Catherine Conroy
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. September 1, 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. weekdays. Any persons having any interest in the above listed matters will be heard at said time and place.

Minor Area Variance

ZB2015-030 Minor Area Variance to allow for a setback deficiency related to a proposal to construct an accessory structure at 41 Row B Way, an R-1 Zone, ID70.72-3-1. Applicant is David Collett, 41 Row B Way, Troy, NY 12180.

ZB2015-031 Minor Area Variance to allow for excessive height related to a proposal to construct a fence in the front yard at 895 7th Ave, an R-1 Zone, ID 80.25-4-5. Applicant is Kevin Hughes, 895 7th Ave, Troy, NY 12182.

Use Variance

ZB2015-029 Use Variance to allow for a nonconforming use related to a proposal to operate a bottle/ can redemption center at 50 King Street, a B-4 Zone, ID101.38-9-15. Applicant is Sherod Cooper, 30 Olympian Drive, Slingerlands, NY 12159.

ZB2015-032 Use Variance to allow for a nonconforming use related to a proposal to reoccupy a barber shop as a sandwich shop/ catering business at 126 College Ave, an R-3 Zone, ID 101.63-5-1.2. Applicant is Lou Caruso, 126 College Ave, Troy, NY 12180.

ZB2015-033 Use Variance to allow for a nonconforming use related to a proposal to occupy a vacant church with a professional recording studio at 2238 12th Street, an R-3 Zone, ID 101.39-9-1. Applicant is Unity House, 2431 6th Ave, 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
Catherine Conroy, Chairperson Andrew Petersen, Executive Secretary

STAFF REPORT ZB2015-031

APPLICANT: Kevin Hughes

PROJECT DESCRIPTION:

ZB2015-031 Minor Area Variance to allow for excessive height related to a proposal to construct a fence in the front yard at 895 7th Ave, an R-1 Zone, ID 80.25-4-5. Applicant is Kevin Hughes, 895 7th Ave, Troy, NY 12182.

Per Section 285-76 of the Zoning Ordinance, fencing erected between the front lot line and the front building line may not exceed 4 feet in height. The applicant proposes 6 foot stockade fencing therefore eceedsthe limitation by 2 feet. A Minor Area Variance to allow for excessive height is required.

REQUEST:

Minor Area 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:

Minor Area variance to allow for excessive fence height

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.

The City of Troy
Application for a Fence Permit

Location of Work: 895 7TH AVE		
Property Owner: KEVIN HUGHES	Address: 895 7TH AVE	Phone: 518 326 4683
Contractor:	Address:	Phone: 518 378 3114 CELL

***A detail plot plan must be submitted with application.**

Is this a corner lot? Yes_____ NO X

Type of Fence:

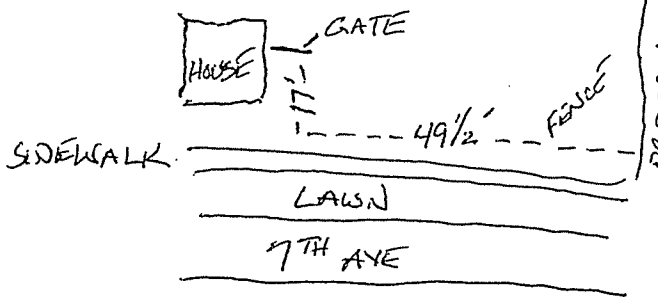
X Stockade or similar type

_____ Picket or similar type

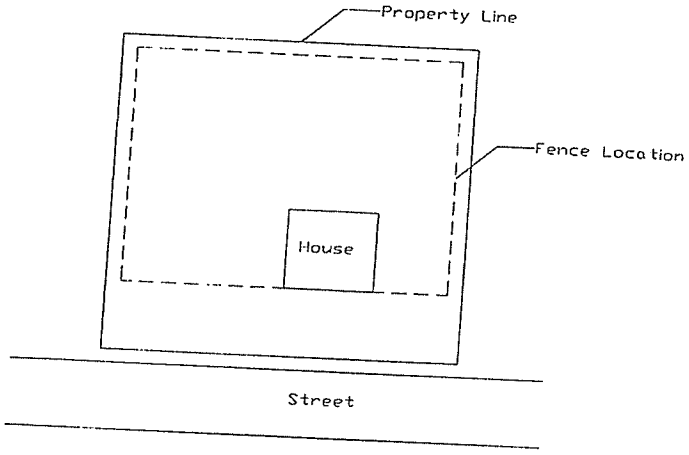
_____ Chain Link or similar type

Total Length: 66 1/2' Height: 6'

Construction Cost: APROX. $1200



***Sample Plot Plan**



I hereby make application for issuance of a permit for work described above. I agree that no person will be employed without providing workers compensation and disability benefits law coverage, as required by state law, and that all applicable ordinances of the City shall be complied with. I declare. Subject to penalty of perjury that statements made herein are true and correct to the best of my knowledge.

