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**BOARD OF ZONING APPEALS
AGENDA
Wednesday, March 10, 2010
5:30 PM
Common Council Chambers
Second Floor, City Hall**

1. Case # 3-10, 1832

The case of Albany Housing Authority regarding the premises located at 41 North Swan Street requesting a Use Variance pursuant to Sections 375-26 and 375-71A of the City of Albany Zoning Ordinance to allow for the establishment of a multi-media recording studio in a vacant storefront. The proposed recording studio is not a permitted use in the C-1 Neighborhood Commercial zoning district.

2. Case # 3-10, 1821

The case of Philip Stein and Christopher Soden d/b/a Pepper Jacks, LLC regarding the premises located at 192 North Allen Street requesting Special Use Permits pursuant to Sections 375-27, 375-71A and 375-71C of the City of Albany Zoning Ordinance to allow for the establishment of a take-out and delivery restaurant with hours of operation until 12AM. The proposed take-out and delivery restaurant is a special permit use and exceeds the permitted closing hours of 11PM in the C-1 Neighborhood Commercial zoning district.

3. Case # 3-10, 1822

The case of Verizon Wireless regarding the premises located at 84 Holland Avenue requesting a Special Use Permit pursuant to Sections 375-27F and 375-94 of the City of Albany Zoning Ordinance to allow for the replacement and addition of six (6) antennas and the addition six (6) coax cables to an existing telecommunications installation. The proposed alteration is an expansion of an existing special permit use in the C-O Commercial Office zoning district.

4. Case # 3-10, 1823

The case of Alice A. Baker regarding the premises located at 353 Sherman Street requesting a Use Variance and Parking Lot Permit pursuant to Sections 375-26, 375-64A and 375-174 of the City of Albany Zoning Ordinance to allow for the use of a vacant parcel

of land as a parking area for as many as five (5) vehicles. The proposed parking lot for more than four (4) vehicles requires Board authorization and is not a permitted use and in the R-2A One- and Two-Family Residential zoning district.

5. Case # 3-10, 1824

The case of John Norton regarding the premises located at 831 Chestnut Street requesting Area Variances pursuant to Sections 375-26, 375-64D and 375-175 of the City of Albany Zoning Ordinance to allow for the construction of a two (2)-family dwelling with a lot depth of 90.75 feet and parking within the required front yard. A minimum lot depth of 100 feet is required and parking in the required front yard prohibited in the R-2A One- and Two-Family Residential zoning district.

6. Case # 3-10, 1825

The case of John Norton regarding the premises located at 837-839 Chestnut Street requesting Area Variances pursuant to Sections 375-26, 375-64D and 375-175 of the City of Albany Zoning Ordinance to allow for the construction of a two (2)-family dwelling with a lot depth of 90.75 feet and parking within the required front yard. A minimum lot depth of 100 feet is required and parking in the required front yard prohibited in the R-2A One- and Two-Family Residential zoning district.

7. Case # 3-10, 1826

The case of Katrinella's Bistro regarding the premises located at 123.5 Madison Avenue requesting a Special Use Permit pursuant to Sections 375-27 and 375-71C of the City of Albany Zoning Ordinance to allow for the change of use from a restaurant to a restaurant serving alcohol. The proposed restaurant serving alcohol is a special permit use in the C-1 Neighborhood Commercial zoning district.

8. Case # 3-10, 1827

The case of Vincent Riemma regarding the premises located at 414 Delaware Avenue requesting a Use Variance pursuant to Sections 375-26 and 375-64A of the City of Albany Zoning Ordinance to allow for the change of use to a three (3)-family dwelling. The proposed three (3)-family dwelling is not a permitted use in the R-2A One- and Two-Family Residential zoning district.

9. Case # 3-10, 1828

The case of Tony D'Adamo on behalf of Colvin Ave. Properties, LLC regarding the premises located at 91 Colvin Avenue requesting an Area Variance pursuant to Section 307-12C of the City of Albany Sign Ordinance to allow for the provision of a freestanding sign with a front yard setback of eight (8) inches. A minimum front yard setback of fifteen (15) feet is required for freestanding signs in the C-2 Highway Commercial zoning district.

10. Case # 3-10, 1829

The case of Columbia Development Companies regarding the premises located at 50 New Scotland Avenue requesting Area Variances pursuant to Sections 375-26 and 375-72D of the City of Albany Zoning Ordinance to allow for the construction of a nine (9)-story, 67,500 +/- square foot retail / office building with a front yard setback between 1.61 and 8.80 feet, and a height of 107 feet. A minimum front yard setback of twenty (20) feet is required and a maximum building height of 85 feet permitted in the C-O Commercial Office zoning district.

11. Case # 3-10, 1830

The case of Fairbank Properties, LLC regarding the premises located at 27 Western Avenue requesting a Use Variance and Area Variance pursuant to Sections 375-26, 375-65A and 375-185 of the City of Albany Zoning Ordinance to allow for the change of use to a 33-unit apartment building that provides 19 of the 33 parking spaces required for the use. The proposed 33-unit apartment building is not a permitted use in the R-2B One- and Two-Family Medium-Density Residential zoning district.

12. Case # 3-10, 1831

The case of The Fort Orange Club regarding the premises located at 118-120 AKA 110 Washington Avenue requesting an Interpretation, Area Variance and Parking Lot Permit pursuant to Sections 375-25, 375-26, 375-98D and 375-174 of the City of Albany Zoning Ordinance to allow for the construction of a streetscape fence with a height between 8'4" and 12'6" and to determine if a Parking Lot Permit is required for proposed dimensional alterations to an existing parking lot resulting in the addition of five (5) new parking spaces and a total of 52 parking spaces, and if so, to permit the use accordingly. A maximum height of six (6) feet is permitted for fences accessory to nonresidential uses and the proposed alteration and five (5) space addition to an existing parking lot requires Board authorization in the C-O Commercial Office zoning district.