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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 March 5, 2013** in the 5th Floor Planning Department Hearing Room of 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

ZB2013-002 Use Variance and Major Area Variance to allow for a non conforming use with a parking deficiency related to a proposal to occupy a vacant warehouse with a light manufacturing and packaging facility at 598-600 4th Street an R-4 Zone, ID 111.52-9-1. Applicant is Peter Rezey, 37 Maple Lane, Stillwater, NY 12170.

Major Area Variance

ZB2013-003 Major Area Variance to allow for a parking deficiency related to a proposal to occupy a vacant storefront with a bottle redemption center at 408 Washington Street, a B-5 Zone, ID 101.69-11-6. Applicant is Bill Crandall, 313 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 ZB2013-002

APPLICANT: Peter Rezey

PROJECT DESCRIPTION:

ZB2013-002 Use Variance and Major Area Variance to allow for a non conforming use with a parking deficiency related to a proposal to occupy a vacant warehouse with a light manufacturing and packaging facility at 598-600 4th Street an R-4 Zone, ID 111.52-9-1. Applicant is Peter Rezey, 37 Maple Lane, Stillwater, NY 12170.

PLANNING BOARD HISTORY: City Council Approved Sale of City Property February 2013.

PRIOR ZONING BOARD HISTORY:

REQUEST:

Use Variance to allow for a non conforming use
Major Area Variance to allow for a parking deficiency of 5 spaces.

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 non conforming use.
Major Area Variance to allow for a parking deficiency of 5 spaces.

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.

GENERAL NOTES:

Property : 598-600 Fourth Street
Troy, NY 12180

Applicant : Peter Rezey (Prospective Owner)
P.O. Box 281
Troy, NY 12181

Owner : City of Troy

Tax Map #: 111.52-9-1

Zoned: R-4, Urban Neighborhood Residential,
Med-High Density

Lot Characteristics:

Lot Dimensions: N-88.65', S-89', E-57', W-51.2'
Lot Area: 4,796 SF +/- (0.11 Acres)

Setbacks:	Required	Existing
Front	10'-0"	0'-0"
Rear	20'-0"	20'-6" +/-
Sides	10'-0" total	5'-6" +/-

Min. Lot Area: 4,000 SF 4,796 SF
Min. Lot Width @ Building Line: 40'-0" 51.2'
Max. Lot Coverage %: 60% 80%
Building Height: 40'-60' 25'-0" +/-

Building Type: 598 4th St - 2 story brick building
600 4th St - 1 story conc. block building

