

TOWN OF GUILDERLAND CHECKLIST FOR VARIANCE

RETURN TO:
ZONING ADMINISTRATOR
PO BOX 339
GUILDERLAND, NY 12084
(518) 356-1980

FEES:
COMMERCIAL - \$300
RESIDENTIAL - \$75
(payable at time of submittal to
Town of Guilderland)

APPLICANT INFORMATION:

Name: AJSigns
Address: 842 Saratoga Rd
Burnt Hills NY Zip: 12027
Daytime Phone #: (518) 399-9291
Date: 11/4/21

PROPERTY INFORMATION:

Owner: Phillips Family Realty Assoc
Location: 6517 Rt 158
Tax Map #: 38.00-1-26.31
Zoning: GB
Acreage: 4.28

TO BE SUBMITTED:

- 1) 12 copies of application
- 2) Copy of conditional purchase contract or rental agreement if applicable
- 3) 12 copies of the project narrative containing the following: reasons which necessitate the need for a variance including a brief detailed description of the project
- 4) Architectural drawings of proposed project (if applicable)
- 5) 12 copies of survey or plot plan showing proposed project with:
 - side setback
 - front and rear setbacks
 - all existing buildings
 - location of proposed construction
 - total size of parcel
 - all topographic elevations necessary to show proposed variance

OTHER AGENCY APPROVALS OR RECOMMENDATIONS AS REQUIRED:

- 1) Town Water and Wastewater Management – 456-6474
- 2) Town Highway Department – 861-5108
- 3) NYS Department of Transportation – 765-2841
- 4) Albany County Health Department – 447-4631
- 5) Albany County Planning Board – 447-5660

APPLICATION AND APPEAL TO THE ZONING BOARD OF APPEALS FOR A VARIANCE, SPECIAL USE PERMIT OR AN INTERPRETATION OF THE ZONING ORDINANCE OR ZONING MAP.

**To Zoning Administrative Officer
Of the Town of Guilderland**

Date: 11/4/21

**To the Zoning Board of Appeals
Of the Town of Guilderland**

I, Jon Phillips of Phillips Hardware
hereby appeal from the decision of the Zoning Administration Officer on my application
for zoning permit and hereby apply to the Zoning Board of Appeals for:

- ☐ An interpretation of the Zoning Ordinance or Zoning Map
- ☐ A Special Use Permit under the Zoning Ordinance or Zoning Map
- ☒ A Variance to the Zoning Ordinance or Zoning Map

1. Location of property

Address: 6517 Rt 158 Zoning: GB

2. Interpretation of the Zoning Ordinance is requested because:

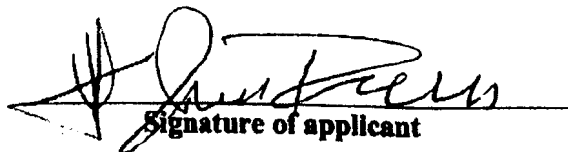
3. Special Use Permit required for the following type of use:

* 4. Variance to the Zoning Ordinance is requested for:

For Installation of (4) 48"x96" wall signs

* Applicant shall complete form outlining conditions from Section 267-b of New York State Town Law pertaining to area variances.

The applicant hereby certifies that he is the owner of record of the above property or has been duly authorized in writing by the owner of record to make this application.


Signature of applicant

AREA VARIANCE CONDITIONS

The Zoning Board of Appeals will not consider any application for an area variance complete until the following application is completed in full and submitted to the Zoning Department. The Zoning Board of Appeals will evaluate the applicant's responses and determine whether the applicant has adequately met the conditions for an area variance. The applicant is encouraged to attach additional sheets if necessary to fully answer the questions. The following conditions for an area variance are from Section 267-b of the New York State Town Law.

- 1) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;

The signs are needed to notify motorists of the products that are available within the store. The wall signs are not visible to any neighboring houses or businesses. They will not be a detriment to neighboring properties.

- 2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;

There is no other means by which to notify passersby and motorists on Rt 146 and Rt 158 to their location and products that are available at the business other than signage.

- 3) Whether the requested area variance is substantial;

The additional signage could be seen as substantial however the need for branding to draw potential customers into the store is vital for the economic health of the business and should not diminish the need for additional signage.

- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and

The wall signs will have no impact to the physical or environmental conditions of the neighborhood.

- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance:

The need for wall signs could be seen as self-created however should not diminish the need to be able to notify motorists of the brands of products sold at this location.