



Catherine Conroy
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. April 7, 2015** 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. breweekdays. Any persons having any interest in the above listed matters will be heard at said time and place.

Use Variance

ZB2015-003 Use Variance to allow for nonconforming uses related to a proposal to occupy a vacant parcel with an auto storage and towing business at 520 5th Ave, a B-2 Zone, ID 80.64-6-19. Applicant is Jack Cox, 801 River Street, Troy, NY 12180.

Major Area Variance

ZB2015-004 Major Area Variance to allow for a parking deficiency related to a proposal to reconvert a single family home into a 2 family home at 2340 17th Street, an R-3 Zone, ID 101.32-7-20. Applicant is Miak Yaghbash, 2340 17th Street Troy, NY 12180

ZB2015-005 Major Area Variance to allow for excessive signage and deficiency in parking related to a proposal to construct a free standing Rite Aid Pharmacy at 75-81 Vandeburgh Ave (Hudson Valley Plaza), a B-3 Zone, ID 123-21-1.23.1. Applicant is Nobis Engineering, 18 Chenell Drive, Concord, NH 03301.

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

Catherine Conroy, Chairperson

Andrew Petersen, Executive Secretary

STAFF REPORT ZB2015-003

APPLICANT: Jack Cox

PROJECT DESCRIPTION:

ZB2015-003 Use Variance to allow for nonconforming uses related to a proposal to occupy a vacant parcel with an auto storage and towing business at 520 5th Ave, a B-2 Zone, ID 80.64-6-19. Applicant is Jack Cox, 801 River Street, Troy, NY 12180.

Per Section 285-59 of the Zoning Ordinance, *auto storage and towing* is not a listed allowed use in the B-2 Zone. The applicant will require a USE VARIANCE to allow for the operation of a nonconforming use.

REQUEST:

USE VARAIANCE

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 nonconforming use (towing/storage)

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.

EXISTING HARDSHIPS

TAXES 2006-2015

CITY
\$29,420.09
+11,544.22
TOTAL 40,964.31

SCHOOL
23,875.86

MAINTENANCE/UTILITIES

\$3000.00 YEARLY

REMOVAL OF 526 5TH AVE

\$15,000.00

LAST 5 YEARS - VACANT BUILDING FEE

\$4,081.00

REQUEST FOR USE VARIANCE

ZB2015-004

Jack Cox, 801 River St, Troy, NY 12180

1. When this building was built, it had automotive use marked all over it- 3 metal fire resistant overhead doors, a concrete floor with tie down chains in the floor, 200 amp electric service, etc.

One overhead door faced the rear of the building (the alley), the other 2 faced the front of the building (5th Ave). This allowed vehicles to enter and exit from either location. The building was situated in the rear corner of the lot to allow for more automobiles to be kept off the street.

To try and refit this building would not be cost affective. There were thoughts of a fast food and ice cream business. Approval was received for such an endeavor, but after weighing what this would cost along with no real knowledge of the fast food or ice cream business it was decided that that was not a good direction. Besides there is a good ice cream store on the corner of 114th and 5th Ave called the Snowman. He makes a decent living and shouldn't be subjected to competition so close. We also have a small food establishment called Chubbys, which seems to be able to stay in business even though there are many food places in this 4 block area. They definitely don't need any more competition.

We don't need businesses that fail. We need businesses that succeed and are beneficial to the neighborhood and the City of Troy.

2. When this property was purchased it was an operating automotive repair and body shop. The owner decided he would retire and go in another direction. At the time of the purchase Terry Dubois (Head of Code Enforcement) indicated we would need a retrofit, get a building permit and

change a few things to upgrade the business (like painting the building and minor landscaping), but nothing major; business should be allowed to continue as usual. That's when the problems started and to date haven't changed. Going backward changes nothing so I'm trying to look forward only.

3. Towing companies in no way alter characteristics of a neighborhood. I can't see why in a city setting a towing company would depreciate property values. Every city needs towing companies to keep streets free of cars involved in accidents or breakdowns.

At the present time there are no towing companies north of Adams St in South Troy. All contracted tow companies are located in South Troy. During rush hours when accidents happen most, response time to come from South Troy through traffic could possibly increase injury or death. Troy fire stations and police substations are in strategic locations in case of emergencies as towing companies should also be in all areas of Troy, not just South Troy.

As for air quality, the last three trucks were purchased new. They have zero-emission systems. They emit nothing hazardous to air quality or the ozone layer. These are the main trucks that will be stationed at the 520 Fifth Avenue location. These trucks are not loud or noisy and they are nice looking.

Any business can fit into a neighborhood, it just needs proper planning and upkeep. As stated earlier, all cities need tow companies. They work hard for the neighborhood they are based in. Tow companies also bring in revenue for the city. The city receives 1% of the sales tax collected on tows. It also receives administration fees when police or firemen are on the scene. It gives competent people jobs - good paying jobs. Towing companies are a "win-win" for any city.

4. All my life I've been involved with trucks and cars, anything automotive. I'm not school educated but hands on educated. In the past I ran a recycle business called Jack's Auto Sales, which some people called a junkyard, but if you needed a part for your car and I had it at a reasonable price, I was your hero. This business lasted from 1965 until 2006, helping people with their needs and keeping streets and backyards free of unwanted cars and trucks. I miss it and the people. It was fun.

STAFF REPORT ZB2015-005

APPLICANT: Nobis Engineering

PROJECT DESCRIPTION:

ZB2015-005 Major Area Variance to allow for excessive signage and deficiency in parking related to a proposal to construct a free standing Rite Aid Pharmacy at 75-81 Vandeburgh Ave (Hudson Valley Plaza), a B-3 Zone, ID 123-21-1.23.1. Applicant is Nobis Engineering, 18 Chenell Drive, Concord, NH 03301.

