

CHECKLIST FOR BZA APPLICATION

For proper processing of your application please confirm application with the following checklist.....

- Eleven (11) COLLATED Copies of ALL Application Documents**
- Completed Application (pages 6-8)
- Letter of Denial (received from Dept. of Buildings and Codes after application for Building Permit)
- Narrative
- Survey or Site Plan (if applicable)
- Floor Plans (if applicable)
- Building elevations (if applicable)
- Parking lot plan (if applicable)
- Photos of existing conditions
- Application Fee
- Environmental Assessment (short or long if necessary)
- Any other supporting documents

City of Albany
Board of Zoning Appeals
Supplemental Documents

Instructions for Applicants

I. Requirements for Board of Zoning Appeals Application Submission

The following supplemental documents must be submitted with each Board of Zoning Appeals application for it to be deemed complete. Providing this information will also help expedite the review process by the Board.

1. Letter of Denial issued by City of Albany Division of Building & Codes
2. Narrative describing existing site and proposed project including information such as:
 - why you are seeking a special use permit
 - how your proposal meets the criteria for a special use permit, as applicable (attached)
 - property's most recent use (and relevant history)
 - proposed parking (number of on-site parking spaces – existing and proposed)
 - proposed bicycle parking (number of spaces and location)
 - proposed hours of operation
 - proposed number of employees: full time, part time
 - proposed storage of waste and/or recyclable
 - proposed site improvements – ex. – landscaping, lighting, signage, etc.
 - possible environmental impacts
 - additional impacts - ex - noise, traffic, glare, dust
 - mitigation of any impacts, ex. – screening
 - other information that may be pertinent or unique to the proposed project
3. Survey or site plan of the property (can be hand sketched)
4. Floor plans of existing and proposed building at site (if applicable)
5. Building elevations (new construction only)
6. Parking lot plan (if project requires new parking)
7. Photos of existing conditions
8. Any other supporting documentation requested by the Planning Office
9. Application fee (see attached fee schedule)

Note: Items 3-6 must be drawn to scale and include dimensions.

In general, eleven (11) copies of the completed application must be submitted to the Planning Office for distribution to staff and Board of Zoning Appeals Members.

II. Legal Notification

The Planning Office sends out legal notification to the applicant, the Neighborhood Association, the Alderperson, and area residents and/or businesses, as well as other involved parties a minimum of 10 days before the hearing. This notice describes the proposal and provides the date, time, and location of the hearing. Anyone wishing to testify in support of or in opposition to the proposal has the opportunity to do so at the scheduled public hearing.

III. Meet with the Neighborhood Association/Nearby Property Owners (Optional)

It is suggested that you meet with the Neighborhood Association and or nearby property owners to discuss the proposal prior to the public hearing. This gives you the opportunity to address any neighborhood concerns prior to the hearing and may help expedite the Board's decision.

IV Attend the Public Hearing

The applicant or his/her representative must attend the public hearing to describe the proposal to the Board. The Board will not hold a hearing on an application if the applicant or his/her representative is absent. The applicant has the opportunity to respond to any questions or comments about the proposal by the Board and/or public. Should you be unable to attend the hearing, please notify the Planning Office immediately by calling 434-2532.

Direct questions to the
City of Albany
Department of Development & Planning
21 Lodge Street
Albany New York 12207
518-434-2532

FEES* REQUIRED UPON SUBMISSION OF AN APPLICATION FORM:

(1) BOARD OF ZONING APPEALS

	<u>Residential</u>	<u>Commercial</u>
(a) Use Variance	\$150.00	\$225.00
(b) Area Variance	\$125.00.....	\$150.00
(c) Special Use Permit.....	\$150.00.....	\$225.00
(d) Interpretation.....	\$150.00.....	\$225.00
(e) Parking Lot Permit.....	\$150.00.....	\$225.00
(f) Other (Administrative Appeal).....	\$150.00.....	\$225.00

(2) SITE PLAN REVIEW

	<u>Residential</u>	<u>Commercial</u>
(a) 0 to .25 acre lot size	\$125.00	\$200.00
(b) .25 to 1 acre of lot size	\$200.00	\$250.00
(c) 1 to 5 acres of lot size	\$250.00	\$375.00
(d) 5 plus acres of lot size	\$375.00	\$500.00
Residential Subdivisions	\$125.00 base fee plus: \$35.00 per lot – 1 family \$50.00 per lot – 2 family \$65.00 per lot – Multi-Family	

(3) ZONING CHANGE/AMENDMENT

	<u>Residential</u>	<u>Commercial</u>
(a) Base Fee	\$350.00	\$500.00
(b) For each acre of the lot size		\$35.00 each acre

(4) STATE ENVIROMENTAL QUALITY REVIEW (SEQR)

