



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. December 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.

Major Area Variance

ZB2015-037 Major Area Variance to allow for a setback deficiency related to a proposal to construct a garage at 229 4th Street, an R-4 Zone, ID101.69-10-17. Applicant is George Regan, 35 Gurley Ave, Troy, NY 12182.

ZB2015-038 Major Area Variance to allow for a parking deficiency related to a proposal to expand an existing fraternity at 316 Congress Street, a B-2 Zone, ID101.71-7-1. Applicant is Phi Sigma Kappa, 312 Congress Street, Troy, NY 12180.

ZB2015-039 Major Area Variance to allow for a parking deficiency related to a proposal to rehabilitate a vacant school building for use as medium density housing at 2920 5th Ave, an R-4 Zone, ID90.70-1-7. Applicant is Redburn Development Companies LLC, 172 River St, Troy, NY 12180

ZB2015-040 Major Area Variance to allow for a parking deficiency related to a proposal to add an additional residential unit at 3076 6th Ave, an R-4 Zone, ID 90.63-8-1. Applicant is Imran Sadis, 3076 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 ZB2015-037

APPLICANT: George Regan

PROJECT DESCRIPTION:

ZB2015-037 Major Area Variance to allow for a setback deficiency related to a proposal to construct a garage at 229 4th Street, an R-4 Zone, ID101.69-10-17. Applicant is George Regan, 35 Gurley Ave, Troy, NY 12182.

Per Section 285-91 of the Zoning Ordinance, *side setback* required is 10 feet total both sides. The applicant provides 3 feet total therefore is deficient 7 feet. The applicant will require a Major Area Variance to allow for a 7 foot setback deficiency

REQUEST:

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.

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 setback deficiency of 7 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.

GENERAL NOTES:

Property: 229-233 Fourth Street
Troy, NY 12180

Applicant: George Regan

Owner: George Regan
500 Sully
Troy, NY 12182

Tax Map #: 101.69-10-17

Zoned: R-4-Utton Neighborhood Residential, Med-High Density

Lot Characteristics: N-120'; S-50'; E-25'; W-75'

Lot Dimensions: 5,500 SF +/-

Min. Lot Area: 1,000 SF per unit (residences)

Min. Lot Width: 15' per unit (residences)

Max. Lot Coverage %: 40% (Commercial)

Required	Existing	Proposed
1,000 SF per unit (residences)	5,500 SF	5,500 SF
4,000 SF (commercial)	75%-0%	75%-0%
15' per unit (residences)	40%	60%

Required	Proposed
Front Setback	40'-0"
Rear Setback	20'-0"
Side Setback (total)	35'-6"
	10'-0"
	3'-0"

Current Property Use: 229 4th St. - Mixed Use Res./Comm.

Proposed: Build a new garage structure in the vacant lot adjoining the rear entry of 229 4th St. to the lot, landscape the front to the street and provide gated access to the lot. Use porous parking surface from church st. to allow vehicle access to garage via off-street parking. (2) 9'x18' spaces min.

