



# 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	Mary Beth Delarm	(Same)	Tonya Yasenchak, PE / Engineering America
Address	[REDACTED]		76 Washington St. Saratoga Springs, NY 12866
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: 96 Quevic Dr Tax Parcel No.: 190 8 5 5  
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 9/9/2014 3. Zoning District when purchased: UR-1

4. Present use of property: Single Family 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: \_\_\_\_\_  
Renovation of existing 2 car garage to grade level living area. Second floor addition over the existing garage for 2 additional bedrooms. Addition to left / south side of existing house for 1 car garage with storage above. 8' addition to rear of existing and new garage for expanded living space, new stairs, new bath & future lift.

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):

Table 3: Area & Bulk

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

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Min. Yard Setback: Front	30.0'	26.5'
Min. Yard Setback: Side (Right / South)	12.0'	8.8'
Accessory Structure Coverage	8.0%	12.1%
Accessory Structure Setbacks: Side	5.0'	1.2'

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 cannot be achieved by any other means:

- a) ~~The Home Owner requires living space on the grade floor for future accessibility needs. Renovating the existing garage for this accessible living area is easier than providing an accessible main front entry under the existing porch.~~
- b) ~~The existing garage is already at 26.5' from the front property line. Therefore the new 2nd floor will be closer than the min. 30' front setback required. Setting the 2nd floor back to allow for a 30' front setback would reduce the size of the upper floor and be more difficult to construct.~~
- c) ~~The house as it exists is only 2 bedrooms. Renovating the existing house to add another bedroom within is difficult due the existing house structure and location 1/2 below grade for correct egress / emergency escape and rescue requirements.~~
- d) ~~Locating the new garage behind the existing garage would reduce the requirement for the min. side yard setback. However, it would limit sun to the pool and also increase the driveway length, bringing the driveway closer to the neighbor.~~
- e) ~~No additional land is available for sale.~~
- f) ~~A more narrow garage addition at 12' (11.5' interior) would be tight for parking.~~
- g) ~~Moving the pre-existing tree house / shed would be impossible.~~

- 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:

Granting the variances should not cause an undesirable change in the character of the neighborhood:

- a) ~~The residence is pre-existing, non-conforming with the location on the lot and proximity to the front property line. The new additions will not be any closer to the front property line than what currently exists.~~
- b) ~~The addition to the residence will upgrade the current condition of the residence. The increase sq.ft. area of the residence will increase the value of the home & neighborhood.~~
- c) ~~The new right / south addition of a single car garage does not bring the living space any closer to the adjacent neighbor.~~
- d) ~~The Tree house / shed has been pre-existing for many years with no complaints.~~

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

The variances are not substantial:

- a) The front setback proposed at 26.5' instead of the 30' min. required is only a 3.5' variance at 11.7%. This is not substantial as the house currently exists at this same setback.
- b) The proposed side setback at 8.8' instead of the 12' min. required is a 3.2' variance at 26.7%. This is not substantial and does not bring living space closer to the adjacent neighbor.

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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 proposed variances should not have any adverse physical or environmental effects on the neighborhood:

- a) The resulting permeability of the project site will still be well below the 30% min. site permeability.
- b) Construction at the project site will be an improvement to the current conditions.
- c) No large trees will be removed as part of this proposed project.
- d) The proposed project will not shade any adjacent neighbors.

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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 is self-created as it is the Home Owners desire to stay in the home as she matures. She has been diagnosed with various medical conditions which may preclude the need for a lift and grade elevation living. In the mean time, the Home Owner will most probably have an elderly relative living with her who also requires grade elevation living. The pre-existing, non-conforming front setback of the home is not self-created. Also, the tree house / shed was constructed prior to the current Owner.

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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.

