



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 #)
REC'D JUN 28 2016

(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	Mark & Catherine Hover		
Address	[REDACTED]		
Phone	[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: 43 Long Alley, Saratoga Springs, NY 12866 Tax Parcel No.: 165 51 3 14.2
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: July 2013 3. Zoning District when purchased: T6
Residential/ Multi-Family

4. Present use of property: 5. Current Zoning District:

6. Has a previous ZBA application/appeal been filed for this property?
 Yes (when? 2/8/2010 For what? Area Variance for 1st fl)
 No 10/21/1987 Use Variance for office/apartment

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: Area variance to include 1st level to be residential.

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)

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

2.3 Table 2

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

Dimensional Requirements

Residential Uses (2nd Floor & Above)

From
2nd floor

To
1st floor

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Residential Uses (2nd Floor & Above)	2nd floor	1st floor
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____
A prior use variance was approved in 2010 which is included as addendum to application.

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 property was being used as a multi-family residential rental dwelling with 2 tenants residing on premises for 2 years prior when purchased. Prior alternative designs and uses have been explored and have been rejected due to the cost of fit-up. Home owners strongly believe the best and most affordable use for the property will be to serve as rental property downstairs and will continue to serve as their primary residence upstairs.

- 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 character of Long Alley has predominantly been commercial, however, having residents on the street has decreased loitering and trespassing to private commenal property. Granting the variance will not create an undesirable change to the character of the neighborhood because it will not negatively affect the traffic flow of the one-way alley, nor will it pose any affects on the surrounding businesses.

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

This variance is not substantial. It has already been used as a multi-family residence for at least 2 years prior to property owners purchase in 2013.

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:

If granted variance, residents will invest in property's appearance and over all energy efficiency.

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 alleged difficulty was self created by previous home owners who allowed the area vaariance to lapse and did not apply for a building permit to do work to the home.

DISCLOSURE

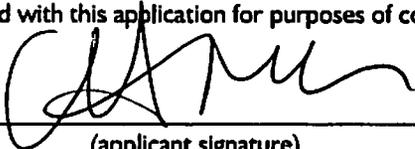
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? No Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

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)

6/27/16

Date: _____



(applicant signature)

