

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: 176 Sheridan Ave	Tax ID Number(s): 65.81-4-24 & 23
Zoning District: MU-CU & R-T	Current Principal Use: residence conversion to office

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: **375-4(F)(2)(a, ii), (b, iv) & (c)**

Current USDO requirement(s) or standard(s): **shade trees every 35 linear feet of street frontage**

Proposed requirement(s) or standard(s): **omitting street trees as there are none existing now for clear site access by emergency vehicles & security**

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):

There is a handicap parking spot and fire hydrant in front of 180 Sheridan and a curb cut for emergency vehicles in front of 176 that spans a good portion of the front of the building. The absence of trees in this portion of the block is necessary for pragmatic reasons and this proposed alteration will not be out of place in the neighborhood as other areas of the block do not have trees.

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 benefit to IPH for not having trees is both for access to the disabled arriving in cars and livery services as well as constant drop-offs of food donations to Shelter. Also, trees will impede security cameras that are essential to site security as the shelter facility operates 24/7/365. Currently there are no trees lining street for very real and pragmatic reasons.

Part 6. Substantiality

Indicate why the requested variances is not a substantial or contextually significant deviation from the prevailing regulation:
 This project involves a reuse of a vacant residence as additional office space for IPH that is in dire need of additional space. Omitting street trees will allow better access for the disabled, donations to be dropped off and unobstructed views for security cameras. It is not substantial because it is a small project (just reusing an old home) for some offices.

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 impact on the environment because there currently aren't any trees and the sidewalk goes right up to the curb.

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):
 The need for this waiver is not self-created as there currently are no street trees in front of both buildings and most all work is intended to be interior. Further, while property values are low in this neighborhood and city tax rolls claim that the combined properties are worth \$418,000, their worth to IPH and the City is tenfold, so the 25% valuation of renovations to property values is unfair. The building at 176 Sheridan alone has value that exceeds \$2M because of renovations completed more than a decade ago that included geothermal heating and the creation of a homeless shelter and offices.

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)
A. Required for All Area Variance Applications			
<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"> • One- to two-family residence : \$50.00 • All Others: \$150.00 		
B. Voluntary of Upon Request			
<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, USB Flash Drive, or by another medium approved by the City of Albany Planning Staff. CD and DVD submissions are **not** accepted.