

## Luis Roldan

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**From:** eleet100@gmail.com <creoboard@gmail.com>  
**Sent:** Monday, June 21, 2021 5:53 PM  
**To:** BZA  
**Subject:** Variances for 40 South Manning Blvd.  
**Attachments:** 6-21-21 Property Line or include city property.pptx

Dear Members of the Board,

These comments and questions regard the fence variance sought by Brett and Alecia Sears.

Currently, Brett and Alecia Sears of 40 South Manning have erected a fence on the west side of their property that extends almost 8 feet beyond their property line toward Myrtle Avenue. Is that in accordance with code? If so, will the fence they are seeking the variance for go from the extension? If not, will the fence go along their property line?

The two variances they are seeking are related to the height and opacity of the fence. Do they need an additional variance to fence in the city property? When I called the Department of Planning and Development and asked about fencing in property between a property line and a sidewalk, I was told that permission to do that is seldom given.

The variances they are seeking are for a 6-foot opaque fence along Myrtle Avenue. The code specifies that fences along streets can be no more than 4 feet high and must be no more than 60% opaque. I believe that the city adopted this code to make our neighborhoods more attractive and inviting. A 6-foot opaque fence would not comply with this goal. It will have a negative effect on the character of our neighborhood, which now has an open aspect. Unless there are compelling reasons to do otherwise, I urge you to have any fence they put there adhere to the code. Some photographs are attached that illustrate the current situation.

Thank you for your consideration,  
Edith Leet



The map shows an aerial view of the lot lines of 951 Myrtle and 40 South Manning. The owners of 40 South Manning have built a fence that extends from their lot line almost 8 feet toward the street.



Property line for 40 South Manning  
and 951 Myrtle Avenue



Would the fence along Myrtle Avenue go from the top arrow  
(property line) or from the bottom arrow (extension of fence)?

## Luis Roldan

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**From:** Alison Burnside <aburnside@atlanticretail.com>  
**Sent:** Monday, June 21, 2021 8:51 PM  
**To:** BZA  
**Subject:** 40 South Manning Boulevard - BZA Meeting Comment

To Whom It May Concern:

I'm am writing in my position because I cannot be present for this Zoning Board meeting on 6/23.

I am in favor of Brett and Alecia Sears' request to seek a variance for a 6 foot, 100% opacity fence, lining their property. I am their neighbor and I reside at 45 South Manning Boulevard, looking directly at their home. In my opinion, both personal and professional, the Sears family has every right to install this fencing. They have spent a lot of money and time caring for their property, improving it with their own hands, and the help of other professionals. They have young children and their privacy should be honored and respected. The style of fencing is very tasteful and more residents should consider the same thing.

Best of luck Sears family. You have my full support.

For the Board's record, I have owned my property for 13 years and I have spent a considerable amount of money and time improving my home in the City of Albany. I'm also a commercial real estate broker and I have been one for the past 20 years. I am very well versed in variances and municipal code and I find no reason whatsoever that the Sears family should not be approved for this variance.

I'll add that it would be wise for the City of Albany to update their code to accommodate for current privacy and style improvements.

Very truly yours,



**ALISON BURNSIDE | ATLANTIC RETAIL | Senior Broker**

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