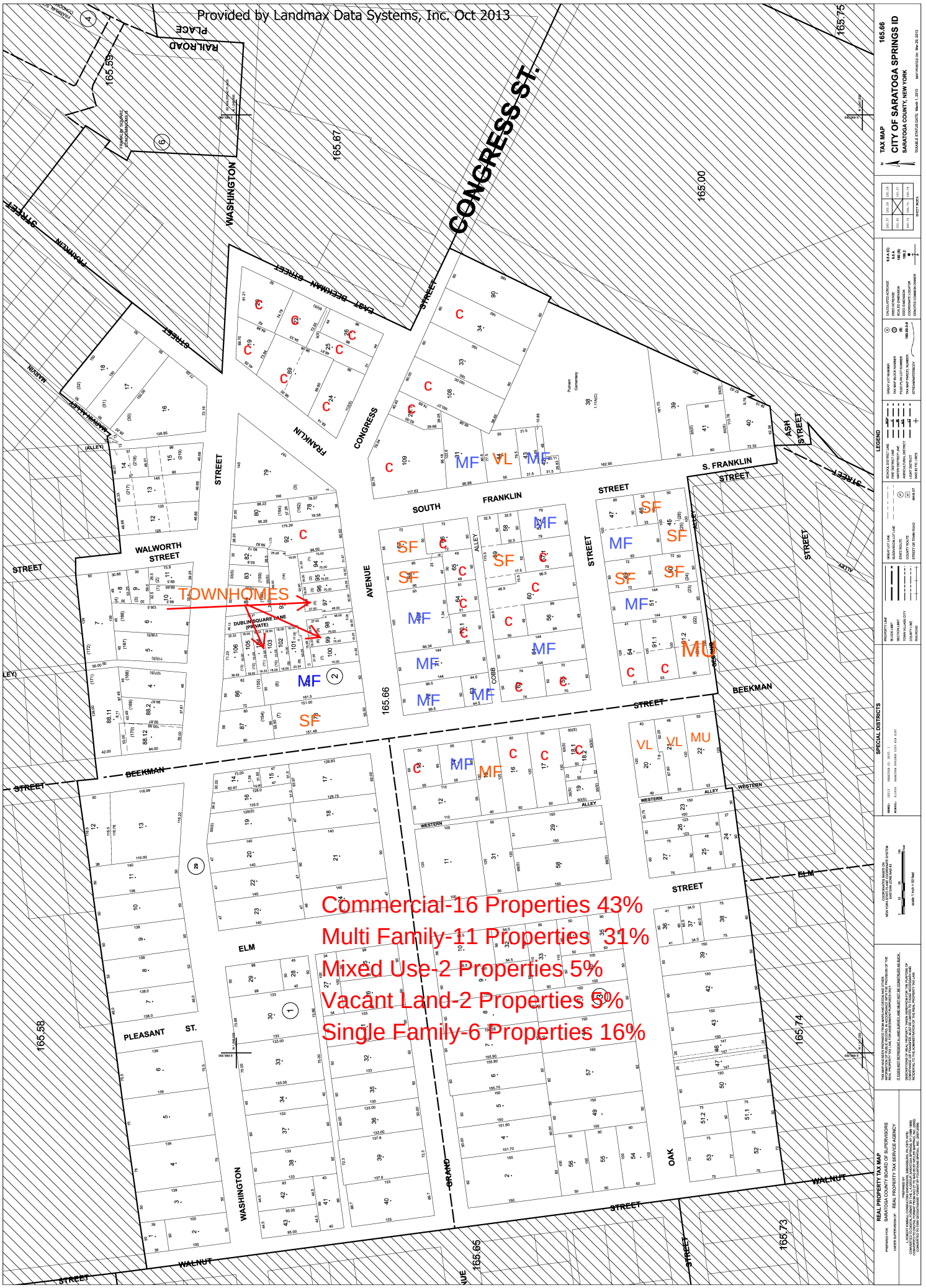
My secretary works 18 hours per week on Mondays, Tuesday and Wednesdays. No other employee works at the site as my business is primarily generated by phone and email and me leaving the office to inspect properties. Since I have moved in (February 2015) I have had three people stop at my office to pay bills (an average of one trip every 3 months). I use 237 square feet for the office use, which you can see by enclosed pictures (if the bathroom is counted the square footage goes to 291), I'm allowed 412 based on square footage. My attention was to not bypass the any requirements, however I was under the belief that I met the criteria and fulfilled all requirements for the home occupation designation.

When I constructed the house I have a two car garage and when I paved we had an additional spot on the side of the garage done for three total parking spots on site. There is no sign that my office is above the garage and no sign for my business at all. There has been no alteration of any kind to the neighborhood that would be considered mixed uses. The character of the neighborhood has remained intact since I constructed my home.

I did not apply for this initially as I believed I had meet the burden but was then informed since it is in the accessory structure I needed to apply for the modification.

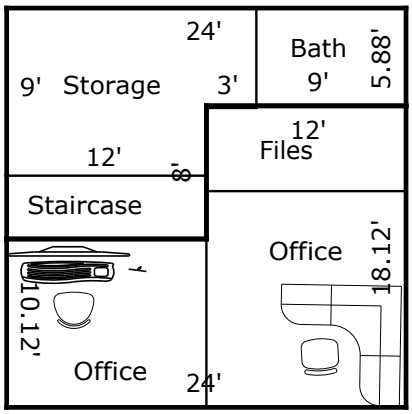
I have provided a sketch of the use of the second floor as well as pictures of the exterior and interior of the building.

Also enclosed is a tax map, the approximate 1 block around my home has 7 single family homes, 12 commercially utilized properties, 10 multi family homes and one vacant lot. So the entire block around my home is 23% single family, 40% commercial, 33% multi family and 3% vacant land, so approximately ¾ is commercial or multi family housing.


Provided by Landmax Data Systems, Inc. Oct 2013
CONGRESS ST.
TOWNHOMES
Commercial-16 Properties 43%
Multi Family-11 Properties 31%
Mixed Use-2 Properties 5%
Vacant Land-2 Properties 5%
Single Family-6 Properties 16%
TAX MAP
CITY OF SARATOGA SPRINGS ID
SARATOGA COUNTY, NEW YORK
REAL PROPERTY TAX MAP
SARATOGA COUNTY BOARD OF SUPERVISORS
REAL PROPERTY TAX SERVICE AGENCY
LEGEND
SPECIAL DISTRICTS

Building Sketch

Borrower							
Property Address	75A S Franklin St						
City	Saratoga Springs	County		State	NY	Zip Code	12866
Lender							



Office Area Utilized
[237.06 Sq ft]

House
20' x 58'=1160
20' x 48' = 960

Garage 25' x 25' = 625

Total Square Footage=2745

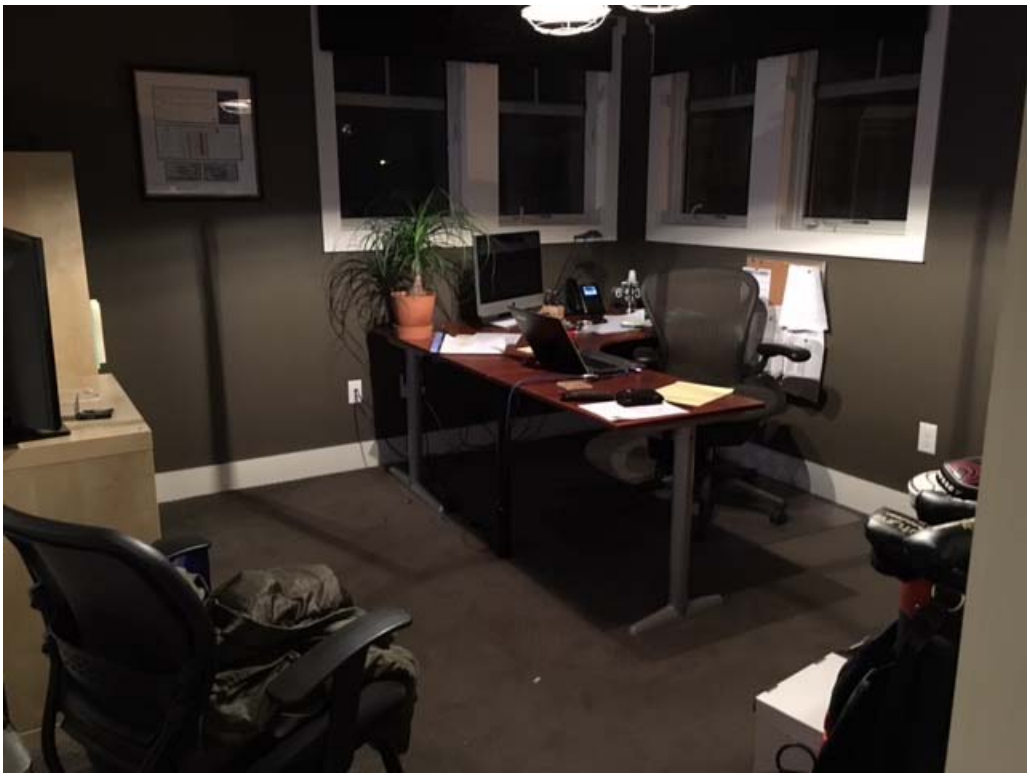
Home Occupation Allowed =412

TOTAL Sketch by a la mode, inc.

Calculation Details

Bath

File Area



Office

Office

FROST HURFF
ARCHITECTS

REC'D JAN 08 2016

MEMO

Date: 1/8/2016
To: Zoning Board of Appeals
From: Thomas Frost, Frost Hurff Architects
Re: Arnold Residence, 795 North Broadway
Garage Addition

The as-built survey of the subject property dated 12/9/15 by Thompson/Fleming Land Surveyors has been received by our office. A copy is included with this letter. It confirms that the actual set-back dimension from the west property line is less than that approved by the original Area Variance dated 11/18/13. A set-back dimension of 9.0' was approved in that original variance. The current survey indicates that the set-back from the west property line to the edge of the garage roof is actually 8.4', a difference of 0.6', or 7½" from the previously approved dimension.

Because the garage structure is connected to the main house (Principal Building) it becomes part of that structure in terms of the Zoning Ordinance. The 11/18/13 Area Variance listed the Principal Building, including the addition of the garage structure, as having a footprint of 6491 SF, which was 21.6% coverage of the 30,000 SF lot. The maximum lot coverage for a principal building in the UR-1 Zone is 20%. The 1.6% requested overage relief was approved.

In 2014, a sunroom addition to the garage structure was proposed, which increased the lot coverage figure to 22.6%. An Area Variance for this additional 1% relief was granted on 7/22/14.

Given the revision to the west set-back line, it was suggested by the ZBA staff on 1/6/16 that the lot coverage figure be reviewed. It was found that the footprint of the garage addition, including the sunroom addition, exterior stairway and the south door canopy, is now at 1849 SF, bringing the total principal building footprint to 6888 SF, or 22.96% lot coverage.

At the southwest corner of the garage structure there are two concrete pads parallel to the west property line. These are shown on the enclosed as-built survey. The southern-most of these is 5' x 10', is 0.1' from the property line and contains an electric generator 2'-4" high, and an air conditioning condenser 4' high. The second pad is 3'-4" x 8', is 1.6' from the property line and contains a 5'-8" electric panel structure. If these items are to be considered Accessory Structures, then an Area Variance may be required from the ZBA to validate their location. Photographs of these items are provided with this letter.

Thomas R. Frost, Jr., RA tom@fharch.com Matthew H. Hurff, RA matt@fharch.com
41 Long Alley Saratoga Springs, New York 12866 518-584-7514 Fax 584-7523 www.fharch.com

In summary, the subject project may require three revised Area Variances;

1. Principal Building 12.0' side-yard set-back from an approved 9.0' to a revised 8.4'.

2. Principal Building 20% lot coverage from an approved 22.6% to a revised 23%.

3. Accessory Structure 5.0' side-yard set-back to what might be considered required relief for the mechanical/electrical units.

It should be noted that by itself the garage structure would constitute an Accessory Structure of 1849 SF, or a lot coverage of 6.2% (8% maximum allowed). The house as the Principal Building is 5039 SF in area, constituting a lot coverage of 16.8% (20% maximum allowed). If these to structures were physically separated by a minimum of 5', a lot coverage Area Variance would not be required for either building.

Please contact us to advise of the procedure required to adjust these Area Variances.

Fourth Street

Broadway

North

GRAVEL DRIVEWAY

1"IP.

S72°34'00"E
200.00'

STREET BOUNDARY

7.0'

23.6'

CONC. PAD

ASPHALT DRIVEWAY

CARPORT

SLATE WALK

GAS METER

35.2'

PORCH

STONE STEPS

CONC. STEPS TO BASEMENT

3 STORY BRICK HOUSE

PORCH

STONE STEPS

ASPHALT DRIVEWAY

FFE=100.00

CONC. PAD

64.4'

SAN. CLEANOUTS

CONC. DRIVE

4"PVC FLUSH W/CAP

TRENCH DRAIN

LANDSCAPING

STONE STEPS

BRICK BORDER

CONC. WALK

8.7'

OVERHANG OVER BRICK PAD

SLATE WALK

Emily Dodge Hansen and Marc R. Woodworth
Bk1522 P728

N17°12'00"E
150.00'

2-STORY CARRIAGE HOUSE

EAVES (TYP.)

S17°12'00"W
150.00'

SLATE SIDEWALK

BRICK PATIO

8.4'

ELEC. PANEL ON CONC. PAD

CANOPY

STONE LANDING

Area=
0.689 ac.

66.1'

A/C UNITS ON CONC. PAD

34.7'

HEMLOCK ROW

STREET BOUNDARY

STONE MONUMENT FOUND

0.1'

200.00'

N72°34'00"W

5/8"IR.

CURB

ASPHALT DRIVEWAY

0.2'

CARPORT

NORTH

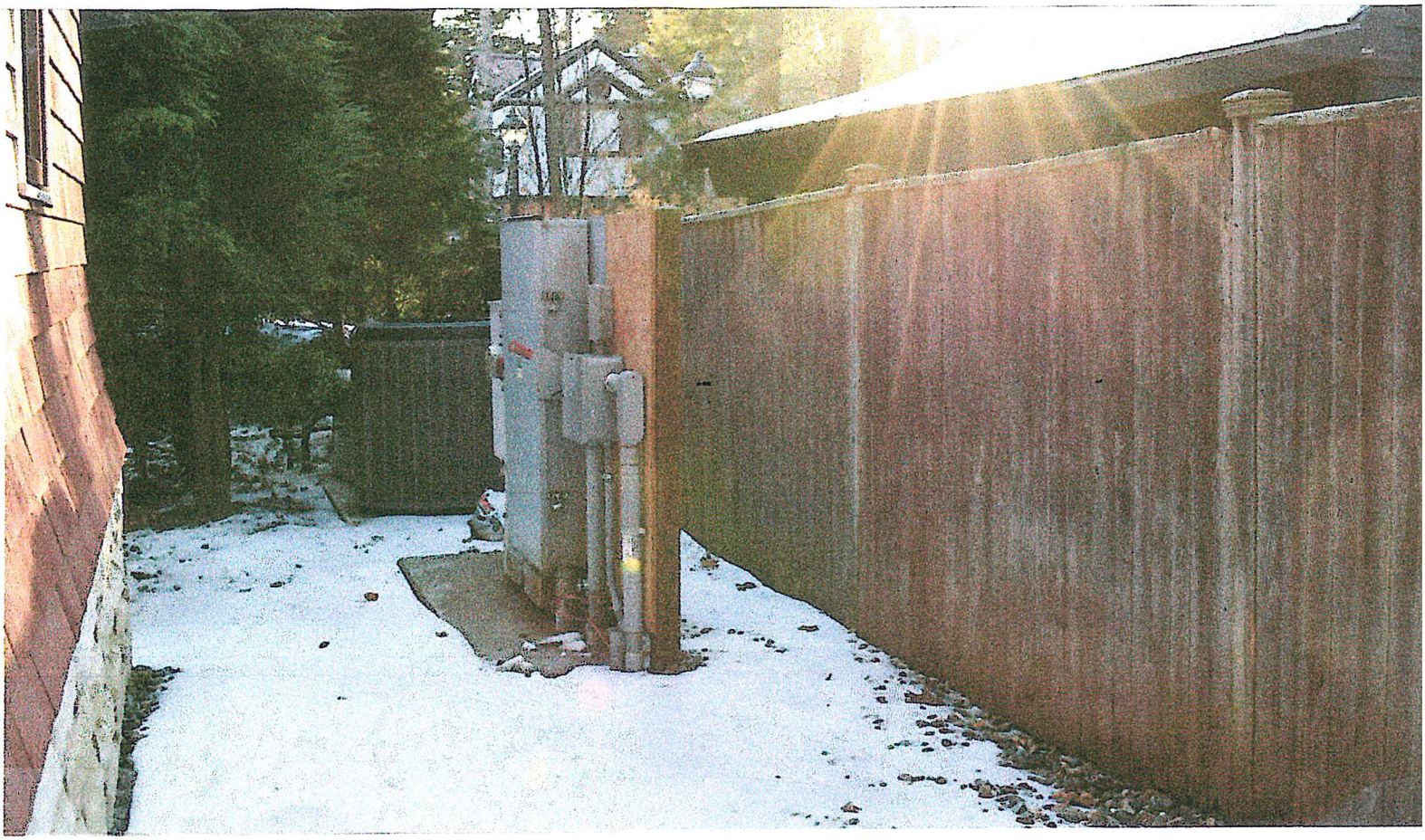
EDGE OF ASPHALT

795 NORTH BROADWAY As-built Survey 1" = 20'-0" 12/9/15

795 NORTH BROADWAY

Looking South along West Property Line – Electric Panel, A/C unit, Generator

795 NORTH BROADWAY



West Garage Wall looking South

South Garage Wall looking West

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 #)

(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	PAT. REED		SD Atelier Architecture
Address	[redacted]		511 Broadway Saratoga Springs, NY 12866
Tel./Fax	/	/	587-3385 /
Email			sue@sdatelier.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.) 12 CLUBHOUSE DRIVE Side of St. (north, east, etc.) SOUTH

Tax Parcel No.: 179 . 53 - 1 - 16 *(for example: 165.52 – 4 – 37)* Tax District: ☒ Inside ☐ Outside

1. Date acquired by current owner: _____ 2. Zoning District when purchased: UR-4

3. Present use of property: SINGLE FAMILY TOWNHOUSE 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: CLIENT IS PROPOSING A 1 STORY MASTER BEDROOM/BATH ADDITION. THE ADDITION WILL BE 15' x 24'-8" (369 SF) SEE NARRATIVE

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)

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

The applicant requests relief from the following Zoning Ordinance article(s) Article II - Area Requirements.

Dimensional Requirements	From	To
TOTAL SIDEYARD SETBACK	45'	20'

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 APPLICANT CANNOT RE-LOCATE THE TOWNHOUSE OR PURCHASE ADDITIONAL LAND. THE PROPOSED DESIGN IS INTENTIONALLY LOCATED TO BE IN THE ALLOWABLE BUILDING AREA - ON THE NORTH SIDE.

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 WILL NOT BE HIGHLY VISIBLE AS IT WILL HAVE A FENCE/HEDGE AROUND IT. THE DESIGN WILL HAVE SIMILAR ROOFLINES and CONSISTENT MATERIALS TO THE EXISTING TOWNHOUSE. THE HOA HAS REVIEWED THE DESIGN and FOUND IT TO BE ACCEPTABLE FOR THE NEIGHBORHOOD.

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

NO. THIS IS A TECHNICALITY DUE TO THE UNIQUE SITUATION OF BEING A TOWNHOUSE WITH A PARTY WALL. THE GRANTING OF A VARIANCE WILL NOT ALTER THE CHARACTER OF 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:

NO THE REQUEST IS FOR A PRE-EXISTING NON-CONFORMING CONDITION. IT IS IMPOSSIBLE TO MEET THE 45' TOTAL SIDEYARD SETBACK. - THE GRANTING OF THE VARIANCE WILL NOT HAVE AN ADVERSE EFFECT 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:

NO. THIS WAS NOT SELF-CREATED. BUT DISCOVERED WHEN APPLYING FOR A BLDG. PERMIT. DUE TO THE NATURE OF A PRE-EXISTING NON-CONFORMING CONDITION. THERE IS NOT ALOT OF BACKGROUND OR DOCUMENTATION HOW THIS WAS APPROVED INITIALLY. IT IS THOUGHT THAT PERHAPS 2 UNITS WERE CONSIDERED AS ONE PARCEL and SUBSEQUENTLY SUB-DIVIDED. and SOLD AS INDIVIDUAL TOWN HOUSES.

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

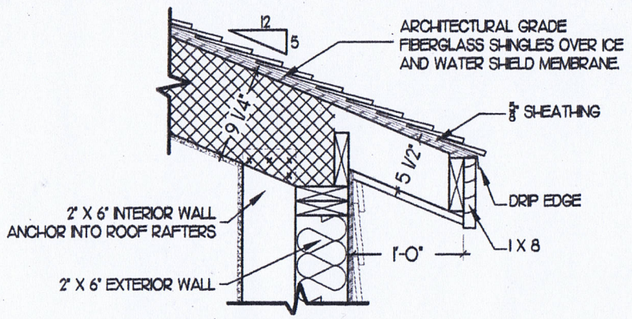
I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

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.

