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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 4, 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.

Major Area Variance

ZB2013- 009 Major Area Variance to allow for the conversion of a single family home to a 2 family home located at 348 9th Street, an R-2 Zone, ID 90.79-5-49. Applicant is David Kellog, 348 9th Street, Troy, NY 12182.

ZB2013-010 Major Area Variance to allow for the conversion of a 2 family home into a 3 family home located at 37 Desson Ave, an R-1 Zone, ID112.59-2-6. Applicant is Stacy Schafer, 18 Taborton Road, West Sand Lake, NY 12153.

B2013-011 Major Area Variance to allow for the conversion of a carriage house into an apartment located at 132 3rd Street, a B-4 Zone, ID101.61-11-32. Applicant is Jaqueline Kello, 132 3rd Street, Troy, NY 12180 **Removed**

ZB2013-012 Major Area Variance to allow for the conversion of a single family home to a 2 family home located at 1645 Tibbits Ave, an R-1 Zone, ID 101.72-4-13. Applicant is Ruth Morgan, 206 Drummond Road, Deland Florida, 32724.

ZB2013-008 Use Variance to allow for a nonconforming use related to a proposal to occupy a vacant building as an adult establishment. Project location is 520 5th Ave, a B-2 Zone, ID 80.64-6-19. Applicant is Jack Cox, 9 Douw Street, Troy, NY 12180. **PENDING**

Additional information regarding the above listed actions is available in the Department of Planning and Community Development located on the Fifth floor Troy City Hall, 433 River Street, 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 ZB2013-009

APPLICANT: David Kellog

PROJECT DESCRIPTION:

ZB2013- 009 Major Area Variance to allow for the conversion of a single family home to a 2 family home located at 348 9th Street, an R-2 Zone, ID 90.79-5-49. Applicant is David Kellog, 348 9th Street, Troy, NY 12182.

Per Section 285-91 of the Zoning Ordinance, The use, *residential unit* requires 2 parking space per unit. The applicant proposes 2 units therefore is required 4 spaces. The applicant provides 0 off street parking spaces. The applicant will require a Major Area Variance to allow for a parking deficiency of 4 spaces.

REQUEST:

Major Area Variance to allow for a parking deficiency.

Major Area Variance

In order to have a project approved that requires that an Area Variance be granted by the Z.B.A. all applicants must prove "Practical Difficulty" as it applies to the project.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (3) Whether the requested area variance is substantial;
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

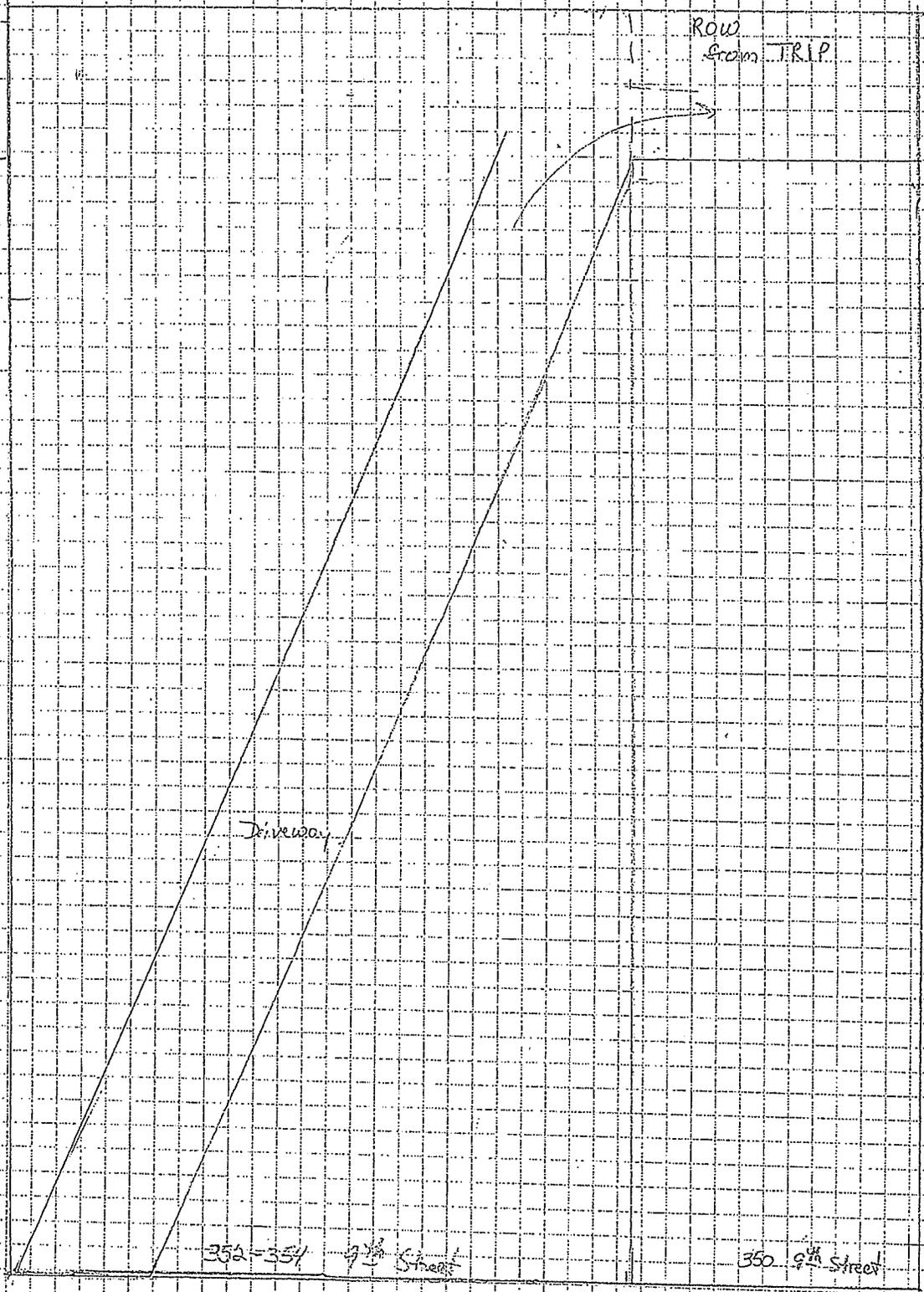
Based on the information provided by the applicant there are no other zoning deficiencies or violations

