

City of Rensselaer
Planning and Development Agency
City Hall, 62 Washington Street
Rensselaer, NY 12144
(518) 465-1693 / FAX (518) 465-2031

APPLICATION TO THE ZONING BOARD OF APPEALS

AREA VARIANCE

This application, made on the 20TH day of SEPTEMBER 2012 is an appeal from the decision of the Building Inspector based on requirements set forth in the City of Rensselaer Zoning Ordinance. Included with this application is a site plan of the property with all structures indicated hereon and a copy of the Building Inspector's determination.

Address or lot number of subject property: 800 BROADWAY, RENSSELAER, NY 12144

Zoning District _____ Type of Use RETAIL, GOODS AND SERVICES

Describe Proposal: APPLICANT WISHES TO OWN AND OPERATE A WINE/LIQUOR STORE, AS WELL AS BEER AND BEVERAGE STORE

Why is a Variance required? (Refer to appropriate section(s) of Zoning Ordinance)

800 BROADWAY DOESN'T ALLOW FOR PARKING THAT IS NECESSARY TO OPERATE BUSINESS DESCRIBED ABOVE.

Justification: (SEE ABOVE)

I hereby certify that all of the above statements and the statements contained in all the exhibits transmitted herewith are true to the best of my knowledge.

Property owner: _____ Signature: _____

Address: _____ Date: _____

Phone: _____

IF APPLICANT IS NOT OWNER:

Applicant's Name: TIMOTHY BAILEY Signature: [Signature]