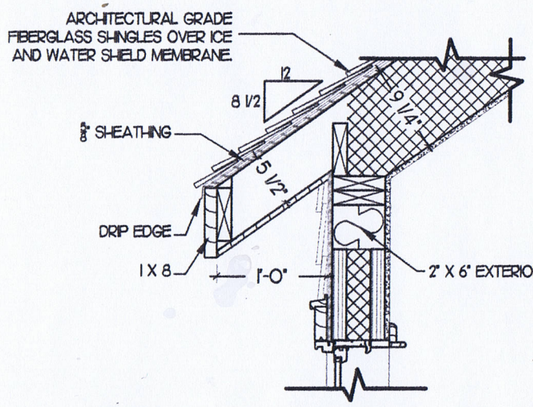
Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

(applicant signature)

(applicant signature)



2 / A-6 SOFFIT DETAIL
SCALE 3/4" = 1'-0"



3 / A-6 SOFFIT DETAIL
SCALE 3/4" = 1'-0"

ELEVATION NOTES:

1. NEW ARCHITECTURAL GRADE FIBERGLASS SHINGLE ON 30 LB BLDG. FELT, SEE ROOF PLAN.
2. METAL DRIP EDGE- USE ROOFING CEMENT AT BOTTOM SHINGLE COURSING, NEAR MTL. DRIP EDGE. HOWEVER- DO NOT ALLOW CEMENT & DRIP TO COME INTO CONTACT WITH EACH OTHER- THIS SHALL APPLY TO RAKES ALSO.
3. HORIZONTAL SIDING - TO MATCH EXISTING.
4. EXT. WINDOW TRIM SHALL MATCH SIZES AND PROFILES OF EXIST'G WINDOW TRIM. FLASH ALL HEADS AS TO INSURE WATER TIGHT INSTALLATIONS.
5. CORNER BD. - TO MATCH EXISTING.
6. MAINTAIN MIN. 2" CLEARANCE BETWEEN NEW ROOF AND EXIST'G WINDOW
7. FINISH GRADE SHALL SLOPE AWAY FROM NEW FOUNDATION, DOWN 6" OVER 10'-0" - PER CODE.
8. STEP FLASH AT ROOF TO EXIST'G WALL JOINT- PROVIDE ICE & WATER ONTO EXISTING BLDG WALL SHEATHING W/ BLDG FELT AND THEN ALUMINUM STEP FLASHING - BEFORE REINSTALLING (RESETTING) ALL EXIST'G WALL SIDING AND INCIDENTALS.
9. PROVIDE NEW HOSE BIB - COORDINATE WITH FLOOR PLAN, HOMEOWNER & G.C. FOR FINAL LOCATION.
10. PROVIDE WATER PROOF OUTLET - COORDINATE WITH FLOOR PLAN, HOMEOWNER & G.C. FOR FINAL LOCATIONS.

1 / A-6 EAST ELEVATION
SCALE 1/4" = 1'-0"

SD ATELIER
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Saratoga Springs, NY. 12866
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info@sdatelier.com

MASTER BEDROOM ADDITION FOR:
Pat Reed
12 Clubhouse Dr.
Saratoga Springs, NEW YORK 12866

EAST ELEVATIONS & NOTES
BLDG DEPT. SET

WARNING
THE ALTERATION OF THIS MATERIAL IN ANYWAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE NEW YORK STATE CERTIFIED PROFESSIONAL IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS A MISDEMEANOR

SCALE: AS NOTED
REVISIONS:

DATE:
OCTOBER 20, 2015

A-6

PROJECT NUMBER - 2015-22

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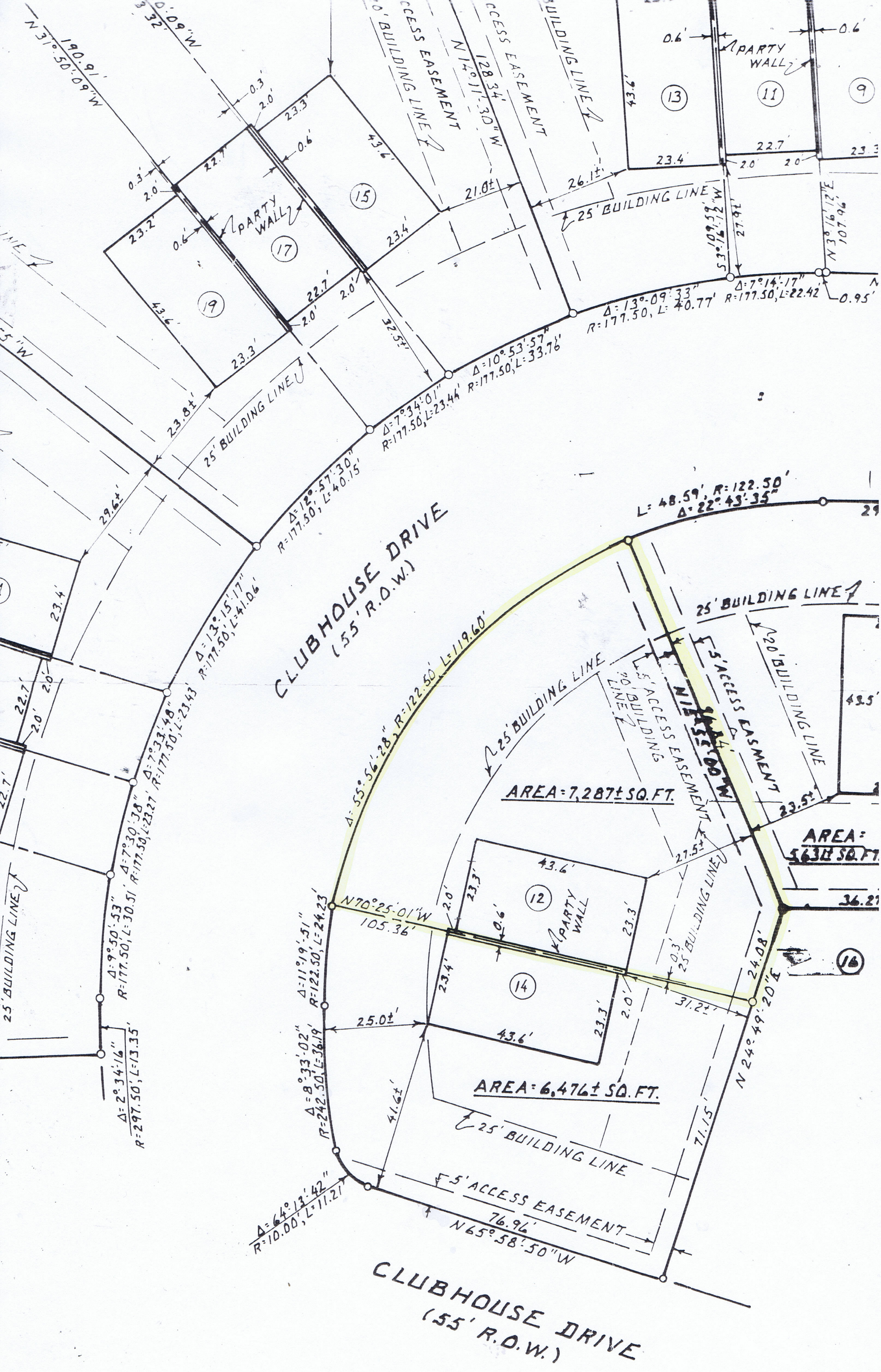
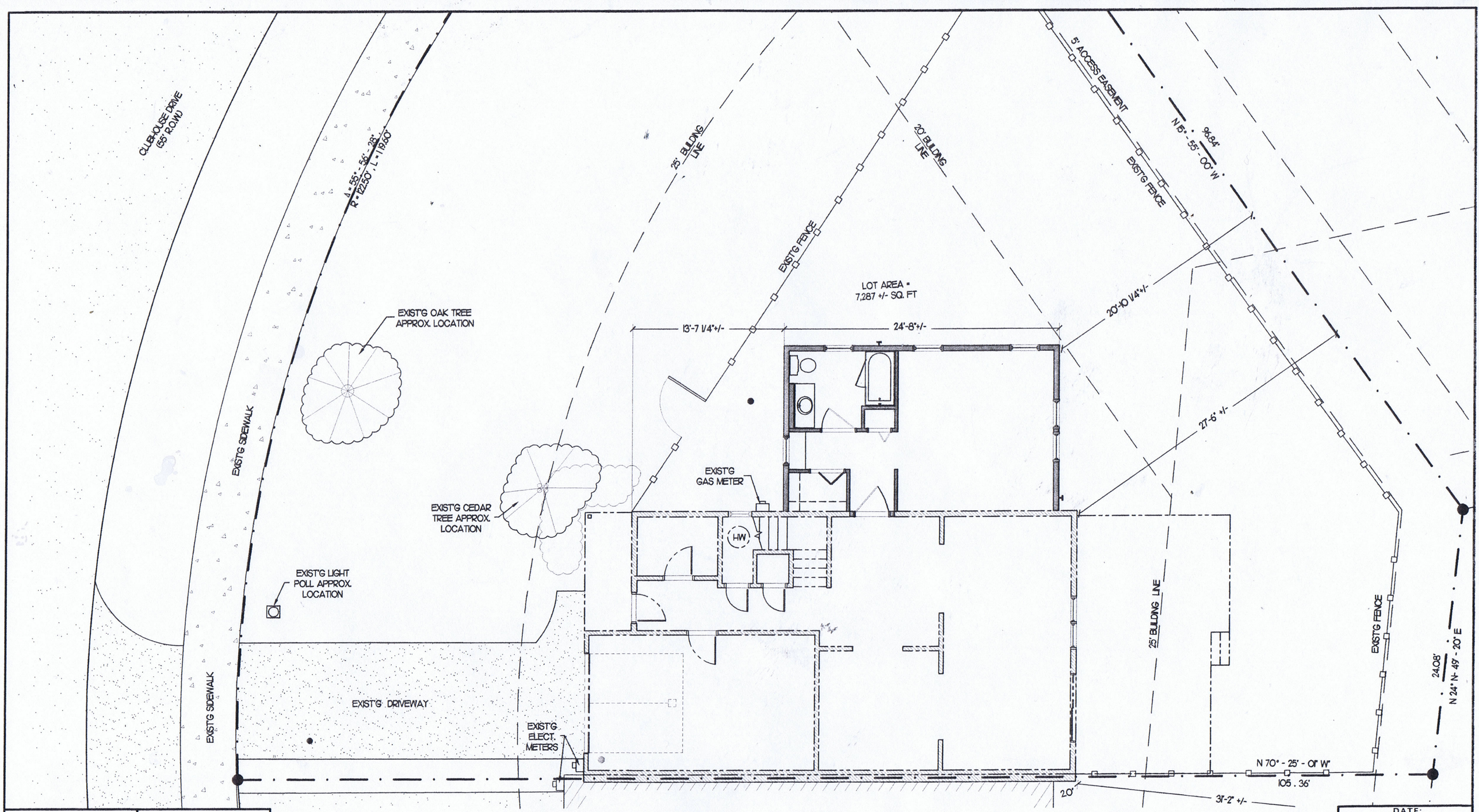


CLUBHOUSE DRIVE
(55' R.O.W.)
25' BUILDING LINE
5' ACCESS EASEMENT
20' BUILDING LINE
PARTY WALL
AREA = 7,287± SQ. FT.
AREA = 6,476± SQ. FT.
AREA = 5,631± SQ. FT.
N 70°25'01"W
105.36'
N 65°58'50"W
76.96'
N 24°49'20"E
L = 48.59', R = 122.50'
Δ = 22°43'35"
Δ = 55°56'28", R = 122.50', L = 119.60'
Δ = 64°13'42"
R = 10.00', L = 11.21'
Δ = 8°33'02"
R = 242.50', L = 36.19'
Δ = 11°19'51"
R = 122.50', L = 24.23'
Δ = 2°34'16"
R = 297.50', L = 13.35'
Δ = 9°50'53"
R = 177.50', L = 30.51'
Δ = 7°30'38"
R = 177.50', L = 23.27'
Δ = 7°33'48"
R = 177.50', L = 23.43'
Δ = 13°15'17"
R = 177.50', L = 41.06'
Δ = 12°57'30"
R = 177.50', L = 40.15'
Δ = 7°34'01"
R = 177.50', L = 23.44'
Δ = 10°53'57"
R = 177.50', L = 33.76'
Δ = 13°09'33"
R = 177.50, L = 40.77'
Δ = 7°14'17"
R = 177.50, L = 22.42'
N 31°50'09"W
190.91'
N 14°11'30"W
128.34'
21.0±
26.1±
23.8±
29.6±
32.5±
27.9±
23.5±
27.5±
24.08'
31.2±
25.0±
41.6±
71.15'
43.6'
23.3'
22.7'
23.4'
23.2'
0.6'
2.0'
0.3'
0.95'



1 / A-S ARCHITECTURAL SITE PLAN
SCALE 1/8" = 1'-0"

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MASTER BEDROOM ADDITION FOR:
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12 Clubhouse Dr.
Saratoga Springs, NEW YORK 12866

ARCHITECTURAL SITE PLAN

BLDG DEPT. SET

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A-S

PROJECT NUMBER - 2015-22

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GENERAL FLOOR PLAN NOTES:

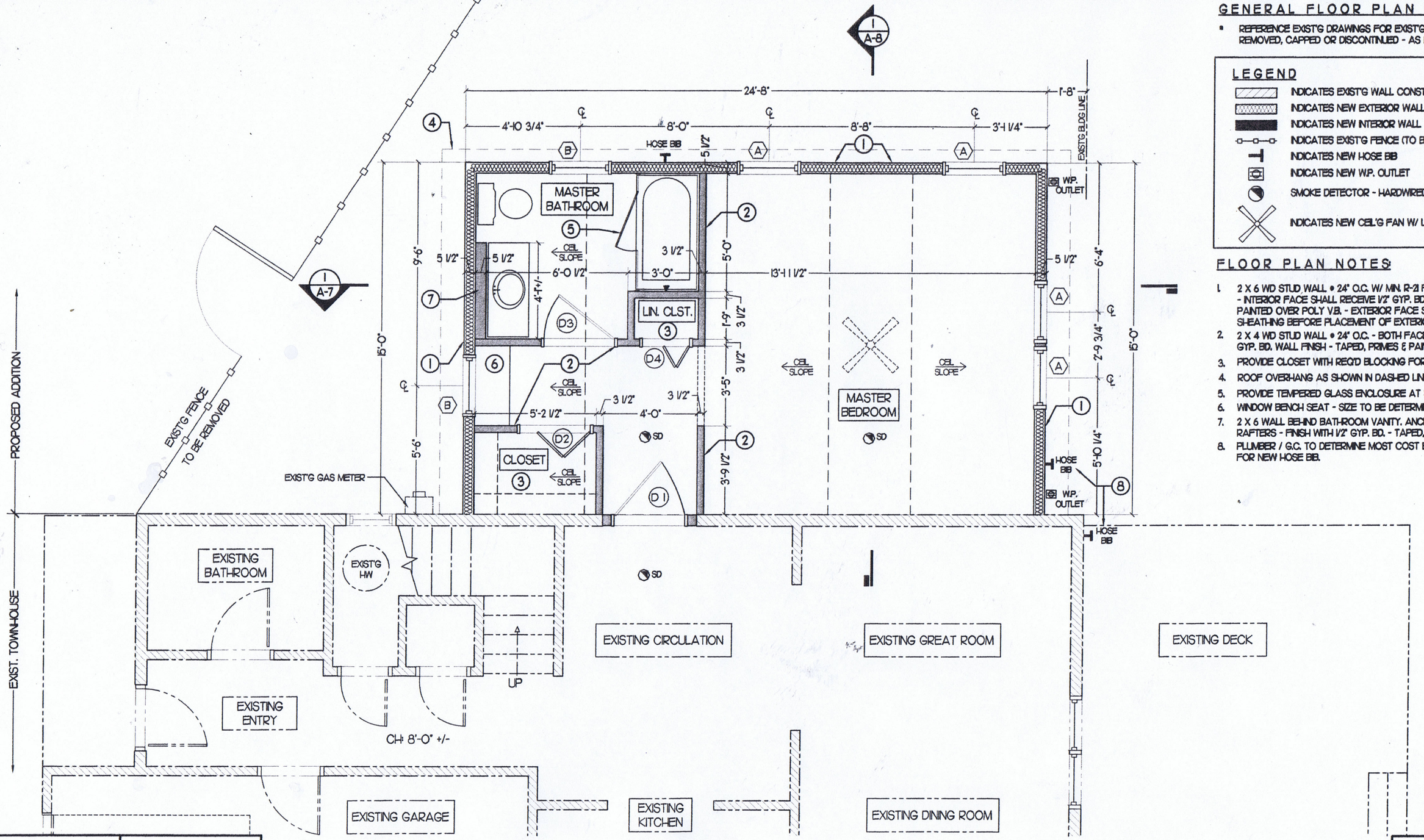
- REFERENCE EXIST'G DRAWINGS FOR EXIST'G UTILITIES TO BE REMOVED, CAPPED OR DISCONTINUED - AS REQ'D BY THE NEW WORK

LEGEND

- INDICATES EXIST'G WALL CONSTRUCTION
- INDICATES NEW EXTERIOR WALL W/ BATT INSULATION
- INDICATES NEW INTERIOR WALL
- INDICATES EXIST'G FENCE (TO BE REMOVED)
- INDICATES NEW HOSE BIB
- INDICATES NEW W.P. OUTLET
- SMOKE DETECTOR - HARDWIRED & INTERCONNECTED
- INDICATES NEW CEIL'G FAN W/ LIGHT

FLOOR PLAN NOTES:

1. 2 X 6 WD STUD WALL @ 24" O.C. W/ MIN. R-21 FIBERGLASS INSULATION - INTERIOR FACE SHALL RECEIVE 1/2" GYP. BD. - TAPED, PRIMED & PAINTED OVER POLY V.B. - EXTERIOR FACE SHALL RECEIVE 1/2" SHEATHING BEFORE PLACEMENT OF EXTERIOR SIDING.
2. 2 X 4 WD STUD WALL @ 24" O.C. - BOTH FACES SHALL RECEIVE 1/2" GYP. BD. WALL FINISH - TAPED, PRIMED & PAINTED.
3. PROVIDE CLOSET WITH REQ'D BLOCKING FOR SHELVING & RODS.
4. ROOF OVERHANG AS SHOWN IN DASHED LINE.
5. PROVIDE TEMPERED GLASS ENCLOSURE AT SHOWER.
6. WINDOW BENCH SEAT - SIZE TO BE DETERMINED BY HOMEOWNER
7. 2 X 6 WALL BEHIND BATHROOM VANITY. ANCHOR INTO ROOF RAFTERS - FINISH WITH 1/2" GYP. BD. - TAPED, PRIMED & PAINTED.
8. PLUMBER / G.C. TO DETERMINE MOST COST EFFECTIVE LOCATION FOR NEW HOSE BIB.



I / A-1 FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"

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FIRST FLOOR PLAN & NOTES
BLDG DEPT. SET

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PROJECT NUMBER - 2015-22

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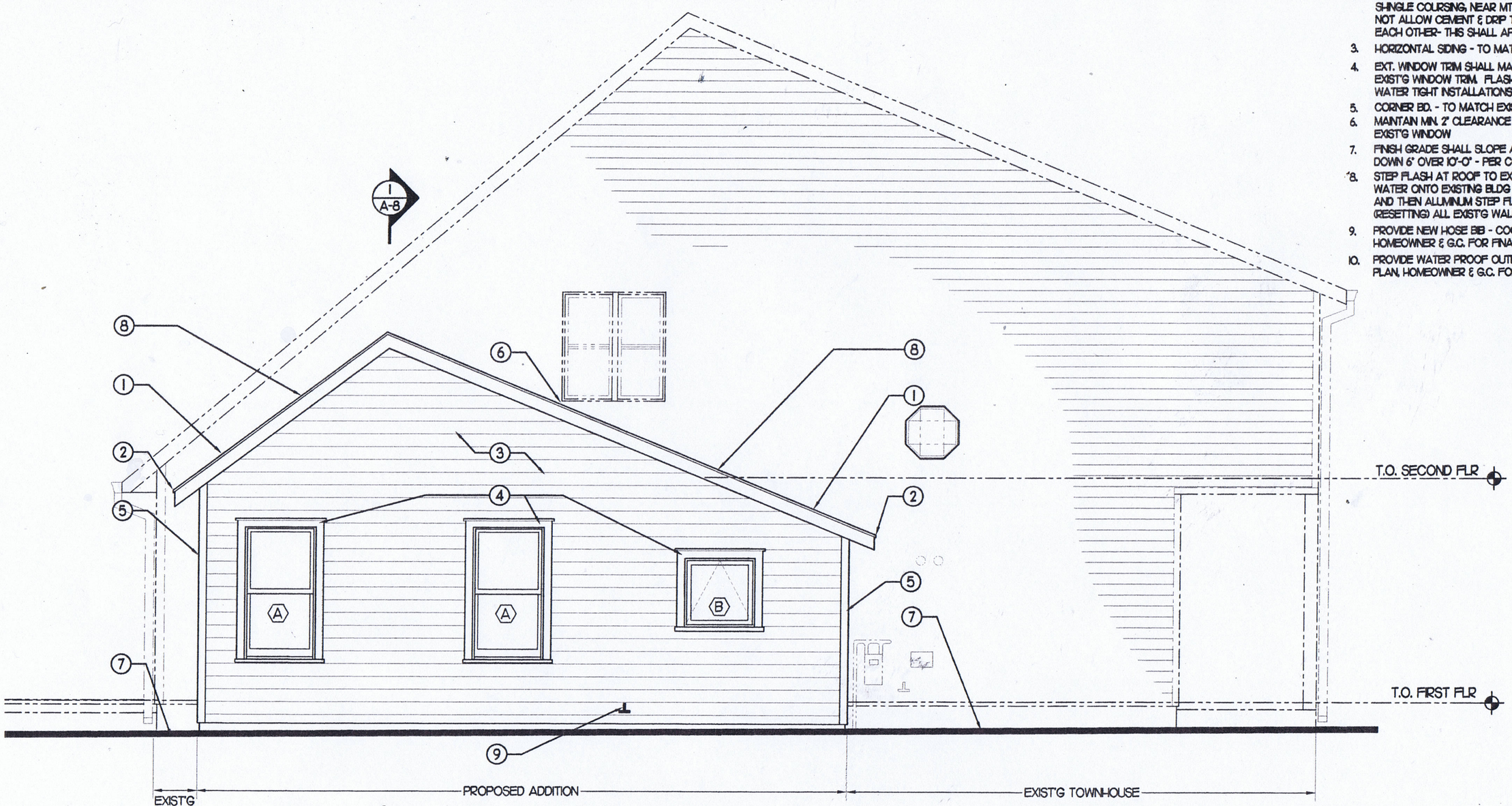

