



Board of Standards
and Appeals

250 Broadway, 29th Floor
New York, NY 10007
212-386-0009 - Phone
646-500-6271 - Fax
www.nyc.gov/bsa

717-28-87

RECEIVED

AUG 27 2014

BY COMMUNITY BOARD 8

Check List for SOC Applications

Items	Ext. of Time to Complete Construction	Ext. of Time to Obtain C of O	Extension of Term	Amendment
SOC Application Form	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
1. Statement of Facts	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Affidavit of Ownership	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. Department of Buildings Objections	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Board History	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. Current Certificate of Occupancy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6. Violation History	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7. Certificate of Inspection and Compliance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8. CEQR Protocol Affidavit (auto service use only)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9. Other Agency Permit/License (e.g. Consumer Affairs, Public Assembly)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10. Zoning Map	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
11. Tax Map	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
12. Radius Diagram/ Land Use Map	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
13. BSA Zoning and Sign Analyses Forms	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
14. Photographs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
15. BSA Resolutions	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
16. Previously-Approved BSA Plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
17. Existing Plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
18. Proposed Plans	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Applicant Signature

Board Front Desk Signature

FEE PAID RECEIPT No. 1105-00067
INITIALS 2/10/08 **AMENDMENT**



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and Appeals**

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SPECIAL ORDER CALENDAR (SOC)
Application Form

BSA APPLICATION NO. 717-28-BZ

Section A

**Applicant/
Owner**

Fried Frank Harris Shriver and Jacobson LLP

NAME OF APPLICANT

One New York Plaza

ADDRESS

New York New York 10004

CITY STATE ZIP

(212) 859-8785

AREA CODE TELEPHONE

(212) 859-4000

AREA CODE FAX

Melanie.Meyers@friedfrank.com

EMAIL

Allan's Garage LLC

OWNER OF RECORD

c/o Gordon Haskett Capital, 441 Lexington Avenue

ADDRESS

New York New York 10017

CITY STATE ZIP

LESSEE / CONTRACT VENDEE

ADDRESS

CITY STATE ZIP

Section B

Site Data

152-58 East 87th Street, New York, New York

10128

STREET ADDRESS (INCLUDE ANY A/K/A)

ZIP CODE

Property is situated on the south side of East 87th Street, 35.17 feet east of the corner formed by the intersection of East 87th Street and Lexington Avenue.

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

1515 46, 45 Manhattan 8
BLOCK LOT(S) BOROUGH COMMUNITY DISTRICT

Ben Kallos

C2-8A & C5-1A

CITY COUNCIL MEMBER

ZONING DISTRICT

(include special zoning district, if any)

None

LANDMARK/HISTORIC DISTRICT

9a

ZONING MAP NUMBER

Certificate of Occupancy # 17051; see attached

Section C

Description

(LEGALIZATION ☐ YES ☒ NO ☐ IN PART)

Proposal would allow a reduction in size of an existing 515 space parking facility allowed pursuant to BSA # 717-28-BZ to a 143 space parking facility to be included in an as-of-right residential development. Please see the attached description of the proposal.

Section D

Actions

APPLICATION IS HEREBY MADE TO:

1. ☐ Waive of the Rules of Practice and Procedure (Explain in your statement)

2. ☐ Extension of Time to:

☐ Complete construction ☐ Obtain a Certificate of Occupancy Expiration Date: _____

3. ☒ Amendment to Previous Board Approval

4. ☐ Extension of Term of the:

☐ Variance ☐ Special Permit For a term of _____ years Expiration Date: _____

5. ☐ Other (Explain in your statement)

Authorizing Section(s) of the Zoning Resolution:

☐ § 11-411 ☒ § 11-412 ☐ § 11-413 ☐ §§ 72-01 and 72-22 ☐ § 73-11 ☐ Other _____



CITY OF NEW YORK
BOARD OF STANDARDS AND APPEALS
40 Rector Street, 9th Floor
New York, New York 10006-1705

Phone: (212) 788-8500 Fax: (212) 788-8769

Receipt #BV2015-00067

Date: 8/26/2014

2014 AUG 26 P 1:45

Special Order Calendar Receipt

Applicant Name: Fried Frank Harris Shover and Jacobson LLP
Address: One New York Plaza, New York, NY 10004
BSA Calendar Number (s): 717-28-BZ
Property Address: 152-58 East 87th St, NYC 10128

a. Rehearing/Reargument

☐ \$1,850

b. Amendment -

1. One, Two and Three-family Residences
☐ \$440
2. All Other Residences
☐ \$920
3. All Other Buildings
☒ \$2,110

c. Extension of Time

1. To Obtain C of O as per BSA Resolution
☐ \$1,200
2. To Complete Construction pursuant to ZR Section 72-73 or 73-30
☐ \$1,200

d. Extension of Term -

1. One, Two and Three-family Residences
☐ \$550
2. 0 - 10,000SF
☐ \$2,370
3. 10,001 - 20,000SF
☐ \$3,290
4. 20,001 - 40,000SF
☐ \$4,220
5. 40,001 - 70,000SF
☐ \$5,140
6. 70,001 - 100,000SF
☐ \$6,060
7. For Building Structures - 100,001+ (Max. 5%) SF
☐ \$6,060 + 5% Sq ft
8. For Open Uses - 100,001 + SF
☐ \$6,720
9. All Other
☐ \$3,290

e. Waiver of the Rules of Procedure

1. Extend Time to Complete Construction if one year or less
☐ \$660
2. Extend Time to Complete Construction if more than one year
☐ \$920
3. Extend Term of a variance, special permit or appeal if filed one year or less after the permitted filing period
☐ \$1,180
4. Extend Term of a variance, special permit or appeal if filed between one and two years after the permitted filing period
☐ \$1,850
5. Extend Term of a variance, special permit or appeal if filed more than two years after the permitted filing period
☐ \$2,630
6. Extend the Term of a variance, special permit, or appeal, is filed more than 10 years after the permitted filing period
☐ \$5,000

f. Minor Amendment

☐ \$930

g. Off-site files

☐ \$50 per Archived case file x _____

Total Fee:

\$2110.00



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1515 46, 45 Manhattan 8

BLOCK LOT(S) BOROUGH COMMUNITY DISTRICT

Ben Kallos C2-8A & C5-1A

CITY COUNCIL MEMBER ZONING DISTRICT

Certificate of Occupancy # 17151; see attached

(include special zoning district, if any)

None

LANDMARK/HISTORIC DISTRICT

9a

ZONING MAP NUMBER

Section C

Description

(LEGALIZATION ☐ YES ☒ NO ☐ IN PART)

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2. ☐ Extension of Time to:

☐ Complete construction ☐ Obtain a Certificate of Occupancy Expiration Date: _____

3. ☒ Amendment to Previous Board Approval

4. ☐ Extension of Term of the:

☐ Variance ☐ Special Permit For a term of ____ years Expiration Date: _____

5. ☐ Other (Explain in your statement)

Authorizing Section(s) of the Zoning Resolution:

☐ § 11-411 ☒ § 11-412 ☐ § 11-413 ☐ §§ 72-01 and 72-22 ☐ § 73-11 ☐ Other _____

Section E**Department
Of
Buildings
Information**

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Have plans been filed? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Have plans been approved?
(If Yes, Date Approved <u>May 24, 1930</u>) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Has a permit been obtained?
(If Yes, Permit No. <u>DP 120-29</u> Date Issued <u>00/00/1929</u>) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Is work in progress?
(If Yes, Percentage of work completed <u>100%</u> %) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Has a temporary or permanent Certificate of Occupancy been obtained?
(If Yes, Expiration Date <u>is n/a</u> Attach a copy) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If you have answered "No" to any of these questions, include a paragraph in your statement describing the reason(s) for delay and the projected schedule of completion.

*Note that plans for the altered garage and residential project have been filed.

Section F**Board
History**

List all prior Board actions associated with the subject Zoning Lot and attach one copy of each resolution:

On February 8, 1929, when the Zoning District was a business district, an application was granted by the Board under Section 4 of the Building Zoning Resolution to permit: a public parking garage.

Please see attached document titled "BSA History" which details the variance granted by the BSA and all subsequent amendments.

Section G**Inspection
and
Compliance**

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1. Have you reviewed the Board's case file? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Have you recently inspected the premises and surrounding area?
(If Yes, date of most recent site inspection <u>June 23, 2004</u>) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Did you find: | | |
| a. Compliance with the terms and conditions of the Board's resolution?
Attach a completed Certificate of Inspection and Compliance | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Any significant condition changes (e.g. rezoning, city map amendments, recent developments) within the affected area since the Board's last action on this application? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If the answer is "yes" to any of the questions below, explain further in your statement. | | |
| 4. Is there currently a proposal before the City Planning Commission to change the subject Zoning District, or any other action which includes the premises?
(File / CP No.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Are there any outstanding violation(s) on the premises?
(If Yes, submit a DOB BIS printout) ONLY ON LOT 4-5 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is there any other application before the Board which affects the premises?
(If Yes, Cal No.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Is there any other application at any government agency which affects the premises? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Section H**Signature**

I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS ARE TRUE.

Melanie Meyers
Signature of Applicant, Corporate Officer or Other Authorized Representative

Partner
Part Name Title

SWORN TO ME THIS 15 DAY OF August 2014

MARINA B. CHERIGN
NOTARY PUBLIC
Notary Public, State of New York
No. 02CH0267408

Qualified in Kings County
Certificate on file in New York County
Commission Expires August 12, 2017



August 25, 2014

Statement of Facts

Premises: 152-158 East 87th Street
Manhattan Block 1515, Lots 46 and 45

This application is filed on behalf of Allan's Garage LLC pursuant to Section 11-412 (Alterations, Extensions or Enlargements) of the Zoning Resolution of the City of New York (the "Zoning Resolution"), to allow for the alteration of an existing public parking garage located at 152-158 East 87th Street, Manhattan (the "Parking Garage Site") approved and built under a New York City Board of Standards and Appeals ("BSA") variance (Cal. No.717-28-BZ). The alteration would reduce the size of the approved garage by approximately 50%, and would allow the garage to be incorporated into the base of an otherwise as-of-right residential building in keeping with the scale and character of the surrounding neighborhood.

Property Background and Site Description

The Parking Garage Site is part of an approximately 15,588 square foot zoning lot located on the south side of East 87th Street (the "Garage Site Zoning Lot"). The western boundary of the zoning lot is located 35'-2" east of Lexington Avenue, and the zoning lot extends for approximately 154 feet along the southern side of East 87th Street. The Parking Garage Site has a frontage of 128'-5.5" along East 87th Street; the remainder of the Zoning Lot is a 25'-6.5" wide parcel located at 164 East 87th Street (Block 1515, Lot 45) and is occupied by a nine-story commercial building that will remain (the "Adjoining Building").¹ The Parking Garage Site is presently improved with a six story, 515-space

¹ Development rights attributable to the adjoining property would be incorporated into the as-of-right development. The original variance granted in 1929 included the adjoining nine-story building, because both lots 45 and 46 were part of the original application. From the BSA-approved drawings, it appears that by 1934, when the

public parking garage that was built and enlarged pursuant to a BSA variance initially issued in 1929 and subsequently amended in 1934 and 1958 (the “Variance”). The spaces in the parking garage are used predominantly for long term – weekly or monthly – parking for residences in the nearby area. The garage is accessed from East 87th Street via a series of five curb cuts that precludes the introduction of street trees in front of the Subject Property. In accordance with the plans approved as part of the Variance, the existing garage only provides for a 10’-2” rear yard above the first story.

The Adjoining Building was built in response to the conditions attached to the original variance. The initial request was for a garage running the full frontage of the zoning lot. However, the BSA approval modified the request to prohibit any parking use within 25 feet of the eastern boundary of the Zoning Lot. The Adjoining Building was built in the 25-foot space resulting from the BSA condition, and is included in the plans approved by the BSA in 1934 as part of the first amendment to the Variance.

The Garage Site Zoning Lot is located within a C5-1A district for the portion located within 100 feet of Lexington Avenue, and is located in a C2-8A zoning district for the portion located more than 100 feet from Lexington Avenue. Both zoning districts allow for residential and community facility uses to a floor area ratio (FAR) of 10.0, however commercial development is limited to 4.0 FAR in the C5-1A zone and is limited to 2.0 FAR in the C2-8 zone. The existing public parking garage is not consistent with current zoning in terms of use or in terms of the amount of commercial floor area (89,098 sf) located in the parking garage.

Surrounding Area

The Parking Garage Site is located in the Upper East Side of Manhattan in a fully developed, generally high density area containing a mix of commercial, residential, and institutional uses, with residential use by far the predominant land use in the area. The

variance was amended to include the addition of the new fireproof roof, the nine-story building was constructed as a separate building from the garage, whereas in the original 1929 drawings both lots are included in the depiction of the garage building and there was no separate nine-story building.

large majority of buildings in the vicinity are either entirely residential, or are residential with one or two stories of commercial use in the base. Older buildings in the area are generally five to eight stories, while newer buildings generally range from approximately 11 stories to 28 stories in height.

East 87th Street between Lexington and Third Avenue is reflective of these land use trends. In addition to the 9-story Adjoining Building located on the Garage Site Zoning Lot, the southern frontage of East 87th Street is occupied by a large, primarily residential, condominium building containing 15 to 28 stories (170 East 87th Street) that extends to Third Avenue. Retail uses are located along the ground floor of the 87th Street frontage and a lower portion of the building containing a theater extends to East 86th Street. An older, five-story building containing residential use with ground floor retail is located immediately to the west of the Parking Garage Site. The north side of East 87th Street includes a mix of residential and commercial ranging in height from 5 to 11 stories. There is also one parking garage located on the north side of East 87th Street.

Buildings in the nearby surrounding area include: a 17-story primarily residential building with ground floor retail at the southwest corner of Lexington Avenue and East 87th Street; a 38-story residential building with a public school in its base on the north side of East 87th Street west of Lexington Avenue, and an 18-story residential building with ground floor retail along the east side of Lexington Avenue south of East 86th Street. Newer residential buildings also are located along Third Avenue to the north and south of the Parking Garage Site. Public parking facilities are also located in the vicinity of the Parking Garage Site, including a garage located on the 169 East 87th Street across from the Parking Garage Site, a garage on East 87th Street between Lexington Avenue and Park Avenue, and a garage on Lexington Avenue between East 87th Street and East 88th Street.

Zoning in the surrounding area generally reflects the residential and commercial character of the area. Zoning districts within the area are a mixture of high and mid-density residential and commercial districts. The entirety of the block containing the

Parking Garage Site is zoned with a mixture of R10 and R10A equivalent commercial districts, including C5-1A along the Lexington Avenue frontage and C2-8A on the remainder of the block. Each of these districts allows for residential development to 10 FAR, with commercial development allowed to 2.0 FAR within the C2-8A districts and 4.0 in the C5-1A district. C1-9 districts are located along Third Avenue to the north and the south of the project block, again allowing for residential development to 10 FAR and commercial development to 2 FAR. Along Lexington Avenue, the C5-1A zone is located on both sides of the Avenue from East 85th Street to East 87th Street, with an R10 residential zone to the west. C1-8X zones allowing for 9.0 FAR of residential and 2.0 FAR of commercial are located to the north and south of the C5-1A zone along the Lexington Avenue corridor. A small C1-7 district allowing for 2.0 FAR of commercial and 6.02 FAR of residential use is located directly north of the Parking Garage Site on East 87th Street, and lower density R8B zones are located in some of the midblocks to the north and the south.

While the current uses in the vicinity of the Garage Site Zoning Lot generally reflect current zoning, uses in the area at the time of the initial variance were significantly different, and not consistent with the then applicable zoning. As noted in the transcripts of the 1928 proceeding and mentioned in part in the BSA resolutions, the character of East 87th Street and much of the surrounding area included a variety of storage, stable, warehouse and industrial uses. The character of the area, and in particular the inconsistency of the uses with the zoning of the area, was central to the Board's original approval of the Variance.

Action Requested

Given the change in the area since the time of the original issuance of the Variance, the Owner now seeks alter the public parking garage approved by the Variance in order to reduce the overall size of the public parking garage from the current six stories above grade and one cellar level to three above-grade stories and one below grade story. In connection with this reduction, the Owner would construct a residential building above

the smaller garage that would be in full compliance with the underlying zoning in terms of use, floor area, and other bulk controls. When complete, the garage allowed by the Variance would be reduced to a 150-space parking facility in the base of a 19/17-story residential building. In addition, the current 10 foot rear yard condition would be limited to two stories of the building that would contain parking rather than the six stories that presently exist. This will allow for better light and air to the rear yards. Overall, the proposed building would contain up to approximately 62 dwelling units and 139,556 square feet of floor area, of which 20,628 square feet would be within the public garage and the remainder of which would be within the residential portion of the building. The proposed alteration will allow the garage to continue to provide for long term parking for the residents in the area, while allowing for a conforming structure to be built above the garage consistent with the predominant use and character of the surrounding neighborhood.

The design of the garage and the building will be complementary to the surrounding, primarily residential area. First, sidewalk conditions will be improved substantially from existing conditions, where 5 curb cuts occupying approximately 80% of the street front currently support the garage operations. These 5 curb cuts will be replaced with a single curb cut having a width of approximately 20 feet, resulting in a safer and more attractive streetscape and additional street parking. Because the curb cuts will be replaced, potted street trees will be able to be located in front of the mixed use building, adding to the residential character of the area. With regard to the building itself, the current six-story garage façade will be replaced with a street wall building with more transparency and residential windows starting above the second story. Like the existing building and in keeping with the overall design required by the Variance, the façade of the proposed building will be articulated, with a variety of building materials and window details. The façade in front of the garage portion of the building will be compatible with the residential floors, but the glass used in the lower floors will be less transparent to limit the visibility of the vehicles within the garage. With the Variance, the rear yard was reduced to 10'-2" above the first floor for the entire height of the building. With the

proposed project, a thirty foot rear yard will be provided commencing at the fourth story, allowing for more light and air in the interior of the block.

Basis of Proposed Action.

The request for the proposed action is authorized under Zoning Resolution Section 11-412 (Alterations, Extensions, and Enlargements). This authorization is made clear in Section 11-41 (Exceptions, Variances, or Permits Previously Authorized Pursuant to the 1916 Zoning Resolution), which governs application of Section 11-412. Section 11-41 provides in relevant part “whenever under the provisions of the 1916 Zoning Resolution as amended [] the Board of Standards and Appeals . . . has authorized any #use# to locate in a district in which it is not permitted as-of-right by issuing a variance, exception or permit, such existing #use# established pursuant to such grant may be continued, changed, #extended#, #enlarged# or structurally altered only as provided in this Section . . .” This Section makes clear that the focus of the subsequent subsections in the Zoning Resolution, including Section 11-412, is on the use receiving the variance, rather than the building containing the use.

Section 11-412 states in relevant part that “in appropriate cases the authorizing agency may permit structural alterations, extensions or enlargements limited to the #zoning lot# that was granted a variance, exception or permit prior to December 15, 1961. However, the *use* of any building or other structure shall not be extended, and the building or other structure shall not be enlarged, in excess of 50 percent of the floor area of such building (or size of such structure) occupied or utilized by the use on December 15, 1961. Read together with Section 11-41, it is clear that the limitation on enlargement set forth in Section 11-412 applies to an enlargement for the use approved by variance. This Section allows for changes in buildings that have been the subject of a variance application in order, among other things, to avoid allowing buildings to become obsolete over time, including allowing the use approved by variance to be enlarged provided that any enlargement or extension of the use allowed by the variance is limited to no more than 50 percent of the floor area that was allowed under the original variance. In

this case, the use approved by the variance is not proposed to be enlarged or extended; rather the alteration would cause the use to be reduced in size, meeting the requirements of Section ZR 11-412.

History of BSA Approvals

On February 8, 1929, the BSA granted the Variance (717-28-BZ) allowing for the erection and operation of a six-story public parking garage at the Premises. The facts supporting the issuance of the Variance included (i) the location of the property within 100 feet of a commercial district along Lexington Avenue; (ii) the neighborhood context, which included many buildings occupied by non-conforming commercial uses; and (iii) a general conclusion (without financial analysis) that the denial of this Variance would result in a hardship for the owner of the Building. The Variance was approved on the following conditions: (i) the building is not built within 20 feet of the easterly lot line;² (ii) the front elevation be designed in attractive architectural treatment; (iii) the front walls are finished with face brick and architectural terra cotta or nature stone trim; (iv) there will be no advertising on the exterior of the premises other than one projecting electric sign indicating the name and title of business; (v) there will not be any portable gasoline pumps maintained or operated outside the building; the eastern gable wall will be unpierced throughout its entire height and length; (vi) the entrance to the ascending ramp from the first story will be set back not less than 10 feet from the front on the building on the grade with the sidewalk; and (vii) all permits required must be obtained within six months and all work involved must be completed within eighteen months. Please note that the BSA file indicates that there were seven pages of plans approved by the BSA as part of the Original Variance, however the BSA file contains only four pages of plans. The plans approved in connection with a 1934 Amendment (see below) are available in their entirety and help confirm that the garage is consistent with those plans.

² This is the approximate area now occupied by the Adjoining Building.

On June 12, 1934, the BSA amended the Variance to allow for a fireproof “pent-house” to be constructed over that portion of the roof of the building already being used to store cars. The penthouse facilitated access to the rooftop parking that was part of the original approval. The Variance was subsequently amended on December 28, 1934 to allow for an additional year for the construction of the penthouse, upon the following conditions: (i) the construction of the pent-house must be fireproof; (ii) the present elevators will not be extended in height; (iii) the roof of the pent-house will be constructed so as to preclude the storage of cars on the roof; (iv) there will be no windows or other openings in the wall of the pent-house story to the east or west and all other windows and doors will be fireproof and self-sealing; and (v) all permits must be obtained in six months and the construction must be completed within one year.

On August 7, 1959, the BSA further amended the Variance allowing for the construction of a seventh story to the Building. The BSA granted an amendment to the Variance to allow the construction of a roof to protect the cars that were already being parked on the roof on the condition that the construction conforms to the plans approved by the BSA. The BSA resolution notes that the capacity of the Building to store cars would not increase and would not increase traffic on the street, and also noted that the addition would shield the parking from the surrounding residential buildings. The additional story allowed by the 1959 amendment was never constructed, and the existing Building was constructed in conformance with the Original Variance.

Violations

There are no outstanding violations associated with the Building or the Parking Garage Site. There are currently three open Department of Buildings violations for boiler inspections for the Adjoining Building dating from 2010 and one open Department of Buildings violation for an elevator violation for the Adjoining Building.

Conclusion

Based on the information set forth above, we believe that the proposed alteration to the existing public parking garage should be granted pursuant to Zoning Resolution Section 11-412. The altered building will be more consistent with the character of the neighborhood and will be in keeping with the findings justifying the original grant of the Variance in 1929.



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AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

Affidavit of Ownership

TIMOTHY C. GORDON, being duly sworn, deposes and says that (s)he resides at 441 Lexington Avenue, in the City of NEW YORK, in the County of New York, in the State of New York; that 164 East 87th Street, LLC is the owner in fee of all that certain lot, piece or parcel of land located in the Borough of Manhattan, in the City of New York and known and designated as Block 1515, Lot(s) 45, Street and House Number 164 East 87th, New York, New York; and that the statement of facts in the annexed application are true.

Check one of the following conditions:

- ☐ Sole property owner of zoning lot
☐ Cooperative Building
☐ Condominium Building
☒ Zoning lot contains more than one tax lot and property owner

Owner's Authorization

The owner identified above hereby authorizes FREID FRANK HARRIS SHRIVER AND JACOBSON LLP to make the annexed application in her/his behalf.

Signature of Owner

Print Name

TIMOTHY C. GORDON

Print Title

DESIGNATED AGENT AND ATTORNEY-IN-FACT

Sworn to before me this 13th day

Of JUNE 2014

Revised March 8, 2012

MARK B. BORTECK
Notary Public, State of New York
No. 02BO4626868
Qualified in Westchester County
Commission Expires August 31, 2014



250 Broadway, 29th Floor
New York, NY 10007
212-386-0009 - Phone
646-500-6271 - Fax
www.nyc.gov/bsa

AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

Affidavit of Ownership

TIMOTHY C. GORDON, being duly sworn, deposes and says that (s)he resides
at 441 LEXINGTON AVENUE, in the City of NEW YORK, in the County of NEW YORK, in the
State of NEW YORK; that ALLAN GARAGE LLC is the owner in fee of all that certain
lot, piece or parcel of land located in the Borough of MANHATTAN, in the City of New York
and known and designated as Block 1515, Lot(s) 46, Street and House Number
152-58 EAST 87TH STREET, NEW YORK, NEW YORK; and that the statement of facts in the annexed application are true.

Check one of the following conditions:

- ☐ Sole property owner of zoning lot
☐ Cooperative Building
☐ Condominium Building
☒ Zoning lot contains more than one tax lot and property owner

Owner's Authorization

The owner identified above hereby authorizes FREID FRANK HARRIS SHRIVER AND JACOBSON LLP
to make the annexed application in her/his behalf.

Signature of Owner

Print Name

TIMOTHY C. GORDON

Print Title

DESIGNATED AGENT AND ATTORNEY-IN-FACT

Sworn to before me this 13th day

of JUNE 2014

Revised March 8, 2012

MARK B. BORTECK
Notary Public, State of New York
No. 02BO4626868
Qualified in Westchester County
Commission Expires August 31, 2014

Designation of Agent
And
General Power of Attorney

The undersigned, ALLAN S. GORDON, being the Managing Member of the New York limited liability companies listed below (the "Companies"), does hereby appoint and designate TIMOTHY C. GORDON, as his lawful attorney-in-fact and designated agent of the Companies to act for and on behalf of the Companies and in the name, place and stead of the undersigned Managing Member thereof in any way in which he himself could do if he were personally present solely with respect to the following matters relating to the management and operation of the properties (the "Properties") owned by the Companies: Any applications to any governmental authority for approval of any zoning, construction or alteration permits pertaining to the Properties.