6/27/16

Date: _____

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

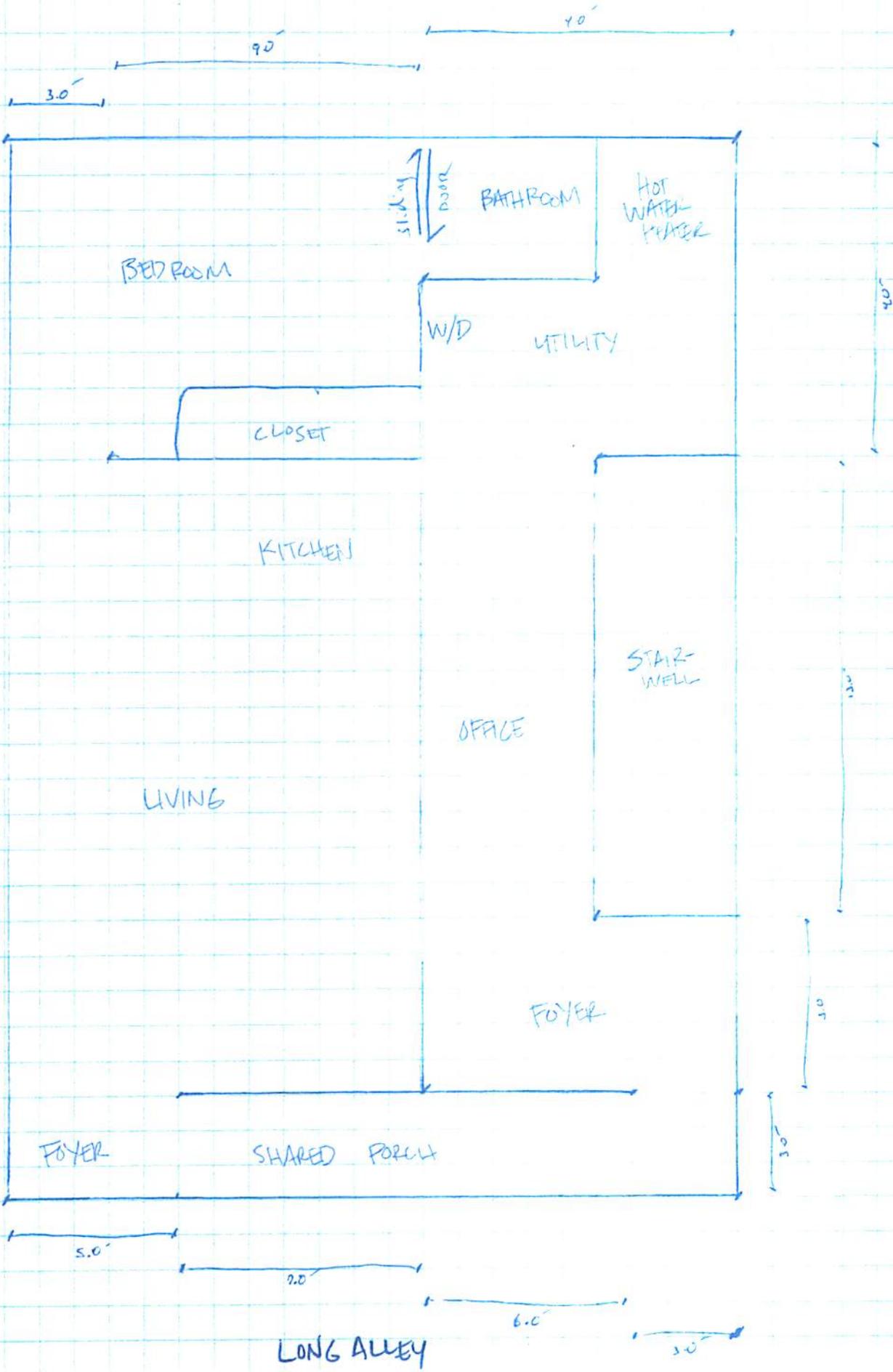
Owner Signature: _____

Date: _____

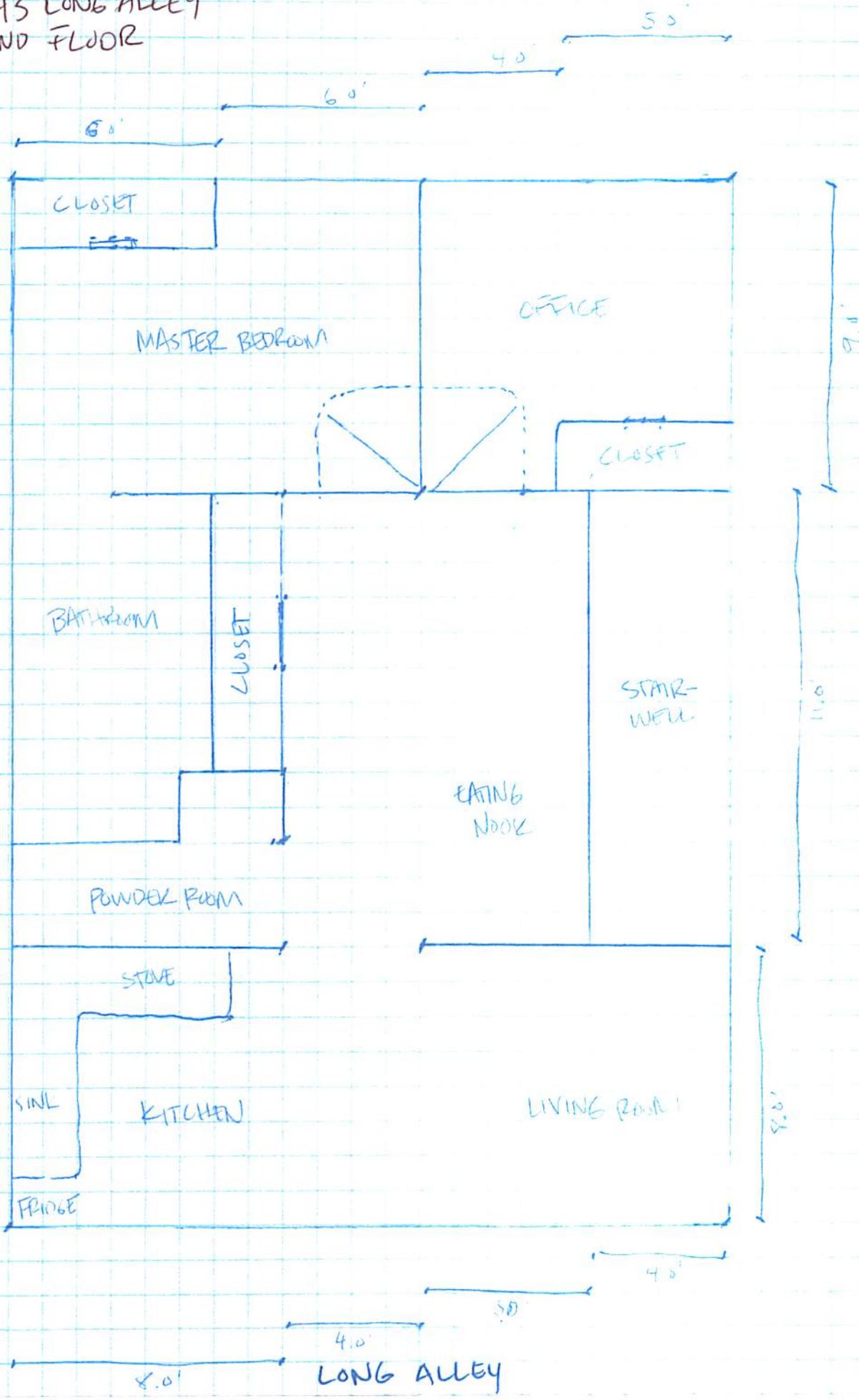
Owner Signature: _____

Date: _____

43 LONG ALLEY
1ST FLOOR APARTMENT



43 LONG ALLEY
2ND FLOOR





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

MARY ANNE MACICA
CHAIR
CAROL ANN MAGUIRE
VICE CHAIR
KEITH B. KAPLAN
BILL MOORE
GARY HASBROUCK
GEORGE "SKIP" CARLSON

IN THE MATTER OF THE APPEAL OF

Appeal # 2550
Coffenburg Residence
2/8/2010

In consideration of the balance between benefit to the applicant with detriment to the health, safety and welfare of the community, I move that Appeal #2550 for an area variance at 43 Long Alley, located in a Transect-6 Urban Core District, be approved for conversion of a mixed use building to a single family residence and for the following requested relief:

	Required	Existing	Proposed	Relief Requested
Residential uses permitted on the 2 nd floor or above	2 nd Floor	2 nd Floor	1 st and 2 nd Floor	100% of 1 st Floor

- 1) The applicant has demonstrated this benefit cannot be achieved by other means feasible. The neighborhood is predominately large business offices with frontage on either Broadway or Woodlawn Avenue. The applicant's property only has frontage on Long Alley and is physically smaller in square footage than adjacent buildings. The applicant states there is "little foot traffic, lack of adequate commercial square footage, no on-site parking and is located on a one way alley."
- 2) The applicant has demonstrated that granting this variance will not produce an undesirable change in neighborhood character or to nearby properties. The commercial component of the property has been vacant for almost 1 year and therefore financially unviable. The residential component has remained and will continue to remain. Internal conversion of the property to expand the residential use to the 1st floor will have no visible exterior effect on the building. No additional living units are being added. The property can revert back to its 2007 use as a single family residence. Any traffic generated by the commercial use will cease.
- 3) The variance is substantial. The applicant is requesting 100% relief from the 1st floor requirement.
- 4) The applicant has demonstrated this variance will not have an adverse physical or environmental effect on the neighborhood. Since no exterior alterations are