1 / A-4 NORTH ELEVATION
SCALE 1/4" = 1'-0"

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NORTH ELEVATIONS & NOTES
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A-4

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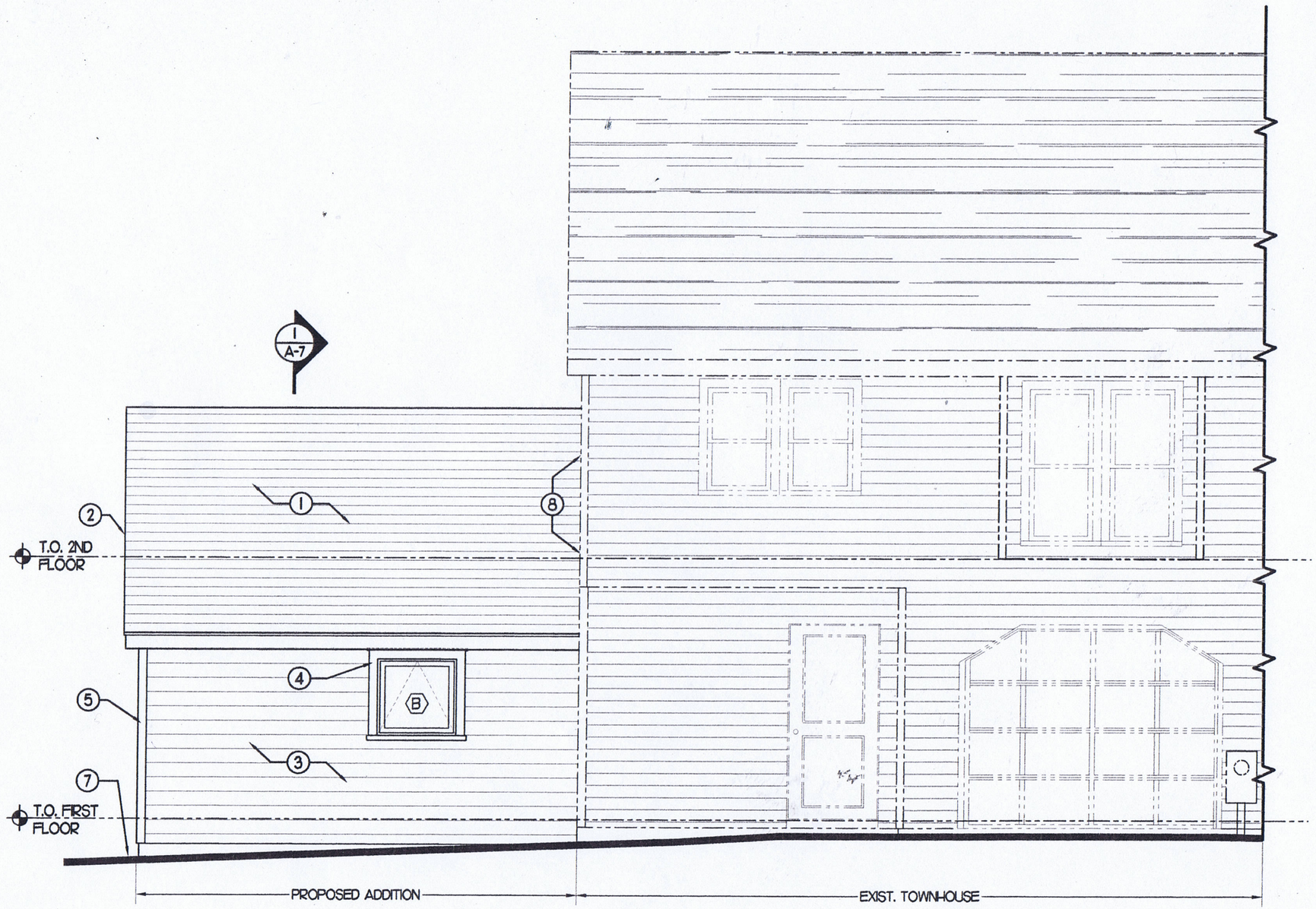

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5. CORNER BD. - TO MATCH EXISTING.
6. MAINTAIN MIN. 2" CLEARANCE BETWEEN NEW ROOF AND EXIST'G WINDOW
7. FINISH GRADE SHALL SLOPE AWAY FROM NEW FOUNDATION, DOWN 6" OVER 10'-0" - PER CODE.
8. STEP FLASH AT ROOF TO EXIST'G WALL JOINT- PROVIDE ICE & WATER ONTO EXISTING BLDG WALL SHEATHING W/ BLDG FELT AND THEN ALUMINUM STEP FLASHING - BEFORE REINSTALLING (RESETTING) ALL EXIST'G WALL SIDING AND INCIDENTALS.
9. PROVIDE NEW HOSE BIB - COORDINATE WITH FLOOR PLAN, HOMEOWNER & G.C. FOR FINAL LOCATION.
10. PROVIDE WATER PROOF OUTLET - COORDINATE WITH FLOOR PLAN, HOMEOWNER & G.C. FOR FINAL LOCATIONS.

1/A-5 WEST ELEVATION
SCALE 1/4" = 1'-0"

SD ATELIER
ARCHITECTURE LLC
511 Broadway, Second Floor.
Saratoga Springs, NY. 12866
ph: 518.587.3385
www.sdatelier.com
info@sdatelier.com

MASTER BEDROOM ADDITION FOR:
Pat Reed
12 Clubhouse Dr.
Saratoga Springs, NEW YORK 12866

WEST ELEVATIONS & NOTES
BLDG DEPT. SET

WARNING
THE ALTERATION OF THIS MATERIAL IN ANYWAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE NEW YORK STATE CERTIFIED PROFESSIONAL IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS A MISDEMEANOR

SCALE: AS NOTED
REVISIONS:

DATE:
OCTOBER 20, 2015

A-5

PROJECT NUMBER - 2015-22

This document & the ideas incorporated herein as an instrument of service, is the property of SD ATELIER - ARCHITECTURE LLC. and cannot be used for any other purpose.

Front view, 12 Clubhouse Drive - townhouse located on left

North view from 12 Clubhouse Drive

View Across the street – Facing West

South view from 12 Clubhouse Drive

SD ATELIER
ARCHITECTURE L.L.C.
511 BROADWAY, 2ND FLOOR SARATOGA SPRINGS, N.Y. 12866
PH. 518 587 3385 / FAX 518 306 6048 SDATELIER.COM

January 6, 2016

City of Saratoga Springs
474 Broadway
Saratoga Springs, NY
12866

Re: 12 Clubhouse Drive

Attn: Zoning Board Members

The zoning district for the application is UR-4, which requires a total side-yard setback of 45 feet. This is a unique situation as the proposed project is a small addition to a townhouse. It is technically infeasible to provide a 45 total side-yard setback as the townhouse is attached to another townhouse with a party wall. The addition has been specifically designed to be located within the "building line" as indicated on the site plan and thus was assumed to have met the zoning requirements. As indicated the minimum side-yard setback is being adhered too.

This situation was brought to our attention during the building permit process. It is unclear as to how this project was initially approved since it was filed with the county – There is not a lot of documentation located in the file. It is thought that 2 units together were considered on one parcel and that the one parcel complied with the setbacks and minimum square footage requirements. – and subsequently may have been subdivided and sold as individual units.

The townhouse unit currently has a square footage of 1,015 sf – (less than the minimum sf of 1200 required) and the area of the lot is 7,287 sf. The addition will be 369 sf making the total sf at 1,384 sf. (19 percent lot coverage). In other words, there is plenty of land to allow for the addition.

This is essentially a technicality which we are trying to resolve so that we may proceed with a building permit. I would like to request that you render the decision on the night of the meeting in order to proceed with the project.

Thank you in advance for your cooperation.

Susan L Davis – Principal Architect
SD Atelier Architecture, LLC

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 #)

(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	(Congress Hotel, LLC) DCG Development		AJ Signs
Address	240 Clifton Corporate Pkwy Clifton Park NY		842 Saratoga Rd Burnt Hills NY 12027
Tel/Fax	[redacted]		3999291 / 688-0179
Email	[redacted]		[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: 46 Congress St S Tax Parcel No.: 165. ___ - 7 - 4
(for example: 165.52 – 4 – 37)

2. Date acquired by current owner: 1983 3. Zoning District when purchased: commercial

4. Present use of property: Hotel 5. Current Zoning District: T-C

6. Has a previous ZBA application/appeal been filed for this property?
☒ Yes (when? 7/23/12 For what? Signage)
☐ 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: Install "E" logo on wall at Hotel Internally Lit

SEE Attached for A full list of requested variances

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)

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)

Sworn to before me this date 10th of November 2015

(applicant signature)

KATHLEEN R. FIALKOWSKI
Notary Public, State of New York
Schenectady Co. #01FI6059857
Commission Expires June 11, 2019

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: _____

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

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.

Attached

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:

Attached

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

Attached

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:

Attached

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:

Attached

Embassy Suites Sign Variance

Dimensional Requirements:

6.1.5.1

A.1. To permit two wall signs and to permit placement of wall signs on an elevation without street frontage.

C. To exceed Max. 100 SF for the three signs Signs = 104.2 SF

6.1.5.1 B.2. Placement above first floor level (E logo)

6.1.6B. Logo exceeds Max 18" in height E logo on wall sign and Monument sign

6.1.6. B.2. To allow channel letters

Monument sign is larger than 12 SF

In summary we wish to install an "E" logo on the 6th floor. Logo will be 84" in height. The E will be an internally reverse lit, channel letter to provide a soft glow at night. Hilton requires that this E be installed on the building. We also wish to install a 35.5 SF monument sign. With a 28" tall E Logo Without this logo and sign Hilton can revoke the franchise license. This would essentially close the doors to the Embassy Suites and create a vacancy in the city. There is currently a violation on the property with regards to a directional sign that is 12SF in size. We have also submitted a conforming 4 SF replacement for this sign to bring the property back into conformance.

There are no other feasible means to accomplish what this signage will accomplish for the Hotel. The logo on the seventh floor will be visible from a distance. This will work as a directional aid to people trying to find the hotel. The hotel not being on Broadway, the main street will make it difficult to find for out of town guests. The logo can not be any smaller to be visible from 6 floors up. The monument sign is as small as Hilton will allow us to go. If this sign is any smaller it won't be visible from people traveling on Congress st.

Granting this variance will not cause an undesirable change in the character of the neighborhood. The E logo on the 6th floor also is an architectural element that is designed to fit the building. These signs will be reverse lit channel letters which do not cast much light. They will be visible but not glaring. If made any smaller the E would look too small and not be

identifiable. The monument sign is a directional Aid. The sign needs to be large enough that the copy is legible from a distance as people are driving.

The variance is not substantial. We are requesting a second wall sign so we are able to display the Hotel logo in manor that is properly scaled to the building. The logo must exceed 18" in height to keep it in scale with the building as it will be on the 6th floor. From the ground the logo will look 18" tall. The monument sign is larger than code allows but again is architecturally fitting to the scale of the builing. The E is 28" which is larger than allowed on the monument sign but this is a corporate branding standard.

There will be no adverse physical or environmental effects on the neighborhood or district. The signage will provide a finished look to the beautiful and architecturally pleasing building that has been constructed.

The difficulty is self created in that an Embassy Suites Franchise was chosen for this particular hotel. The banding guidelines for the Embassy Suites are such that the requested signs must be displayed on the building.

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

APPLICANT: _____ TAX PARCEL NO.: _____.____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

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: _____

_____

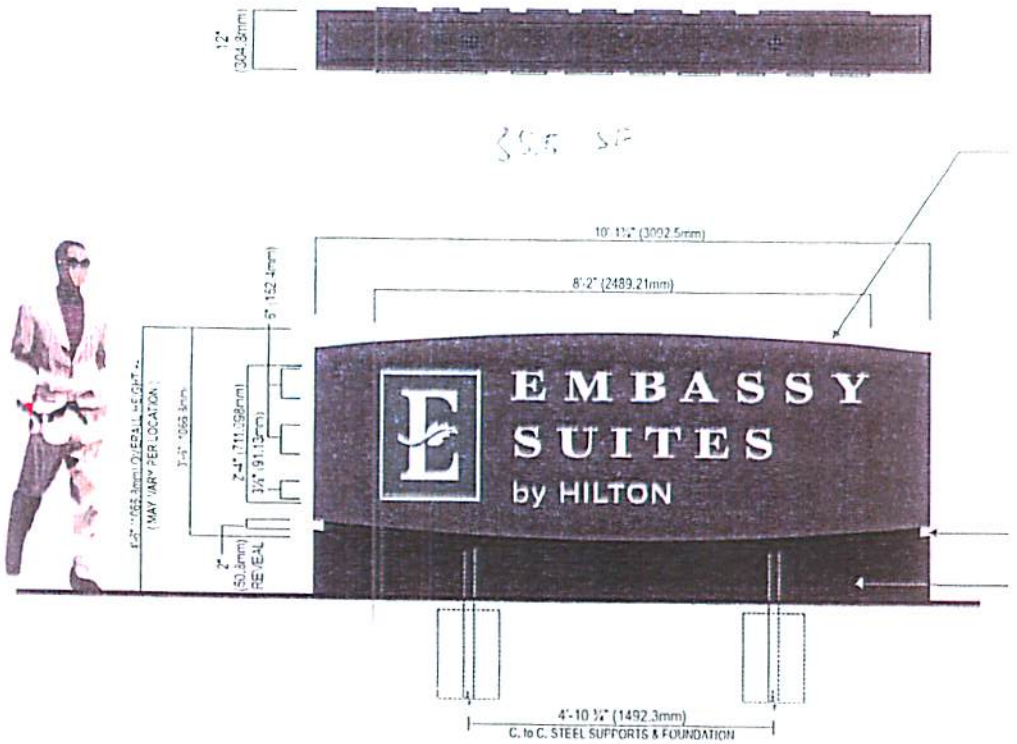
Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

_____ _____

ZONING AND BUILDING INSPECTOR DATE

Revised 11/2/15



D/F MONUMENT SIGN (ES M-35)

OPTIONAL LAYOUT

END VIEW

ES M-36

MATERIAL LIST

EMBASSY SUITES by HILTON

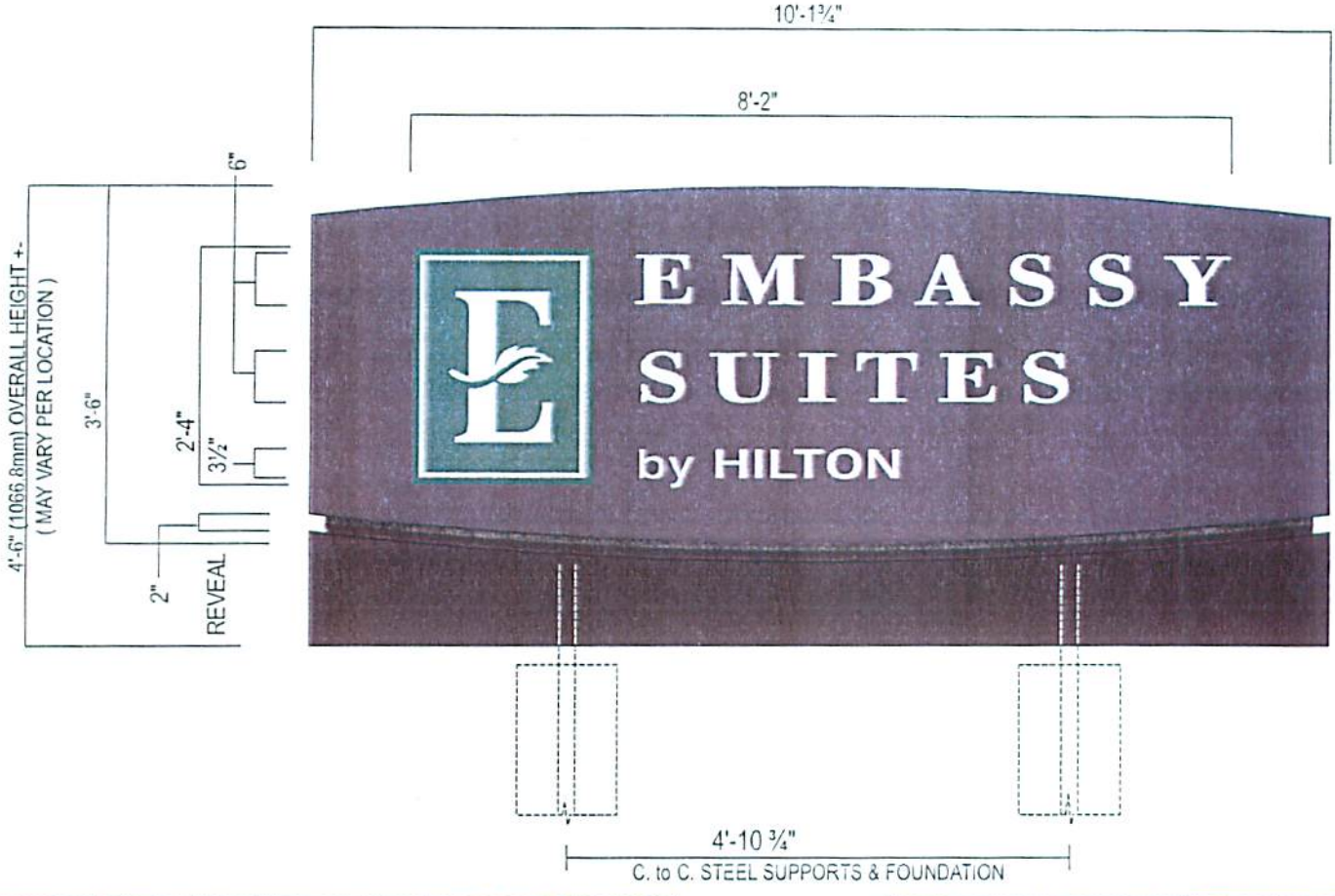
Sign No.
ES M-20
Sht. 11 of 58

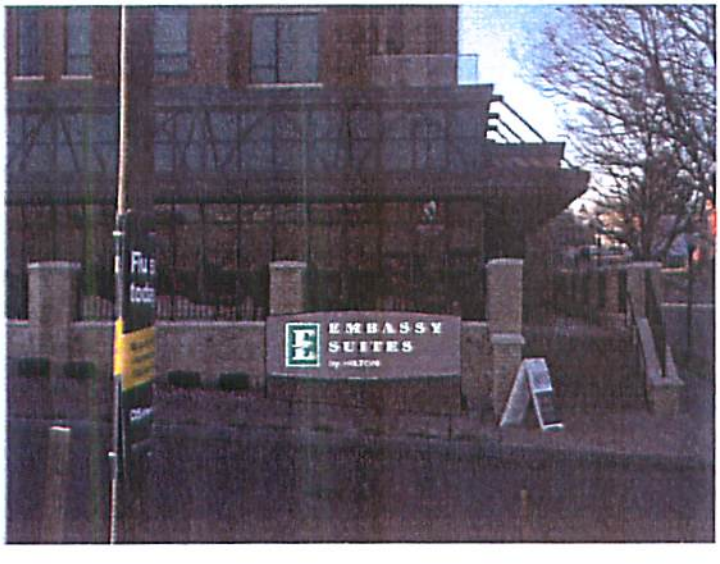
Client
EMBASSY SUITES

Attn:

Revisions

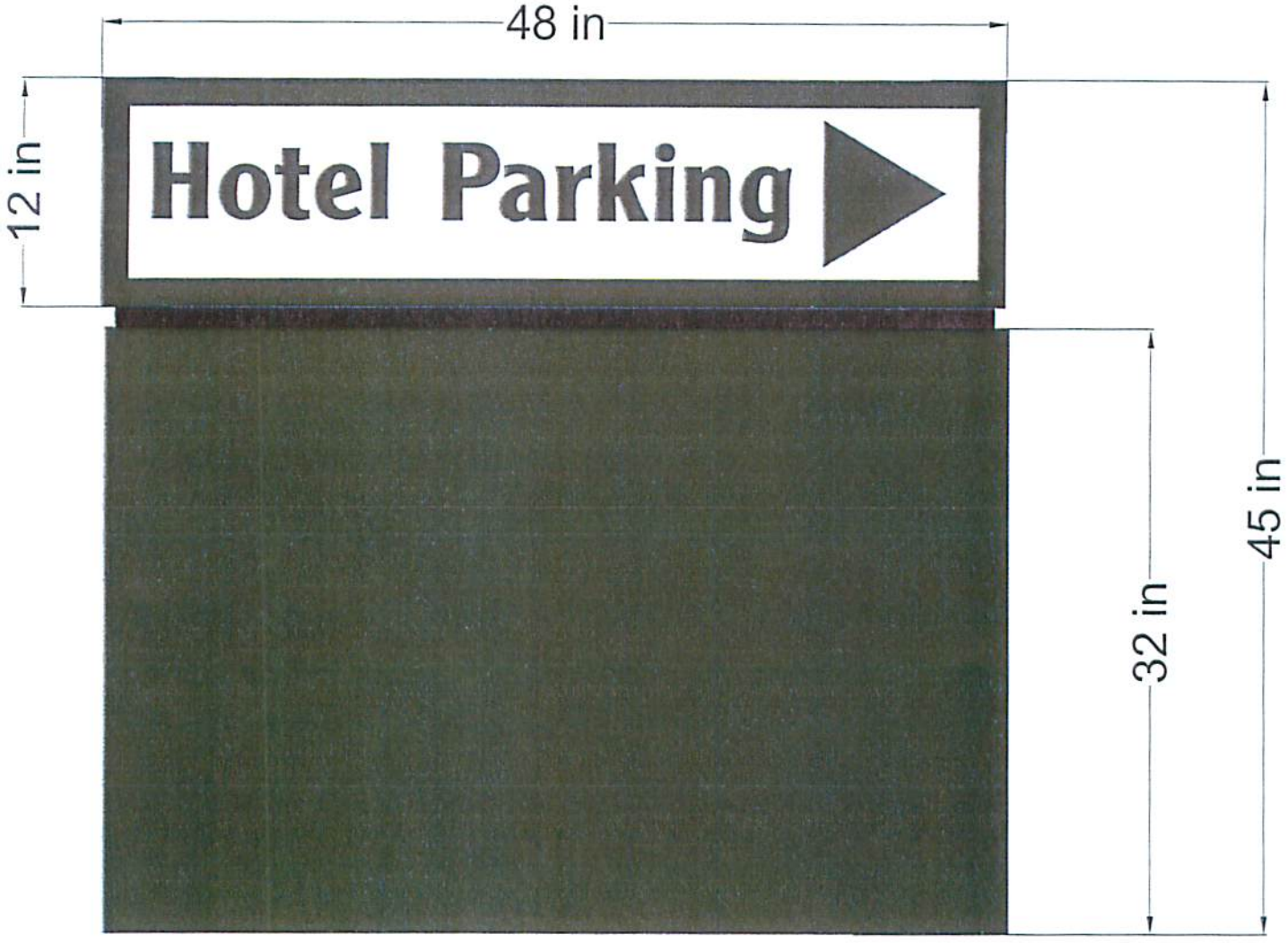
HILTON WORLDWIDE

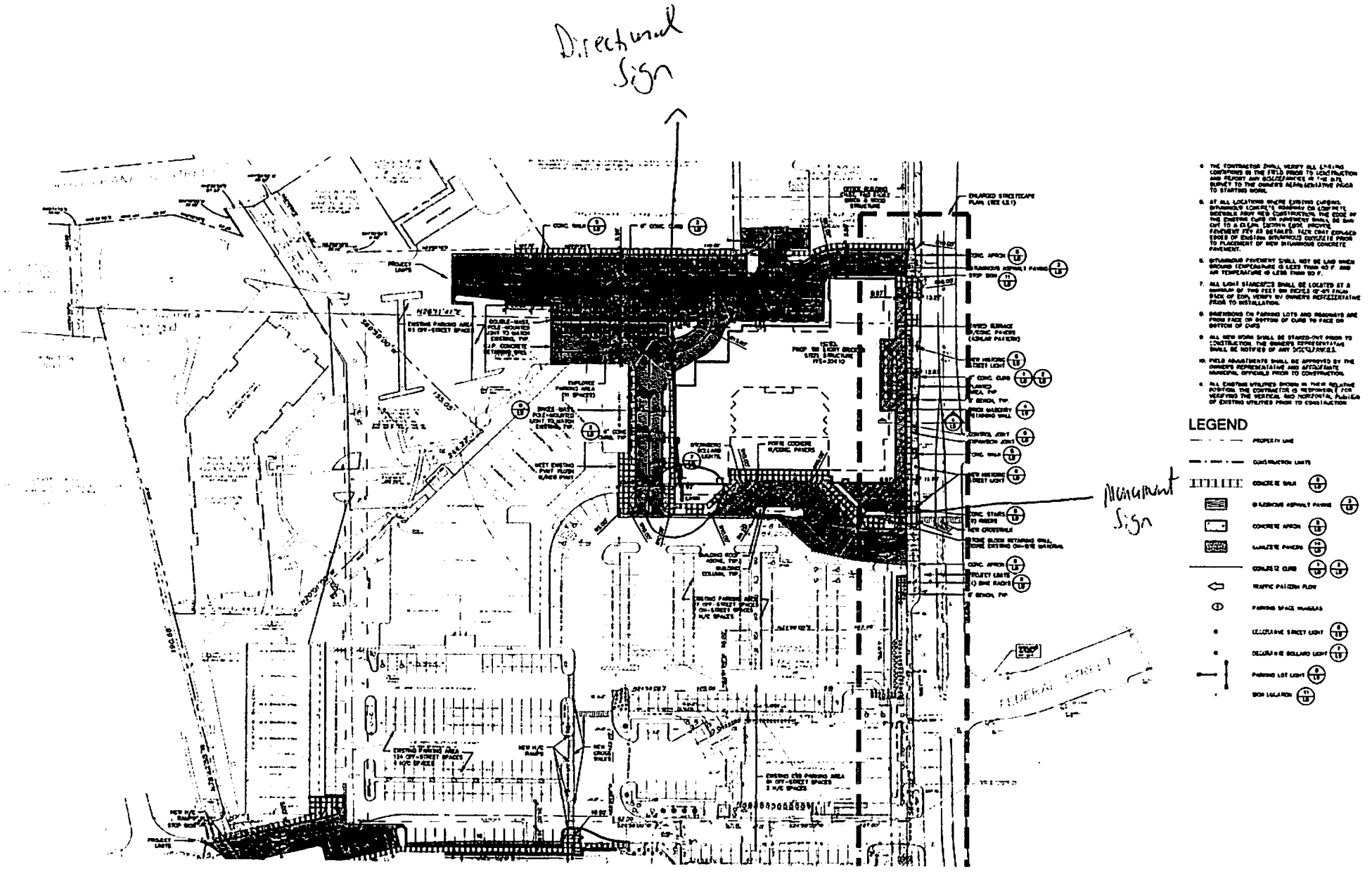

10'-1¾"
8'-2"
6"
4'-6" (1066.8mm) OVERALL HEIGHT +-
(MAY VARY PER LOCATION)
3'-6"
2'-4"
3½"
2"
REVEAL
EMBASSY
SUITES
by HILTON
4'-10 ¾"
C. to C. STEEL SUPPORTS & FOUNDATION

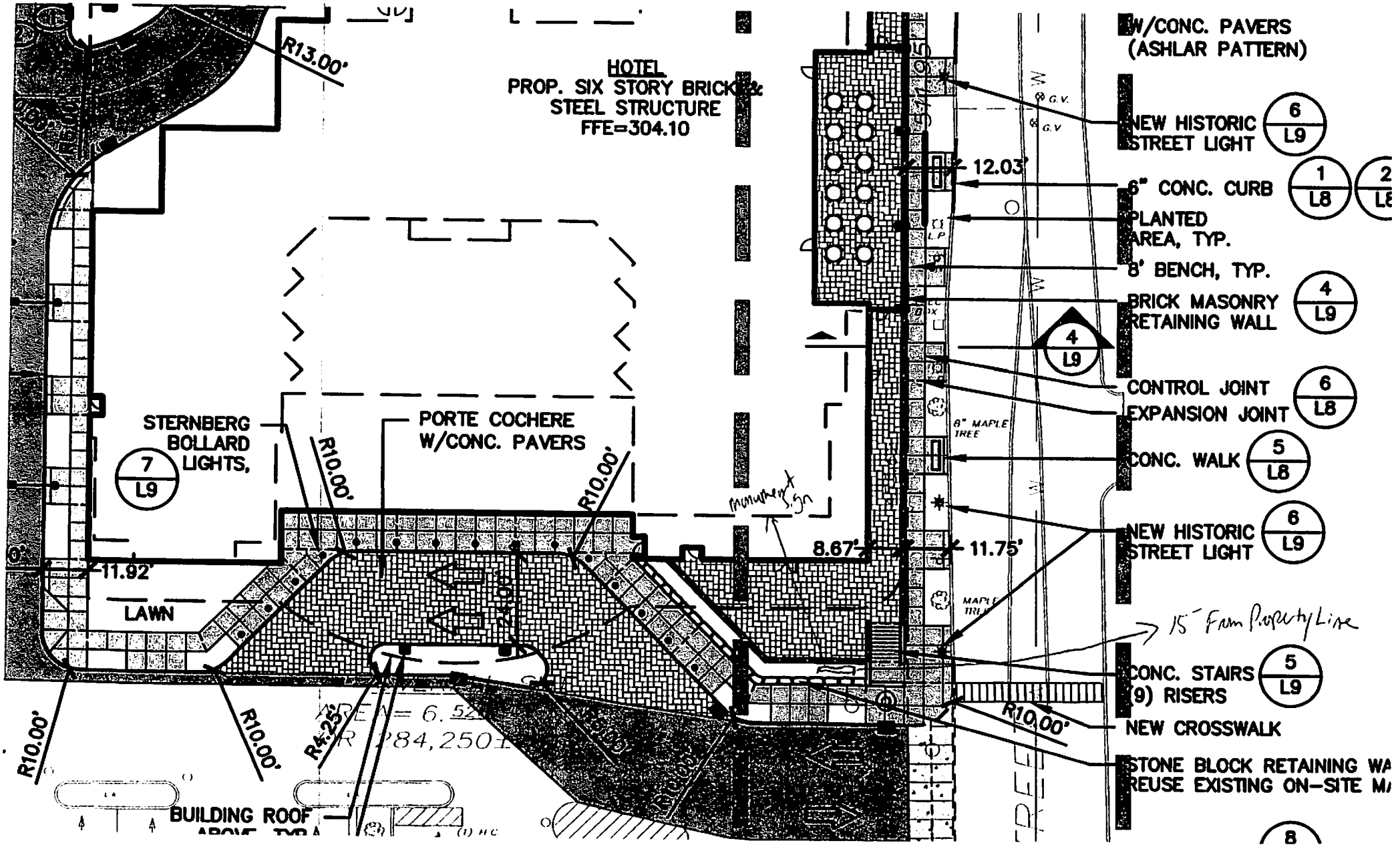

EMBASSY
SUITES

Conforming Directional Sign

internally illuminated
sign cabinet on decorative
aluminum base




Directional Sign
Monument Sign
LEGEND
PROPERTY LINE
CONSTRUCTION LIMITS
CONCRETE WALK
BITUMINOUS ASPHALT PAVING
CONCRETE APRON
UNILOCK PAVERS
CONCRETE CURB
TRAFFIC PATTERN FLOW
PARKING SPACE NUMBERS
DECORATIVE STREET LIGHT
DECORATIVE BOLLARD LIGHT
PARKING LOT LIGHT
SIGN LOCATION
FEDERAL STREET

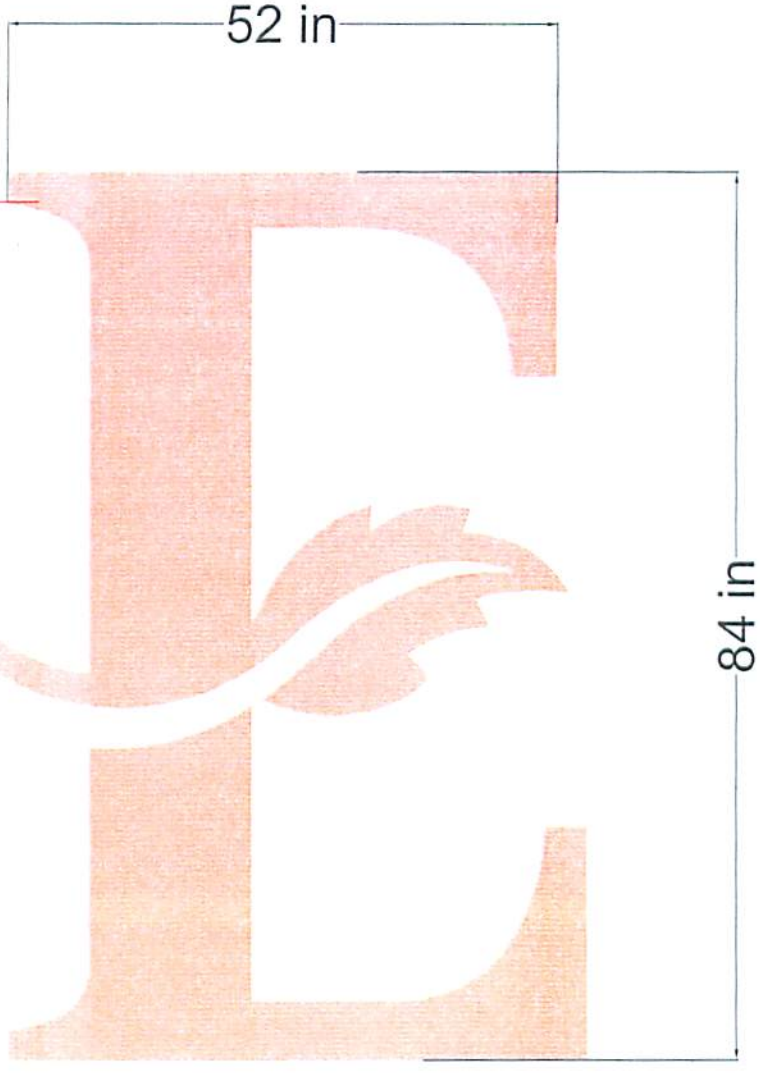

HOTEL
PROP. SIX STORY BRICK &
STEEL STRUCTURE
FFE=304.10
R13.00'
STERNBERG
BOLLARD
LIGHTS,
7
L9
PORTE COCHERE
W/CONC. PAVERS
R10.00'
R10.00'
R10.00'
R10.00'
R4.25'
11.92'
LAWN
8.67'
11.75'
12.03'
BUILDING ROOF
W/CONC. PAVERS
(ASHLAR PATTERN)
NEW HISTORIC
STREET LIGHT
6
L9
6" CONC. CURB
1
L8
PLANTED
AREA, TYP.
8' BENCH, TYP.
BRICK MASONRY
RETAINING WALL
4
L9
CONTROL JOINT
EXPANSION JOINT
6
L8
8" MAPLE
TREE
CONC. WALK
5
L8
NEW HISTORIC
STREET LIGHT
6
L9
MAPLE
TREE
15' From Property Line
CONC. STAIRS
(9) RISERS
5
L9
NEW CROSSWALK
STONE BLOCK RETAINING WA
REUSE EXISTING ON-SITE M
8

'E' to go on 6th Floor

Tan stucco finish to match concrete buidling detail

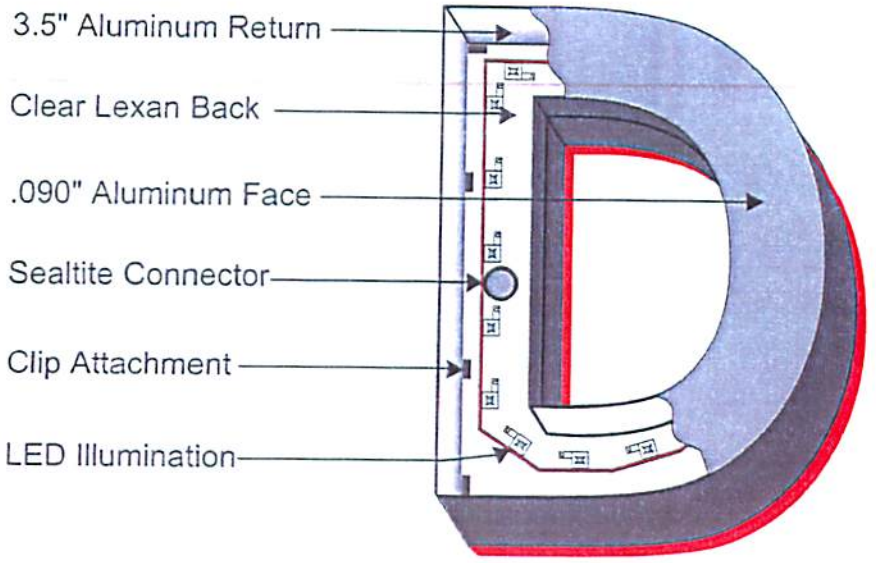
Reverse lit channel letter

Installed stood off building 1.5" to provide a soft glow

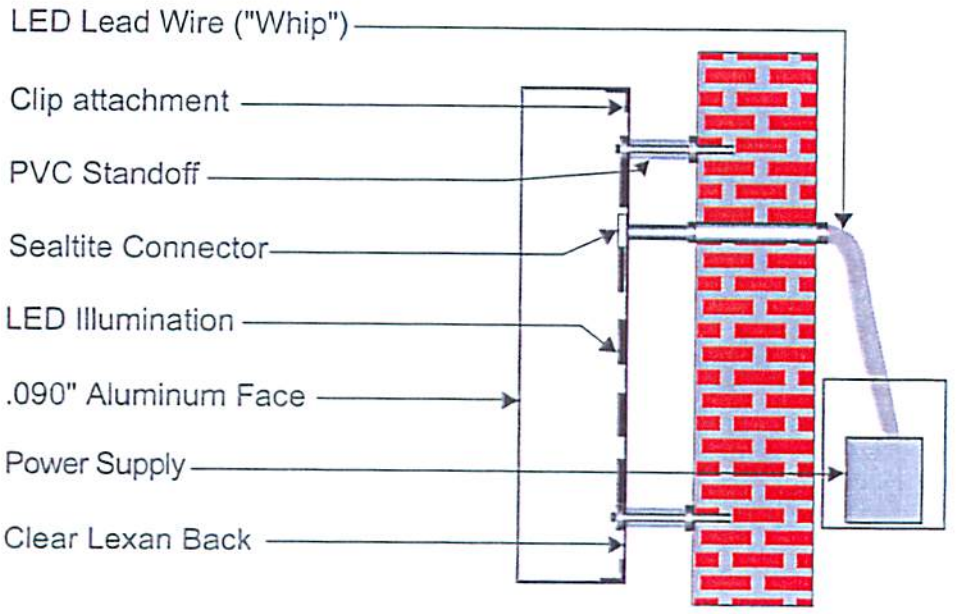


Construction Drawing of 'E'

Reverse Lit Channel Letters



FRONT VIEW



SIDE VIEW

EMBASSY SUITES

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 OCT 26 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	LUKE A. BOUGHTON	(SAME)	TONYA YASENCHAK, PE
Address	[redacted]		ENGINEERING AMERICA CO.
			76 WASHINGTON ST., SARATOGA, NY
Tel./Fax	[redacted]	/	518/587-1340/
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

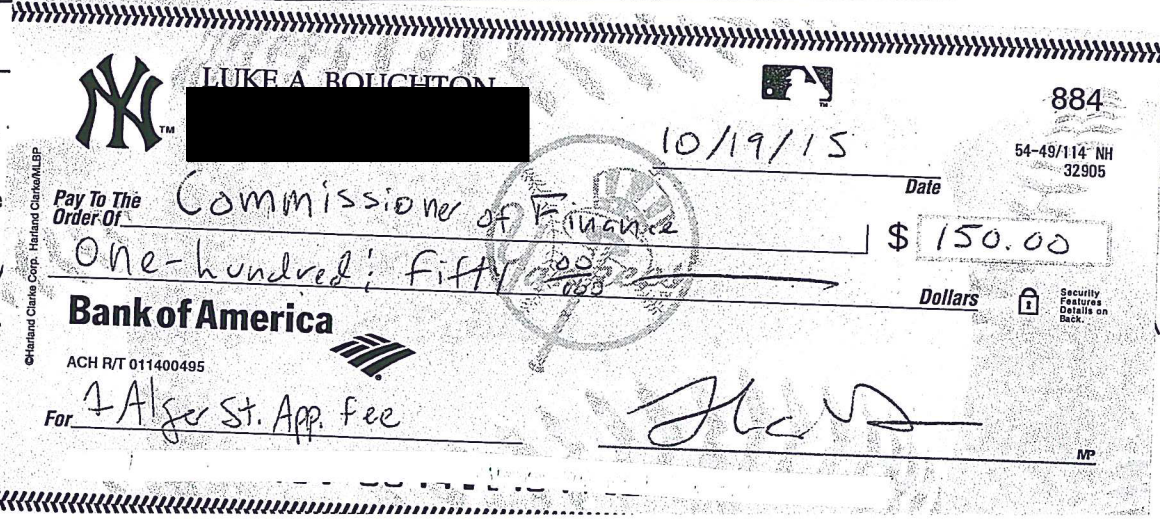
PROPERTY INFORMATION

Property Address (No. & St.) #1 ALGER ST. Side of St. (north, east, etc.) SOUTH

Tax Parcel No.: 165.43 - 3 - 18 *(for example: 165.52 – 4 – 37)* Tax District: ☑ Inside ☐ Outside

1. Date acquired by current owner: 12/17/2008 2. Zoning District when purchased: UR-3
3. Present use of property: SINGLE FAMILY RESIDENCE 4. Current Zoning District: UR-3
5. Has a previous ZBA application/appeal been filed for this property? ☐ Yes (when? _____ for what? _____) ☑ No (UNKNOWN)
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? NYS RTE. 9 & 50)
7. Brief description of proposed action: ADDITION OF ATTACHED 2 CAR GARAGE WITH NEW MASTER SUITE ABOVE.
8. Is there ... No
9. Has the ... No
10. Identify ...

☐ INT ... NCE (pp. 6-7)



CITY OF SARATOGA SPRINGS

CITY HALL - 474 BROADWAY
SARATOGA SPRINGS, NEW YORK 12866
TEL: 518-587-3550 FAX: 518-580-9480
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[FOR OFFICE USE]

(Application #)

REC'D OCT 26 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	LUKE A. BOUGHTON	(SAME)	TONYA VASENCHAK, PE
Address	[redacted]		ENGINEERING AMERICA CO.
			76 WASHINGTON ST., SARATOGA, NY
Tel./Fax	[redacted]	/	518/587-1340/
Email	[redacted]		[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

Property Address (No. & St.) #1 ALGER ST. Side of St. (north, east, etc.) SOUTH

Tax Parcel No.: 165.43 - 3 - 18 *(for example: 165.52 – 4 – 37)* Tax District: ☑ Inside ☐ Outside

1. Date acquired by current owner: 12/17/2008 2. Zoning District when purchased: UR-3

3. Present use of property: SINGLE FAMILY RESIDENCE 4. Current Zoning District: UR-3

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

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? NYS RTE. 9 & 50

7. Brief description of proposed action: ADDITION OF ATTACHED 2 CAR GARAGE WITH NEW MASTER SUITE ABOVE.

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):

NOT APPLICABLE

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:

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

The applicant requests relief from the following Zoning Ordinance article(s) SECTION 2: TABLE 3: AREA & BULK.

