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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 **August 5, 2014** 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.

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.

ZB2014-016 Use Variance to allow for the expansion of a nonconforming use related to a proposal to convert a 3 unit building into a 4 unit building located at 541 3rd Ave, an R-1 Zone, ID80.55-6-10. Applicant is Simon Balint, 493 6th Ave, Troy NY 12182.

ZB2014-020 Major Area variance to allow for a parking deficiency related to a proposal to occupy a vacant factory building with 67 apartments at 599 River Street, a HWD Zone, ID 101.22-1-4. Applicant is Dave Sadowsky for Community Builders, 97 Maxon Road, Petersburg, NY 12138.

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 ZB2014-016

APPLICANT: Simon Balint

PROJECT DESCRIPTION:

Zb2014-016 Use Variance to allow for the expansion of a nonconforming use related to a proposal to convert a 3 unit building (2 residential / 1 commercial) into a 4 unit residential building located at 541 3rd Ave, an R-1 Zone, ID80.55-6-10. Applicant is Simon Balint, 493 6th Ave, Troy NY 12182.

Per Section 285-59 of the Zoning Ordinance, the “USE” multi family is not allowed in the R-1 Zone. Currently a dental office and residential units make up the building. The applicant proposes to occupy the space with 4 units. The applicant will require a USE VARIANCE to expand a nonconforming use in the R-1

REQUEST:

Use Variance to allow for the expansion of a nonconforming use

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:

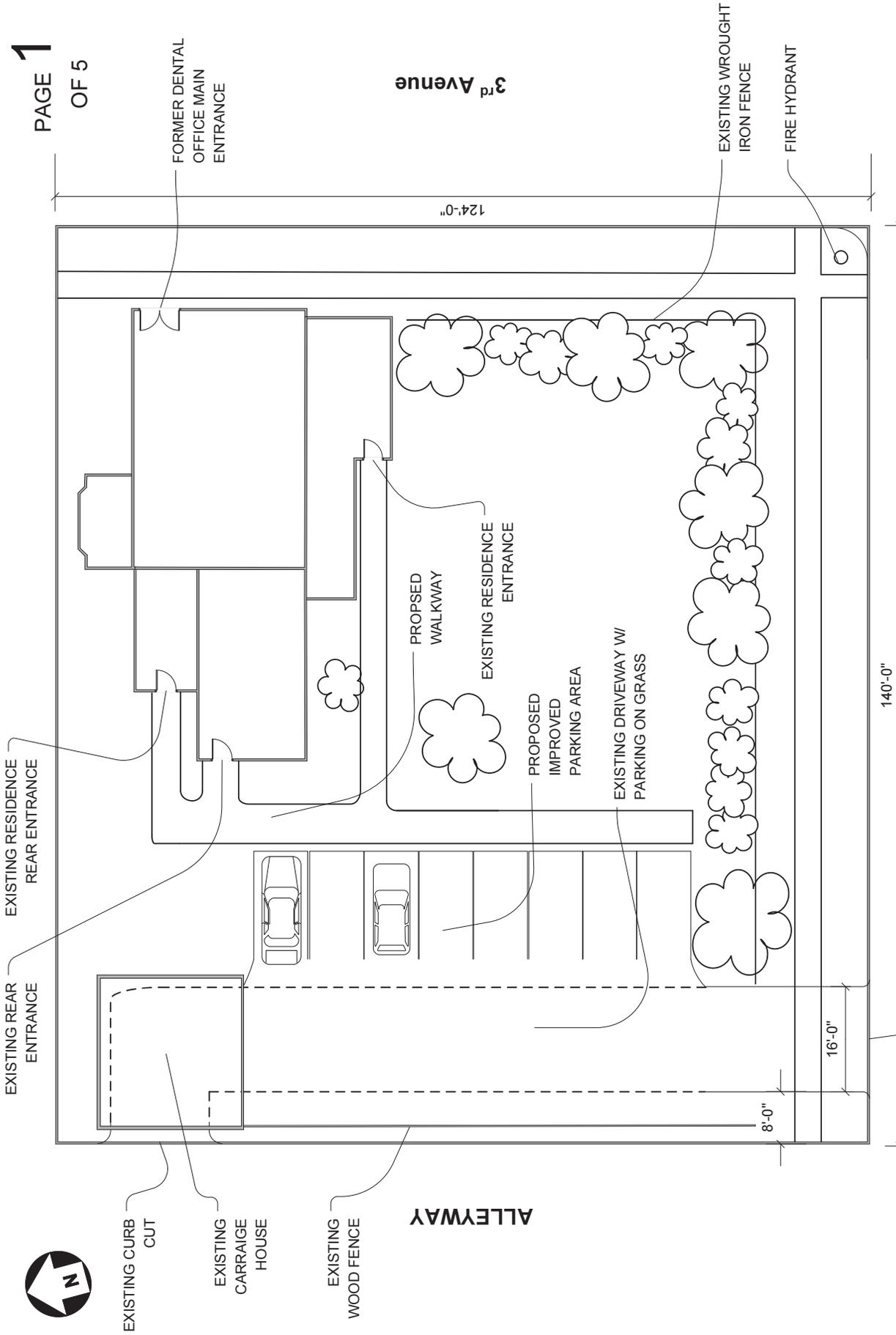
1. That the land, property, structure or building in question cannot yield a reasonable economic return if used only for a purpose allowed in the zone; and
2. That the need for the variance was not caused by the applicant; and
3. That the use to be authorized by the variance shall not alter the essential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