Mary Beth Delarm  
(applicant signature)

Date: 6/13/2016

\_\_\_\_\_  
(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: \_\_\_\_\_

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

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 1 <sup>ST</sup> 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

Delarm Addition:  
#96 Quevic Dr. Saratoga Springs, NY



Left / North elevation of existing residence as viewed facing South West from rear yard of project site



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



Rear / East elevation of existing residence as viewed facing West from rear yard of project site



Right / South elevation of existing garage as viewed facing North from side yard of project site

Delarm Addition:

#96 Quevic Dr. Saratoga Springs, NY



Existing side yard of project site and adjacent property to the South as viewed facing East from Quevic



Adjacent residence to the Right / South of project site as viewed facing South East from Quevic



Residence to the West of project site as viewed facing West across Quevic Dr.



Adjacent residence to the Left / North of project site as viewed facing North from Quevic Dr.

Delarm Addition:

#96 Quevic Dr. Saratoga Springs, NY



Existing pool and view of adjacent property to the North as viewed facing North from rear yard of project site



Left rear yard of project site as viewed facing North from rear yard



Shed / Tree house at right rear of project site as viewed facing South East from pool area of project site

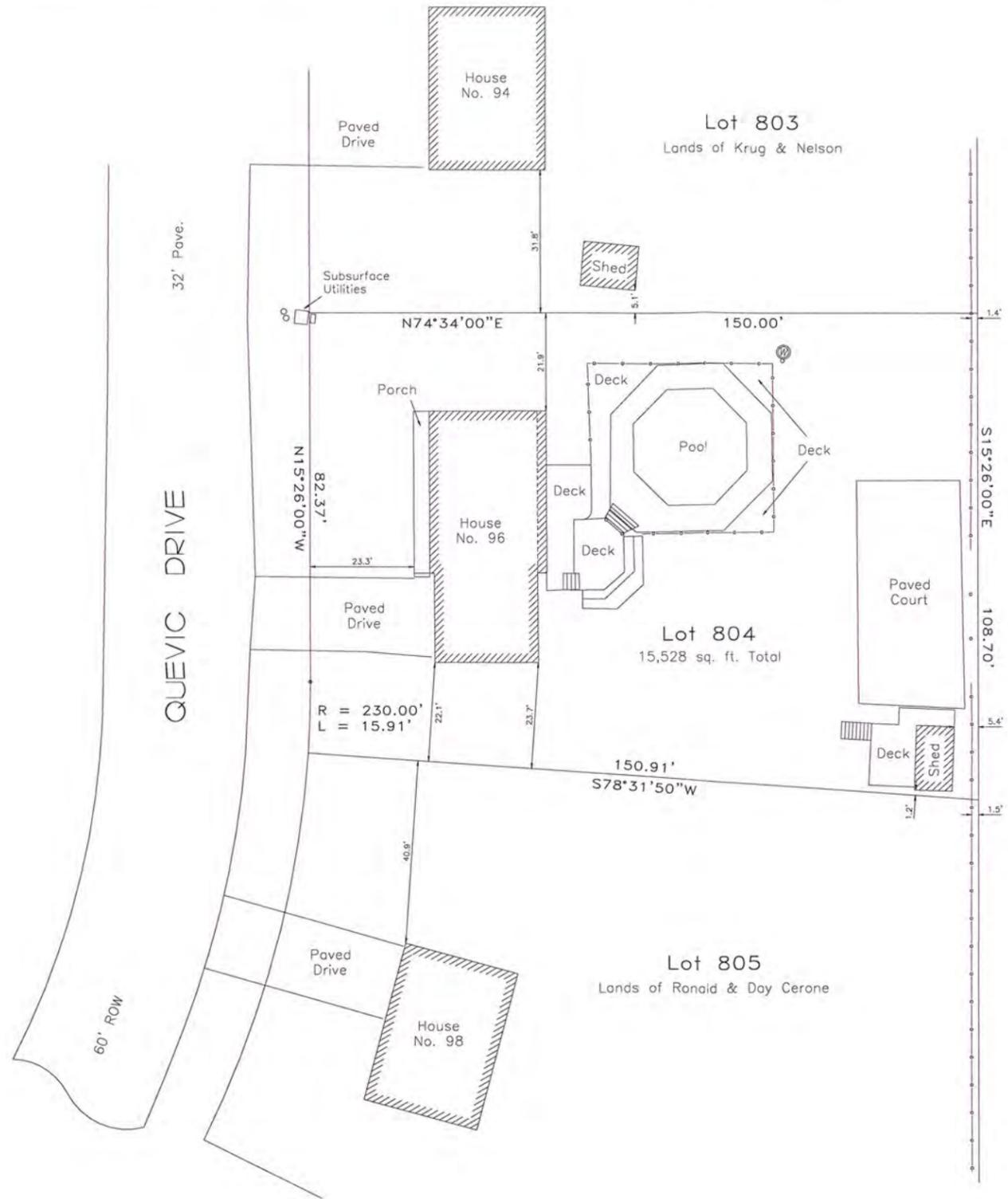


View of right / South side of yard as viewed facing South from pool area at project site



**Key:**

- IRS = iron rod set