Companies

Allan Garage, LLC


164 East 87th Street, LLC

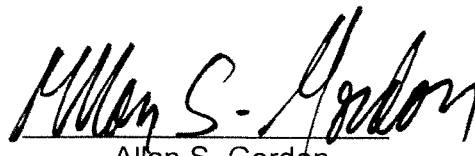
Properties

152 E. 87th Street, New York, NY
Block: 1515, Lot: 46

164 East 87th Street, New York, N.Y.
Block: 1515 Lot: 45

This Designation and General Power of Attorney shall be for a term of one (1) year from the date hereof, unless earlier terminated or revoked by the undersigned.

IN WITNESS WHEREOF, the undersigned has hereunto signed his name
hereunto this  day of June, 2014.


Allan S. Gordon

STATE OF NEW YORK)
) :ss.:
COUNTY OF NEW YORK)

On the 9th day of June in the year 2014 before me, the undersigned, personally appeared ALLAN S. GORDON, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

MARK B. BORTECK
Notary Public, State of New York
No. 02BO4626868
Qualified in Westchester County
Commission Expires August 31, 2014



MANHATTAN (1)
280 BROADWAY 3RD FLOOR
New York, NY 10007

BRONX (2)
1932 ARTHUR AVENUE
BRONX, NY 10457

BROOKLYN (3)
210 JORALEMON STREET
BROOKLYN, NY 11201

QUEENS (4)
120-55 QUEENS BLVD.
QUEENS, NY 11424

STATEN ISLAND (5)
BORO HALL- ST. GEORGE
STATEN ISLAND, NY 10301

Notice of Objections

Applicant: Ismael Leyva
Ismael Leyva Architects, PC
48 West 37th Street – 13th Floor
New York, NY 10018

Date: August 20, 2014

Job Application #: 121844601

Tel (212) 290-1444

Application Type: Alt 1 (BSA Denial)

Premises: 152 East 87 Street, NYC

Zoning District: C2-8A / C5-1A

Map:9A

Block: 1515 Lot: 46 Doc(s):

NYC Department of Buildings Examiner: Kenneth Fladen, R.A.

Examiner's Signature					
To discuss and resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the Plan Examiner's and your time, please make sure you are prepared to discuss and resolve these objections before arriving for your scheduled plan examination appointment.					
Obj. #	Doc. #	Section of Code	Objection	Date Resolved	Comments
1		ZR 11-412	The existing public parking is allowed under BSA #717-28-BZ. Obtain approval from the NYC Board of Standards and Appeals, under ZR 11-412 (Alterations, Extensions or Enlargements) to alter a nonconforming public parking use.		
DENIED					
FOR APPEAL TO BOARD OF STANDARDS AND APPEALS					
DATE <u>AUG 20 2014</u>					
PER <u>Joseph Bruno</u>					
Borough Commissioner					
JOSEPH BRUNO					
MANHATTAN CHIEF					
PLAN EXAMINER					

U E M E U

FOR AFRICA TO FORT OF SANDHURST AND AFRICA

FOR AFRICA

STATE

FOR AFRICA

STATE

FOR AFRICA

FOR AFRICA

FOR AFRICA

FOR AFRICA



MANHATTAN (1)
280 BROADWAY 3RD FLOOR
New York, NY 10007

BRONX (2)
1932 ARTHUR AVENUE
BRONX, NY 10457

BROOKLYN (3)
210 JORALEMON STREET
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Block: 1515 Lot: 46 Doc(s):

NYC Department of Buildings Examiner: Kenneth Fladen, R.A.

Obj. #	Doc. #	Section of Code	Objection	Date Resolved	Comments
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			Note: Bring Marked-Up Plan and Objection Sheet to Plan Examination.		
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BUREAU OF BUILDINGS

BOROUGH OF MANHATTAN, CITY OF NEW YORK

CERTIFICATE OF OCCUPANCY No. 17051

19 30

N.Y.A.

Supersedes Certificate of Occupancy No.

To the owner or owners of the building:

New York **Nov. 24th** 19 30THIS CERTIFIES that the building located on Block **1515**, Lot **Pt. of 47 49-50-51**

known as

152-158 E. 87th Street

under a permit, Application **10419** front **148 N. B. St.** 19 **29**, conforms to the approved plans and specifications accompanying said permit and any approved amendments thereto, and to the requirements of the building code and all other laws and ordinances and to the rules and regulations of the Board of standards and appeals, applicable to a building of its class and kind, except that in the case of a building heretofore existing and for which no previous certificate of occupancy has been issued and which has not been altered or converted since March 14, 1916, to a use that changed its classification as defined in the building code, this certificate confirms and continues the existing uses to which the building has been put; and

CERTIFIES FURTHER that the building is of **fireproof** construction within the meaning of the building code and may be used and occupied as a **business** building as hereinafter qualified, in a **business** district under the building zone resolution, subject to all the privileges, requirements, limitations and conditions prescribed by law or as hereinafter specified.

STORY	LIVE LOADS Lbs. per Sq. Ft.	PERSONS ACCOMMODATED			USE
		MALE	FEMALE	TOTAL	
Cellar				2	} Garage for more than five autos. For pleasure cars ex- clusively.
1st to 6th Story	75 on each			2 on each	
NOTE: Occupancy subject restrictions imposed by Board of Standards and Appeals Resolution, Code 717-28-B2.					
CHAPTER 503 OF THE GREATER NEW YORK CHARTER, SECTION 241-A PARAGRAPH 4 A certificate of occupancy shall be issued on subdivisions one and two of this section shall be issued on the fire commissioner with respect to any building which under the provisions of the code is for the storage or use of chemicals, compounds, gases, vapors, or any other purpose of occupancy which the board of standards and appeals may deem of general public health hazardous					

This certificate is issued to

Yorkville Operating Co., Inc.,
1292 Lexington Ave., City for the owner or owners.

The superimposed, uniformly distributed loads, or their equivalent concentrated loads in any story shall not exceed the live loads specified above; the number of persons of either sex in any story shall not exceed that specified when sex is indicated; nor shall the aggregate number of persons in any story exceed the specified total; and the use to which any story may be put shall be restricted to that fixed by this certificate except as specifically stated.

The building or any part thereof shall not be used for any purpose other than that for which it is certified.

Unless specifically stated above, the building or any part thereof, if certified as a public building, shall not be used as a building in which persons are harbored to receive medical, charitable or other care or treatment, such as a hospital, asylum, etc., or in which persons are held or detained under legal restraint, such as a police station, jail, etc.; nor shall it be used as a motion picture theatre as defined in section 30, chapter 3, Code of Ordinances; nor as a theatre or opera house or other building intended to be used for theatrical or operatic purposes; or for public entertainment of any kind, for the accommodation of more than 300 persons.

Unless specifically stated above, the building or any part thereof, if certified as a residence building, shall not be used as a tenement house as defined in the tenement house law; nor shall it be used as any form of residence building having more than 15 sleeping rooms; nor shall it be used as a lodging house within the meaning of Sec. 1305 of the Greater New York Charter.

Unless specifically stated above, the building or any part thereof, if certified as a business building, shall not be used as a garage, motor vehicle repair shop or oil selling station as defined in section 1, chapter 10, Code of Ordinances; nor shall it be used for the generation or compression of acetylene; nor as a factory building as defined in the labor law; nor as a grain elevator; nor as a coal pocket.

Except as otherwise noted above, the building, or any part thereof, if located elsewhere than in an unrestricted district, shall not be used for any of the purposes enumerated in paragraph (a) of section 4 of the building zone resolution; nor for any trade, industry or use that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise; nor for any kind of manufacturing not already prohibited, except that, if located in a business district, not more than twenty-five per cent. of the total floor space may be so used, or space equal to the area of the lot in any case.

Except as otherwise noted above, the building, if certified as a garage, may not be used for more than five cars on any portion of a street between two intersecting streets, in which portion there exists an exit from or an entrance to a public school, or in which portion there exists any hospital maintained as a charitable institution; and in no case within a distance of 200 feet from the nearest exit from or entrance to a public school; nor within two hundred feet of any hospital maintained as a charitable institution.

If the building has, at any time previous to the issuance of this certificate, been the subject of an appeal to the board of appeals or of a petition to the board of standards and appeals resulting in modification or variation of law or any lawful requirement, the construction and arrangement of the building as specified in the resolution granting such modification or variation, must be maintained, and all conditions imposed by either board must be observed.

No change or re-arrangement in the structural parts of the building, or affecting the lighting or ventilation of any part thereof, or in the exit facilities, shall be made; no enlargement, whether by extending on any side or by increasing in height shall be made; nor shall the building be moved from one location or position to another; nor shall there be any reduction or diminution of the area of the lot or plot on which the building is located, until an approval of the same has been obtained from the superintendent of buildings.

This certificate supersedes each and every previously issued certificate of occupancy for this building or any part thereof, and each and every such previously issued certificate shall be null and void; and this certificate in turn becomes null and void upon the issuance of any new lawful certificate.

This certificate does not in any way relieve the owner or owners, or any other person or persons in possession or control of the building, or any part thereof, from obtaining such other permits or licenses as may be prescribed by law for the uses or purposes for which the building is designed or intended; nor from complying with any lawful order issued with the object of maintaining the building in a safe or lawful condition; nor from complying with any authorized direction to remove encroachments into a public highway or other public place, whether attached to or part of the building or not.

This certificate does not authorize the use or operation of any elevator in the building without the special certificate required by section 563 of the building code.

If the building is or is required to be equipped with standpipes or other fire extinguishing or gas shut off appliances, this certificate is not complete until such standpipes or other appliances have been inspected by the fire department (or by the Tenement House Department in the case of a gas shut off in a tenement house) and approved in writing, either in a separate certificate or by endorsement upon this certificate. (Space for such endorsement is provided on page 4 of this certificate.)

If this certificate is marked "Temporary," it is applicable only to those parts of the building indicated on its face, and certifies to the legal use and occupancy of only such parts of the building; it is subject to all the provisions and conditions applying to a final or permanent certificate; it is not applicable to a tenement house unless also approved by the tenement house commissioner; and it must be replaced by a full certificate as soon as the entire building is completed according to law and ready for occupancy.

The word "class" as used in this certificate refers to the classification of buildings in the building code (section 70).

This certificate is issued in accordance with the provisions of section 411-a of the Greater New York Charter and of section 5 of chapter 5 (Building Code) of the Code of Ordinances of the City of New York.

Examined

[Signature]
Superintendent of Buildings, Borough of Manhattan.

Additional copies of this certificate will be issued, upon written request, to persons having a proprietary interest in the building.

[CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings

DOB Violation Display for 121311LBLVIO02460

Premises: 154 EAST 87 STREET MANHATTAN

BIN: 1047968 Block: 1515 Lot: 46

Issue Date: 12/13/2011

Violation Category: V - DOB VIOLATION - ACTIVE

Violation Type: LBLVIO - LOW PRESSURE BOILER

Violation Number: 02460

Device No.: 00038443 - 01-COMMERCIAL

ECB No.:

Infraction Codes:

Description: VIOLATION ISSUED FOR FAILURE TO FILE ANNUAL BOILER 2010 INSPECTION REPORT

Click [here](#) to view the Civil Penalty Chart.

Disposition:

Code: Date:

Inspector:

Comments:

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

[!\[\]\(d66ff64371a51729ac8c1cdaa685ba6f_img.jpg\) CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings

DOB Violation Display for 030113LBLVIO01909

Premises: 154 EAST 87 STREET MANHATTAN

BIN: 1047968 Block: 1515 Lot: 46

Issue Date: 03/01/2013

Violation Category: V - DOB VIOLATION - ACTIVE

Violation Type: LBLVIO - LOW PRESSURE BOILER

Violation Number: 01909

Device No.: 00038443 - 01-COMMERCIAL

ECB No.:

Infraction Codes:

Description: VIOLATION ISSUED FOR FAILURE TO FILE ANNUAL BOILER 2011 INSPECTION REPORT

Click [here](#) to view the Civil Penalty Chart.

Disposition:

Code:

Date:

Inspector:

Comments:

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

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NYC Department of Buildings

DOB Violation Display for 051514LBLVIO02517

Premises: 154 EAST 87 STREET MANHATTAN

BIN: 1047968 Block: 1515 Lot: 46

Issue Date: 05/15/2014

Violation Category: V - DOB VIOLATION - ACTIVE

Violation Type: LBLVIO - LOW PRESSURE BOILER

Violation Number: 02517

Device No.: 00038443 - 01-COMMERCIAL

ECB No.:

Infraction Codes:

Description: VIOLATION ISSUED FOR FAILURE TO FILE ANNUAL BOILER 2012 INSPECTION REPORT

Click [here](#) to view the Civil Penalty Chart.

Disposition:

Code:

Date:

Inspector:

Comments:

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

[!\[\]\(a03a7eb2f4046e1d3c76772003e549ea_img.jpg\) CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings

DOB Violation Display for 082313E9027/479935

Premises: 164 EAST 87 STREET MANHATTAN

BIN: 1087120 Block: 1515 Lot: 45

Issue Date: 08/23/2013

Violation Category: V - DOB VIOLATION - ACTIVE

Violation Type: E - ELEVATOR

Violation Number: 9027/479935

Device No.: 001P9202

ECB No.:

Infraction Codes:

Description:

Disposition:

Code: Date:

Inspector:

Comments:

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



250 Broadway, 29th Floor
New York, NY 10007
212-386-0009 - Phone
646-500-6271 - Fax
www.nyc.gov/bsa

BSA Cal. No.: 717-28-BZ	
Street Address: 152 -58 East 87th Street New York, NY	
Block: 1515	Lot(s): 45 & 46
Borough: Manhattan	

CERTIFICATION OF INSPECTION & COMPLIANCE

Ismael Leyva

hereby states that I personally inspected the

(Applicant, Agent, Registered Architect or Registered Engineer)

premises and surrounding area on 25 August 2014. In addition, I have
(Date of most recent inspection)
researched all relevant BSA records related to the premises, including BSA-approved plans and resolutions.
Each non-compliance with the terms, conditions and/or plans of the effective prior BSA grant is explained in
detail below. The specific date or time frame on which compliance will be restored, where possible to
ascertain, is listed.

[Note: A request to eliminate any prior condition must be part of the relief sought in the application; such request should not be made on this form]



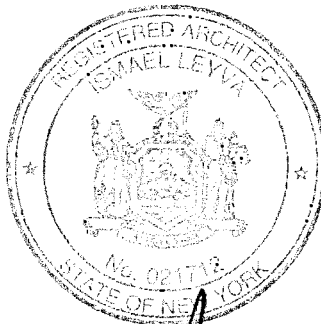
I confirm that the premises is developed and operates in accordance with the currently effective BSA-approved plans and resolution, submitted with this application.



The following deviation(s) from the currently effective BSA-approved plans and/or resolution exist on the site:

Area(s) of non-compliance

Date(s) to achieve compliance.



Applicant/Agent Signature

(Registered Architect/Engineer Seal as Appropriate)

Document No
678215

CITY of NEW YORK
DEPARTMENT OF CONSUMER AFFAIRS

41 BROADWAY, NEW YORK, NY 10004

The issuance and retention of this license is contingent upon the licensee's compliance with the laws of the State of New York and the City of New York, the rules and regulations of the Department of Consumer Affairs, and the rules and regulations of all Federal, State and City agencies, now in effect or hereafter enacted.

License Type: GARAGE CLEARING

OVER 100 CARS

CITY ID: 201087096

License Number: 1582751

Code: 049

Class: D

Subclass:

Issued:

01/21/2013

Expires: 03/31/2015

Carriis-ID: 210607291

Base License Number:

Start Date:

End Date:

01/21/2015

Item-count: 515

Number of Plates:

Room Capacity:

Square Footage:

Entity Name:

ALLAN GARAGE, LLC

Trade Name (D/B/A): MEYERS PARKING

Premises Address:

152

EAST 87 STREET

152-154 E 87 ST.

NEW YORK

NY 10126

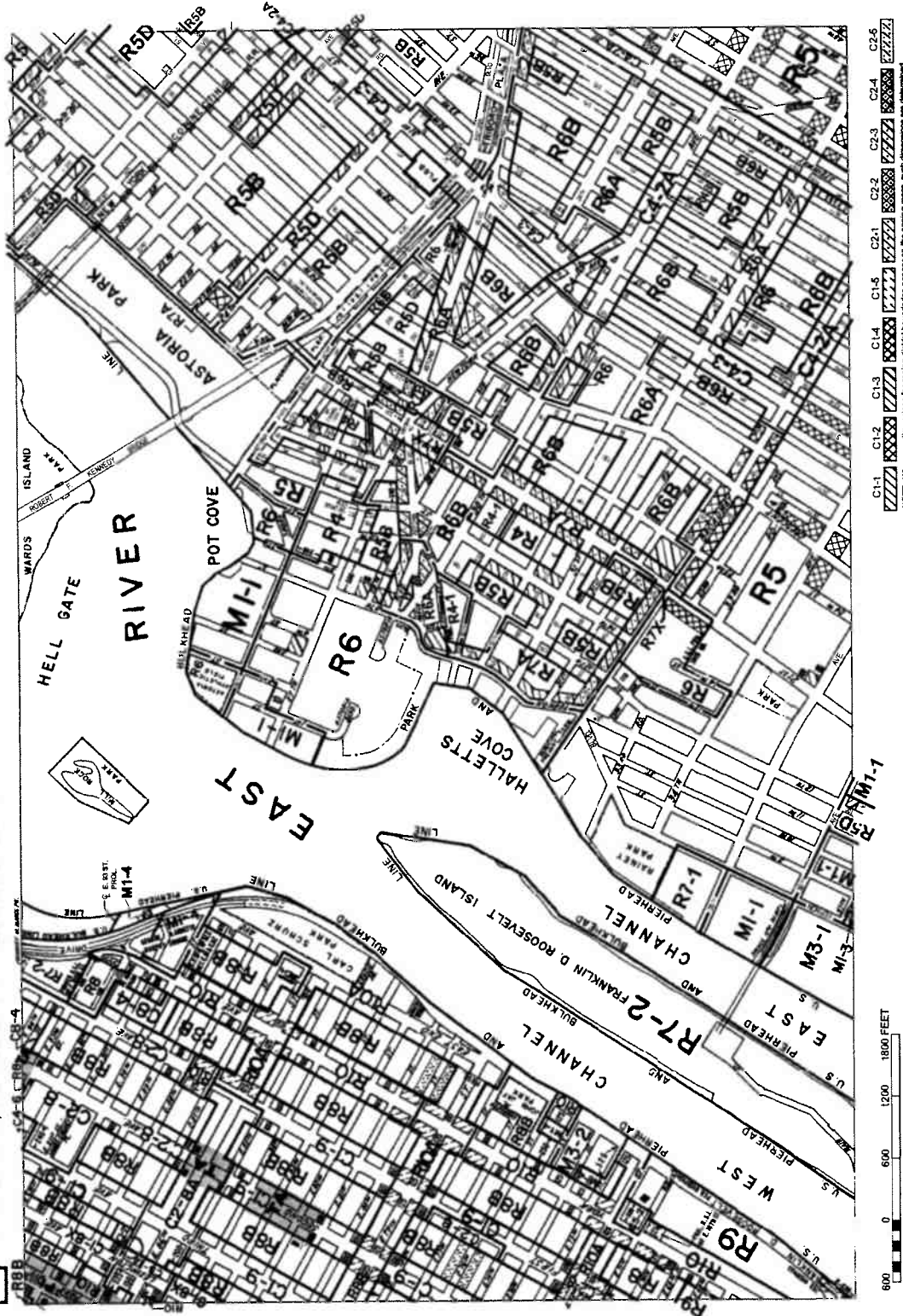
Mailing Address:

C/O: ASHLEY ABRAMS, OPERATIONS ADMINISTRATION
360 WEST 31 STREET
11/FL
NEW YORK NY 10001

Commissioner of Consumer Affairs

Not transferable without the approval of the Commissioner of Consumer Affairs
THIS LICENSE MUST BE CONSPICUOUSLY DISPLAYED

Click blue box on map to view sketch map of proposed map change



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:
The number(s) and/or letter(s) that follows on R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R - RESIDENTIAL DISTRICT

C - COMMERCIAL DISTRICT

M - MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The special purpose district is designated in the text of the Zoning Resolution.

AREAS(S) REZONED

Effective Date(s) of Rezoning:

6-14-2011 C 110186 ZMG

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

CITY MAP CHANGES:

◆ AS CORRECTED 02-06-2013



MAP KEY

5d	6b	6d
8c	9a	9c
8d	9b	9d

© Copyrighted by the City of New York

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for the map, visit the Zoning section of the Department of City Planning website: www.dcp.nyc.gov/planning or contact the Zoning Information Desk at (212) 726-5291.

800 0 600 1200 1800 FEET

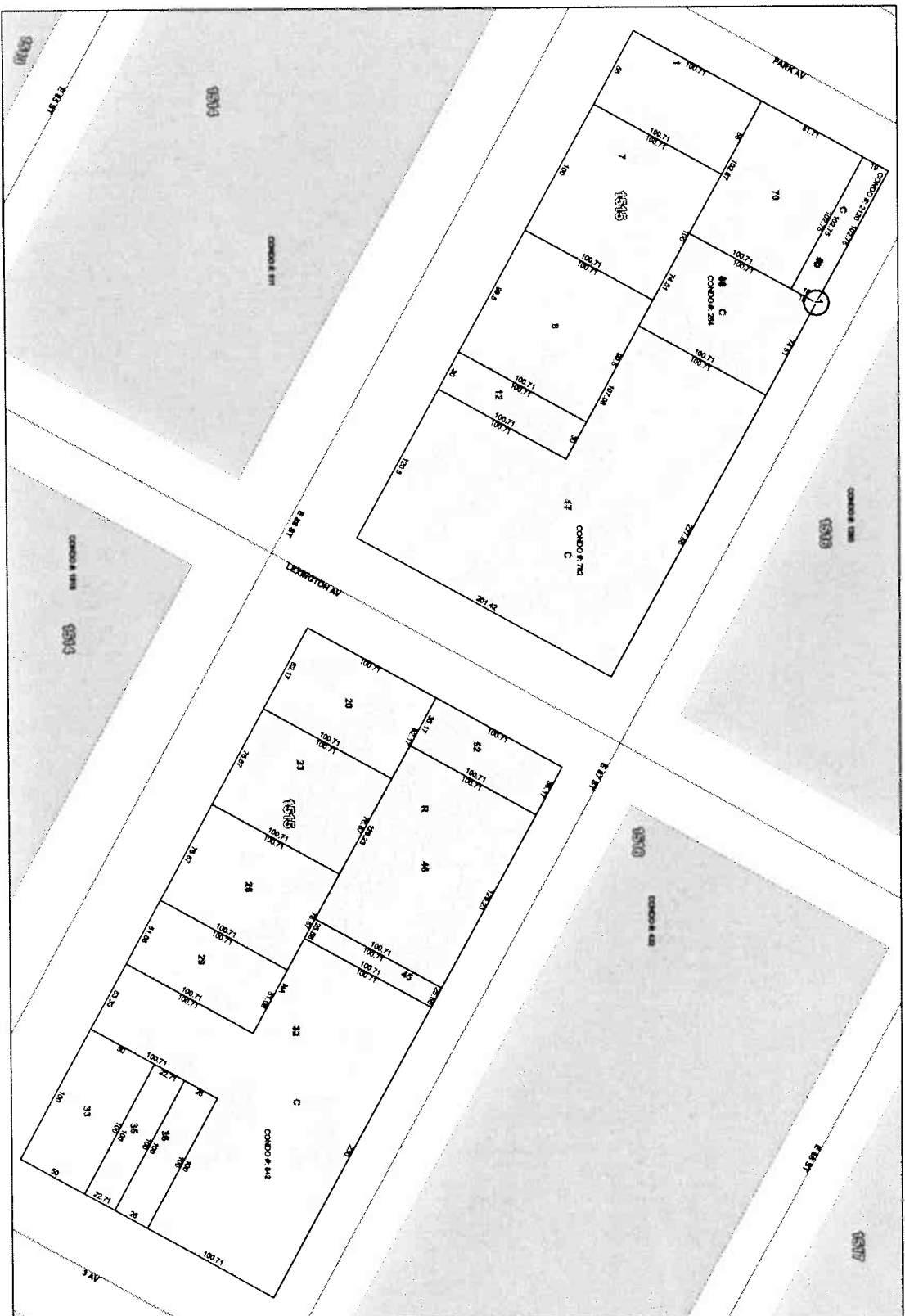
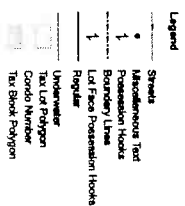
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-6

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.