Current Property Use: Both buildings are currently vacant

Proposal : Renovate and use for assembly of scrubbing pads

Parking : No off-street parking

Garbage Removal: Commercial pickup, dumpster or trash cans behind building

Surface Drains: Existing

Snow Removal: To be stored on site

Signage: To conform to zoning ordinance requirements

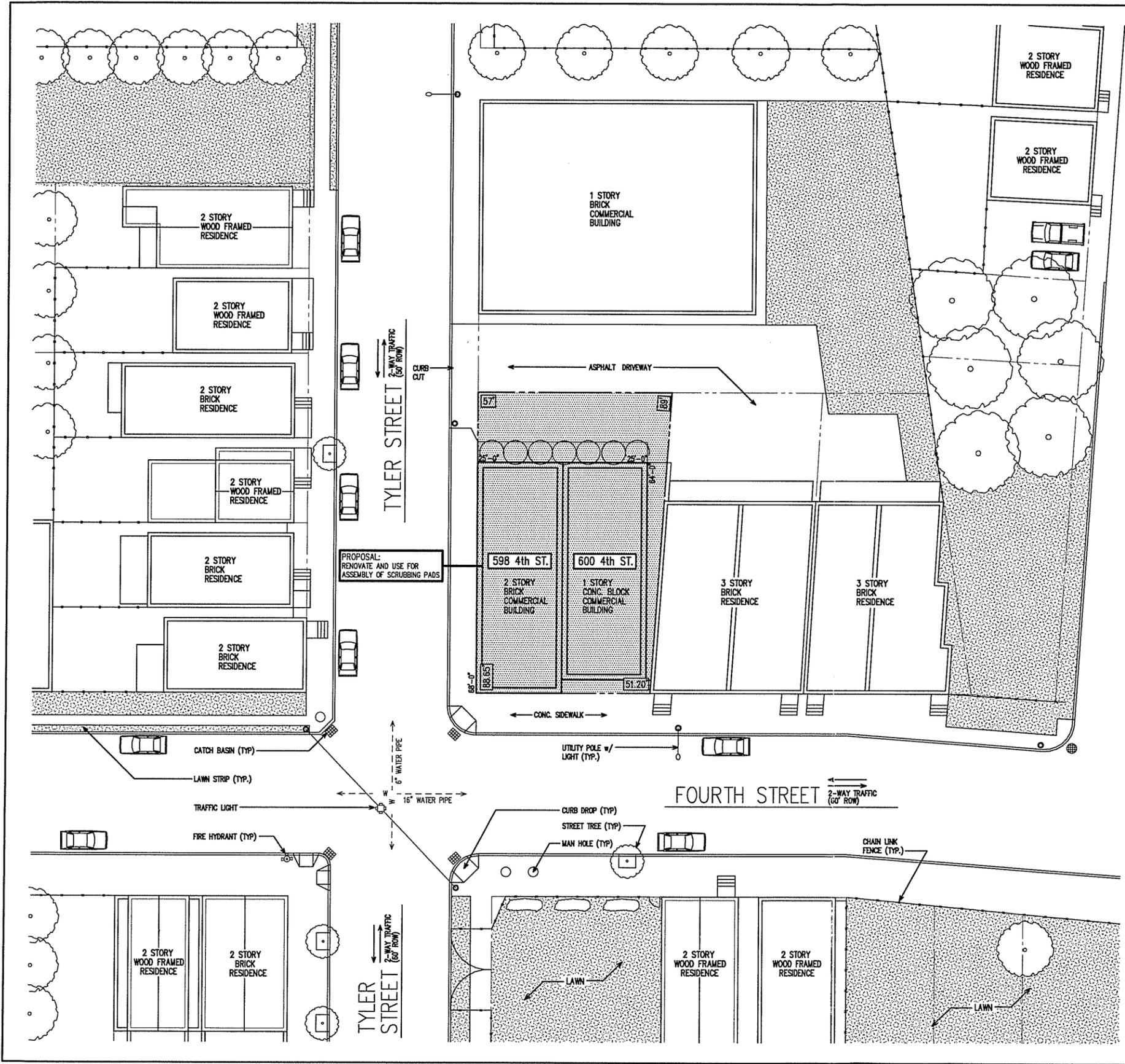
Lighting: Existing building mounted

Hours of Operation: Mon.-Fri. 9AM-5PM
Deliveries off 4th Street

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.

SITE PLAN

SCALE: 1:30



TITLE: **SITE PLAN**
SCALE: 1"=30'-0"

PROJECT: ZONING AND PLANNING APPLICATION FOR:
**598-600 FOURTH STREET
TROY, NY 1280**
CLIENT: **PETER REZEY**

DATE: 02/01/13
DRAWN BY: EC
REVISIONS:

TROY ARCHITECTURAL PROGRAM, PC
210 RIVER ST.
TROY, NY 12180
(518) 274-3050

SHEET: **SP1**
JOB: 133,010

STAFF REPORT ZB2013-003

APPLICANT: Bill Crandall

PROJECT DESCRIPTION:

ZB2013-003 Major Area Variance to allow for a parking deficiency related to a proposal to occupy a vacant storefront with a bottle redemption center at 408 Washington Street, a B-5 Zone, ID 101.69-11-6. Applicant is Bill Crandall, 313 1st Street, Troy, NY 12180.

