



CITY OF ALBANY  
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COMMISSIONER

## **BOARD OF ZONING APPEALS**

**ACTIONS TAKEN**  
**Wednesday, September 9, 2009**

**Members Present: Apostol; Cronin; Moran; O'Connor; Tucker-Ross; Viele**

### **Case # 9-09, 1760**

The case of St. Catherine of Siena regarding the premises located at 35 Hurst Avenue AKA 40 Hopewell Street requesting Area Variances pursuant to Sections 375-26 and 375-63D of the City of Albany Zoning Ordinance to allow for the construction of a 5,200 square foot addition to a private school that does not meet the minimum required front yard setback of 25 feet and exceeds the maximum permitted lot coverage of 30% for the district. The property is located in an R-1B Single-Family Medium-Density Residential zoning district.

**Approved w/Conditions**

**Vote: 6-0**

### **CONDITIONS**

- **The applicant shall receive Site Plan Approval from the City Planning Board.**

### **Case # 9-09, 1762**

The case of Bradley Junco regarding the premises located at 172 Washington Avenue requesting a Use Variance pursuant to Sections 375-26 and 375-72A of the City of Albany Zoning Ordinance to allow for the change of use to a two (2)-family dwelling, which is not a permitted use in the district. The property is located in a C-O Commercial Office zoning district.

**Approved**

**Vote: 6-0**

## **PENDING CASES**

### **Case # 8-09, 1755**

The case of Mala Khan regarding the premises located at 28 Bassett Street requesting a Special Use Permit pursuant to Sections 375-27 and 375-69C of the City of Albany Zoning Ordinance to allow for the change of use from a single-family dwelling to a ten (10)-bed rooming house / SRO. The property is located in an R-4 Multifamily High-Rise Residential zoning district.

**Denied**

**Vote: 6-0**

### **Case # 8-09, 1757**

The case of Catherine Sherman regarding the premises located at 5 Beach Avenue requesting an Area Variance pursuant to Sections 375-20.1, 375-26 and 375-63D of the City of Albany Zoning Ordinance to allow for the installation of an above ground swimming pool in a side yard, where swimming pools are only allowed in the rear yard and where the applicant failed to comply with the conditions of a prior approval (Case #9-03, 801). The property is located in an R-1B Single-Family Medium-Density Residential zoning district.

**Denied**

**Vote: 6-0**