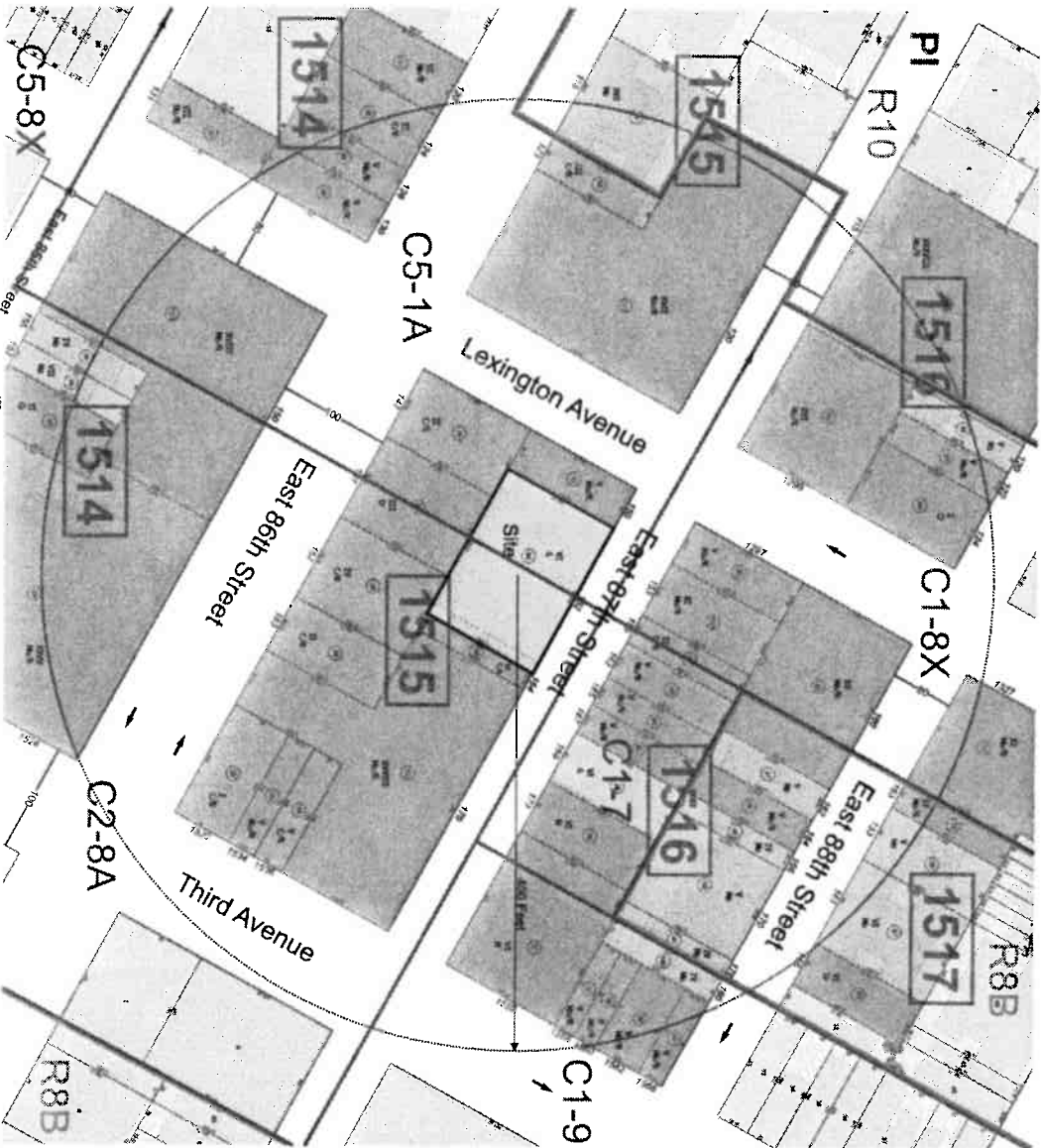
Effective Date : 05-10-2011 11:14:27

End Date : Current
Manhattan Block: 1515



152-158 East 87th Street, Manhattan
BSA Cal. No.: 717-28-BZ

Block 1515, Lot 46
Zoning Map: 9a
Site - C2-8A



Land Uses

- One and Two-Family Homes
- Multiple Dwelling
- Commercial
- Mixed Use (Residential-Commercial)
- Manufacturing
- Open Space / Park Land
- Institutional / Community Facility
- Parking / Automotive

Legend

- ⑦ - Lot Numbers (within radius)
- ### - Block Numbers
- I, II, III - Story Height
- MO - Multiple Dwelling
- D - Dwelling
- R - Retail
- G - Garage
- C - Commercial
- I - Industrial
- M - Manufacturing
- W - Warehouse
- V - Vacant
- CF - Community Facility

North
Scale: 1" = 100'
0 20 50 100

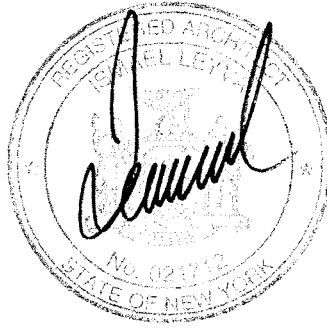
BSA CALENDAR NO.	717-28-BZ		BLOCK 1515		LOT 45 and 46	
SUBJECT SITE ADDRESS	152-58 East 87th Street, New York, New York					
APPLICANT	Fried Frank Harris Shriver and Jacobson LLP					
ZONING DISTRICT	C5-1A/C2-8A					
SPECIAL/HISTORIC DISTRICT	N/A					
COMMUNITY BOARD	8					
LOT AREA	N/A				15,588	
LOT WIDTH	N/A				129'-3 1/2"	
USE GROUP (S)	32-00	1-6,9-11/1-9, 14		8 (parking)		
FA RESIDENTIAL	35-10, 23-145	155,880			118,928	
FA COMMUNITY FACILITY	35-10,33-123	155,880			0	
FA COMMERCIAL/INDUST.	35-10,33-122	44,232		104,290	72,258	20,628
FLOOR AREA TOTAL		155,880			72,258	155,467
FAR RESIDENTIAL	35-10; 23-145	10.0			0	10.0/5.81
FAR COMMUNITY FACILITY	35-10; 34-123	10.0			0	0
FAR COMMERCIAL/INDUST.	35-10; 34-122	4.0/2.0*			3.62/5.76	1.38/1.28
FAR TOTAL		10.0			6.69	10.0
OPEN SPACE	N/A					N/A
OPEN SPACE RATIO	N/A					N/A
LOT COVERAGE (%)	35-10; 34-112	100/70*8			TBD	70.2/69.8
NO. DWELLING UNITS	35-40, 23-22	TBD			0	57
WALL HEIGHT	35-24	125/150; 60/125***				141.84'/120.3'
TOTAL HEIGHT	35-24	210'/185'****				209.21'/184.84'
NUMBER OF STORIES				7	6	19/17
FRONT YARD	35-51		0	0	0	0
SIDE YARD	25-52		0	0	0	0
SIDE YARD						
REAR YARD	23-541; 23-471; 33-261;		none/30'/20'^	TBD	TBD	30'/10'
SETBACK (S)	35-24		15'	0	0	15'
SKY EXP. PLANE (SLOPE)	N/A					
NO. PARKING SPACES	13-10; 13-11	30%of dus	0	515	515	150
LOADING BERTH (S)	13-30	N/A	0	0	0	0
OTHER:						

* In Applicable ZR Section column, RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g., R4/23-141, and contrast compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area elements to current R district requirements, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY uses in districts here not permitted, contrast to nearest district where permitted. For all applications, attach zoning map and highlight subject site. Be sure that all items noted in the DOB Denial/Objection are included.

NOTES: * 4.0 FAR for C5-1A zone; 2.0 FAR for C2-8A zone; ** 100% lot coverage within 100' of Lexington Avenue;

70% beyond 100 feet of Lexington; *** Numbers reflect minimum and maximum street wall heights, first within 100' of Lexington Avenue, then beyond 100 feet of Lexington Avenue; ****Maximum height of 210' within 100 feet of Lexington Avenue, and 185' beyond 100 feet of Lexington Avenue. ^ No rear yard required within 100 feet of Lexington Avenue; Beyond 100 feet, a 30' rear yard is required for residential use, and a 20' rear yard is required for commercial use

BSA ZONING ANALYSIS



27.38

CONDO # 782
C

②

⑤

1516

CONDO # 422

152-58 East 87th Street, Manhattan
Cal No. 717-28-BZ
Photo Key Map

E 87 ST

201.42

LEXINGTON AV

Site
R
46

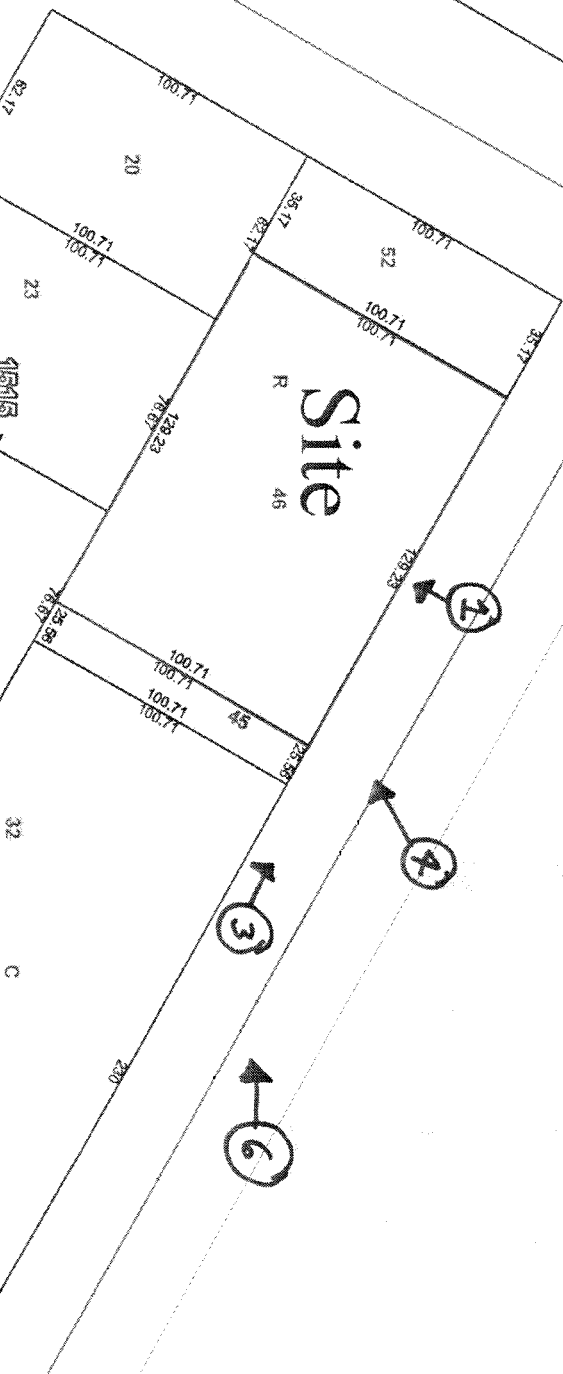
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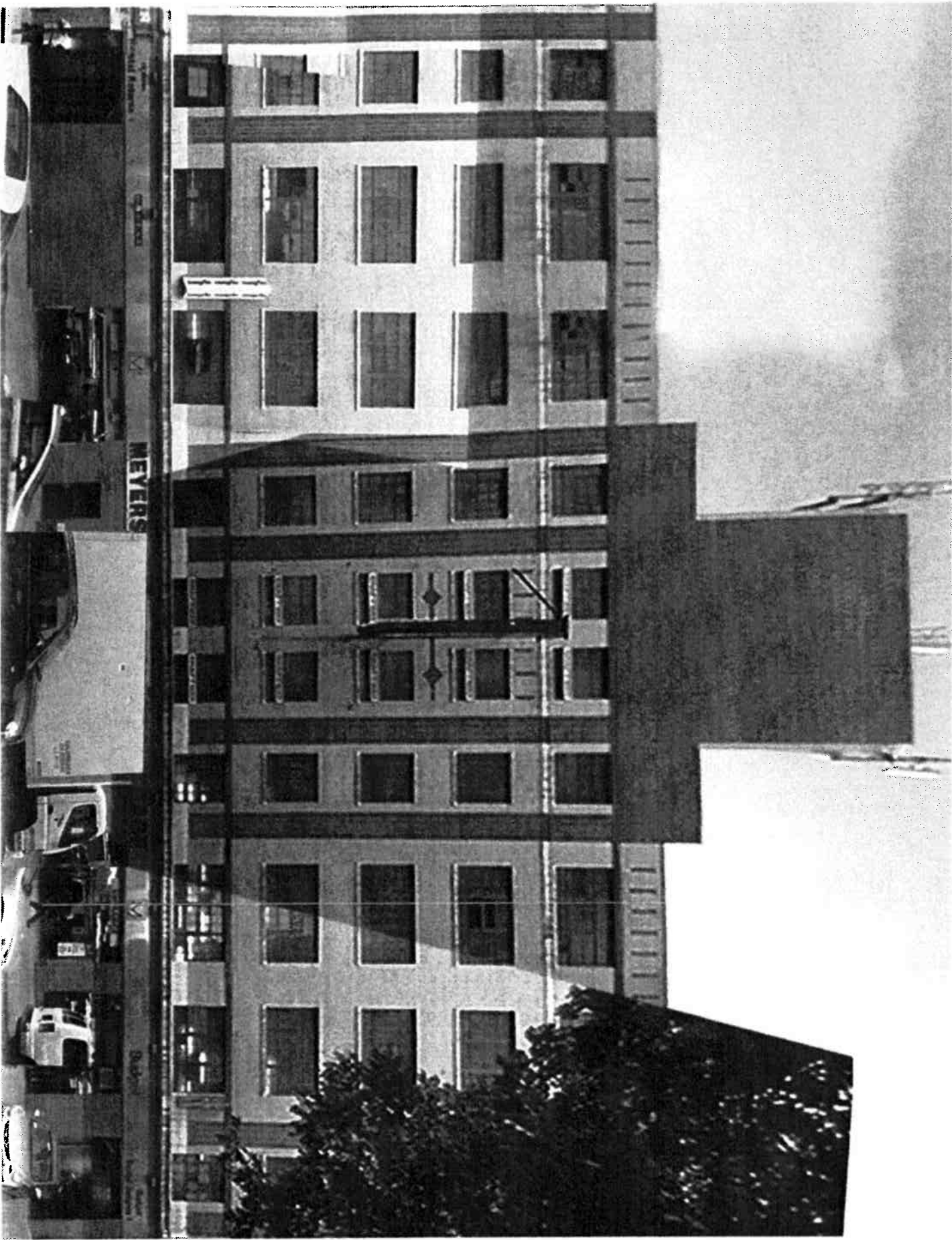


CONDO # 842

CONDO # 1918

1514

AV E



ELEVATIONAL PHOTO OF EXISTING BUILDING

PHOTO #1

717-28-BZ



VIEW FROM LEXINGTON AVENUE LOOKING EAST AT SITE

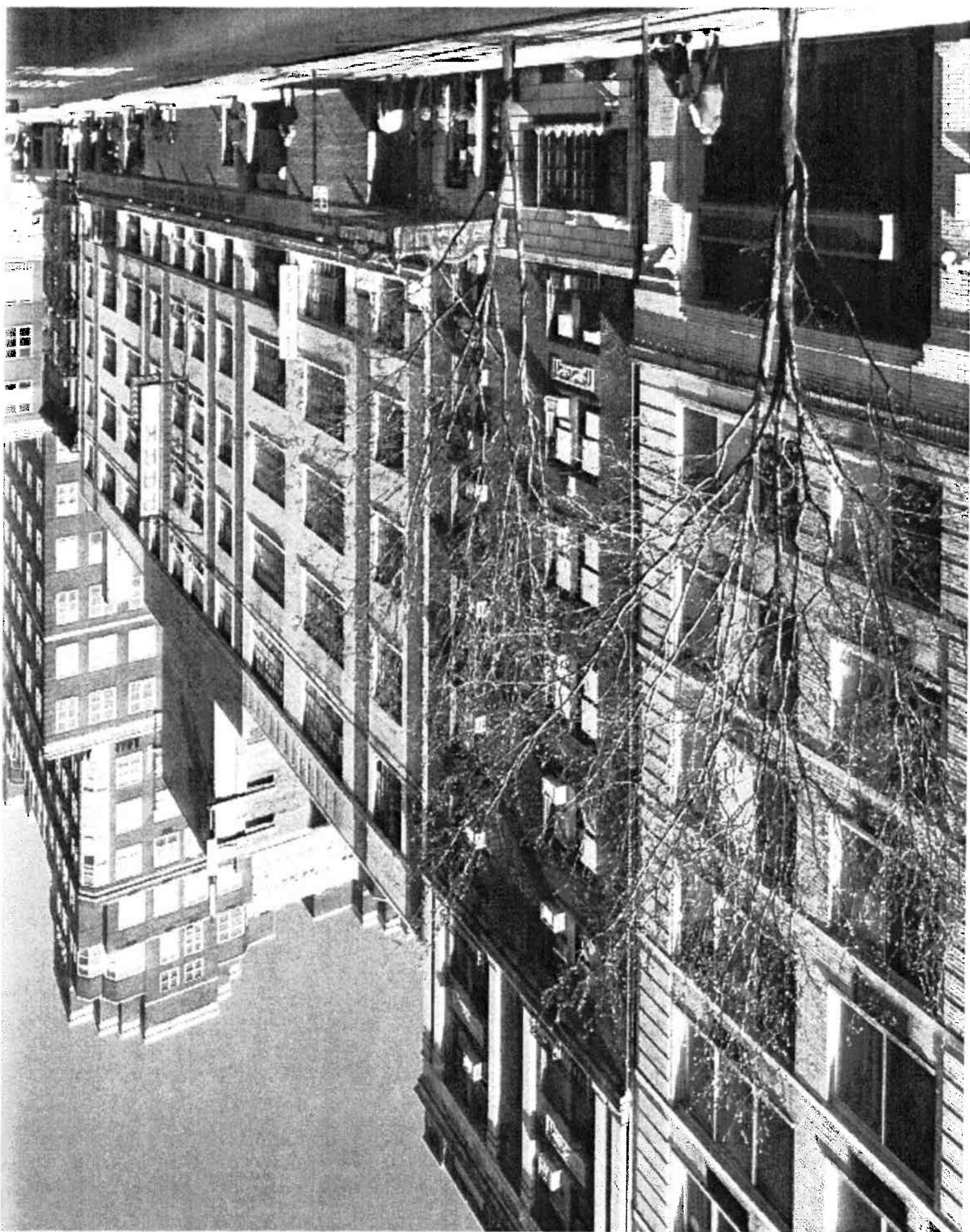
PHOTO #2

717-28-BZ

717-28-BZ

PHOTO # 3

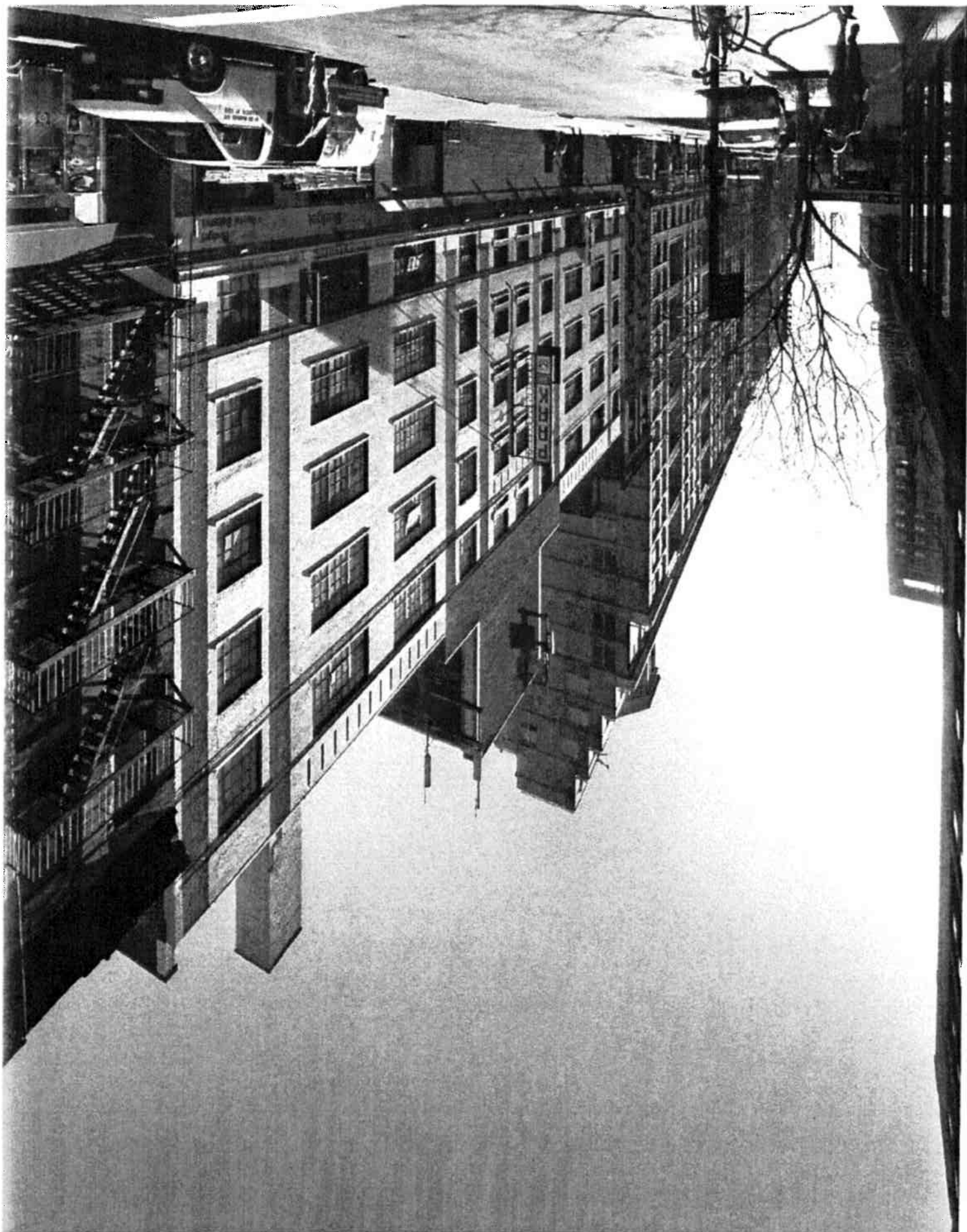
VIEW FROM 87TH STREET LOOKING WEST AT SITE

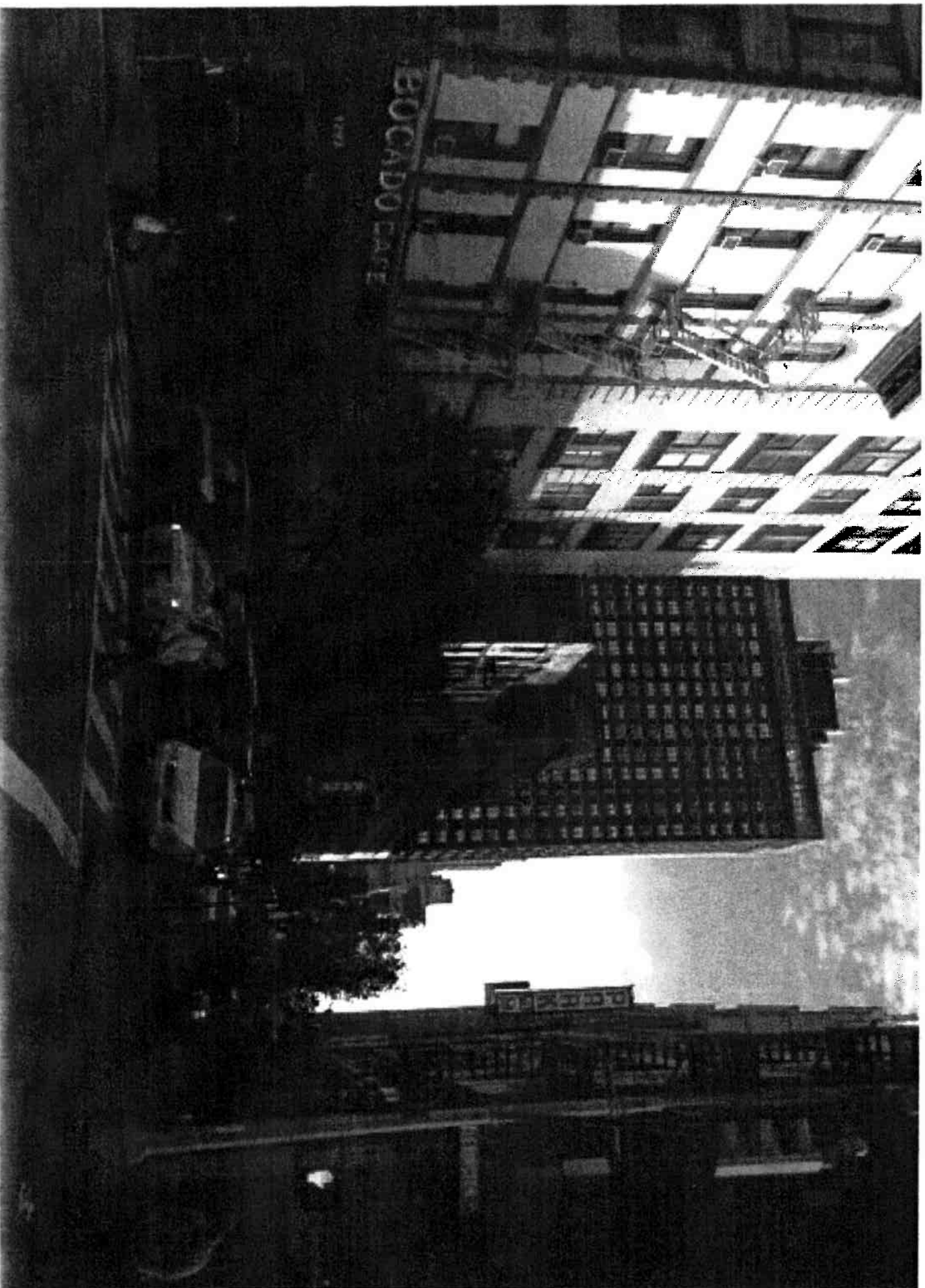


717-28-BZ

PHOTO #4

VIEW FROM 87TH STREET LOOKING EAST AT SITE





VIEW FROM LEXINGTON AVENUE LOOKING EAST DOWN 87TH STREET

PHOTO #5

717-28-BZ



VIEW FROM 87TH STREET LOOKING WEST TOWARDS SITE

PHOTO #6

717-28-BZ

MINUTES

BOARD OF STANDARDS AND APPEALS.

REGULAR MEETING

TUESDAY MORNING, MAY 22, 1934

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney.

The minutes of the regular meeting of the board held on Tuesday morning, May 15, 1934, and the minutes of the regular meeting of the board held on Tuesday afternoon, May 15, 1934, were approved as printed in Bulletin No. 21, Vol. XIX.

BUILDING ZONE CASES.

7-34-BZ.

