

Needham/Kilmer Residence

Zoning Board of Appeals

Variance Application — 37 Greenfield Avenue

City of Saratoga Springs, New York

May 9, 2016

**SCOTT
LEONARD
RAND AIA**

ARCHITECT

02 May 2016

City of Saratoga Springs
474 Broadway
Saratoga Springs, NY 12866

RE: 37 Greenfield Avenue

Attention: Zoning Board Members

The subject lot is a nonconforming UR-1 lot with dimensions similar to a UR-3 lot. Two dimensions hamper the design of a house that conforms to the size and scale of the neighborhood: 1) The average width is 69.5' instead of the UR-1 minimum of 100' and 2) The lot size is 11,454 sq. ft. instead of the UR-1 minimum of 12,500 sq. ft..

Greenfield Avenue is the dividing line between zoning districts UR-1 and UR-3. The lot is located on the UR-1 side of Greenfield, across the street from UR-3 houses, and between UR-1 properties (including a 9-unit condominium).

UR-1 allows 20 percent lot coverage for the principal structure plus 8 percent for an accessory structure, 28% total coverage. UR-3 permits 30 percent for the principal structure plus 10 percent for an accessory structure, 40% total coverage. UR-1 requires 30' combined side setbacks (12' minimum) and a 30' rear yard setback. UR-3 only requires a 12' combined side yard setback (4' minimum) and a 25' rear setback.

The intent of the Applicant is to build a single family house that complements the neighborhood — size, scale, and architecture — while, at the same time, accommodating the owner's health need for an attached 2-car garage.

Due to the unique circumstances, we request the following variances:

- 1. Coverage.** Lot coverage of 27.2% for house & attached garage, plus 3.5% for roof overhangs, and 2.1% for the front open porch, 32.8% total coverage.
- 2. Side Yard Setbacks.** Combined side yard of 21' (19' including roof overhangs) and single side of 9' (8' including roof overhangs).
- 3. Rear Yard Setback.** Only on one corner - Rear yard setback of 27.5' (25' with overhang).

The Owner tried to purchase: 1) a driveway easement from 35 Greenfield, 2) a driveway easement from 45 Greenfield, and 3) side yard land from 35 Greenfield. No agreement could be finalized.

There is precedent of homes in this neighborhood for both increased lot coverage and reduced setbacks. Extensive time and effort have gone into considering design options. This submission is the most viable. It meets the needs of the applicant, enhances the neighborhood, and minimizes the relief requested.

We trust that this will help clarify our request.

Sincerely -

Scott L. Rand

Scott L. Rand AIA



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[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	_____	_____	_____
Address	_____	_____	_____
Phone	_____	_____ / _____	_____
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

1. Property Address/Location: 37 GREENFIELD AVENUE Tax Parcel No.: 165 . 36 - 1 - 15.1
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: JULY 31, 2015 3. Zoning District when purchased: UR-1

4. Present use of property: UNIMPROVED LOT 5. Current Zoning District: UR-1

6. Has a previous ZBA application/appeal been filed for this property?
 Yes (when? 12/2014 For what? Lot line adjustment)
 No Lot width - adjacent lot

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: CONSTRUCT NEW SINGLE FAMILY DWELLING ON UNIMPROVED LOT.

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". 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: _____

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) _____

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
REAR YARD SETBACK	30'	25'
SIDE YARD SETBACK - TOTAL	30'	21' (w/o roof) 19' (with roof)
SIDE YEAR SETBACK - MINIMUM	12'	9' (w/o roof) 8' (with roof)
COVERAGE - PRINCIPAL BUILDING	20%	27.2% (w/o roof & porch) 32.8% (with roof & porch)

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:

- 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 EXPLORED NUMEROUS DESIGNS OVER THE PAST 10 MONTHS. AS THE LOT IS ALREADY NONCONFORMING, ALL OF THE DESIGNS EXCEEDED THE 20% LOT COVERAGE, THE 30' TOTAL AND 12' MINIMUM SIDE YARD SETBACKS, AND THE 30' REAR YARD SETBACK. THE APPLICANT ATTEMPTED TO PURCHASE:
 1) A DRIVEWAY EASEMENT FROM 35 GREENFIELD
 2) A DRIVEWAY EASEMENT FROM 45 GREENFIELD
 3) SIDE YARD LAND FROM 35 GREENFIELD.
 NO AGREEMENT COULD BE FINALIZED.

