



Board of Zoning Appeals Public Hearing and Meeting

Date: Wednesday, August 11, 2021

Location: Zoom Webinar; YouTube Livestream; 200 Henry Johnson Boulevard

Time: 6:00PM

Public Hearing Agenda

Project #00431

Application(s) **NC #0002**

Property Address 275 Lark Street

Applicant Lead Planning Official; Hon. Richard Conti, 6th Ward

Zoning District Mixed-Use, Neighborhood Center (MU-NC)

Proposal Board of Zoning Appeals review of a nuisance complaint.

Requests **Board of Zoning Appeals Review** – of a July 28th complaint of Nuisance at 275 Lark Street to determine whether 275 Lark Street is a nuisance property.

NC# 0002 Deferred The board extended the public hearing period until August 25th, 2021.

Public Meeting Agenda

Project #00426

Application(s) **AV# 0080; AV #0081; AV #0082**

Property Address 23 Hackett Boulevard

Applicant Ryan M. Smith

Representing Agent Daniel R. Hershberg

Zoning District Mixed-Use, Community Urban (MU-CU)

Proposal Construction of a 2,166 square foot temporary trailer classroom for Albany Leadership Charter High School for Girls on the grounds of St. Paul's Episcopal Church.

Requests **Area Variances**

- **§375-401(3)(b)(i)** – to allow a front setback of 182 feet when the maximum allowed front setback is 10 feet.
- **§375-4(E)(4)(d)** – to allow a trailer to be stored in side yard when trailers are only permitted in the rear yard.
- **§375-4(E)(1)(d)(ii)** – to allow a change to the parking configuration that brings site out of conformance or would increase existing nonconformity.

AV #0080- AV#0082
~~5-0-0 Approved w/~~
Conditions

The board motioned and unanimously voted to approve the variances with condition that the variance is approved only for the school year, however the project requires a recommendation from the Albany County Planning Board, which is meeting August 19th to discuss this case. Therefore, the motion is invalidated and deferred to the August 25th agenda, when a recommendation from the county is expected to have been received.

Project #00427

Application(s)	AV# 0083; AV# 0084; AV# 0085; AV# 0086; AV# 0087; AV# 0088;
Property Address	65 Krank Street
Applicant	Ayzo Ridge Design & Consulting LLC
Representing Agent	Bridgette Shoemaker
Zoning District	Residential, Single-Family, Medium Density (R1-M)
Proposal Requests	Rebranding existing signage at 65 Krank Street to include electronic copy.
	Area Variances
	<ul style="list-style-type: none">• § 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.• § 375-409(5)(a)(i) – To allow a 51 Square foot wall sign when 24 square feet is the maximum allowed.• § 375-409(5)(a)(i) – To allow a 75 square foot wall sign when 24 square feet is the maximum allowed.• § 375-409(5)(a)(i) – To allow a 7-foot tall monument sign when 5-feet is the maximum height allowed.• § 375-409(5)(a)(i) – To allow a 43 Square foot Monument sign when 20 square feet is the maximum allowed.• § 375-409(3)(b) – To allow a sign with flashing/intermittent rotating or moving lights when signs with flashing/intermittent rotating or moving lights is not permitted.

AV#0083 – AV#0088
Deferred

The board deferred action.

Project #00428

Application(s)	AV# 0089; AV# 0090; AV# 0091; AV# 0092;
Property Address	42 South Dove Street
Applicant	Ayzo Ridge Design & Consulting LLC
Representing Agent	Bridgette Shoemaker
Zoning District	Mixed-Use, Neighborhood Edge (MU-NE)
Proposal Requests	Rebranding existing signage at 42 South Dove Street to include electronic copy.
	Area Variances
	<ul style="list-style-type: none">• § 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.• § 375-409(5)(a)(i) – To allow a 76 square foot wall sign when 24 square feet is the maximum allowed.• § 375-409(3)(b) – To allow a sign with flashing/intermittent rotating or moving lights when signs with flashing/intermittent rotating or moving lights is not permitted.

- **§ 375-409(5)(a)(i)** – To allow an 8-foot tall monument sign when 5-feet is the maximum height permitted.

AV# 0089-0092
Deferred

The board deferred action.

Project #00424

Application(s) AV# 0079
Property Address 1053 Broadway
Applicant Druthers Brewing Company II, Inc.
Zoning District Mixed-Use, Form-Based, Warehouse (MU-FW)
Proposal Construction of a 13-foot wide, 110 foot long deck in the public right-of-way.
Requests **Area Variance – §375-4(B)(1)(c)(vii)(G)(4)**– to allow a front deck to extend into the right-of-way or any easement in a Mixed-Use; Form-Based zoning district.
AV# 0079
5-0-0 Approved /w
Conditions The board motioned to approve the variance, conditioned upon the grant of common council of a revocable consent or easement in a form prescribed by or acceptable to the corporation counsel.

Project #00371

Application(s) AV# 0060
Property Address 255-271 Clinton Avenue
Applicant Home Leasing
Representing Agent Dan Hershberg, Hershberg & Hershberg
Zoning District Mixed-Use, Neighborhood Edge (MU-NE)
Proposal Construction of a parking lot with +/-38 parking spaces.
Requests **Area Variance**

- **375-4(E)(2)(b)** - to allow +/- 33 parking spaces where 3 parking spaces is the maximum permitted.

AV# 0060
5-0-0 Approve /w
Conditions The board motioned to approve the variance conditioned upon a restrictive covenant or easement of form acceptable to corporation counsel.

No Actionable Pending Business Agenda Items

Project #00372

<i>Application(s)</i>	AV# 0059
<i>Property Address</i>	1415 Washington Avenue
<i>Applicant</i>	1415 Washington Property LLC
<i>Representing Agent</i>	Dan Hershberg
<i>Zoning District</i>	Mixed-Use, Community Urban (MU-CU)
<i>Proposal</i>	Demolition of +/- 66,237 square foot hotel and the construction of +/- 414,580 square foot student dormitory with 240 dwelling units and a parking garage with +/- 207 automobile parking spaces.
<i>Requests</i>	Area Variance - 375-4(A)(3)(b)(i) – to allow a 107-foot front setback where 10 feet is the maximum permitted.

NC # 0001

<i>Application(s)</i>	NC# 0001
<i>Property Address</i>	36 Judson Street
<i>Applicant</i>	Hon. Jahmel Robinson, Common Council Representative, 5 th Ward
<i>Zoning District</i>	MU-NE (Mixed-Use, Neighborhood Edge)
<i>Proposal</i>	Board of Zoning Appeals review of a nuisance complaint.
<i>Requests</i>	Board of Zoning Appeals Review – of a December 12 th , 2019 complaint of Nuisance at 36 Judson Street to determine whether 36 Judson Street is a nuisance property.