



**AREA VARIANCE APPLICATION**

**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 workshop and public hearing and makes its decision based on the standards in Section 375-5(E)(21)(c)(i).
2. An Area Variance application asks the BZA to change the standard code requirements because of a unique situation. The burden of proof lies with the Applicant and requested variances will only be granted if an application and supporting materials meet the necessary criteria.
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: 42 South Dove St	Tax ID Number(s): 76.14-2-1.2
Zoning District: MU-NE	Current Principal Use: middle school

**Part 3. Project Description**

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

Select the type of standard(s) or requirement(s) being varied:

- Lot area   
  Lot width   
  Impervious lot coverage   
  Height   
  Minimum setback   
  Fence/wall standard  
 Off-street parking/loading/circulation standard   
  Landscaping/buffer standard   
  Exterior lighting standard  
 Signage   
  Other *(Specify; must reference a specific standard in the USDO):* \_\_\_\_\_

Section number of USDO from which the variance(s) is being requested: 375-409(s)(a)(i)

Current USDO requirement(s) or standard(s): Max one wall sign at 24' allowed on frontage

Proposed requirement(s) or standard(s): Second wall sign at 24' to be allowed

**Part 4. Character of the Neighborhood**

Explain why the dimensional alteration being proposed will not result in a structure or a 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):

**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):

### Part 6. Substantiality

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

### 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):

### 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):

### Part 4. Submittal Requirement Checklist

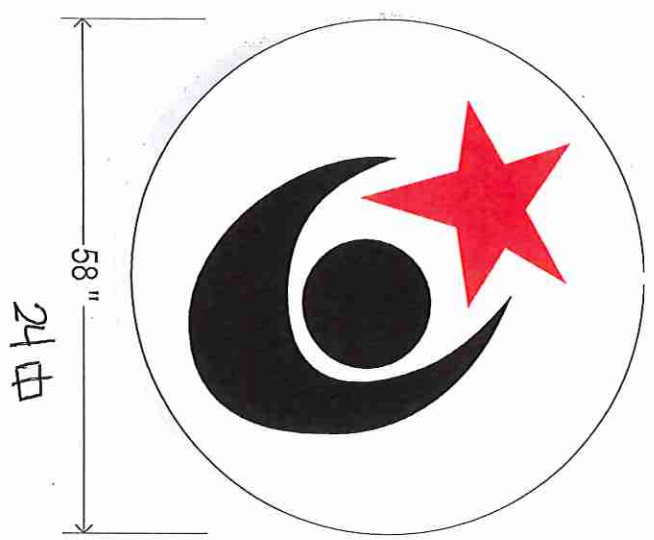
(NOTE: Submit the greater number of required documents for concurrent applications if duplicate submittal documents are listed)

Required Documents (All Documents Must Be Submitted Electronically)	Electronic Copies	Electronic Submission Name (.PDF)
<b>A. Required for All Area Variance Applications</b>		
<input type="checkbox"/> Master Application	1	Master Application
<input type="checkbox"/> Area Variance Application	1	AV
<input type="checkbox"/> Rejection Letter from Chief Planning or Building Official	1	Rejection Letter
<input type="checkbox"/> Color photographs of the property in context with surrounding properties	1	Photos
<input type="checkbox"/> Site Plan showing lot lines, dimensions, buildings, driveways, parking, landscaping, etc., drawn to scale	1	Site Plan [YYYY]- [MM]-[DD]
<input type="checkbox"/> Application fee as established in the Albany Fee Schedule – Payable to <i>The City of Albany Treasurer</i> <ul style="list-style-type: none"> <li>• One- to two-family residence : \$50.00</li> <li>• All Others: \$150.00</li> </ul>		
<b>B. Voluntary of Upon Request</b>		
<input type="checkbox"/> Environmental Assessment Form as required by SEQR	1	Short or Full EAF
<input type="checkbox"/> Floor Plans (if new construction or an addition), drawn to scale	1	Floor Plan [YYYY]- [MM]-[DD]
<input type="checkbox"/> Building Elevations showing building height in relation to buildings on adjacent properties (if variance is for a structure, building, fence, etc.), drawn to scale	1	Elevations [YYYY]- [MM]-[DD]
<input type="checkbox"/> Project Narrative	1	Project Narrative
<input type="checkbox"/> Any additional information determined to be necessary by the Chief Planning Official	1	[Document Name]