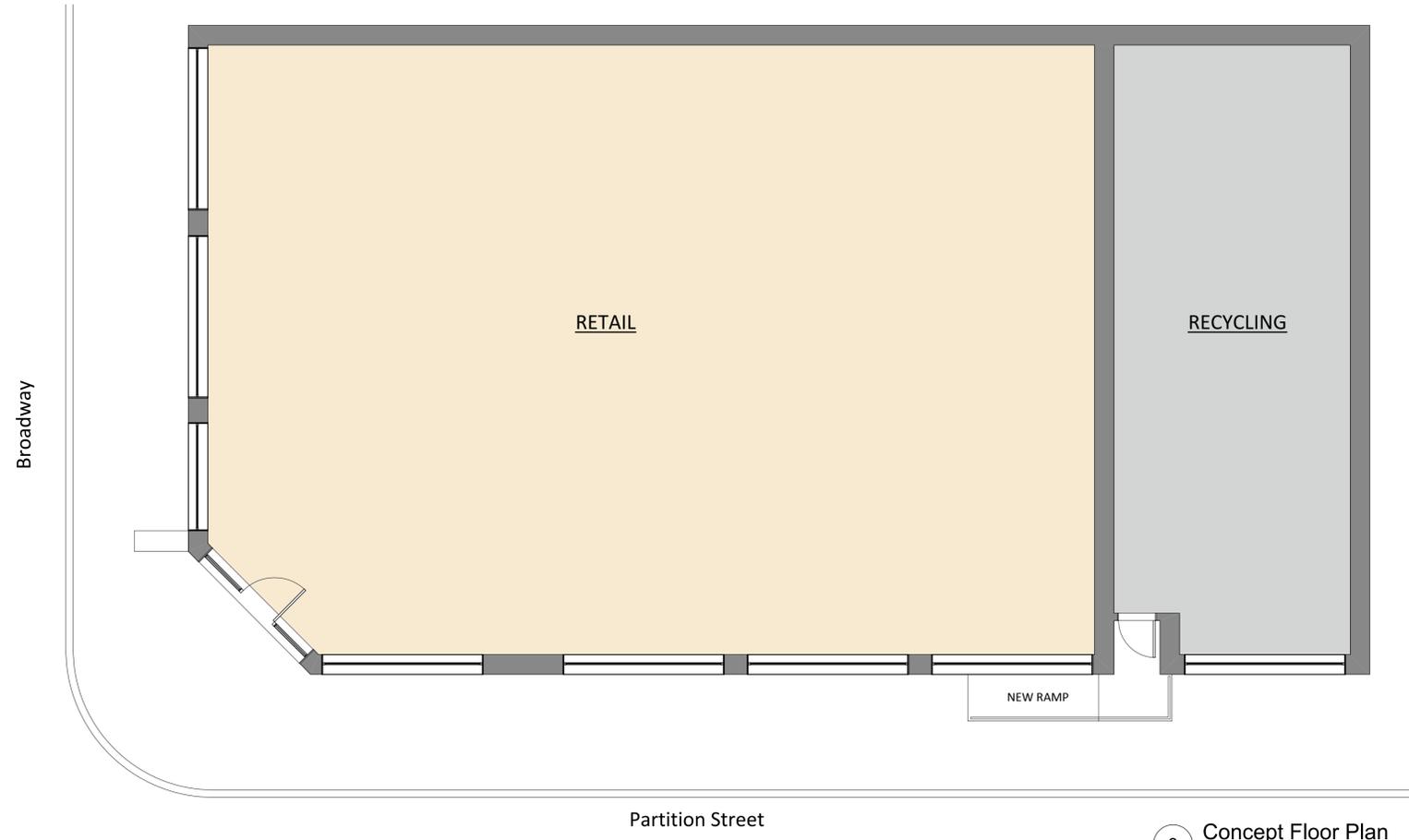
Address: 360 WEST 34TH Date: 9-20-12

NY, NY 10001 Phone: 917 697 8647

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The required fee must accompany this application.
Schedule: \$40.00 - all variances
Make checks payable to the CITY OF RENSSELAER



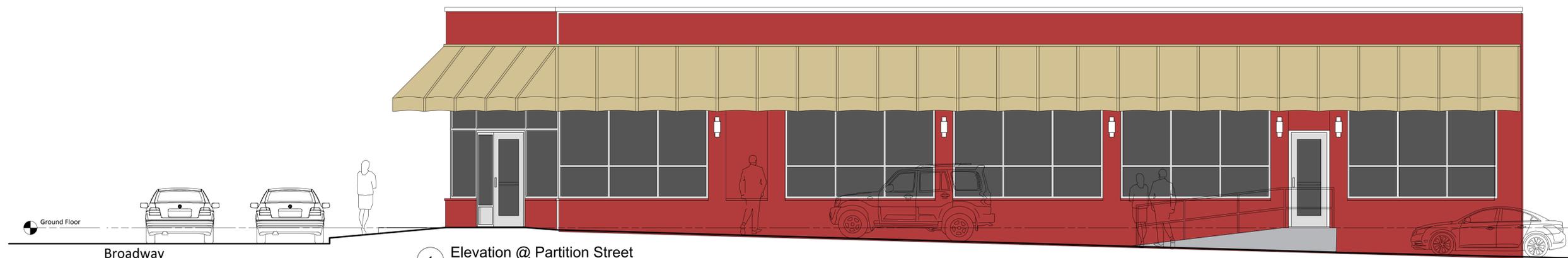
4 Existing Conditions
Scale: 3/16" = 1'-0"



3 Concept Floor Plan
Scale: 3/16" = 1'-0"



2 Elevation @ Broadway
Scale: 1/4" = 1'-0"



1 Elevation @ Partition Street
Scale: 1/4" = 1'-0"

Renovation of 800 Broadway

Rensselaer, New York

September 24, 2012



Moore Architecture
12 Highland Drive
East Greenbush, NY 12061
518.441.3368

9/13/12
As

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APPLICATION TO THE ZONING BOARD OF APPEALS

AREA VARIANCE

This application, made on the 13th day of September 2012, is an appeal from the decision of the Building Inspector based on requirements set forth in the City of Rensselaer Zoning Ordinance. Included with this application is a site plan of the property with all structures indicated hereon and a copy of the Building Inspector's determination.

