



Jay Vandenburg
Chairperson
Phone (518) 279-7168
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William Dunne
Commissioner
Phone (518) 279-7166
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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 June 5, 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.

Major Area Variance

ZB2012-016 Major Area Variance and special use permit to allow for lot characteristics deficiencies and nonconforming uses related to a proposal to construct multiple homes at Cross Street and Burden Ave, an IND ZONE. Applicant is Habitat for Humanity, 454 North Pearl Street, Albany, NY 12204.

USE VARIANCE

ZB2012-017 Use Variance to allow for a nonconforming use related to a proposal to operate a dog daycare at 23 Lilac Lane, an R-2 Zone, ID 112.83-2-20. Applicant is Ruth Phillips, 23 Lilac Lane, Troy, NY 12180.

ZB2012-018 Use Variance to allow for the expansion of a nonconforming use related to a proposal to expand an existing fraternity at 58 Pinewoods Ave, an R-2 Zone, ID 112.33-3-6. Applicant is Phi Epsilon Phi, 58 Pinewoods Ave, 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 ZB2012-016 Revised

APPLICANT: Habitat for Humanity

PROJECT DESCRIPTION:

ZB2012-016 Major Area Variance and special use permit to allow for lot characteristics deficiencies and nonconforming uses related to a proposal to construct multiple homes at Cross Street and Burden Ave, an IND ZONE. Applicant is Habitat for Humanity, 454 North Pearl Street, Albany, NY 12204.

The applicant proposes to construct single family homes and a commercial component on 10 vacant lots. Each lot will have special uses, setback and lot characteristic deficiencies. The board will be asked to grant minimum variances to be used on each individual property on site.

Per Section 285-64 of the Zoning Ordinance, the minimum lot area for the IND Zone is 3500 SF. The applicant provides 1500 SF therefore is deficient 2000 SF. The applicant will require a Major Area Variance to allow lot area deficiencies of 2000 SF or less on each of 10 lots.

Per Section 285-64 of the Zoning Ordinance, residential below the second floor line is a special use permit in the IND Zone. The applicant will require a special use permit to allow for single family homes on each lot.

Per Section 285-64 of the Zoning Ordinance the required front lot width is 50 feet. The applicant provides 21 feet therefore is deficient 29 feet. The applicant will require a Major Area Variance to allow for a front lot with deficiency of 29 feet.

REQUEST:

LOTS 1-2 (Cross Street)

Special Use Permit to allow for residence below the second floor line in the IND Zone (**Approved**)

LOTS 3-9 (Burden Ave)

Special Use Permit to allow for residence below the second floor line in the IND Zone
Major Area Variance to allow for a minimum lot deficiencies

APPROVALS NEEDED:

Special Use Permit to allow for residence below the second floor line in the IND Zone
Major Area Variance to allow for a minimum lot deficiencies

(14 Total Variances)

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.

