

# **BZA PENDING CASES**

**Wednesday, March 24, 2010 Meeting**

**1. Case # 8-09, 1746**

The case of Albany Medical Center regarding the premises located at 43 AKA 137 New Scotland Avenue requesting a Special Use Permit and Area Variances pursuant to Sections 375-26, 375-27, 375-72D and 375-96 of the City of Albany Zoning Ordinance to allow for the construction of a six (6)-story, 325,000 square foot addition to an existing hospital that does not meet the minimum required front yard setback of twenty (20) feet and exceeds both the maximum lot coverage of 60% and maximum height of 85 feet for the district, and an elevated pedestrian walkway connecting the addition to an accessory parking garage at 40 New Scotland Avenue. The property is located in a C-O Commercial Office zoning district.

**2. Case # 2-10, 1820**

The case of Michele Pare-Lauzon regarding the premises located at 50 Philip Street requesting Use Variances pursuant to Sections 375-26 and 375-71A of the City of Albany Zoning Ordinance to allow for the establishment of a dance school on the second floor of the subject premise. The proposed dance school is both not a permitted use and exceeds the basement and first floor limitation for commercial spaces in the C-1 Neighborhood Commercial zoning district.

**3. Case # 3-10, 1823**

The case of Alice A. Baker d/b/a Little Motors regarding the premises located at 353 Sherman Street requesting a Use Variance pursuant to Sections 375-26, 375-64A and 375-90G of the City of Albany Zoning Ordinance to allow for the expansion of a nonconforming automobile sales use onto a parcel of vacant land to be used as a parking area for four (4) employee vehicles. The proposed intensification of a nonconforming use is not a permitted use in the R-2A One- and Two-Family Residential zoning district.

**4. 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.

**5. 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.

**6. 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 120 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.

**7. 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.

**8. 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.