City of Albany
Department of Planning and Development
200 Henry Johnson Boulevard
Albany, New York 12210

Area Variance Application Form

**Part 1. Application Notes**

An application for an Area Variance is a request for relief from the dimensional or development standards of the USDO for a specific property. An application may be submitted after denial of a proposed project or development by the Chief Planning Official or the Chief Building Official.

1. The Board of Zoning Appeals (BZA) reviews the application at a public hearing and makes its decision based on the standards in Section 375-5(E)(21)(c)(i).
2. Applicants have the burden to provide evidence of the hardship, to clearly communicate the benefits to be realized by the applicant and that any detriments to community or adjacent property owners are sufficiently mitigated in order for a variance to be approved.
3. The BZA is required to grant only the minimum variance that it deems necessary and adequate to address the hardship while preserving and protecting the character of the neighborhood and health, safety and welfare of the community.
4. The decision of the BZA is final and another application for the same or essentially the same approval cannot be submitted within one year from the date of the decision.

*Note: A pre-application meeting is available upon request prior to submitting this application.*

**Part 2. General information**

| Project Address: 801 Western Ave (12 Rosemont St) | Tax ID Number(s): 64.40-3-1 |
| Zoning District: MU NE | Current Use: school |

**Part 3. Project Description**

(Describe the variance and identify the standard(s) or requirement(s) of the USDO proposed to be varied):

- [ ] Lot area
- [ ] Lot width
- [ ] Impervious lot coverage
- [ ] Height
- [ ] Minimum setback
- [ ] Fence/wall standard
- [x] Signage
- [ ] Other (Specify; must reference a specific standard in the USDO):

Section number of USDO from which the variance is being requested: 375-4 (i)(5)(a)(i), 375-4 (i)(a)(ii)(3)

Current USDO requirement or standard: exceeds maximum permitted size

Proposed requirement or standard: 3'x6' with changeable copy

**Part 4. Character of the Neighborhood**

Explain why the dimensional alteration being proposed will not result in a structure or configuration that will be out of place in the neighborhood or zone district (e.g., the structure's overall size and footprint size and placement are similar to the structures on adjacent properties):

The curb appeal w/integrated landscaping will add value to the current industrial look of the property along Western Ave.

**Part 5. Alternatives Considered**

Describe the benefit to be achieved by the granting of the variance and why such benefit cannot otherwise be reasonably achieved (detail any alternatives that were considered and rejected, and include evidence where necessary to support your conclusions):

Signage will add exposure to the community of existing programs offered. Beyond offering full day early childhood programs, a K-8 education is available to families that wants to enroll their child(ren), we are also a community partner as a city polling site, location of weekly AA meetings for 40+ years, and rental space for youth camps, gym usage, and AAU basketball. A lack of appropriate signage and exposure can be detrimental to our enrollment.

**Part 6. Substantiability**

Indicate why the requested variances is not a substantial or contextually significant deviation from the prevailing regulation:

Other Albany schools have similar signage (Eagle Point & Albany HS). As a community partner we too would like similar opportunity to share the great events with the public that are happening (secular and nonsecular) at ASCA.
Part 7. Impact on Environment

Describe any potential impact on such factors as drainage, traffic circulation, dust, noise, odor, public services, among others (e.g., compliance with the USDO requirement to be varied would result in the removal of three mature trees and a natural berm):

none - if there is the chance of potential light pollution, time restraints of illumination can be considered to remain neighborly.

Part 8. Self-Created Difficulty

Explain why the need for the variance requested is not self-created (e.g., the lot was created in 1954 and does not comply with the minimum lot area requirements of the USDO):

It is a self-created hardship for community and educational benefits that does not preclude us from being granted a variance according to NYS law.

Part 9. Submittal Requirement Checklist

(NOTE: Submit the greater number of required documents for concurrent applications if duplicate submittal documents are listed.)

<table>
<thead>
<tr>
<th>Required Documents</th>
<th>Hard Copies</th>
<th>Electronic Submission (.pdf) (Required Document Name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Required for All Area Variance Applications</td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Master Application Form</td>
<td>2</td>
<td>01_Master_Application_Form</td>
</tr>
<tr>
<td>□ Area Variance Application Form</td>
<td>2</td>
<td>02_Area_Variance_Form</td>
</tr>
<tr>
<td>□ Rejection Letter from Chief Planning or Building Official</td>
<td>1</td>
<td>03_Rejection_Letter</td>
</tr>
<tr>
<td>□ Color photographs of the property in context with surrounding properties, on printed paper</td>
<td>2</td>
<td>04_Photographs</td>
</tr>
<tr>
<td>□ Site Plan showing lot lines, dimensions, buildings, driveways, parking, landscaping, etc.</td>
<td>2</td>
<td>05_Site_Plan</td>
</tr>
<tr>
<td>□ Application fee as established in the Albany Fee Schedule identified in Appendix of the Albany Administrative Manual</td>
<td>1</td>
<td>N/A</td>
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<tr>
<td>B. Voluntary or Upon Request</td>
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<tr>
<td>□ Environmental Assessment Form as required by SEQR</td>
<td>1</td>
<td>06_EAF</td>
</tr>
<tr>
<td>□ Floor Plans (if new construction or an addition)</td>
<td>1</td>
<td>07_Floor_Plan</td>
</tr>
<tr>
<td>□ Building Elevations showing building height in relation to buildings on adjacent properties (if variance is for a structure, building, fence, etc.)</td>
<td>1</td>
<td>08_Elevations</td>
</tr>
<tr>
<td>□ Project Narrative</td>
<td>1</td>
<td>09_Project_Narrative</td>
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<td>□ Any additional information determined to be necessary by the Chief Planning Official</td>
<td>1</td>
<td>[#]_Document_Name</td>
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