(a) Draft EIS Statement Review and Notice	\$350.00
(b) Final EIS Statement Review and Notice	\$350.00

Please make check payable to: Treasurer, City of Albany

2009 BZA Meeting Dates

5:30 PM – Common Council Chambers

Meeting Date

- January 14
- January 28
- February 11
- February 25
- March 11
- March 25
- April 15
- April 29
- May 13
- May 27
- June 10
- June 24
- July 8
- July 22
- August 12
- August 26
- September 9
- September 23
- October 14
- October 28
- November 10
- November 24
- December 9

Application Deadline

- December 17
- December 31
- January 14
- January 28
- February 11
- February 25
- March 11
- March 25
- April 8
- April 22
- May 13
- May 27
- June 10
- June 24
- July 8
- July 22
- August 12
- August 26
- September 9
- September 23
- October 14
- October 28
- November 10

SPECIAL USE PERMIT STANDARDS

Special permit uses are those that have some special impact or unique form which require a careful case by case review of their location, design, configuration, and impact to determine, against fixed standards, the desirability of permitting their establishment on any particular site.

~ When considering a request for a special use permit, the Board shall take into consideration the following:

[1] Whether the use is **listed as a permitted special use** in the appropriate zoning district.

[2] Will not have an undue adverse effect upon adjacent property, the **character of the neighborhood** and surrounding areas, **traffic conditions, parking, utility facilities** or other matters affecting the public health, safety, welfare or convenience.

[3] Operations in connection with the proposed use will **not be more objectionable** to nearby properties by reason of noise, fumes, vibration, illumination, etc., than the operations of any permitted use **not** requiring a special use permit.

[4] Will be served **adequately by essential public facilities** and services or **that the applicant will be responsible for providing such services.**

[1] DESCRIPTION OF USE

(Describe the proposed use):

▪ For commercial establishments, please complete the following:

- a) Number of customers per day: _____
- b) Number of employees: _____
- c) Days/Hours of operation: _____
- d) Hours of deliveries: _____
- e) Frequency of deliveries: Less than once a month Monthly
 Biweekly Weekly Several times a week Daily

[2] CHARACTER OF NEIGHBORHOOD

(Please provide evidence/information, which demonstrates that the proposed use will not substantially impact the nature and character of the surrounding neighborhood):

[3] OBJECTIONABLE USES

(Please explain how the proposed use will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking/double parking, utility facilities, and other matters affecting the public health, safety, and general welfare):

[4] OBJECTIONABLE USES

(Please explain why your proposed use will not be more objectionable than would a use permitted by the Zoning Ordinance. Specifically, will your proposed use create any nuisances by generating noise, odors/fumes, and glare from lighting):

[5] ADEQUATE SERVICE OF FACILITIES

(Please demonstrate to the Board that the proposed use will be adequately served by storm drainage, water, sanitary sewers, off-street parking, access to city streets to handle projected traffic volumes, fire and police protection, schools, and refuse disposal, as these services are relevant to your project):

SHORT ENVIRONMENTAL ASSESSMENT FORM

INSTRUCTIONS:

In order to answer the questions in this short EAF it is assumed that the preparer will use currently available information concerning the project and the likely impacts of the action. It is not expected that additional studies research or other investigations will be undertaken.

ENVIRONMENTAL ASSESSMENT

- | | | | |
|-----|---|------------------------------|-----------------------------|
| 1. | Will the project result in a large physical change to the project site or physically?
alter more than 10 acres of land?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. | Will there be a major change to any unique or unusual landform found on this
site?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. | Will project alter or have a large effect on an existing body of water?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. | Will project have a potentially large impact on groundwater quality? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. | Will project significantly affect drainage flow or air quality?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 6. | Will project affect any threatened or endangered plant or animal species... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 7. | Will project result in a major adverse impact on air quality?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 8. | Will project have a major effect on visual character of the community
or scenic views or vistas known to be or important to the community?... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 9. | Will project adversely impact any site or structure of historic, prehistoric
or paleontological importance or any site designated as a critical
environmental area by a local agency?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 10. | Will project have a major effect on existing or future recreational opportunities? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 11. | Will project result in major traffic problems or cause a major
impact on existing transportation systems?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 12. | Will project regularly cause objectionable odors, noise, glare, vibration, or electrical
disturbances as a result of the project's operation?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 13. | Will project have any impact on public health or safety?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 14. | Will project affect the existing community by directly causing a growth?
in permanent population of more than 5% over a one-year period <u>or</u>
have a major negative effect on the character
of the community or neighborhood?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 15. | Is there any public controversy concerning the project?..... | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

PREPARER'S SIGNATURE: _____ TITLE: _____

REPRESENTING: _____ DATE: _____