



CITY OF ALBANY
DEPARTMENT OF DEVELOPMENT & PLANNING

GERALD D. JENNINGS
Mayor

MICHAEL J. YEVOLI
Commissioner

BOARD OF ZONING APPEALS

**Wednesday, June 12, 2013
AGENDA**

**City Hall, 2nd Floor
Common Council Chambers
(unless otherwise announced on the City's website)
5:30 pm**



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Planning Board**
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1. Case # 5-13, 4100*

The case of Andrew Chouffi c/o Hoffman & Naviasky, PLLC regarding the premises located at 2 Gage Avenue requesting a Use Variance pursuant to §375-26 and §375-63A of the City of Albany Zoning Ordinance to allow for the change of use to a four (4)-unit apartment building. The proposed four (4)-unit apartment building is not a permitted use in the R-1B Single-Family Medium-Density Residential zoning district.

2. Case # 5-13, 4103

The case of Edward Maitino regarding the premises to be known as 17.5 Dove Street requesting an Area Variance pursuant to §375-26, §375-72D and §375-84 of the City of Albany Zoning Ordinance to allow for the subdivision of a 50'/51' x 294' lot to create two new lots, one of which will measure 50'/51' x 65' in size. A minimum lot size of 80' x 100' is required in the C-O Commercial office zoning district.

3. Case # 6-13, 4106

The case of Jay Harold Jakovic regarding the premises located at 79 Spring Street and Appealing a decision of the Commissioner of the Department of General Services pursuant to §375-51.1G of the City of Albany Solid Waste Ordinance regarding the denial of a request to rescind violation #T14119 concerning the removal of illegal debris from the property. Any person or persons aggrieved by a decision of the Commissioner of General Services or his designee may file an administrative appeal with the Board of Zoning Appeals.

4. Case # 6-13, 4107*

The case of Jabar Mohammed regarding the premises located at 263 South Pearl Street requesting a Special Use Permit pursuant to §375-27 and §375-71C of the City of Albany Zoning Ordinance to allow a take-out restaurant to occupy the +/- 1,200 square foot ground level storefront at the premise. The proposed take-out restaurant is a special permit use in the C-1 Neighborhood Commercial zoning district.

5. ~~Case # 6-13, 4108~~ Rescheduled 6/26/13

~~The case of Mastafa Nagi regarding the premises located at 329 Second Avenue requesting a Use Variance pursuant to §375-26 and §375-64A of the City of Albany Zoning Ordinance to allow a convenience store (grocery) to occupy the +/- 900 square~~

~~foot ground level storefront at the premise. The proposed grocery is not a permitted use in the R-2A One and Two Family Residential zoning district. POSTPONED~~

6. Case # 6-13, 4109

The case of Dennis Grant regarding the premises located at 125 Lark Street requesting a Use Variance pursuant to §375-26 and §375-65A of the City of Albany Zoning Ordinance to allow a take-out restaurant d/b/a Shahnee's Restaurant to occupy the +/- 900 square foot commercial property. The proposed take-out restaurant is not a permitted use in the R-2B One- and Two-Family Medium-Density Residential zoning district.

7. Case # 6-13, 4110

The case of Lilian M. Kelly c/o Old Albany Real Estate, LLC regarding the premises located at 293 Hudson Avenue requesting an Interpretation pursuant to §375-25C of the City of Albany Zoning Ordinance seeking a determination that the property retains a legal nonconforming use as a three (3)-family dwelling. A nonconforming use is a use of a lot or a structure which was lawful at the time it was established or at the time of the adoption of §375, or an amendment thereto, but which does not conform to the current zoning regulations of the district in which it is located and is further subject to the provisions of §375-90.

*Referral to the Albany County Planning Board is required per General Municipal Law 239.

BZA Contact Information

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