Per Section 285-91 of the Zoning Ordinance, the current overall required parking for the plaza site is 519. The applicant currently provides 659 spaces. The construction of a new building will require an additional 63 spaces, requiring 582 spaces. After the construction of the building and reorientation of the lot the applicant will provide 575 spaces therefore is deficient 7 spaces. The applicant will require a Major Area Variance to allow for an overall site deficiency of 7 spaces.

Per Section 285-102 of the Zoning Ordinance, the total allowed signage area for any additional business within a plaza/center in a B-3 Zone is 100 SF. The applicant proposes 233 SF therefore is excessive by 133 SF. The applicant will require a Major Area Variance to allow for excessive signage of 133 SF.

REQUEST:

**Major Area Variance – Parking deficiency
Major Area Variance – Excessive Signage**

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.

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

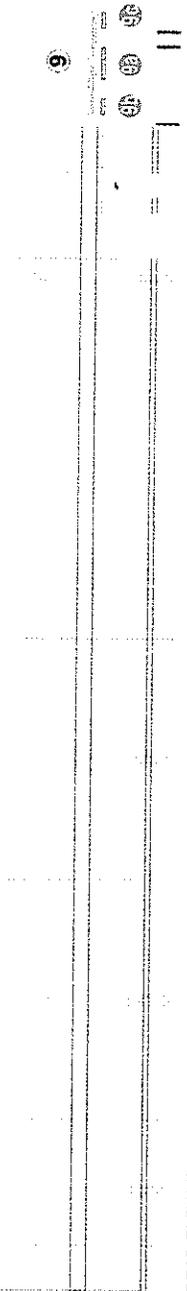
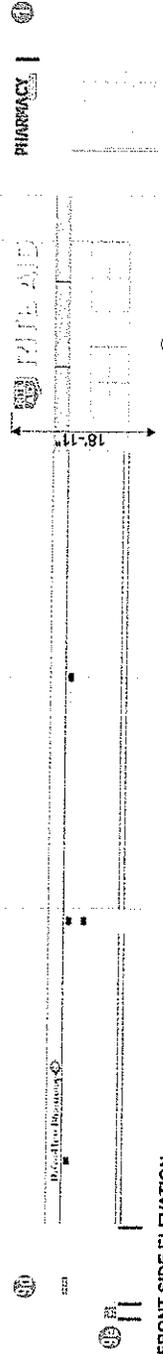
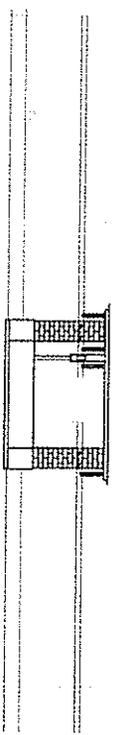
APPROVALS NEEDED:

**Major Area Variance – Parking deficiency 7 spaces
Major Area Variance – Excessive Signage 133 SF**

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.

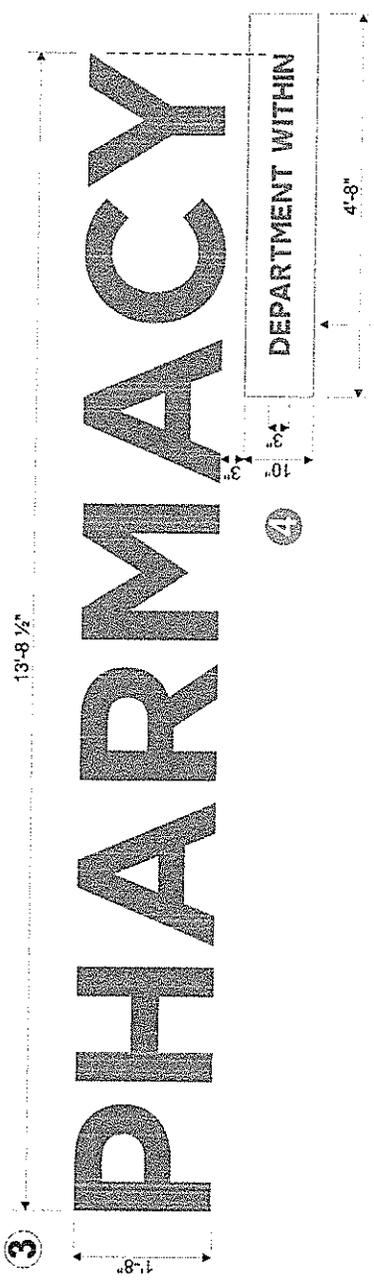
CLIENT: RITE AID	LOCATION: TROY NY	ACCOUNT REF: CRAWFORD	DATE: 2-23-15	REV: R1 3-24-15 AB
SCALE: 1/16" = 1'-0"	SCALE: AS NOTED	DRAWING #/RA-TROY NY #10687.cdr	DRAWN BY: Amy Burns	
1771 INDUSTRIAL ROAD - DOTHAN, ALABAMA - 36303 PH (888) 303-5234 - FX (334) 836-1401 www.riteaid.com				

23372

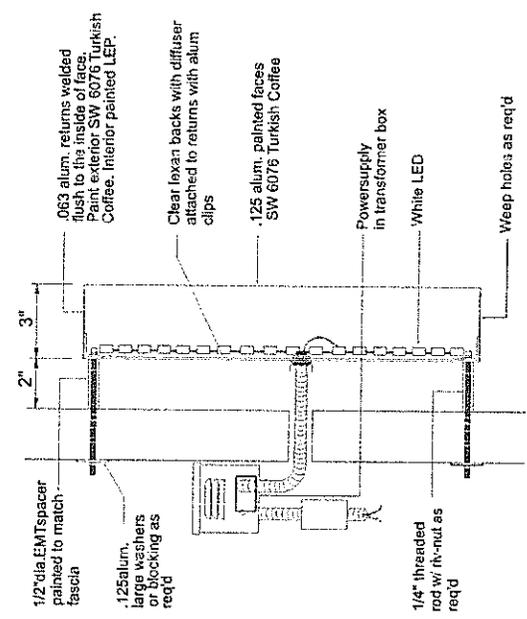


P.6

- COLOR/FINISHES**
- P-1 MP 42-202 WHITE
 - P-2 RUSTOLEUM 9109 WHITE PRIMER
 - P-3 REYNOLBOND OYSTER WHITE
 - P-4 SW6076 TURKISH COFFEE
 - V-1 ACM BY REYNOLBOND - SCOTTISH OAKHOOD GRAIN
 - V-2 ARLON 2500-2070 BLUE
 - V-3 ARLON 2500-2283 RED
 - V-4 CALON 102 WHITE LOW TRAC OPAQUE
 - V-5 VINYL 3M-3630-59 DARK BROWN
 - V-6 VINYL 3M-480-10 SCOTCHLITE REFLECTIVE WHITE
 - V-7 VINYL 3M-480-82 SCOTCHLITE REFLECTIVE RED
 - V-8 VINYL TD MATCH BM 0C-41 FRENCH CANVAS



