

# 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, July 24, 2019

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

**Time:** 6:00 PM

**Members Present** Berkley, Daley, Pasquil, Peoples, White

## NEW BUSINESS

### PROJECT # 00293

<b>Application</b>	<b>AV #0049 &amp; #0050</b>
<b>Property Addresses</b>	1 Homestead Street
<b>Applicant</b>	Zachary Chaplin, Stonefield Engineering and Design
<b>Zoning District</b>	MU-NC (Mixed-Use, Neighborhood Center)
<b>Proposal</b>	Construction of a +/- 3,026 square foot one-story bank and twenty three (23) automobile parking spaces.
<b>Request</b>	<b>Area Variance</b> (375-4(E)(2)(b)) to allow for the construction of 23 parking spaces, which exceeds the maximum permitted number of parking spaces (9). <b>Area Variance</b> (375-4(A)(3)(b)(i)) to allow for a 146.7-foot front setback, which exceeds the maximum permitted front setback in a MU-NC district
<b>Area Variances – Front Setback and Parking Spaces</b>	<b>Deferred</b>

## PENDING BUSINESS

### PROJECT # 00289

<b>Application(s)</b>	<b>AV #0045</b>
<b>Property Address</b>	25 Home Avenue
<b>Applicant</b>	Maureen Conroy
<b>Zoning District</b>	R-1M (Residential, Medium-Density)
<b>Proposal</b>	Installation of a 48 square foot enclosed porch.
<b>Request</b>	<b>Area Variance</b> (375-4(G)(4)(d)(i)) and (375-4(G)(4)(d)(ii)) to the requirement that porches shall be retained or replaced and matched in their original style with

appropriate supports, balusters, railings, and framed latticework to the maximum extent practicable.

AV #0045- Approved

**Vote: 4-0-0**

**PROJECT # 00290**

Application(s)	<b>AV #0046</b>
Property Address	133 Kenosha Street
Applicant	Connie and John Tully
Zoning District	R-2 (Two-Family)
Proposal	Installation of 21 feet of six-foot fencing that is more than 60 percent opaque.
Request	<b>Area Variance</b> (375-4(F)(8)(b)(i)(A)) from the requirement that fences constructed in any front yard or exterior side yard facing a street must not exceed four feet in height an 60 percent opacity.

AV #0046 - Denied

**Vote: 4-1-0**

**PROJECT # 00291**

Application(s)	<b>AV #0047</b>
Property Address	301 Second Street
Applicant	Diane Clark
Zoning District	R-2 (Two-Family)
Proposal	Installation of a 0.60 square foot awning sign
Request	<b>Area Variance</b> (375-4(I)(5)(a)(i)) to allow for the installation of a 0.60 square foot awning sign when awning signs are not permitted in residential districts.

AV #0047 - Denied

**Vote: 4-0-0**

**PROJECT # 00292**

Application(s)	<b>AV #0048</b>
Property Address	19 Linden Road
Applicant	Jim Farrell
Zoning District	R-1M (Residential, Medium-Density)
Proposal	Installation of six-foot fencing that is more than 60% opaque within a front yard.
Request	<b>Area Variance</b> (375-4(I)(5)(a)(i)) to allow for the installation of 124 feet of six-foot fencing in a front yard, where the maximum permitted height for fencing in a R-1M district is 4 feet.

AV #0048 - Denied

**Vote: 4-0-0**

**PROJECT # 00292**

Application(s)	<b>AV #0020</b>
Property Address	222 South Pearl Street
Applicant	Ahsan Farooq
Representing Agent	Steven Wilson
Zoning District	MU-FS (Mixed-Use, Form-Based South End)
Proposal	Installation of vehicle fueling pumps
Area Variance-Deferred	<b>No Action</b>

**PROJECT # 00277**

Application(s)	<b>AV #0045</b>
Property Address	31 New Karner Road
Applicant	Stewart's Shops
Representing Agent	Tyler Fronte
Zoning District	I-1 (Light Industrial)
Proposal	Construction of a +/-3,695 square foot vehicle fueling station and automobile wash.

Request	<b>Area Variance</b> to allow for a 166-foot front setback, where the maximum permitted front setback is 50 feet, for the installation of a 64 square foot freestanding sign, where the maximum permitted size of freestanding signage is 64 square feet and maximum permitted height is six feet, for the construction of surface parking and access driveways that are in front of the front wall plane, and for construction of parking areas and driveways that use impervious paving materials and exceed 50 percent of the site area.
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Area Variance – Front Setback	
Approved	<b>Vote: 4-0-0</b>

Area Variance – Height of Sign	
Deferred	<b>No Action</b>

Area Variance – Surface Parking in front of Front Wall Plane/ Impervious Materials	
Approved	<b>Vote: 4-0-0</b>

Speakers

<b>Speaker Name</b>	<b>Speaker Address</b>	<b>Project Name</b>
Francisco Commisso	1168 Western Avenue	1 Homestead Street
Marla Musto	1168 Western Avenue	1 Homestead Street
Marc Goldstein	29 Orchard Park Dr, Clifton Park	1 Homestead Street