



Board of Zoning Appeals Public Meeting

Date: Wednesday, July 28, 2021

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

Time: 6:00PM

Members Present Berkley, LeBlan, Barnum

Present via Tele-Conference White-Lake

Public Workshop 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 26th complaint of Nuisance at 275 Lark Street to determine whether 275 Lark Street is a nuisance property.

NO ACTION TAKEN ON WORKSHOP ITEM PRIOR TO INITIAL HEARING.

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.

NO ACTION TAKEN ON WORKSHOP ITEM PRIOR TO INITIAL HEARING.

Project #00427

Application(s)	AV# 0077; AV# 0078
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	Rebranding existing signage at 65 Krank Street to include electronic copy.
Requests	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.

NO ACTION TAKEN ON WORKSHOP ITEM PRIOR TO INITIAL HEARING.

Project #00428

Application(s)	AV# 0077; AV# 0078
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	Rebranding existing signage at 42 South Dove Street to include electronic copy.
Requests	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.

NO ACTION TAKEN ON WORKSHOP ITEM PRIOR TO INITIAL HEARING.

Pending Business Agenda

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 DEFERRED	ACTION DEFERRED TO A FUTURE MEETING OF THE ZONING BOARD

Project #00416

Application(s)	AV# 0077; AV# 0078
Property Address	40 South Manning Boulevard
Applicant	Brett Sears; Alecia Sears
Zoning District	Residential, Single-Family, Medium Density (R1-M)
Proposal	Installation of 58 linear feet of 6-foot; 100% opaque fencing in front yard area.
Requests	Area Variances <ul style="list-style-type: none">• §375-4(F)(8)(B)(i)(A) – To allow 6-foot fencing where 4-foot fencing is the maximum permitted height.• §375-4(F)(8)(B)(i)(A) – To allow 100% opacity fencing where 60% opacity fencing is the maximum permitted opacity
AV# 0077; AV #0078 MOTION TO DENY	4-0-0 Motion to deny requests for height and opacity.

Project #00415

Application(s)	AV# 0074;
Property Address	380 Whitehall Road
Applicant	Congregation Beth Abraham Jacob
Representing Agent	Dan Hershberg
Zoning District	Mixed-Use, Campus Institutional (MU-CI)
Proposal	Installation of 710 Linear Feet of 8-foot tall, chain link fencing, of which, 198 Linear Feet is in the front yard area, where chain link fencing is not allowed; 332 Linear Feet of 8-foot tall vinyl fencing and; 438 Linear Feet of 8-foot tall metal, spaced picket fencing.

- Requests **Area Variances**
- **§375-4(F)(8)(B)(i)(A)** – to allow fencing that is 8-feet tall when 4-feet is the maximum height allowed.
- AV #0074 **4-0-0 GRANT VARIANCE FOR A PERIOD OF 20 YEARS AT WHICH TIME APPLICANT
MOTION TO MAY APPROACH COMMON COUNCIL OF CITY OF ALBANY AND REQUEST CHANGE
APPROVE /w OF THE RELEVANT PORTION OF THE USDO.
CONDITIONS**

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 **ACTION DEFERRED TO A FUTURE MEETING OF THE ZONING BOARD**
DEFERRED

No Actionable Pending Business Agenda Items

Project #00372

- Application(s)* AV# 0059
- Property Address* 1415 Washington Avenue
- Applicant* 1415 Washington Property LLC
- Representing Agent* Dan Hershberg
- Zoning District* Mixed-Use, Community Urban (MU-CU)
- Proposal* 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.
- Requests* Area Variance - 375-4(A)(3)(b)(i) – to allow a 107-foot front setback where 10 feet is the maximum permitted.

NC # 0001

- Application(s)* NC# 0001
- Property Address* 36 Judson Street
- Applicant* Hon. Jahmel Robinson, Common Council Representative, 5th Ward
- Zoning District* MU-NE (Mixed-Use, Neighborhood Edge)
- Proposal* Board of Zoning Appeals review of a nuisance complaint.

Requests *Board of Zoning Appeals Review – of a December 12th, 2019 complaint of Nuisance at 36 Judson Street to determine whether 36 Judson Street is a nuisance property.*