APPROVALS NEEDED:

Major Area Variance to allow for a parking deficiency.

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.

Kerraine Kellogg
352-354 9th Street



ROW
Grain TRIP

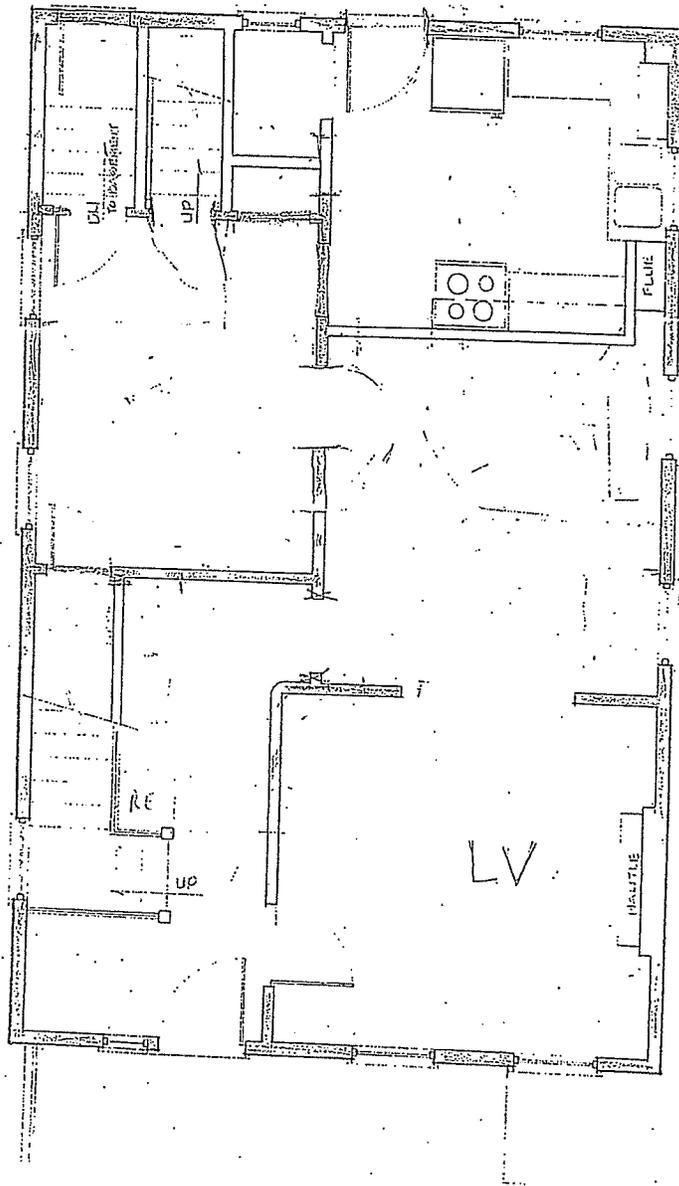
Driveway

352-354 9th Street

350 9th Street

Sidewalk

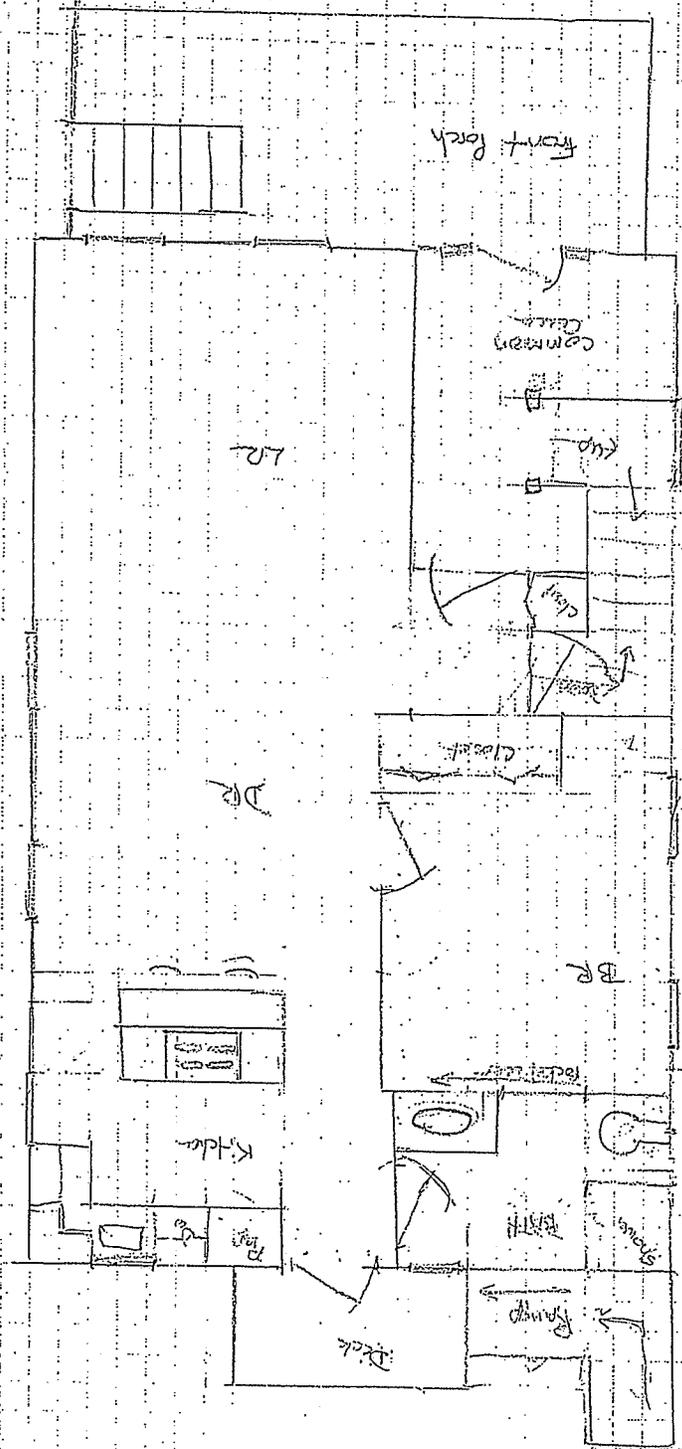
Projected Use



1st Floor
"Before"
(As Is)

A 25

1st Floor
"Apt. 11"