- 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 NONCONFORMING UR-1 LOT IS UNIQUE -- SMALLER THAN THE MINIMUM SIZE UR-1 LOT, ACROSS THE STREET FROM UR-3 HOUSES, AND ADJACENT TO LARGE UR-1 STRUCTURES, INCLUDING A 9-UNIT CONDO.
- THE CHALLENGE IS TO FIND BALANCE -- A HOUSE DESIGN THAT ADDS BEAUTY TO THE STREETScape, PROVIDES OPENNESS BETWEEN PROPERTIES, AND MEETS THE OWNER'S PROGRAM.
- THE HOUSE HAS THE ARCHITECTURAL ELEMENTS, SCALE, AND OPENNESS TO ENHANCE THE CHARACTER OF THE NEIGHBORHOOD.
- THE INTENT IS TO RETAIN AS MANY TREES AS POSSIBLE AND LANDSCAPE EXTENSIVELY WITH NATIVE SPECIES.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:
- A) COVERAGE WILL BE 27.2% FOR THE HOUSE AND ATTACHED GARAGE (WHEN IT COULD BE 28% FOR A PRINCIPLE STRUCTURE AND AN ACCESSORY STRUCTURE). THE OPEN FRONT PORCH WILL BE 2.1% AND OVERHANGS WILL BE 3.5%. THE FRONT PORCH AND OVERHANGS WILL BE IN HARMONY WITH THE POSITIVE CHARACTERISTICS OF NEARBY BUILDINGS.
 - B) ONE SMALL LOCATION WILL HAVE A REAR YARD SETBACK OF 27.5' (25' WITH OVERHANG) WHEN IT COULD BE 5' FOR AN ACCESSORY STRUCTURE.
 - C) THE HOUSE WILL BE 49' WIDE (INCLUDING OVERHANGS). A HOUSE ON A CONFORMING UR-1 LOT COULD BE 70' WIDE. BECAUSE THIS LOT IS VERY NARROW, SIDE YARD SETBACKS TO STRUCTURE TOTAL 21' (9' AND 12' SINGLE SIDES) AND 19' TO OVERHANGS (8' AND 11' SINGLE SIDES). THESE PROPORTIONS ARE IN HARMONY WITH THE CHARACTER OF THE SIDE NEIGHBORS. MORE THAN 50' OF OPEN SPACE REMAINS ON EACH SIDE.

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 HOUSE WILL BE ARCHITECTURALLY IN HARMONY WITH THE REST OF THE NEIGHBORHOOD.
 - B) THE INTENT IS TO LEAVE AS MANY TREES AS POSSIBLE AND CREATE MAXIMUM GREEN SPACE WHICH MAY BE VISIBLE FROM GREENFIELD AVENUE AND STATE STREET.
 - C) THE PROJECT WILL SOLVE ANY EXISTING GRADE AND RUN-OFF PROBLEMS.
 - D) THE INTENT IS TO UTILIZE THE LATEST TECHNOLOGIES FOR ENERGY AND WATER EFFICIENCIES.

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. THE DIFFICULTY EXISTS BECAUSE OF THE SIZE AND SHAPE OF THIS UR-1 NONCONFORMING LOT.

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.

Judith Needham

(applicant signature)

Date: 02 May 2016

Date: _____

(applicant signature)

