



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

FOR STAFF USE ONLY	
Date Submitted:	Fee Paid:
Date Complete:	Staff:
Project #:	AV #:

## 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: 146 4th Ave. , Albany, NY	Tax ID Number(s): 76.64-3-4
Zoning District: R <del>esidential</del> R-T	Current Use: Under remodeling currently, residential

### 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: 375-4(F); 8(1-A) and 8 (1-B)

Current USDO requirement or standard: Height of fence 4' ft

Proposed requirement or standard: Elongate height of fence in front and on one side to 6' ft

### 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):  
 INSTALLATION OF 6' FT HEIGHT OF --1. DECORATIVE, 2. HISTORICAL VISAGE OF FENCE, 3. INTRUSION BLOCKADE AND PREVENTIVE MEASURE--IS IN FURTHER HARMONY WITH AREA AND ITS HISTORICAL VALUE, WHEN THE HOUSE HAVING FRONT YARD IS ONE OF OLDEST IN THE ENTIRE AREA. THERE NO DERAGATORY FACTOR ONCE THE ENHANCEMENT IS OBJECTIVE AND APPLIED. %60 CLEARANCE OF ACROSS VISION OVER THE FENCE CAN BE OBSERVED AND MAINTAINED AND NEED NOT TO BE AN ALTERATION WITHIN THE APPLIED CONTEXT HERE FOR VAIRANCE.

### 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):  
 THE ENHANCEMENT OF ARCHITECTURAL VIEW BY HAVING 6' FT HEIGHT OF THE FENCE IN FRONT OF YARD, LEADING TO SIDEWALK, MIXED WITH ITS STRENGTH OF BLOCKADING ANY INTRUSIVE AND UNWANTED PASSAGES, IS AN IMPROVED FACTOR IN CONSTRUCTION AND REMODELING OF ANY STRUCTURE IN THIS AREA.

### Part 6. Substantiality

Indicate why the requested variances is not a substantial or contextually significant deviation from the prevailing regulation:  
 IT IS A NORM HAVING AN EFFECTIVE , TALL AND DECORATIVE FANCE SEPARATING PROPERTIS FROM SIDEWALKS.

### 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):  
 THERE IS NO POSSIBLE TYPE OF ANY POTENTIAL IMPACT AS CITED ABOVE, AS ELONGATION OF HEIGHT OF FENCE FROM 4' FT TO 6'FT HAS NOT ANY EFFECT IN ENVIRONMENT OR REGULATION. BUT DRSTICALLY IT IMPROVES THE SECURITY AND PROTECTION OF PROPERTY,

### 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):  
 PROPERTY WAS NOT TENDED FOR LONG TIME BEFORE ITS PURCHASE BY THE HEREIN PROPRIETOR.

### Part 9. Submittal Requirement Checklist

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

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