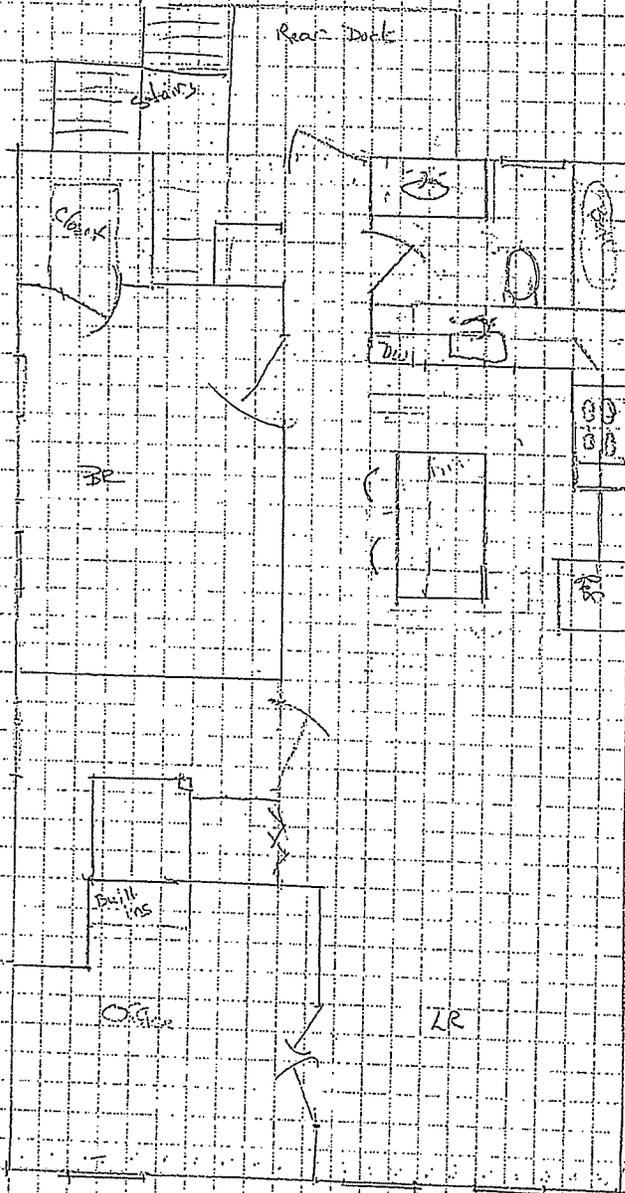


3/8 9th St
Troy, Mich
48063

318 9th St.
Troy, NY

Lorraine Kellies

2nd Floor
"As Is"