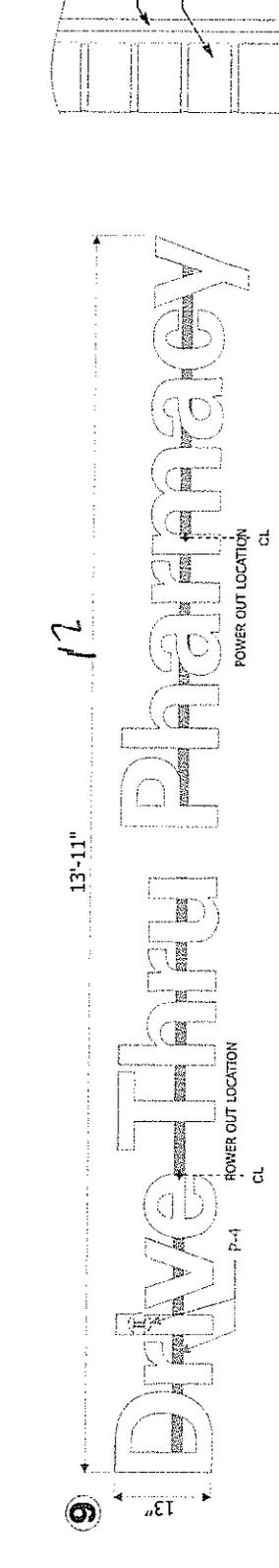
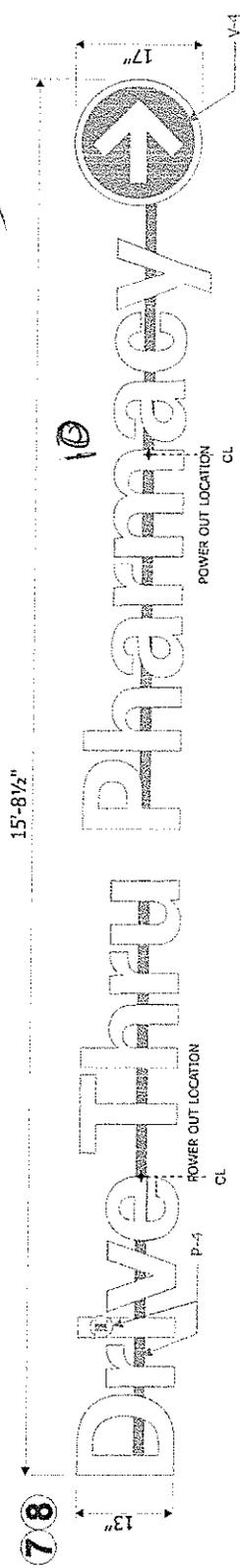
.050 CLEAR LEXAN BACKER PANEL



TEMPORARY BANNER COVERS	QTY: 1
NO COPY	170"
COVERS TO MATCH SW6076 TURKISH COFFEE	
Scale 3/16" = 1'	

SQUARE FOOTAGE
PHARMACY: = 22.85 SQ. FT.
DEPT WITH: = 3.88 SQ. FT.
TOTAL : = 26.73 SQ. FT.

27



LETTERS	MATERIAL LIST
1	3" X .040 aluminum letter cell painted P-4 letter locked to aluminum letter backs
2	1" Trim cap painted P-4
3	.125 #2447 White plex faces
4	White LEDs silicone to letter backs
5	Low voltage wiring from power supply
6	Pre-drilled electrical hole w/ plastic grommet
7	1" x 2" x 1/8" Aluminum Receiver
8	Masonry fasteners (Min. 3 per receiver)
9	053 pre-finished black/white aluminum backs (white to inside)
10	1/4" Weep holes at low points of letters
11	Swathing by others
12	Building facade, CMU - Brick (TYP.)
13	4" x 4" Handr. Box with switch
14	#12 THHN primary wire
15	Low voltage LED power supplies (120 volt circuit required)
16	High voltage rated flexible wire sleeve

COLOR/FINISHES
 P-1 MP 42-202 WHITE
 P-2 RUSTOLEUM 9109 WHITE PRIMER
 P-3 REYNOLDBOND OYSTER WHITE
 P-4 SW6076 TURKISH COFFEE
 P-5 1 ACH BY REYNOLDBOND - SCOTTISH OAKWOOD GRAIN
 V-1 ARLON 2500-2870 BLUE
 V-2 ARLON 2500-2283 RED
 V-3 CALON 102 WHITE LOW TAC OPAQUE
 V-4 VINYL 3M-5630-55 DARK BROWN
 V-5 VINYL 3M-480-10 SCOTCHLITE REFLECTIVE WHITE
 V-6 VINYL 3M-480-82 SCOTCHLITE REFLECTIVE RED
 V-7 VINYL TO MATCH BM 0C-11 FRENCH CANVAS

TEMPORARY WHITE BANNER COVERS QTY: 2
 COVERS PHARMACY LETTERS ONLY
 COVERS MUST BE WHITE.