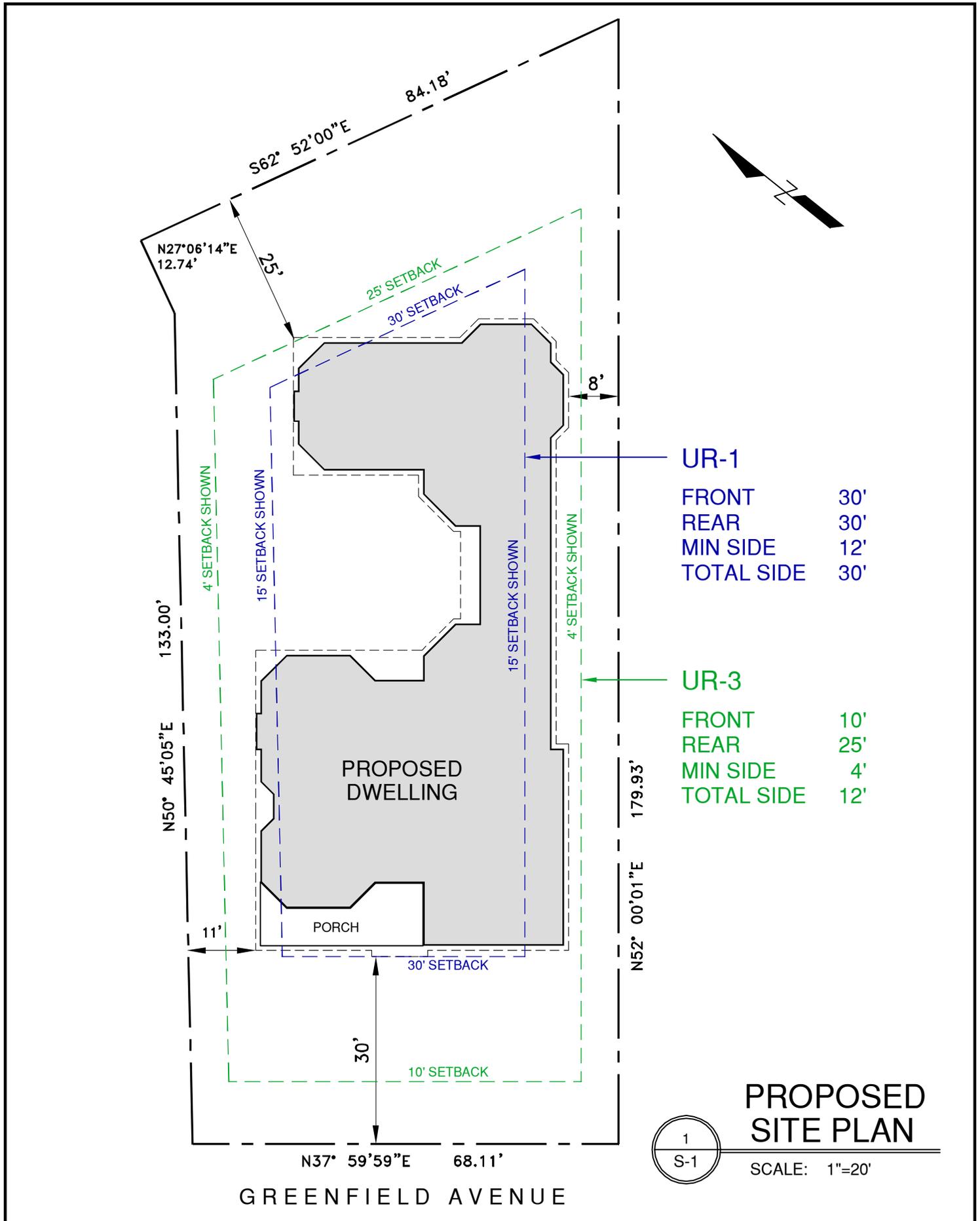
If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____



Relief Requested (New Construction)

37 Greenfield Ave. Lot	EXISTING	UR-1	UR-3	PROPOSED	UR-1 RELIEF REQUESTED
Lot Size	11,454 Sq. Ft.	12,500 Sq. Ft. minimum	6,600 Sq. Ft. minimum	N/A	N/A
Average Lot Width	69.5'	100'	60'	N/A	N/A
Side Setback Total/Minimum	N/A	Total sides: 30' Minimum: 12'	Total sides: 12' Minimum: 4'	With Overhang Total sides: 19' Minimum: 8'	With Overhang Total Sides Relief: 11' Minimum Relief: 4'
Rear Setback	N/A	30'	25'	At one location With Overhang 25'	At 1 location With Overhang 5' Relief
Coverage: Principal Bldg. Accessory Bldg.	N/A	Principal: 20% Accessory: 8% Total: 28%	Principal: 30% Accessory: 10% Total: 40%	Principal: 27.2% Roof Overhang: 3.5% Open Porch: 2.1% Accessory: 0% Total = 32.8%	4.8% Relief

