



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)

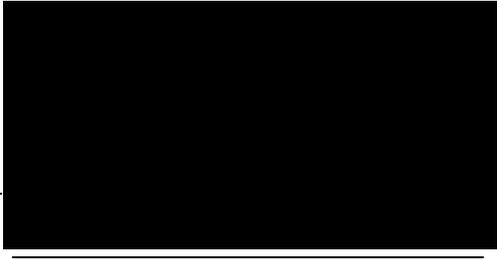
ATTORNEY/AGENT

Name

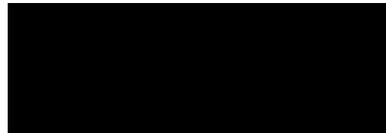
Address

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: _____ Tax Parcel No.: _____
(for example: 165.52 - 4 - 37)

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

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

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: _____

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:

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”.

- I. 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:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 If "yes", for how long? _____ No

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:

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>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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:

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: _____

(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: _____

**ZONING AND 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:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE



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

**IN THE MATTER OF THE APPEAL OF
 JEAN PIERRE PERRON
 35 GREENFIELD AVENUE
 SARATOGA SPRINGS, NY 12866**

From the determination of the Building Inspector involving the premises at 35 Greenfield Avenue in the City of Saratoga Springs, NY, being tax parcel number 165.36-1-14.1 on the Assessment Map of said City.

The Applicant having applied for an area variance to construct an addition to the primary residence and move an accessory structure, a carriage house, to a different location on the property in the UR-1 Zoning District and public notice having been duly given of hearings on said application on February 22 and March 7, 2016.

In consideration of the balance between the benefit to the Applicant with the detriment to the health, safety and welfare of the community, I move that the following variance for the following amount of relief:

Type of Requirement	District Dimensional Requirement	Proposed	Relief Requested
Minimum Front Yard Setback: Woodlawn Ave. (residence)	30 feet	5 feet	25 feet (83%)
Minimum Front Yard Setback: Woodlawn Ave. (carriage house)	30 feet	8 feet	22 feet (73%)
Maximum Principal Building Coverage	20%	27.2%	7.2% (36%)

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.

The Applicant desires to remove a portion of the residence and construct an addition that would include a new kitchen, mudroom and attached three-car garage and master suite. Due to the fact that the setback restrictions run through the existing residence and the property is a corner lot with two front yards, it is not possible to make any renovations to the residence without affecting the setbacks. The Applicant looked at many designs, but due to the lot shape as well as Applicant's intent to maintain the historic integrity of the home, the proposed design was the only one that will allow the Applicant to construct a new kitchen with an attached garage/mudroom and master bedroom suite. The proposed design, in fact, imposes less on the setback restrictions than the home as it presently exists.

With respect to the carriage house, the Saratoga Springs Preservation Foundation has determined that the residence and carriage house are "contributing buildings" to the Broadway Historic District which is listed on the National Register of Historic Places and therefore supports an area variance "that would allow for the retention and relocation of the historic carriage house." According to the Preservation Foundation, carriage houses "are important cultural resources of the history and development of our community." The Applicant agrees and desires to move to the carriage house to another location on the lot. Due to the fact that no additional land is available to purchase to help mitigate the variance requests along with the fact that this is a corner lot with two setback requirements, the location selected is the only place that will fulfill the Applicant's objective to maintain the historic integrity of the property and neighborhood.

2. The Applicant has demonstrated that granting this variance will not produce an undesirable change in neighborhood character or detriment to the nearby properties. The Applicant intends to maintain the historic nature of the home and the addition will be "architecturally compatible" to the existing house. It will also be "located on the lot where it will be least visible" and the Applicant intends to maintain as many trees as possible on the lot. The Preservation Foundation "appreciates the investment that the homeowner is making into his historic house and commends him for being willing to retain and relocate the historic carriage house rather than demolish the structure."
3. The request for relief from the minimum setback requirements at 5 feet (83%) and 8 feet (73%) may be considered substantial, however this is due to the fact that the home is preexisting nonconforming at 4 feet (87%). In fact, the Applicant's design lessens the amount that the residence will impinge upon the setback. With respect to the total lot coverage, 27% may be substantial, but any substantiality is offset by the Applicant's willingness to preserve the carriage house and not demolish it.
4. The Applicant has demonstrated that granting this variance will not have an adverse physical or environmental effect on the neighborhood. The addition will be compatible with the style of the existing home and the Applicant intends to keep as many trees as possible.
5. The request for relief may be considered a self-created hardship. However, self-creation is not necessarily fatal to the application.

