



CITY OF ALBANY
DEPARTMENT OF DEVELOPMENT & PLANNING

GERALD D. JENNINGS
Mayor

MICHAEL J. YEVOLI
Commissioner

BOARD OF ZONING APPEALS

**Wednesday, January 23, 2013
PENDING CASES**

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



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1. Case # 6-12, 3073

The case of Lang Media, Inc. c/o Meyers & Meyers, LLP regarding the premises located at 60 AKA 48 Broadway requesting a Variance from the City of Albany Sign Ordinance pursuant to §307-10 of the City of Albany Code to allow for the addition of a sign face to a billboard currently improved with a single sign face. Off-premises sign faces located within the City of Albany are limited to a total of 95 in number.

2. Case # 8-12, 4015

The case of SRDH, Inc. regarding the premises located at 90 South Swan Street AKA 244 State Street requesting a Special Use Permit pursuant to §375-26 and §375-72C of the City of Albany Zoning Ordinance to allow for the conversion of 2,520 +/- square feet of ground floor office space for use as a restaurant. The proposed restaurant is a special permit use in the C-O Commercial Office zoning district.

3. Case # 8-12, 4019

The reapplication of The Addictions Care Center of Albany, Inc. regarding the premises located at 115 Ontario Street requesting a Special Use Permit pursuant to §375-23, §375-27 and §375-74C of the City of Albany Zoning Ordinance to allow for the conversion of office space to 14 single-room occupancy (SRO) dwelling units. The Board may amend, rescind or otherwise change its decision if a reapplication reveals relevant facts, information or circumstances not available to the Board prior to its initial decision.

4. Case # 10-12, 4040

The case of Amanda Wray regarding the premises located at 402 North Pearl Street requesting a Special Use Permit pursuant to §375-27 and §375-76C of the City of Albany Zoning Ordinance to allow a banquet / bingo hall to occupy an existing +/- 6,600 structure at the site. The proposed banquet / bingo hall (auditoria) is not a permitted use in the M-1 General Industrial zoning district.

5. Case # 11-12, 4053

The case of Robert Savoca d/b/a Waterworks Pub c/o Stephen G. DeNigris, Esq. regarding the parcel located at 76 Central Avenue appealing a decision of the City Clerk pursuant to §111-69F and §111-73 of the City of Albany Amusements

Ordinance requesting removal of conditions requiring live entertainment to cease at 12PM on weeknights and 2AM on weekends, and restricting those under 21 years of age from entering the premises after 11PM. The City Clerk has the authority to condition the issuance of a cabaret license for the purpose of minimizing adverse impacts that it may have upon the community and as is directly related to the preservation of the public interest and health, safety and welfare of the citizenry.

6. Case # 12-12, 4058

The case of Kasim Kurd / Dino's Pizza & Pasta, Inc. c/o Linnan & Fallon, LLP regarding the premises located at 420 Madison Avenue requesting Special Use Permits pursuant to §375-27F, §375-75A and §375-75C of the City of Albany Zoning Ordinance to allow for a +/- 500 square foot expansion of a take-out and delivery restaurant with proposed hours of operation until 3:00AM, Monday – Thursday, 5:00AM, Friday – Saturday and 2:30AM, Sunday. A new special use permit is required for any expansion of an existing special permit use and any business in the C-1 Neighborhood Commercial zoning district that is open between the hours of 11:00PM and 6:00AM is required to obtain a special use permit.

7. Case # 12-12, 4059

The case of Ravens Head Brewing, LLC c/o Lynch & Hetman, PLLC regarding the premises located at 38 Ten Broeck Street requesting a Use Variance and Area Variance pursuant to §375-26, §375-65A and §375-185 of the City of Albany Zoning Ordinance to allow a brewery and restaurant to occupy a +/- 17,500 square foot former house of worship. The proposed brewery and restaurant is not a permitted use in the R-2B One- and Two-Family Medium-Density Residential zoning district and does not provide the minimum number of off-street parking spaces required to support the use.

8. Case # 1-13, 4061

The case of Virginia Romano regarding the premises located at 408 Spring Street requesting a Use Variance pursuant to §375-26 and §375-64A of the City of Albany Zoning Ordinance to allow for the change of use from a two (2)-family dwelling to a four (4)-unit apartment building. The proposed four (4)-unit apartment building is not a permitted use in the R-2A One- and Two-Family Residential zoning district.

9. Case # 1-13, 4062

The case of Anthony Farina c/o Hershberg & Hershberg regarding the premises located at 90 South Swan Street AKA 244 State Street requesting a Use Variance pursuant to §375-26 and §375-72A of the City of Albany Zoning Ordinance to allow a newsstand (grocery store) to occupy a +/- 585 square foot former office space on the ground level of the structure at the premise in question. The proposed grocery store is not a permitted use in the C-O Commercial Office zoning district.

10. Case # 1-13, 4064

The case of Ryan Jankow c/o Harris A. Sanders Architects, P.C. regarding the premises located at 259 Lark Street requesting a Special Use Permit pursuant to §375-27 and §375-72C of the City of Albany Zoning Ordinance to allow a restaurant to occupy a +/- 3,330 square foot commercial space on the ground level of the structure

at the premise in question. The proposed restaurant is a special permit use in the C-O Commercial Office zoning district.

11. Case # 1-13, 4065

The case of Armory Basketball & Sports Corporation c/o Gregory J. Teresi, Esq. regarding the premises located at 171 AKA 195 Washington Avenue requesting an Interpretation pursuant to §375-25 and §375-72A of the City of Albany Zoning Ordinance to determine the extent to which the current use of the premises is permitted under the zoning classification “Auditoria.” Auditoria is a permitted use in the C-O Commercial Office zoning district but is not defined within the City Zoning Ordinance.

12. Case # 1-13, 4066

The case of MMHD, LLC regarding the premises located at 320 First Street requesting a Use Variance pursuant to §375-26, §375-64A and §375-90A of the City of Albany Zoning Ordinance to allow for the reestablishment of three (3) dwelling units in a vacant residential structure that previously contained as many as four (4) dwelling units. The proposed three-family dwelling is not a permitted use in the R-2A One- and Two-Family Residential zoning district and no nonconforming use may be reestablished after it has been discontinued or vacated for a period of 180 days or more.

BZA Contact Information

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