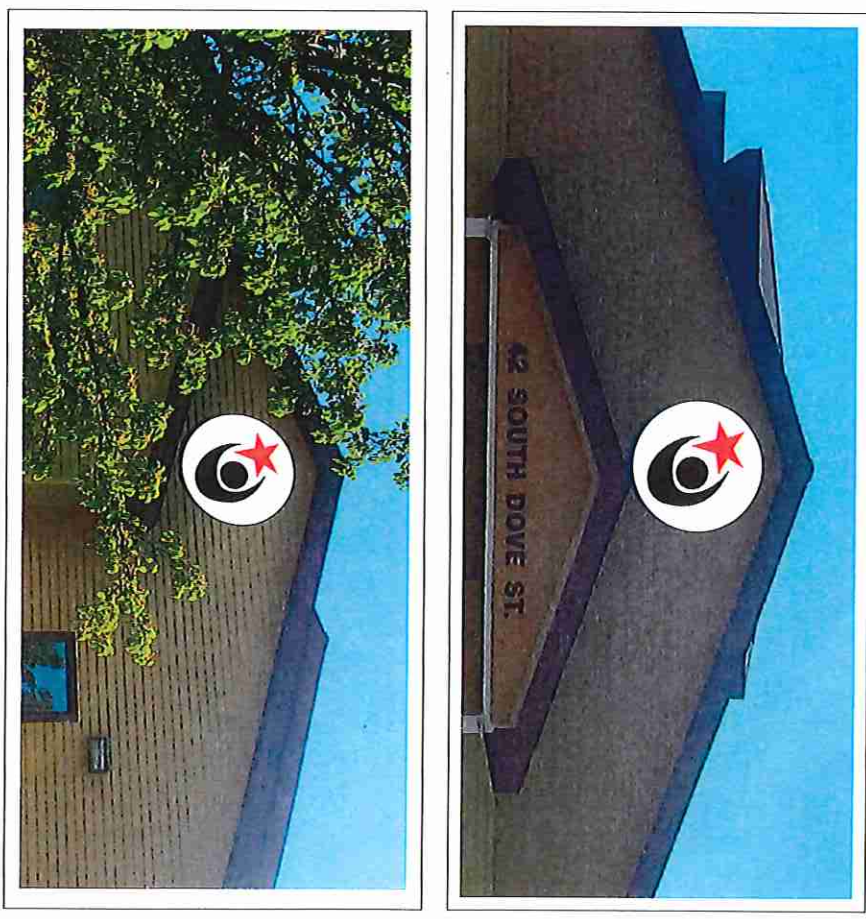
Electronic document submissions shall be sent via email to [bza@albanyny.gov](mailto:bza@albanyny.gov), USB Flash Drive, or by another medium approved by the City of Albany Planning Staff. CD and DVD submissions are **not** accepted.



TWO CAST ALUMINUM CIRCULAR SIGNS (RAISED LOGO)  
PROJECTION MOUNTED (2") OVER VENT TO ALLOW AIR FLOW  
TYP FOR TWO ELEVATIONS, FRONT AND BACK



show photo of full  
building



NOTE: All signage must be constructed and installed by an Azzo Ridge Consulting LLC approved signage vendor. All vendors will be required to meet current licensing and insurance standards.



**Project:** KIPP Albany Community Charter Middle School

**VARIANCE REQUEST #7**

**Address:** 42 S. Dove St.

**Proposed Project:** Replacement of and/or renovations to existing signage to better identify the elementary school under the new KIPP branding guidelines.

**Variations Requested:**

7. § 375-409(5)(a)(i) – To allow two Wall Signs on one frontage where one is the maximum allowed number of wall signs per frontage. Per A. Second Wall Sign (Circular) Drawing

**Sign Types Proposed:**

Second Wall Sign (Circular): 58" Diameter= 18 Sq ft. To be mounted on a separate but connected façade, parallel to South Dove St, as logo sign. Logo sign has been permitted.

**Allowances**

Frontages: 1

Wall Signs: 1

Monument Signs: 1

Electronic Controlled Copy: No

**Part 4. Character of the Neighborhood**

Even though the signage that has been proposed is not a common feature of the neighborhood, it plays an integral role in this block's identity and in public communication. The proposed sign package will not negatively impact the character of the neighborhood but enhance it. Please review attached images of the school and surrounding community-based properties. Since the main properties that will have clear vision of the signage are all public spaces, we are able to demonstrate how the requested deviation from the ordinance will not adversely affect residential homes as no glare or lighting will be projected towards these homes.

**Part 5. Alternatives Considered**

Alternatives for this proposed sign would be to provide no sign at all on this portion of the building. Sign dimensions are to code allowance. It would be preferred to provide identification on both sections of building to limit any confusion caused during the name change.

**Part 6: Substantiality**

The proposal is a substantial deviation from the prevailing regulation. However, it is minimal in upgrades to the existing signage found at this property and as such, could not be considered a substantial.



### **Part 7: Impact on Environment**

The proposed sign may have minimal noise and dust impact from the installation process, but the impact will be limited to the immediate surrounding area and would not rise to the level of disturbance to any neighboring property. The proposed sign will not cause any long-term impact on air quality, noise, odor, dust, or pollution because there are no use of chemicals or materials with emissions.

The wall signs will remain non-illuminated and therefore cause no adverse lighting on the surrounding properties. The monument signs which have been prosed with internal lighting and with digital message boards will be pre-programmed for self-dimming based on ambient lighting. All lighting can be programed off during the nightttime as well.

### **Part 8: Self-Created Hardship**

KIPP Charter Schools has recently undergone a rebranding initiative and conveniently at a time where the ACCS schools' signage has reached a point of degradation that for best representation of the school bodies a refresh is needed likewise, and as such, could be considered a self-created hardship.