35 GREENFIELD AVENUE

LOT SIZE	11,454	SF
UR-1 ALLOWABLE @ 20%	2,291	SF
ALLOWABLE @ 8%	916	SF
ALLOWABLE @ 28%	3,207	SF
UR-3 ALLOWABLE @ 30%	3,436	SF
ALLOWABLE @ 10%	1,145	SF
ALLOWABLE @ 40%	4,581	SF
PRINCIPAL BUILDING	3,120	SF 27.2%
PORCH	240	SF 2.1%
OVERHANGS	402	SF 3.5%
TOTAL COVERAGE	3,762	SF 32.8%
PERMEABLE AREA	6,960	SF 60.8%

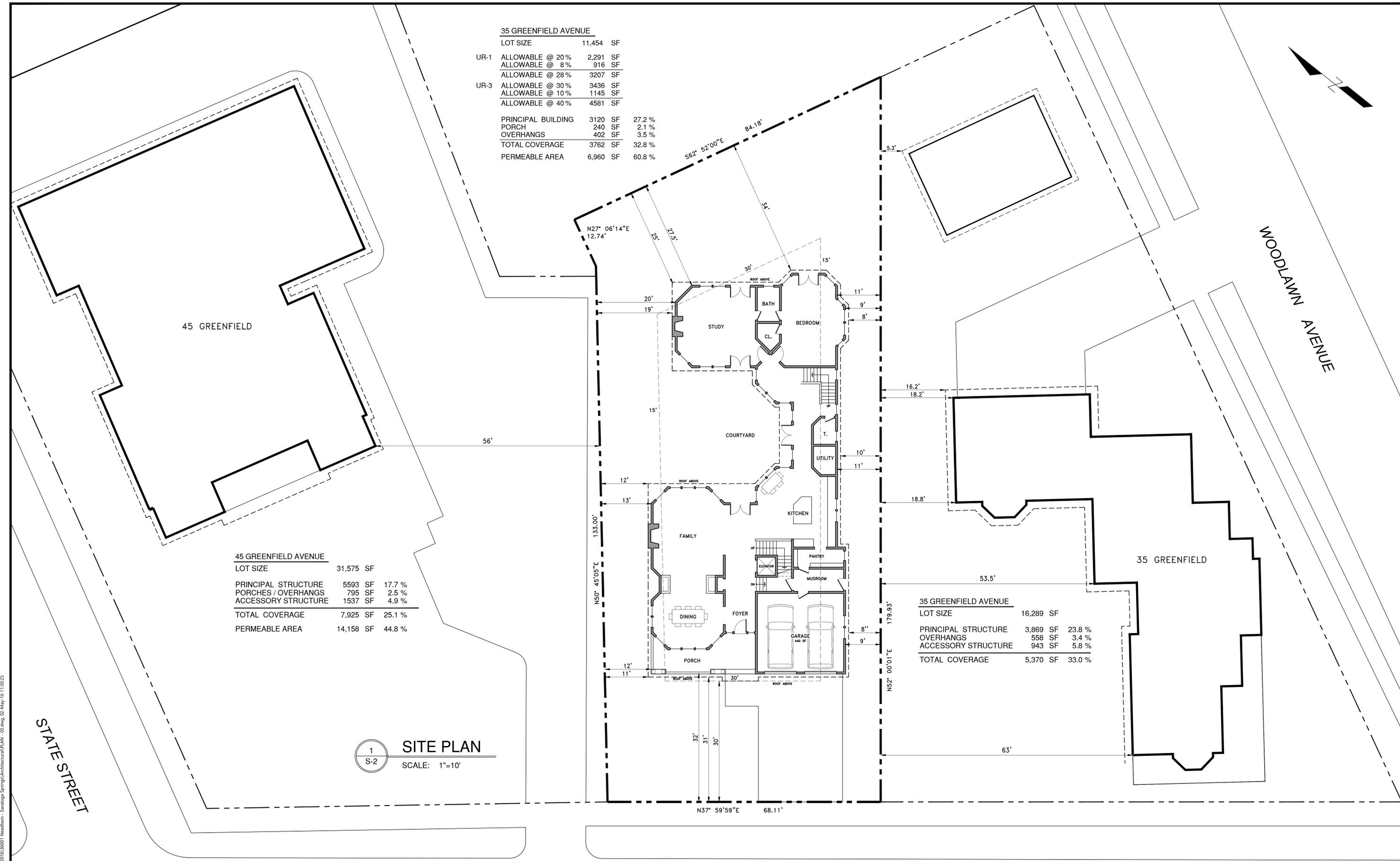
45 GREENFIELD AVENUE

LOT SIZE	31,575	SF
PRINCIPAL STRUCTURE	5,593	SF 17.7%
PORCHES / OVERHANGS	795	SF 2.5%
