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

THE CITY OF
TROY

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 **October 7, 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.

Major Area Variance

ZB2014-022 Major Area Variance to allow for a parking deficiency related to a proposal to convert a single family homeinto a two family home at 216 9th Street, an HCD Zone, ID 101.31-9-23. Applicant is Walter Urzan, 288.5 Tenth Street, Troy, NY 12180.

Minor Area Variance

ZB2014-025 Minor Area Variance to allow for a side setback deficiency related to a proposal to construct a storage overhang at 1721 Tibbits Ave, an R-1 Zone, ID 101.73-3-15.2. Applicant is Douglas Billingham, 1721 Tibbits Ave, Troy, NY 12180

Use Variance

ZB2014-024 Use Variance to allow for a nonconforming use related to a proposal to occupy a former restaurant as a tattoo parlor at 2801 Sixth Ave, a B-5 Zone, ID 90.78-1-5. Applicant is Scott Sawyer, 24 Lindeman Way, Poestenkill, NY 12140.

ZB2014-026 Use variance to allow for a nonconforming use that exceeds density requirements related to a proposal to construct residential units below the second floor line in the Central Business District at 21 First Street, a B-4 Zone, ID100.604-2. Applicant is YWCA, 21 First Street, Troy, NY 12180.

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 Vandenburgh, Chairperson Andrew Petersen, Executive Secretary

STAFF REPORT ZB2014-022

APPLICANT: Walter Urzan

PROJECT DESCRIPTION:

ZB2014-022 Major Area Variance to allow for a parking deficiency related to a proposal to convert a single family homeinto a two family home at 216 9th Street, an HCD Zone, ID 101.31-9-23. Applicant is Walter Urzan, 288.5 Tenth Street, Troy, NY 12180.

Per Section 285-91 of the Zoning Ordinance, each new residential unit requires 2 spaces off-street parking. The applicant proposes to add an additional unit requiring 2 spaces. The applicant proposes to provide 0 spaces therefore is deficient 2 spaces. The applicant will need a Major Area Variance to allow for a parking deficiency of 2 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 of 2 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.

COLLAR CITY BRIDGE
8TH ST
OAKWOOD AV
OAKWOOD TERR
HOOSICK ST
COLLAR CITY BRIDGE
9TH ST
10TH ST
11TH ST
HUTTON ST

STAFF REPORT ZB2014-025

APPLICANT: Doug Billingham

PROJECT DESCRIPTION:

ZB2014-025 Minor Area Variance to allow for a side setback deficiency related to a proposal to construct a storage overhang at 1721 Tibbits Ave, an R-1 Zone, ID 101.73-3-15.2. Applicant is Douglas Billingham, 1721 Tibbits Ave, Troy, NY 12180

Per Section 285.52 of the Zoning Ordinance, accessory structures require a setback of 5 feet. The applicant proposes to construct an storage overhang with a 3 foot rear setback. The applicant will require a Minor Area Variance to allow for a setback deficiency of 2 feet.

REQUEST:

Minor Area Variance to allow for an accessory structure

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

Minor Area 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:

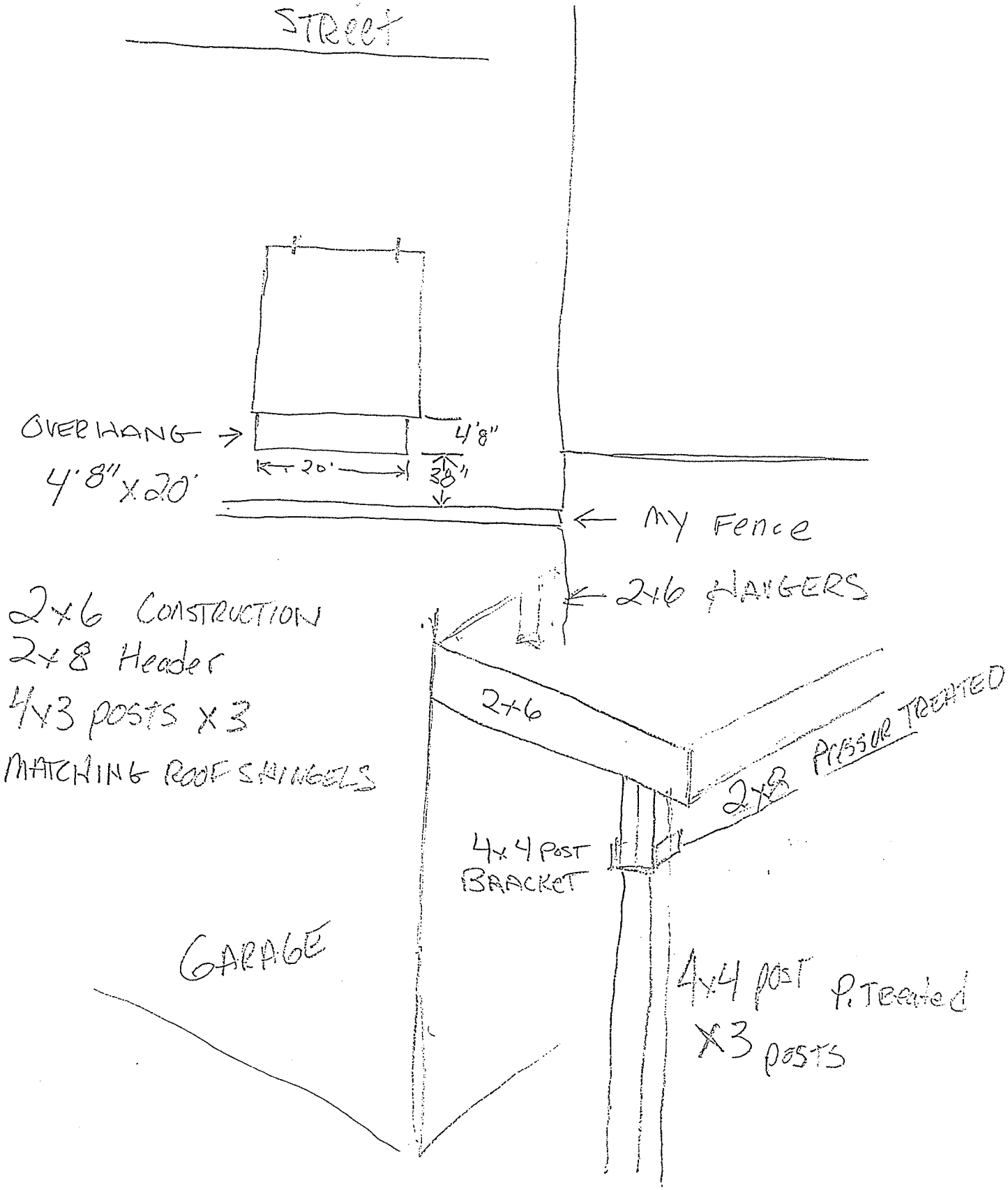
Minor Area Variance to allow for an accessory structure with a 2 foot setback deficiency.

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.

Tibbits Ave

Lot size according to Renn. Co. Records

120x75



STAFF REPORT ZB2014-024

APPLICANT: Scott Sawyer

PROJECT DESCRIPTION:

ZB2014-024 Use Variance to allow for a nonconforming use related to a proposal to occupy a former restaurant as a tattoo parlor at 2801 Sixth Ave, a B-5 Zone, ID 90.78-1-5. Applicant is Scott Sawyer, 24 Lindeman Way, Poestenkill, NY 12140.

Per Section 285-59 of the Zoning Ordinance, the "Tatoo Parlor" is not an allowed use in the B-5 Zone. The applicant will require a USE VARIANCE to allow for a nonconforming use in the B-5 Zone.

REQUEST:

Use Variance to allow 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.

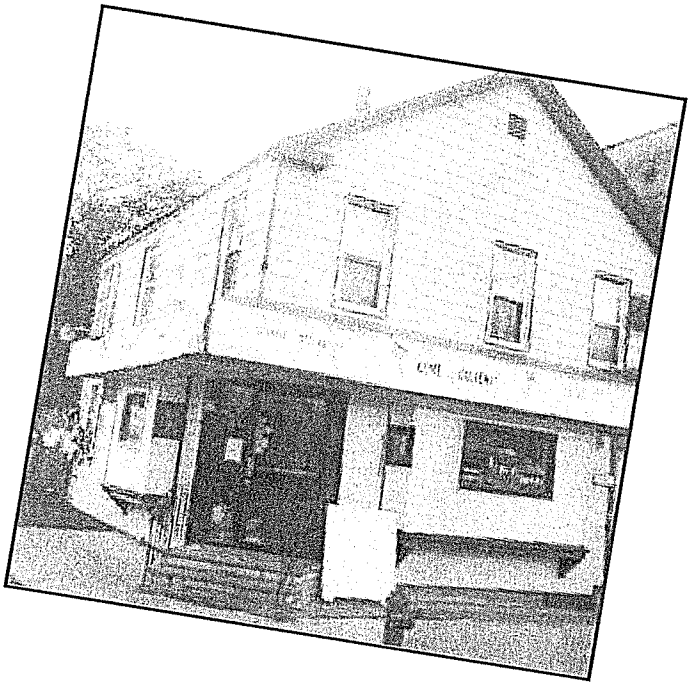
Based on the information provided by the applicant there are no other zoning deficiencies or violations.

