



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

| <u>APPLICANT(S)*</u> | <u>OWNER(S) (If not applicant)</u> | <u>ATTORNEY/AGENT</u> |
|--------------------------------|------------------------------------|----------------------------|
| Name <u>ANN MARIE PATRICIA</u> | | <u>CHRISTOPHER SEMENZA</u> |
| Address [REDACTED] | | [REDACTED] |
| Phone [REDACTED] | <u>/</u> | |
| 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: 8 McALLISTER DRIVE Tax Parcel No.: 166.14 - 4 - 42
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 1/27/2014 3. Zoning District when purchased: UR-1

4. Present use of property: PERSONAL RESIDENCE 5. Current Zoning District: UR-1

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: SEEKING A VARIANCE TO ALLOW FOR AN INCREASE IN THE ALLOWABLE LOT COVERAGE FROM 20% TO 28% IN ORDER TO PERMIT THE ADDITION OF A SCREENED IN PORCH AREA.

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). ** NOTE! (PLEASE SEE LETTER OF EXPLANATION ATTACHED REGARDING THIS) **

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

ITEM #10 EXPLANATION:

With regard to work performed in connection with the project associated with this application:

Prior to applying for a permit for this project I consulted with the building department and reviewed the intent of the project with a detailed plot plan depicting the addition to the residence and a conceptual plan and had asked if we would be facing any constraints, set back issues etc. if the project was applied for as shown. I was told we were well within the setbacks and that we should be o.k. to obtain a building permit.

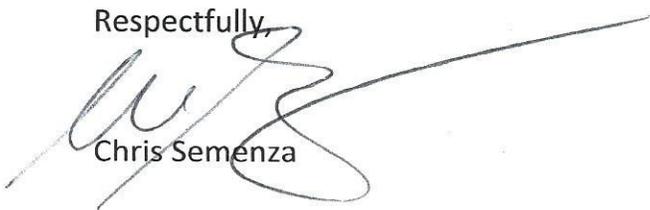
With that information, we proceeded to get engineered building plans drawn to submit for a building permit. The day we actually submitted everything for the permit application and reviewed the application at the counter again it was indicated that everything looked in order and basically a formality for issuance of a permit – but they were backed up on plan reviews and could take longer than normal.

Based on that information and the type of construction and the use of techno-metal posts piers vs. concrete piers (which negates the need for any support pier inspection) and knowing how backed up the building department is on plan reviews and that the first inspection is upon completion of framing we began to frame the deck portion of the room about 10 days after submitting the permit application. As soon as I received an e-mail from the building department stating a concern about the lot coverage percentage we immediately stopped work.

In neither of the visits did anyone at the building department mention anything to us regarding any concern for or stipulation as to maximum percentage of lot coverage. We had no idea this was a consideration or impact regarding this type of addition. Had this been mentioned we honestly and truly never would have begun.

Please understand, I take responsibility for this and ask that the owner of the home not be penalized or delayed due to this honest misunderstanding based on the criteria/information we had.

Respectfully,



Chris Semenza

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

ALLOWABLE LOT COVERAGE

20%

28%

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.

NO MATTER WHAT THE DESIGN THE IMPACT IS STILL AN INCREASE IN COVERAGE, AND THERE IS NO AVAILABLE SURROUNDING PROPERTY AVAILABLE FOR PURCHASE.

- 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 WAS SPECIFICALLY DONE SO AS NOT TO IMPACT THE CHARACTER OF THE NEIGHBORHOOD AND WILL NOT CREATE A DETRIMENT TO NEARBY PROPERTIES BECAUSE WE ARE MAINTAINING SETBACKS FROM THE SIDE YARDS OF 31' & 19' AND REAR YARD SETBACK OF 36' - FAR MORE THAN REQUIRED.

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

THE REQUESTED VARIANCE IS NOT SUBSTANTIAL BECAUSE THE EXISTING HOME (BUILT IN THE 50'S) ALREADY OCCUPIES 22% OF THE 28% NEEDED. THE SCREEN ROOM ACTUALLY IS ONLY 4 1/2% INCREASE FOR AN ACTUAL TOTAL OF 26 1/2% - BUT LOOKING FOR 28% AS A CUSHION SHOULD THEY INCLUDE STEPS OR OVERHANGS ETC. IN WHICH CASE WE WOULD REQUEST AN ADDITIONAL 5% .- BUT WE WERE TOLD BY LINDSEY GONZALEZ - ROOF OVERHANGS DO NOT IMPACT THE LOT COVERAGE.