Access to rear of facade to be by others.
 Note: All penetrations to be sealed with BIDSTOP 500+ Intumescent Firestop Sealant to meet NEC #300.21, ASTM #E814, UL #1479 and UL #2079 standards.

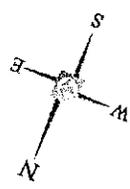
SQUARE FOOTAGE: Drive Thru Pharmacy w/ Annex = 17.1 SQ. FT.
SQUARE FOOTAGE: Drive Thru Pharmacy w/ Annex = 15.1 SQ. FT.

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CLIENT: RITE AID	STAGE #:	10687	DRAWN BY: <i>Amy Burns</i>
LOCATION: TROY NY	SCALE:	AS NOTED	DATE: 2-23-15
ACCOUNT REF: CRAWFORD	DRAWING #:	RA-TROY NY #10687.cdr	REV #:
1771 INDUSTRIAL ROAD - DOTHAN, ALABAMA - 36030 PH (889) 303-5534 - FAX (334) 836-1401 WWW.MASTERCART.COM		R1 3-24-15 AB	

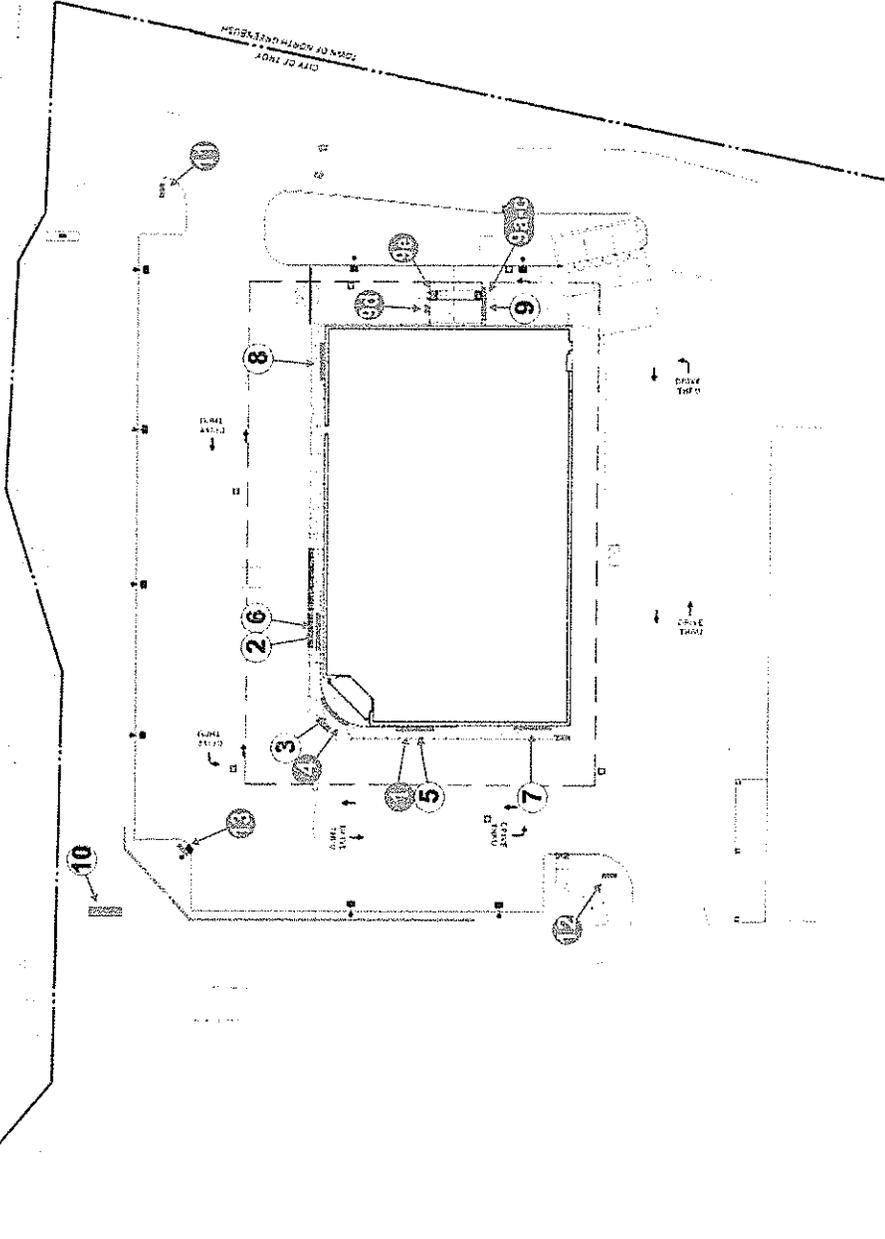
DRAWINGS FOR CONTRACTUAL PURPOSES ONLY. ALL DIMENSIONS, MATERIALS, FINISHES, AND COLORS ARE SUBJECT TO CHANGE WITHOUT NOTICE.