APPROVALS NEEDED:

Use Variance to allow for a tattoo parlor in the B-5 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.

RIVER ST
5TH AV
6TH AV
7TH AV
MIDDLEBURGH ST
NORTH ST
5TH AV
EARL ST
6TH AV
7TH AV
8TH ST



STAFF REPORT ZB2014-026

APPLICANT: YWCA

PROJECT DESCRIPTION:

ZB2014-026 Use Variance to allow for a nonconforming use that exceeds density requirements related to a proposal to construct residential units below the second floor line in the Central Business District at 21 First Street, a B-4 Zone, ID100.604-2. Applicant is YWCA, 21 First Street, Troy, NY 12180.

Per Section 285-61 of the Zoning Ordinance, residential; below the second floor line is not an allowed use in the B-4 Zone. The applicant will require a USE VARIANCE to allow for a nonconforming use in the B-4 Zone.
Per Section 285-61 of the Zoning Ordinance, the maximum density in for medioum density high rise in the B-4 Zone is 120 units per acre. The applicant proposes 150 units per acre. The applicant will require a Major Area Variance to allow for excessive unit density in the B-4 Zone.

REQUEST:

Use Variance to allow a nonconforming use
Major Area Variance to allow for excessive density

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:

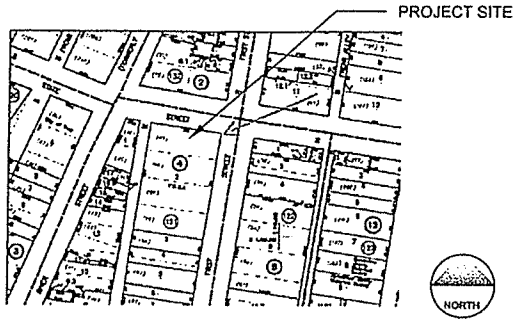
1. That the land, property, structure or building in question cannot yield a reasonable economic return if used only for a purpose allowed in the zone; and
2. That the need for the variance was not caused by the applicant; and
3. That the use to be authorized by the variance shall not alter the essential 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 1st floor residential in the B-4 Zone
Major Area Variance to allow for excessive density of 30 units per acre

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.