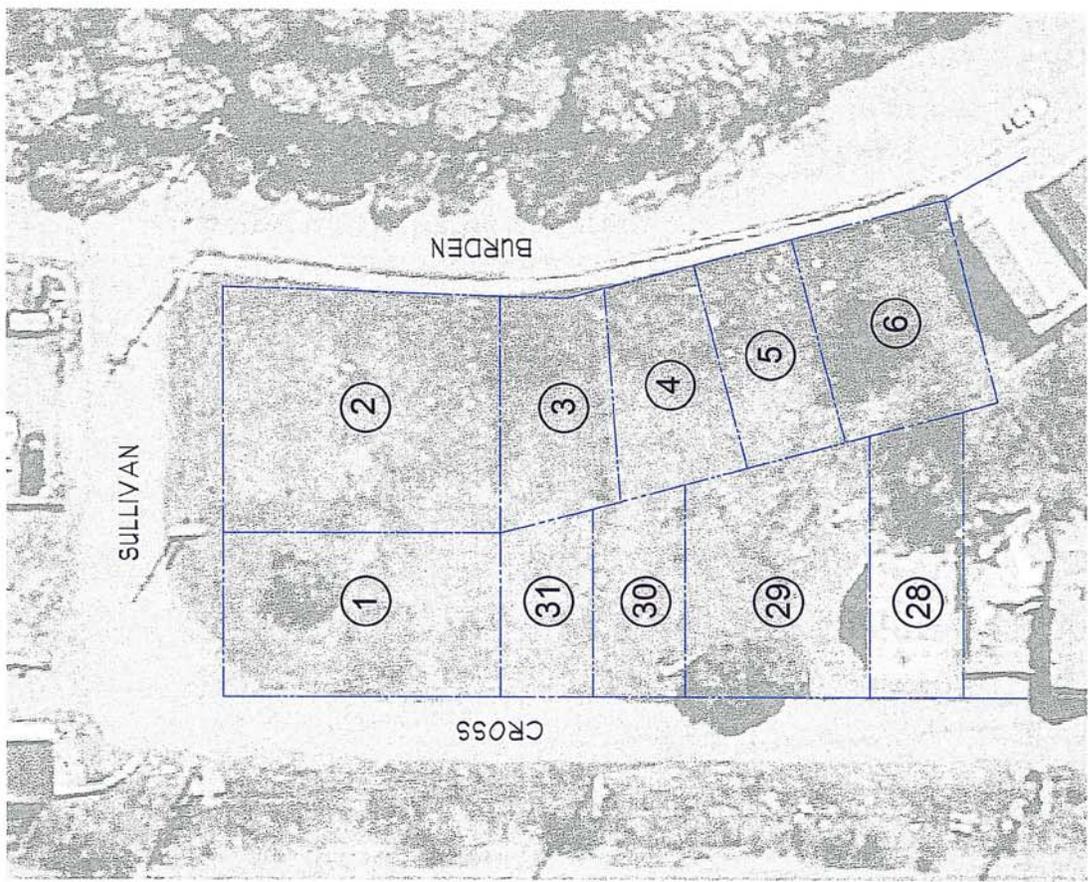
TITLE:
EXISTING SITE PLAN

PROJECT: NEW HOUSES AT:
SOUTH TROY
BURDEN AVE & CROSS ST.
CLIENT: CAPITAL DISTRICT HABITAT FOR HUMANITY

DATE: 04/20/12
DRAWN BY: J.F. EC
REVISIONS:

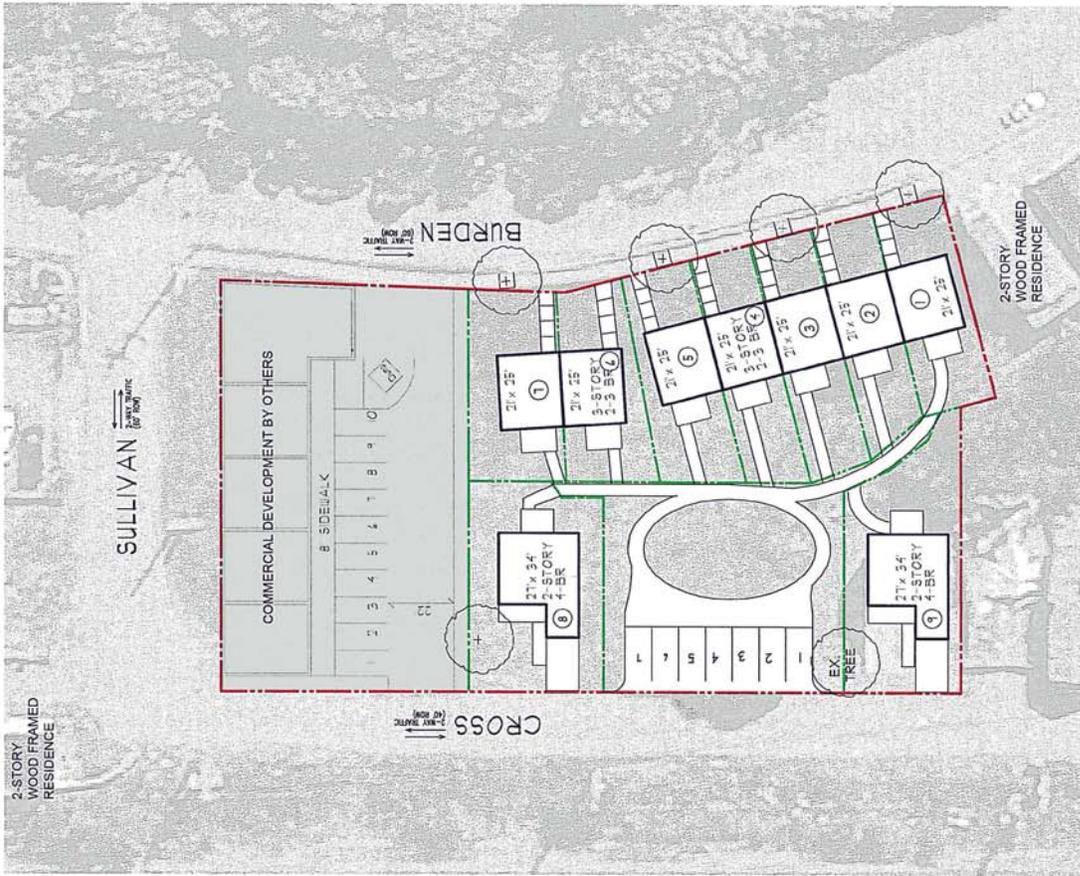
THP
TROY ARCHITECTURAL
PROGRAM, PC
210 RIVER ST.
TROY, NY 12180
(518) 274-3000