planned, no physical effects will be seen in the neighborhood. Since commercial usage is generally more intense in terms of vehicular and foot traffic, the potential residential use of the property will have a positive effect on the neighborhood in terms of less vehicular and foot traffic in the alley.

- 5) The applicants desire to convert the building to a single family residence is self created. Although the property was a single family residence in 2007, zoning changes to the district requires relief to be granted in order to convert back to the 2007 usage. The self created difficulty is not necessarily fatal to the application.

Adopted by the following vote:

AYES: 4 (M. Macica, C. Maguire, K. Kaplan, G. Hasbrouck)

NAYES: 1 (B. Moore)

Dated: February 8, 2010

This variance shall expire 18 months from this date unless the necessary building permit has been issued and actual construction begun as per Article 240-14.5 G.

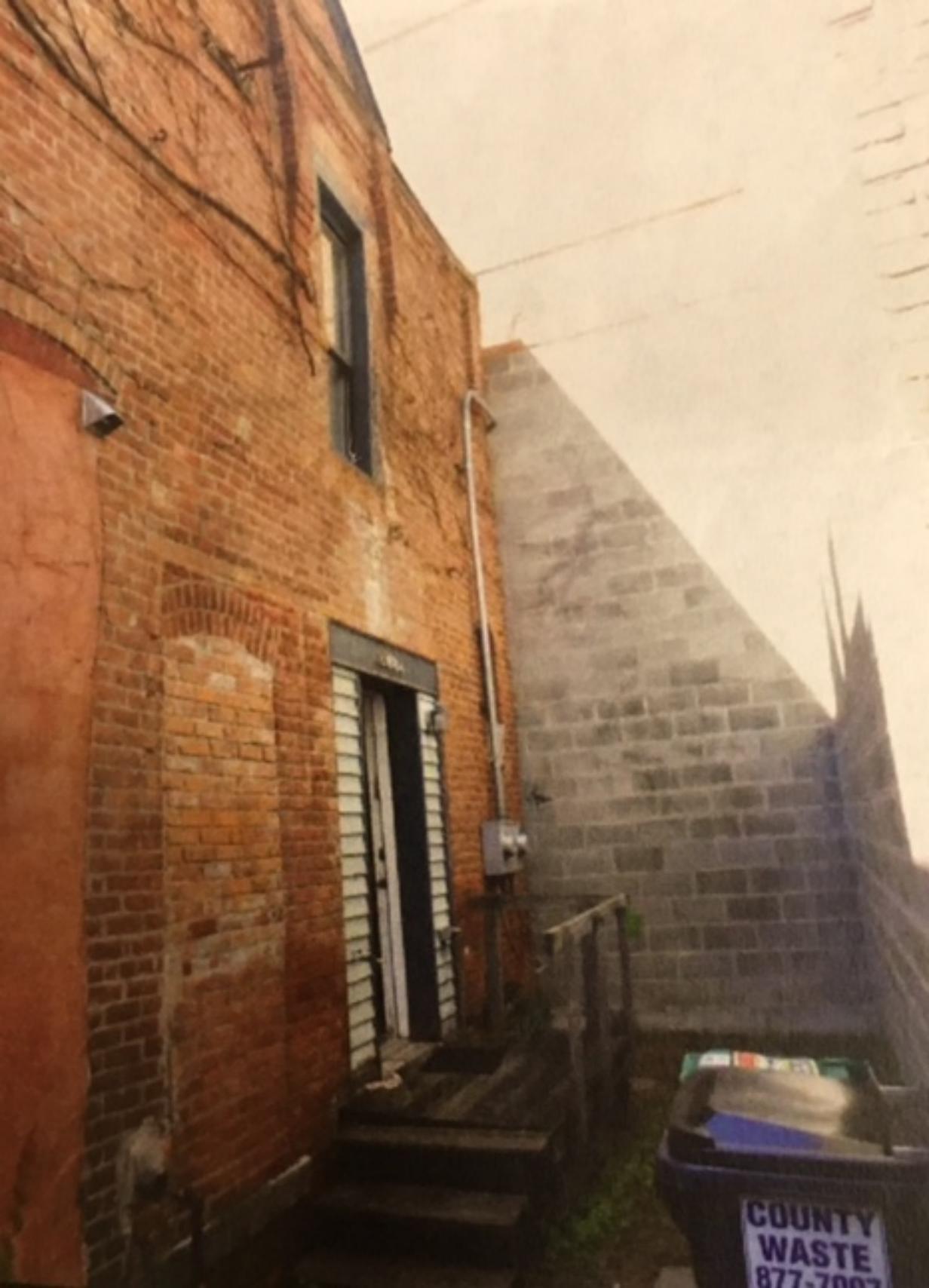
2/12/10
Date

Mary Anne Macica
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.



43

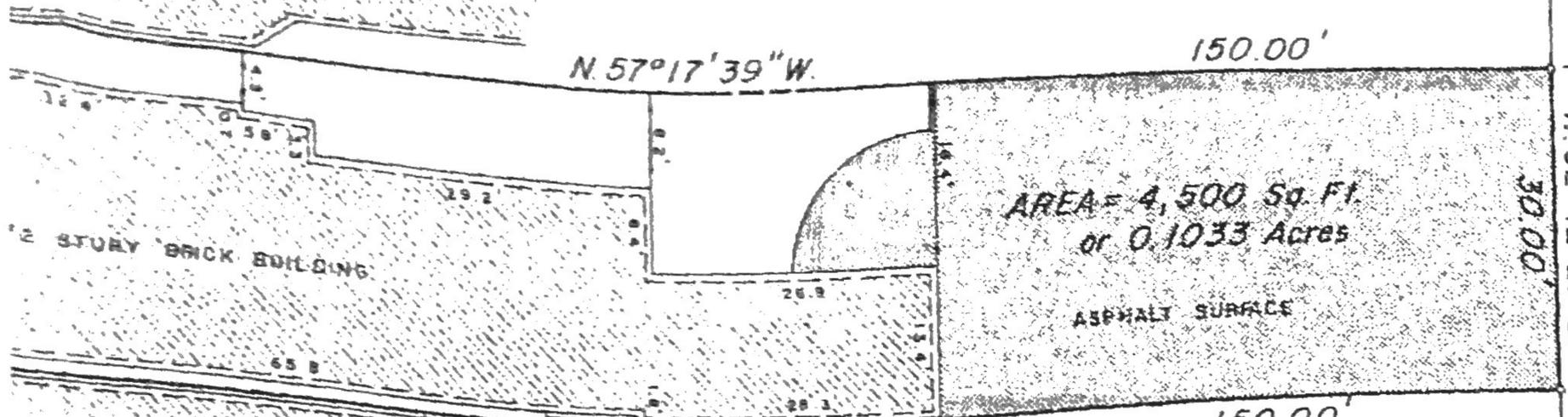


COUNTY
WASTE
877-7007



NG ALLEY

AVENUE N. 32°42'21"E



AREA = 4,500 Sq. Ft.
or 0.1033 Acres

ASPHALT SURFACE

2 STORY BRICK BUILDING

LANDS OF TOOMEY & CAROSONE
BOOK 953, PAGE 333

LANDS OF BREITENFELD
BOOK 1085, PAGE 323

LANDS OF ALDRICH
BOOK 993, PAGE 720

0.14' OFFSET, PROPERTY LINE TO BUILDING

N. 57°-17'-00"W. 44.2'

LANDS OF BODE
BOOK 808, PAGE 496

43 LONG ALLEY

AREA = 1009 Sq. Ft.