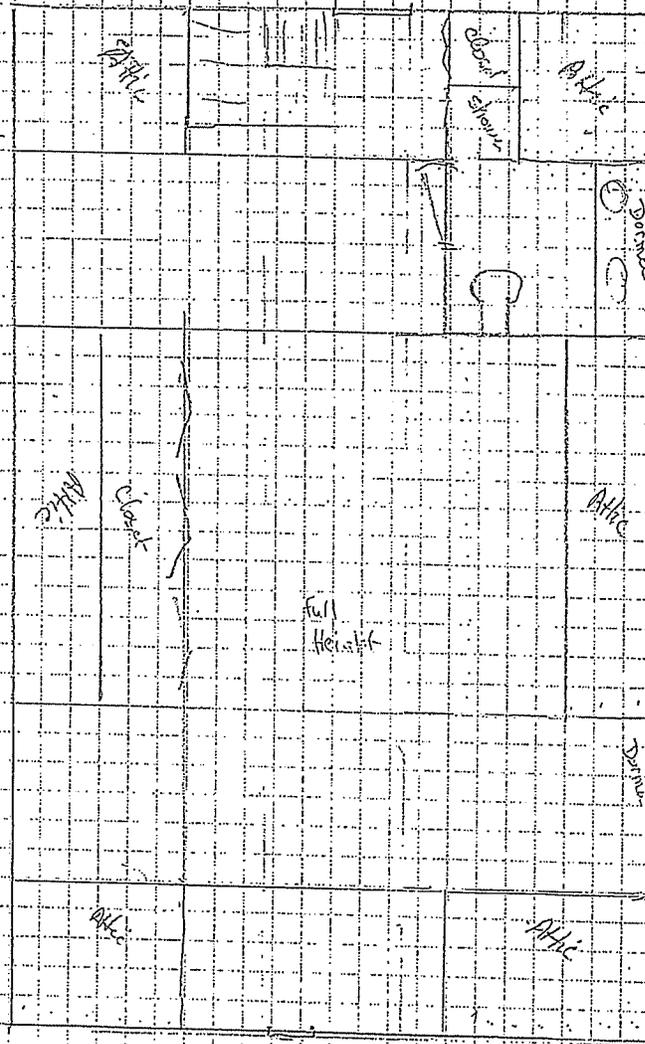


348 9th St
Troy, NY
Kerrin Kellous

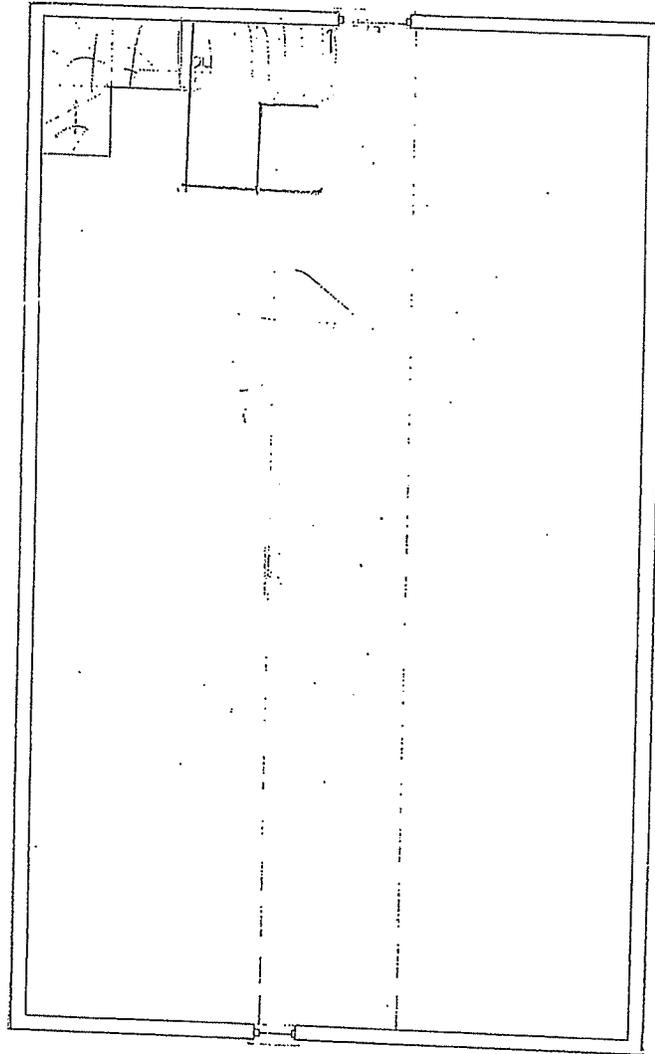
"Athen" plan

3rd Floor Attic

Master Suite



3rd Floor
Attic
"Before"



ATTIC
1/4" = 1'-0"

CLG. HGT.
6'-8"

STAFF REPORT ZB2013-010

APPLICANT: Stacy Schafer

PROJECT DESCRIPTION:

ZB2013-010 Major Area Variance to allow for the conversion of a two family home to a three family home located at 37 Desson Ave, an R-1 Zone, ID112.59-2-6. Applicant is Stacy Schafer, 18 Taborton Road, West Sand Lake, NY 12153.

Per Section 285-52 of the Zoning Ordinance, The use, *3 family home* is not an allowed use in the R-1 Zone. The applicant requires a major Area Variance to allow for a 3 family home in the R-1 Zone.

REQUEST:

Major Area Variance to allow for a 3 family home

Major Area Variance

In order to have a project approved that requires that an Area Variance be granted by the Z.B.A. all applicants must prove "Practical Difficulty" as it applies to the project.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (3) Whether the requested area variance is substantial;
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

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 three family home.

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.

37 Dession Ave Troy NY

myrs Plog & Stacy Schaffer
419-8834

Two Family Home 1968 sq. ft.

Owner Occupied
Income property

"Double Corner lot" 8276 square ft.

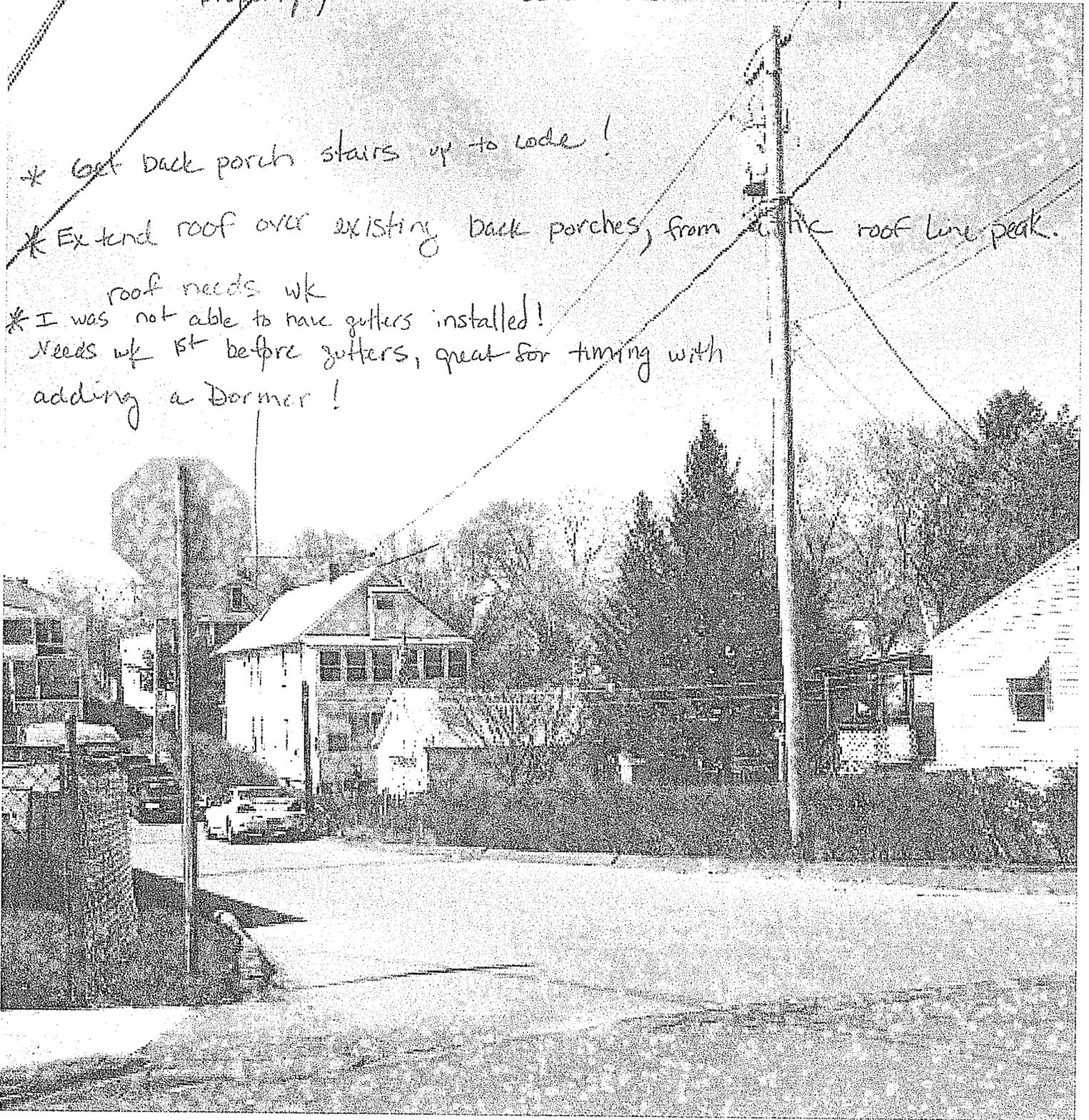
* Get back porch stairs up to code!