Condition: No additional accessory buildings other than the existing, historic carriage house

Adopted by the following vote:

AYES: 7 (B. Moore, K. Kaplan, A. McNeill, S. Carlson, J. Helicke, S. Steer and C. Grey)

NAYES: 0

Dated: March 7, 2016

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.

3/9/16

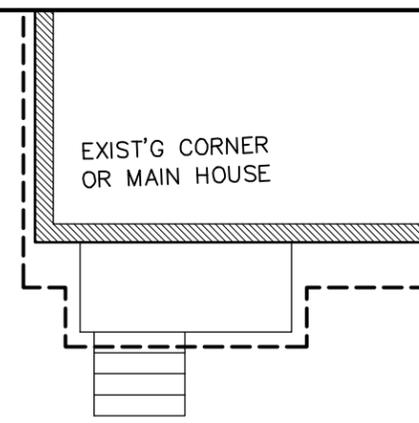
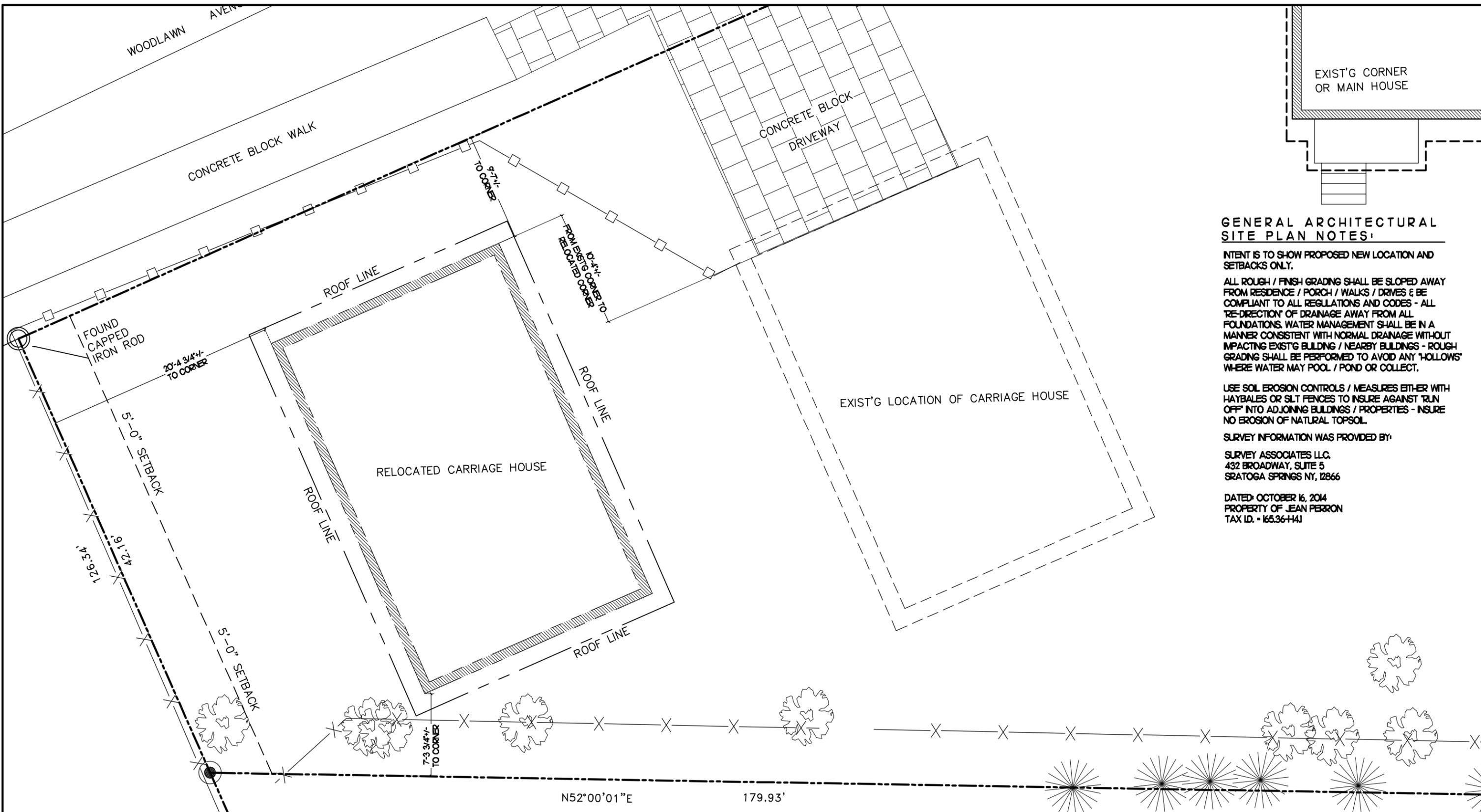
Date