2 STORY BRICK BUILDING

N. 32°43'-00"E 22.83'

S. 32°-43'-00"W. 22.83'

FENCE LINE

LANDS OF BODE
BOOK 808, PAGE 494

S. 57°-17'-00"E 44.2'

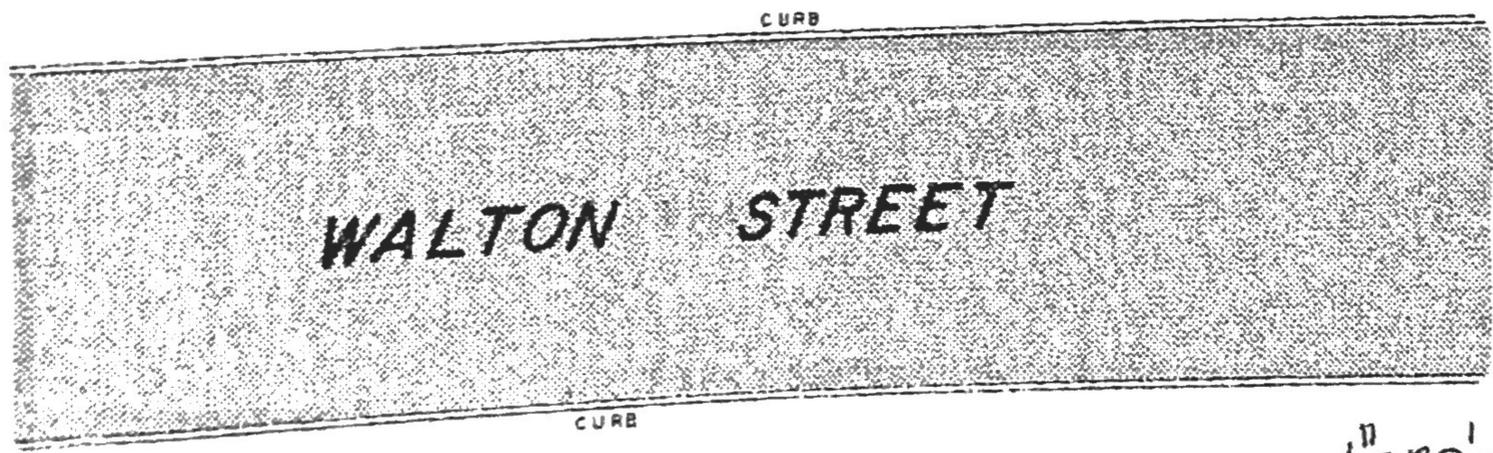
0.15' OFFSET

0.38' OFFSET

0.18' OFFSET, PROPERTY LINE TO FRONT OF BUILDING

WROUGHT IRON FENCE

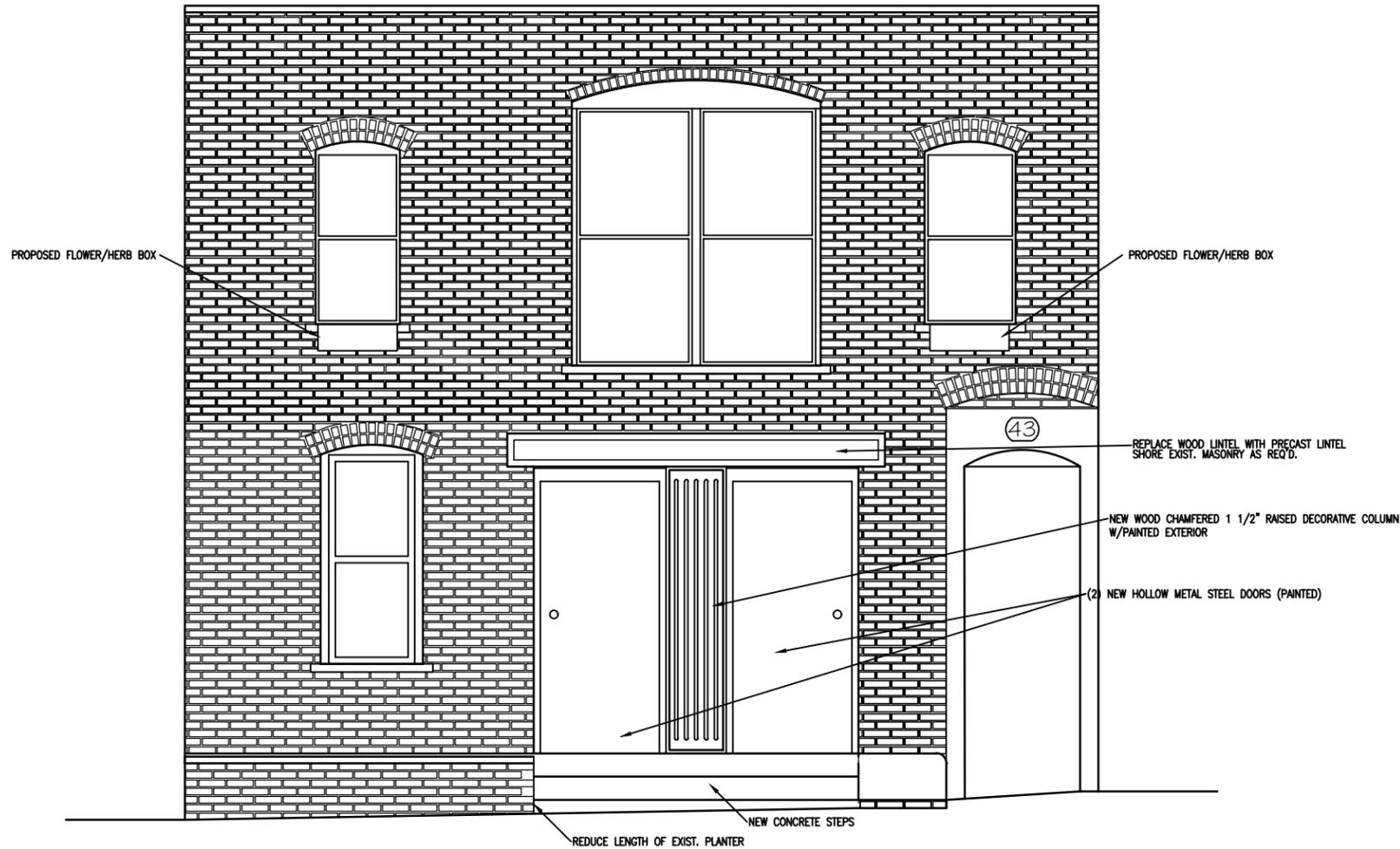
STONE WALL



WALTON STREET

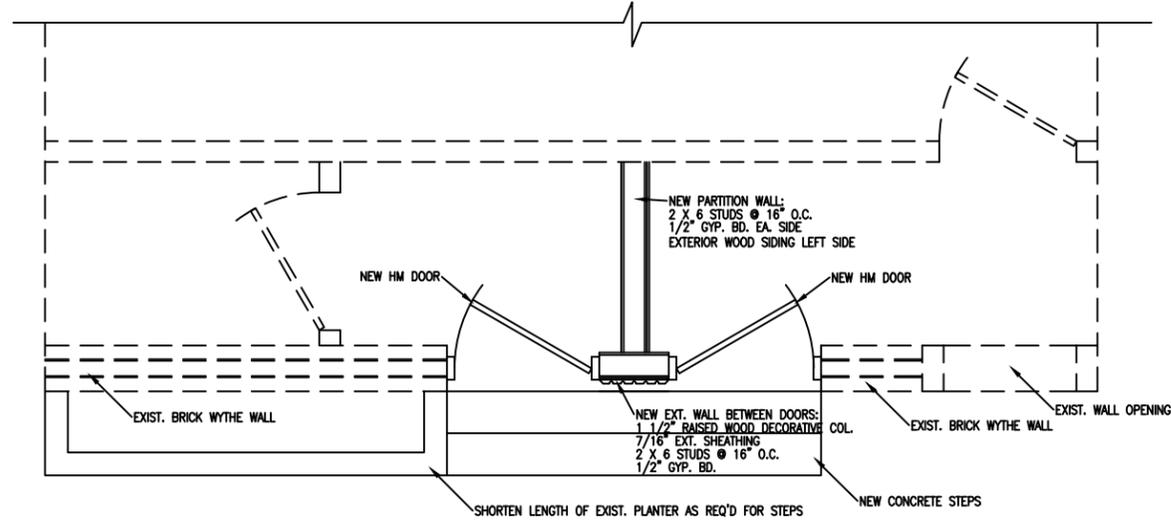
MAGNETIC NORTH NOVEMBER, 1985

1" = 20'-0"
1985

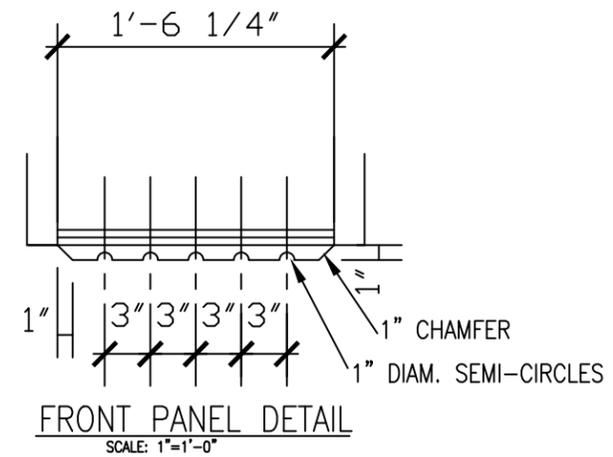


WEST ELEVATION
SCALE: 1/4"=1'-0"