APPLICANT—Henry C. Brucker, for Salzi Homes, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southeast corner of Rocky Hill road and 221st place (Block No. 1726, Lot No. 16), Inglewood, Borough of Queens.

APPEARANCES—

For Applicant: Henry C. Brucker.

For Opposition: George L. Knott, Mrs. C. Stutz, Alderman Edward E. Buhler, David S. Ward.

ACTION OF BOARD—Laid over to June 5, 1934, at 2 p. m., for report of committee of inspection. No further argument.

56-34-BZ.

APPLICANT—Lama and Proskauer, for Joseph Cafiero, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a petroleum storage plant.

PREMISES AFFECTED—2117-2127 Neptune avenue, northeast corner of West 22nd street (Block No. 6991, part of Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: John H. Borrie.

ACTION OF BOARD—Laid over to June 5, 1934, at 2 p. m., on request of attorney for objectors.

993-26-BZ.

APPLICANT—Jacob A. Freedman, for Leo Schumier, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (reopened March 27, 1934).

PREMISES AFFECTED—5911-5921 22nd avenue (Bay parkway), east side, 20 ft. north of 60th street (Block No. 6548, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Minnie Transky.

For Opposition: Alderman Isnardi, William G. Linder.

ACTION OF BOARD—Laid over to June 5, 1934, at 10 a. m., on request of attorney for applicant.

331-33-BZ.

APPLICANT—Emil Guterman, for Litvan Holding Corporation, owner.

SUBJECT—Request for reopening—reconsideration under new facts—re Application (decision of the commissioner of buildings under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station).

PREMISES AFFECTED—1241-1251 East New York avenue and 1420-1426 Pitkin avenue (Block No. 1477, Lot Nos. 32, 33, 34, 35 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Absent: Commissioner Peppe 1

1024-27-BZ.

APPLICANT—I. L. Crausman, for 174th street and Jerome Avenue Realty Corp., owner.

SUBJECT—Application for reopening—amendment of resolution to permit an alcove gasoline service station—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1650-1664 Jerome avenue and 1-9 East 174th street, northeast corner (Block No. 2848, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: I. L. Crausman.

ACTION OF BOARD—Application reopened, to be set for calendar call.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

Negative 0

Absent: Commissioner Peppe 1

717-28-BZ

APPLICANT—Frank J. Schefcik, for Theodore Ornstein, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the superintendent of buildings) under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Schefcik and Theodore Ornstein.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing June 12, 1934, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4

MINUTES

Negative 0
Absent: Commissioner Peppe..... 1

108-26-BZ.

APPLICANT—Eugene De Rosa, for Emerdyck Realty Corporation, owner.

SUBJECT—Application for reopening—rehearing on revised plans—(re decision of commissioner of buildings) under sections 7(b) and 21 of the building zone resolution, to permit the extension from a business district into a residence district of a proposed theatre building.

PREMISES AFFECTED—4913-4923 Broadway (Block No. 2241, Lot Nos. 25, 26 and part of Lot No. 28). Borough of Manhattan.

APPEARANCES—

For Applicant: Eugene De Rosa.

ACTION OF BOARD—Application reopened, calendar call waived and set for hearing June 12, 1934, at 10 a. m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

84-34-BZ.

APPLICANT—Koch & Wagner, for Lincoln Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7c of the building zone resolution, to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank).

PREMISES AFFECTED—7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick Weisbrod and Arthur R. Koch.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(84-34-BZ)

WHEREAS, Koch & Wagner, for Lincoln Savings Bank, owner, filed March 30, 1934, an application under the building zone resolution to permit partly in a business district and partly in a residence district, the erection and maintenance of a business building (bank); premises: 7423-7427 Fifth avenue, northeast corner of Bay Ridge parkway (Block No. 5931, Lot Nos. 1, 2 and 85), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 5th avenue is in a business district, Bay Ridge parkway is in a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered March 13, 1934, re: Applic. No. 2116-1934, reads:

"Proposition is contrary to article 2, section 3 of building zone resolution, as proposed business building extends partly into a residential district."

and

WHEREAS, the proposed building is to be of fireproof construction two (2) stories in height, with a frontage of 46 ft. 1 in. on 5th avenue and 98 ft. on Bay Ridge parkway, to be occupied as a business building (bank). A small triangular portion approximately 7 ft. 6 in. by 19 ft. in area of the proposed building is in the residence use district; and

WHEREAS, the Board deemed that it was empowered to act under Section 7-c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under Section 7-c, permitting the proposed building as indicated on plans filed with this application to extend into the residence zone for a distance of, approximately, 7 ft. 6 in. as indicated, waiving the requirements for unbuild-upon yard or court space, on condition that the building shall comply with all the laws and regulations applicable thereto other than as permitted by this variance of the zoning resolution.

528-31-BZ.

APPLICANT—Thomas O'Rourke Gallagher, for George W. Horr, owner.

SUBJECT—Application for extension of permit—re Application (decision of the superintendent of buildings) permitting in a business district the erection and maintenance of a gasoline service station, this application originally filed under section 21, but granted under section 7f of the building zone resolution (reopened April 27, 1934).

PREMISES AFFECTED—70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Thomas O'Rourke Gallagher.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief
Kidney 4
Negative 0
Absent: Commissioner Peppe..... 1

THE RESOLUTION—

(528-31-BZ)

WHEREAS, this application affecting premises 70-52 Kissena boulevard, northwest corner of 70th road (Block No. 2235, Lot No. 1), Borough of Queens, was granted by the Board March 18, 1932, under section 7, subdivision F, for a temporary period of two years, on certain conditions; and

WHEREAS, on April 17, 1934 (after the time limit had expired), a request was made for an extension of time and on April 27, 1934, the Board reopened the application, waived the Calendar Call and set the case for a public hearing on May 22, 1934; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting May 22, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, It appears that there has been no change in the surrounding conditions.
Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, reaffirming the resolution adopted by the Board on March 18, 1932, for a temporary period of two (2) years from the date of this action, under Section 7-F.

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108-26-BZ.

APPLICANT—Eugene De Rosa, for Emerdyck Realty Corp., owner.

SUBJECT—Application reopened May 22, 1934 (re decision of the commissioner of buildings) for an amendment of resolution as to area of proposed theatre building—re Application, under sections 7b and 21 of the building zone resolution, to permit the extension from a business district into a residence district of a proposed theatre building.

PREMISES AFFECTED—4913-4923 Broadway (Block No. 2241, Lot Nos. 25, 26 and part of Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Eugene De Rosa, F. W. Pinner and C. S. Crystal.

For Opposition: Helen C. Williams and Millicent C. Barringer.

ACTION OF BOARD—Application granted, on condition THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(108-26-BZ)

WHEREAS, this application affecting premises 4915-4923 Broadway (Block No. 2241, Lot Nos. 25, 26, 28 and 30), Borough of Manhattan, was granted by the board December 14, 1926, on certain conditions, but time to erect the building having expired, applicant requests a reopening of the case and an amendment of the resolution to permit the construction of a building with a frontage of 80 ft. and a depth of 150 ft. instead of a frontage of 163 ft. and a depth of 138 ft. as originally proposed, and affecting only lot Nos. 25 and 26 and part of Lot No. 28; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is a business district and Cooper street is a residence district; and

WHEREAS, the decision of the commissioner of buildings, rendered April 26, 1934, in acting on N. B. Application, No. 39-1934, reads:

"1. Westerly portion of building to be used for business purposes may not extend into residence district zone resolution, section 3."

and

WHEREAS, the proposed building is to be of fireproof construction, two stories in height, 80 ft. by 150 ft. in area, to be occupied as theatre and stores, the rear portion of the building extending into the residence district 25 ft.; and

WHEREAS, the board deemed that applicant had substantiated his basis of appeal under sections 7b and 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, permitting the construction of a motion picture theatre, as indicated on the revised plans marked "Received May 11, 1934" and covering a revised plot area 80 ft. in width by 150 ft. in depth, being the northerly portion of the plot formerly under appeal, and permitting the construction as indicated within the area zoned for residence, on condition that in the rear 12 ft. the building shall not exceed the height of 23 ft. at rear line above the Broadway curb, as indicated; that the entire rear of building shall be constructed of light face brick; that there shall be no openings in the rear

walls of building facing west; that a retaining wall shall be constructed on rear property line up to the grade of the property to the west; that, other than this use variance in a residential area, all laws, rules and regulations applying to this building shall be complied with; and that all permits shall be obtained within six months and any work involved shall be completed within one year from the date of this action.

717-28-BZ.

APPLICANT—Frank J. Schefcik, for Theodore Ornstein, present owner.

SUBJECT—Application reopened May 22, 1934 (re decision of the commissioner of buildings) to amend the resolution to permit the erection of a pent house for additional car storage—re Application, under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Schefcik and Theodore Ornstein.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney	4
Negative	0
Absent	0

THE RESOLUTION—

(717-28-BZ)

WHEREAS, this application affecting premises 152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan, was granted by the board January 29, 1929, on certain conditions, and applicant requests an amendment of the resolution to permit the erection of a pent house 129 ft. 3 in. by 67 ft. in area, to be occupied for the storage of motor vehicles; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the commissioner of buildings, rendered May 4, 1934, in acting on alteration No. 931-1934, reads:

"1. Proposed extension of garage use in a business district is contrary to sections 4 and 6 of zone resolution."

Resolved, that the Board of Standards and Appeals does hereby amend resolution adopted by the board on January 29, 1929, as amended by resolutions adopted on March 5, 1929, April 5, 1930 and May 27, 1930, to permit the construction of a new pent-house story as indicated on plans filed marked "Received May 31, 1934" and permitting this new pent-house story to be used as part of the public garage, on condition that the construction of the proposed story shall be completely fireproof; that the present elevators in the pent-house shall not be extended in height; that the roof of this new pent-house story shall be so constructed as to preclude any storage of cars thereon; that the standpipe fireline system shall be extended to comply with the requirements of the Standpipe Fireline Rules of the Board of Standards and Appeals; that the requirements of the zoning law as to setbacks and height shall be complied with; that there shall be no windows or other openings in the wall of this pent-house story, to the east or west; that all other windows and doors shall be

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fireproof, self-closing; that, other than as amended herein, this additional story shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained within six months and any work involved completed within one year from the date of this action.

340-31-BZ.

APPLICANT—Conroy and Hardy, for Edward W. Cropsey, James L. Cropsey and C. & M. Holding Co., owners.

SUBJECT—Application for reopening—extension of time—re Application (re decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2402-2418 Cropsey avenue, southwest corner of 24th avenue (Block No. 6927, Lot Nos. 47 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(340-31-BZ)

WHEREAS, this application affecting premises 2402-2418 Cropsey avenue, southwest corner of 24th avenue (Block No. 6927, Lot Nos. 47 and 48), Borough of Brooklyn, was granted by the board July 22, 1932, on certain conditions, time extended June 13, 1933, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on July 22, 1932, be and it hereby is amended, only so far as it has to do with the completion of work, so that as amended, the clause relating thereto will read:

"that in view of statement by applicant that all permits have been obtained, all work shall be completed within one year from the date of this amended resolution and that the resolution other than as amended herein shall be complied with in all respects."

262-33-BZ.

APPLICANT—Wood and Marshall, for John Wild and Mary C. Wild, owners.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Merrick road and 125th avenue (Block No. 3208, Lot Nos. 122, 124 and 126), South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Clifford B. Marshall.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(262-33-BZ)

WHEREAS, this application affecting premises southwest corner of Merrick road and 125th avenue (Block No. 3208, Lot No. 122, 124 and 126), Jamaica, Borough of Queens, was granted by the board December 12, 1933, on certain conditions, and applicant requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on December 12, 1933, be and it hereby is amended, only so far as it refers to the obtaining of permits and completion of work, so that as amended, that clause of the resolution will read:

"that in view of statement by applicant that plans have been approved by the commissioner of buildings, that all permits shall be obtained within two months and all work completed within six months from the date of this amended resolution on condition that the resolution other than as amended herein shall be complied with in all other respects."

190-27-BZ.

APPLICANT—Eugene De Rosa, for Tagmont Holding Corporation, owner.

SUBJECT—Application for reopening—amendment—re (decision of superintendent of buildings) under section 7-c of the building zone resolution, to permit in a business district extending into a residence district, the alteration of a building occupied as stores and restaurant, under a variance granted by the board, into a motion picture theatre.

PREMISES AFFECTED—1401-1405 Kings highway (Block No. 6777, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Eugene De Rosa.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney 4
Negative 0
Absent 0

THE RESOLUTION—

(190-27-BZ).

WHEREAS, this application affecting premises 1401-1405 Kings highway (Block No. 6777, Lot No. 50), Borough of Brooklyn, was granted by the Board May 31, 1927, on certain conditions, amended June 19, 1928, and applicant requests an amendment of the resolution.

Resolved, that the resolution adopted by the board on May 31, 1927, as amended by resolution adopted on June 19, 1928, and permitting the existing building erected in

MINUTES

717-28-BZ

APPLICANT—William F. Doyle, substituted for Edward P. Doyle, for Stanhope Estates, Inc., owner.

SUBJECT—Application (re decision of the fire commissioner) under sections 7c and 81 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-164 East 87th street, Manhattan.

APPEARANCES—

For Applicant: William F. Doyle.

For Opposition: Abraham Wilson, John A. Mullen, David D. Glanz, David Oppenheim, Louis C. Bock, M. Newman and Charles A. Collins.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Walsh, Commissioners

Connell, Holland and Guilfoyle and Chief

Kenlon 5

Negative 0

Absent 0

THE RESOLUTION—

(717-28-BZ)

WHEREAS, William F. Doyle, substituted for Edward P. Doyle, for Stanhope Estates, Inc., owner, filed September 7, 1928, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles, premises, 152-164 East 87th street, Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 29, 1929, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 87th street, east of a point 100 ft. west of Lexington avenue, is in a business district; East 87th street, west of a point 100 ft. west of Lexington avenue, is in a residence district; Lexington avenue is in a business district; and Third avenue is in a business district; and

WHEREAS, the decision of the fire commissioner, rendered September 7, 1928, (re Plan No. 3741-28), reads:

"1. Garage for more than five (5) cars may not be permitted at this location, which is in a business district. Section 4, Building Zone Resolution."

and

WHEREAS, the decision of the superintendent of buildings, rendered January 23, 1929, (N. B. Application No. 38-1929), reads:

"1. Proposed garage use is unlawful in a business district. Section 4 of Building Zone Resolution."

and

WHEREAS, the proposed building is to be of fireproof construction, six stories in height, with a frontage of 154 ft. 0 in. and a depth of 100 ft. 8 1/2 in., to be occupied as a garage for the storage of more than five motor vehicles; and

WHEREAS, in accordance with the provisions of section 7, subdivision 2, of the building zone resolution, applicant has filed with this board documentary proof of the existence of a stable for more than five horses on the same street between two intersecting streets; and

WHEREAS, the street is otherwise occupied by non-conforming business use district occupancies, the board deems that a denial of this application would develop a hardship upon the applicant within the purview of section 81 of the building zone resolution;

Resolved, that the board of standards and appeals, does hereby make a variation in the application of the use dis-

trict regulations of the building zone resolution, and that the application be and it hereby is granted, only so far as affects the use of the premises for the erection and operation of a public garage, on condition that the requirements of the building zone resolution shall be complied with in all other respects; that the building shall not be built within 20 ft. of the easterly lot line; that the front elevation shall be designed in attractive architectural treatment; that the front walls shall be finished with face brick and architectural terra cotta or natural stone trim; that there shall be no advertising signs of any nature or description displayed on the exterior of these premises other than one projecting electric sign, indicating the name and title of the business conducted therein; that there shall be no portable gasoline pumps maintained or operated outside the building; that the easterly gable wall shall be unpierced throughout its entire height and length; that the entrance to the ascending ramp from the first story shall set back not less than 10 ft. from front of building on the grade with sidewalk; that the architect shall make a return of the drawings to the board for approval before submission to the bureau of buildings; that all permits required shall be obtained within six months and all work involved thereby completed within eighteen months from the date of this action.

658-28-BZ.

APPLICANT—Emil Guterman, for Salvatore Esposito and Frank Buoniconto, owners.

SUBJECT—Application (re decision of the superintendent of buildings) under section 7c of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—5913-5923 13th avenue and 1301-1311 60th street, northeast corner, Brooklyn.

APPEARANCES—

For Applicant: Emil Guterman.

For Opposition: Benjamin F. Magd.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Walsh, Commissioners

Connell, Holland and Guilfoyle and Chief

Kenlon 5

Negative 0

Absent 0

THE RESOLUTION—

(658-28-BZ)

WHEREAS, Emil Guterman, for Salvatore Esposito and Frank Buoniconto, owners, filed, August 6, 1928, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 5913-5923 13th avenue and 1301-1311 60th street, northeast corner, Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 29, 1929, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 13th avenue is in a business and unrestricted district; 60th street is in a business district; and 59th street is in a residence and unrestricted district; and

WHEREAS, the decision of the superintendent of buildings, rendered July 28, 1928 (re Applic. No. 12270-28), reads:

"Proposition contrary to the Zone Resolution, Art. II, Sec. 4(a), subdivision 15.

"The erection of a garage for more than five motor vehicles in a business district."

and

WHEREAS, the proposed building is to be of non-fireproof construction, one story in height, with a frontage of 100 ft. and a depth of 100 ft. 2 1/2 in., to be occupied as a garage for the storage of more than five motor vehicles; and

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"The erection of a building to be used as stores in residential district."

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 18 ft. 6 1/2 in. on Ocean Parkway, 117 ft. 6 1/2 in. on Church avenue and a distance of 34 ft. across the westerly rear; it is proposed to demolish the existing stores and gasoline service station now on the plot and to replace same with a one-story non-fire-proof structure 85 ft. 6 in. on Church avenue by 23 ft. 10 in. on Ocean Parkway; building to be set back 30 ft. from Ocean Parkway and to be occupied for six stores; the westerly 10 ft. of the plot is in the business district, the remainder is in the residence district; and

WHEREAS, the premises are now occupied by a business use existing prior to and continued since the adoption of the building zone resolution; and

WHEREAS, it is proposed to demolish and remove the existing structure, substituting therefor a modern structure of attractive architectural design; and

WHEREAS, the board is empowered under the provisions of section 7, subdivision c, of the building zone resolution, to grant a variation under the existing circumstances and deems that applicant is entitled to relief under section 21 of the building zone resolution and that a denial of this application would constitute unnecessary hardship and practical difficulty.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations, and that the application be and it hereby is granted, only so far as it affects the first story, street grade, of any structure erected on the premises, on condition that the facade of the building shall be finished in attractive architectural design with parapet of substantial height; that there shall be no door opening for business use or operation maintained on the Ocean Parkway frontage; that no part of the premises shall be maintained or conducted as a meat market or fish store; that no merchandise shall be exposed or displayed outside the building line; that there shall be no advertising of any nature or description displayed on the Ocean Parkway frontage of the premises; that any advertising displayed on the Church avenue frontage shall be restricted to that of flat lettering affixed to the plate glass show windows of the store front; that the show windows shall have a marble sub-base and metal core supports; that a return of the drawings shall be made to this board for approval before submission to the superintendent of buildings; that all permits required shall be obtained within six months and all work involved thereby completed within one year from the date of this action.

717-28-BZ. APPROVAL OF PLANS

APPLICANT—William F. Doyle, substituted for Edward P. Doyle, for Stanhope Estates, Inc., owner.

SUBJECT—Approval of plans, in accordance with resolution adopted by the board under date of January 29, 1929.

PREMISES AFFECTED—152-164 East 87th street, Manhattan.

APPEARANCES—None.

ACTION OF BOARD—Chairman read report of engineer; report adopted and plans approved.

THE VOTE TO APPROVE PLANS—

Affirmative: Chairman Walsh, Commissioners Connell, Holland and Gullfoyle..... 4
Negative 0
Absent: Chief Kenlon..... 1

AREAS FIXED. (872-28-BZ)

The chairman presented and read a communication from James T. Hallinan, requesting the board to fix an area deemed affected and within which to obtain consents to permit in a business district the erection and maintenance of a gasoline service station; premises northerly junction between Lincoln avenue and Van Wyck boulevard, Borough of Queens.

The following area was approved by the board:

Both sides of Lincoln avenue from a point 100 ft. southwest of 111th avenue to a point 400 ft. northeast of premises in question; both sides of Van Wyck boulevard from a point 100 ft. southeast of 111th avenue to a point 400 ft. northwest of premises in question; both sides of 139th street from 111th avenue to Lincoln avenue.

(887-28-BZ)

The chairman presented and read a communication from J. Nelson Cooper, requesting the board to fix an area deemed affected and within which to obtain consents to permit in a one and one-half times height district and "B" area district the erection and maintenance of the street wall of a building in excess of the height permitted under the zone resolution and, also, the maintenance of a rear yard of less area than required under the zone resolution; premises 120 West 107th street, Borough of Manhattan.

The following area was approved by the board:

Both sides of West 107th street from Amsterdam avenue to Columbus avenue, and also the property at the rear and within 50 ft. of the side lot lines of the premises in question.

Adjourned 1.15 p. m.

WILLIAM J. O'GORMAN, Secretary.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 5, 1929.

Present: Chairman Walsh, Commissioners Connell, Holland and Gullfoyle and Chief Kenlon.

PETITIONS FOR VARIATIONS

853-28-S.
PETITIONER—Philip J. Sinnott, substituted for John H. Duncan, for Estate of Ogden Goelet, owner.
SUBJECT—Variation of the labor law as cited in decision of the superintendent of buildings.

PREMISES AFFECTED—9-11 East 19th street and 10 East 20th street and 827-830 Broadway, Manhattan.

APPEARANCES—

For Petitioner: Philip J. Sinnott.

ACTION OF BOARD—Laid over to March 19, 1929, at 2 p. m., to obtain information from bureau of buildings.

420-28-S.

PETITIONER—Edgar C. Rowe Realty Corp., owner.
SUBJECT—Variation of the labor law as cited in orders of the fire commissioner.

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Appeals, Sec. 4, Building Zone Resolution.";
and
WHEREAS, the decision of the superintendent of buildings, rendered January 14, 1929 (re Plan No. N. B. 2820-1928), reads:
"Gas station not permitted in a business district. Contrary to Zoning Regulations.";

and
WHEREAS, it is proposed to erect a cement block office, 24 ft. by 24 ft., bury six 550-gallon tanks and erect six pumps for the purpose of conducting a gasoline service station within a business district; and

WHEREAS, the applicant filed 87 per cent of consents of affected property owners in favor of the application and the board deems that denial of the application would constitute an unnecessary hardship; and

WHEREAS, this application was granted by the board at its meeting, October 29, 1929, on certain conditions, and E. A. Schmakenberg, president of the owner corporation, requested an extension of the time limit imposed.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted on condition that the site shall be restricted in area to a frontage of 80 ft. on Amboy road and 80 ft. on Richmond avenue; that a brick wall of approved masonry, not less than 8 ft. in height, shall be constructed on the northwesterly and southwesterly property lines, coped with architectural terra cotta or natural stone trimming; that not more than one building shall be erected on the premises, limited in area to 24 ft. square, finished on the exterior with face brick, trimmed with architectural terra cotta or natural stone; that the roof shall be of hip design, finished with Spanish tile or variegated slate; that no pump shall be installed within 10 ft. of the building line; that there shall be not more than two vehicular entrances on either street front, not exceeding a width of 10 ft. each; that the curb cuts shall not exceed a width of 10 ft.; that there shall be constructed on the building line of both street fronts a concrete curbing not less than 12 in. in height above grade; that no portable gasoline tanks shall be maintained or operated on the premises; that all permits required shall be obtained within six months and the work involved shall be completed within one year from the date of this action—April 15, 1930.

717-98-BZ

APPLICANT—William F. Doyle, substituted for Edward P. Doyle, for Stanhope Estates, Inc., owner.

SUBJECT—Application for reopening—extension of time to procure permits and complete work—re Application (decision of the fire commissioner), under sections 7-c and 21 of the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—159-104 East 87th street, Manhattan.

APPEARANCES—

For Applicant: William F. Doyle.
For Opposition: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Walsh, Commissioners Connell, Holland and Guilfoyle and Deputy Chief McElligott	5
Negative	0
Absent	0

THE RESOLUTION:

(717-98-BZ)

WHEREAS, William F. Doyle, substituted for Edward P. Doyle, for Stanhope Estates, Inc., owner, filed September

7, 1928, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 159-104 East 87th street, Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the board of standards and appeals, at its regular meeting, January 29, 1929, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 87th street, east of a point 100 ft. west of Lexington avenue, is in a business district; East 97th street, west of a point 100 ft. west of Lexington avenue, is in a residence district; Lexington avenue is in a business district; and Third avenue is in a business district; and

WHEREAS, the decision of the fire commissioner, rendered September 7, 1928 (re Plan No. 2744-28), reads:

"Garage for more than five (5) cars may not be permitted at this location, which is in a business district. Section 4, Building Zone Resolution."

and

WHEREAS, the decision of the superintendent of buildings, rendered January 25, 1929 (N. B. Application No. 38-1929), reads:

"Proposed garage use is unlawful in a business district. Section 4 of Building Zone Resolution."

and

WHEREAS, the proposed building is to be of fireproof construction, six stories in height with a frontage of 154 ft. 9 in. and a depth of 100 ft. 8 1/4 in.; to be occupied as a garage for the storage of more than five motor vehicles; and

WHEREAS, in accordance with the provisions of section 7, subdivision e, of the building zone resolution, applicant has filed with this board documentary proof of the existence of a stable for more than five horses on the same street between two intersecting streets; and

WHEREAS, the street is otherwise occupied by non-conforming business use district occupancies, the board deems that a denial of this application would develop a hardship upon the applicant within the purview of section 21 of the building zone resolution; and

WHEREAS, this application was granted by the board at its meeting, January 29, 1929, on certain conditions, and applicant requested a modification of the time limit imposed, the matter having been before the court on a writ of certiorari.