Bill Moore

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, seven members of the Board being present.

RECEIVED
MAR 09 2016
ACCOUNTS DEPARTMENT



GENERAL ARCHITECTURAL SITE PLAN NOTES:

INTENT IS TO SHOW PROPOSED NEW LOCATION AND SETBACKS ONLY.

ALL ROUGH / FINISH GRADING SHALL BE SLOPED AWAY FROM RESIDENCE / PORCH / WALKS / DRIVES & BE COMPLIANT TO ALL REGULATIONS AND CODES - ALL RE-DIRECTION OF DRAINAGE AWAY FROM ALL FOUNDATIONS. WATER MANAGEMENT SHALL BE IN A MANNER CONSISTENT WITH NORMAL DRAINAGE WITHOUT IMPACTING EXIST'G BUILDING / NEARBY BUILDINGS - ROUGH GRADING SHALL BE PERFORMED TO AVOID ANY 'HOLLOW'S' WHERE WATER MAY POOL / POND OR COLLECT.

USE SOIL EROSION CONTROLS / MEASURES EITHER WITH HAYBALES OR SILT FENCES TO INSURE AGAINST 'RUN OFF' INTO ADJOINING BUILDINGS / PROPERTIES - INSURE NO EROSION OF NATURAL TOPSOIL.

SURVEY INFORMATION WAS PROVIDED BY:

SURVEY ASSOCIATES LLC.
432 BROADWAY, SUITE 5
SRATOGA SPRINGS NY, 12866

DATED: OCTOBER 16, 2014
PROPERTY OF JEAN PERRON
TAX ID. - 16536-H4J

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

CARRIAGE HOUSE RENOVATIONS FOR:
JEAN PIERRE PERRON
35 GREENFIELD AVE.
SARATOGA SPRINGS NY, 12866

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

**ARCHITECTURAL SITE PLAN,
& NOTES**

BLDG DEPT. DRAWING SET

WARNING
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SCALE: AS NOTED
REVISIONS:

DATE:
MAY 23, 2016

A-S

PROJECT NUMBER - 2015-25

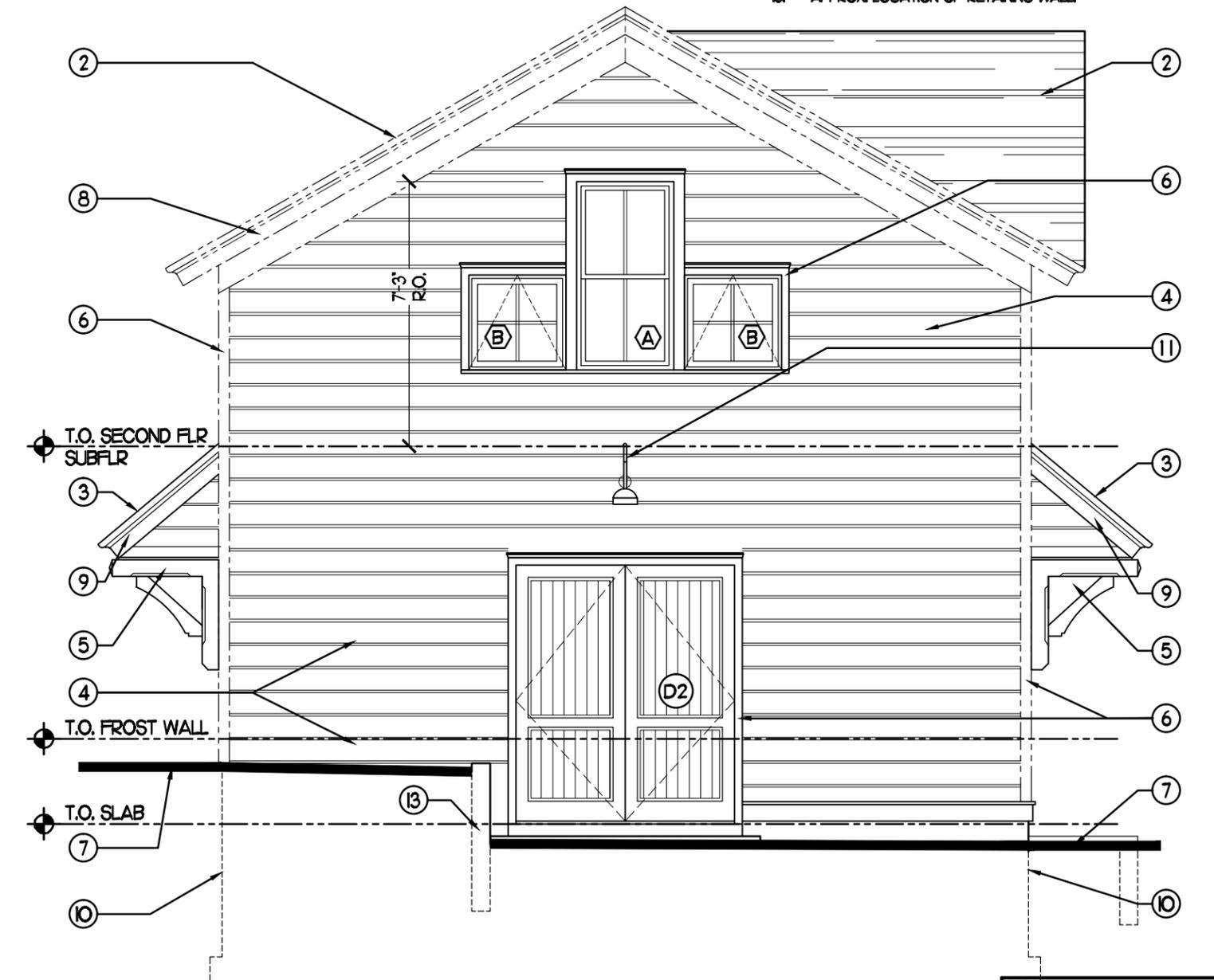
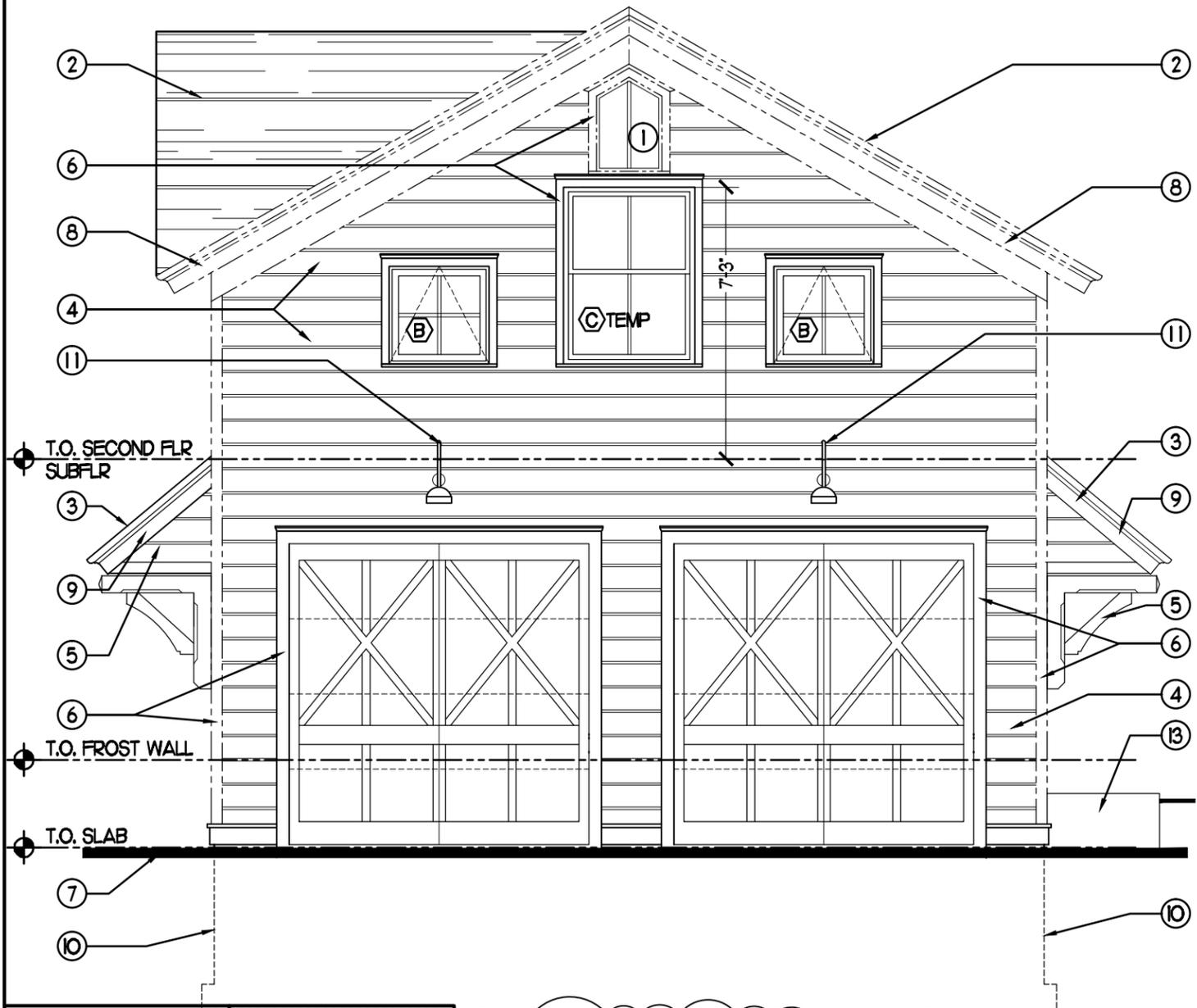
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EXTERIOR ELEVATION NOTES:

- REMOVE EXIST'G SIDING & INCIDENTALS IN IT'S ENTIRETY.
- REMOVE EXIST'G SLATE SHINGLES & INCIDENTALS IN IT'S ENTIRETY.

EXTERIOR ELEVATION NOTES:

1. REMOVE & REPLACE EXIST'G WINDOW WITH TRIM PANEL - SIMULATE THE LOOK OF THE EXIST'G WINDOW / GRILL PATTERN.
2. ARCHITECTURAL GRADE FIBERGLASS SHINGLES ON BUILDING FELT OVER ICE & WATER MEMBRANE (COLOR BY HOMEOWNER). ROOF IS A 'COLD ROOF' THEREFORE NOT REQUIRED TO BE VENTED.
3. 24 GAUGE - 1 1/2" MECHANICALLY SEALED 16" WIDTH - STANDING SEAM MTL ROOF OVER BUILDING FELT ON ICE & WATER MEMBRANE THROUGHOUT- COLOR T.B.D.
4. REMOVE EXIST'G SIDING AND REPLACE "IN-KIND" (CHANNEL RUSTIC LAP SIDING W/ 8" EXPOSURE). COLOR - VERIFY W/ OWNER - BEFORE ORDER PLACEMENT).
5. TIMBER BRACKET DOUGLAS FIR OR CEDAR - COLOR OR CLEAR STAIN FINISH (T.B.D.) SEE ENLARGED DETAILS FOR SIZES & PROFLES 2 / A-6.
6. MAINTAIN / RE-USE EXIST'G TRIM - IF NEW MATCH EXIST'G.
7. FINISH GRADE T.B. DETERMINED IN FIELD BY G.C. W/ OWNERS APPROVAL, SHALL MEET DESIGN INTENT AND CODES FOR EXITS, DISTANCE TO BTM. SIDING / TRIM AND SLOPES OF 6" DOWN OVER 10' (1:20 PITCH).
8. G.C. TO INSPECT EXIST'G FASCIA / RAKE TRIM - REPAIR / PAINT AS NECESSARY.
9. NEW RAKE TRIM TO MATCH EXIST'G.
10. DASHED LINE REPRESENTS APPROX. FOUNDATION / FTGS. LOCATIONS AND DEPTH. BTM OF FTGS SHALL BE 48" BELOW GRADE, FINAL GRADE ELEVATIONS TO BE DETERMINED / COORDINATED BY G.C. AND APPROVED BY HOMEOWNER.
11. 'GOOSENECK' LIGHTING FIXTURES, G.C. SHALL COORDINATE AS REQ'D ALL POWER & SWITCHING AS NECESSARY.
12. APPROX. LOCATION OF BATHROOM VENT.
13. APPROX. LOCATION OF RETAINING WALL.