Address or lot number of subject property: 11 Aiken Avenue

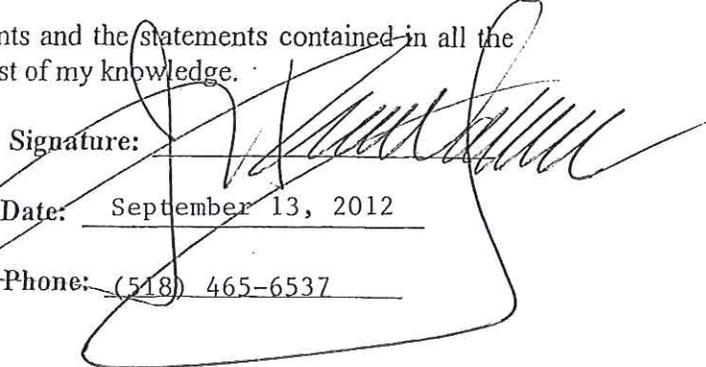
Zoning District R-2 Type of Use Three family residential

Describe Proposal: Please see attachment

Why is a Variance required? (Refer to appropriate section(s) of Zoning Ordinance)
Please see attachment

Justification: Please see attachment

I hereby certify that all of the above statements and the statements contained in all the exhibits transmitted herewith are true to the best of my knowledge.

Property owner: Jay Harold Jakovic Signature: 
Address: 654 Madison Avenue Date: September 13, 2012
Albany, NY 12208 Phone: (518) 465-6537

IF APPLICANT IS NOT OWNER:

Applicant's Name: _____ Signature: _____
Address: _____ Date: _____
Phone: _____

.....
The required fee must accompany this application.
Schedule: \$40.00 - all variances
Make checks payable to the CITY OF RENSSELAER

**Second Revised
Attachment to Application to the
Rensselaer City Zoning Board of Appeals
Area Variance
For 11 Aiken Avenue**

Describe Proposal:

The proposal is the reconstruction of a destroyed wooden addition to an extant fire damaged brick building. The wooden addition is 27 feet 5½ inches long (exclusive of the 2 foot roof overhang) from the rear of the brick building. It replaces a destroyed wooden addition 6 foot 3 inches in width and a destroyed deck 8 feet in width which projected into the rear yard a total of 14 feet 3 inches. Therefore, the new addition will project 13 feet 2 inches beyond the former rear of the structure.

Why is a variance required:

One variance is required for relief from the rear building set back requirements because the new structure projects 8 feet 4 inches within the 20 foot rear building set back line;

This requirement is set forth in Section 179-9 of the Rensselaer City Zoning Code.

Justification:

The variance should be approved because few changes have been made on the plans to the brick or old section of the house; the only meaningful changes are the relocation of the kitchen in the two first floor apartments to the rear of the building into the former bedroom and the creation of a new dining room in the former kitchen's space. There is no change in the occupancy of the building. It shall remain a three unit residential building, a variance for which was granted in 1985. In the 26 years since I reconstructed the building from a dangerous, unsightly shell of a building, my experience has been that the tastes of the market have changed because lately, I have found desirable tenants passing my apartments by, leaving as my tenants those less than the best. Feedback was that the living spaces in the two first floor one-bedroom apartments were too cramped. Especially lacking was a tub in the east first floor unit and closet space throughout. This situation renders the building no longer viable as I reconstructed it 26 years ago and as it was before the fire. Although rented at the time of the fire, the east or left hand unit has been vacant more often than it has been rented and when it is rented, the payment of rent has been spotty at best. For example, at the

time of the fire, the tenant who had entered into occupancy on December 1, 2010, had not paid rent since January, 2012 and even then was \$2,360.00 in arrears of rent. In addition, the police were called to the unit at least twice in the last year. Although the west or right hand unit was rented at the time of the fire and the rent was current, the past history of this unit is one of vacancy, evictions and unpaid rent. For example, in 2010, I evicted the tenant who was three months in arrears in rent totaling \$1,165.00. These are not the tenants I want, or I suspect the tenants you want in Rensselaer's Historic District. The tenants must be upscaled and to do so the building must be upscaled. To increase the size of the living space, I have made the two kitchens into dining rooms that may be used as such by tenants or as an extension of the living room. The old kitchen plumbing which appears to have survived the fire, I anticipate using for a wetbar. A new kitchen has been relocated to the old bedroom and this new area will permit the installation of more cabinetry, counter tops, a standard size stove and a dishwasher. A new bedroom has been placed in the new 20 foot addition and it has a new ensuite bathroom and laundry room and plenty of closet space. A new deck adjoins the bedroom to the rear. On the second floor, the additional space is divided between a new bedroom with an ensuite bathroom and a new kitchen with a new deck behind the kitchen and bedroom. Again, there is no change in the occupancy of the building. It will remain a three-unit, a variance for which was received back in 1985.

