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**BOARD OF ZONING APPEALS  
AGENDA  
Wednesday, August 13, 2008  
5:30 PM  
Common Council Chambers  
Second Floor, City Hall**

**1. Case # 8-08, 1596**

The case of Jesse Santonastaso regarding the premises located at 253 Western Avenue requesting a Use Variance pursuant to Sections 375-26 and 375-65A of the City of Albany Zoning Ordinance to allow for continued use as a three-family dwelling, which is not a permitted use in the district. The property is located in an R-2B One- and Two-Family Medium-Density zoning district.

**2. Cases # 8-08, 1597**

The case of John & Kimberly Alvarez regarding the premises located at 81 Grove Avenue AKA 83 Grove Avenue requesting Area Variances pursuant to Sections 375-26, 375-64A and 375-136 of the City of Albany Zoning Ordinance to allow for the construction of a detached garage that does not meet the required side yard setback of four (4) feet and collectively exceeds the maximum permitted lot coverage of 35% for the district. Area Variances are also sought pursuant to Section 375-84 of the City of Albany Zoning Ordinance to allow for the reduction of a nonconforming lot at 85 Grove Avenue to a total of 4,083 square feet. The properties are located in an R-2A One- and Two-Family Residential zoning district.

**3. Case # 8-08, 1598**

The case of Maggie's Café and Sports Bar regarding the premises located at 1186 Western Avenue AKA 1214 Western Avenue requesting a Use Variance pursuant to Sections 375-26 and 375-71A of the City of Albany Zoning Ordinance to allow for the change of use from a restaurant/tavern to a nightclub with live karaoke. The property is located in a C-1 Neighborhood Commercial zoning district.

**4. Case # 8-08, 1599**

The case of Holly Katz regarding the premises located at 1.5 Elm Street requesting a Special Use Permit pursuant to Sections 375-27 and 375-66C of the City of Albany Zoning

Ordinance to allow for the installation of a satellite dish on the roof on an existing home. The property is located in an R-2C One- and Two-Family Row House Residential zoning district.

**5. Case # 7-08, 1600**

The case of Lainey L. Brooks regarding the premises located at 5 Irving Street requesting a Use Variance pursuant to Sections 375-26 and 375-66A of the City of Albany Zoning Ordinance to allow for continued use as a three-family dwelling. The property is located in an R-2C One- and Two-Family Row House Residential zoning district.

**6. Case # 7-08, 1601**

The case of Mark Brenneman regarding the premises located at 21 Jermain Street requesting an Area Variance pursuant to Sections 375-26 and 375-175 of the City of Albany Zoning Ordinance to allow for parking in the required front yard. The property is located in a R-1B One and Two-Family Residential zoning district.

**7. Case # 7-08, 1602**

The case of Capital City Rescue Mission regarding the premises located at 95 Trinity Place requesting a Special Use Permit, Area Variance and Parking Lot Permit pursuant to Sections 375-26, 375-27, 375-69C, 374-174 and 375-185 of the City of Albany Zoning Ordinance to allow for establishment of a 43-unit charitable / religious apartment building in a vacant building that would provide three (3) of the forty-three (43) parking spaces required for such use. The property is located in an R-4 Multifamily High-Rise Residential zoning district.

**Note: The cases listed above are not necessarily in the order in which they will appear before the BZA.**