Resolved, that the board of standards and appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted, only so far as it affects the use of the premises for the erection and operation of a public garage, on condition that the requirements of the building zone resolution shall be complied with in all other respects; that the building shall not be built within 20 ft. of the easterly lot line; that the front elevation shall be designed in attractive architectural treatment; that the front walls shall be finished with face brick and architectural terra cotta or natural stone trim; that there shall be no advertising signs of any nature or description displayed on the exterior of these premises, other than one projecting electric sign, indicating the name and title of the business conducted therein; that there shall be no portable gasoline pumps maintained or operated outside the building; that the easterly gable wall shall be unperforated throughout its entire height and length; that the entrance to the ascending ramp from the first story shall set back not less than 10 ft. from front of building on the grade with sidewalk; that the architect shall make a return of the drawings to the board for approval before submission to the bureau of buildings; that all permits required shall be obtained within six months and all work involved thereby completed within eighteen months from the date of this action—April 15, 1930.

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of more than five motor vehicles.
PREMISES AFFECTED—1172 Castle Hill Avenue, east side, 53.06 feet south of Gleason Avenue, Block 3820, Lots 5, 6 and 12, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.
ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 11, 1956, on certain conditions; and
WHEREAS, the applicant requested on extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 11, 1956, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution."
(Ait. App. 585/56)

136-57-BZ

APPLICANT—Leonard F. Rothkrug, for Wil-Sel Realty Corp., new owner; New York Lien Corp., former owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired October 22, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a one story building for retail stores with accessory patron and employee parking on part of the unbuilt upon portion of the premises for a term of 20 years.

PREMISES AFFECTED—4025-4045 Laconia Avenue, 1059-1067 East 227th Street, northwest corner and 1062-1072 East 228th Street, southwest corner of Laconia Avenue, Block 4874, Lots 4, 7, 8 and part of Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.
ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 22, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 22, 1957, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution."
(N.B. 1860/56)

717-28-BZ—Vol. II

APPLICANT—Jules Lewis, for Theodore Ornstein, owner.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 21 of the Zoning Resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-162 East 87th Street, south side, 25 feet, 2 5/16 inches east of Lexington Avenue, Block 1515, Lots 47 to 51, Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Lewis.
ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

752-29-BZ—Vol. IV

APPLICANT—Leonard F. Rothkrug, for Walbell Real Estate Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. IV subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7f of the Zoning Resolution, permitting in a business and unrestricted use district, the erection and maintenance of a building to be used as an automobile showroom display and sale of auto accessories and parts and motor vehicle repair shop incidental to authorized auto dealer's use and permitting a gasoline service station, for a term of 10 years (previously granted by the Board for parking and storage of more than 5 motor vehicles).

PREMISES AFFECTED—8801-8809 4th Avenue south-east corner of 88th Street, Block 6065, Lot 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.
ACTION OF BOARD—Application reopened as Vol. IV, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

449-44-BZ

APPLICANT—Peter J. Hartmann, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete and obtain Certificate of Occupancy, which has expired June 11, 1955—re Application, decision of the Borough Superintendent; previously granted on condition under section 7c of the Zoning Resolution, permitting in a business use district, the reconstruction of three (3) buildings, two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five motor vehicles.

PREMISES AFFECTED—238-242 Vanderbilt Avenue, west side, 208 feet, 7 inches north of DeKalb Avenue, Block 2092, Lots 53, 54 and 55, Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas F. Lawler.
ACTION OF BOARD—Application reopened and set for hearing on December 2, 1958, in view of time to complete having expired on June 11, 1955, subject to the regular procedure, waiving all requirements except a new decision of the Borough Superintendent which has been filed, and two publications in the Bulletin as notice.

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tee on Slum Clearance and Samuel Bodian, Triborough Bridge & Tunnel Authority.
ACTION OF BOARD—Laid Over to September 15, 1959, at 10 A.M. for decision; hearing closed.

399-58-A

APPLICANT—Hirley, Kearney & Lane, for Emilie Ottavino, owner.

SUBJECT—Application June 27, 1958—Appeal from a decision of the Borough Superintendent re: live load.

PREMISES AFFECTED—7914-7920 3rd Avenue, west side, 53 feet 9 inches west of 80th Street, Block 5978, Lot 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: None.

ACTION OF BOARD—Laid over to September 29, 1959, at 2 P.M. for decision; applicant to work out plan for strengthening floor and submit plan to Department of Buildings.

95-28-BZ—Vol. IV

APPLICANT—George A. Diamond—Reisner & Diamond, for Free Greek Community Three Hierarchs Greek-Orthodox Church, owner.

SUBJECT—Application reopened May 19, 1959 as Volume IV—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E area district, the erection of a class one masonry building, part three story and basement and part one story as an adjunct to an existing church and occupying more than the permitted area with less than the required setback.

PREMISES AFFECTED—1714 Avenue P (official)—1706 Avenue P (displayed) southwest corner of East 18th Street, Block 6780, Lots 6, 4 and 3, Borough of Brooklyn.

APPEARANCES—

For Applicant: George A. Diamond.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Foley, Vice Chairman Kleinert, Commissioner Sleeper, Commissioner Fox and Commissioner Becker 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. IV on May 19, 1959 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 21, 1959 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated March 23, 1959 acting on N.B. Applic. No. 757-59, reads:

"1. The proposed structure exceeds in area that permitted by Art. IV Sec. 15(c) of the Zoning Resolution.

2. No portion of the proposed building may be erected closer than 10 feet from the building line under Art. IV, Sec. 15(d) of the Zoning Resolution"; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21 to permit in an E area district, the erection of a class one masonry building, part three-story and basement and part one-story, as an adjunct to an existing Church and occupying more than the permitted area, with less than the required

setback on condition that the work be done in accordance with drawings filed with this application marked "Received April 17, 1959" 8 sheets; that in all other respects all laws, rules and regulations applicable shall be complied with; and that all permits shall be obtained, all work completed and a certificate of occupancy obtained within the provisions of Section 22A of the Zoning Resolution.

717-28-BZ—Vol. II

APPLICANT—Jules Lewis for 160 E. 87th Street Realty Co., owner.

SUBJECT—Application reopened November 12, 1958 as Vol. II—appeal from a decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, in an existing six story building used as public garage, the erection of a seventh story to protect the cars presently parked on the existing roof, the rear columns of the building project beyond the zoning envelope of the building.

PREMISES AFFECTED—152-162 East 87th Street, south side, 35 feet 2 5/16 inches east of Lexington Avenue, Block 1515, Lots 47 to 51, Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Lewis.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Foley, Vice Chairman Kleinert, Commissioner Sleeper, Commissioner Fox and Commissioner Becker 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on November 12, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 14, 1959 after due notice by publication in the Bulletin, laid over to July 24, 1959, for inspection and decision; hearing closed; and

WHEREAS, the decision of the Borough Superintendent, dated October 1, 1958 acting on Alt. Applic. No. 1409-58, reads:

"1. Proposed addition of 7th story for garage for more than five autos, for pleasure cars exclusively in a retail district is an extension of a non-conforming use contrary to Sec. 6 & 4-A of Z.R.

2. Rear wall columns project beyond zoning envelope contrary to Sec. 12(a) of Z.R."

and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is granted under Sections 7c and 21 to permit in a retail use district, in an existing six story building used as a public garage, the erection of a seventh story to protect the cars presently parked on the existing roof, the rear columns of the building to project beyond the zoning envelope of the building, on condition that the work shall be done in accordance with drawings filed with this application dated October 16, 1958, 8 sheets; that where not inconsistent with the terms of this resolution, the requirements of the resolution adopted under Volume One shall be complied with; that in all other respects all laws, rules and regulations applicable shall be complied with and that all permits shall be obtained, all work completed

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and a certificate of occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

30-59-A

APPLICANT—Jules Lewis for 160 East 87th Street Realty Company, Incorporated, owner.

SUBJECT—Application October 16, 1958—appeal from a decision of the Borough Superintendent—re-open walls, 3-hour roof construction, stairs to lead to new roof.

PREMISES AFFECTED—152-162 East 87th Street, south side, 35 feet 2 1/4 inches east of Lexington Avenue, Block 1515, Lots 47 to 51, Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Lewis.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Foley, Vice Chairman Kleinert, Commissioner Sleeper, Commissioner Fox and Commissioner Becker 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated October 1, 1958 on Alt. Applic. 1409/58, reads:

"3. Provide 3 hour roof construction as per C26-239.0 Adm. Code.

4. Stairs to lead to new roof as per 6.4.1.11h B.C."

and

WHEREAS, the applicant states that the building is 129 feet 9 inches by 100 feet 8 1/4 inches in area, 6 stories, 69 feet 8 inches high, class 1 construction, located in retail use, B area, class 1 1/2 height district, used and occupied since 1930 as a garage; that use and occupancy is further described in Calendar Number 717-28-BZ, Volume II; that it is proposed to enclose present parking roof by construction of an "umbrella" roof of incombustible material; that the girders of this "umbrella" will be fireproofed with one inch vermiculite plaster over wire lath; that the 4 foot on center beams will be unprotected; that present exits consist of one interior 3 foot 8 inch wide fireproof stairs with self-closing kalamein doors; that the second egress consists of a rear fire escape leading through the 1st floor to the street; and

WHEREAS, the applicant proposes to extend the fire escape to the new roof and to extend present fireproof stair by an iron ladder through a scuttle in the new roof; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the application should be granted on condition.

Resolved, that the decision of the Borough Superintendent, dated October 1, 1958, acting on Alt. App. 1409-58 be and it hereby is modified and that the appeal be and it hereby is granted on condition that the work be done in accordance with drawings filed with this appeal marked "Received October 16, 1958", 2 sheets, and "June 9, 1959", 3 sheets; that the new story and new roof shall be of not less than one and one-half hour approved, Class 2 construction; and that in all other respects all laws, rules and regulations applicable shall be complied with.

744-28-BZ—Vol. II

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application reopened June 2, 1959 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1674-1676 Longfellow Avenue, northeast corner of East 173rd Street, Block 3010, Lots 1, 2 and 3, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem, Harry Kobrin and Harry Apelman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Foley, Vice Chairman Kleinert, Commissioner Sleeper, Commissioner Fox and Commissioner Becker 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 2, 1959 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 7, 1959 after due notice by publication in the Bulletin; laid over to July 24, 1959, for inspection and decision; hearing closed; and

WHEREAS, the decision of the Borough Superintendent, dated May 13, 1959 acting on Alt. Applic. No. 429-59, reads:

"1. In a residence district the proposed parking and storage of motor vehicles is contrary to Sect. 3, Art. II of the Zoning Resolution and is therefore denied."

and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7h, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles of the pleasure type only, for a term of ten years, on condition that the work be done as shown on drawings filed with this application marked, "Received May 15, 1959," 2 sheets; that the plot be paved with clean cinders or gravel, treated with a binder and properly graded and rolled; that all necessary retaining walls be provided to the satisfaction of the Borough Superintendent; that the entrance shall be omitted on Longfellow Avenue and the entrance located on East 173 Street; that all laws, rules and regulations applicable shall be complied with; and that all permits, including a Certificate of Occupancy shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

510-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, and Herbst & Ruschiano, for Robert Levine, William F. Walsh and Alfred Marer, owners; Shell Oil Company, lessee.

SUBJECT—Application reopened May 5, 1959 as Volume III—decision of the Borough Superintendent, under sections 7i, 7j and 7e of the Zoning Resolution, to permit in a business and unrestricted use district, the elimination of existing parking and storage of more than five (5) motor vehicles and in place thereof, erect and maintain a gasoline service station with accessory lubricatorium, non-automatic car washing, minor motor vehicle repairs with hand tools only, office, storage and sale of auto accessories and parking on a portion of the premises, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—251-263 West 238th Street and 5821-5839 Broadway, northwest corner, Block 3414, Lots 334, 336 and 340, Borough of the Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Foley, Vice Chairman Kleinert, Commissioner Sleeper, Commissioner Fox and Commissioner Becker 5

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on May 5, 1959 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 7, 1959 after due notice by publication in the Bulletin;

MINUTES

Inspection by the committee on December 6, 1934, disclosed in addition a community of houses, consisting of forty or fifty, within a radius of 500 ft. Some of the houses appear to have cost from \$8,000 to \$10,000.

A sign on this plot announces that a store building will be constructed for a tenant.

Buses run on Eastchester road; there are a parochial school and church three blocks away in addition to the public school on Mace and Seymour avenues.

The Committee cannot find that the site falls within the meaning of section 7-F, under which the board may exercise its discretion in granting the variance sought. Even if section 7-F was broad enough to permit the board to exercise discretion in this case, the committee would recommend that the application be denied as being against the interest of owners who have purchased property and built homes in reliance on the zoning law that nonconforming uses will be excluded.

The Committee recommends denial.

(Signed) HARRIS H. MURDOCK,

Chairman.

BERNARD A. SAVAGE,

CHARLES M. BLUM,

Committee of Inspection.

and

WHEREAS, this report recommended the denial of this application and the board deemed that applicant had not substantiated the basis of his application under section 7-F of the building zone resolution.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

541-32-BZ.

APPLICANT—Robert C. Weissmantel & Son, Inc. (lessee), for Tisdale Lumber Co., owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence district the change of occupancy of an existing building to a salesroom, motor vehicle repair shop and service station.

PREMISES AFFECTED—East side of 130th street, 330 ft. south of Jamaica avenue (Block No. 234, Lot No. 79), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Robert C. Weissmantel.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney

Negative

Absent

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney

Negative

Absent

THE RESOLUTION—

(541-32-BZ)

WHEREAS, this application affecting premises east side of 130th street, 330 ft. south of Jamaica avenue (Block No. 234, Lot No. 79), Richmond Hill, Borough of Queens, was granted by the board March 3, 1933, under certain conditions, which conditions were amended July 18, 1933, January 30, 1934, and July 10, 1934, and applicant requests a further amendment of the resolution.

Resolved, that the resolution adopted by the board on March 3, 1933, as amended by resolution of July 18, 1933, as further amended by resolution of January 30, 1934, and July 10, 1934, be and it hereby is *amended*, in view of the statement made by the applicant that all permits have been obtained and that the brick fire wall has been commenced and partially constructed and will be completed as soon as funds are available, to extend the period of time within which to complete work for six months from the date of this amended resolution, *on condition* that other than as amended herein the resolution adopted by the board on March 3, 1933, shall be complied with in all respects.

717-28-BZ.

APPLICANT—Frank J. Scheffik, for Theodore Ornstein, owner.

SUBJECT—Application for reopening—extension of time—re Application (decision of the commissioner of buildings) amending the resolution permitting the erection of a pent house for additional car storage—re Application, under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Scheffik.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney

Negative

Absent

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Kidney

Negative

Absent

THE RESOLUTION—

(717-28-BZ)

WHEREAS, this application affecting premises 152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan, was granted by the Board, January 29, 1929, on certain conditions amended June 12, 1934, and owner through his architect requests an extension of time.

Resolved, that the resolution adopted by the Board on June 12, 1934, be and it hereby is *amended*, only so far as it refers to the obtaining of permits and completion of work, so that as amended this portion of the resolution will read:

"that all permits shall be obtained within six months and all work involved completed within one year from the date of this amended resolution *on condition* that other than as amended herein the resolution adopted by the Board on June 12, 1934, shall be complied with in all respects."

8-34-BZ.

APPLICANT—Kennedy & Ellner, for Wardell Holding Corporation, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business district the erection and maintenance of a gasoline service station.

May 24, 1930.

APPROVAL OF PLANS

CAL. NO. 717-28-BZ,
PREMISES:- 152-164 East 87th Street,
Manhattan.

MEMORANDUM FOR CHAIRMAN.

Two sets of blue prints, each set consisting of seven prints, showing the cellar plan, 1st story plan, 2nd story plan, upper stories plan, roof plan, street front elevation and sectional drawings of the proposed garage within a business district filed May 22, 1930, by William F. Doyle, have been examined by me with reference to stipulations in resolution adopted by the Board April 15, 1930, and found to be in substantial compliance with the requirements of the resolution.

Recommend approval of the drawings as filed.

Respectfully submitted,

Thomas M. Hallam

Assistant Engineer.

TMH:ed

*Given - Subject to Board's
commentary H.E.W.*

11 JOHN ST
NYC

Block 1532

Block 1515

451 Theatre (17)

LEXINGTON AVE

EAST 87 STREET

THIRD AVE

Block
1.5.3.3

Block 1516

E 88 STREET

Block 1516

PLOT DIAGRAM

1

1

1

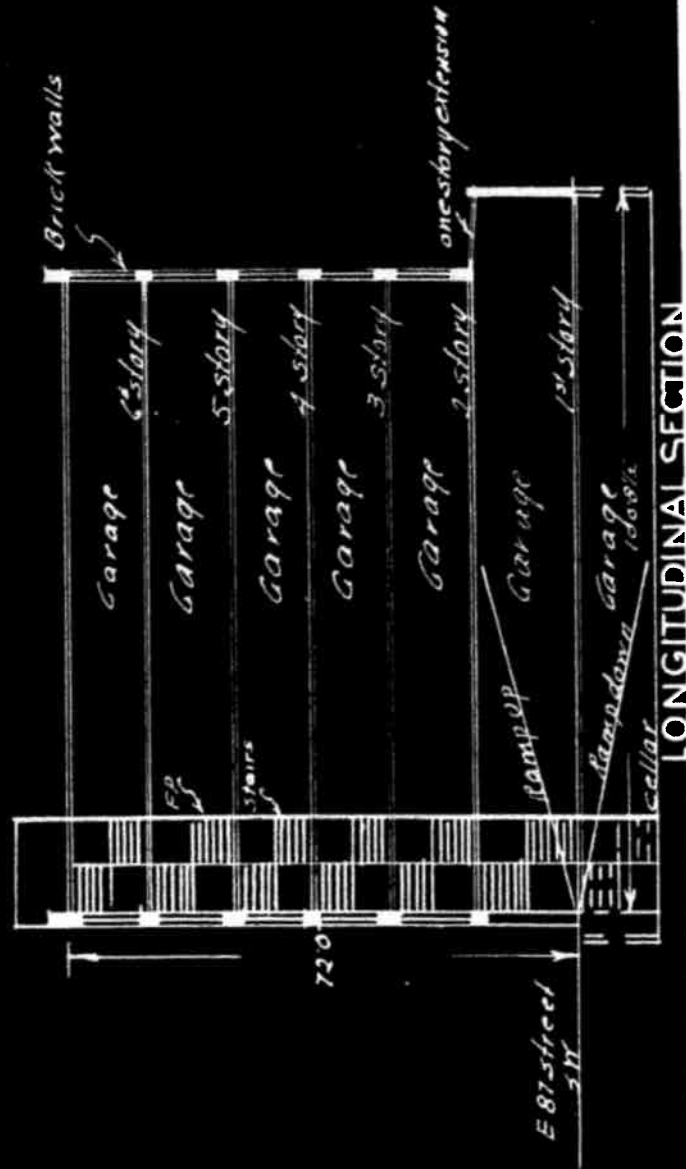
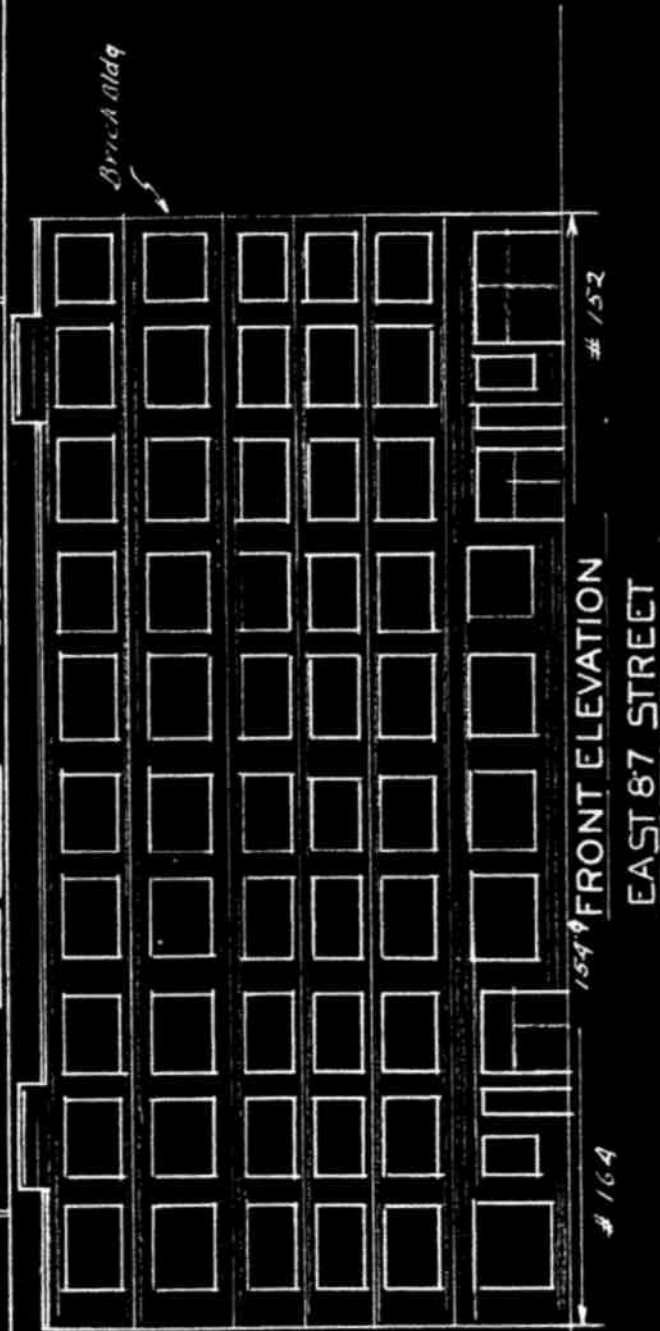


1

SCALE 1" = 25' 0"

PREMISES
152-164 EAST 87 STREET
MAN BORO NYC

EDWARD D. DODGE
11 JOHN ST
NYC



CITY OF NEW YORK

BOARD OF STANDARDS AND APPEALS

MUNICIPAL BUILDING
BOROUGH OF MANHATTAN

COPIES SENT _____

TO PETITIONER, _____
APPELLANT, _____
APPLICANT, _____
FIRE COM'R, _____
COM'R OF BLDG'S, _____

717-28-BZ.

APPLICANT—Frank J. Schefcik, for Theodore Ornstein, present owner.

SUBJECT—Application reopened May 22, 1934 (re decision of the commissioner of buildings) to amend the resolution to permit the erection of a pent house for additional car storage—re Application, under sections 7e and 21 of the building zone resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Schefcik and Theodore Ornstein.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Kidney

Negative 4

Absent 0

THE RESOLUTION—

(717-28-BZ)

WHEREAS, this application affecting premises 152-164 East 87th street (Block No. 1515, Lot Nos. 46, 47, 49, 50 and 51), Borough of Manhattan, was granted by the board January 29, 1929, on certain conditions, and applicant requests an amendment of the resolution to permit the erection of a pent house, 129 ft. 3 in. by 67 ft. in area, to be occupied for the storage of motor vehicles; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 12, 1934, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the commissioner of buildings, rendered May 4, 1934, in acting on alteration No. 931-1934, reads:

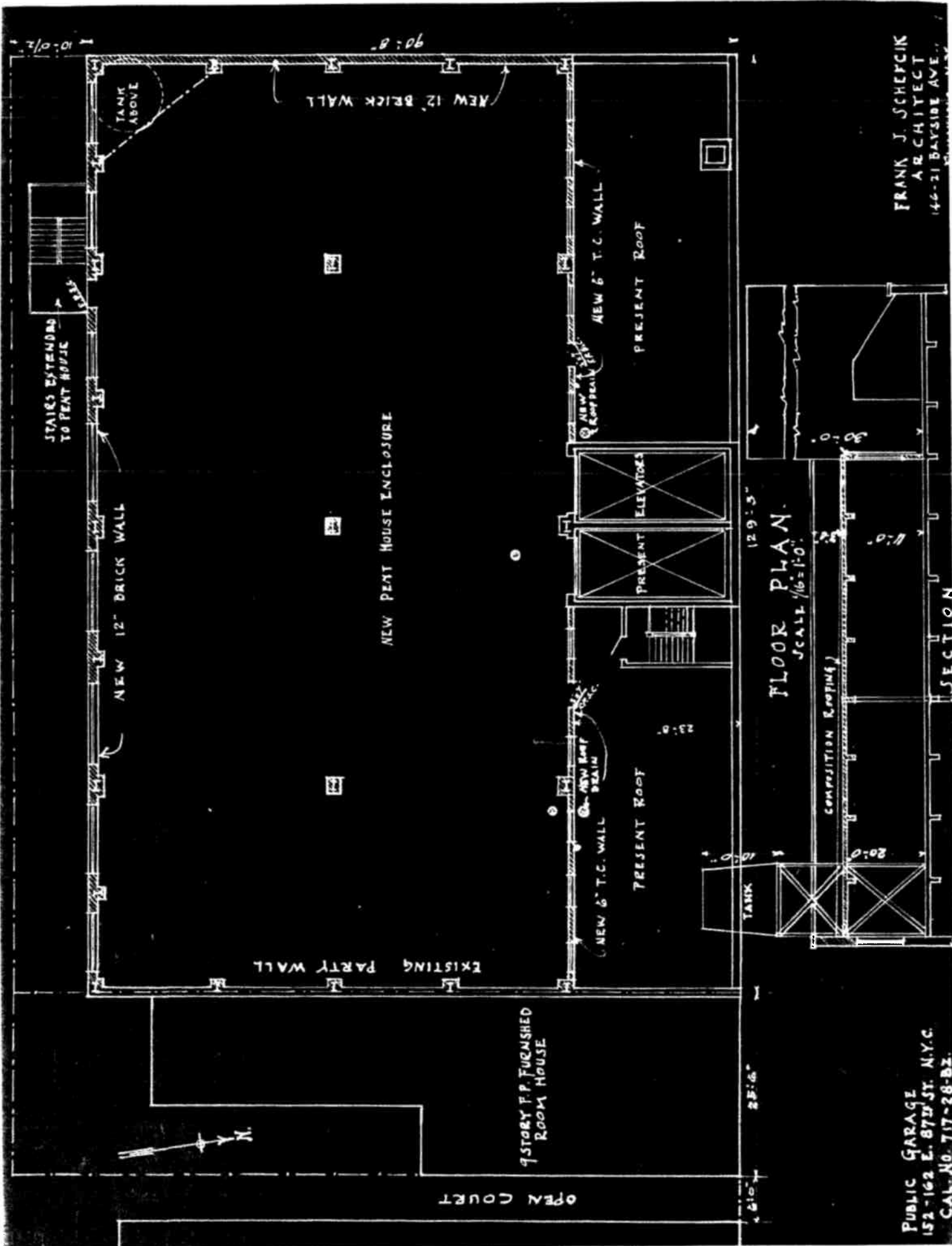
"1. Proposed extension of garage use in a business district is contrary to sections 4 and 6 of zone resolution."