☑ OWNER

☐ CONTRACTOR

☐ OTHER

APPLICANT'S SIGNATURE Kevin Hughes

APPLICANT'S NAME (PRINT) _____

DATE _____

Buildingpermits@troyny.gov (518-687-1140)

Google Google

STAFF REPORT ZB2015-030

APPLICANT: David Collett

PROJECT DESCRIPTION:

ZB2015-030 Minor Area Variance to allow for a setback deficiency related to a proposal to construct an accessory structure at 41 Row B Way, an R-1 Zone, ID70.72-3-1. Applicant is David Collett, 41 Row B Way, Troy, NY 12180.

Per Section 285-52 of the Zoning Ordinance, all structures on a lot must be constructed at a distance of no less than 12 feet. The applicant has constructed a screen porch approximately 4 feet from an adjoining structure therefore will require a Minor Area Variance to allow for setback deficiency.

REQUEST:

Minor Area 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:

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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:

Minor Area variance to allow for setback deficiency of 8 feet.

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.

ROW E WAY
ROW D WAY
ROW C WAY
ROW B WAY
ROW A WAY
2ND AV

STAFF REPORT ZB2015-029

APPLICANT: Sherod Cooper

PROJECT DESCRIPTION:

ZB2015-029 Use Variance to allow for a nonconforming use related to a proposal to operate a bottle/ can redemption center at 50 King Street, a B-4 Zone, ID101.38-9-15. Applicant is Sherod Cooper, 30 Olympian Drive, Slingerlands, NY 12159.

Per Section 285-61 of the Zoning Ordinance, *recycling center / bottle redemption center* is not a listed allowed use in the B-4 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:

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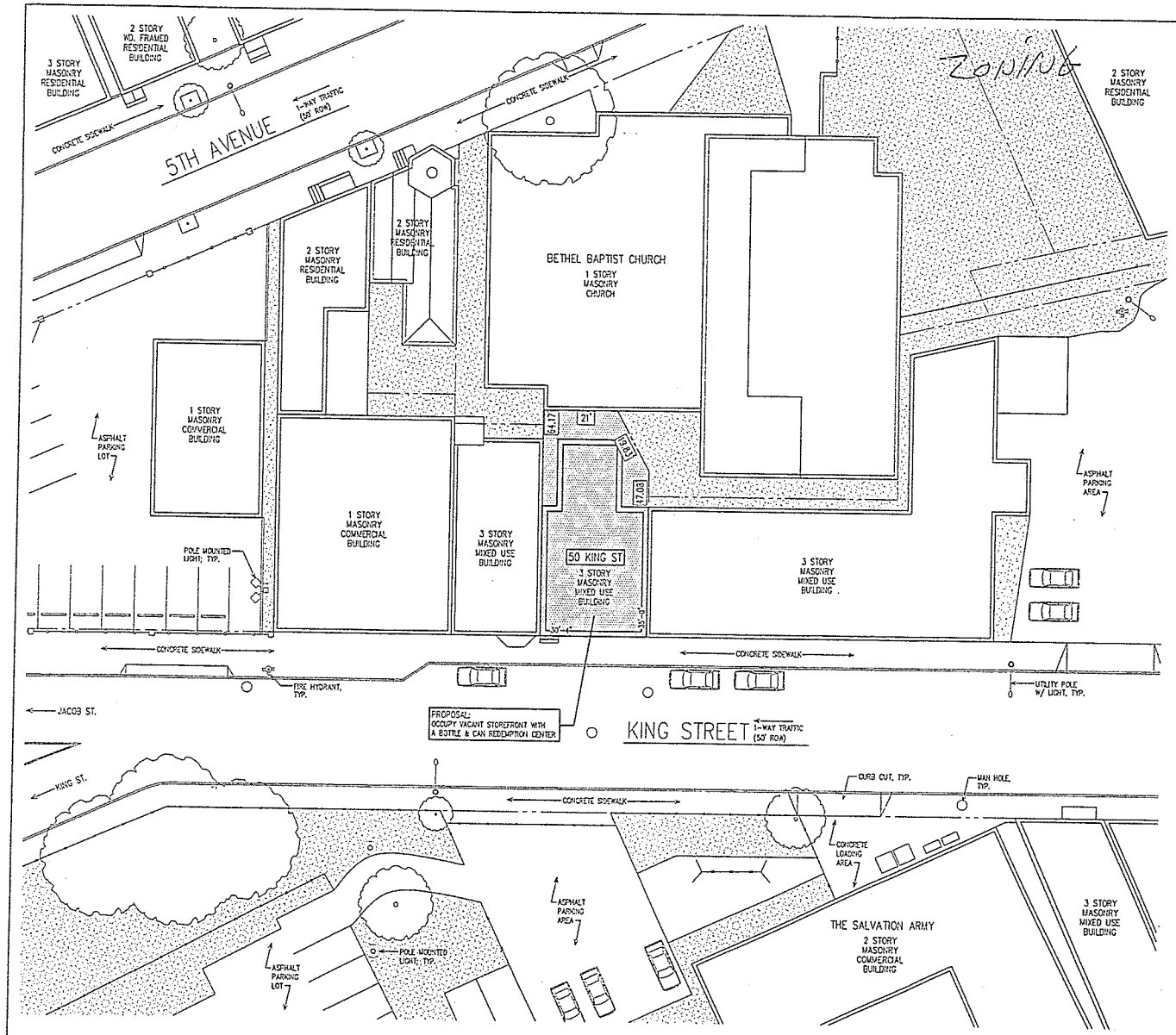
4. That the plight of the owner is due to unique circumstances & not to the general conditions in the neighborhood, which may reflect the unreasonable uses of the zoning ordinance itself.

