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Zoning Board of Appeals
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Zoning Board of Appeals of the City of Troy, New York will conduct a REGULAR PUBLIC HEARING starting at **6:00 P.M.** on **Tuesday August 7, 2012** in the Second Floor conference room A of TROY CITY HALL to act upon the following requests for approvals and appeals from decisions made by the Bureau of Code Enforcement of said City of Troy.

Minor Area Variance

ZB2012-026 Minor Area Variance to allow for a side and rear setback deficiency related to a proposal to construct an in ground pool at 6 Patricia lane, a R-1 Zone, ID 112.80-2-3. Applicant is Concord Pools, 156 Sparrowbush Road, Latham, NY 12110

Major Area Variance

ZB2012-025 Major Area Variance to allow for an outdoor advertising sign at 517 Pawling Ave, an R-3 Zone, ID112.66-7-17. Applicant is Mike Rozycki, 443 1st Street, Troy, NY 12180.

Additional information regarding the above listed actions is available in the Department of Planning and Community Development located on the Second floor Troy City Hall, 1776 Sixth Avenue, Troy, New York 12180. Telephone: 279-7168. Office Hours are from 8:30 A.M. to 4:30 P.M. weekdays. Any persons having any interest in the above listed matters will be heard at said time and place.

As required by Americans with Disabilities Act, auxiliary aids and services are available upon request. Please give one-week advance notice for services needed.

City of Troy Zoning Board of Appeals

Jay Vandenburg, Chairperson

Andrew Petersen, Executive Secretary

STAFF REPORT ZB2012-026

APPLICANT: Concord Pools

PROJECT DESCRIPTION:

ZB2012-026 Minor Area Variance to allow for a side and rear setback deficiency related to a proposal to construct an in ground pool at 6 Patricia Lane, a R-1 Zone, ID 112.80-2-3. Applicant is Concord Pools, 156 Sparrowbush Road, Latham, NY 12110

Per Section 285-77 of the Zoning Ordinance, private swimming pools require an 8 foot setback from all property lines. The applicant is proposing a side and rear setback of 3 foot. The applicant is deficient 5 feet.

REQUEST:

Minor Area Variance to allow for side and rear setback deficiencies of 5 feet.

Minor Area Variance Requirements:

Authorization by the Z.B.A. that allows a specified use in a zone district including restricted locations on the lot or within the structure in which the specified use is not allowed by this ordinance. In order to qualify for a use variance, an appellant must provide evidence for the record that a legal hardship would occur in the absence of such use variance. The Z.B.A. shall not grant a use Variance unless the applicant provides conclusive evidence to prove:

1. That the land, property, structure or building in question cannot yield a reasonable economic return if used only for a purpose allowed in the zone; and
2. That the need for the variance was not caused by the applicant; and
3. That the use to be authorized by the variance shall not alter the essential character of the neighborhood, nor depreciate aesthetic or property values of the locality; and
4. That the plight of the owner is due to unique circumstances & not to the general conditions in the neighborhood, which may reflect the unreasonable uses of the zoning ordinance itself.

APPROVALS NEEDED:

Minor Area Variance to allow for side and rear setback.

SEORA: Staff recommends that the Board find this proposal to be an UNLISTED action with sufficient information available upon which to make a determination that the project is not expected to cause significant environmental impact. No local agencies are involved and no State or Federal agencies are involved.