The variance is justified under New York State Law.

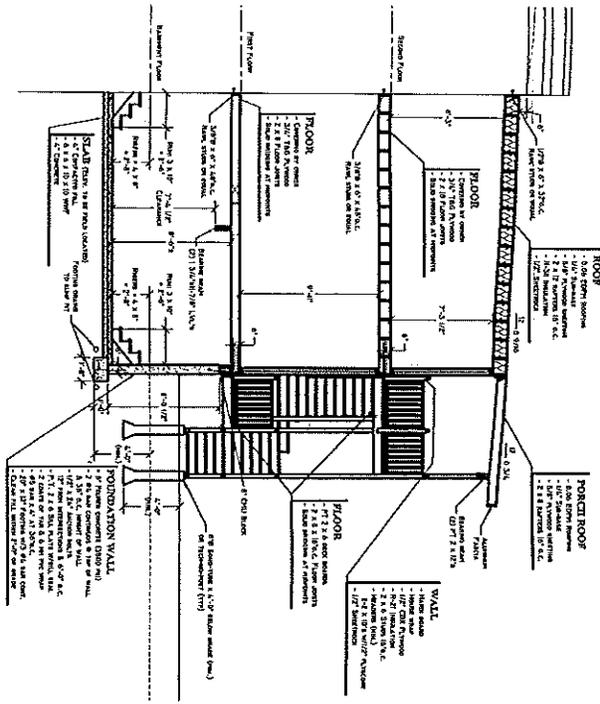
1. The new addition will produce no undesirable change in the character of the neighborhood since there is no change in the occupancy of the building. The occupancy remains two one bedroom apartments on the first floor and one three bedroom apartment on the second floor.
2. There will be no detriment to nearby properties from the new addition since the subject building is on a corner lot so the adjoining buildings will not be shut out from light and air. Nelson Avenue will continue to supply light and air and the building next south is separated from the subject building by its driveway. Also, the new addition will not be taller than the burned out brick building so it will be invisible from buildings on the north side of Aiken Avenue.
3. There is no other method to increase the desirability of the two first floor units other than increasing their size and to do so requires a variance. All the eyewash in the world cannot make up for a comfortably sized bedroom and bathroom or provide the closet space needed by Americans of the 21st Century. No upscale tenant wants to live in a "fivey-flat" anymore.
4. The variance is not substantial since it is less than half the size of the burned out brick building and its destroyed wooden addition.

5. There is no adverse effect or impact from the new addition on the physical or environmental conditions in the Historic District. Whatever adverse impact there would be would come from not seeking the variance since that would leave a federal period building (1795-1850) no longer a viable residential building in the neighborhood. The loss of the building would have an adverse impact on the Historic District. There are only a limited number of Federal period buildings surviving in our area and the loss of any one is an adverse impact. This building especially with its' magnificent brickwork and brownstone lintels is spectacular. It deserves to be an upscale residence again and needs the variance to make this change to the upscale a reality.