- = chain link fence



**Notes:**

1. Subject Deed: Mary Beth Delarm and Daniel Delarm to Mary Beth Delarm dated 9 September 2014 and recorded in the Saratoga County Clerk's office as instrument 2014026930. Tax Id. 190.08-5-5
2. Lot numbers refer to a map entitled "Section No. 15, Geyser Crest" dated 15 December 1975 by C.T. Male Associates and recorded in the Saratoga County Clerk's office on 18 April 1977 as map AAA-57.

Lands of  
**Beaver Pond Village  
 Homeowners Association**  
 Instrument 2013029991

SURVEY FOR  
**MARY BETH DELARM**

— situate in —

CITY OF SARATOGA SPRINGS SARATOGA CO., N.Y.

SCALE 1"=30' 6 MAY 2016

Copyright 2016 by Benchmark Surveying, 14 Dutchess Court, Saratoga Springs, N.Y. 885-5055

I hereby certify to:  
 Mary Beth Delarm

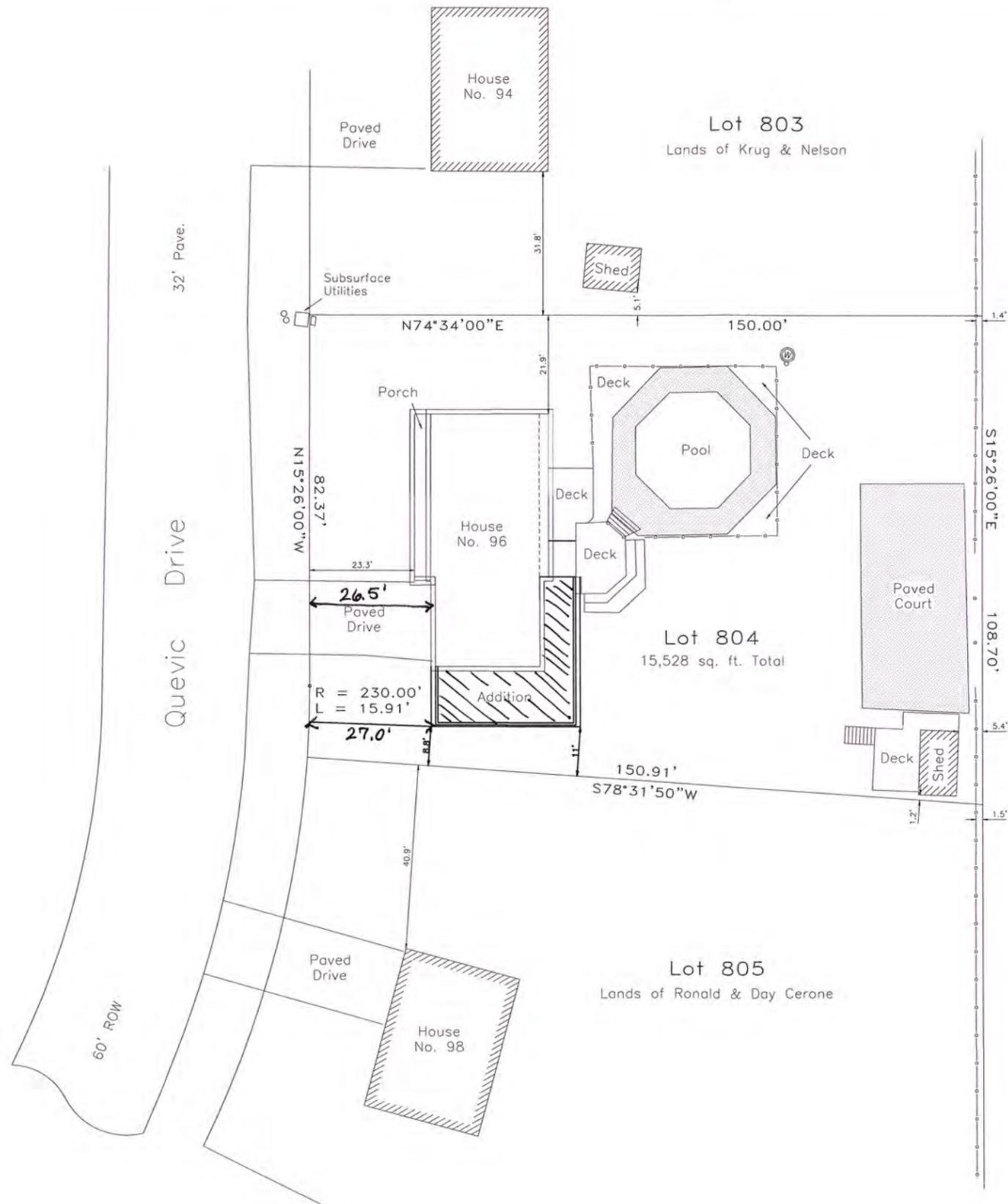
*Terry L. Humiston*  
 Terry L. Humiston LS 49472

