



**Jay Vandenburg**  
Chairperson  
Phone (518) 279-7168  
Fax (518) 270-4642

**William Dunne**  
Commissioner  
Phone (518) 279-7166  
Fax (518) 270-4609

**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 February 5, 2013** in the 5<sup>th</sup> Floor Planning Department Hearing Room of the The Hedley Building, to act upon the following requests for approvals and appeals from decisions made by the Bureau of Code Enforcement of said City of Troy.

**Use Variance**

**ZB2013-001** Use Variance to allow for a nonconforming use related to a proposal to occupy a vacant church as a fraternity at 82 Third Street, a B-4 Zone, ID101.53-14-8. Applicant is Redmond Griffin, 22 1<sup>st</sup> 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 ZB2013-001**

APPLICANT: Redmond Griffin

**PROJECT DESCRIPTION:**

**ZB2013-001** Use Variance to allow for a nonconforming use related to a proposal to occupy a vacant church as a fraternity at 82 Third Street, a B-4 Zone, ID 101.53-14-8. Applicant is Redmond Griffin, 22 1<sup>st</sup> Street, Troy, NY 12180.

**Per Section 285-61 of the Zoning Ordinance** the use fraternity is not an allowed use. A use variance is required to occupy the space as a fraternity.

**PLANNING BOARD HISTORY:** Approved as charter school May 2008

**PRIOR ZONING BOARD HISTORY:**

**REQUEST:**

**Use Variance** to allow for a non conforming use (fraternity)

Use Variance

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.

Based on the information provided by the applicant there are no other zoning deficiencies or violations.

**APPROVALS NEEDED:**

**Use Variance** to allow for a fraternity

**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.

**GENERAL NOTES:**

Property: 82 Third Street  
Troy, NY 12180

Applicant: The House Corporation of  
Phi Gamma Delta at Rensselaer

Owner: First Baptist Church

Tax Map #: 101.53-14-8

Zoned: B-4, Central Commercial

Lot Characteristics:  
Lot Dimensions: N = 130', S = 65', E = 125', W = 75'  
Lot Area: 13,000 SF +/- (.30 Acres)

Setbacks:  
Front: 0'-0" Existing  
Rear: 20'-0" Existing  
Sides: 0'-0" Existing

Min. Lot Area: N/A Existing  
Min. Lot Width: N/A Existing  
Max. Lot Coverage: 80% Existing  
Building Height: 85'-0" max Existing

Building Type: Brick church building  
Current Property: First Baptist Church  
Use: Convert the former First Baptist Church into a fraternity

Garbage Removal: None required  
Surface Drains: Existing  
Snow Removal: To be stored on site  
Signage: To conform to zoning regulations  
Lighting: Existing building mounted

This plan is based on information provided by the applicant, including zoning maps, Rensselaer County tax maps, and other information. The accuracy of this information is not guaranteed. The applicant is responsible for providing information necessary to obtain a Building Permit.

DATE: 01/21/19  
DRAWN BY: EC  
CHECKED BY: EC  
SCALE: 1"=30'-0"

PROJECT: ZONING AND PLANNING APPLICATION FOR:  
82 THIRD STREET  
TROY, NY 12180  
THE HOUSE CORP OF PHI  
GAMMA DELTA AT RENSSELAER

CLIENT:  
THE HOUSE CORP OF PHI  
GAMMA DELTA AT RENSSELAER

DATE: 01/21/19  
DRAWN BY: EC  
CHECKED BY: EC  
SCALE: 1"=30'-0"

**GENERAL NOTES:**

Property: 82 Third Street  
Troy, NY 12180

Applicant: The House Corporation of  
Phi Gamma Delta at Rensselaer

Owner: First Baptist Church

Tax Map #: 101.53-14-8

Zoned: B-4, Central Commercial

Lot Characteristics:  
Lot Dimensions: N = 130', S = 65', E = 125', W = 75'  
Lot Area: 13,000 SF +/- (.30 Acres)

Setbacks:  
Front: 0'-0" Existing  
Rear: 20'-0" Existing  
Sides: 0'-0" Existing

Min. Lot Area: N/A Existing  
Min. Lot Width: N/A Existing  
Max. Lot Coverage: 80% Existing  
Building Height: 85'-0" max Existing

Building Type: Brick church building  
Current Property: First Baptist Church  
Use: Convert the former First Baptist Church into a fraternity

Garbage Removal: None required  
Surface Drains: Existing  
Snow Removal: To be stored on site  
Signage: To conform to zoning regulations  
Lighting: Existing building mounted