P-3

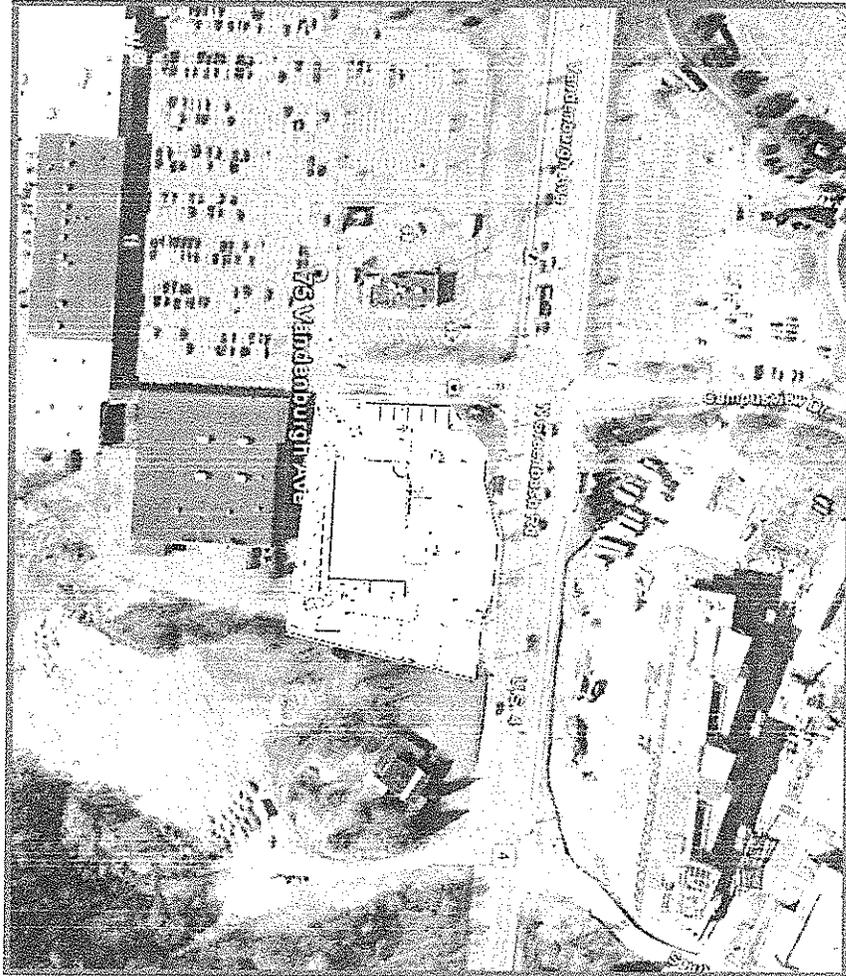
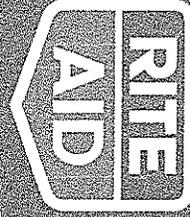


1	36" letterset w/ 45" shield logo
2	36" letterset w/ 45" shield logo
3	20" Pharmacy Reverse Channel letters
4	10" Department Within panel
5	24" Drive Thru cabinet
6	24" Drive Thru cabinet
7	13" Drive Thru Pharmacy w/arrow
8	13" Drive Thru Pharmacy w/arrow
9	13" Drive Thru Pharmacy
9a	8" non-illum Clearance DT sign
9b	8" non-illum Pick Up DT sign
9c	8" non-illum Drop Off DT sign
9d	8" non-illum Exit Only DT sign
9e	18" non-illum Exit Only traffic signal sign
10	Existing Shopping Center
11	16" x 36" d/f non-illum directional
12	16" x 36" d/f non-illum directional
13	16" x 36" d/f non-illum directional

VANDENBURGH AVENUE



PHARMACY



TROY, NY
SURVEY BOOK

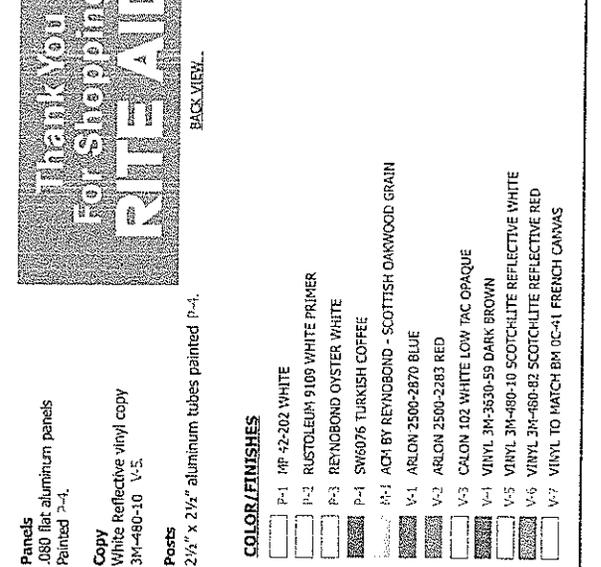
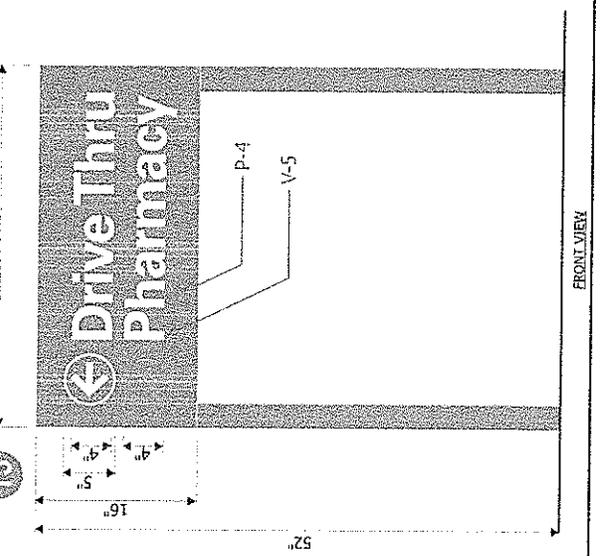
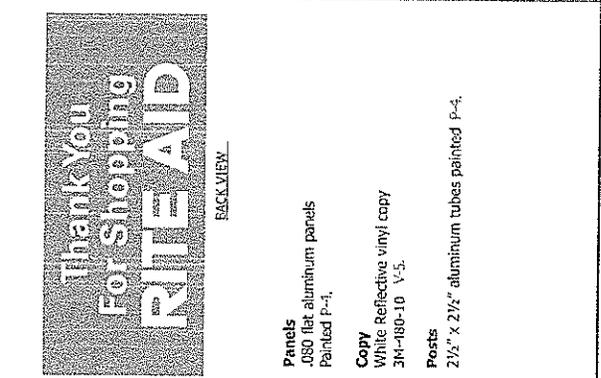
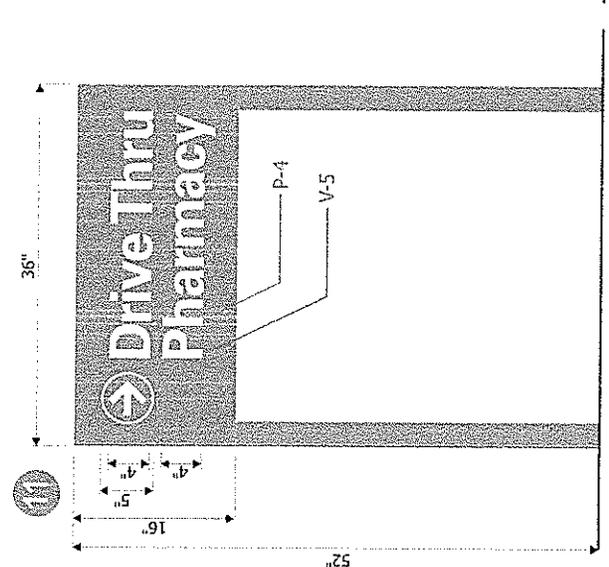
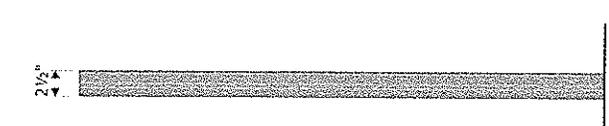
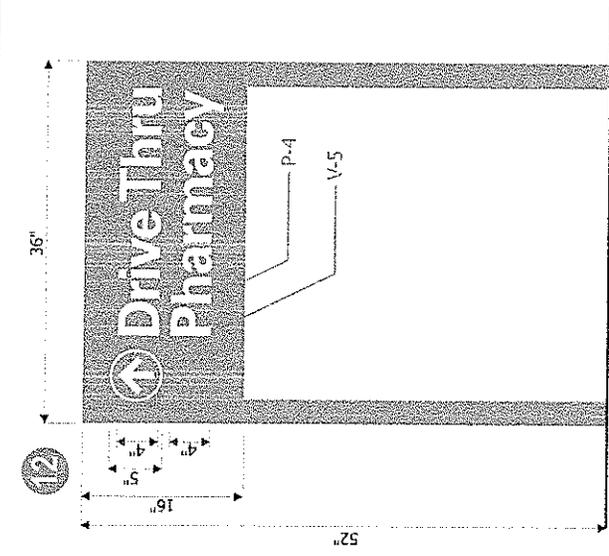
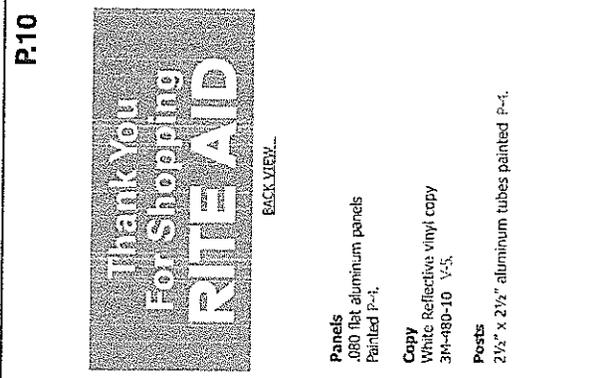
R1