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 (recycling / bottle redemption center)

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.



SITEPLAN

SCALE: 1" = 30'-0"

GENERAL NOTES:

Zoning

Property: 50 King Street
Troy, NY 12180

Applicant: Sherod Cooper
30 Olympian Drive
Slingerlands, NY

Owner: Random Selections, LLC
127 Madison Avenue
Albany, NY 12202

Tax Map #: 101.38-9-15

Zoned: B-4, Central Commercial

Lot Characteristics:

Lot Dimensions: N - 64.17', S - 47.08' & 19.83', E - 21', W - 30.33'

Lot Area: 1,867 SF +/- (.04 Acres)

Setbacks:	Required	Existing
Front	0'-0"	0'-0"
Rear	20'-0"	8'-0" +/-
Sides	0'-0"	0'-0"
Min. Lot Area:	N/A	1,867 SF
Min. Lot Width:	N/A	21'-0"
Max Lot Coverage %	80%	79%
Building Height:	80'-0"	Existing

Building Type: 3-story masonry mixed use building

Current Property Use: First floor is currently vacant. Second and third floors are occupied as residential (apartments)

Proposal: Occupy vacant store front with a bottle & can redemption center.

Parking: Off-street parking: None required

Garbage Removal: Via City

Surface Drains: Existing

Snow Removal: To be stored on site

Signage: To conform to zoning regulations.

Lighting: Existing building mounted

Hours of Operation: Monday - Saturday: 9AM - 6PM
Closed Sundays

All new taps into City water and sewer lines are to be done by City personnel using approved materials supplied by the applicant. The applicant will reimburse the City for labor and equipment costs associated with the utility taps.

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.

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

PROJECT: PLANNING APPLICATION FOR:
50 KING STREET
TROY, NY 12180
CLIENT: SHEROD COOPER

DATE: 01/24/15
DRAWN BY: EC
REVISIONS:

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

SHEET: SP1

JOB: 153,044

STAFF REPORT ZB2015-032

APPLICANT: Louis Caruso

PROJECT DESCRIPTION:

ZB2015-032 Use Variance to allow for a nonconforming use related to a proposal to reoccupy a barber shop as a sandwich shop/ catering business at 126 College Ave, an R-3 Zone, ID 101.63-5-1.2. Applicant is Lou Caruso, 126 College Ave, Troy, NY 12180.