PLANNING BOARD HISTORY:

PRIOR ZONING BOARD HISTORY:

REQUEST:

Major Area Variance to allow for a parking deficiency of 3 spaces

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:

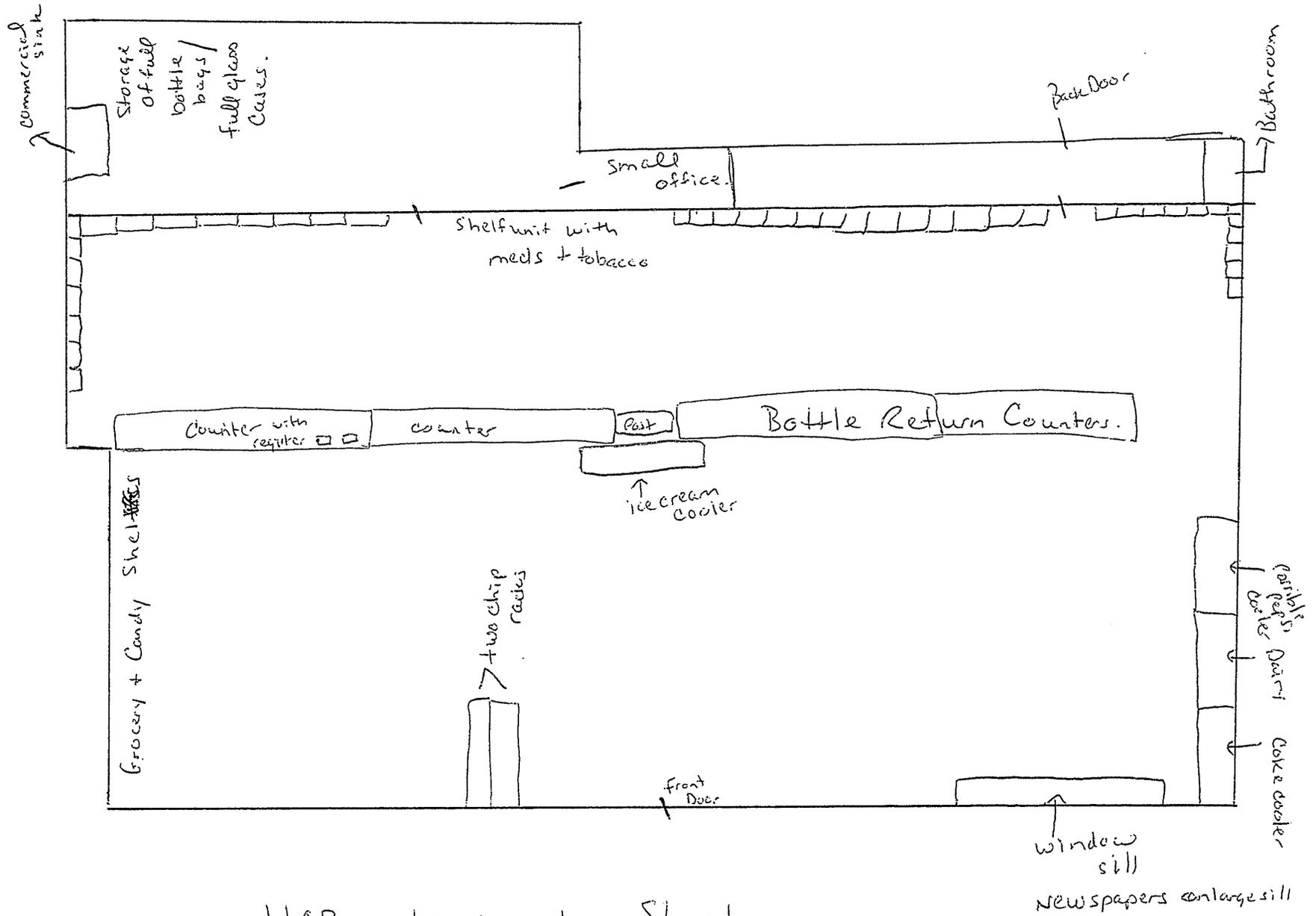
1. That the land, property, structure or building in question cannot yield a reasonable economic return if used only for a purpose allowed in the zone; and
2. That the need for the variance was not caused by the applicant; and
3. That the use to be authorized by the variance shall not alter the essential 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:

Major Area Variance to allow for a parking deficiency of 3 spaces

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.



408 Washington Street