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on January 29, 1929, as amended by resolutions adopted on March 5, 1929, April 5, 1930 and May 27, 1930, to permit the construction of a new pent-house story as indicated on plans filed marked "Received May 31, 1934" and permitting this new pent-house story to be used as part of the public garage, *on condition* that the construction of the proposed story shall be completely fireproof; that the present elevators in the pent-house shall not be extended in height; that the roof of this new pent-house story shall be so constructed as to preclude any storage of cars thereon; that the standpipe fireline system shall be extended to comply with the requirements of the Standpipe Fireline Rules of the Board of Standards and Appeals; that the requirements of the zoning law as to setbacks and height shall be complied with; that there shall be no windows or other openings in the wall of this pent-house story to the east or west; that all other windows and doors shall be fireproof, self-closing; that, other than as amended herein, this additional story shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained within six months and any work involved completed within one year from the date of this action.

A true copy of resolution adopted by the Board of Standards and Appeals.....193.....

Printed in Bulletin No. 25 Vol. 9

Chairman.



717-28-BZ—Vol. II

APPLICANT—Jules Lewis for 160 E. 87th Street Realty Co., owner.

SUBJECT—Application reopened November 12, 1958 as Vol. II—appeal from a decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, in an existing six story building used as public garage, the erection of a seventh story to protect the cars presently parked on the existing roof, the rear columns of the building project beyond the zoning envelope of the building.

PREMISES AFFECTED—152-162 East 87th Street, south side, 35 feet 2 5/16 inches east of Lexington Avenue, Block 1515, Lots 47 to 51, Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Lewis.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Foley, Vice Chairman Kleinert, Commissioner Sleeper, Commissioner Fox and Commissioner Becker

5

Negative:

0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on November 12, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 14, 1959 after due notice by publication in the Bulletin; laid over to July 24, 1959, for inspection and decision; hearing closed; and

WHEREAS, the decision of the Borough Superintendent, dated October 1, 1958 acting on Alt. Applic. No. 1409-58, reads:

"1. Proposed addition of 7th story for garage for more than five autos, for pleasure cars exclusively in a retail district is an extension of a non-conforming use contrary to Sec. 6 & 4-A of Z.R.

5. Rear wall columns project beyond zoning envelope contrary to Sec. 12(a) of Z.R."

and,

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is granted under Sections 7c and 21 to permit in a retail use district, in an existing six story building used as a public garage, the erection of a seventh story to protect the cars presently parked on the existing roof, the rear columns of the building to project beyond the zoning envelope of the building, on condition that the work shall be done in accordance with drawing filed with this application dated October 16, 1958, 8 sheets; that where not inconsistent with the terms of this resolution, the requirements of the resolution adopted under Volume One shall be complied with; that in all other respects all laws, rules and regulations applicable shall be complied with; and that all permits shall be obtained, all work completed and a certificate of occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

A true copy of resolution adopted by the Board of Standards and Appeals July 24, 1959.

Printed in Bulletin Nos. 30-35, Vol. XLIV.

Copies Sent

To Applicant

Fire Com'r.

Borough Supt.

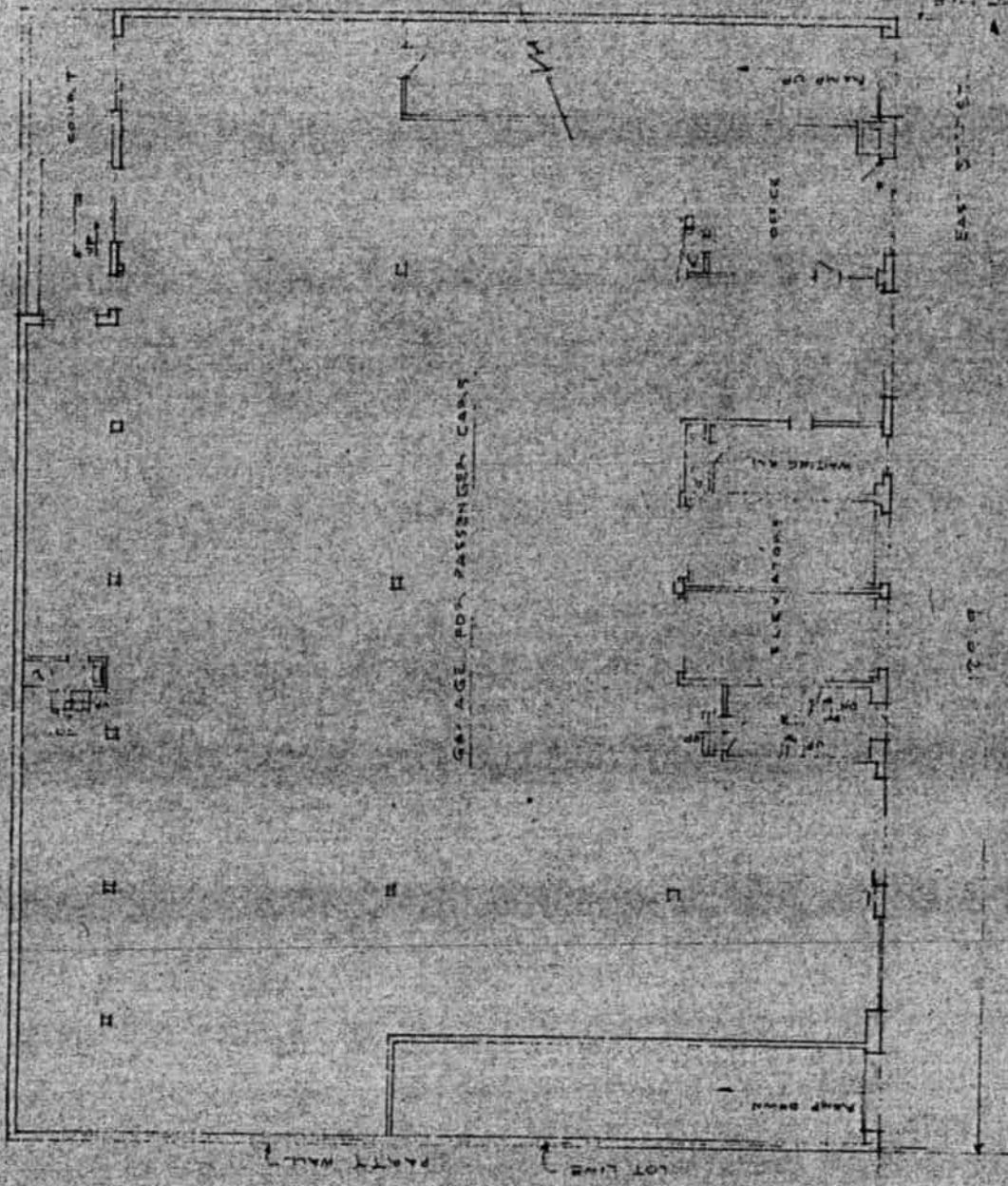
AUG 7 1959

[Signature]

Chairman.



DATE: 10/13/58
 DWG NO. A-1
 PREMISES: JULIUS LEWIS
 157-158 E 87th ST
 APARTMENT BUILDING



PLAN OF 1ST FLOOR
 SCALE 1" = 20'-0"

RECEIVED
 10/13/58
 83-517

90.8
 8.06

LOT LINE

NOT TO SCALE



RECEIVED
BOARD OF
STANDARDS & APPEALS

LA 71 83-272

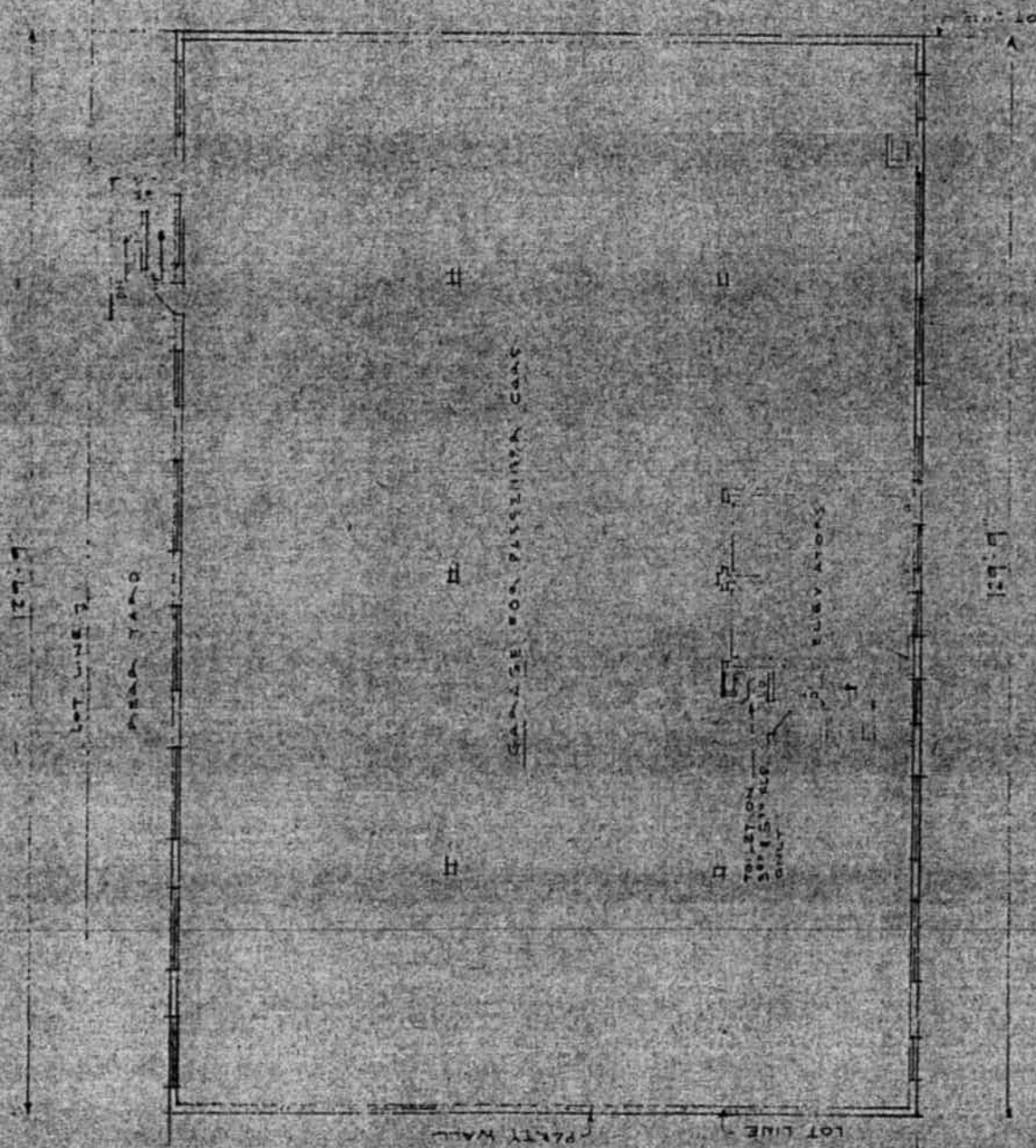
OCT 16 12 54 PM '58

CAL. NO.

414-58



DATE: 1915 58	DWG. NO. A-2
JULIUS LEWIS	
157-62 E 87th St. ARCHT. ENGINEER	



TYPICAL FLOOR PLAN
(2ND TO 6TH FLOOR)
SCALE 1" = 20'-0"

Eas. 5' - 5"



717-38 83-212

STAT

STAT

0-01

1-2-58

CAL

LEXINGTON AVE



DWG. NO. A.3

DATE: 10.15.58

PREPARED BY: JULES LEWIS

SIGNED: B. H. S. - ARCHT - ENGINEER

35.2' x 27.0' NO REAR YARD REQD

27.0'

REAR YARD 5' CLEAR PARAPET WALL TO

FOR SECT SEE DWG. A.4

SET BACK ABOVE REAR PARAPET WALL

10.0'

88.7'

100.8'

12.1' SET BACK

LINE OF NEW ROOF ABOVE

ELEVATORS

SPACE FOR PASSENGER CARS

NEW 7TH FLOOR PLAN (PRESENT PARKING ROOF)

SCALE 1"=20.0'

LOT LINE

EAST 8TH ST.

57.82'

29.9'

45.62'

31.6'





717-28 BVA

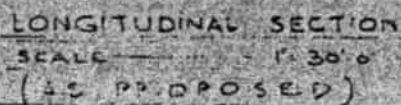
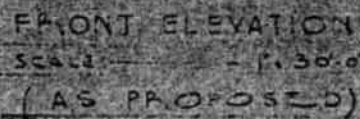
RECORDED
INDEXED

Oct 15 11 2 58

CHL NO

717-85-212





JULES LEWIS
ARCHIT & ENGINEER

NAVY 85-212

Oct 11 25



85TH ST.

22.25

25.66

51.13

70.8

20

23

24

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NORTH

LEXINGTON AVE.



DATE: 10/13/58	DWG. NO. A 6
PLOT DIAGRAM	JULES LEWIS
152-162 E. 87TH ST.	ARCHT. ENGINEER

PLOT DIAGRAM
SCALE 1" = 30'-0"

BLOCK 1515

EXPOSE

(47)

(42)

35-25

129.0

25-5

33-53

20

15-12

(32)

20

15-12

КАВ-85-212



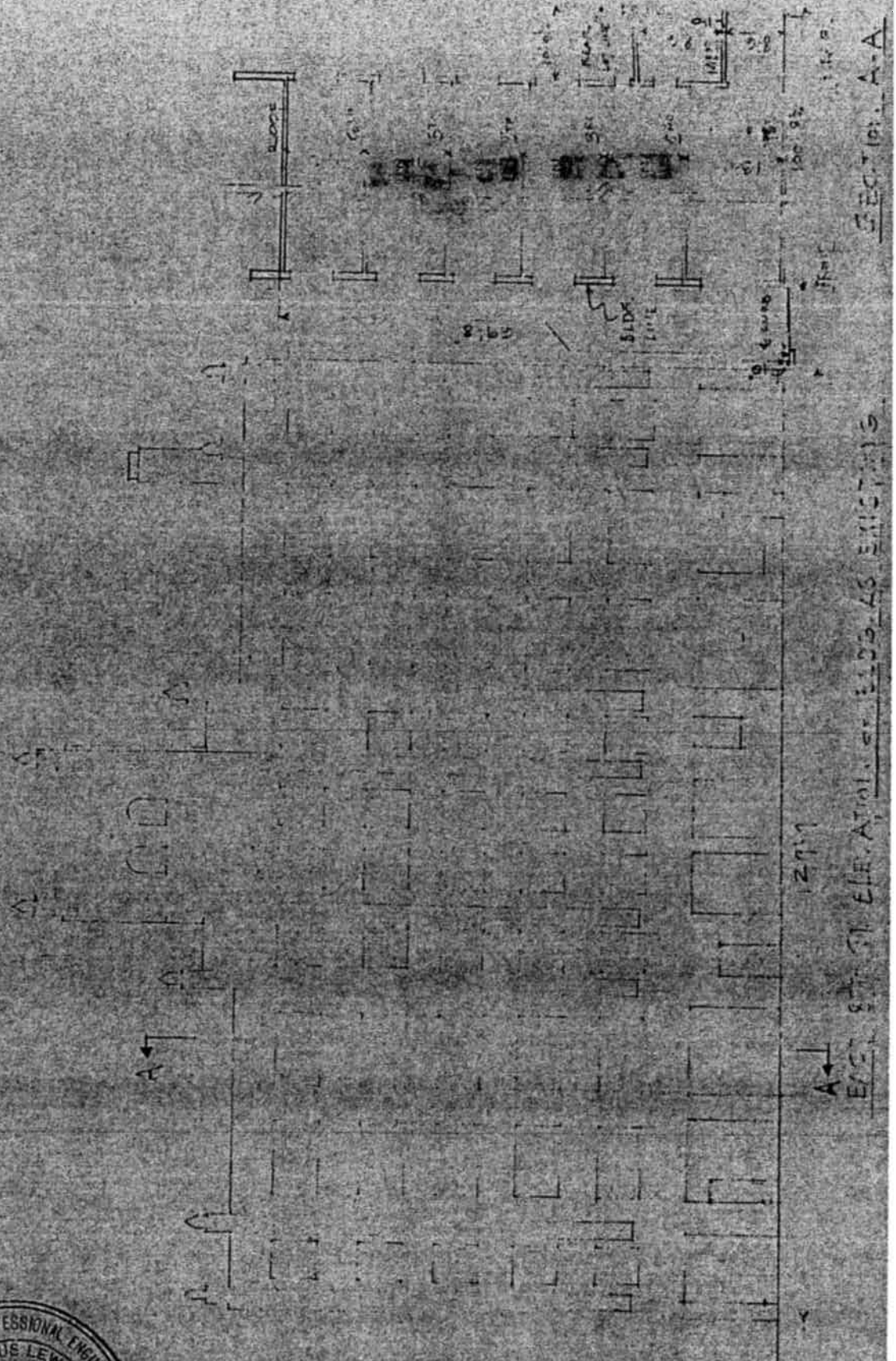
Осн 11.2.53

О.П.И.





DATE - 10/13/58	DWG. NO. A-7
PREMISES	JULES LEWIS
MAN. OFFICE	Architect'l Engineer
15 W 44th St. N.Y.C.	15 W 44th St. N.Y.C.



KAM 83-212

Oct

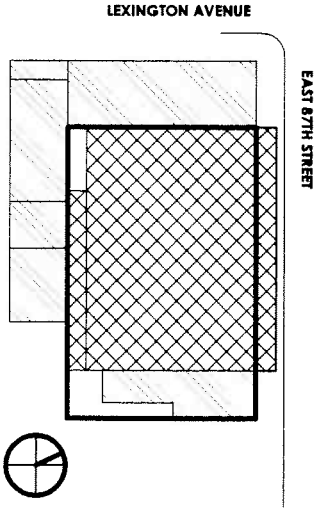
58

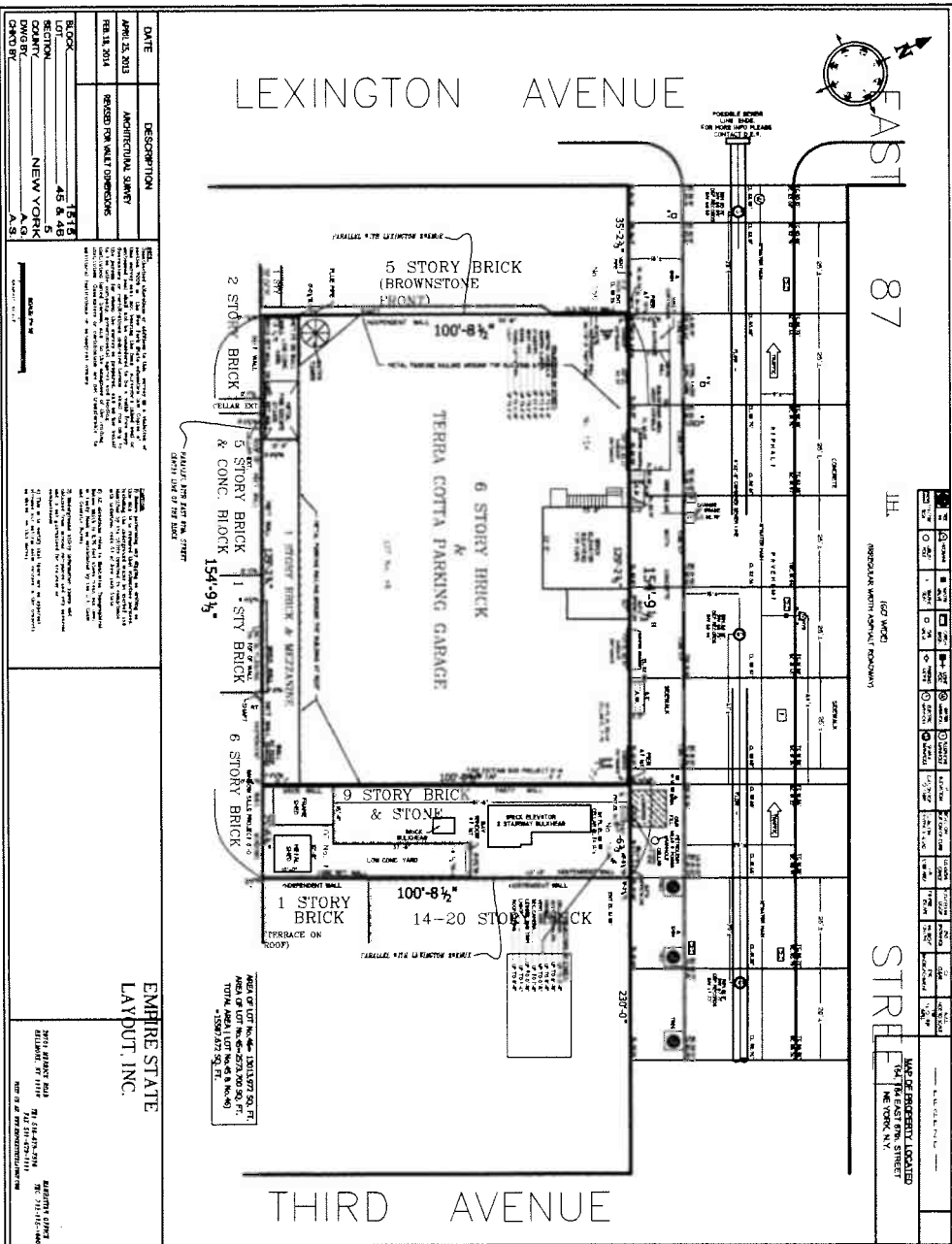




152 EAST 87TH STREET NEW YORK, NY

BLOCK 1515, LOT 45 & 46
EXISTING CONDITIONS

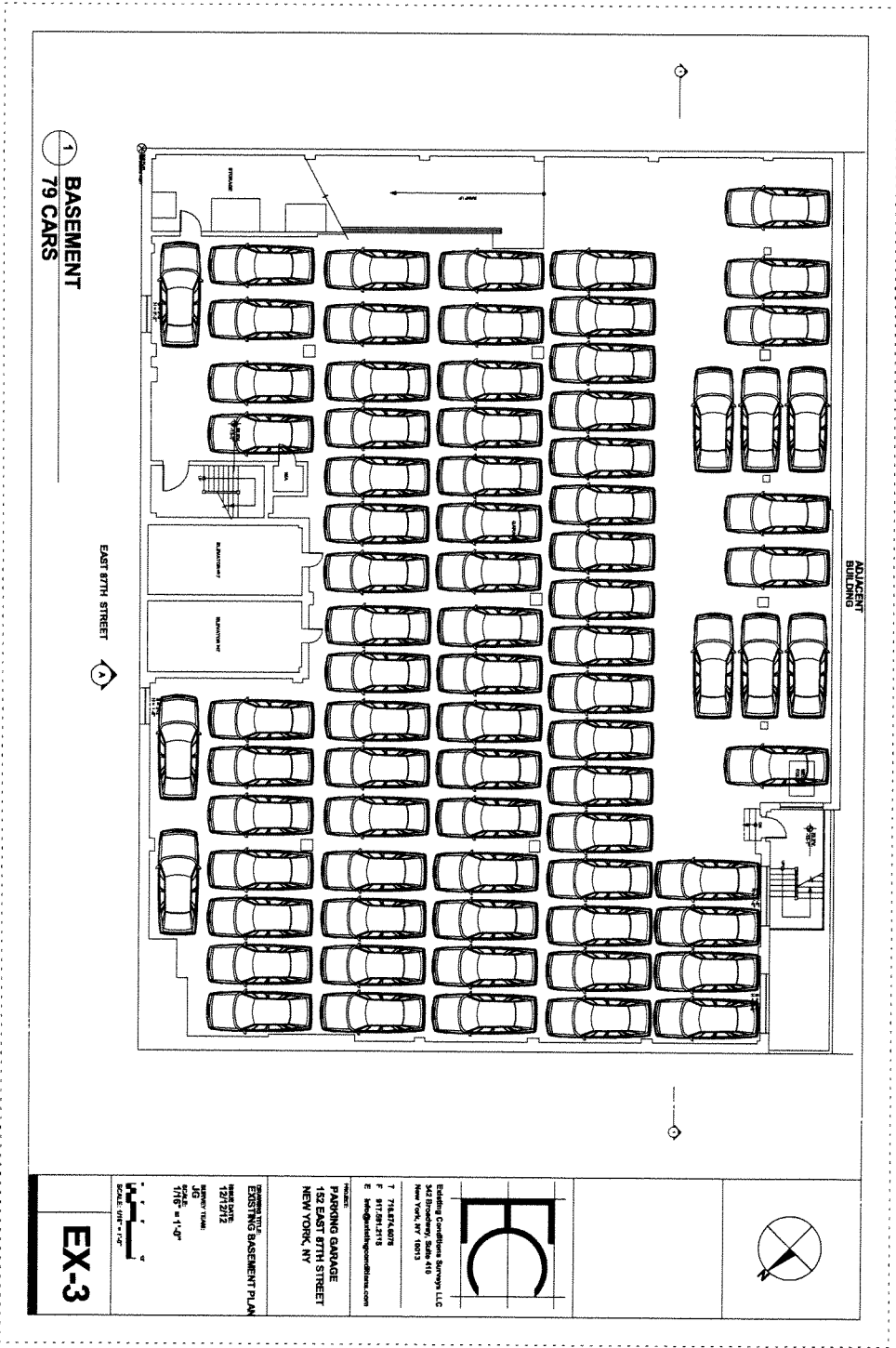




NOTES:

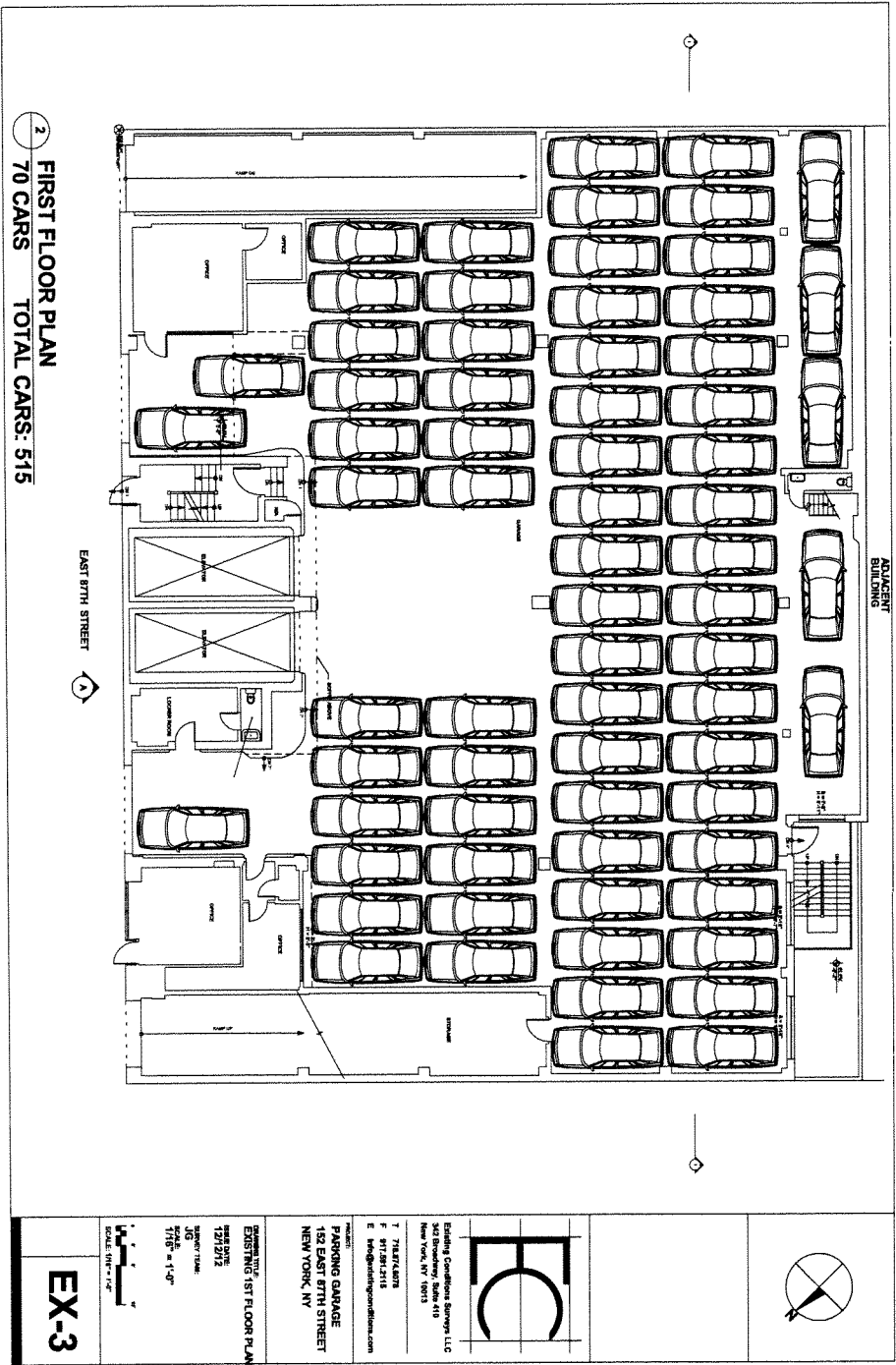
1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED: LAYOUT SUBJECT TO DOB APPROVAL.
2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

TOTAL GSF = 12,998 SF
NET GARAGE SPACE = 12,998 SF
12998/200 = 65 SPACES



- NOTES:
1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED. LAYOUT SUBJECT TO DOB APPROVAL.
 2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

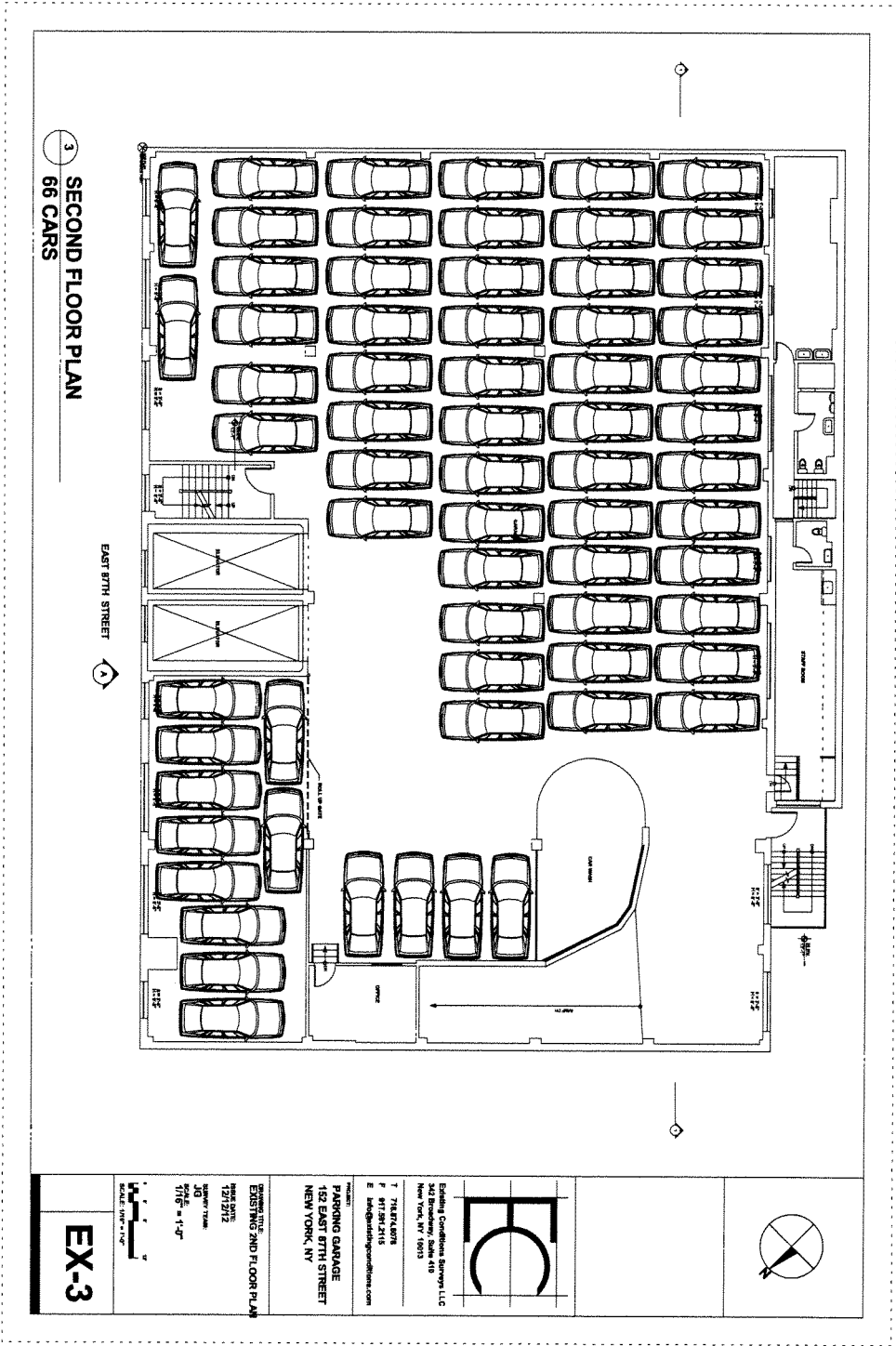
TOTAL GSF = 13,000 SF
NET GARAGE SPACE = 12,875 SF
12875/200 = 65 SPACES

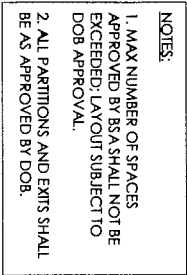


NOTES:

1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED; LAYOUT SUBJECT TO DOB APPROVAL.
2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

TOTAL GSF = 12,811 SF
NET GARAGE SPACE = 12,050 SF
12050/200 = 60 SPACES



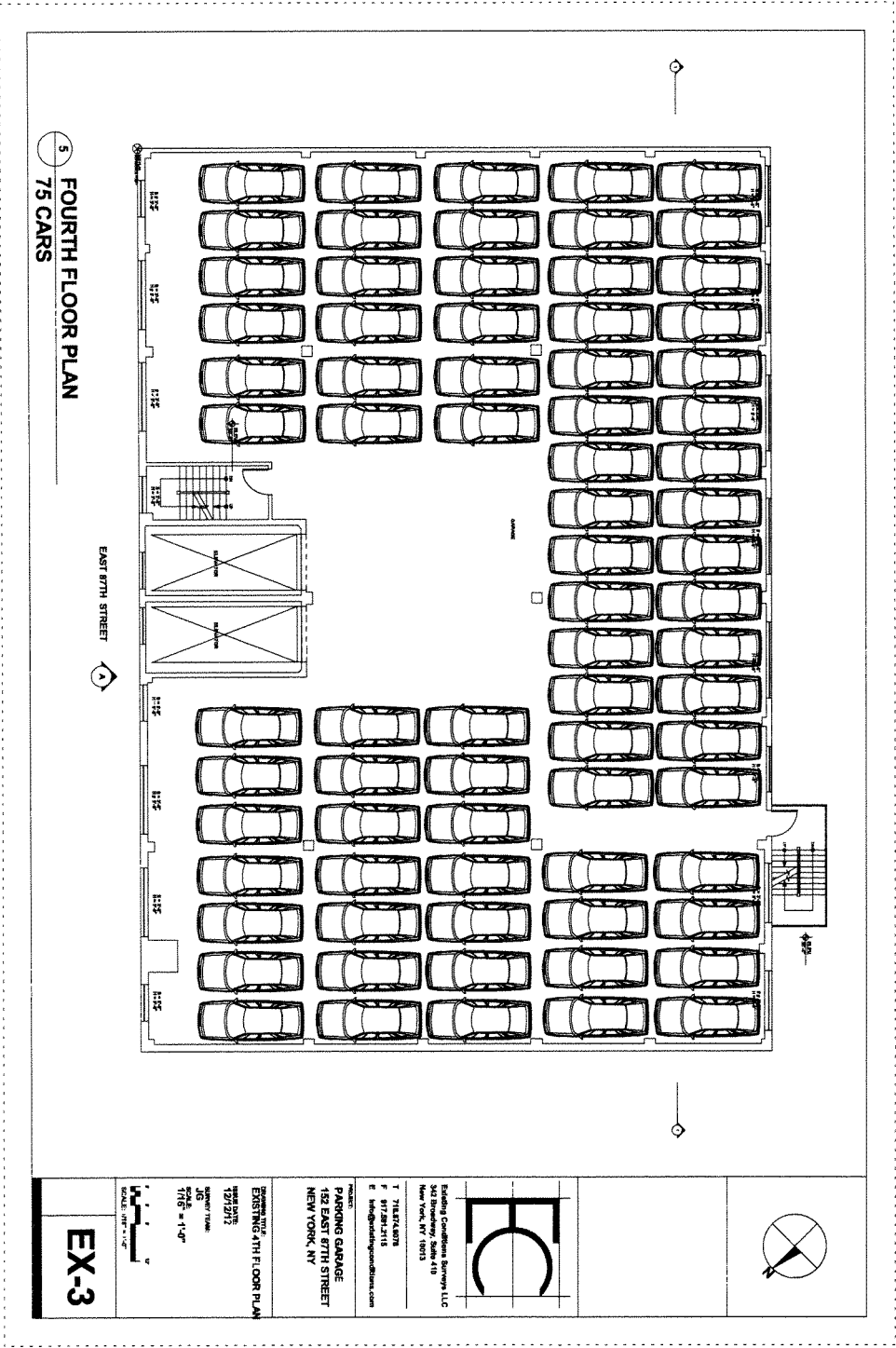


TOTAL GSF = 11,862 SF
NET GARAGE SPACE = 11,896 SF
11896/200 = 59 SPACES

NOTES:

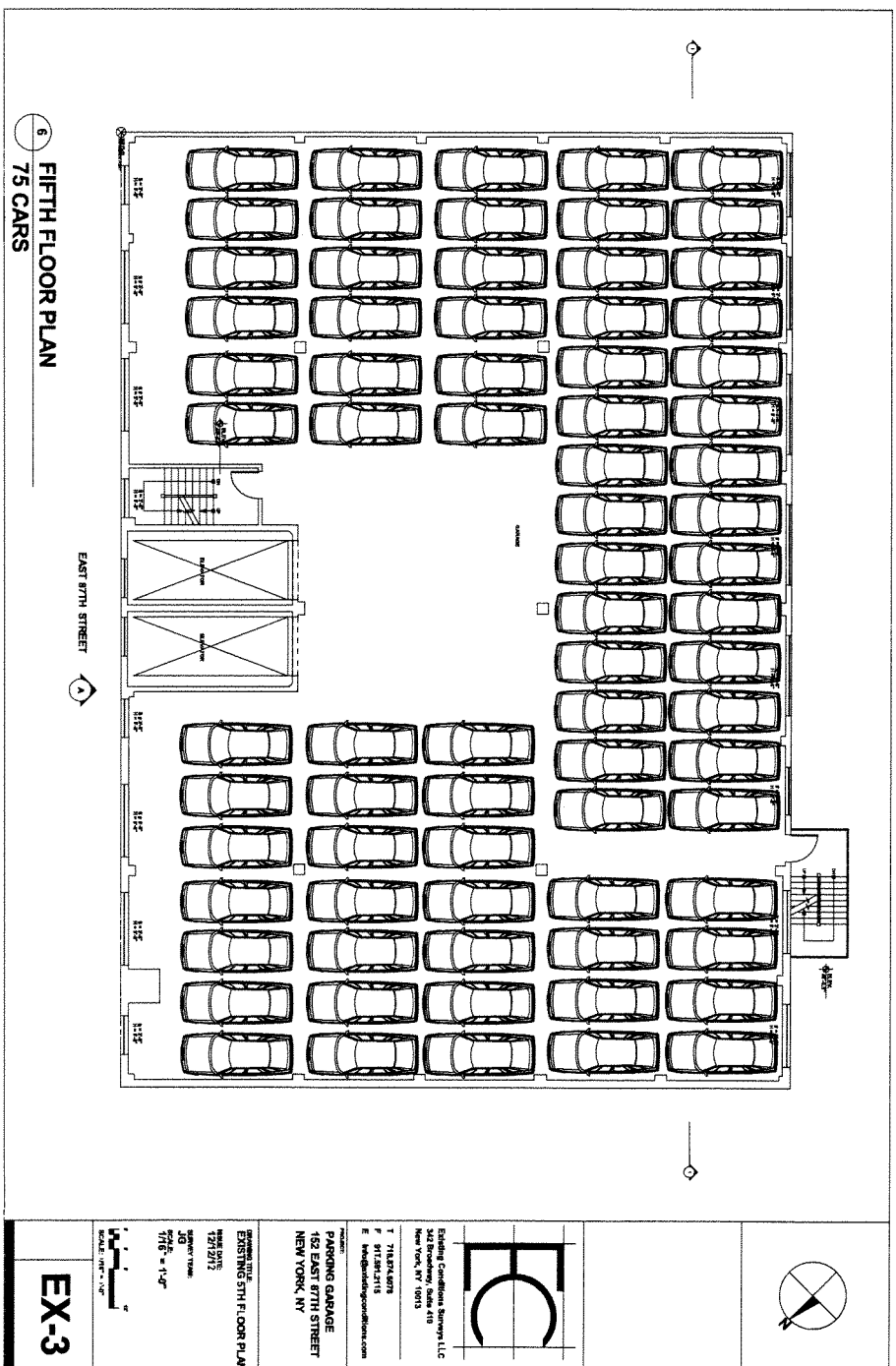
1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED; LAYOUT SUBJECT TO DOB APPROVAL.
2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

TOTAL GSF = 11,862 SF
NET GARAGE SPACE = 11,896 SF
11896/200 = 59 SPACES



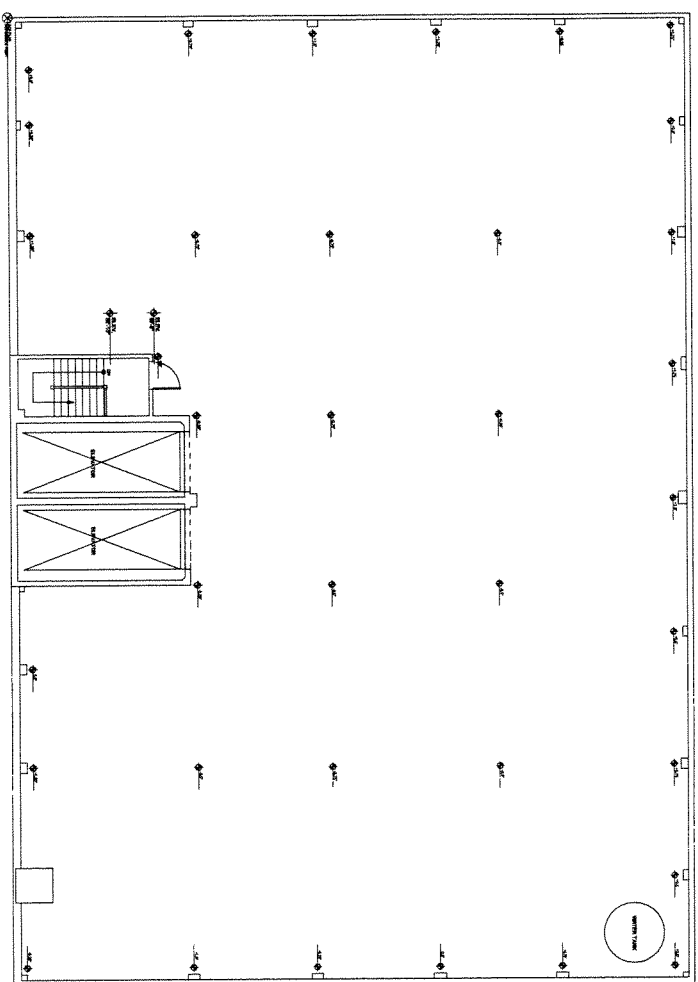
- NOTES:**
1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED; LAYOUT SUBJECT TO DOB APPROVAL.
 2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

TOTAL GSF = 11,862 SF
NET GARAGE SPACE = 11,896 SF
11896/200 = 59 SPACES



EAST 8TH STREET

ROOF PLAN NOT SURVEYED. PLAN INFO TAKEN FROM FLOOR
BELOW TO FACILITATE SPOT ELEVATIONS TAKEN ON ROOF.



1. MAX NUMBER OF SPACES
APPROVED BY BSA SHALL NOT BE
EXCEEDED; LAYOUT SUBJECT TO
DOB APPROVAL.

2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

NET GARAGE SPACE = 11,337 SF

11337/200 = 56 SPACES

Existing Conditions Surveys, L.L.C.
342 Broadway, Suite 419
New York, NY 10013

T 718.874.8078
F 917.591.2115
E info@starlingconnect.com

PARKING GARAGE
152 EAST 87TH STREET
NEW YORK, NY

DRAWING TITLE:
EXISTING ROOF PLAN

INVEST DATE:
12/12/12

SCALE:
1/16" = 1'-0"

SCALE:
1/16" = 1'-0"

SCALE: 1/16" = 1'-0"

EX-3

EXISTING GARAGE - ROOF PLAN

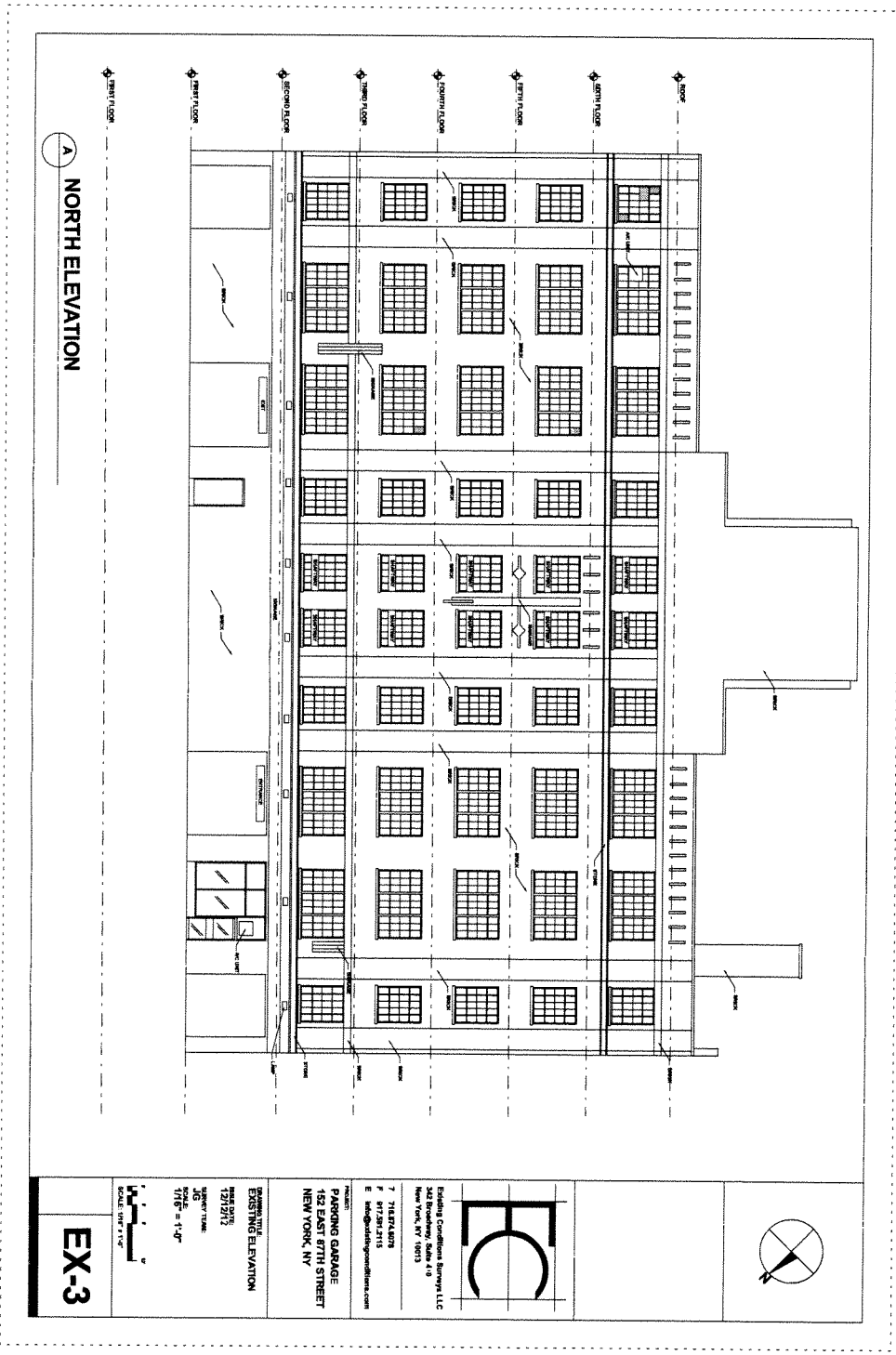
152 EAST 87TH STREET

2014.08.25 1/16" = 1'-0"