KERRY DR

PATRICIA DR

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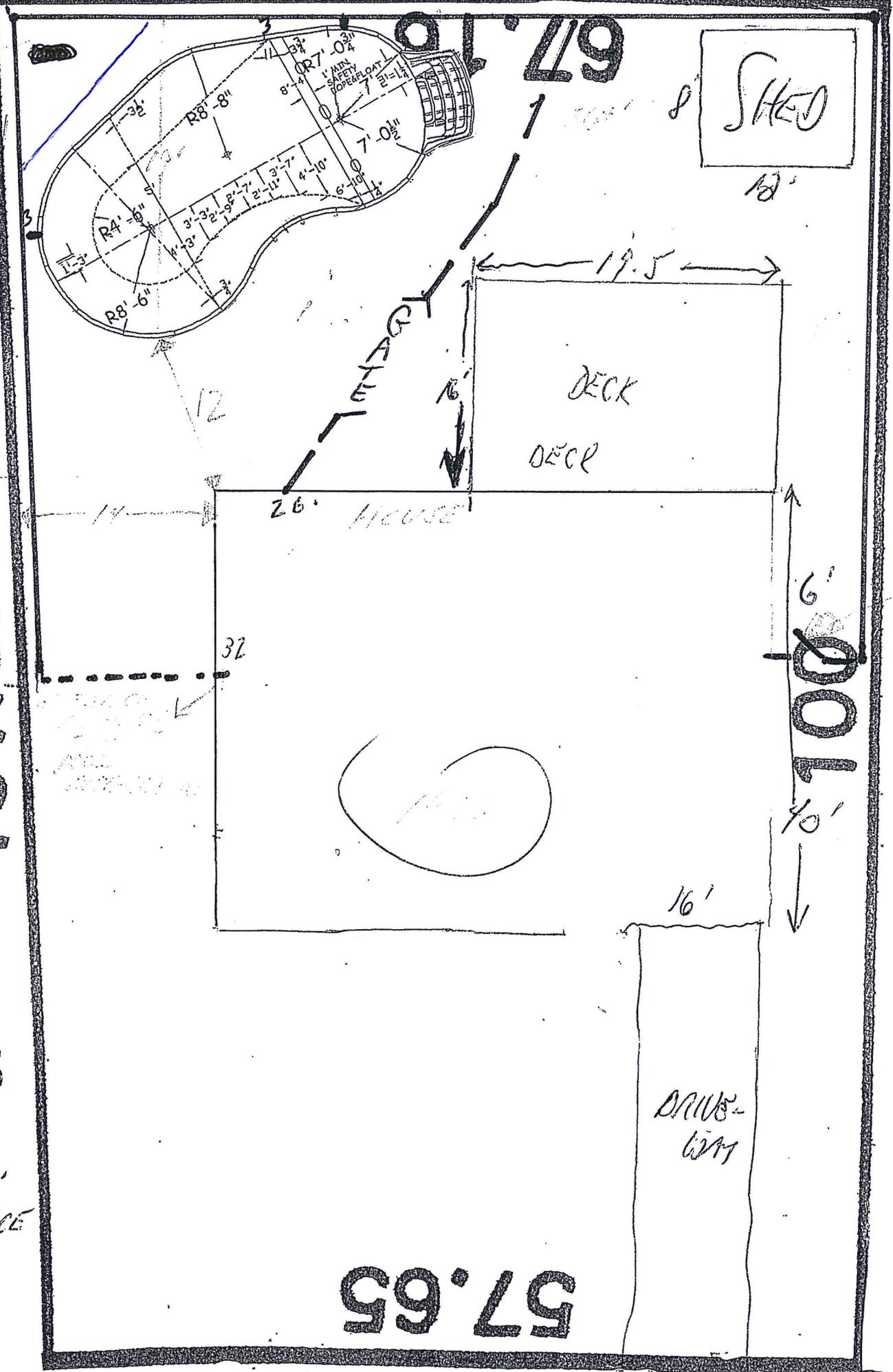
PLOT PLAN

6 PATRICIA DR
TRAY, NY 12180

101.82

PROPOSED FENCE

— = 6' HIGH FENCE



57.65

PATRICIA DR

JONES BL DR

STAFF REPORT ZB2012-025

APPLICANT: Mike Rozycki

PROJECT DESCRIPTION:

ZB2012-025 Major Area Variance to allow for an outdoor advertising sign at 517 Pawling Ave, an R-3 Zone, ID112.66-7-17. Applicant is Mike Rozycki, 443 1st Street, Troy, NY 12180.

Per Section 285-109 of the Zoning Ordinance, outdoor advertising sign are not allowed in the R-3 Zone. The applicant requests an outdoor advertising sign at 517 Pawling Ave.

REQUEST:

Major Area Variance to allow for an outdoor advertising sign.

Major Area Variance Requirements:

Authorization by the Z.B.A. that allows a specified use in a zone district including restricted locations on the lot or within the structure in which the specified use is not allowed by this ordinance. In order to qualify for a use variance, an appellant must provide evidence for the record that a legal hardship would occur in the absence of such use variance. The Z.B.A. shall not grant a use Variance unless the applicant provides conclusive evidence to prove:

1. That the land, property, structure or building in question cannot yield a reasonable economic return if used only for a purpose allowed in the zone; and
2. That the need for the variance was not caused by the applicant; and
3. That the use to be authorized by the variance shall not alter the essential character of the neighborhood, nor depreciate aesthetic or property values of the locality; and
4. That the plight of the owner is due to unique circumstances & not to the general conditions in the neighborhood, which may reflect the unreasonable uses of the zoning ordinance itself.

APPROVALS NEEDED:

Major Area Variance to allow for an outdoor advertising sign

SEQRA: Staff recommends that the Board find this proposal to be an UNLISTED action with sufficient information available upon which to make a determination that the project is not expected to cause significant environmental impact. No local agencies are involved and no State or Federal agencies are involved.

Big Rozycki's

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