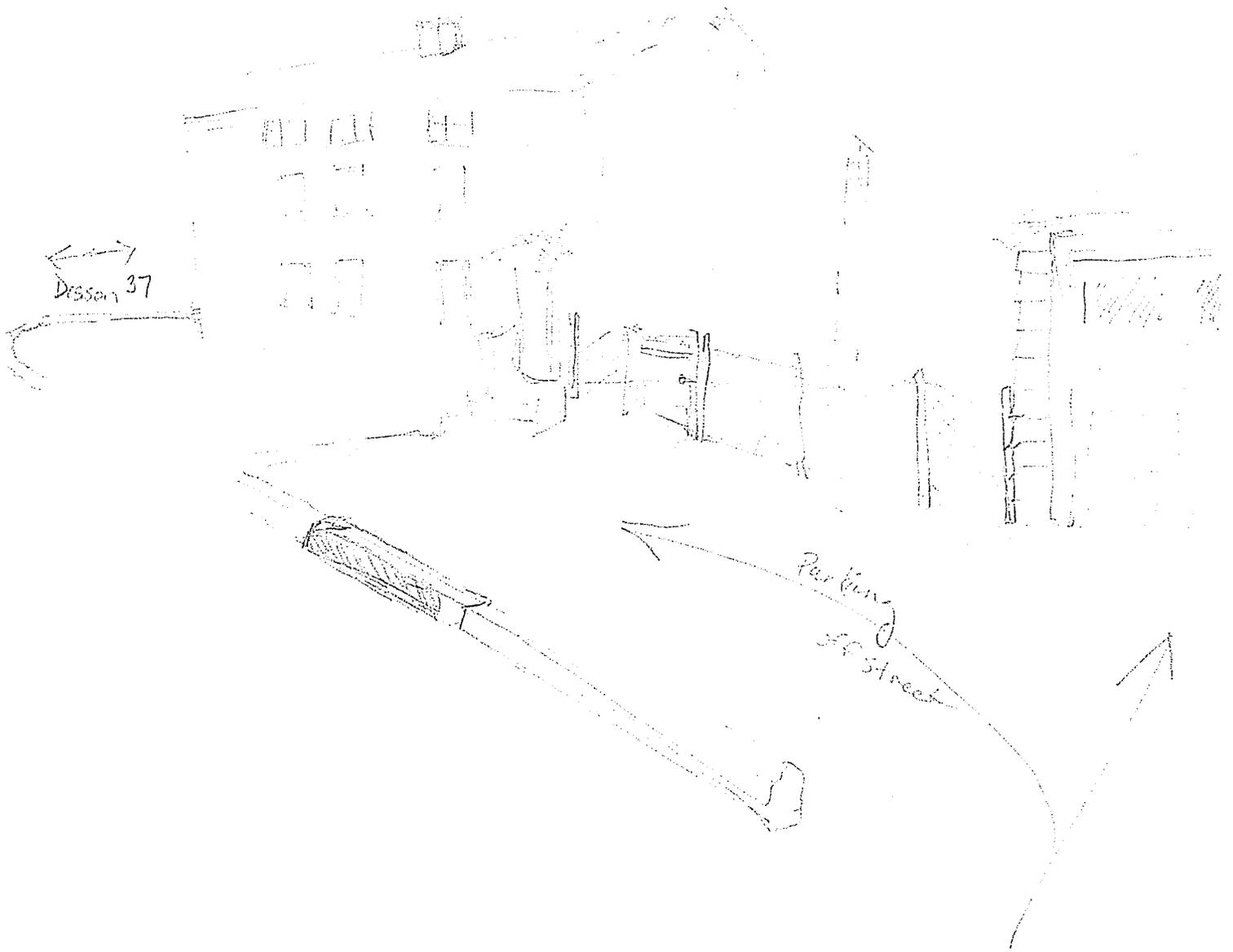
* Extend roof over existing back porches, from the roof line peak.

roof needs wk

* I was not able to have gutters installed!