DRAWING IS FOR CONCEPTUAL PURPOSE ONLY. DUE TO CONSTRUCTION CONSTRAINTS, SIZE, AND OF LAYOUTS MAY CHANGE SLIGHTLY.

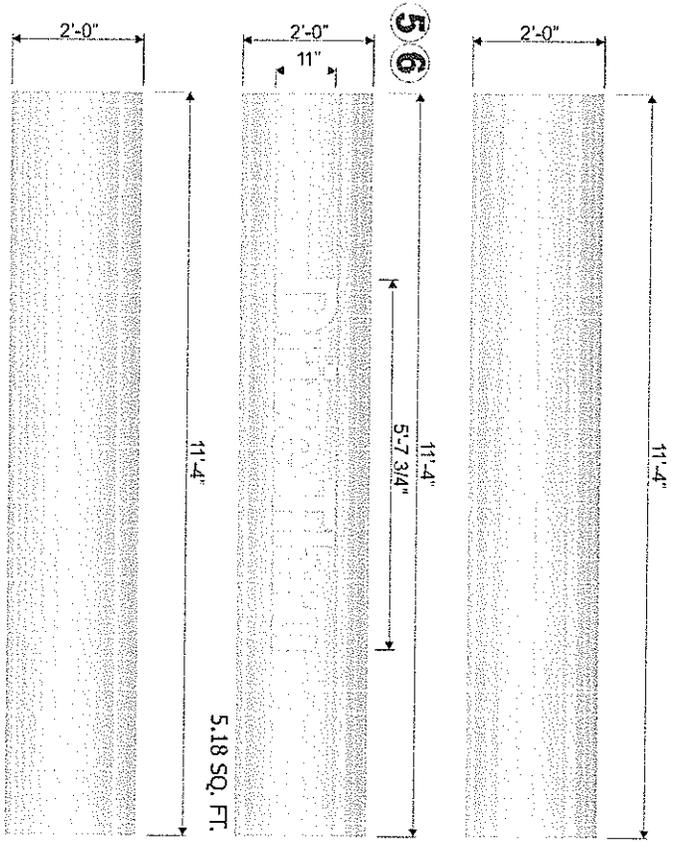
I.D. ASSOCIATES
1771 INDUSTRIAL ROAD - DOTHAN, ALABAMA - 36303
PH (888) 303-5534 - FAX (334) 836-1401
www.ktsassocia@nc.com

CLIENT:	RITE AID	STORE #:	10687	DRAWN BY:	<i>Amy Burns</i>
LOCATION:	TROY, NY	SCALE:	AS NOTED	DATE:	2-23-15
ACCOUNT REP:	CRAWFORD	DRAWING #:	RA-TROY NY #10687.cdr	REV #:	R1 3-24-15 AB