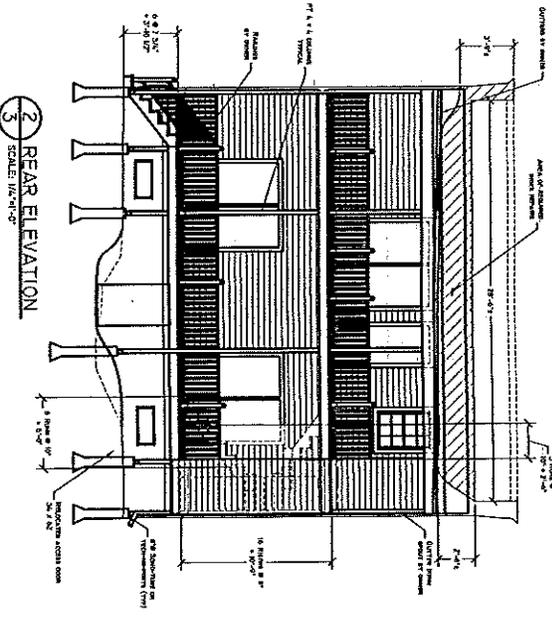
6. The difficulty I am seeking to resolve by the variance application is not self-created. The change in tastes over 26 years arising from our Society's increasing affluence I did not cause; nor did I cause the fire that burned out the brick building and destroyed its wooden addition: this variance seeks merely to replace a fire destroyed wooden addition with an addition that meets with the taste's of today's tenants.

For an additional justification to this board granting the variances:

Granting the variances will benefit the City of Rensselaer, as the building stood before the fire, it was worth less than it cost me to rebuild it 26 years ago. My historic cost at that time was \$127,684.11. The current value before the fire as evidenced by the appraisal made by William McEvoy is \$105,000. I will make more money now by not rebuilding. If I do not rebuild, the insurance company has offered me \$202,485 less the cost to demolish the remaining fire damaged brick building which monies will be mine to keep. However, if this board grants me the variances, I will rebuild and the insurance company must pay me the withhold of \$83,015 called in the insurance company's "Statement of Repair or Replacement": the "Applicable Depreciation" or "Supplemental Claim." Since it is anticipated that the construction costs to repair the brick building and build the new wooden addition will be \$318,498 as set forth in the Continental Risk Improvement Statement, so if the variances are approved, the City will benefit from a \$318,498 investment in this building which will make it viable as a three unit building once again. If the building is not rebuilt and I take the \$202,485, that money will be reinvested elsewhere. The benefit to the City of Rensselaer is in me reinvesting my \$202,485 plus the insurance company's withhold of \$83,015 along with \$32,998 of my fresh money into this brick shell of a burned out building to create a viable upscale residential three unit building. I am certain you have seen that improvements to one building in a neighborhood result in improvements to other buildings throughout that neighborhood. Improving this fire damaged brick building is certain to result in other buildings in the neighborhood being improved.



1 REAR BUILDING SECTION
SCALE: 1/4"=1'-0"



2 REAR ELEVATION
SCALE: 1/4"=1'-0"

GENERAL NOTES:
 1) - Consult the structural engineer's report.
 2) - Existing masonry to be repaired or replaced.
 3) - Existing masonry to be removed and replaced with new masonry.
 4) - Structural steel to be installed to be 2" x 4" minimum size steel.



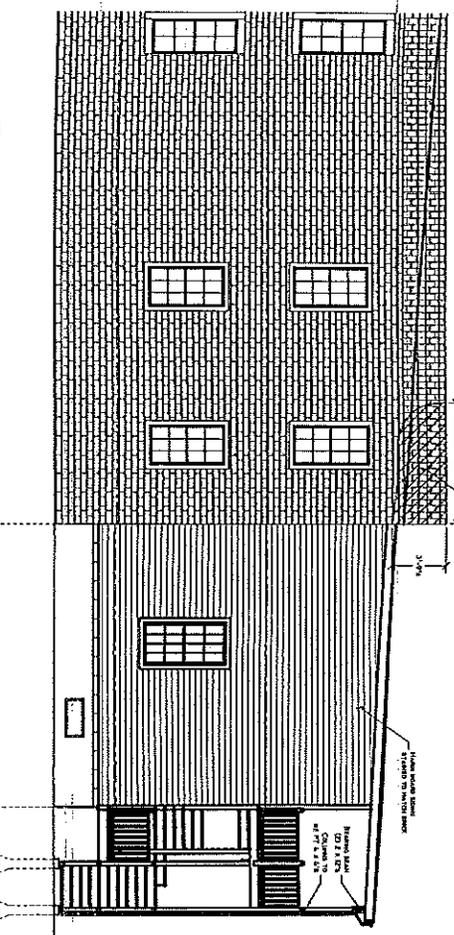
NO.	DATE	DESCRIPTION	BY

EXISTING FLOOR PLANS
 12-7-12
 3/8" = 1'-0"