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1 EAST EXTERIOR ELEVATION
A-7 SCALE 1/4" = 1'-0"

CARRIAGE HOUSE RENOVATIONS FOR:
JEAN PIERRE PERRON
35 GREENFIELD AVE.
SARATOGA SPRINGS NY, 12866

2 WEST EXTERIOR ELEVATION
A-7 SCALE 1/4" = 1'-0"

EAST & WEST EXTERIOR ELEVATION & NOTES

BLDG DEPT. DRAWING SET

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SCALE: AS NOTED
REVISIONS: 6-23-16

DATE:
AUG 24, 2016

A-7

PROJECT NUMBER - 2015-25



Ridge Beam Support Plate (to save existing gable window)



Ridge Beam support plate & new roof rafters sistered existing rafters to straighten / strengthen existing roof system.



Floor system/ beam to straighten and strengthen existing structure.



South-eastern Exterior Elevation–Facing Wood Lawn Avenue.



Front – Eastern Exterior Elevation–Facing Wood Lawn Avenue.



Back North-western Exterior Elevation–Facing Wood Lawn Avenue.



Existing South Elevation – Sagging Roof, Bowing Walls, Siding running into grade



Existing East (Front) Elevation



Bowing Wall / Siding and trim running into grade.

GENERAL NOTES:

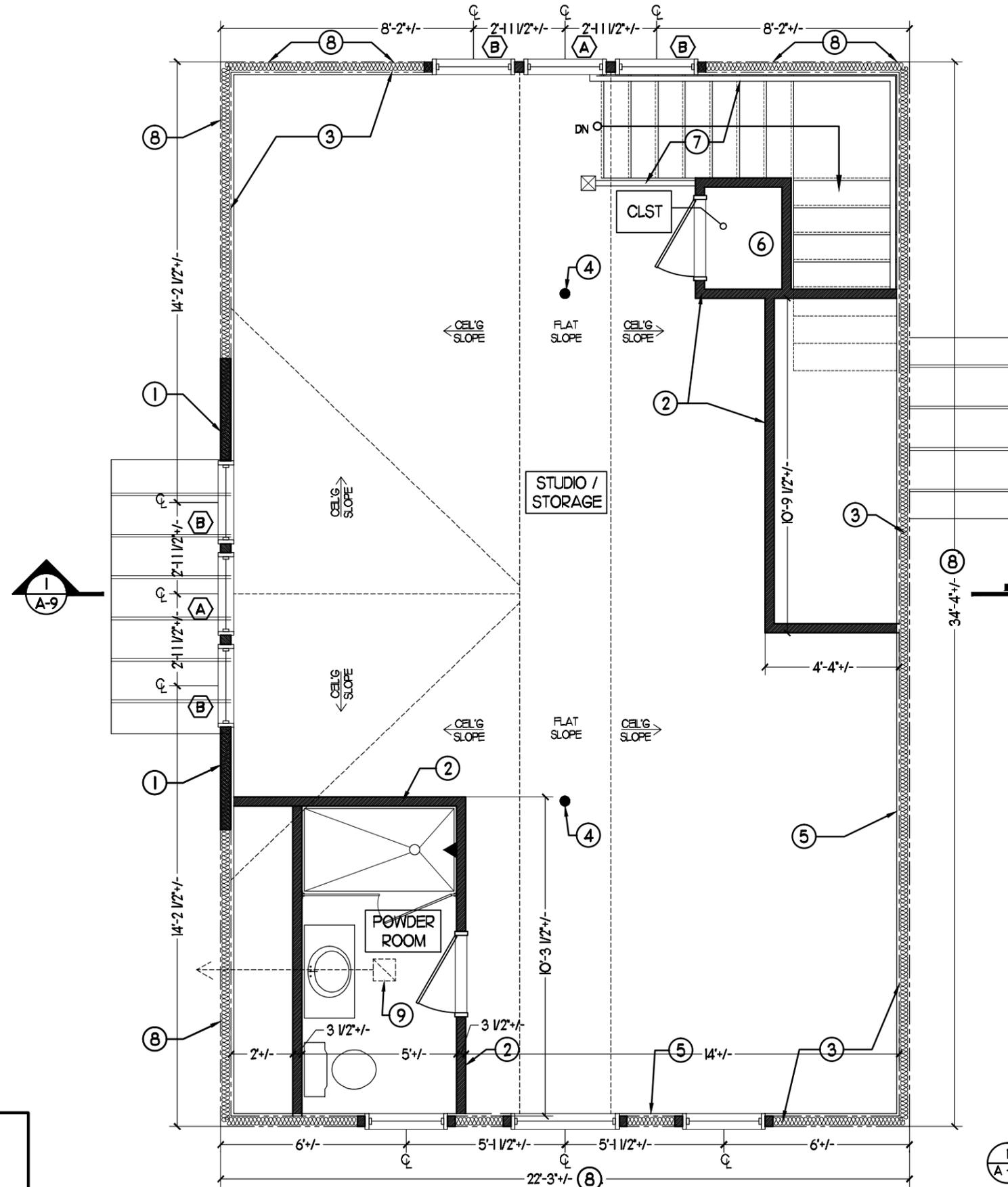
- REMOVE ALL EXIST'G CONDITIONS IN THEIR ENTIRETY AS REQUIRED BY THE NEW WORK AND DESIGN INTENT.