ACCESSORY STRUCTURE	1,537	SF 4.9%
TOTAL COVERAGE	7,925	SF 25.1%
PERMEABLE AREA	14,158	SF 44.8%

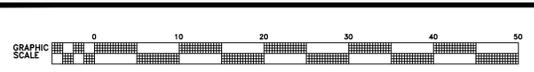
35 GREENFIELD AVENUE

LOT SIZE	16,289	SF
PRINCIPAL STRUCTURE	3,869	SF 23.8%
OVERHANGS	558	SF 3.4%
ACCESSORY STRUCTURE	943	SF 5.8%
TOTAL COVERAGE	5,370	SF 33.0%

1
S-2
SITE PLAN
SCALE: 1"=10'



Z:\Architectural Drawings\2016\36001 Needham - Saratoga Springs\Architectural\PLAN - 03.dwg, 02 May 16 11:30:25



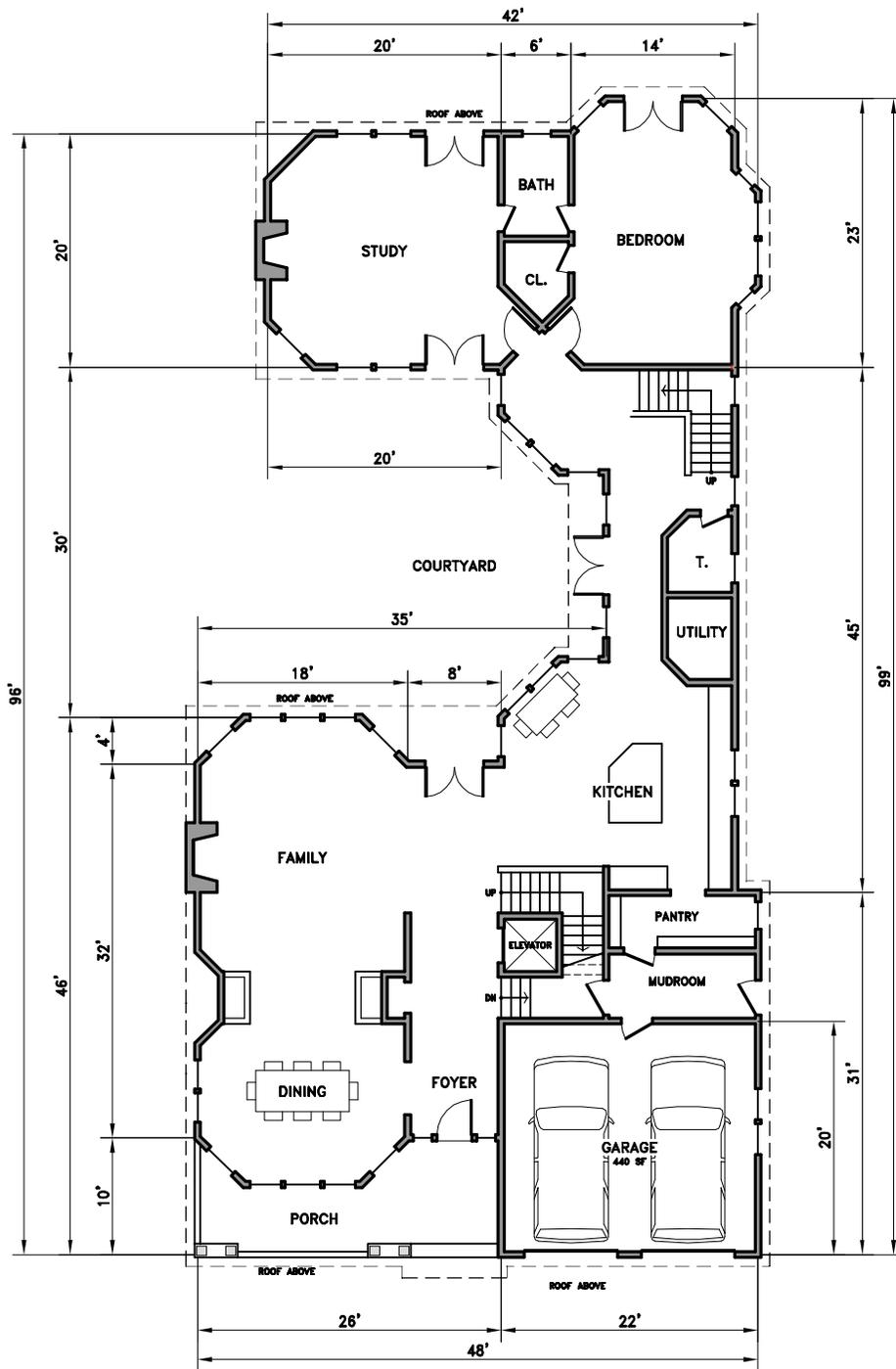
Project:
Location:

NEEDHAM/ KILMER RESIDENCE
37 GREENFIELD AVENUE, SARATOGA SPRINGS, NY

Proj. No.	36001	By	XX
Date	2016	Rev. No.	

(SEE FULL SIZE 24"x36") 02 MAY 2016 XX

SCOTT L. RAND AIA
Architecture Planning Interior Design
WWW.SCOTTRANDARCHITECTS.NET



1
A-1

FIRST FLOOR PLAN

SCALE: 1"=16'

NEEDHAM / KILMER RESIDENCE
37 GREENFIELD AVENUE, SARATOGA SPRINGS, NY



VIEW 1



VIEW 2

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ARCHITECT



VIEW 3

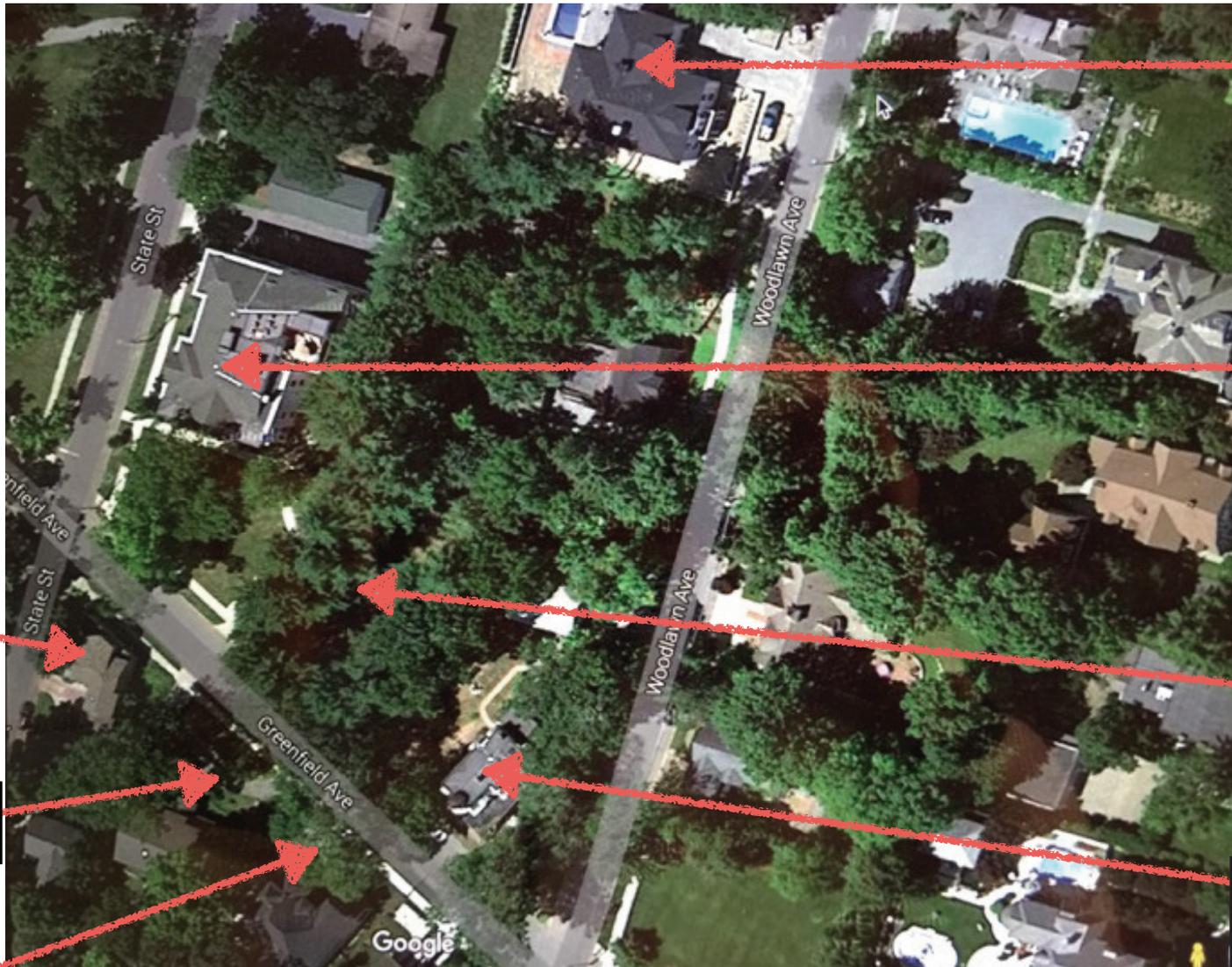


VIEW 4

NEEDHAM / KILMER RESIDENCE
37 GREENFIELD AVENUE, SARATOGA SPRINGS, NY

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Aerial View - Comparing Surrounding Buildings



UR-1
203 Woodlawn
New Construction
Principal (27%)
Accessory (3%)
14,000SF (est.)