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 NOT HAVE AN ADVERSE PHYSICAL OR ENVIRONMENTAL EFFECT BECAUSE IT IS DESIGNED TO FIT THE CHARACTER OF THE NEIGHBORHOOD AND AS MENTIONED PRIOR WE HAVE SUBSTANTIAL SETBACKS MAINTAINED OF 19', 31' AND 36' ON BOTH SIDES AND REAR RESPECTIVELY.

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 WAS NOT SELF CREATED FOR THE SIMPLE REASON THE HOME WAS EXISTING SINCE THE 50'S. AND AS THIS IS THE PERMANENT ALL YEAR ROUND HOME OF THE APPLICANT AND NOT A RENTAL OR PART TIME RESIDENCE SHE WISHES TO ENJOY THE SARATOGA SPRINGS ATMOSPHERE AND 'OUTDOOR' SUMMER LIFESTYLE THE AREA HAS TO OFFER WHICH IS WHAT THE SCREEN ROOM WOULD ALLOW HER TO DO WITHOUT BEING CONCERNED ABOUT NUISANCE INSECTS. AND PROVIDING COVER FROM SUN & RAIN WHILE ENJOYING THE OUTDOORS.

DISCLOSURE

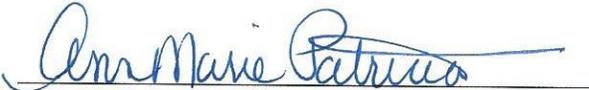
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? No Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

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)

Date: August 16, 2016

(applicant signature)