LEGEND

-  INDICATES EXISTING CONSTRUCTION
-  INDICATES NEW CONSTRUCTION (NO INSULATION)
-  INDICATES AREAS W/ NEW INSULATION

SECOND FLOOR PLAN NOTES:

- 2 X 4 WD STUD WALL • 24" O.C. INT. FACE SHALL RECEIVE 1/2" GYP BD. WALL FINISH - TAPED, PRIMED, & PAINTED. EXT. FACE SHALL RECEIVE 1/2" ZIP SHEATHING PRIOR TO SIDING FINISH. INSURE BOTH FACES ALIGN W. EXIST'G.
- 2 X 4 WD STUD WALL • 24" O.C. BOTH FACES SHALL RECEIVE 1/2" GYP BD. WALL FINISH - TAPED, PRIMED, & PAINTED.
- INSULATE EXIST'G WALL AROUND STAIRWELL W/ R-15 BATTS INSULATION.
- POST / COLUMN - COORDINATE W/ FRAMING PLANS.
- REMOVE ALL EXIST'G INTERIOR WALL FINISHES & PROVIDE NEW 1/2" GYP. BD. TO WALLS & CEILING FACES - TAPED, PRIMED & PAINTED.
- PROVIDE CLOSET W/ REQ'D. BLOCKING FOR SHELVING AND / OR ROD.
- HANDRAIL SHALL BE ANCHORED AT 36" OFF MIDDLE OF RISER. GRIP SIZE SHALL COMPLY TO A CIRCULAR CROSS SECTION WITH AN OUTSIDE DIA. OF 1 1/4" BUT NOT GREATER THAN 2". IF NOT CIRCULAR IT SHALL HAVE A PERIMETER DIM. OF AT LEAST 4" BUT NOT GREATER THAN 6 1/4". (PROVIDE ALL NECESSARY BLOCKING)
- REMOVE EXIST'G SIDING IN ITS ENTIRETY - INSPECT / DETERMINE CONDITION OF EXIST'G SHEATHING. IF NECESSARY REPLACE W/ 1/2" ZIP SHEATHING. SIDING SHALL BE REPLACED "IN-KIND" TO EXIST'G. (CHANNEL RUSTIC LAP SIDING W/ 8" EXPOSURE).
- CELG MOUNTED EXHAUST FAN - VENT THRU WALL UNDER SOFFIT.



1 SECOND FLOOR PLAN
A-3 SCALE 1/4" = 1'-0"

DATE:
AUG 24, 2016

A-3

PROJECT NUMBER - 2015-25

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ARCHITECTURE
LLC.

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www.sdatelier.com
info@sdatelier.com

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SECOND FLOOR PLAN
& NOTES

BLDG DEPT. DRAWING SET

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SCALE: AS NOTED
REVISIONS: 10-04-16