Needs wk bt before gutters, great for timing with adding a dormer!





Dessan 37

Parking
5th Street

STAFF REPORT ZB2013-011

APPLICANT: Jaqueline Kello

PROJECT DESCRIPTION:

B2013-011 Major Area Variance to allow for the conversion of a carriage house into an apartment located at 132 3rd Street, a B-4 Zone, ID101.61-11-32. Applicant is Jaqueline Kello, 132 3rd Street, Troy, NY 12180

Per Section 285-91 of the Zoning Ordinance, residential unit requires 1.5 spaces per existing unit and 2 spaces per newly created units. The applicant has 4 existing units and proposes an additional unit in the carriage house therefore the applicant will be required to provide 8 spaces. The applicant provides 2 spaces therefore is deficient 6 spaces. The applicant will require a Major Area Variance to allow for a parking deficiency of 6 spaces.

REQUEST:

Major Area Variance to allow for a parking deficiency

Major Area Variance

In order to have a project approved that requires that an Area Variance be granted by the Z.B.A. all applicants must prove "Practical Difficulty" as it applies to the project.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

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- (3) Whether the requested area variance is substantial;
- (4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

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

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.

STAFF REPORT ZB2013-012

APPLICANT: Ruth Morgan

PROJECT DESCRIPTION:

ZB2013-012 Major Area Variance to allow for the conversion of a single family home to a 2 family home located at 1645 Tibbits Ave, an R-1 Zone, ID 101.72-4-13. Applicant is Ruth Morgan, 206 Drummond Road, Deland Florida, 32724.

Per Section 285-52 of the Zoning Ordinance, The use, *2 family home* is not an allowed use in the R-1 Zone. The applicant requires a Major Area Variance to allow for a 2 family home in the R-1 Zone.

REQUEST:

Major Area Variance to allow for a 2 family home

Major Area Variance

In order to have a project approved that requires that an Area Variance be granted by the Z.B.A. all applicants must prove "Practical Difficulty" as it applies to the project.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the area variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:

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- (2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (3) Whether the requested area variance is substantial;
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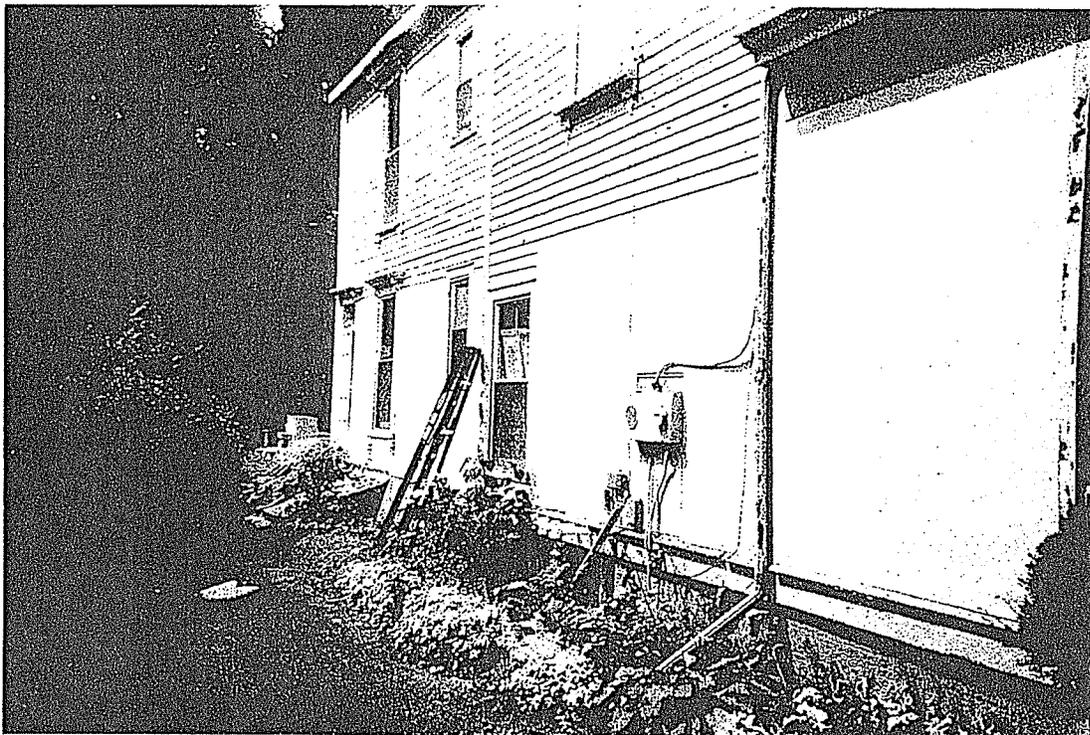
Based on the information provided by the applicant there are no other zoning deficiencies or violations