Date: _____

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

Owner Signature: _____

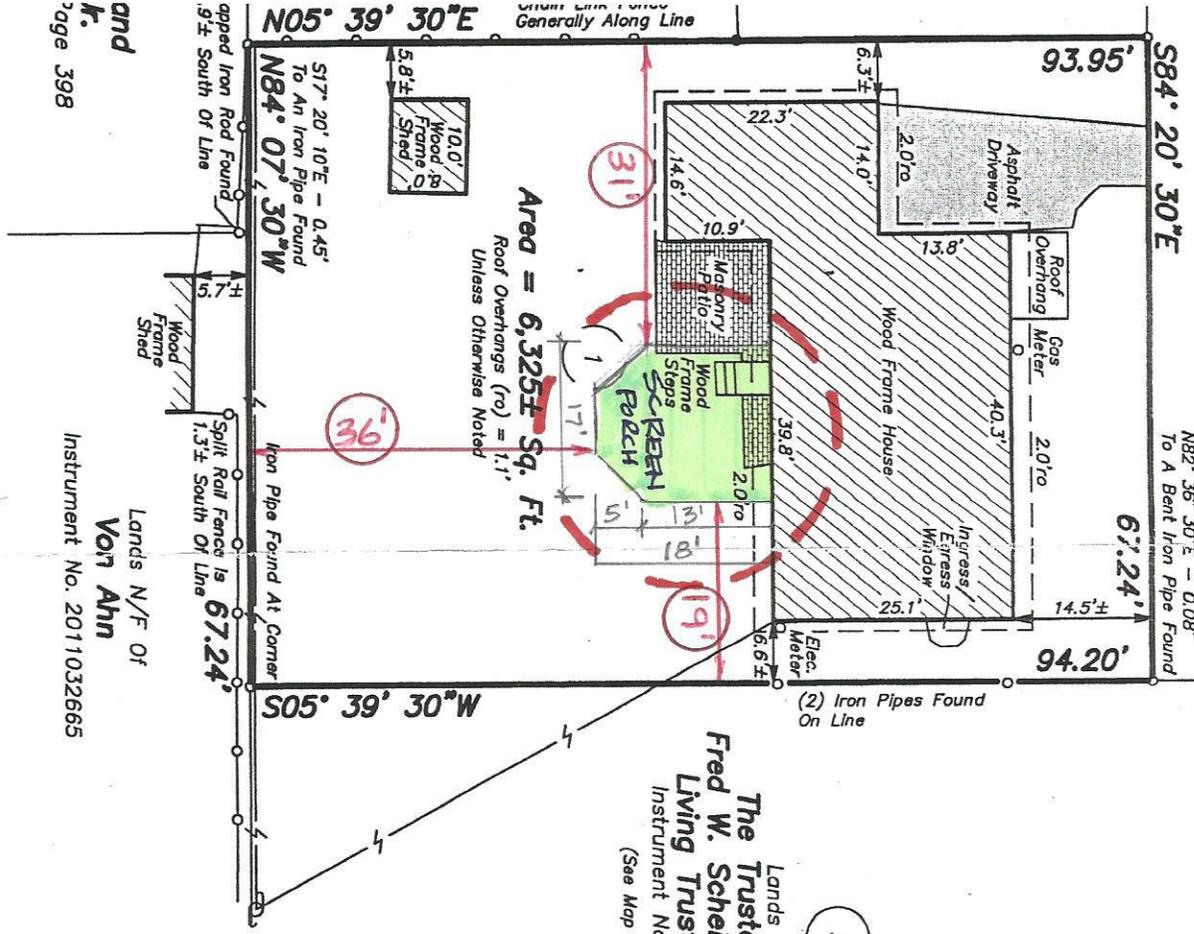
Date: _____

Owner Signature: _____

Date: _____

MCALLISTER DRIVE

(60' R.O.W.)



Lands N/F Of
**The Trustees of The
Fred W. Scheigert Revocable
Living Trust Agreement**
Instrument No. 2012043168
(See Map Ref. #2)