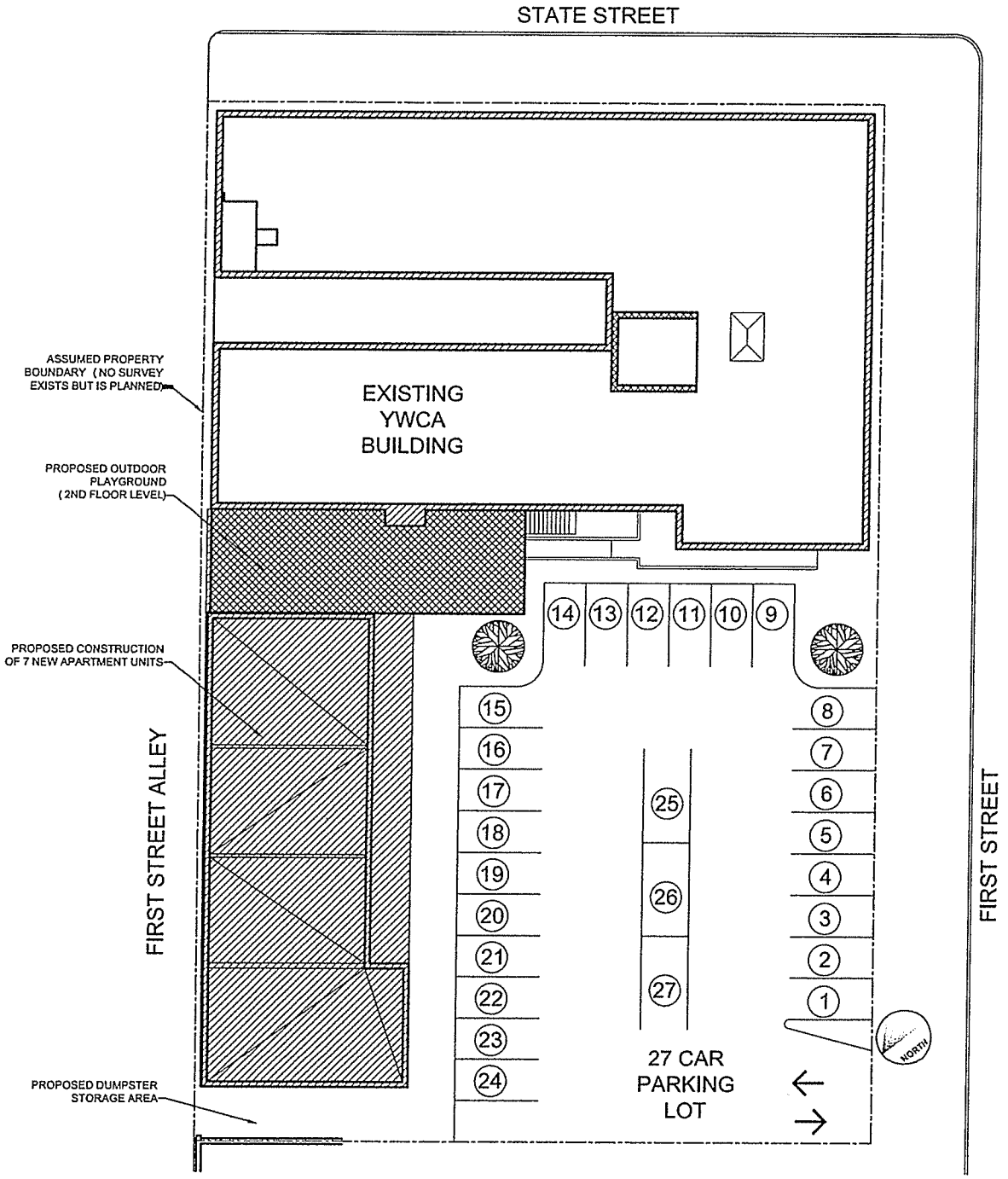
TAX MAP

PROPOSED SITE INFORMATION

- 27 CAR PARKING SPACES
- PLAYGROUND RELOCATED TO 2ND FLOOR LEVEL
- NEW STRUCTURE WILL ATTEMPT TO BE COMPATIBLE WITH ADJACENT CARRIAG DUSES ALONG 1ST. STREET ALLEY

CITY OF TROY ZONING SUMMARY 21 FIRST STREET

- DISTRICT ZONE: B-4 CENTRAL COMMERCIAL DISTRICT
- MIN. LOT AREA: NONE/EXISTING: 26,130 S.F. (BASED ON SITE DIMENSIONS, NO' RVEY)
- MIN. LOT WIDTH: NONE/EXISTING: 130'
- MIN. FRONT YARD SETBACK: NONE/EXISTING: 0
- MIN. SIDE YARD SETBACK: NONE
- MIN. REAR YARD SETBACK: 20' UNLESS INTERIOR LOADING SPACE IS PROVIDED
- MAX. DENSITY: 120 UNITS PER ACRE / PROPOSED: 104 UNITS IN .6 ACRE OR 173.3 UNITS PER ACRE
- MAX. LOT COVERAGE: 80%/EXISTING: 10,040 S.F. PROPOSED: 4820 ADDITIONAL OR 56.9%



1 / C1.1 SITE PLAN
SCALE: 1" = 20'
9/16/14

PROPOSED HOUSING
FOR
YWCA OF THE GREATER CAPITAL REGION, INC.
21FIRST STREET
TROY, NY 12180

NORTH

SHEET NUMBER
C1.1

LANDMARK CONSULTING
83 GROVE AVENUE, ALBANY, NEW YORK 12208

ZBA SUBMISSION

NOT FOR CONSTRUCTION

eliminating racism
empowering women
YWCA
YWCA OF THE GREATER CAPITAL REGION INC