Per Section 285-54 of the Zoning Ordinance, *sandwich shop /catering* is not a listed allowed use in the R-3 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:

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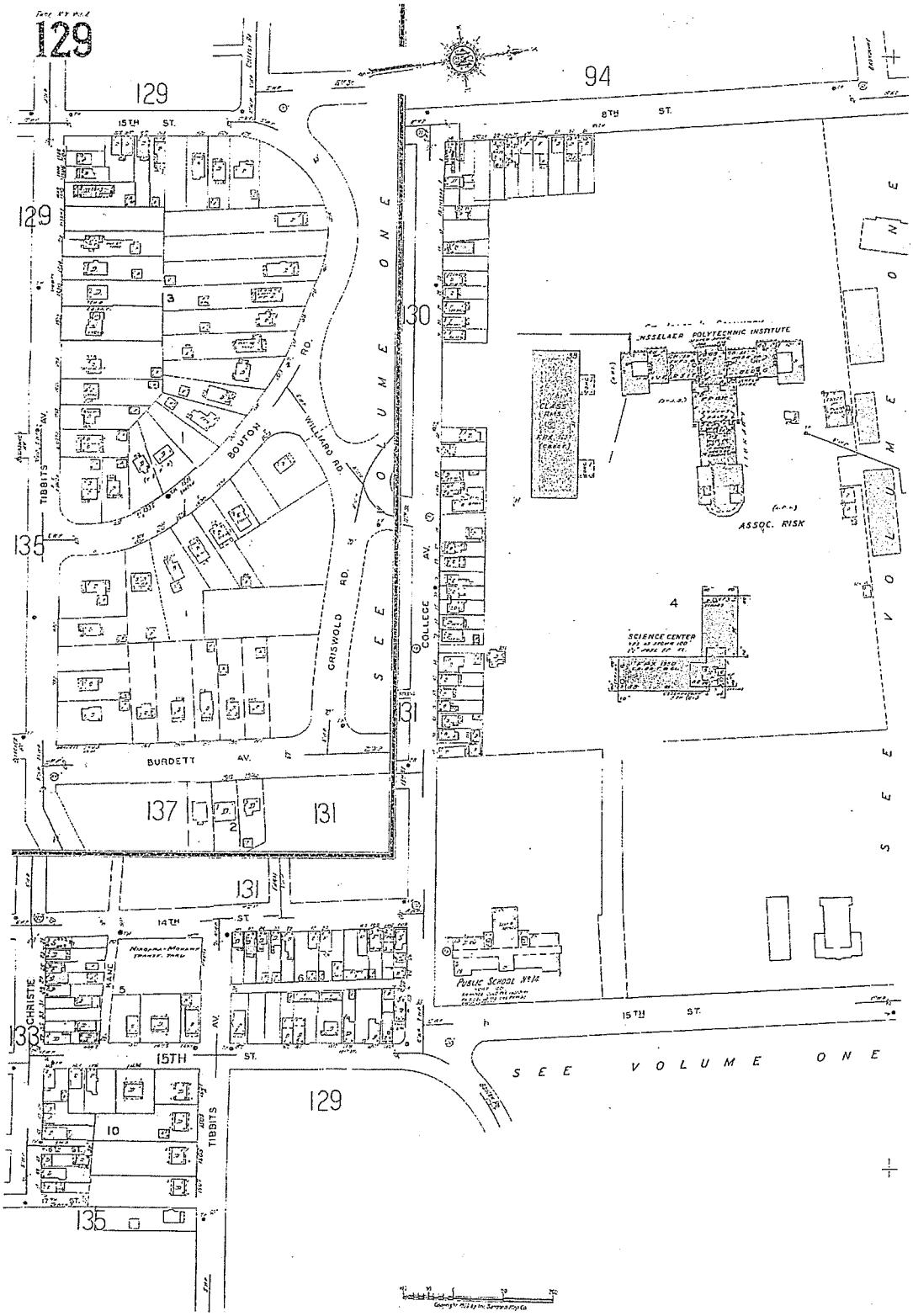
4. That the plight of the owner is due to unique circumstances & not to the general conditions in the neighborhood, which may reflect the unreasonable uses of the zoning ordinance itself.

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 (sandwich shop / catering business)

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.