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.



541 3rd Avenue
 Troy, NY 12182
 PROPOSED FOUR
 APARTMENTS -
 ONE AND TWO BEDROOM

114th Street
SITE PLAN

Scale: 3/64" = 1'-0"

STAFF REPORT ZB2014-020

APPLICANT: Dave Sadowsky

PROJECT DESCRIPTION:

ZB2014-020 Major Area variance to allow for a parking deficiency related to a proposal to occupy a vacant factory building with 67 apartments at 599 River Street, a HWD Zone, ID 101.22-1-4. Applicant is Dave Sadowsky for Community Builders, 97 Maxon Road, Petersburg, NY 12138.

Per Section 285-91 of the Zoning Ordinance, each new residential unit requires 1.25 spaces off-street parking.. The applicant proposes to construct 67 units each requiring 1.25 spaces requiring a total of 84 spaces. The applicant proposes to provide 51 spaces therefore is deficient 33 spaces. The applicant will need a Major Area Variance to allow for a parking deficiency of 33 spaces.

REQUEST:

Major Area Variance to allow for a parking deficiency of 33 spaces

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:

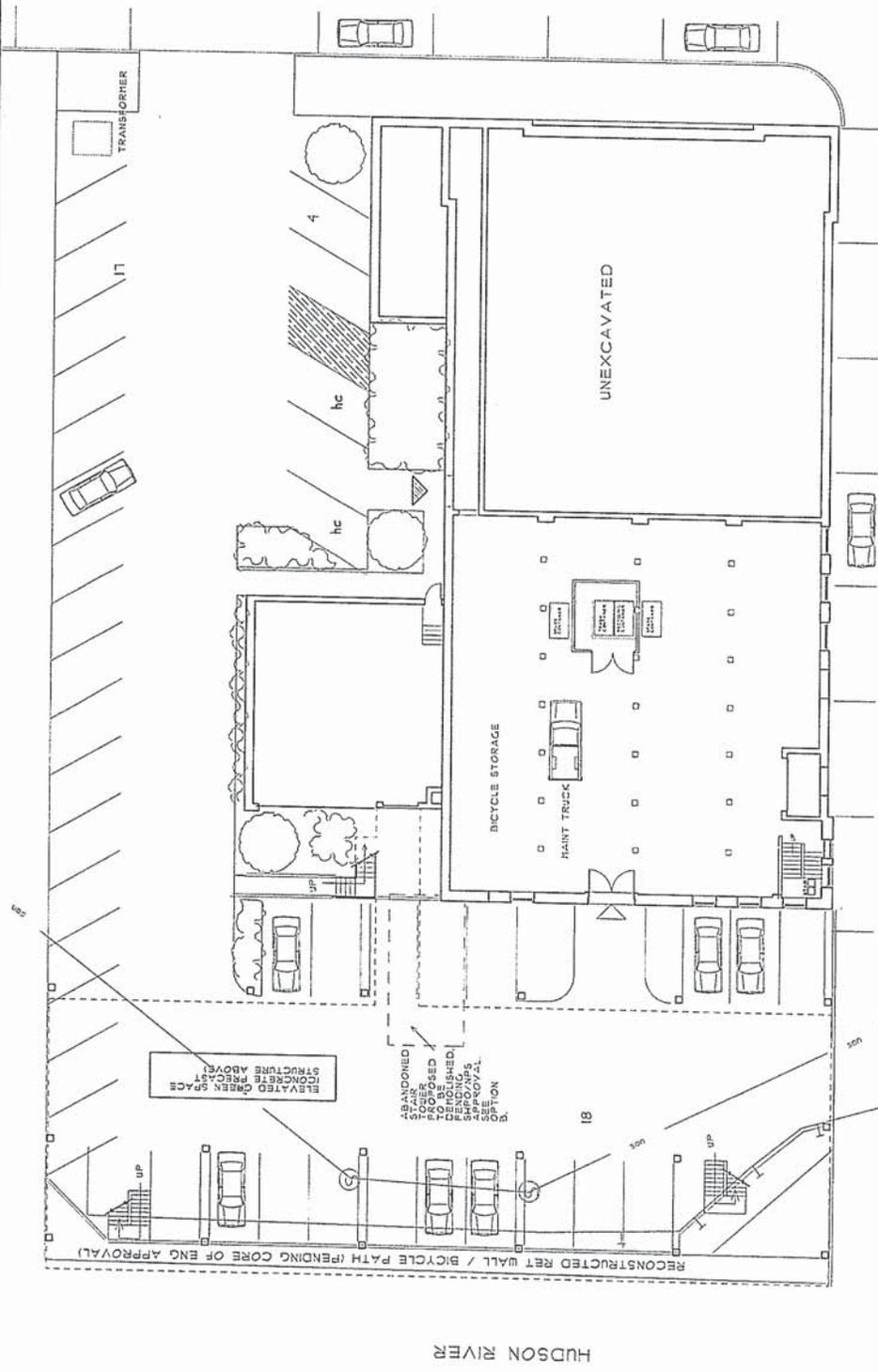
Major Area Variance to allow for a parking deficiency

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.

A. PRIMARY OPTION
 46 SPACES + 5 ON RIVER
 ST = 51 SPACES

B. SECONDARY OPTION
 IF SHPO / NPS REQUIRES
 EXISTING AIR TOWER
 REMAIN, PARKING WILL BE
 REDUCED BY (3) SPACES =
 48 SPACES.

RIVER STREET



DATE: 1/12/2018
 DRAWN BY: DLS
 JOB #: 14-05
 SCALE: AS NOTED
 DRAWING #: PK-1

progress
 print

MOORADIANS HOUSING
 599 River Street, Troy, NY
 PARKING PLAN
 ADAPTIVE REUSE - SCHEMATIC DESIGN

dave sodowsky, architect, p.c.
 37 maven road, peterborough new york 12138
 "specially conscious" design (518)658-2830
 dave@sodowskyarchitect.com

*dimensions take precedence over scale
 *contractor to field verify all conditions, and dimensions and is responsible for same
 *contractor shall assume the presence of lead, due to age of building, and shall comply
 with all applicable regulations and owner's licensed specialized consultant