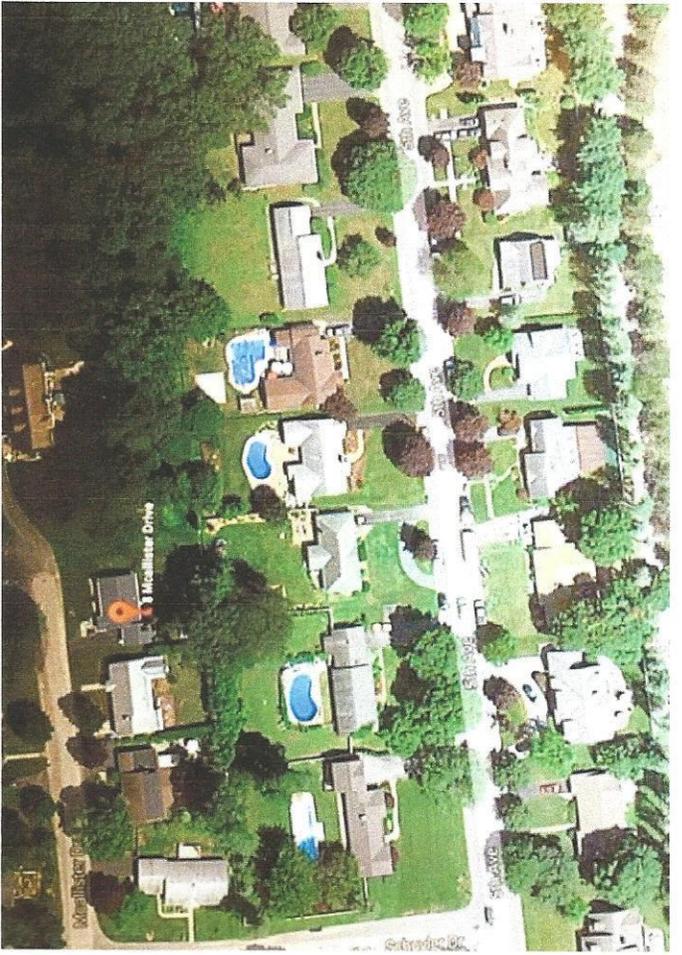
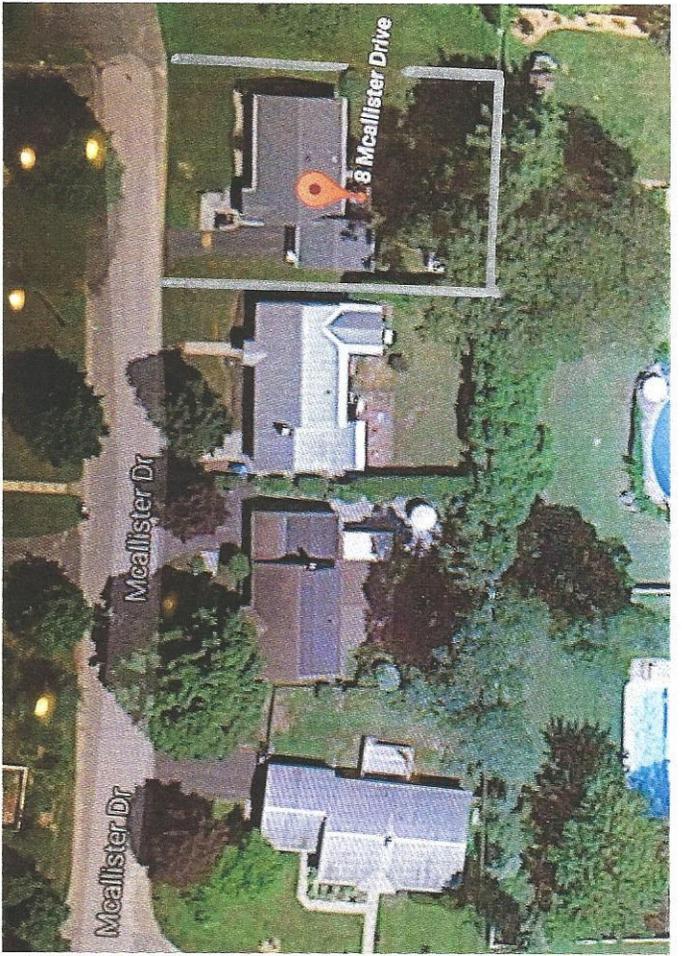
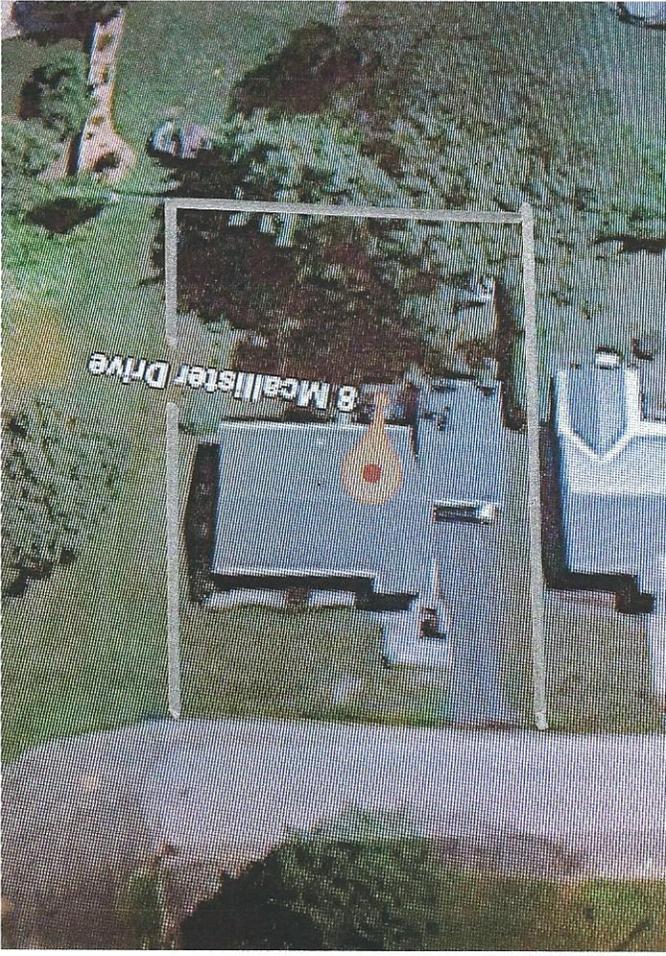
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Deanne J. McAllister