129
129
94
15TH ST.
8TH ST.
129
130
135
131
137
131
131
133
129
135
TIBBITS AV.
BOUTON RD.
WILLIARD RD.
GRISWOLD RD.
COLLEGE AV.
BURDETT AV.
14TH ST.
15TH ST.
15TH ST.
CHRISTIE AV.
TIBBITS
SEE VOLUME ONE
SEE VOLUME ONE
SEE VOLUME ONE
ASSOC. RISK
SCIENCE CENTER
PUBLIC SCHOOL No 14

STAFF REPORT ZB2015-033

APPLICANT: Unity House

PROJECT DESCRIPTION:

ZB2015-033 Use Variance to allow for a nonconforming use related to a proposal to occupy a vacant church with a professional recording studio at 2238 12th Street, an R-3 Zone, ID 101.39-9-1. Applicant is Unity House, 2431 6th Ave, Troy, NY 12180

Per Section 285-54 of the Zoning Ordinance, *professional recording studio* is not a listed allowed use in the R-3 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:

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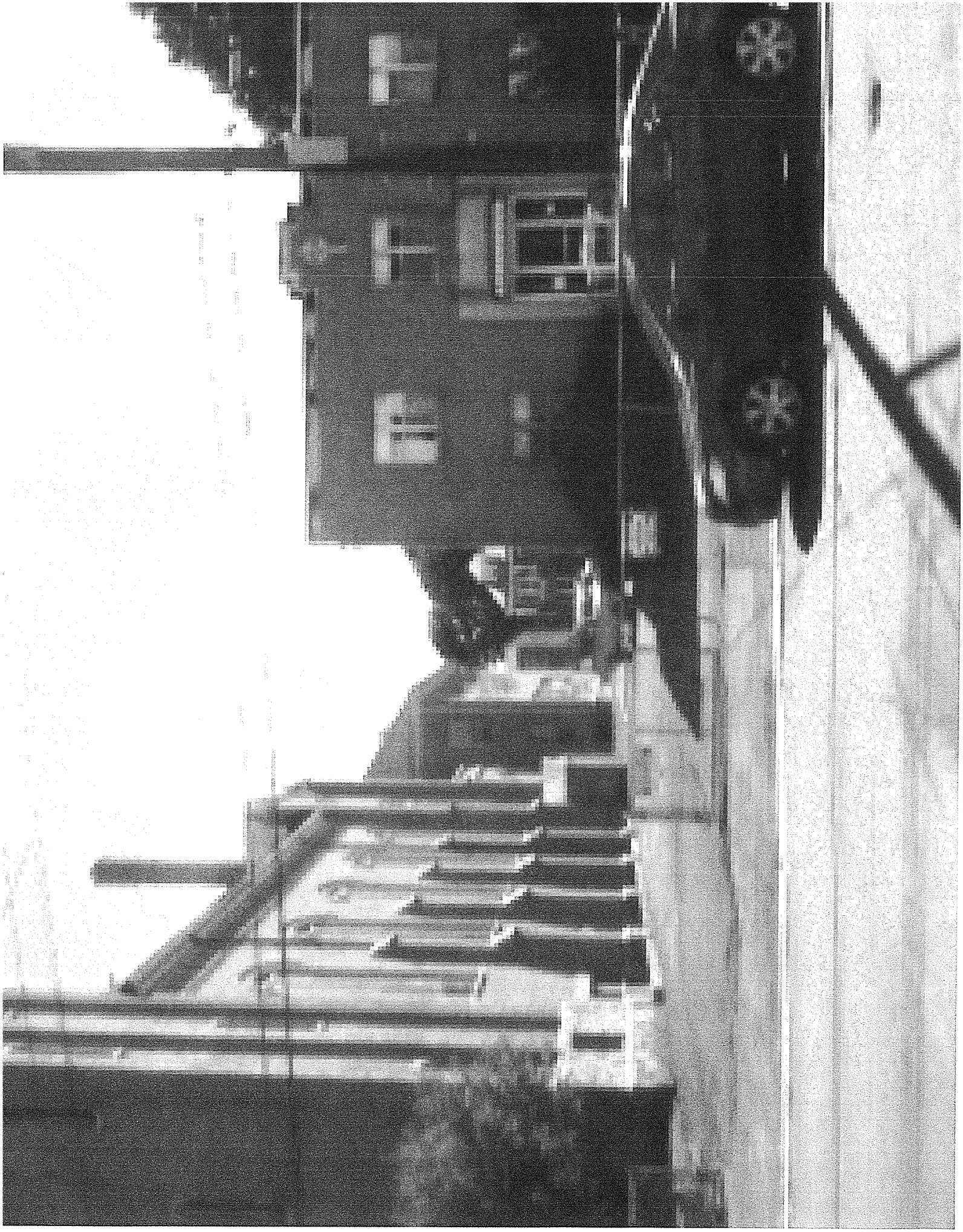
Based on the information provided by the applicant there are no other zoning deficiencies or violations.

APPROVALS NEEDED:

USE VARIANCE to allow for nonconforming use (professional recording studio)

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.