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors.

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.



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**Note: This is a plot plan only and not a survey. The original survey, dated 5/6/16 was modified by Engineering America Co. with permission from Terry L. Humiston, LS of Benchmark Surveyors to create a plot plan to depict proposed changes to the residence footprint which require zoning variances. a modified survey plan and footprint stake out must be prepared for the building permit application prior to construction & after construction has been completed for filing with the City.**

Lands of  
 Beaver Pond Village  
 Homeowners Association  
 Instrument 2013029991

Survey for

mary beth delarm

— situate in —

city of saratoga springs Saratoga Co., N.Y.

June 13, 2016

I hereby certify to:  
 Mary Beth Delarm

Terry L. Humiston LS 49472

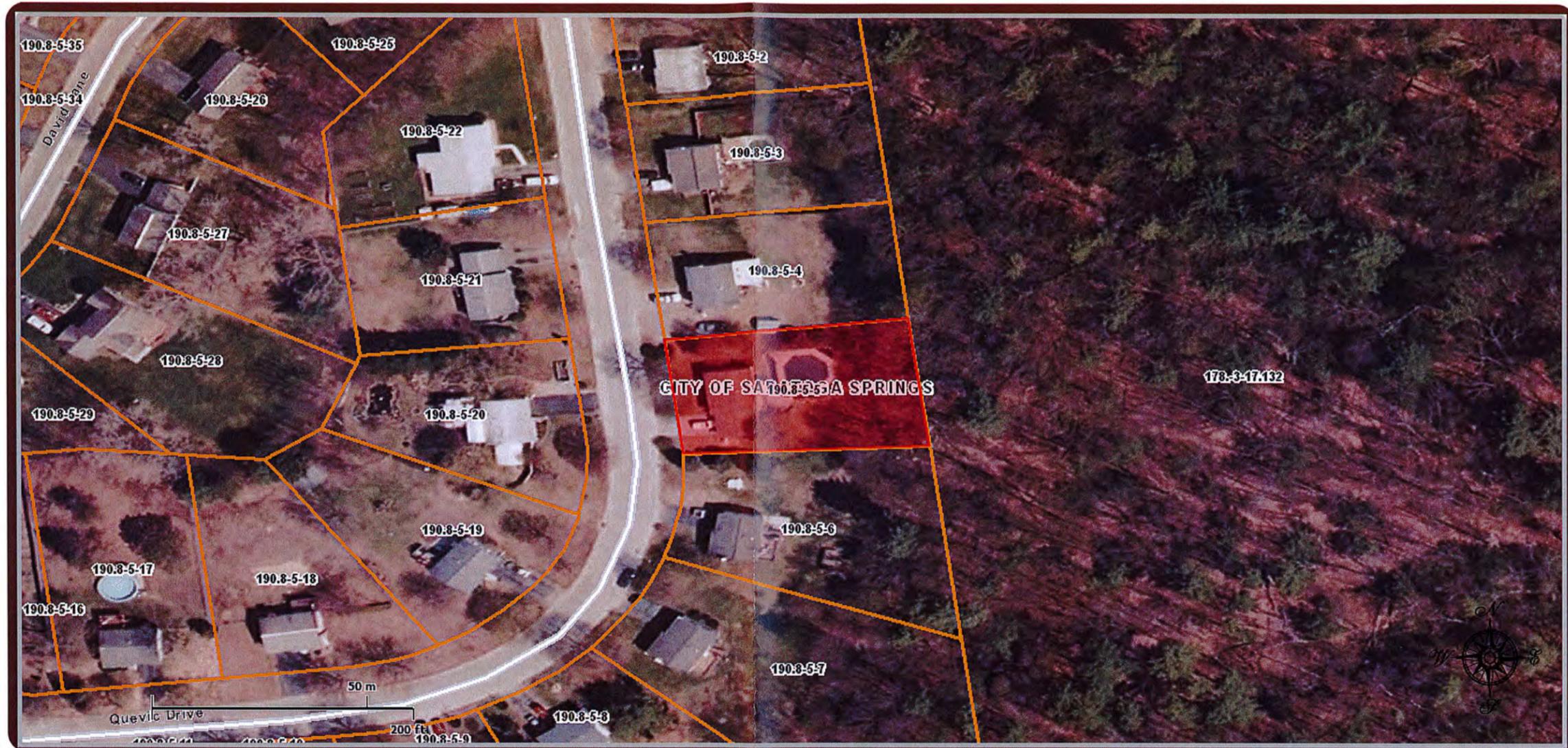
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# Delarm

## Legend

-  County
-  Municipal Boundaries
-  Parcels
- Local Roads
  -  Local
  -  State and County
  -  US and Interstate



Disclaimer: This map was prepared by the Saratoga County Internet Geographic Information System (GIS). The map was compiled using the most current GIS data available. The aerial photography (orthoimagery) was prepared by the N.Y.S. Office of Cyber Security and Critical Infrastructure Coordination during the year 2004-2011. Parcel and municipal boundaries are derived from tax maps and do not represent a land survey.