UR-1
45 Greenfield Ave
9 unit condo
Coverage - 25.1%
31,575 SF

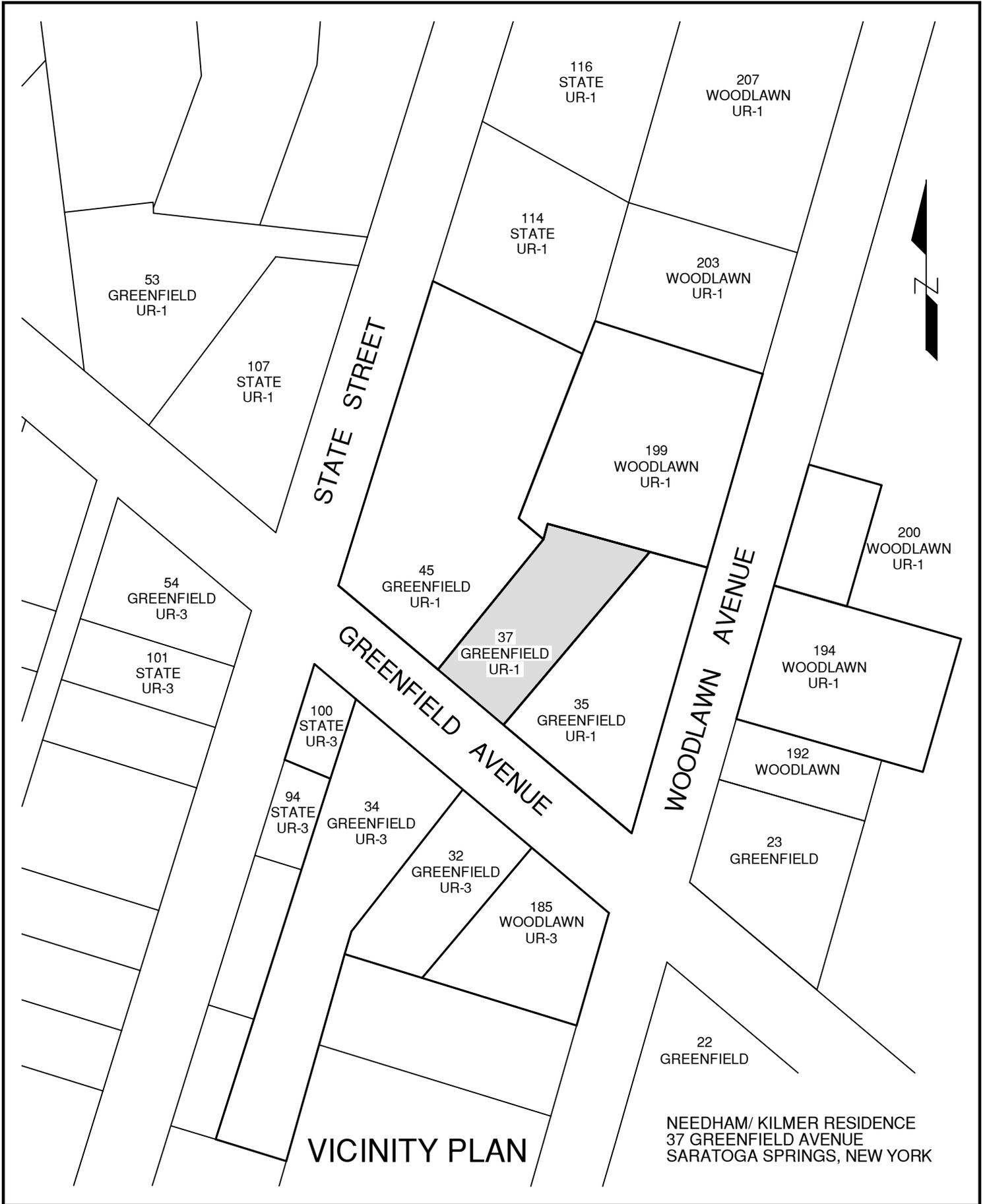
UR-1
37 Greenfield Ave
Lot
69' Wide
11,454 SF

UR-1
35 Greenfield Ave
Coverage - 33%
16,289 SF
Setbacks Variances

UR-3
100 State St.

UR-3
34 Greenfield Ave

UR-3
32 Greenfield Ave. - new construction
Variance: 9 ft. combined side setback



SCOTT L. RAND AIA

Architecture Planning Interior Design



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PROJECT: NEEDHAM/ KILMER RESIDENCE

SCALE: 1" = 100'

DATE: 02 MAY 2016

Neighboring Homes



**UR-1 - 35 Greenfield Avenue
16,289 SF
Total Coverage: 33.0%
Setback Variances**



**UR-1 - 45 Greenfield Avenue - 9 Unit Condo
31,575 SF (est.)
Total Coverage: 25.1%**



**UR-1 - 203 Woodlawn Avenue
14,000 SF (est.)
Total Coverage: 30.0%**



**UR-2 - 32 Greenfield Avenue
Across the Street from Needham
10,150 SF (est.)
Total Coverage: 30% (est.)
Side Yard Variance - 9' Total**

Existing Site Photos



STREET VIEW



CONDO SIDE



FACING REAR



FACING GREENFIELD

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: VARIANCE: COVERAGE, REAR YARD SETBACK, SIDE YARD SETBACK - TOTAL & MINIMUM			
Project Location (describe, and attach a location map): 37 GREENFIELD AVENUE, SARATOGA SPRINGS			
Brief Description of Proposed Action: CONSTRUCT NEW SINGLE FAMILY DWELLING ON UNIMPROVED LOT.			
Name of Applicant or Sponsor: JUDITH NEEDHAM		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
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.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ .263 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>9-Unit Condominium</u>			
<input type="checkbox"/> Parkland			

<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Judith Needham</u> Date: <u>02 May 2016</u></p> <p>Signature: <u><i>Judith Needham</i></u></p>		