Dimensional Requirements	From	To
1) MIN. YARD SETBACK: FRONT (ALGER ST)	10'	7.8' (22%)
2) MIN. YARD SETBACK: FRONT (BOLSTER LN)	10'	7' (30%)
3) MIN. YARD SETBACK: TOTAL SIDES	12'	4.4' (63.3%)
4) MAXIMUM BUILDING COVERAGE: PRINCIPAL BLDG.	30%	55.5%
Other:		
5) MINIMUM DISTANCE TO ACCESSORY BLDG: (FRONT LINE)	10'	2' (80%)

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 EXISTING LOT SIZE, RESIDENCE AND TRIPLE FRONTAGE MAKES THIS PROPERTY DIFFICULT TO DEVELOP. ALTERNATIVES EXPLORED: a) MINIMIZING THE SIZE OF THE GARAGE WIDTH TO REDUCE THE BOLSTER LN. VARIANCE DOES NOT ALLOW FOR GARAGE DOOR WIDTHS NECESSARY TO FIT THE OWNERS' CARS b) RECONFIGURING THE GARAGE TO EXIT ONTO BOLSTER LN & NARROWING GARAGE THAT WAY DOES NOT WORK BECAUSE A BUILDING TO THE NORTHWEST, ACROSS THE LANE LIMITS THE REQUIRED TURNING RADIUS TO BACK OUT. c) NO ADDITIONAL LAND AVAILABLE. d) NO BASEMENT EXISTS FOR STORAGE OPTIONS.

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:

a) THE EXISTING NEIGHBORHOOD, DEVELOPED IN THE LATE 1890's/EARLY 1900's, IS VERY DENSE. WITH MOST HOMES LOCATED VERY CLOSE TO THE ROAD (OFTEN AT THE SIDEWALK) AS WELL AS CLOSE TO EACHOTHER. THE PROPOSED PROJECT IS VISUALLY CONSISTENT WITH THIS CHARACTER.

b) THE TWO STORY ADDITION IS LOCATED ALONG THE ALLEY AND IS DESIGNED TO BE ARCHITECTURALLY CONSISTENT WITH CARRIAGE HOUSES, BARNS & GARAGES ALONG THE ALLEY. c) THIS HOUSE WILL REMAIN (1) FAMILY (7/11 NEIGHBORS 7 1 FAMILY) d) THERE ARE THREE (3) OTHER RESIDENCES IN THE AREA OVER 50% COVERAGE TOTAL.

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

a) THE PRE-EXISTING, NON-CONFORMING LOCATION OF THE HOUSE ALONG ALGER ST. & WOODLAWN DO NOT CHANGE. THE GARAGE ACTUALLY "MOVES" AWAY FROM ALGER AS ONE FOLLOWS THE GARAGE TO THE WEST.

b) THE PRE-EXISTING, NON-CONFORMING HOUSE COVERAGE IS ALREADY AT 41.3%. A HOUSE WITH A DETACHED GARAGE, MAY COVER 40% IN THIS ZONE. THIS APPLICATION FOR 55.5% ONLY DEVIATES BY 15.5% WHICH IS NOT SUBSTANTIAL. c) THE SITE, HAVING THREE FRONTS, MAKES THE TOTAL SIDE SETBACK DIFFICULT TO MEET.

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:

a) THE EXISTING DRIVEWAY ALONG ALGER ST. WILL BE REMOVED AND SEEDED FOR MORE GREEN SPACE/PERMEABLE AREA.

b) THE CATCH BASIN TO THE NORTH OF THE PROPERTY WILL REMAIN TO FACILITATE SITE DRAINAGE.

c) NO LARGE OR SIGNIFICANT TREES WILL BE REMOVED.

d) THE ADDITION, ALTHOUGH 2 STORIES, WILL REMAIN WELL UNDER THE MAX. ALLOWABLE HEIGHT. (PROPOSED HT OF 25-26'/MAX 60')

e) THE PROJECT SITE IS COMPLIANT WITH THE PERMEABILITY REQUIREMENTS (SEE ATTACHED CALCULATIONS).

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:

a) THE HOUSE IS PRE-EXISTING & NON-CONFORMING ON A SMALL LOT, IN A NEIGHBORHOOD WITH OTHER NON-CONFORMING LOTS.

b) THE HOUSE HAS THREE FRONTS WHICH MAKES IT DIFFICULT TO MEET REQUIRED SETBACKS. THE TRUE, ZONING COMPLIANT HOUSE FOOTPRINT WOULD BE 110' x 13' (WITH ROOF OVERHANG THE HOUSE ITSELF WOULD ONLY BE 11')

c) THE HOUSE IS NOT SQUARE ON THE PROPERTY MAKING SETBACKS DIFFICULT

d) CONSTRUCTION ACROSS THE ALLEY LIMITS ACCESS TO A GARAGE ON THIS SITE.

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

e) THE EXISTING HOUSE HAS NO BASEMENT FOR ANY STORAGE

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)

Tonya L. Yasenchak
Notary Public, State of New York
Reg. No. 01YA6149354
Certificate filed: Saratoga County
Commission Expires: 7/17/2018

Sworn to before me this date:

Date: OCT. 20TH, 2015

Notary Public

#1 ALGER ST

TABLE 3: AREA AND BULK SCHEDULE

ZONING DISTRICT	MINIMUM LOT SIZE SQUARE FEET (SF)	MINIMUM AVERAGE WIDTH (FT.)	MAXIMUM BUILDING COVERAGE PERCENTAGE		MIN. YARD SETBACK (FEET)				PRINCIPAL BUILDINGS		MINIMUM DISTANCE TO ACCESSORY BUILDING (FEET)				MINIMUM % TO REMAIN PERMEABLE
			PRINCIPAL BLDG.	ACCESS. BLDG.	FRONT	REAR	EACH SIDE	TOTAL SIDE	MINIMUM 1ST FLOOR AREA (SF)	MAX. HEIGHT (FEET)	PRINCIPAL BUILDING	FRONT LOT LINE	SIDE LOT LINE	REAR LOT LINE	
RR (F)	2 acres	200	15	5	60	100	30	100	-----	35	5	60	30	50	80
SR-1 (F)	40,000	125	20	8	40	40	15	35	-----	35	5	40	10	10	40
SR-2	20,000 (A)	100	25	8	30	30	12	30	-----	35	5	30	5	5	30
UR-1	12,500 (A)	100	20	8	30	30	12	30	1 Story = 1,100 2 Story = 800	60	5	30	5	5	30
UR-2	6,600 (A)	60	30	10	10	25	8	20	1 Story = 900 2 Story = 700	60	5	10	5	5	25
UR-3	6,600 1-unit / 8,000 2-units	60 1-unit / 80 2-units	30	10	10	25	4	12	1 Story = 1,200 2 Story = 800	60	5	10	5	5	25
UR-4	3,000/DU	100	25	15	25	25	20	45	1 Story = 1,800 2 Story = 1,200	70	10	25	5	5	15
UR-4A	2,000/DU	60 1-unit / 80 2-units	30	10	10	25	4	12	1 Story = 1,200 2 Story = 800	70	5	10	5	5	15
UR-5	3,000/DU	100	25	15	25	25	20	45	1 Story = 1,800 2 Story = 1,200	185	20	20	10	10	15
UR-6	4,800	60	30	10	25	25	8	20	900	35	5	25	5	5	25
UR-7	4,000	50	45	10	10	10	4	8	1,000	35	5	10	5	5	20
NCU-1	6,600 1-unit / 8,000 2-units	60 1-unit / 80 2-units	30	10	10	25	4	12	1 story = 1,200 2 story = 800	60	5	10	5	5	25
NCU-2	6,600 1-unit / 8,000 2-units	60 1-unit / 80 2-units	30	10	10	25	4	12	1 story = 1,200 2 story = 800	60	5	10	5	5	25
NCU-3	3,000/DU	60 (H)	30	10	10 (I)	25	4 (J)	12	1 story = 1,800 2 story = 1,200	50	5	10	5	5	20

ENGINEERING AMERICA CO.

76 WASHINGTON ST. SARATOGA SPRINGS, NY 12866

518 / 587-1340 518 / 580-9783 (FAX)

TRANSMITTAL SHEET

TO: Zoning Board of Appeals	FROM: Tonya Yasenchak
COMPANY: City of Saratoga Springs	DATE: October 26, 2015
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER: 1
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: Boughton Addition #1 Alger St., Saratoga Springs, NY	YOUR REFERENCE NUMBER:

☐ URGENT ☑ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ AS REQUESTED

City of Saratoga Zoning Board Members,

Engineering America Co. herein would like to provide information regarding the proposed Boughton area variances proposed at #1 Alger St in Saratoga Springs, NY. This correspondence includes the information as follows:

Area Calculations:

Total Lot Size: 4,701 sq.ft.

Existing House Coverage 1,944 sq.ft. (41.3% coverage = 11.3% > 30% max allowable)

Proposed House with Addition: 2,609 sq.ft. (55.5% coverage = 25.5% > 30% max. allowable)

Permeability:	House with Addition:	2,609 sq.ft.
	Existing & New Driveways:	430 sq.ft. (+/-)
	Patio & Shed:	350 sq.ft. (+/-).
	Total Coverage:	3,389 sq.ft.

3,389 sq.ft. (72 % coverage = 28 % permeable > 25% min)

Thank you for your time and cooperation.

Sincerely,

Tonya Yasenchak, PE

Boughton Addition:

#1 Alger St., Saratoga Springs, NY

Front / East elevation of existing residence as viewed facing West from Woodlawn.

Rear / West elevation of existing residence as viewed facing South East from Alger St.

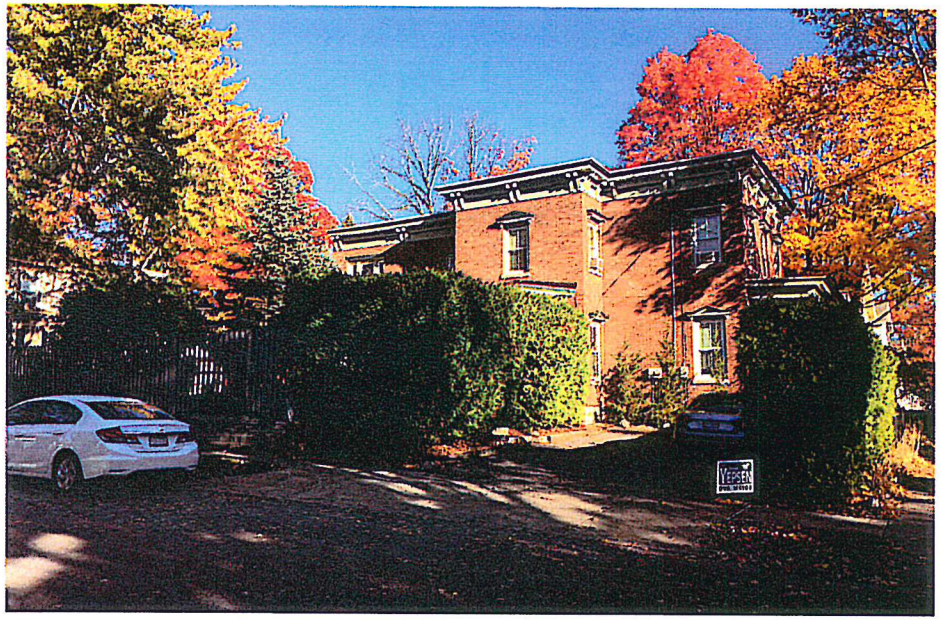
Right / North elevation of existing residence as viewed facing South from Alger St.

Close up of North Elevation to be added on to (addition will be to right in pic.) as viewed facing South from Alger St.

Boughton Addition:

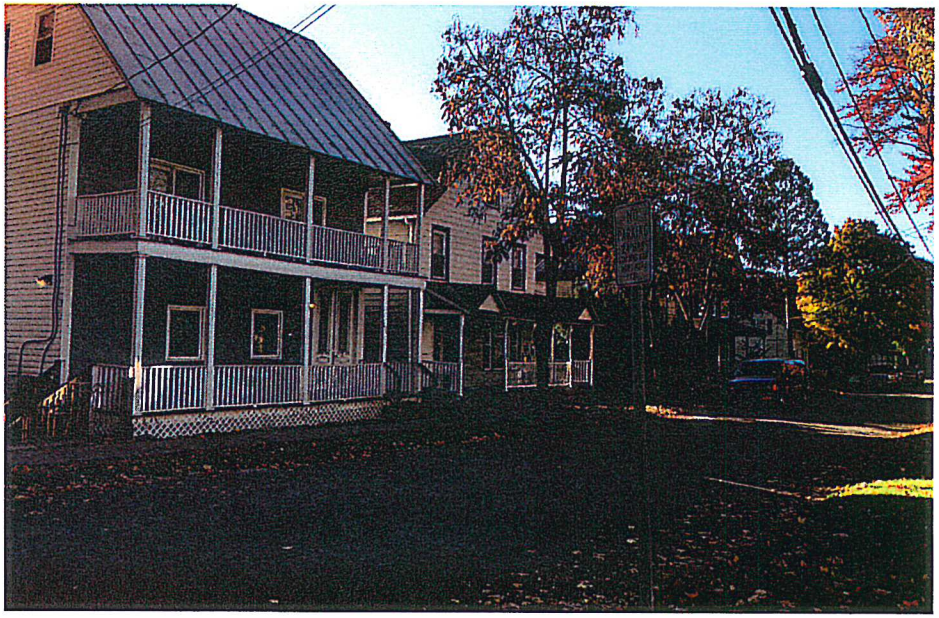
#1 Alger St., Saratoga Springs, NY

Adjacent Neighbors to the South of project site as viewed facing South West along Woodlawn.



Property at corner, across Alger St. from project site. As viewed facing North from Woodlawn intersection.

Properties across Woodlawn to the North East of project site as viewed facing East from Alger St. intersection.



Properties across Woodlawn to the South East of project site as viewed facing South East from Alger St. intersection.

Boughton Addition:

#1 Alger St., Saratoga Springs, NY

Adjacent Neighbors' alley garage to the South of project site as viewed facing South from Bolster Ln./ Alger St. intersection

Bolster Lane behind project site as viewed facing South from Bolster Ln. / Alger St. intersection.

Properties to the West of project site along Alger St. as viewed facing West from project site.

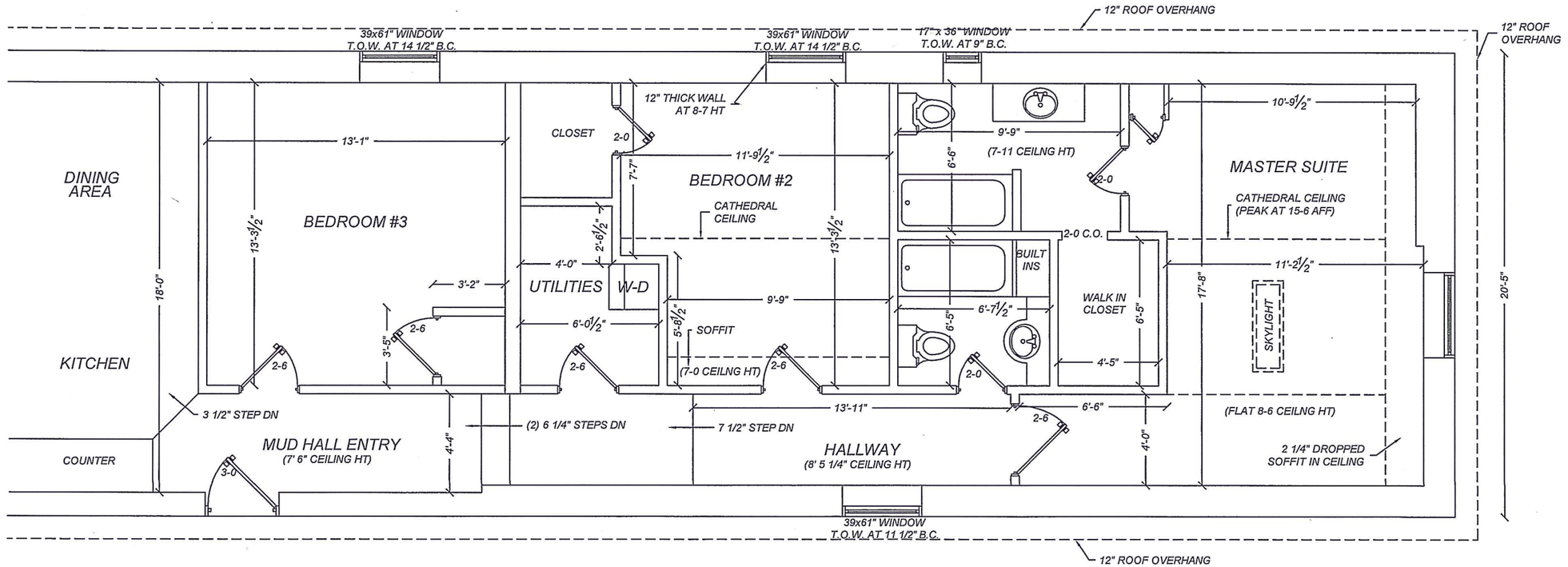
Property to the direct North of project site as viewed facing North across Alger St. from location of proposed addition

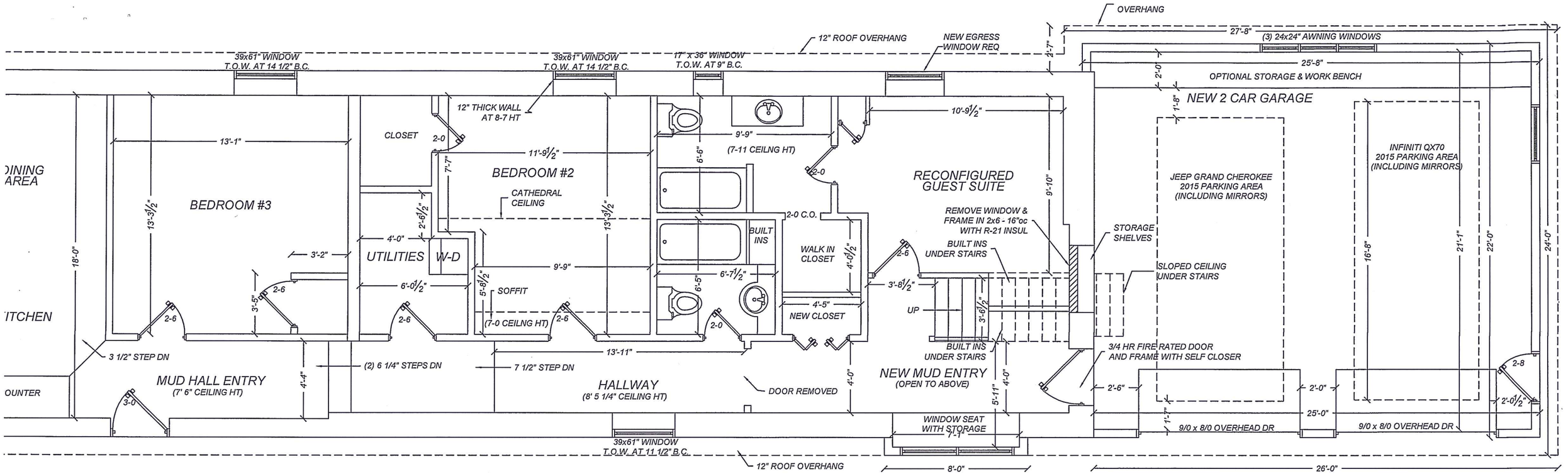
BOUGHTON RESIDENCE
#1 ALGER ST.
CITY OF SARATOGA SPRINGS, NY

EXISTING MAIN FLOOR PLAN

10/26/15 SCALE: 3/16" = 1' 0"

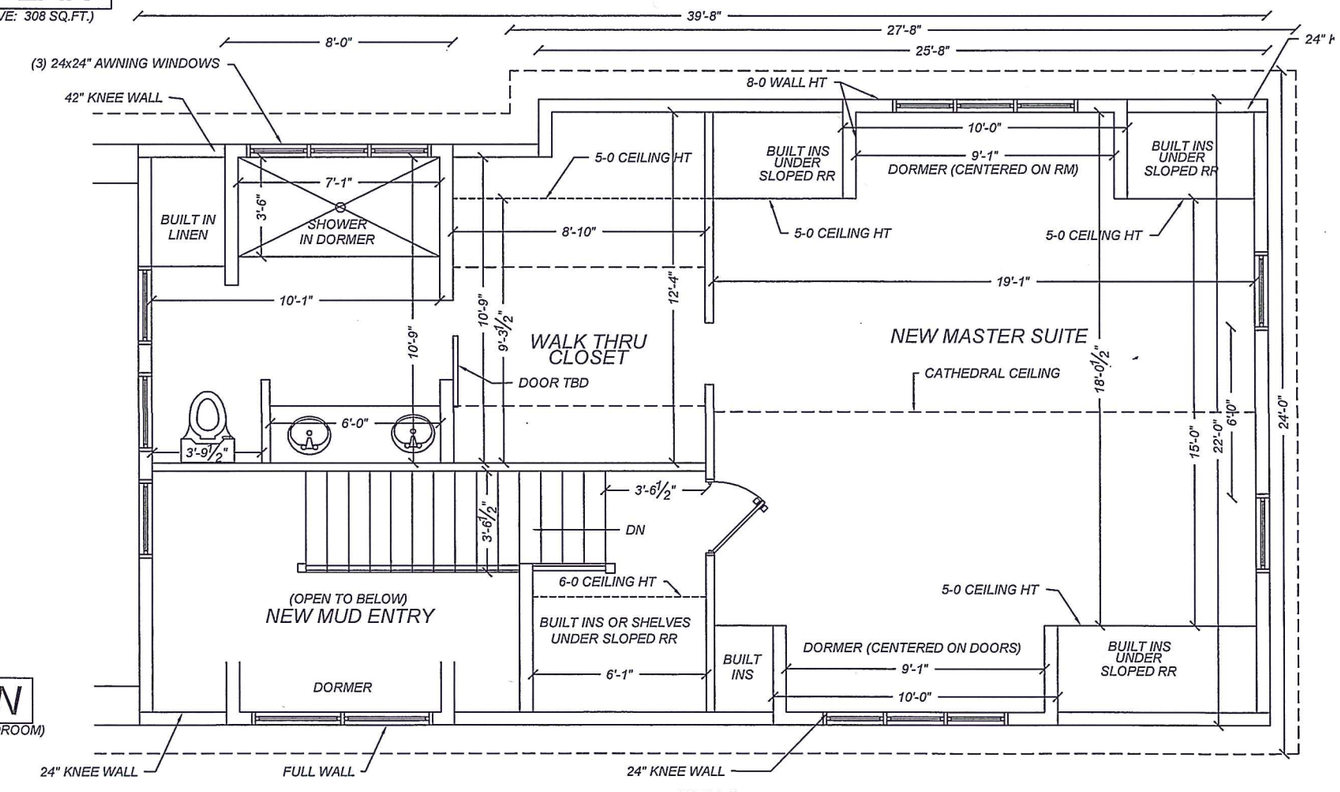
DRAWN BY:
ENGINEERING AMERICA CO.
76 WASHINGTON ST., SARATOGA SPRINGS, NY
518 / 587 - 1340





MAIN FLOOR PLAN

(RENOVATED SPACE WITH NEW AREA ABOVE: 308 SQ.FT.)
(GARAGE: 550 SQ.FT.)