NOTE: EXISTING WALLS ARE INDICATED WITH DASHED LINES.



PARTIAL FLOOR PLAN - WEST ELEV.
SCALE: 1/4"=1'-0"



FRONT PANEL DETAIL
SCALE: 1"=1'-0"

General Notes

WEST ELEVATION ALTERATIONS

No.	Revision/Issue	Date

MARK P. BERGERON, PE
474 CLIFTON CORPORATE PKWY.
CLIFTON PARK, NY 12065

PHONE: (518) 248-0906

PROJECT:

MARK & CATHERINE HOVER
RESIDENCE/APT. ALTERATIONS
43 LONG ALLEY
SARATOGA SPRINGS, NY

Project HOVER1	Sheet 1
Date 8-17-16	
Scale NOTED	

INSTALL NEW WINDOW AND LINTEL.
 UTILIZE DIFFERENT MATERIALS
 THAN EXIST. 2ND FLOOR WINDOW
 FOR NEW WINDOW AND LINTEL.
 (SUCH AS CLAD WOOD AND STONE)
 CENTER ABOVE 1ST FLOOR BRICKED-IN
 WINDOW BELOW.



EAST ELEVATION
 SCALE: 1/4"=1'-0"

General Notes

EAST ELEVATION ALTERATIONS

No.	Revision/Issue	Date

MARK P. BERGERON, PE
 474 CLIFTON CORPORATE PKWY.
 CLIFTON PARK, NY 12065

PHONE: (518) 248-0906

PROJECT:

MARK & CATHERINE HOVER
 RESIDENCE/APT. ALTERATIONS
 43 LONG ALLEY
 SARATOGA SPRINGS, NY

Project HOVER2	Sheet 2
Date 8-17-16	
Scale NOTED	