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

Area Variance Application Form

FOR STAFF USE ONLY

Date Submitted: 
Fee Paid: 
Date Complete: 
Staff: 
Project #: 
AV #: 

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: 28 Corporate Circle  
Tax ID Number(s): 41.00-2-58
Zoning District: I-1 (Light-Industrial)  
Current Use: Commercial

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 or requirement being varied (check all that apply):
- 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 is being requested: 375-2(E)(1)(c) and 375-3(C)(3)(p)(l)

Current USDO requirement or standard: 10 feet

Proposed requirement or standard: 0.3' (Sublot 1); 1.83'/5.47' (Sublot 2) See attached cover letter.

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):

See attached cover letter.

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):

See attached cover letter.

Part 6. Substantiability

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

See attached cover letter.
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):

See attached cover letter.

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):

See attached cover letter.

Part 9. Submittal Requirement Checklist

(NOTE: Submit the greater number of required documents for concurrent applications, if duplicate submitted 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><strong>A. Required for All Area Variance Applications</strong></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><strong>B. Voluntary or Upon Request</strong></td>
<td></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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<tr>
<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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