BOUGHTON RESIDENCE
#1 ALGER ST.
CITY OF SARATOGA SPRINGS, NY

PROPOSED FLOOR PLANS

10/26/15 SCALE: 3/16" = 1' 0"

DRAWN BY:
ENGINEERING AMERICA CO.
76 WASHINGTON ST., SARATOGA SPRINGS, NY
518 / 587 - 1340

UPPER FLOOR PLAN

(734 SQ.FT. NOT INCLUDING STAIRS & OPEN SPACE OVER MUDROOM)

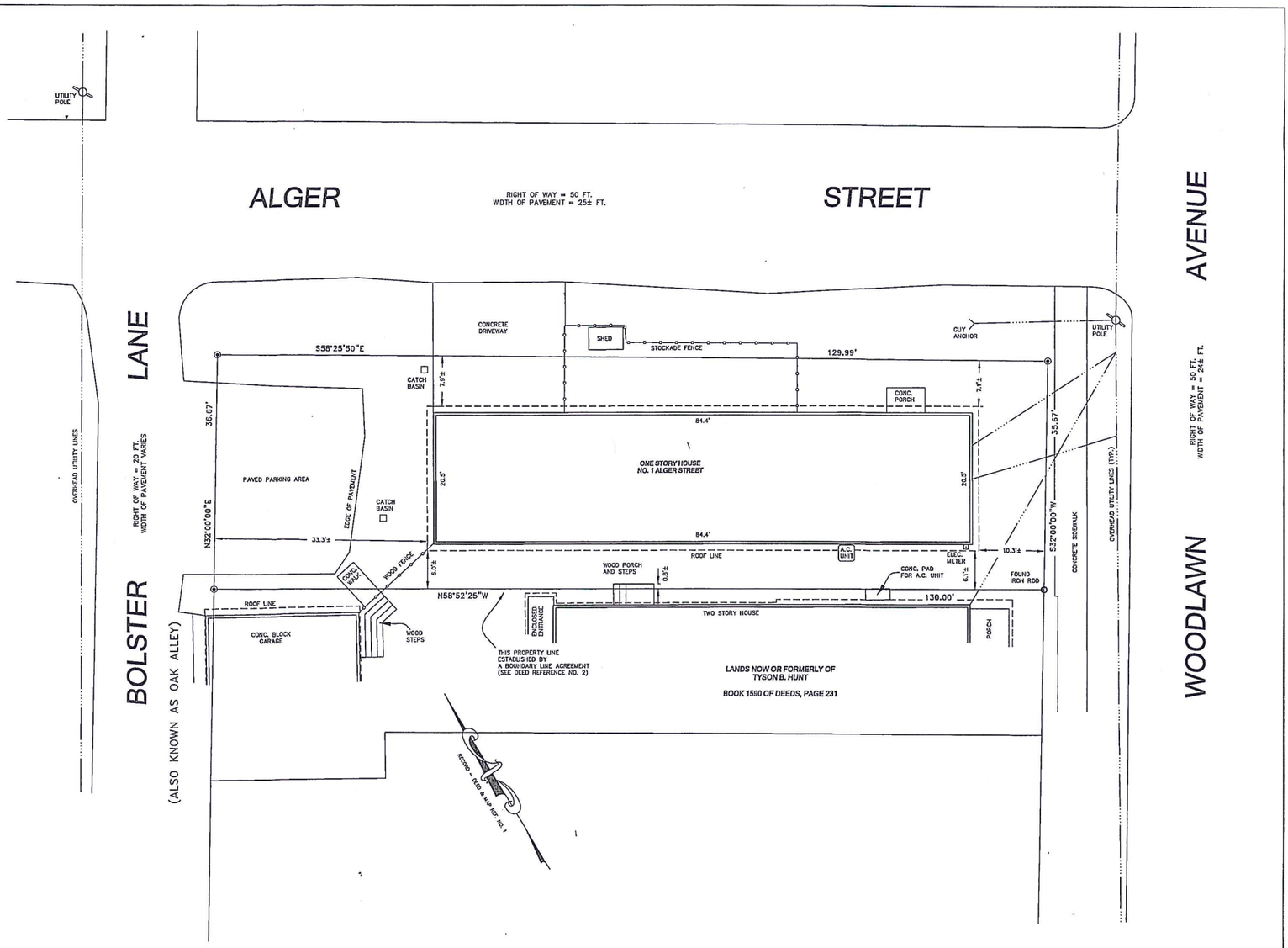
BOUGHTON RESIDENCE
#1 ALGER ST.
CITY OF SARATOGA SPRINGS, NY

PROPOSED NORTH ELEVATION

10/26/15 SCALE: 3/16" = 1' 0"

DRAWN BY:
ENGINEERING AMERICA CO.
76 WASHINGTON ST., SARATOGA SPRINGS, NY
518 / 587 - 1340

(PROPOSED VIEW FROM ALGER ST.)



LOT INFORMATION:

OWNER: . . . . . LAUREN M. NEITZEL AND LUKE A. BOUGHTON (DEED REFERENCE NO. 1)

LOT AREA: . . . . . 4,701± SQ. FT.

TAX MAP PARCEL NO. . . . 165.43-3-18

LOT COVERAGE: . . . . . AREA OF BUILDING, MEASURED TO ROOF LINE IS 1,944± SQ. FT. OR 41.3% OF THE SITE.

ZONING INFORMATION:

ZONING DISTRICT: UR-3
- MINIMUM LOT SIZE: 8,000 SQ. FT.
  - (6,600 SQ. FT. FOR SINGLE FAMILY RESIDENCE)
- MINIMUM MEAN LOT WIDTH: 80 FT.
  - (60 FT. FOR SINGLE FAMILY RESIDENCE)
- MAXIMUM PERCENT OF LOT TO BE OCCUPIED BY:
  - PRINCIPAL BUILDING: 30 %
  - ACCESSORY BUILDING: 10%
- MINIMUM YARD DIMENSIONS:
  - FRONT: 10 FT.
  - REAR: 25 FT.
  - ONE SIDE: 4 FT.
  - TOTAL SIDE: 12 FT.
- PRINCIPAL BUILDING:
  - MINIMUM FIRST FLOOR AREA:
    - 1 STORY: 1,200 SQ. FT.
    - 2 STORY: 800 SQ. FT.
  - MAXIMUM BUILDING HEIGHT: 60 FT.
  - MINIMUM DISTANCE FROM ACCESSORY BUILDING TO:
    - PRINCIPAL BUILDING: 5 FT.
    - FRONT LOT LINE: 10 FT.
    - SIDE LOT LINE: 5 FT.
    - REAR LOT LINE: 5 FT.
  - MINIMUM PERCENT OF LOT TO BE PERMEABLE: 25%

I HEREBY CERTIFY TO:

1.) LAUREN M. NEITZEL AND LUKE A. BOUGHTON

THAT THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY MADE IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

DANIEL C. WHEELER P.L.S. LIC. NO. 50,137

DEED REFERENCES:

1.) DEED DATED DECEMBER 17, 2008 FROM VILON, INC. TO LAUREN M. NEITZEL AND LUKE A. BOUGHTON AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE AS DEED NO. 2008042706.

2.) BOUNDARY LINE AGREEMENT DATED APRIL 2, 1986 BETWEEN HAROLD CLUNE AND DOUGLAS V. DOCKENDORF AND GREGORY JOHN SCARANGELLO AND GREGORY JAMES SCARANGELLO AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 1123 OF DEEDS AT PAGE 290.

MAP REFERENCES:

1.) MAP ENTITLED "SURVEY AND SUBDIVISION LANDS OF GREGORY JOHN AND GREGORY JAMES SCARANGELLO", DATED APRIL 12, 1986, MADE BY W. BRUCE HAWKS AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE AS MAP NO. "S-151".

NOTES:

1.) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE OR A TITLE REPORT.

2.) OFFSET DIMENSIONS ARE MEASURED TO ROOF LINES.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF ARTICLE 145, SECTION 7209, SUB-PARAGRAPH (2) OF THE NEW YORK STATE EDUCATION LAW.

SURVEY ASSOCIATES, LLC
PROFESSIONAL LAND SURVEYING
DANIEL C. WHEELER, LS
DANIEL C. WHEELER
P.L.S. LIC. NO. 50,137
432 BROADWAY, SUITE 5, SARATOGA SPRINGS, NY 12866
PH. (518) 583-7302 FAX (518) 583-7303

TITLE:
SURVEY OF LANDS OF LAUREN M. NEITZEL AND LUKE A. BOUGHTON

LOCATION:
CITY OF SARATOGA SPRINGS, (INSIDE DISTRICT)
SARATOGA COUNTY, NEW YORK

DATE:
JUNE 4, 2015

SCALE:
1 INCH = 20 FEET

MAP NO. 2015-09-03

BOUGHTON RESIDENCE
#1 ALGER ST.
CITY OF SARATOGA SPRINGS, NY

EXISTING SURVEY

(SCALED TO VIEW: 1" = 10')

ORIGINAL SURVEY BY:
DAN WHEELER, LLS
SURVEY ASSOCIATES, LLC.

ALGER STREET

RIGHT OF WAY = 50 FT.
WIDTH OF PAVEMENT = 25± FT.

LANE

RIGHT OF WAY = 20 FT.
WIDTH OF PAVEMENT VARIES

BOLSTER

(ALSO KNOWN AS OAK ALLEY)

AVENUE

RIGHT OF WAY = 50 FT.
WIDTH OF PAVEMENT = 24± FT.

WOODLAWN

OVERHEAD UTILITY LINES (TYP.)

CONCRETE SIDEWALK

S58°25'50"E

129.99'

CONCRETE DRIVEWAY

SHED

STOCKADE FENCE

GUY ANCHOR

UTILITY POLE

CATCH BASIN

7.9'±

7.1'±

CONC. PORCH

84.4'

36.67'

35.67'

ONE STORY HOUSE
NO. 1 ALGER STREET

20.5'

20.5'

PAVED PARKING AREA

EDGE OF PAVEMENT

CATCH BASIN

N32°00'00"E

33.3'±

84.4'

S32°00'00"W

ROOF LINE

A.C. UNIT

ELEC. METER

10.3'±

WOOD PORCH AND STEPS

0.8'±

CONC. PAD FOR A.C. UNIT

6.1'±

FOUND IRON ROD

CONC. WALK

WOOD FENCE

6.0'±

N58°52'25"W

130.00'

ROOF LINE

TWO STORY HOUSE

CONC. BLOCK GARAGE

WOOD STEPS

ENCLOSED ENTRANCE

PORCH

THIS PROPERTY LINE
ESTABLISHED BY
A BOUNDARY LINE AGREEMENT
(SEE DEED REFERENCE NO. 2)

LANDS NOW OR FORMERLY OF
TYSON B. HUNT

BOOK 1590 OF DEEDS, PAGE 231

RECORD ~ DEED & MAP

BOUGHTON RESIDENCE
#1 ALGER ST.
CITY OF SARATOGA SPRINGS, NY

PROPOSED PLOT PLAN

(SCALED TO VIEW: 1" = 10')
10/26/15

BASE SURVEY BY:
DAN WHEELER, LLS.
SURVEY ASSOCIATES, LLC

PLOT PLAN BY:
ENGINEERING AMERICA CO.
SARATOGA SPRINGS, NY

ALGER STREET

RIGHT OF WAY = 50 FT.
WIDTH OF PAVEMENT = 25± FT.

LANE

RIGHT OF WAY = 20 FT.
WIDTH OF PAVEMENT VARIES

AVENUE

RIGHT OF WAY = 50 FT.
WIDTH OF PAVEMENT = 24± FT.

BOLSTER

(ALSO KNOWN AS OAK ALLEY)

WOODLAWN

S58°25'50"E

129.99'

2.0'±

GUY ANCHOR

UTILITY POLE

8.0'±

NEW DRIVEWAY

CATCH BASIN

7.8'±

STOCKADE FENCE

SHED

7.1'±

CONC. PORCH

36.67'

7.0'±

ROOF LINE

26.0'±

84.4'

35.67'

EXISTING PAVED AREA

PROPOSED NEW GARAGE

ROOF LINE

22.0'±

20.5'

ONE STORY HOUSE
NO. 1 ALGER STREET

20.5'

N32°00'00"E

S32°00'00"W

84.4'

7.4'±

ROOF LINE

A.C. UNIT

ELEC. METER

10.3'±

4.4'±

CONC. WALK

WOOD FENCE

4.4'±

6.0'±

WOOD PORCH AND STEPS

0.8'±

CONC. PAD FOR A.C. UNIT

6.1'±

FOUND IRON ROD

CONCRETE SIDEWALK

OVERHEAD UTILITY LINES (TYP.)

N58°52'25"W

ROOF LINE

130.00'

CONC. BLOCK GARAGE

WOOD STEPS

ENCLOSED ENTRANCE

TWO STORY HOUSE

PORCH

THIS PROPERTY LINE
ESTABLISHED BY
A BOUNDARY LINE AGREEMENT
(SEE DEED REFERENCE NO. 2)

LANDS NOW OR FORMERLY OF
TYSON B. HUNT

BOOK 1590 OF DEEDS, PAGE 231

RECORD ~ DEED & MAP REF.

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 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]	/	[redacted] / (212) 731-0315
Email	[redacted]		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

FRANKLIN STREET

RIGHT OF WAY = 50 FT.
WIDTH OF PAVEMENT = 27± FT.

SOUTH

LANDS NOW OR FORMERLY OF
KDI PROPERTIES, LLC

DEED NO. 2010037373

LOT 34
(MAP REF. NO. 1)

PARCEL LINE (MAP REF. NO. 2)

RECORD ~ MAP REF. NO. 2

WOOD FENCE

S82°20'46"E

124.23'

5.8'±

ROOF LINE (TYP.)

65.98'

LANDS OF
ORANGECAT PROPERTIES, LLC

DEED NO. 2015030079

AREA = 6,557± SQ. FT.

TAX MAP PARCEL NO.
165.66-2-31

70.04'

HOUSE OVER
RIGHT OF WAY
6.0'±

2 STORY APARTMENT BUILDING
NO. 78 SOUTH FRANKLIN STREET

STAIRS TO 2nd FLOOR

SHED

4.0'±

OVERHEAD UTILITY LINES (TYP.)

CONC. CURB

2nd FLOOR OVERHANG

N04°01'27"E

UTILITY
POLE

LOT 36
(MAP REF. NO. 1)

S37°57'18"W

LANDS NOW OR FORMERLY OF
SOHO OF SOUTH PEARL, LLC

DEED NO. 2007026442

N85°58'33"W

4.0'±

84.88'

CHAIN LINK FENCE
(ON PROPERTY LINE)

FOUND
IRON PIPE

SURVEY INFORMATION PROVIDED BY:
SURVEY ASSOCIATES
OCTOBER 2015

PROPOSED CONDITIONS

FRANKLIN STREET

RIGHT OF WAY = 50 FT.
WIDTH OF PAVEMENT = 27± FT.

SOUTH

OVERHEAD UTILITY LINES (TYP.)

CONC. CURB

UTILITY POLE

LANDS NOW OR FORMERLY OF
KDI PROPERTIES, LLC

DEED NO. 2010037373

LOT 34
(MAP REF. NO. 1)

WOOD FENCE

S82°20'46"E

124.23'

PARCEL LINE (MAP REF. NO. 2)

RECORD ~ MAP REF. NO. 2

65.98'

22'

LANDS OF
ORANGECAT PROPERTIES, LLC

DEED NO. 2015030079

AREA = 6,557± SQ. FT.

TAX MAP PARCEL NO.
165.66-2-31

PARKING #4

70.04'

PARKING #3

PARKING #2

PARKING #1

LIVING ROOM
13'-6" x 16'-9"

W

D

LINEN

MASTER BEDROOM
12'-0" x 16'-9"

PANTRY

COATS

MECHANICALS

GARBAGE / RECYCLING STORAGE

DECK
6'-0" x 16'-0"

DINING ROOM
10'-2" x 16'-3"

BEDROOM #2
10'-2" x 12'-7"

LINEN

BEDROOM #3
10'-2" x 13'-7"

MAINTENANCE STORAGE

SNOW STORAGE

N04°01'27"E

S37°57'18"W

6'

15'-8"

N85°58'33"W

84.88'

CHAIN LINK FENCE
(ON PROPERTY LINE)

FOUND
IRON PIPE

LANDS NOW OR FORMERLY OF
SOHO OF SOUTH PEARL, LLC

DEED NO. 2007026442

SURVEY INFORMATION PROVIDED BY:
SURVEY ASSOCIATES
OCTOBER 2015

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

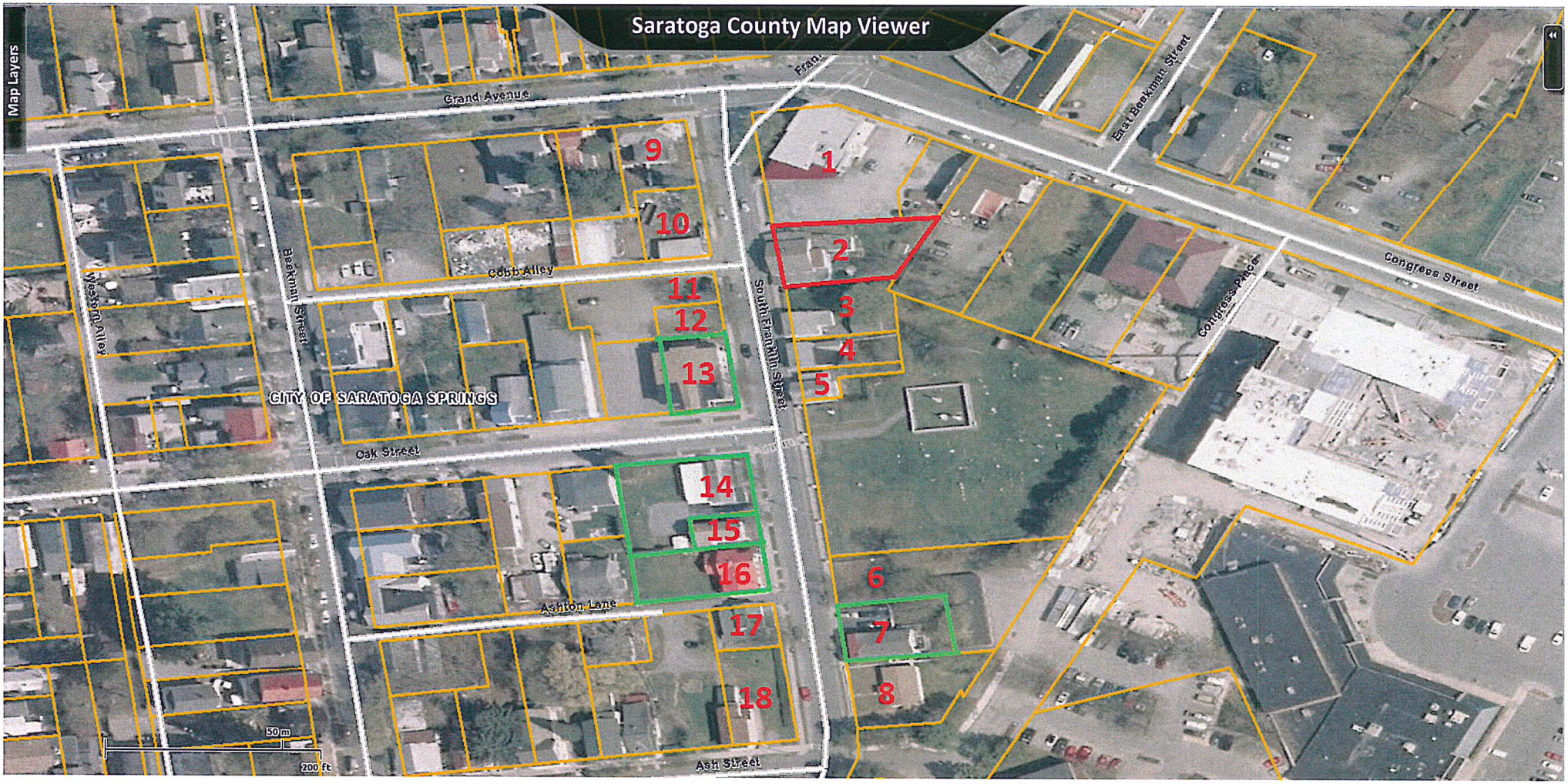
ZONING STATISTICS

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
Western Alley
South Franklin Street
East Beekman Street
Congress Street
Congress Place
CITY OF SARATOGA SPRINGS
Oak Street
Ashton Lane
Ash Street
50 m
200 ft
1
2
3
4
5
6
7
8
9
10
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13
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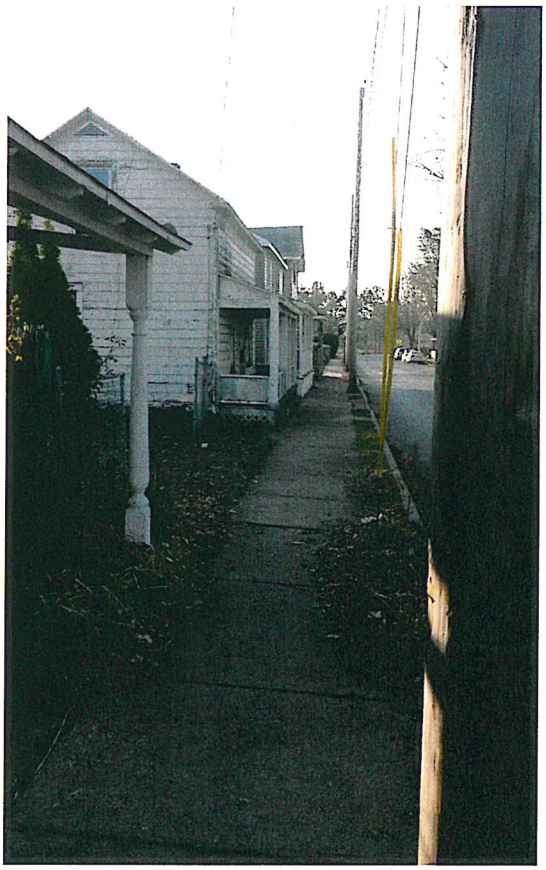
16
17
18

SUBJECT PROPERTY



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	☑	HAND DELIVER
☐	CLOUD	☐	COURIER	☐	OTHER:

ACTION:

☑	FOR YOUR REVIEW	☐	REPLY REQUESTED
☑	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
	Balzer + Tuck Architecture		
Name	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 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 #)

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
	Balzer + Tuck Architecture		
Name	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.