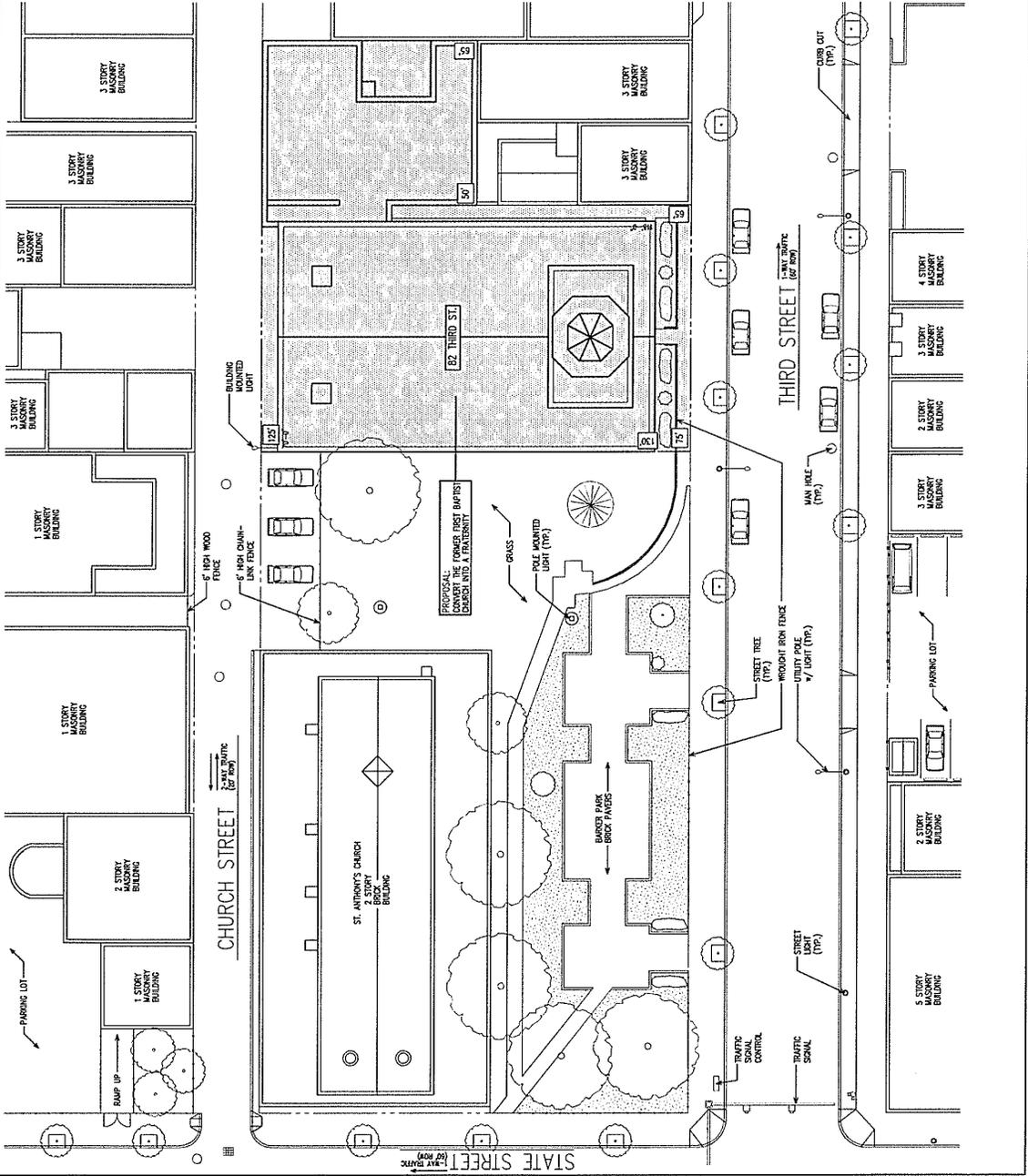
This plan is based on information provided by the applicant, including zoning maps, Rensselaer County tax maps, and other information. The accuracy of this information is not guaranteed. The applicant is responsible for providing information necessary to obtain a Building Permit.

DATE: 01/21/19  
DRAWN BY: EC  
CHECKED BY: EC  
SCALE: 1"=30'-0"

PROJECT: ZONING AND PLANNING APPLICATION FOR:  
82 THIRD STREET  
TROY, NY 12180  
THE HOUSE CORP OF PHI  
GAMMA DELTA AT RENSSELAER

CLIENT:  
THE HOUSE CORP OF PHI  
GAMMA DELTA AT RENSSELAER

DATE: 01/21/19  
DRAWN BY: EC  
CHECKED BY: EC  
SCALE: 1"=30'-0"



**SPI**

SITE PLAN

SCALE: 1:30

SHEET: 103.01