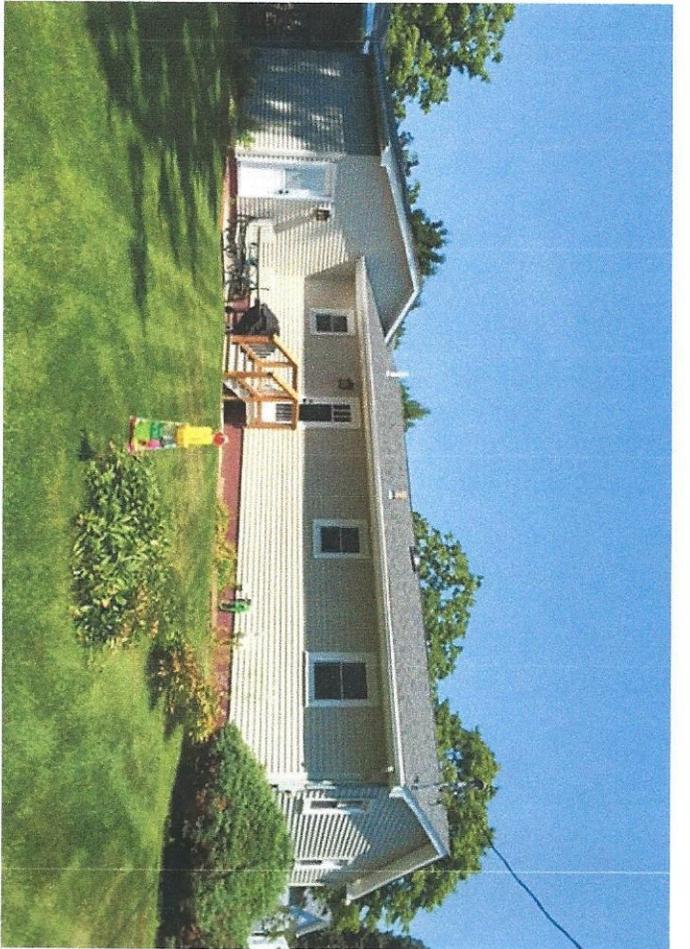
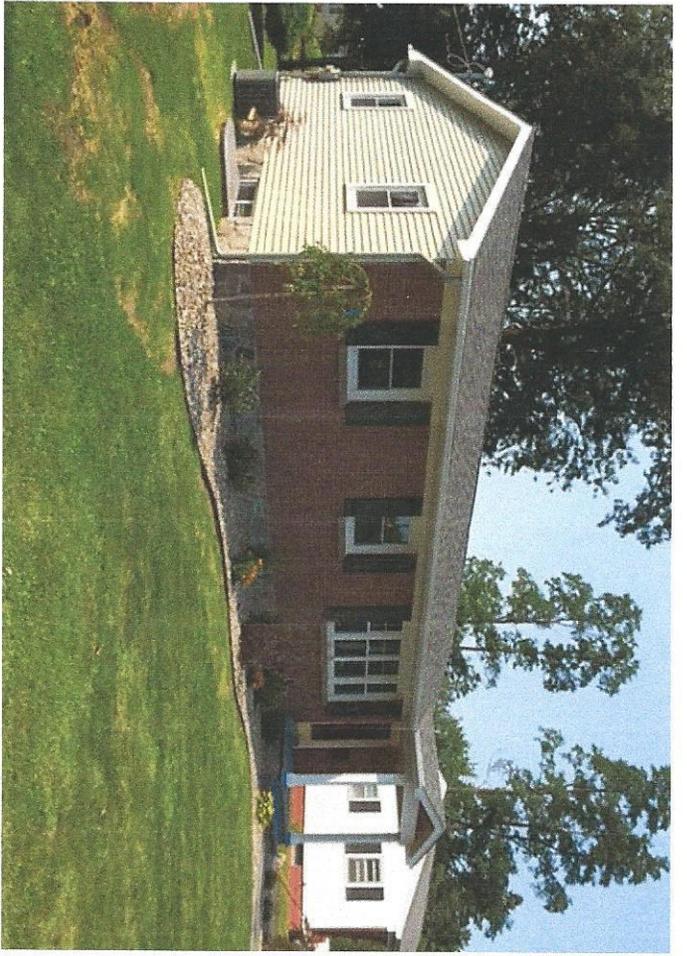
Final Survey - 5/19/14

| | |
|-------------------------------|---------------------------|
| SURVEY | |
| LANDS OF | |
| ANN MARIE PATRICIA | |
| CITY OF SARATOGA SPRINGS | SARATOGA COUNTY, NEW YORK |
| SCALE: 1" = 20' | DATE: MAY 29, 2014 |
| TELEPHONE NO.: (518) 383-0634 | MAP NO.: 14 - 11 - 47 |