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(*for example: 165.52 – 4 – 37*)

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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

_____ _____

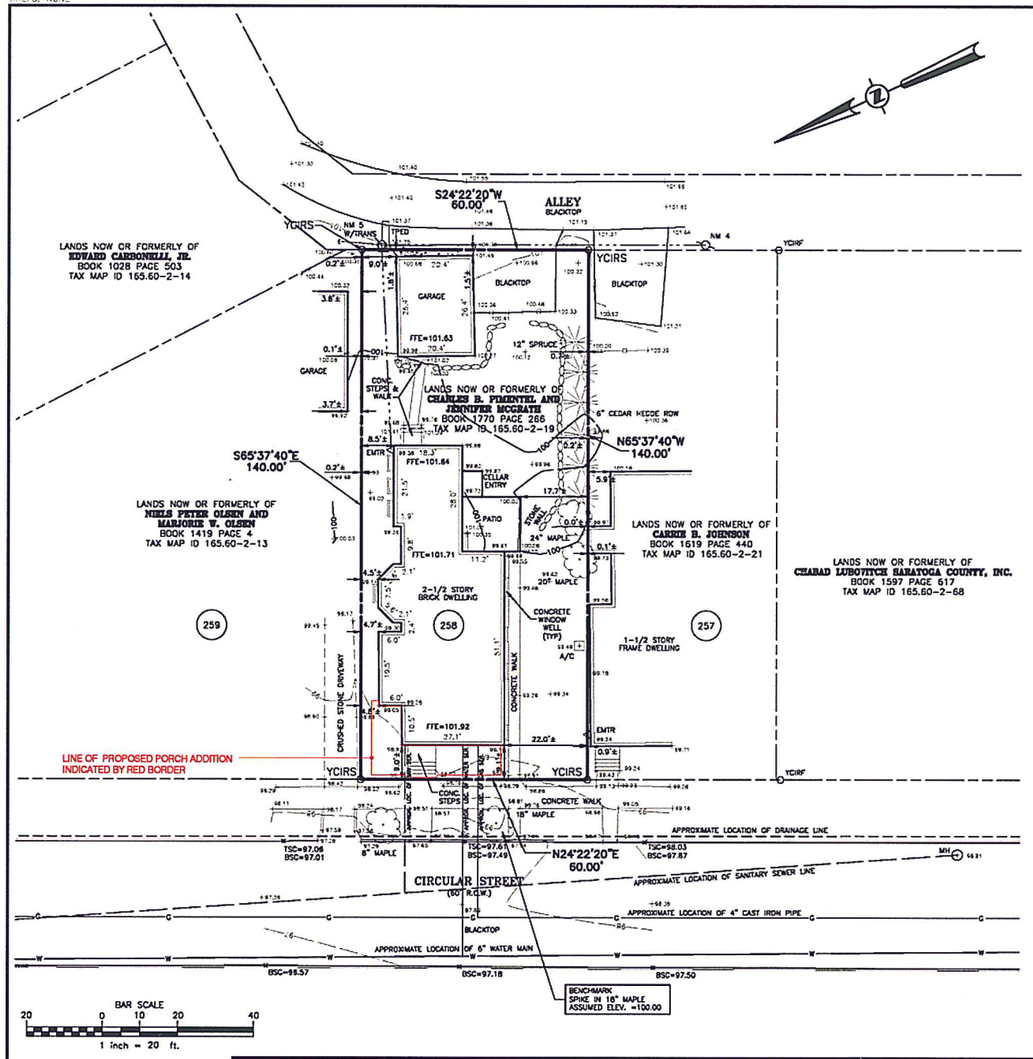
ZONING AND BUILDING INSPECTOR DATE

Revised 11/2/15

XREFS: NONE

PROJECT NUMBER: 10.1047

CAD DWG. FILE NAME: BS_10-1047.DWG



MAP REFERENCES:

1. "Copy of H. Waltons 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 Safety 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

RAYMOND T. LIUZZO
PLS NO. 50366

"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".

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

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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

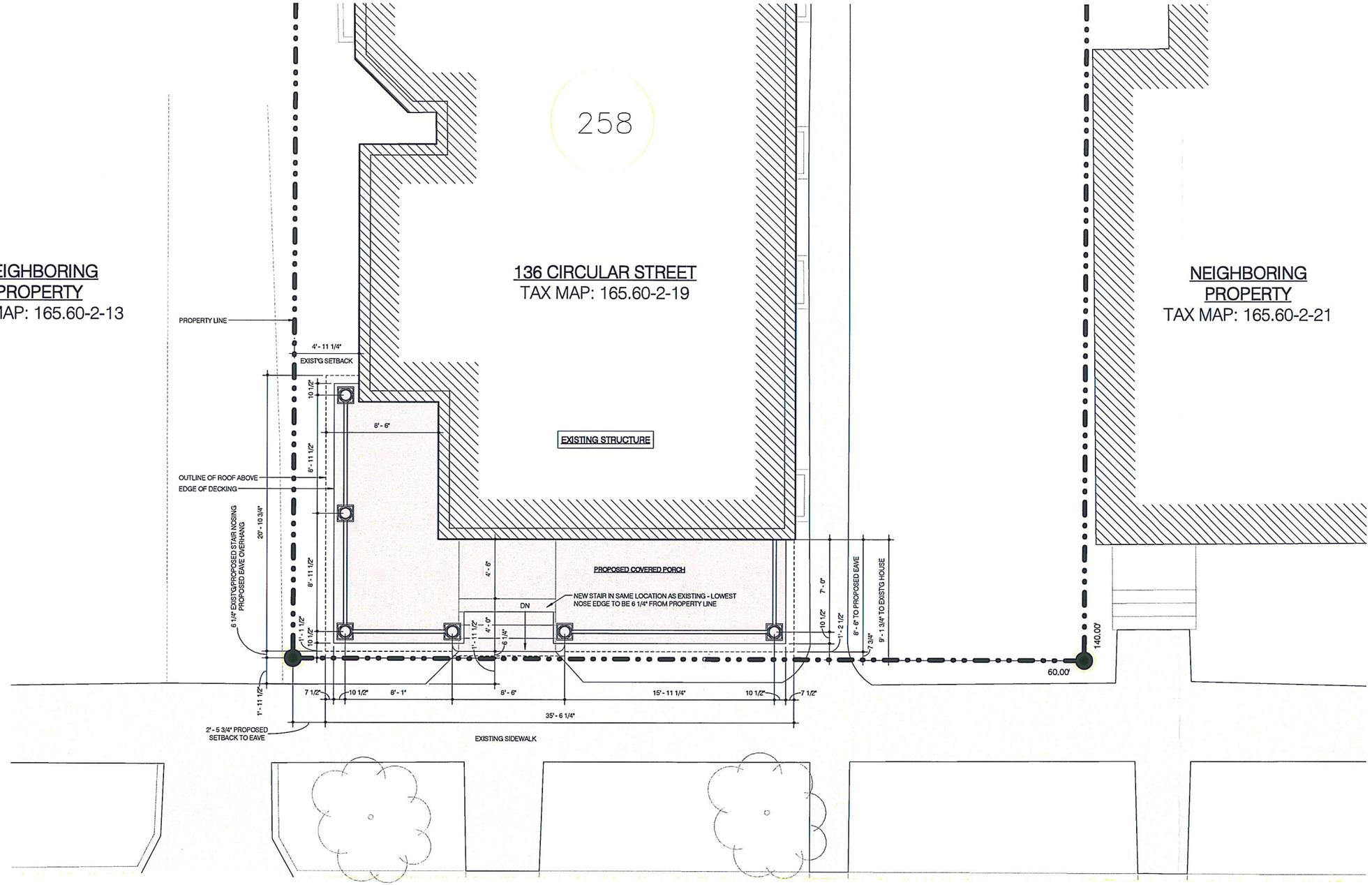
C.T. MALE ASSOCIATES, P.C.
50 CENTURY HILL DRIVE, LATHAM, NY 12110
518.786.7400 • FAX 518.786.7299
ARCHITECTURE & BUILDING SYSTEMS ENGINEERING • CIVIL ENGINEERING
ENVIRONMENTAL SERVICES • SURVEY & LAND INFORMATION SERVICES

SHEET 1 OF 1
DWG. NO: 10-166

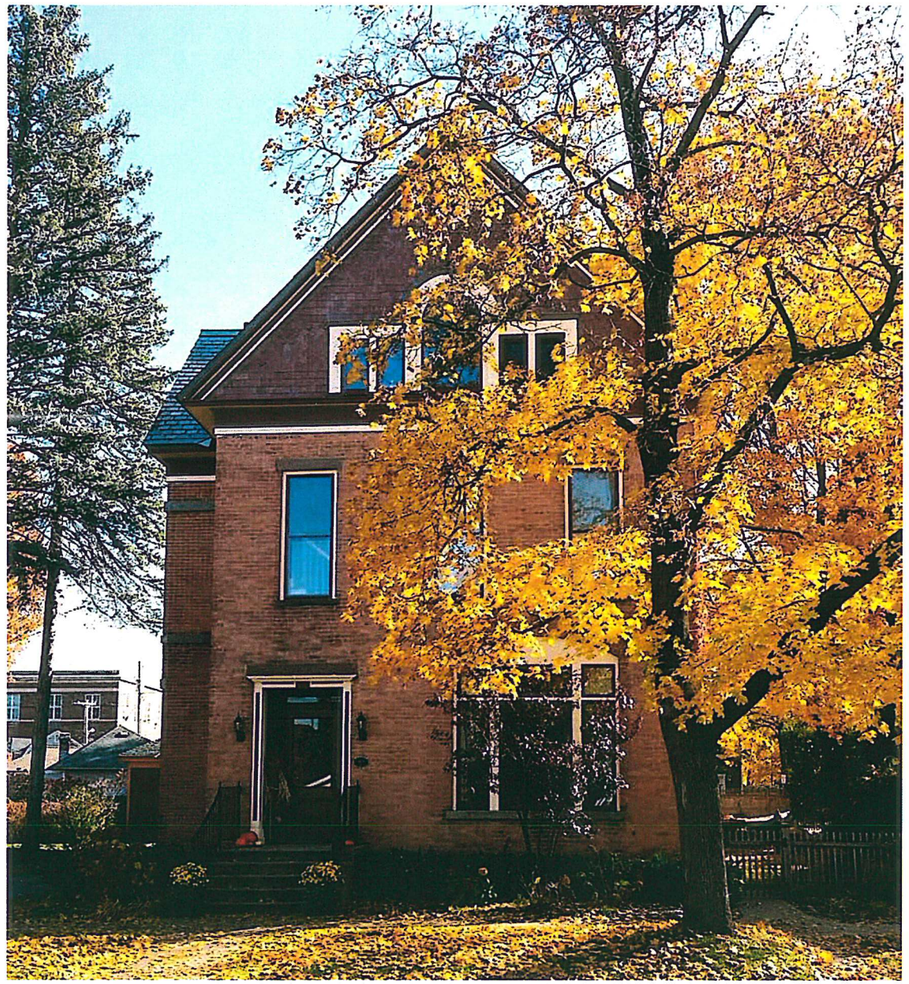
NEIGHBORING
PROPERTY
TAX MAP: 165.60-2-13

136 CIRCULAR STREET
TAX MAP: 165.60-2-19

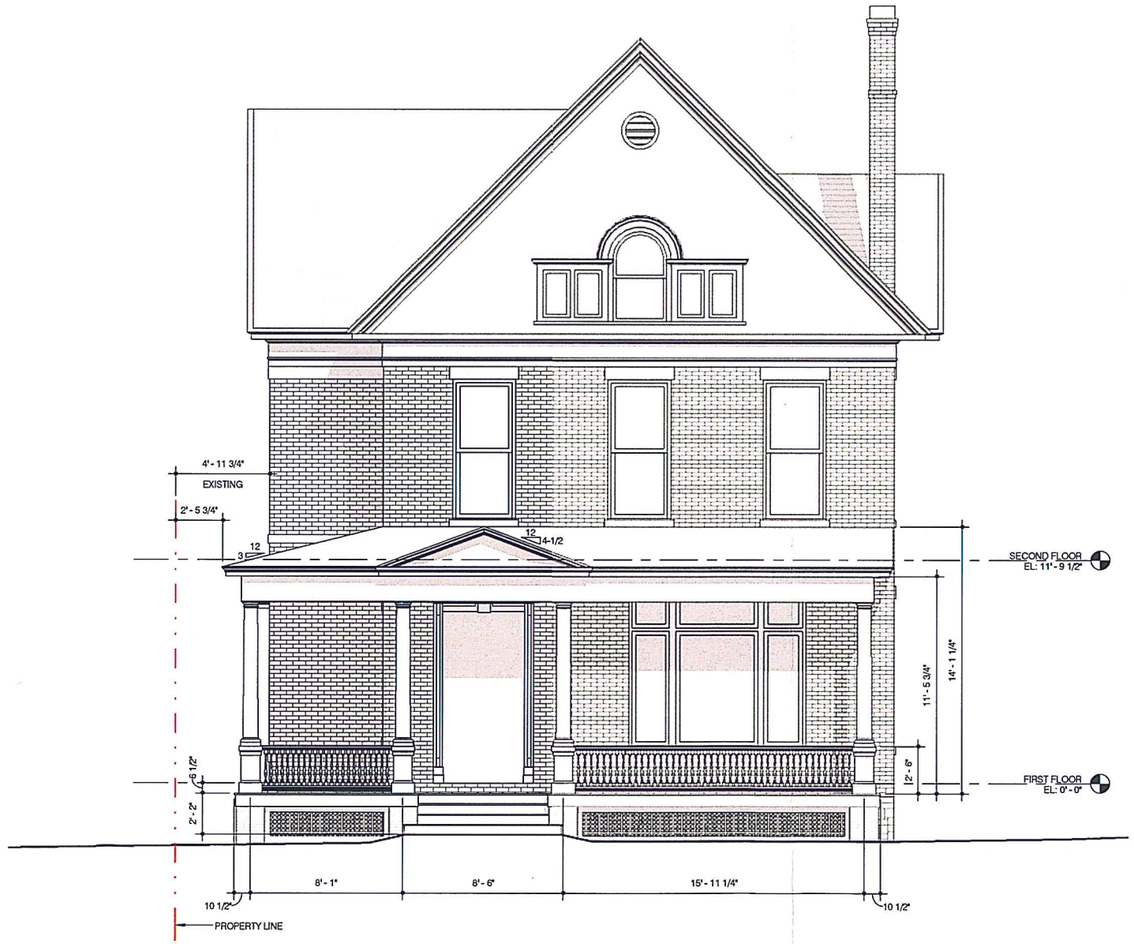
NEIGHBORING
PROPERTY
TAX MAP: 165.60-2-21



CIRCULAR STREET
(60' R.O.W.)

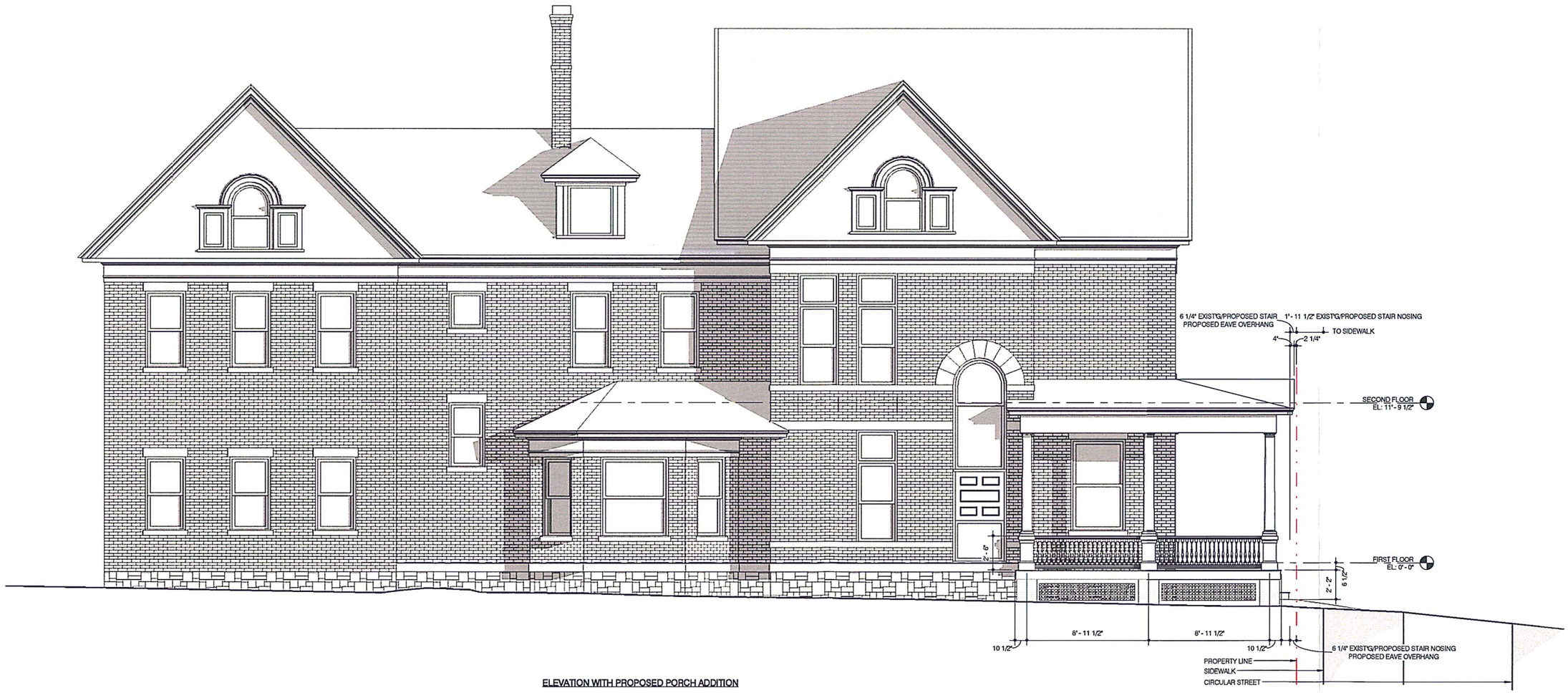


EXISTING CONDITION PHOTOGRAPH



ELEVATION WITH PROPOSED PORCH ADDITION

EXISTING CONDITION PHOTOGRAPH



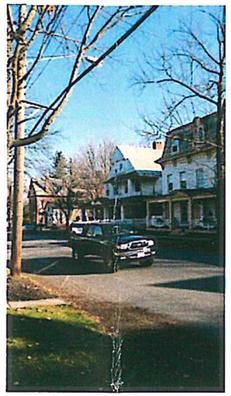
ELEVATION WITH PROPOSED PORCH ADDITION

PERSPECTIVE OF PROPOSED PORCH ADDITION

HISTORIC PHOTO

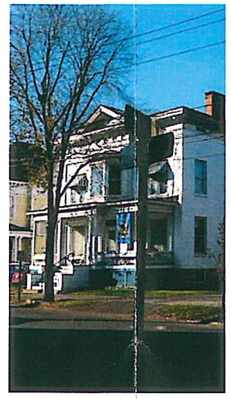
EXISTING CONDITION PHOTOGRAPH

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



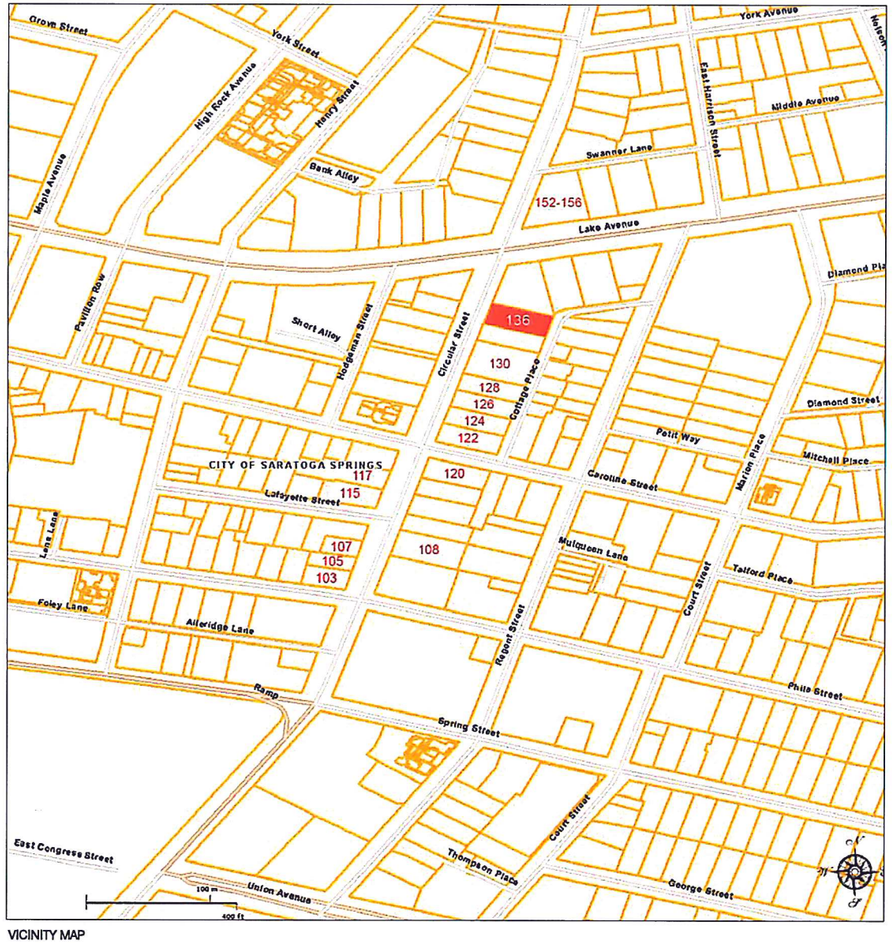
130 CIRCULAR STREET
- 0'-6" FROM SIDEWALK TO STEPS
- 4'-0" FROM SIDEWALK TO PORCH