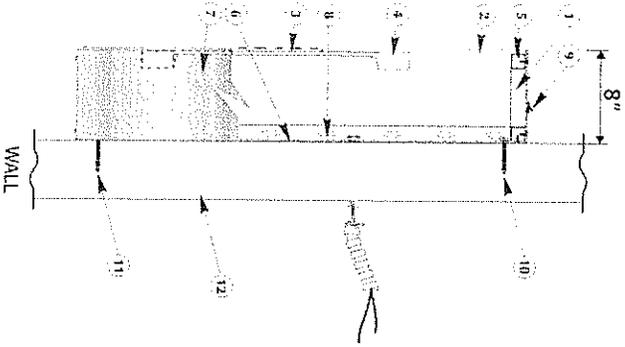


- COLOR/FINISHES**
- P-1 MP 42-202 WHITE
 - P-2 RUSTOLEUM 9109 WHITE PRIMER
 - P-3 REYNOLBOND OYSTER WHITE
 - P-4 SY6076 TURKISH COFFEE
 - V-1 ACRYL BY REYNOLBOND - SCOTTISH OAKWOOD GRAIN
 - V-2 ARLON 2500-2870 BLUE
 - V-3 ARLON 2500-2283 RED
 - V-4 CALON 102 WHITE LOW TAC OPAQUE
 - V-5 VINYL 3M-3630-S9 DARK BROWN
 - V-6 VINYL 3M-480-10 SCOTCHLITE REFLECTIVE WHITE
 - V-7 VINYL 3M-480-82 SCOTCHLITE REFLECTIVE RED
 - V-8 VINYL TO MATCH BM DC-41 FRENCH CANVAS



Detail of Sign Cabinet
N.I.S.

1. 1" x 1" x .125 Aluminum tube frame
2. Hinged Face: Routed ACM by Reynobond - Scottish Oakwood Grain M-1
3. .150 White polycarbonate backer
4. 1" x 2" Alum Tube w/ 3/4" x 3/4" Alum angle
5. Pop rivet attachment
6. .080 aluminum backs
7. Sides: ACM by Reynobond - Scottish Oakwood Grain M-1
8. White LEDs
9. 120V 20A Toggle Switch
10. Masonry fasteners used in top section of cabinets
11. Lagbolts used in bottom section of cabinets
12. Bulking facade. GMI - brck. typ.



COLOR/FINISHES

	P-1	MP 42-202 WHITE
	P-2	RUSTOLEUM 9109 WHITE PRIMER
	P-3	REYNOBOND OYSTER WHITE
	P-4	5M6076 TURKISH COFFEE
	M-1	ACM BY REYNOBOND - SCOTTISH OAKWOOD GRAIN
	V-1	ARLON 2500-2870 BLUE
	V-2	ARLON 2500-2283 RED
	V-3	CAJON 102 WHITE LOW TRAC OPAQUE
	V-4	VINYL 3M-3630-59 DARK BROWN
	V-5	VINYL 3M-480-10 SCOTCHLITE REFLECTIVE WHITE
	V-6	VINYL 3M-480-82 SCOTCHLITE REFLECTIVE RED
	V-7	VINYL TO MATCH BN 0C-41 BRENCH CANVAS

SQUARE FOOTAGE

GNC LIVE WELL:	=	9.14 SQ.FT.
DRIVE THRU:	=	5.18 SQ.FT.
LIQUOR:	=	3.30 SQ.FT.
TOTAL:	=	17.62 SQ.FT.

P8

CLIENT: RITE AID **STORE #:** 10687 **DRAWN BY:** Amy Burns

LOCATION: TROY, NY **SCALE:** AS NOTED **DATE:** 2-23-15

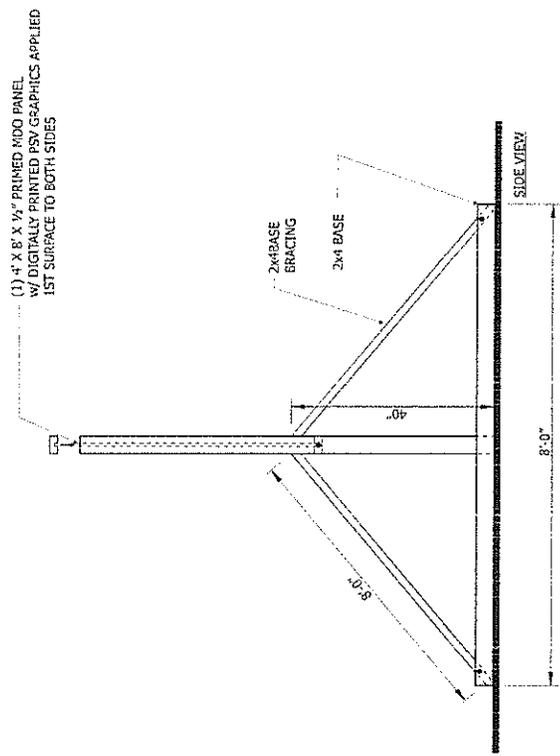
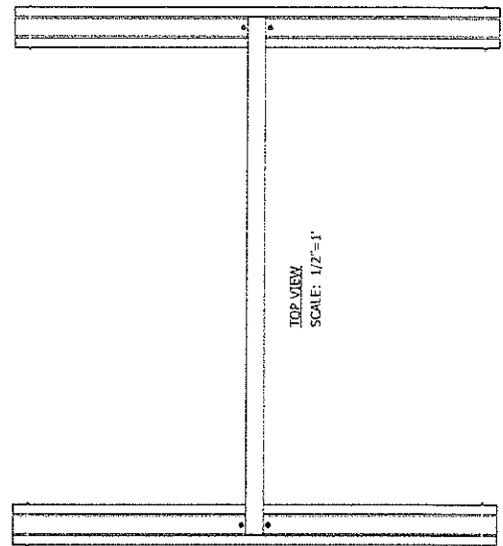
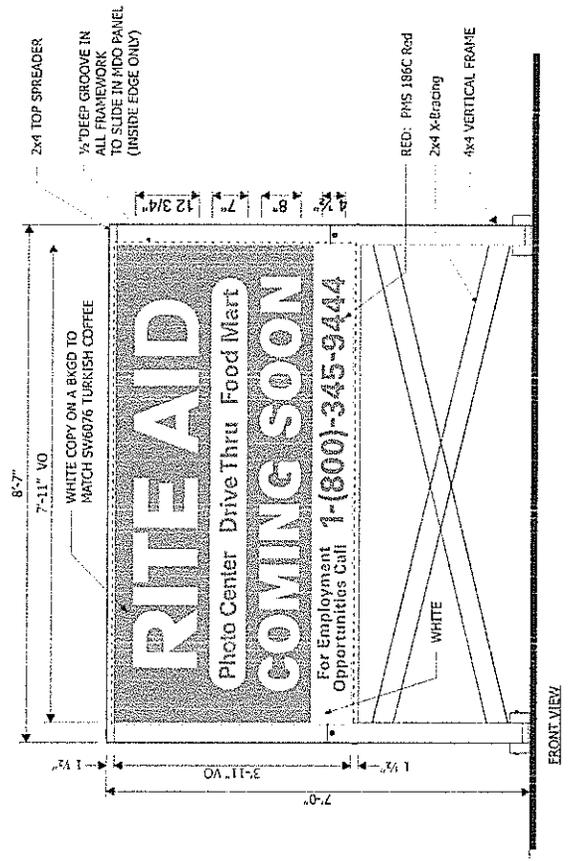
ACCOUNT REP: CRAWFORD **DRAWING #:** RA-TROY NY #10687.cdr **REV #:** R1 3-24-15 AB