SHEET:
SPI
JOB: 123,009



KEY
--- EXISTING PROPERTY LINE

SITE PLAN
SCALE: 1" = 40'



GENERAL NOTES:

Property: 707, 709, 711, 713, 715, 717 & 719 Burden Avenue
1 and 2 Cross Street
Troy, NY 12180

Applicant: Capital District Habitat for Humanity
454 North Pearl Street
Albany, NY 12204

Owner: Same as applicant

Tax Map #: 111.68-3-3,4,5,6,28,29,30,31

Zoned: IND-Industrial

Lot Characteristics:
Lot Dimensions: N-134', S-166', E-163', W-165'
Lot Area: 24,625 SF +/- (.57 Acres)

Setbacks:	Required	Proposed
Front	20'-0"	20'-0"
Rear	30'-0"	Varies (9'-5" - 29'-9")
Sides	5'-0"	Varies
Min. Lot Area:	3,500 SF	Varies (1,591 SF - 3,117 SF)
Min. Lot Width:	50'-0"	Varies
Min. Lot Depth:	70'	Varies
Max. Lot Coverage %	50%	Varies

Building Type: As noted on site plan.

Current Property Use: Vacant Land

Proposal: Construct 7 attached houses w/ no garages on Burden Ave. and 2 detached houses w/ garages on Cross Street. Parking lot on Cross Street.

Parking: 2 spaces per unit on Cross Street
1 space per unit on Burden Avenue

Garbage Removal: Via City

Surface Drains: TBD

Lighting: Building mounted
All new taps into City water and sewer lines are to be done by City personnel using approved materials supplied by the applicant. The applicant will reimburse the City for labor and equipment costs associated with the utility taps.

This plan is based on information provided by the applicant, available Sanborn maps, Rensselaer County tax maps, and limited field measurements. A survey was not performed. These plans are not intended to provide information necessary to obtain a Building Permit.

TITLE: PROPOSED SITE PLAN

PROJECT: NEW HOUSES AT:
SOUTH TROY
BURDEN AVE & CROSS ST.
CLIENT: CAPITAL DISTRICT HABITAT FOR HUMANITY

DATE: 04/20/12
DRAWN BY: JF, EC
REVISIONS:
04/30/12
05/23/12

TROY ARCHITECTURAL PROGRAM, PC
210 RIVER ST.
TROY, NY 12180
(518) 274-3080

SHEET: SP2
JOB: 123,009

SITE PLAN
SCALE: 1/40

KEY
--- COMMON PROPERTY LINE
--- PROPOSED PROPERTY LINE



BURDEN AV

SULLIVAN ST

CROSS ST

HILLY ST



7100-7400

18-20

STAFF REPORT ZB2012-017

APPLICANT: Ruth Phillips

PROJECT DESCRIPTION:

ZB2012-017 Use Variance to allow for a nonconforming use related to a proposal to operate a dog daycare at 23 Lilac Lane, an R-2 Zone, ID 112.83-2-20. Applicant is Ruth Phillips, 23 Lilac Lane, Troy, NY 12180.

The applicant proposes to operate a Dog Daycare “Room to Run” on a fenced in 1 Acre Lot. The hours of operation are Monday – Saturday 6AM – 6PM. 15 dogs maximum are on site at one time. The applicant has operated in the location for 3 years with no issues or complaints.

Per Section 285-53 of the Zoning Ordinance, the use Dog Care / Boarding / Daycare is no an allowed use in the R-2 Zone. The applicant will require a USE VARIANCE to allow for a nonconforming use.

REQUEST:

Use Variance to allow for a nonconforming use.

Use 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:

Use Variance to allow for a nonconforming use.

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.





STAFF REPORT ZB2012-018

APPLICANT: Phi Epsilon Phi

PROJECT DESCRIPTION:

ZB2012-018 Use Variance to allow for the expansion of a nonconforming use related to a proposal to expand an existing fraternity at 58 Pinewoods Ave, an R-2 Zone, ID 112.33-3-6. Applicant is Phi Epsilon Phi, 58 Pinewoods Ave, Troy, NY 12180.

The applicant proposes to demolish a portion of a building and construct a 2500SF addition.

Per Section 285-54 of the Zoning Ordinance, the USE Fraternity is not an allowed USE. The applicant proposes an expansion of a nonconforming use therefore will require a USE Variance to allow for the expansion of the pre existing non conforming use.

REQUEST:

Use Variance to allow for expansion of a nonconforming use.

Use 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:

Use Variance to allow for expansion of a nonconforming use.