RICHARD H. GREER P.E., P.C.
 11 ASHBY AVE.
 ROCKAWAY, NJ

DATE: 12-7-12
 SCALE: 3/8" = 1'-0"

3 RIGHT SIDE ELEVATION
SCALE: 1/4"=1'-0"



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AREA VARIANCE

This application, made on the 9 day of 17 2012 is an appeal from the decision of the Building Inspector based on requirements set forth in the City of Rensselaer Zoning Ordinance. Included with this application is a site plan of the property with all structures indicated hereon and a copy of the Building Inspector's determination.

Address or lot number of subject property: 336 BROADWAY RENSSSELAER, 12144

Zoning District MU-1 Type of Use FOOD SERVICE

Describe Proposal: TO UTILIZE BASEMENT AND ADJOINING SINGLE STORY BUILDING AS TAKE-OUT FOOD SERVICE.

Why is a Variance required? (Refer to appropriate section(s) of Zoning Ordinance)

Relief from parking requirements

Justification:

the building as constructed may only BE USED PARTLY FOR RESIDENTIAL PURPOSES.

I hereby certify that all of the above statements and the statements contained in all the exhibits transmitted herewith are true to the best of my knowledge.

Property owner: DENNIS GRANT Signature: [Signature]

Address: P.O. BOX 802 Date: 9-17-12

RENSSSELAER 12144 Phone: 518-522-8224

IF APPLICANT IS NOT OWNER:

Applicant's Name: _____ Signature: _____

Address: _____ Date: _____

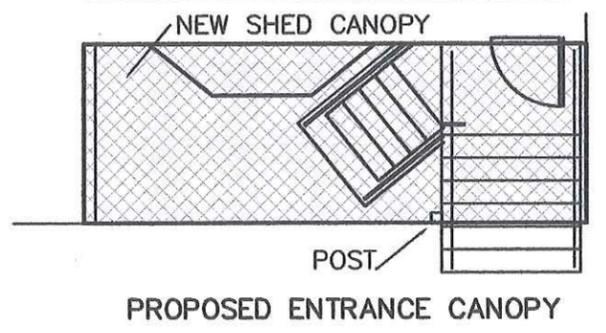
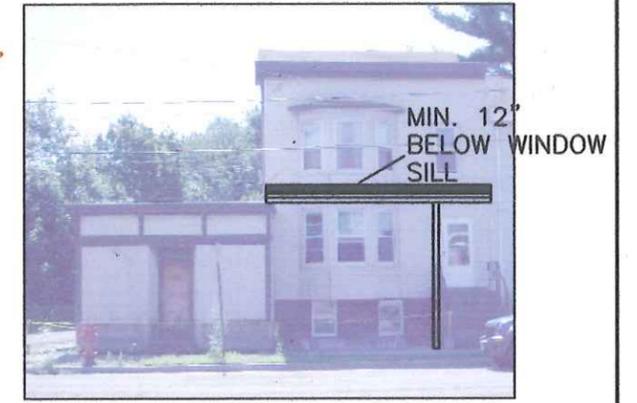
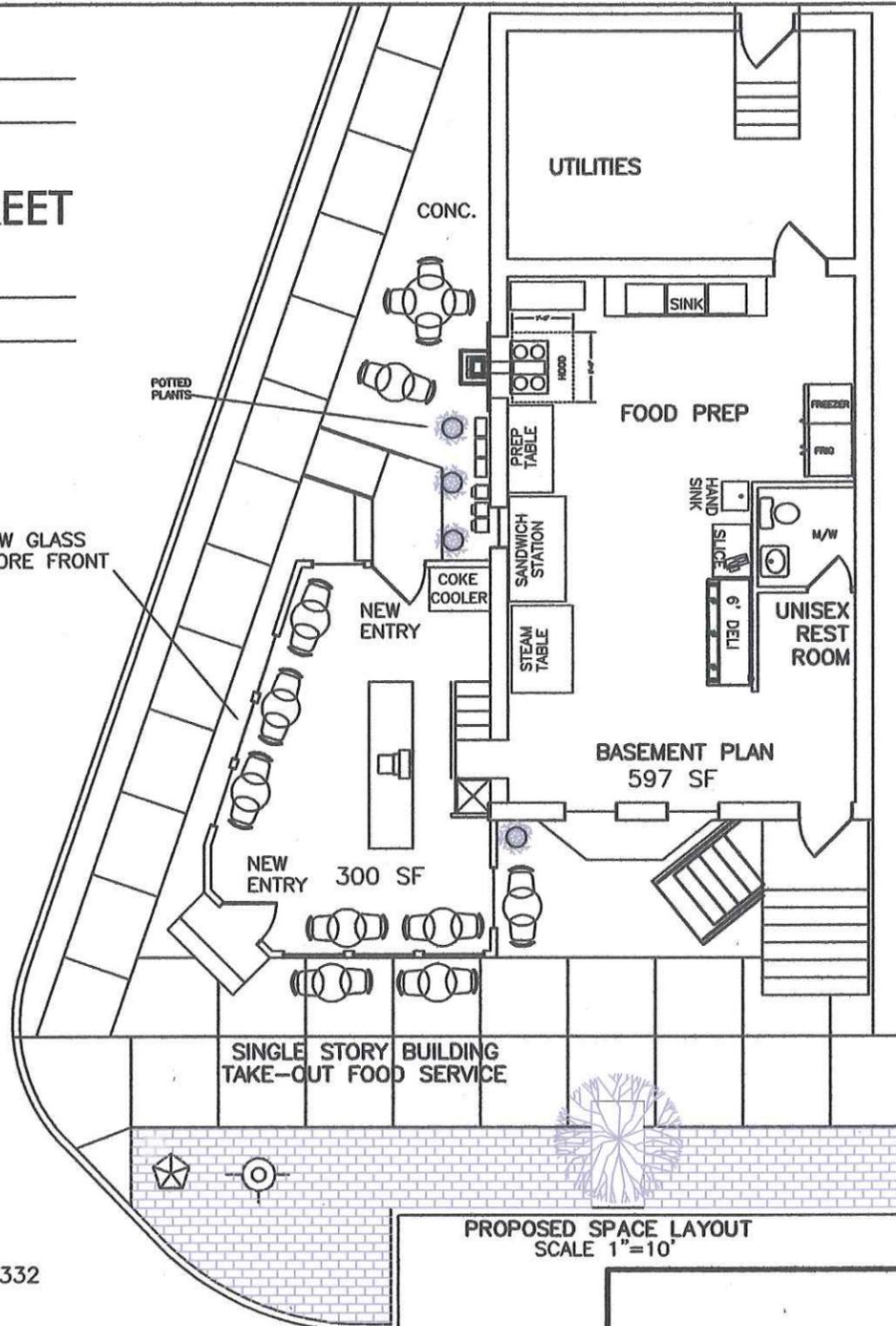
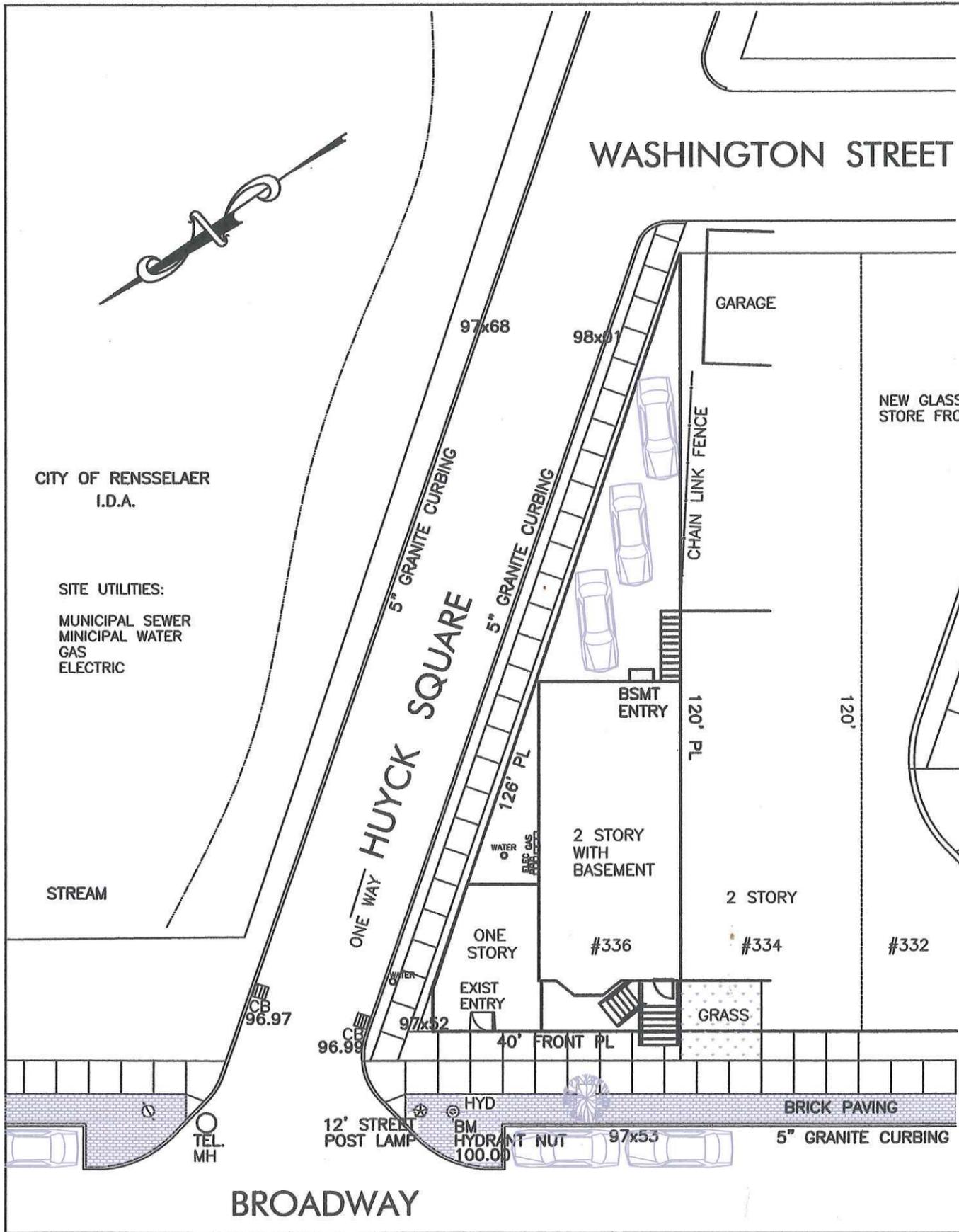
Phone: _____

The required fee must accompany this application.

Schedule: \$40.00 - all variances

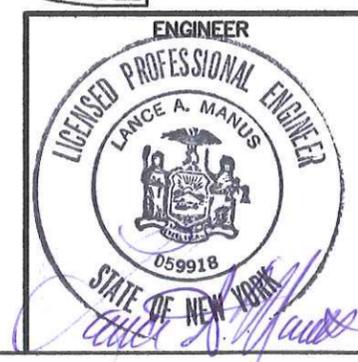
Make checks payable to the CITY OF RENSSSELAER

DMO pd 9/18/12



PROPOSED SPACE LAYOUT
SCALE 1"=10'

PROPOSED FRONT ELEVATION



LANDS OF DENNIS GRANT		SCALE: 1"=10'	DRAWN BY: L. MANUS
DATE: 9/17/12	336 BROADWAY RENSSELAER NEW YORK	REVISIONS	REVISED
SITE PLAN AND BUILDING ALTERATIONS			
L M Associates Consulting Engineering P.O. Box 111 Duaneburg, N.Y. 12056 (518) 875-6765			DRAWING NUMBER 1 OF 1