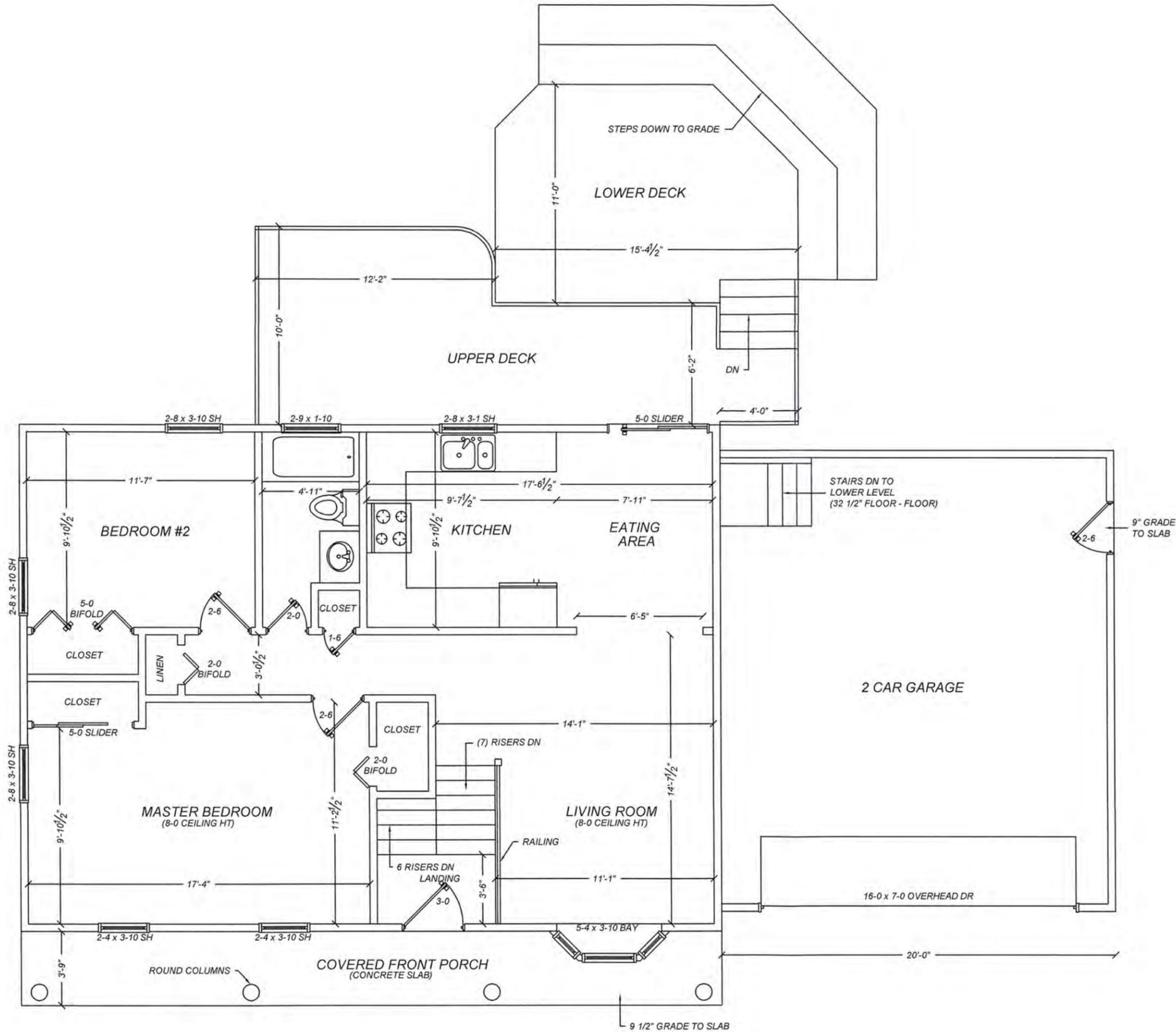
DELARM RESIDENCE ADDITION  
# 96 QUEVIC DR.  
SARATOGA SPRINGS, NY

# EXISTING MAIN FLOOR

JUNE 9, 2016 SCALE: 3/16" 1' 0"

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

NOTE: ACTUAL DIMENSIONS MAY VARY SLIGHTLY.  
FIELD VERIFY MEASUREMENTS, PIER FOUNDATION  
AND EXISTING JOISTS PRIOR TO CONSTRUCTION.  
NOTIFY DESIGN ENGINEER IMMEDIATELY WITH  
ANY/ALL DISCREPANCIES FOR DETERMINATION.



DELARM RESIDENCE ADDITION  
# 96 QUEVIC DR.  
SARATOGA SPRINGS, NY

# EXISTING LOWER FLOOR

JUNE 9, 2016

SCALE: 3/16" = 1'-0"

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

NOTE: ACTUAL DIMENSIONS MAY VARY SLIGHTLY.  
FIELD VERIFY MEASUREMENTS, PIER FOUNDATION  
AND EXISTING JOISTS PRIOR TO CONSTRUCTION.  
NOTIFY DESIGN ENGINEER IMMEDIATELY WITH  
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