



CITY OF ALBANY
DEPARTMENT OF DEVELOPMENT &
PLANNING
21 LODGE STREET
ALBANY, NEW YORK 12207
TELEPHONE (518) 434-2532
FAX (518) 434-9846

GERALD D. JENNINGS
MAYOR

MICHAEL J. YEVOLI
COMMISSIONER

BOARD OF ZONING APPEALS

ACTIONS TAKEN
Monday, November 9, 2009

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

Case # 11-09, 1770

The case of John O'Neil regarding the premises located at 2 Marion Avenue requesting an Area Variance pursuant to Sections 375-26 and 375-98B of the City of Albany Zoning Ordinance to allow for the provision of an eight (8)-foot fence along the side and rear lot lines, which exceeds the maximum permitted height of six (6) feet for fences in yards without street frontage. The property is located in an R-1B Single-Family Medium-Density Residential zoning district.

Approved
Vote: 7-0

Case # 11-09, 1775

The case of Teresian House Housing Corp. regarding the premises located at 30 Columbia Circle requesting a Parking Lot Permit pursuant to Section 375-174 of the City of Albany Zoning Ordinance to allow for the construction of a 66-space parking lot as accessory to a proposed 44-unit senior living residence. The property is located in an R-4 Multifamily Medium-Density Residential zoning district.

Approved
Vote: 7-0

Case # 11-09, 1776

The case of Turner Engineering on behalf of Time Warner Capital News 9 regarding the premises located at 104 Watervliet Avenue requesting an Area Variance pursuant to Sections 375-26 and 375-73D of the City of Albany Zoning Ordinance to allow for the construction of a 590 square foot addition to an existing 36,497 square foot structure that does not meet the minimum required rear yard setback of thirty (30) feet. The property is located in a C-2 Highway Commercial zoning district.

Approved
Vote: 7-0

PENDING CASES

Case # 4-09, 1686

The reapplication of Robert Gibson regarding the premises located at 420 AKA 418 and 418A Third Street requesting an amendment to a conditionally approved Use Variance pursuant to Sections 375-23, 375-26 and 375-64A that proposes the removal of conditions relative to the required physical improvement of an auto storage lot and the required subdivision of the premise to compliment the restoration of a vacant residential structure. The property is located in an R-2A One- and Two-Family Residential zoning district.

Approved

Vote: 7-0

Case # 4-09, 1687

The reapplication of Robert Gibson regarding the premises located at 422, 426 and 428 Third Street requesting an amendment to an Interpretation pursuant to Sections 375-23, 375-25 and 375-90 relative to the specificities of the permitted nonconforming use. The property is located in an R-2A One- and Two-Family Residential zoning district.

Approved

Vote: 7-0

Case # 10-09, 1769

The case of Salah Osman regarding the premises located at 25 Lark Street requesting a Use Variance pursuant to Sections 375-26 and 375-64A of the City of Albany Zoning Ordinance to allow for the establishment of a hair and beauty retail supply store in a vacant storefront. The property is located in an R-2A One- and Two-Family Residential zoning district.

Denied

Vote: 7-0

OTHER BUSINESS

1. Case # 4-09, 1693

Declaration of Intent to act as SEQRA Lead Agency for the reapplication of the case of Waste Management regarding the premises located at 100 Boat Street AKA Port of Albany requesting a Special Use Permit to allow for the expansion of an existing Special Use Permit to include municipal solid waste to the types of waste currently authorized for acceptance at the facility.

Motion Carried

Vote: 7-0