**Gilbert Vanguilder
Land Surveyor, PLLC
Professional Land Surveyors**







BACKYARD FACING (WEST) TOWARD #6 McHURSTEE



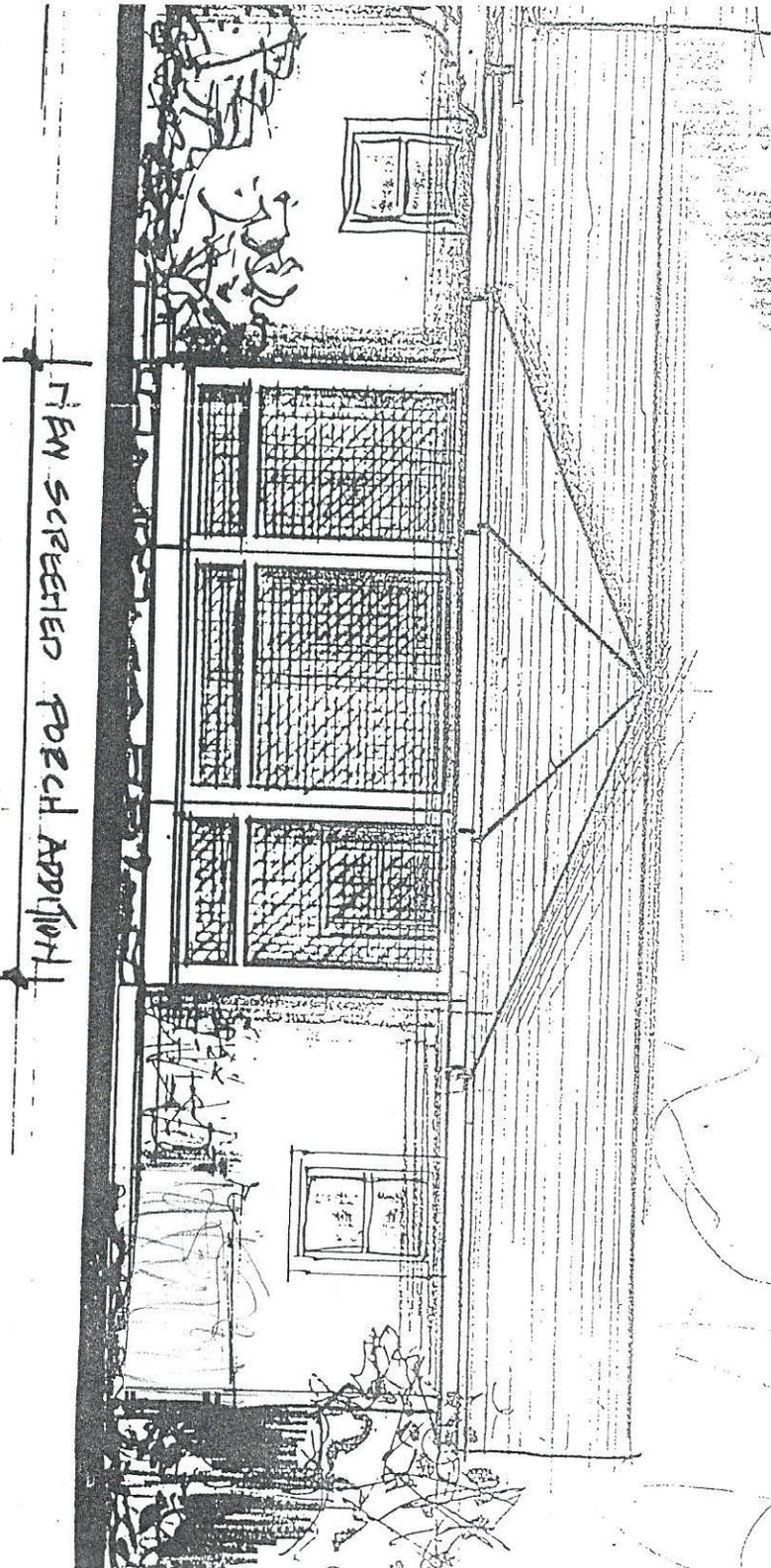
BACKYARD VIEWS FACING NEIGHBORS TO EACH SIDE & DIRECTLY BEHIND.



BACKYARD FACING (EAST) TOWARD #9 McHURSTEE



BACKYARD FACING (SOUTH) TOWARD #107 5TH AVE.



NEW SCREENED PORCH ADDITION

REAR ELEVATION - PRELIMINARY CONCEPT

1/4" = 1' 0"

6.9.16

PARTIAL PLAN - PRELIMINARY CONCEPT

$\pm 1/4" = 1'0"$ 6.9.16