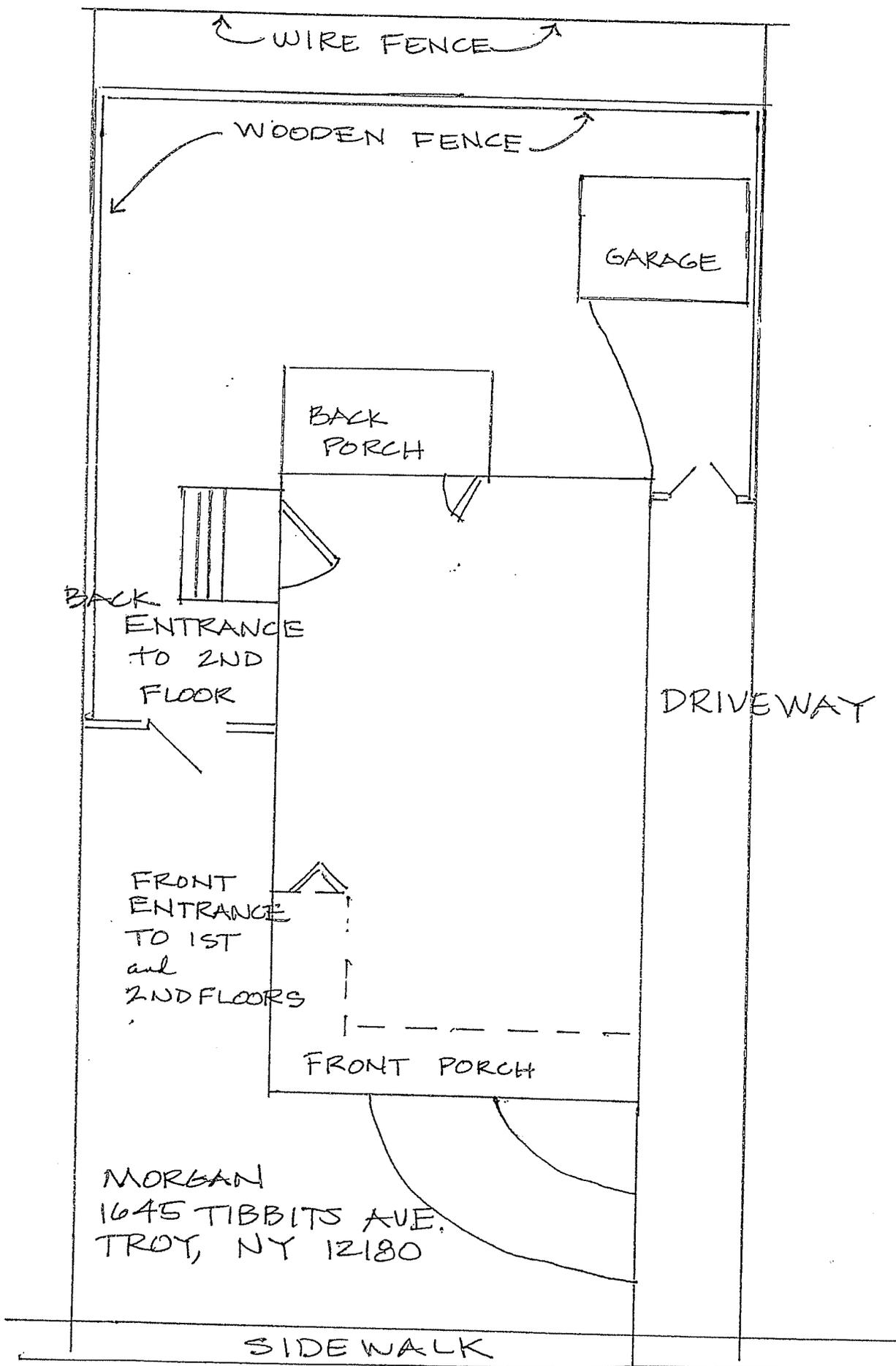
APPROVALS NEEDED:

Major Area Variance to allow for a two family home.

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.

MORGAN, R
1645 TIBBITS AVE
TROY, NY 12180
(518) 330-7830





WIRE FENCE

WOODEN FENCE

GARAGE

BACK PORCH

BACK ENTRANCE TO 2ND FLOOR

DRIVEWAY

FRONT ENTRANCE TO 1ST and 2ND FLOORS

FRONT PORCH

MORGAN
1645 TIBBITS AVE.
TROY, NY 12180

SIDEWALK