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

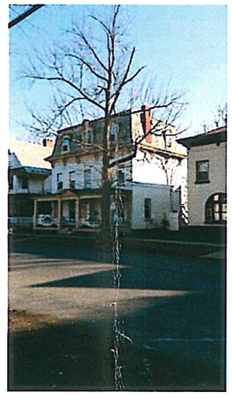


117 CIRCULAR STREET
- 0'-0" FROM SIDEWALK TO STEPS
- 7'-2" FROM SIDEWALK TO PORCH

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

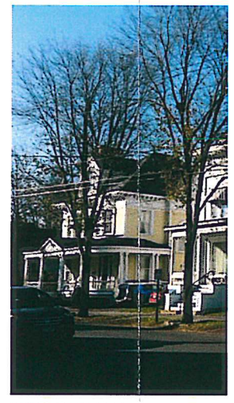


VICINITY MAP

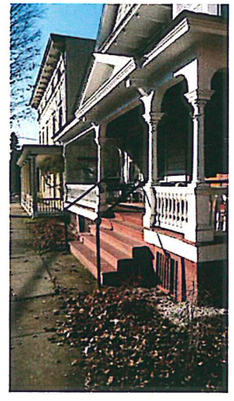


128 CIRCULAR STREET
- 2'-0" FROM SIDEWALK TO STEPS
- 2'-10" FROM SIDEWALK TO PORCH

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



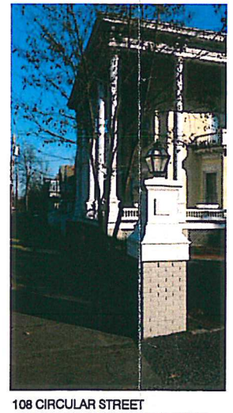
115 CIRCULAR STREET
- 2'-2" FROM SIDEWALK TO STEPS
- 7'-2" FROM SIDEWALK TO PORCH



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

Saratoga Springs
Preservation Foundation

January 11, 2016

A Voice FOR PRESERVATION

Mr. Bill Moore, Chair
Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

RE: 136 Circular Street – Front Porch Restoration

Dear Mr. Moore,

The Saratoga Springs Preservation Foundation has reviewed the application for an area variance to restore the front porch to an existing single-family residence.

The house located at 136 Circular Street was built circa 1850 in the Greek Revival style. Additions were made in the Queen Anne style prior to 1900. These additions included the front-gable roof with lower cross-gables and the wrap-around porch. The house is a "contributing building" to the East Side Historic District listed on the National Register of Historic Places.

The Foundation is extremely pleased with the effort and care that the owner is taking to restore the front porch, an important character-defining feature of this significant historic property. With the use of historic photos, the owner has provided the necessary documentation that the porch restoration as proposed will match the original in scale, mass, and detail. The Foundation supports the application for area variances to allow for the front porch to be restored.

The Foundation appreciates the investment that the homeowners are making into their historic house and commends them for this very significant restoration project.

Thank you in advance for your thoughtful consideration.

Sincerely,

Linda Harvey-Opiteck
Vice-President

Samantha Bosshart
Executive Director

Cc: Steve Groseclose and Jael Polnac, Applicant
Brett Balzer, Agent
Susan Barden, Senior Planner

Board of Directors

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Cindy Spence
Matthew Veitch
William Willard

Cheryl M. Gold
emeritus

James Kettlewell
emeritus

Samantha Bosshart
Executive Director

112 Spring Street, Suite 203
Saratoga Springs, NY 12866
P 518-587-5030 F518-581-1448
www.saratogapreservation.org

balzer + tuck | architecture · pllc

MEMORANDUM

PROJECT NAME	:	Groseclose Polnac Residence	PROJECT #	:	Balzer + Tuck Project No. 1523
DATE	:	January 12, 2016	FROM	:	Balzer + Tuck Architecture
ATTENTION	:	Susan Barden & Bill Moore			
REFERENCE	:	Zoning Application #2871	PRIORITY	:	☐ LOW ☐ NORMAL ☒ HIGH

As requested, we are providing a summary of existing and proposed lot coverage and permeability for the property located at 136 Circular Street. As noted during the hearing, a summary of existing and proposed lot coverage was not submitted with our initial application. Estimated building coverage was presented based on rough calculations of the site map at hand; and it was assumed an additional variance from lot coverage would be required. This was requested of the Board, with an area summary being noted as a conditional requirement for review.

After a detailed review of the outlined lot area and impermeability requirements, we have determined that the proposed addition complies with UR-3 coverage requirements and an additional variance for lot coverage and permeability is not required.

A summary of the proposed addition and its impact on lot coverage and minimum permeability is attached for your records.

We would like to maintain our original request for Front and Side Yard variances as originally submitted.

Building Coverage Summary (sf)

Existing Accessory Building:	540 sf
Existing Principal Building (E):	2,086 sf
Proposed Principal Building Addition (P):	279 net sf
Total Building Coverage:	**2,905 sf**

Site Paving and Patio Coverage Summary (sf)

Existing Stoops, Patios, and sidewalks:	537 sf
Existing Asphalt Drive:	358 sf
Total Paving:	**895 sf**

Proposed Site Permeability Summary (%)

Proposed Impervious Coverage (Building):	34.6% (2,905 sf)
Impervious Coverage (Paving and Patio):	10.7% (895 sf)
Total Proposed Impervious Coverage:	**45.3% (3,800 sf)**

ZONING DISTRICT: UR-3

	REQUIRED	EXISTING	PROPOSED	COMPLIANCE
MIN LOT SIZE (SF)	6,600 SF	8,400 SF	No Change	Complies
MAX. PRINCIPAL BLD'G COVERAGE (%)	30%	24.8% (2,086 sf)	3.3% (279 sf) 28.1% Total (2,365 sf)	Complies
MAX. ACCESSORY BUILDING COVERAGE (%)	10%	6.4% (540 sf)	No Change	Complies
MIN. % TO REMAIN PERMEABLE	25%	58.1%	54.7% (4,321 sf)	Complies

Document: City of Saratoga Springs Zoning Ordinance, Table 3: Area and Bulk Schedule
CC: File, Steve Groseclose and Jael Polnac, Owners

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 Saratoga Springs, NY 12866	[redacted]	P. O. Box 4367, 160 West Avenue 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

Revised: January 2011

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:	Telephone: 518-584-9007
SBDT Ventures, LLC	E-Mail: tony@bonacio.com

Address:
18 Division Street

City/PO:	State:	Zip Code:
Saratoga Springs	NY	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?	☐	☑	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☑	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☑	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☑	YES ☐	
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:	NO ☐	YES ☑	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☐	YES ☑	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☐	YES ☑	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☑	YES ☐	
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?	NO ☑	YES ☐	
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			
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?	NO ☑	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☑	YES ☐	
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	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

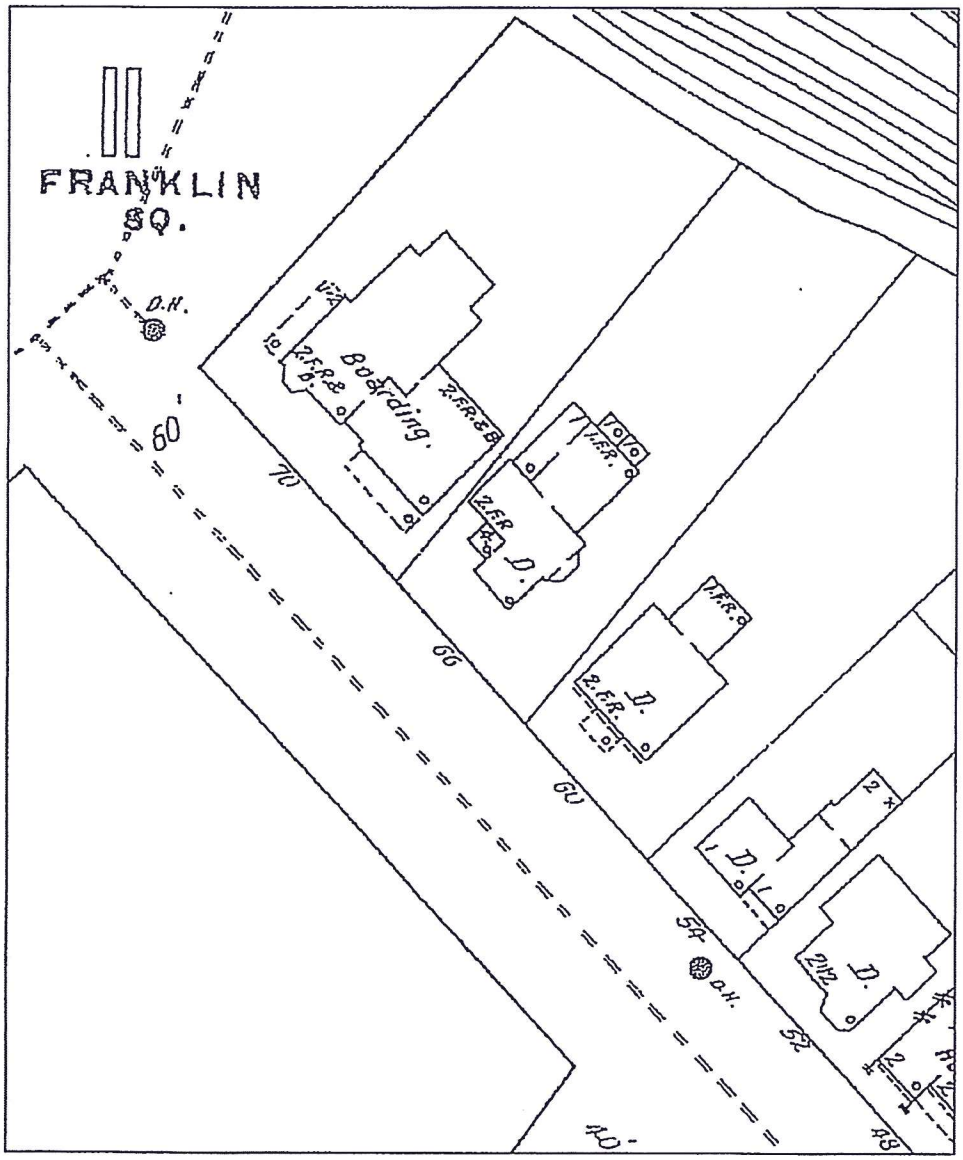


EXHIBIT B

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

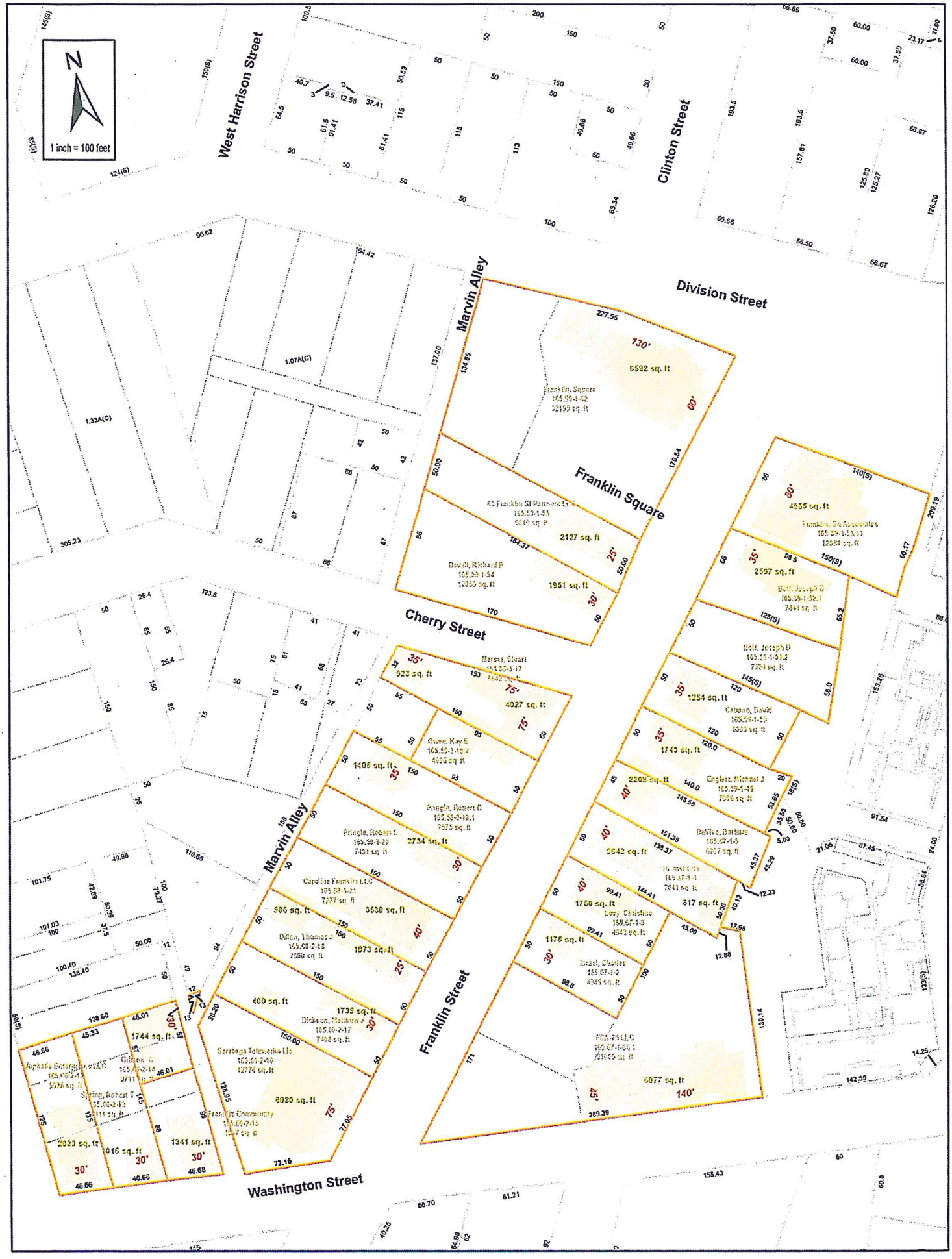

N
1 inch = 100 feet
West Harrison Street
Clinton Street
Division Street
Marvin Alley
Franklin Square
Cherry Street
Franklin Street
Washington Street
6592 sq. ft
2127 sq. ft
1951 sq. ft
4027 sq. ft
2734 sq. ft
3630 sq. ft
1873 sq. ft
1739 sq. ft
6920 sq. ft
4865 sq. ft
2597 sq. ft
1254 sq. ft
1745 sq. ft
2269 sq. ft
3642 sq. ft
1750 sq. ft
817 sq. ft
1176 sq. ft
6977 sq. ft
1744 sq. ft.
2033 sq. ft
1016 sq. ft
1341 sq. ft

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

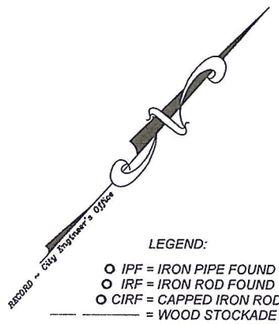
Tax Parcel	
165.59-1-55	50'
165.59-1-54	50'
165.59-1-17	60'
165.59-1-18.2	50'
165.59-1-18.1	50'
165.59-1-20	50'
165.59-1-21	50'
165.59-1-18	50'
165.59-1-17	50'
	460/9 = 51.11'

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'

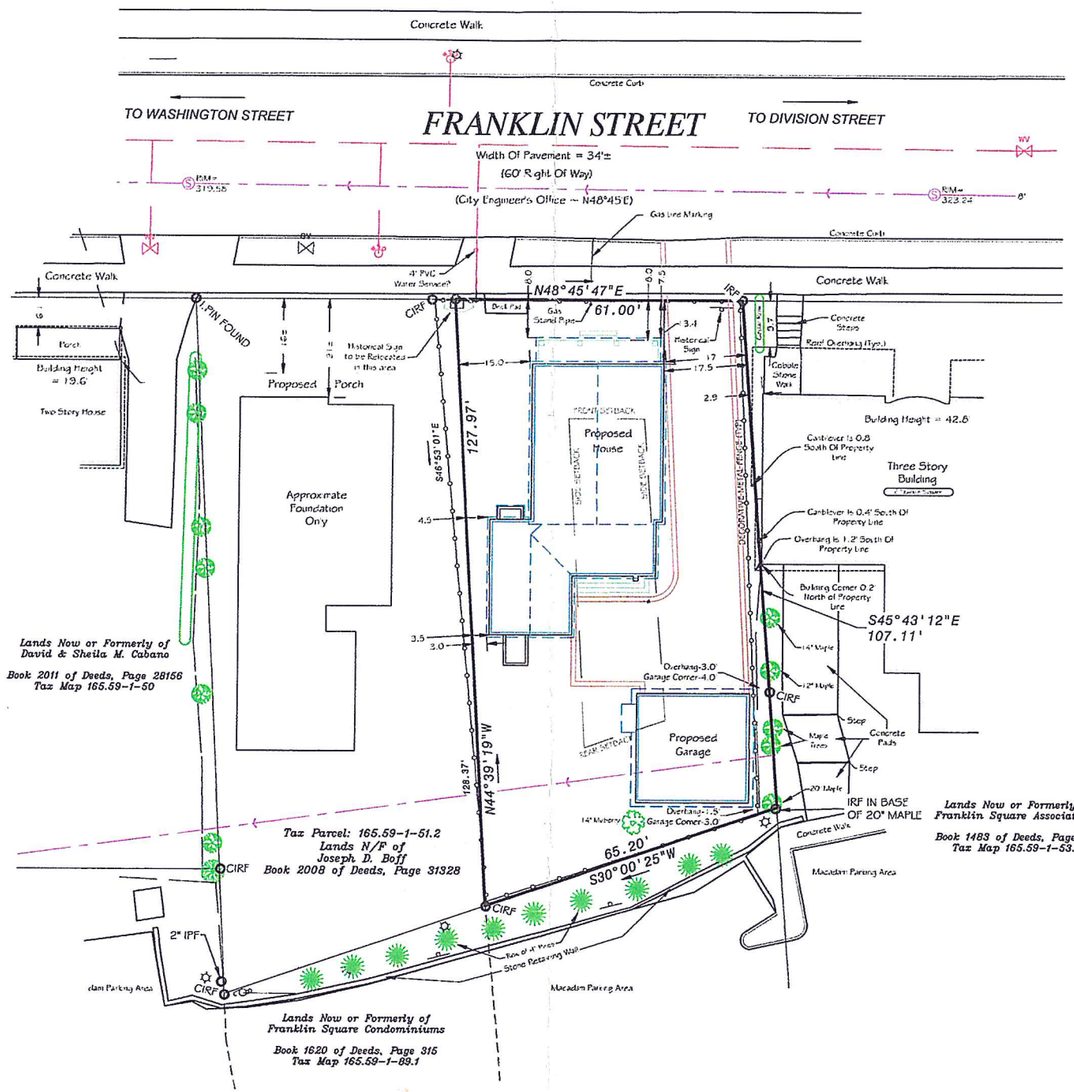
Average Width = 51.38 ft



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

REC'D DEC 14 2015



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