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.

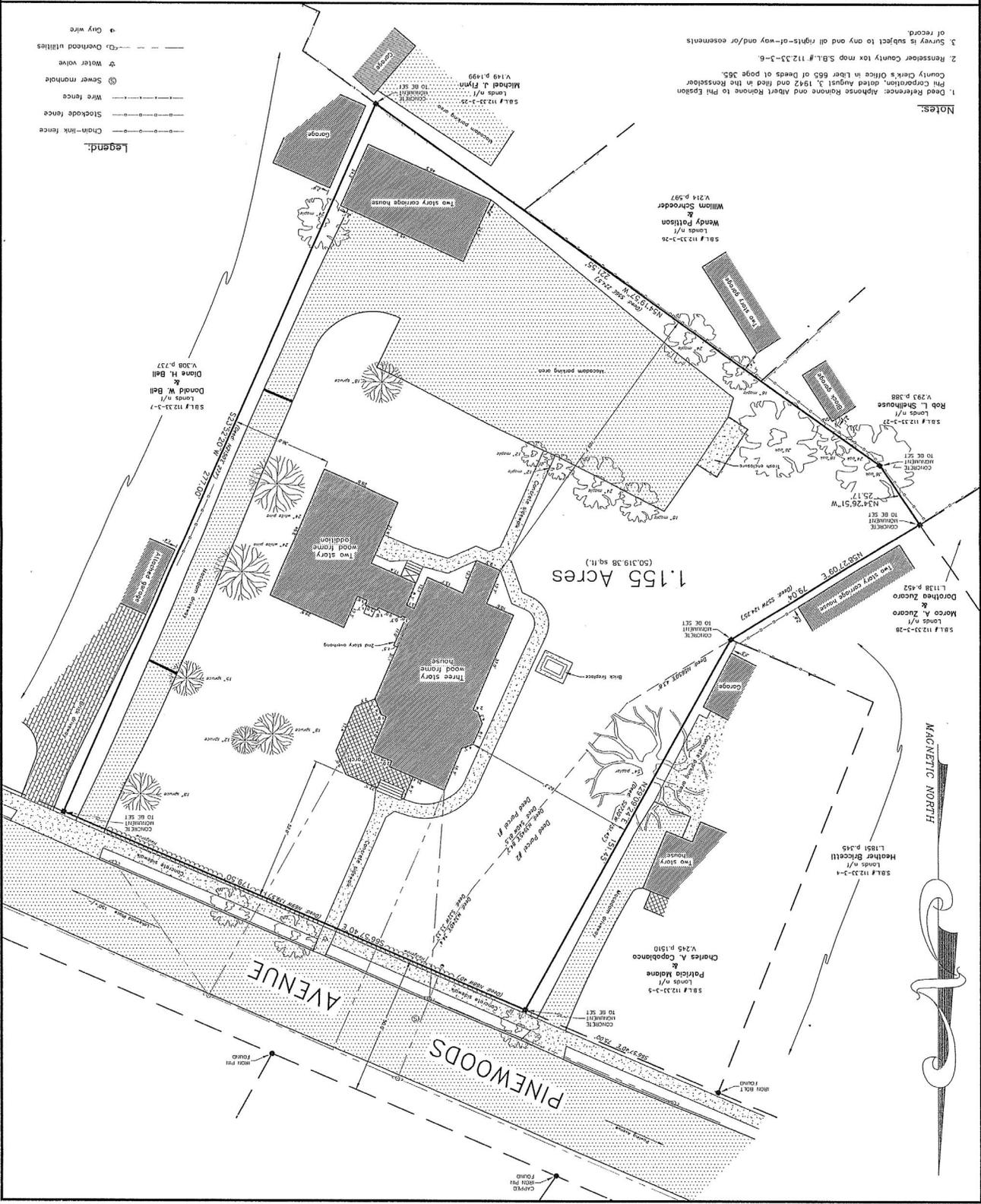
**SURVEY MAP OF LANDS OF
PHI EPSILON PHI
CORPORATION**
AT 28 PINWOODS AVENUE, TROY, N.Y. 12180

DRAWN BY: MMS	CITY OF: TROY	SCALE: 1" = 20'
CHECKED BY: ACS	COUNTY OF: RENSSELAER	DWG. NO.: 6973
BATE: 06/08/09	STATE OF: NEW YORK	REV: 0

SANTO ASSOCIATES
LAND SURVEYING AND ENGINEERING, P.C.
1 GLENN PARK - SUITE 100
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FRONT VIEW

SIGMA CHI HOUSE
RENSSELAER POLY TECH
TROY, NEW YORK

ROBERT CUNNINGHAM - ARCHITECT
573/446-0000