

CITY OF ALBANY



NEW YORK

DEPARTMENT OF PLANNING AND DEVELOPMENT

Board of Zoning Appeals

MAYOR: KATHY M. SHEEHAN

COMMISSIONER: CHRISTOPHER P. SPENCER

CONTACT: Zach Powell
bza@albanyny.gov

Board of Zoning Appeals Public Hearing

Date: Wednesday, May 8, 2019

Location: 200 Henry Johnson Blvd | 2nd Floor Community Room

Time: 6:00 PM

Members Present Berkley, Daley, Pasquil, Peoples, White

AGENDA

PROJECT # 00238

Application(s)	AV #0044
Property Address	563 New Scotland Avenue
Applicant	Jankow Companies
Representing Agent	Daniel Hershberg, Hershberg & Hershberg
Zoning District	MU-NC (Mixed-Use, Neighborhood Center) & R-M (Residential, Multi-Family)
Proposal	Area Variance - §375-5(E)(21)
Request	Area Variance to allow for the construction of a five (5)-story mixed-use building, where the maximum permitted height for principal buildings is 4.5 stories with a low impact development incentive.
SEQRA – Negative Declaration	Vote: 5-0-0
Area Variance- Approved with Conditions	Vote: 5-0-0

CONDITION 1: The variance shall be applied to “Building A” only in the case that “Building D” does not exceed two stories in height.

CONDITION 2: “Building E” will not be constructed.

PROJECT # 00252

Application(s)	AV 0038
Property Address	89 (AKA 95) Central Avenue
Applicant	Legal Aid Society of New York
Representing Agent	Lillian M. Moy, Executive Director, Legal Aid Society of New York

Zoning District MU-FC (Mixed Use Form-Based Central Avenue)
Proposal Area Variance - §375-5(E)(21)
Request **Area Variance** (375-4(I)(5)(a)(i)) from the maximum wall sign from 24 square foot to a +/- 35 square foot wall sign.
Area Variance- Approved with Condition **Vote: 5-0-0**
CONDITION: The existing Equinox sign must be removed at the end of Equinox's lease.

PROJECT # 00275

Application(s) **AV #0042**
Property Address 301 Orange Street
Applicant Habitat for Humanity Capital District
Representing Agent Fred Darguste
Zoning District R-T (Residential, Townhouse)
Proposal Area Variance - §375-5(E)(21)
Request **Area Variance** to allow for a six (6)-foot side setback, where the maximum permitted side setback is 3.5 feet.
Area Variance- Approved **Vote: 5-0-0**

PROJECT # 00276

Application(s) **AV #0043**
Property Address 288 Orange Street
Applicant Habitat for Humanity Capital District
Representing Agent Fred Darguste
Zoning District R-T (Residential, Townhouse)
Proposal Area Variance - §375-5(E)(21)
Request **Area Variance** to allow for a six (6)-foot side setback, where the maximum permitted side setback is 3.5 feet.

PROJECT # 00270

Application(s) **AV #0040**
Property Address 572 Park Avenue
Applicant Alena and John Rodick
Zoning District R-T (Residential, Townhouse)
Proposal Area Variance - §375-5(E)(21)
Request **Area Variance** to allow for the installation of a porch and steps that do not meet the standards of §375-4(G)(4)(d)(ii) of the USDO. §375-4(G)(4)(d)(ii) of the

USDO requires that if a structure's original style included a porch that is no longer present, such porch should be replaced and matched to the original style as noted in the Section 375-4(G)(4)(d) to the maximum extent practicable.

Area Variance **Deferred**

PROJECT # 00277

Application(s)	AV #0045
Property Address	31 New Karner Road
Applicant	Stewart's Shops
Representing Agent	Tyler Fronte
Zoning District	I-1 (Light Industrial)
Proposal	Area Variance - §375-5(E)(21)
Request	Area Variance to allow for a 166-foot front setback, where the maximum permitted front setback is 50 feet and for the installation of a 79 square foot freestanding sign, where the maximum permitted size of freestanding signage is 64 square feet.
Area Variance	Deferred

PROJECT # 00256

Application(s)	AV #0046
Property Address	86 Dana Avenue
Applicant	Ron Stein
Representing Agent	Madison Park Management
Zoning District	R-M (Multi-Family)
Proposal	Area Variance - §375-5(E)(21)
Request	Area Variance to allow for a 10-foot rear setback, where the minimum required setback in an R-M district is 15 feet.
Area Variance	Deferred

PROJECT # 00246

Application(s)	AV 0037
Property Address	341 Madison Avenue
Applicant	Michael Harrington
Representing Agent	N/A
Zoning District	R-T (Residential, Townhouse)
Proposal	Area Variance - §375-5(E)(21)

Request **Area Variance** (375-2(C)(5)) to the requirement that a unit has to occupy at least 80 percent of a single floor plane to occupy +/-52 percent of a single floor plate.

Area Variance - Denied **Vote: 1-3-1**

Board of Zoning Appeals Public Hearing

Date: **Wednesday, May 22, 2019**

Location: 200 Henry Johnson Blvd | 2nd Floor Community Room

Time: 6:00 PM

Members Present Daley, Pasquil, Peoples, White

PROJECT # 00256

Application(s) **AV #0046**
Property Address 86 Dana Avenue
Applicant Ron Stein
Representing Agent Madison Park Management
Zoning District R-M (Multi-Family)
Proposal Area Variance - §375-5(E)(21)

Request **Area Variance** to allow for a 10-foot rear setback, where the minimum required setback in an R-M district is 15 feet.

Area Variance - Approved **Vote: 4-0-0**