1771 INDUSTRIAL ROAD - DOTHAN, ALABAMA - 36503
PH (889) 303-5534 - FAX (334) 836-1401
www.idassocia.com

CLIENT: RITE AID	STORE #:	10687	DRAWN BY: Amy Burns
LOCATION: TROY, NY	SCALE:	AS NOTED	DATE: 2-23-15
ACCOUNT REF: CRAWFORD	DRAWING #:	RA-TROY NY #10687.cdr	REV #:
1771 INDUSTRIAL ROAD - DOTHAN, ALABAMA 36023		PH (850) 303-5524 - FAX (334) 836-1401	
WWW.IPSORIGINALS.COM		R1 3-24-15 AB	

P:11

IPS ORIGINALS
"COMING SOON"
TEMPORARY SIGN



- GRAPHICS SUPPLIED BY SIGN VENDOR
- (9) 4" X 8" DIGITALLY PRINTED PSY SHIPPED TO SUB
- (2) GRAPHICS APPLIED TO EACH D/F SIGN STRUCTURE
- SITE SIGN CONSTRUCTED BY SUB
- ALL WOOD SUPPORT PIECES PAINTED WHITE
- ALL FASTENERS TO BE GALVANIZED
- MATERIALS PER SIGN STRUCTURE:
- PANEL: (1) 4" X 8" X 1/4" PRIMED MDO
- BASE: (4) 2" X 4" X 8"
- BASE BRACING: (2) 2" X 4" X 10'
- CROSS BRACING: (2) 2" X 4" X 10' (CUT TO 98 3/4")
- VERTICAL FRAME: (2) 4" X 4" X 8' (CUT TO 82 1/2")
- TOP SPREADER: (1) 2" X 4" X 10' (CUT TO 102")
- BOTTOM SPREADER: (1) 2" X 4" X 8' (CUT TO 95")

COLOR/FINISHES
IPS ORIGINALS
OF 100 WOOD CRAWFORD TURKISH COFFEE
PMS 186C RED

REFERRAL FORM

Rensselaer County Economic Development and Planning
1600 Seventh Avenue
Troy, New York 12180

Office Use Only

RCBP# _____
Received _____
Local Action: _____
Approved Denied

1. This form and all supporting material shall be submitted in final form directly by the referring agency, not by the individual applicant. Any changes made after your submission will require resubmittal.
2. This Referral is forwarded to the Rensselaer County Economic Development and Planning Office for review in compliance with Sections 239 l and 239 m of Article 12-B of the General Municipal Law for the State of New York. Non-referral may jeopardize zoning action.
3. All new zoning ordinances and text amendments must be referred to the Office. A referral is also required for any zoning action affecting property located within 500 feet of:
 - Municipal Boundary;
 - Boundary of any existing or proposed county or state park or other recreation area;
 - Right-of-way of any existing or proposed county or state parkway, thruway, expressway, road, or highway;
 - Existing or proposed right-of-way of any stream or drainage channel owned by the county, or for which the county has established channel lines;
 - Existing or proposed boundary of any county- or state-owned land on which a public building or institution is situated;
 - Farm operation existing in an Agricultural District.

FROM: Municipality: City of Troy
Local Agency: Legislative Body
 Board of Appeals
 Planning Board

APPLICANT (Name): Nobis Engineering

LOCATION OF PROPERTY TO BE CONSIDERED: 75-81 Vandenburg Ave, construction of a stand alone Rite Aid

ACTION REQUESTED: New Zoning Ordinance Special Permit
 Zoning Map Amendment Use Variance
 Zoning Text Amendment Area Variance
 parking and signage deficiencies and site plan

PRESENT ZONING: B-3

REQUIRED ENCLOSURES:

1. Map of affected property and adjacent areas, may be tax map.
2. Complete description of proposed action and supplemental material.

3/30/15 _____
Date Referring Officer (Signature) Title

STAFF REPORT ZB2015-004

APPLICANT: Miak Yaghabash

PROJECT DESCRIPTION:

ZB2015-004 Major Area Variance to allow for a parking deficiency related to a proposal to reconvert a single family home into a 2 family home at 2340 17th Street, an R-3 Zone, ID 101.32-7-20. Applicant is Miak Yaghabash, 2340 17th Street Troy, NY 12180

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

REQUEST:

Major Area Variance – 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.

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

APPROVALS NEEDED:

Major Area Variance – Parking deficiency 2 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.

