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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. March 1, 2016 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.

USE Variance

ZB2016-006 USE VARIANCE to allow for a nonconforming use related to a proposal to operate a banquet facility at 6 107th Street, an R-2 Zone, ID 90.23-4-2. Applicant is Brad Stevens, 1812 Park Blvd, Troy, NY 12180.

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.

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 ZB2016-006

APPLICANT: Brad Stevens

PROJECT DESCRIPTION:

ZB2016-006 USE VARIANCE to allow for a nonconforming use related to a proposal to operate a banquet facility at 6 107th Street, an R-2 Zone, ID 90.23-4-2. Applicant is Brad Stevens, 1812 Park Blvd, Troy, NY 12180.

Per Section 285-53 of the Zoning Ordinance, *banquet facility* is not an allowed use in the R-2 Zone. The applicant will require a Use Variance to allow for the operation of a nonconforming use.

REQUEST:

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 nonconforming use (banquet facility).

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.

Location: 309 3rd Ave. Troy, New York 12182

Property owner: Troy German Hall Association

Applicant/Contract Vendee: Brad Stevens or entity to be established (contract attached)

Contractor:

Description of work: Applicant will modernize and reuse the structure for a banquet hall and venue.

There are no exterior additions or modifications planned for the building at this time, all improvements are expected to be inside the building.

Current Use: Gemania Hall, the present meeting and banquet hall facility owned and operated by the Troy German Hall Association

Proposed Use: Banquet/Venue facility

Construction: Update fixtures, carpeting, ceiling tiles, paint, ect...