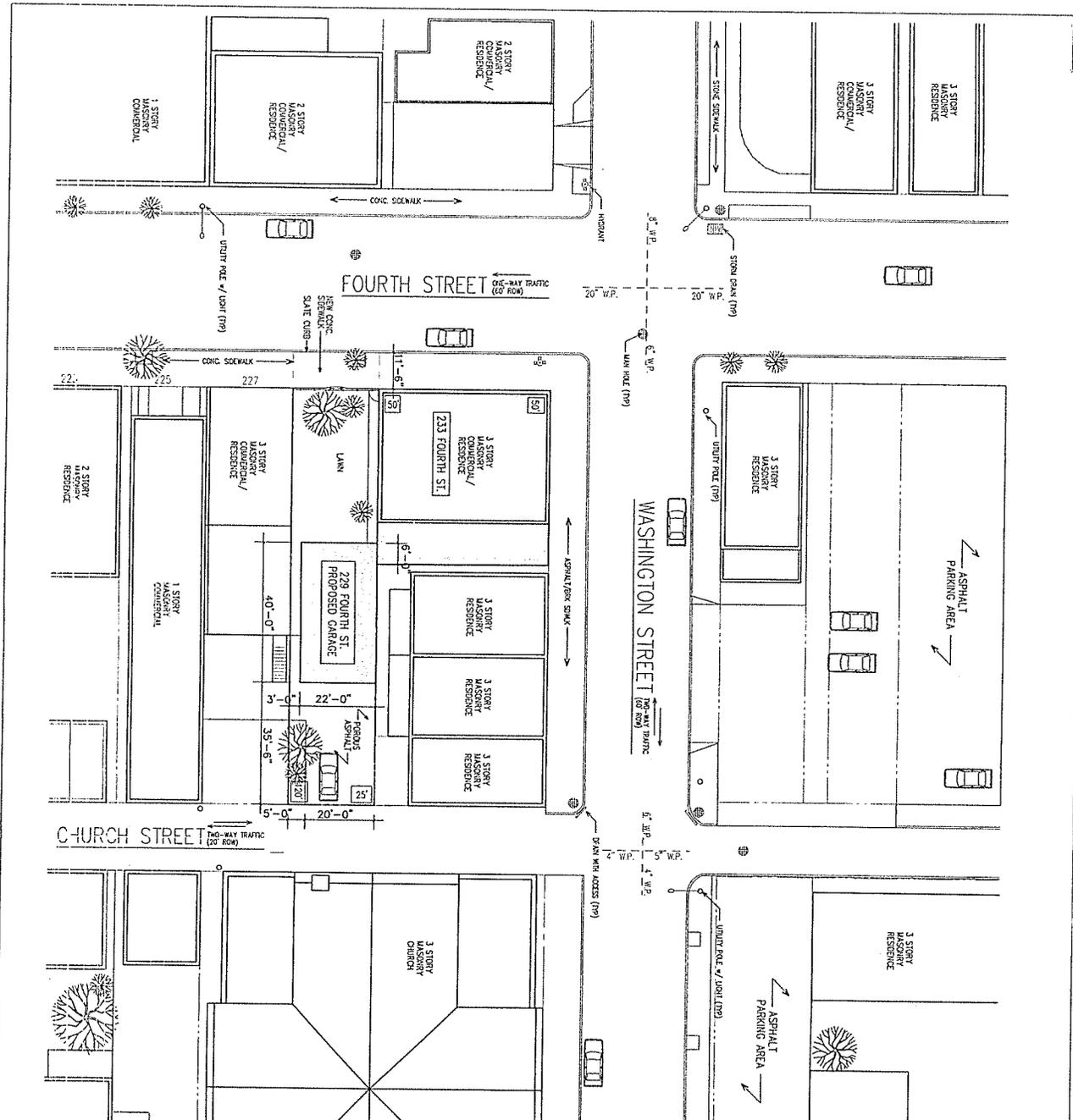
Garbage Removal: Via existing by city

Surface Drains: Porous parking surface, Exist. surface drainage

Snow Removal: Snow to be stored in planting bed area

Lighting: To be mounted east wall of garage (alley side)

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 the information necessary to obtain a Building Permit.



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

PROJECT: ZONING AND PLANNING APPLICATION FOR:
229-233 Fourth Street
Troy, New York 12180
CLIENT: George Regan

DATE: 11/14/2015
DRAWN BY: SRL
REVISIONS:

ROY ARGENTI/PROFESSIONAL ARCHITECT
210 RIVER ST.
TROY, NY 12180
(518) 274-3030

SHEET: SPI
JOB: 153.075

STAFF REPORT ZB2015-038

APPLICANT: Phi Sigma Kappa

PROJECT DESCRIPTION:

ZB2015-038 Major Area Variance to allow for a parking deficiency related to a proposal to expand an existing fraternity at 316 Congress Street, a B-2 Zone, ID101.71-7-1. Applicant is Phi Sigma Kappa, 312 Congress Street, Troy, NY 12180.

Per Section 285-91 of the Zoning Ordinance, *fraternity / sorority* expansion requires 12 spaces. The applicant provides 10 spaces therefore are deficient 2 spaces. The applicant requires a Major Area Variance to allow for a parking deficiency of 2 spaces.

REQUEST:

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:

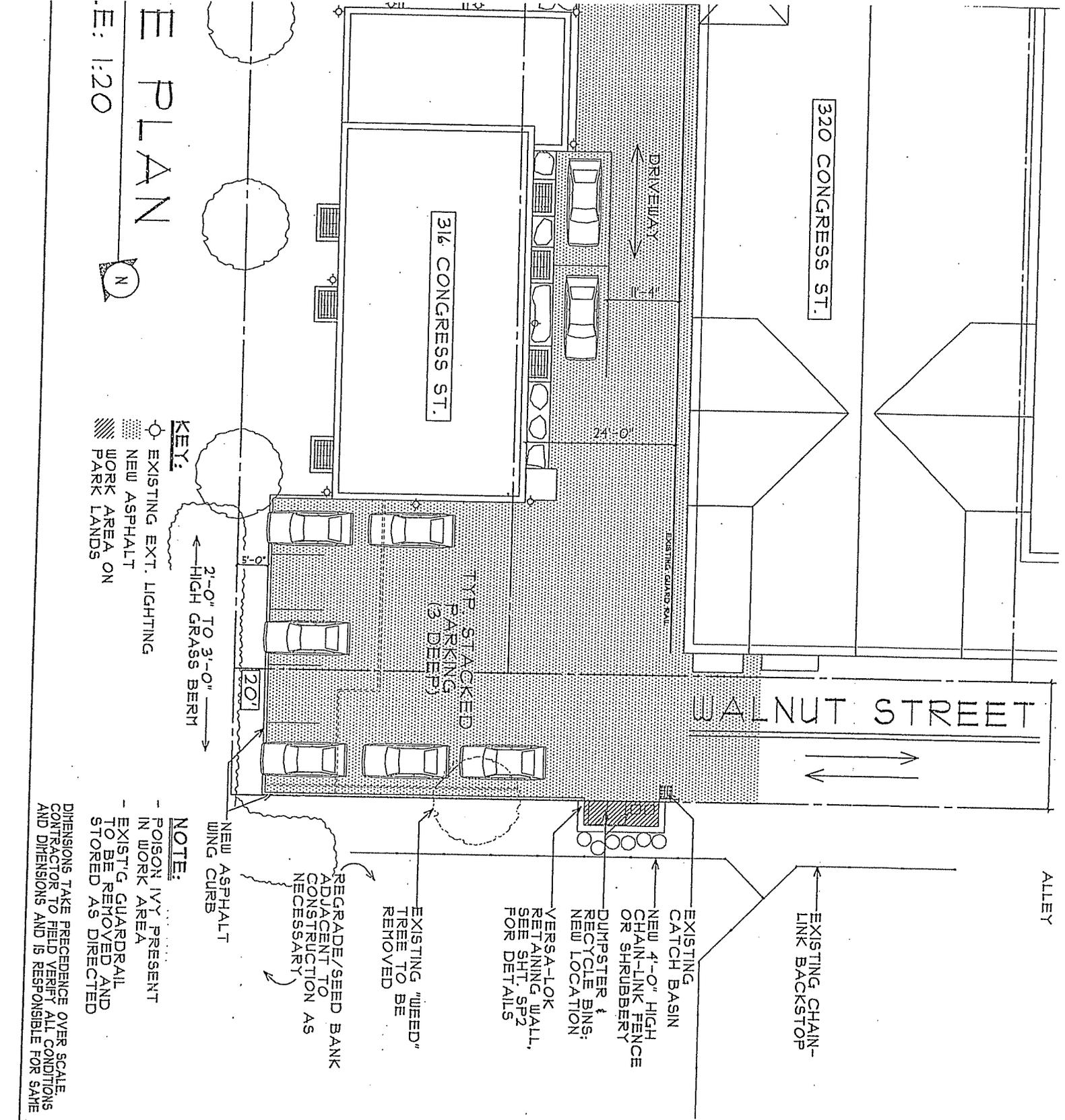
- (1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other 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.



E PLAN
 E: 1:20



KEY:

- EXISTING EXT. LIGHTING
- ▨ NEW ASPHALT
- ▨ WORK AREA ON PARK LANDS

2'-0" TO 3'-0" HIGH GRASS BERM

NOTE:

- POISON IVY PRESENT IN WORK AREA
- EXIST'G GUARDRAIL TO BE REMOVED AND STORED AS DIRECTED
- DIMENSIONS TAKE PRECEDENCE OVER SCALE
- CONTRACTOR TO FIELD VERIFY ALL CONDITIONS AND DIMENSIONS AND IS RESPONSIBLE FOR SAME

REGRADE/SEED BANK ADJACENT TO CONSTRUCTION AS NECESSARY

EXISTING "WEED" TREE TO BE REMOVED

VERS-A-LOK RETAINING WALL, SEE SHT. SP2 FOR DETAILS

DUMPSTER & RECYCLE BINS: NEW LOCATION

NEW 4'-0" HIGH CHAIN-LINK FENCE OR SHRUBBERY

EXISTING CHAIN-LINK BACKSTOP

NEW ASPHALT WING CURB

PROJECT: SITE WORK AT:

316-320 CONGRESS ST.
 TROY, NY 12180

CLIENT: PHI SIG KAPPA

DATE: 08/19/11
 DRAWN BY: GSC, EC
 REVISIONS:

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



SHEET:

SP1

JOB: 113.005

TITLE:
 PRC

STAFF REPORT ZB2015-039

APPLICANT: Redburn Development Companies LLC

PROJECT DESCRIPTION:

ZB2015-039 Major Area Variance to allow for a parking deficiency related to a proposal to rehabilitate a vacant school building for use as medium density housing at 2920 5th Ave, an R-4 Zone, ID90.70-1-7. Applicant is Redburn Development Companies LLC, 172 River St, Troy, NY 12180

Per Section 285-91 of the Zoning Ordinance, *new construction residential units* require 2 spaces per unit. The applicant proposes 28 units therefore require 56 spaces. The applicant provides 36 spaces therefore are deficient 20 spaces. The applicant will require a Major Area Variance for 20 spaces.

REQUEST:

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 20 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.

STAFF REPORT ZB2015-040

APPLICANT: Imran Sadis

PROJECT DESCRIPTION:

ZB2015-040 Major Area Variance to allow for a parking deficiency related to a proposal to add an additional residential unit at 3076 6th Ave, an R-4 Zone, ID 90.63-8-1. Applicant is Imran Sadis, 3076 6th Ave, Troy, NY 12180

Per Section 285-91 of the Zoning Ordinance, *new construction residential units* require 2 spaces per unit. The applicant proposes 1 units therefore require 2 spaces. The applicant provides 0spaces therefore are deficient 2 spaces. The applicant will require a Major Area Variance for 2 spaces.

REQUEST:

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.