ALLAN GARAGE LLC

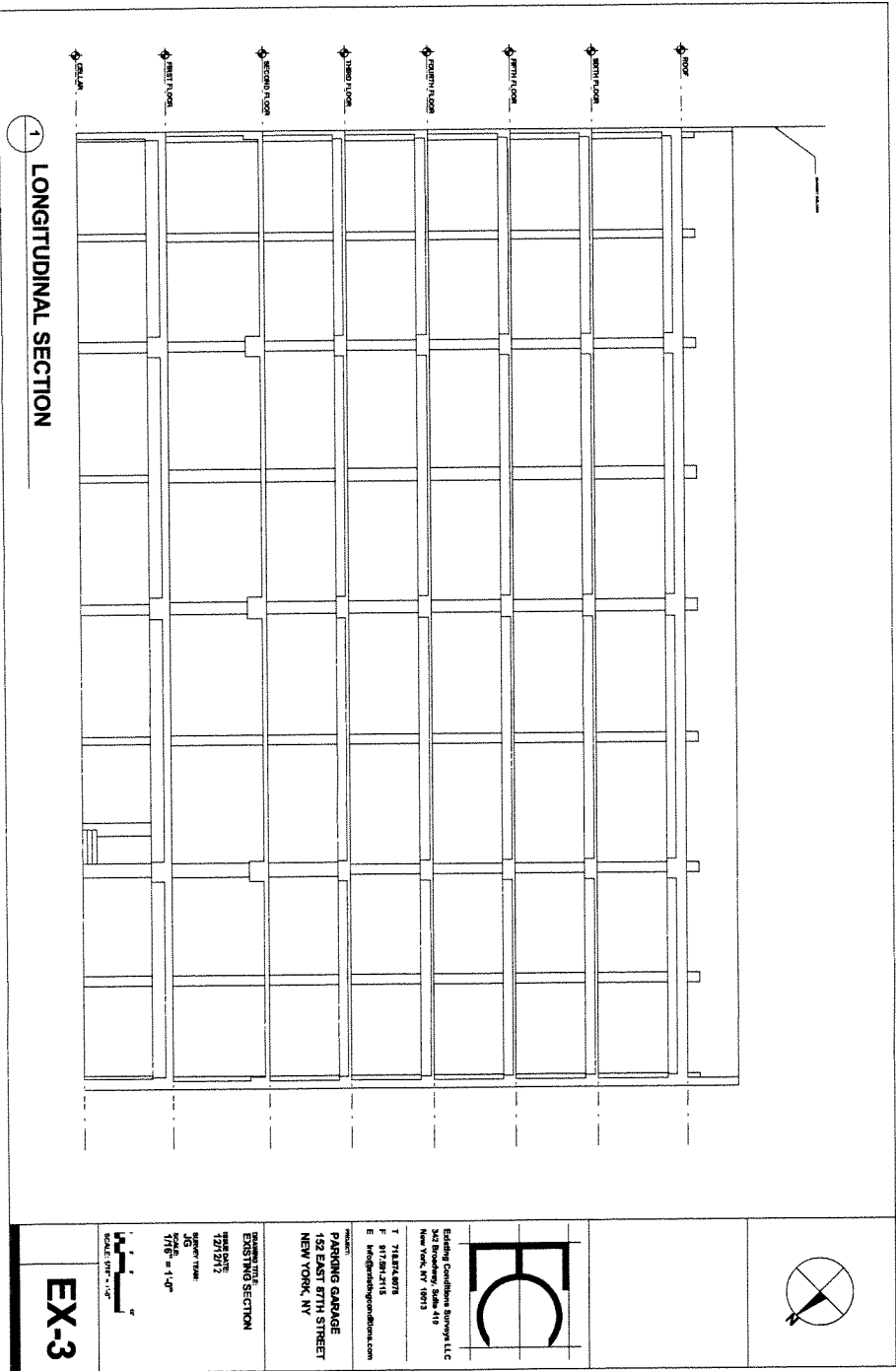
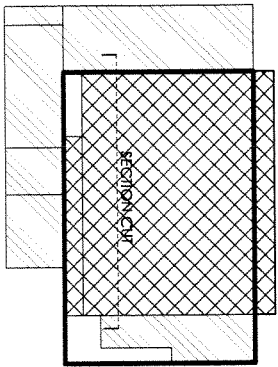
BSA-A-609





EAST 87TH STREET

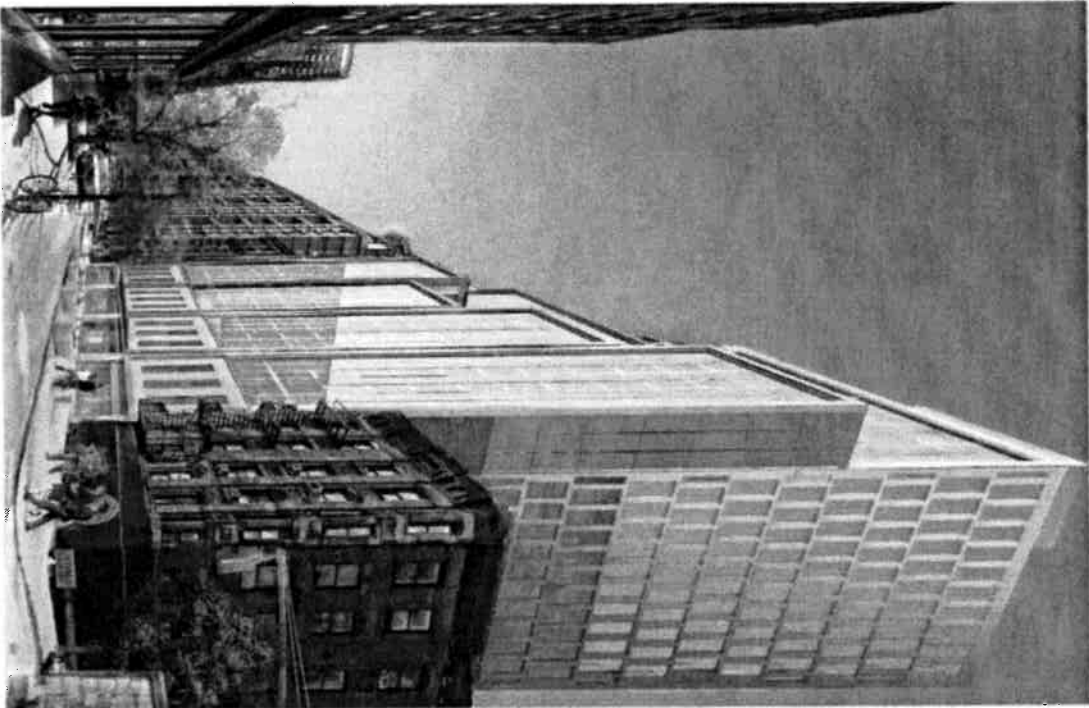
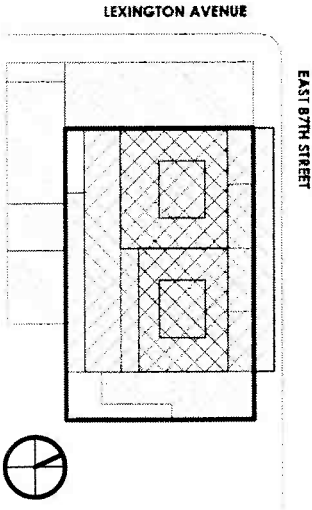
LEXINGTON AVENUE



152 EAST 87TH STREET NEW YORK, NY

BLOCK 1515, LOT 45 & 46
PROPOSED CONDITIONS

NEW YORK CITY
BOARD OF STANDARDS AND APPEALS (BSA)



DRAWING LIST (BSA)	
Sheet Number	Sheet Name
BSA-A-000	COVER SHEET
BSA-A-001	ZONING ANALYSIS
BSA-A-002	AREAS CHART
BSA-A-004	SITE PLAN
BSA-A-200	CELLAR
BSA-A-201	1ST FLOOR PLAN
BSA-A-202	2ND FLOOR PLAN
BSA-A-203	3RD FLOOR PLAN
BSA-A-204	4TH FLOOR PLAN
BSA-A-205	5TH FLOOR PLAN
BSA-A-206	6TH TO 8TH FLOOR PLAN
BSA-A-209	9TH TO 11TH FLOOR PLAN
BSA-A-212	12TH FLOOR PLAN
BSA-A-213	13TH FLOOR PLAN
BSA-A-214	14TH TO 15TH FLOOR PLAN
BSA-A-215	16TH FLOOR PLAN
BSA-A-216	17TH FLOOR PLAN
BSA-A-217	18TH FLOOR PLAN
BSA-A-218	19TH FLOOR PLAN
BSA-A-219	MAIN ROOF

DRAWING LIST (BSA)	
Sheet Number	Sheet Name
BSA-A-300	NORTH ELEVATION
BSA-A-400	SECTIONS
BSA-A-600	EXISTING GARAGE
BSA-A-601	SURVEY
BSA-A-602	EXISTING GARAGE - BASEMENT PLAN
BSA-A-603	EXISTING GARAGE - 1ST FLOOR PLAN
BSA-A-604	EXISTING GARAGE - 2ND FLOOR PLAN
BSA-A-605	EXISTING GARAGE - 3RD FLOOR PLAN
BSA-A-606	EXISTING GARAGE - 4TH FLOOR PLAN
BSA-A-607	EXISTING GARAGE - 5TH FLOOR PLAN
BSA-A-608	EXISTING GARAGE - 6TH FLOOR PLAN
BSA-A-609	EXISTING GARAGE - ROOF PLAN
BSA-A-610	EXISTING GARAGE - ELEVATION
BSA-A-611	EXISTING GARAGE - SECTION

[illegible]

ZONING ANALYSIS
152 EAST 87TH STREET

RESIDENTIAL UNIT MIX		
ApI Type	Distribution By DU Count	Apartment Count
1BR	10.5%	4
2BR	43.9%	22
3BR	35.1%	20
4BR	10.5%	6

QUALITY HOUSING DEDUCTION		
Name	GROSS AREA	ASSUMED DEDUCTION (%)
INDOOR RECREATION SPACE:	1389 SF	100
(GYM, KIDS GAME & PARTY ROOM)	872 SF	0 SF
CORRIDOR (IDL. DENSITY)	1139 SF	0 SF
REFUSE RM. (12.5 F.)	4544 SF	50
	360 SF	100
TOTAL:	8231 SF	2272 SF

Required Recreation Spaces 2.8% of Residential ZFA


3334 SF

2014.08.25

ALLAN GARAGE LLC

BSA-A-001



2014.08.25 1/16" = 1'-0" 

ALLAN GARAGE LLC

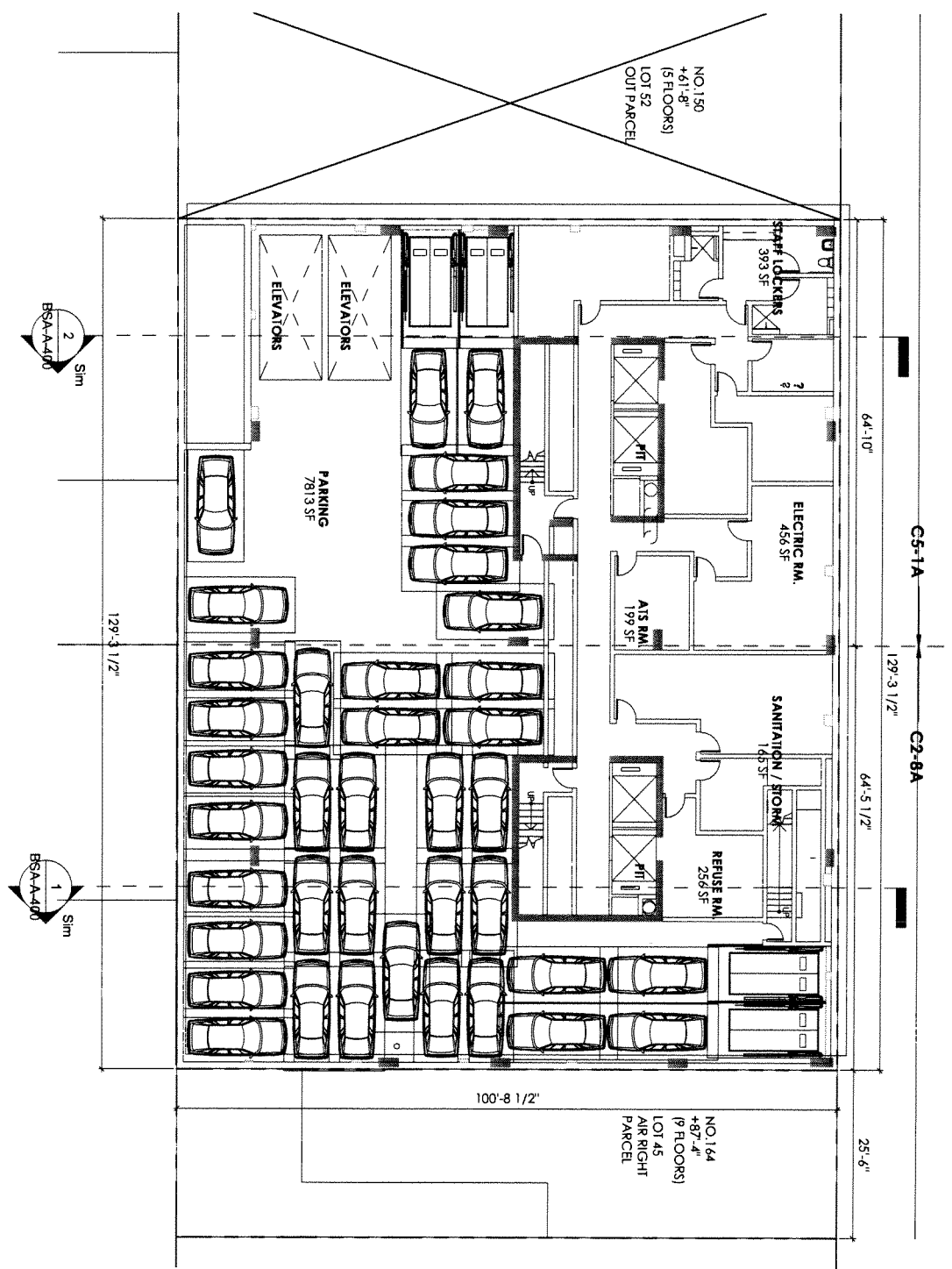
BSA-A-004

BSA-A-004

717-28-BZ

EAST 87TH (NARROW STREET)

717-28-BZ



- NOTES:
1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED: LAYOUT SUBJECT TO DOB APPROVAL.
 2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

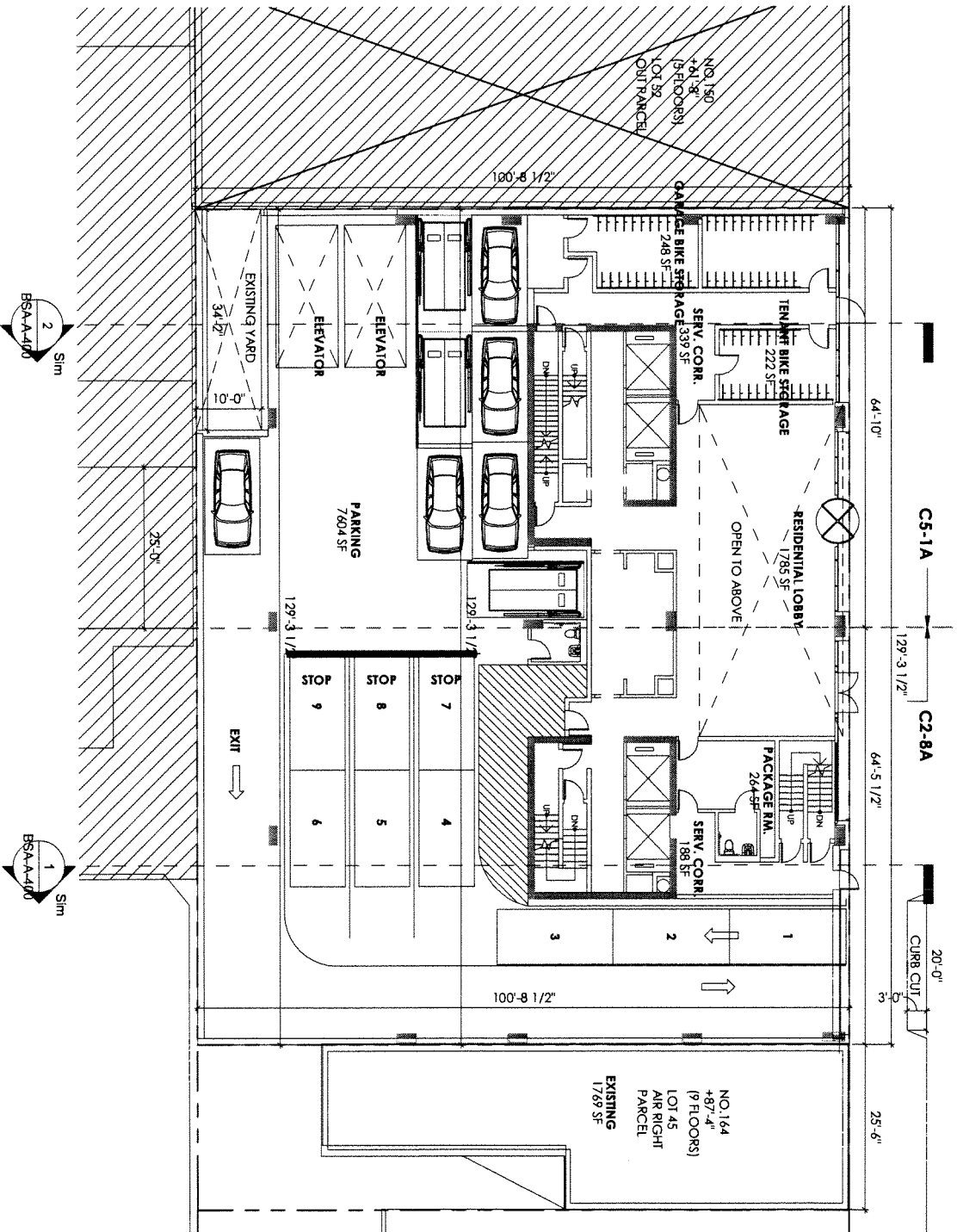
CELLAR GSF	13021 SF
CELLAR NET GARAGE SPACE	7813 SF

CELLAR PARKING SPACE COUNT	46
----------------------------	----

LEGEND:
PROPERTY LINE: ———
ZONING LOT LINE: - - - - -

EAST 87TH (NARROW STREET)

717-28-BZ



NOTES:

1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED; LAYOUT SUBJECT TO DOB APPROVAL.
2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

FIRST FLOOR GSF

1,4254 SF

FIRST FLOOR NET GARAGE SPACE

7,604 SF

FIRST FLOOR PARKING SPACE COUNT

11

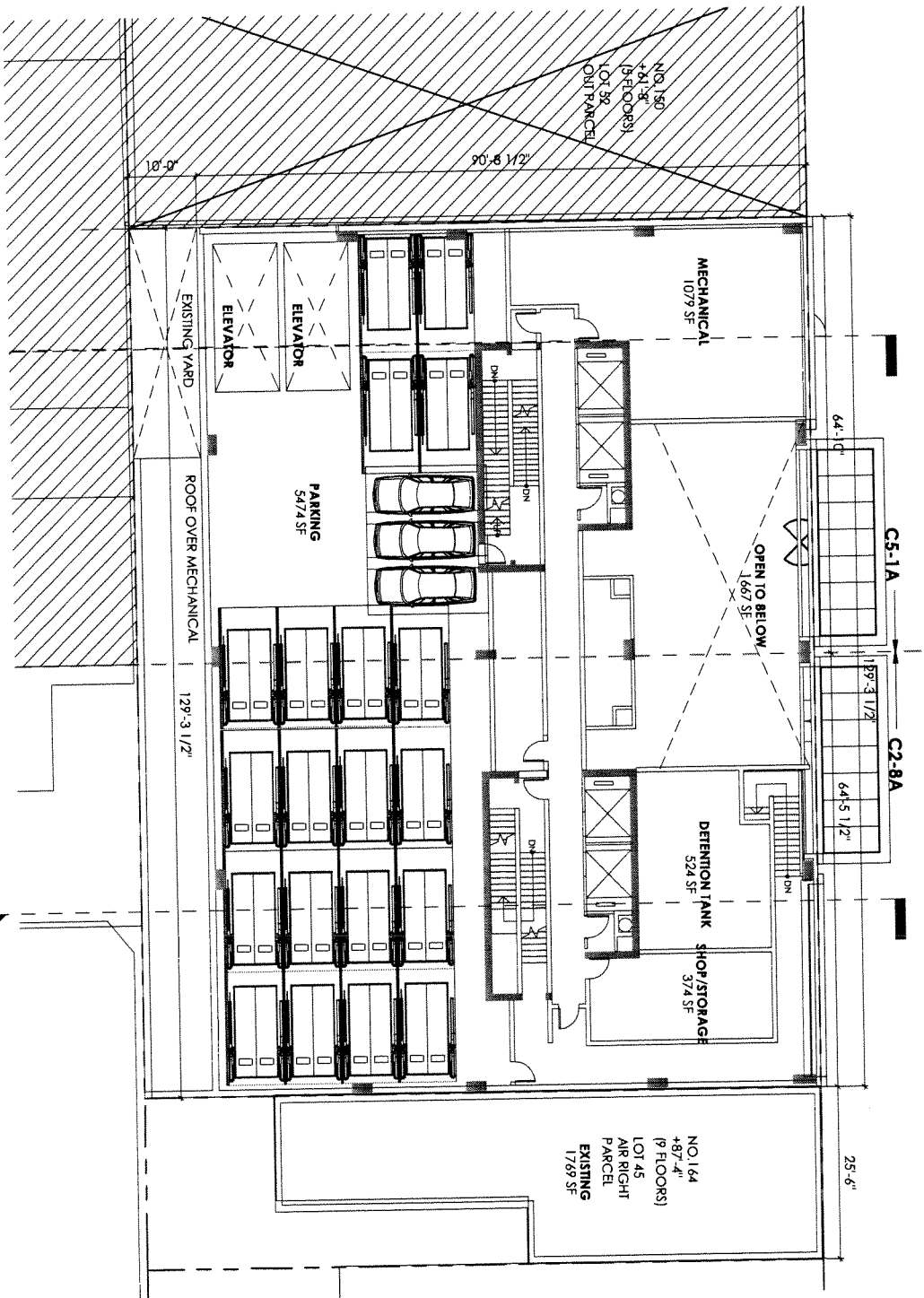
LEGEND:

PROPERTY LINE: ———

ZONING LOT LINE: - - - - -

EAST 87TH (NARROW STREET)

717-28-BZ



- NOTES:
1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED. LAYOUT SUBJECT TO DOB APPROVAL.
 2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

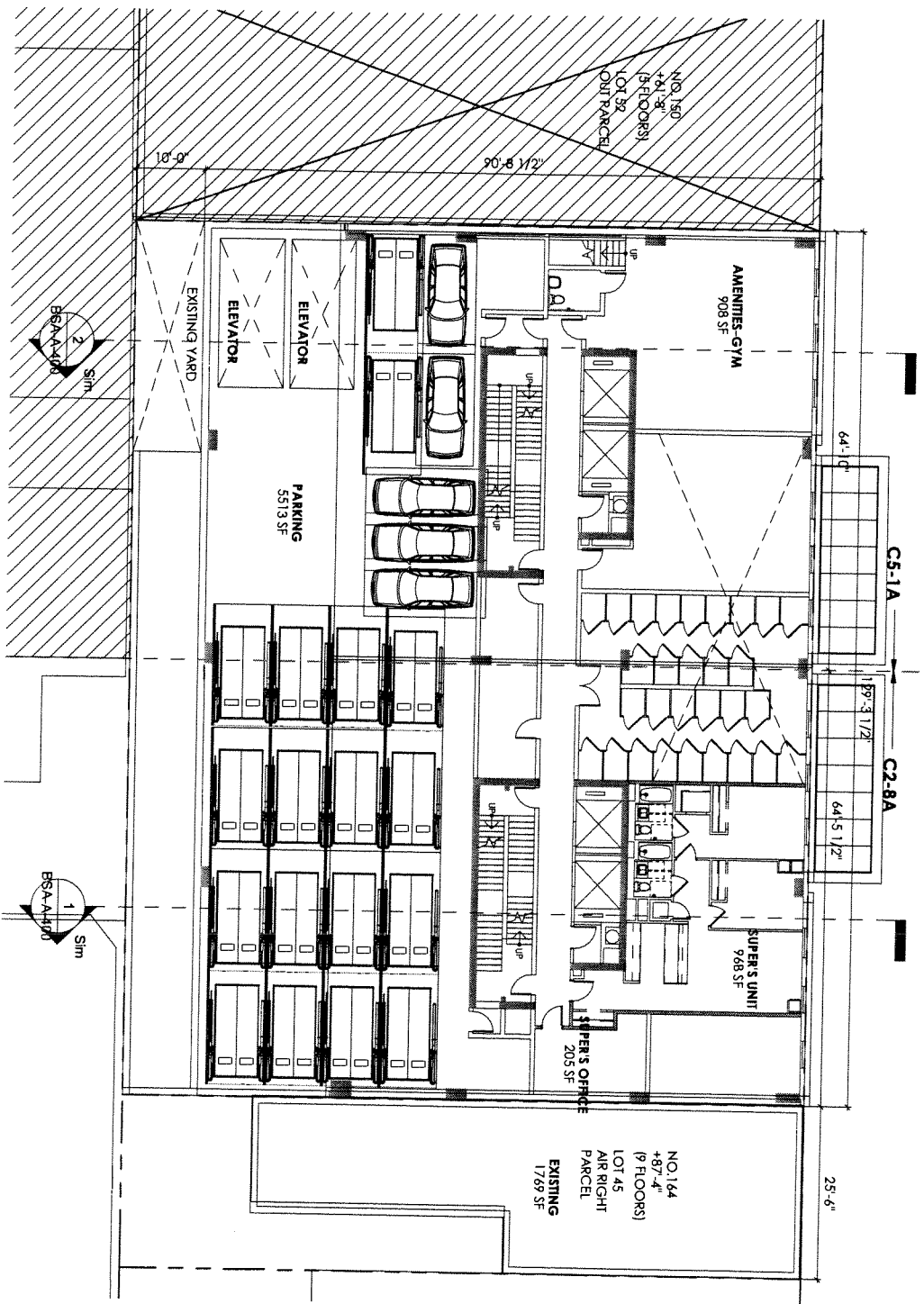
SECOND FLOOR GSF	
14335 SF	
SECOND FLOOR NET GARAGE SPACE	
5474 SF	

SECOND FLOOR PARKING SPACE COUNT	
43	

LEGEND:	
PROPERTY LINE:	---
ZONING LOT LINE:	---

EAST 87TH (NARROW STREET)

717-28-BZ



NOTES:

1. MAX NUMBER OF SPACES APPROVED BY BSA SHALL NOT BE EXCEEDED. LAYOUT SUBJECT TO DOB APPROVAL.
2. ALL PARTITIONS AND EXITS SHALL BE AS APPROVED BY DOB.

THIRD FLOOR FLOOR GSF

14445 SF

THIRD FLOOR NET GARAGE SPACE

5513 SF

THIRD FLOOR PARKING SPACE COUNT

41

LEGEND:

PROPERTY LINE: _____

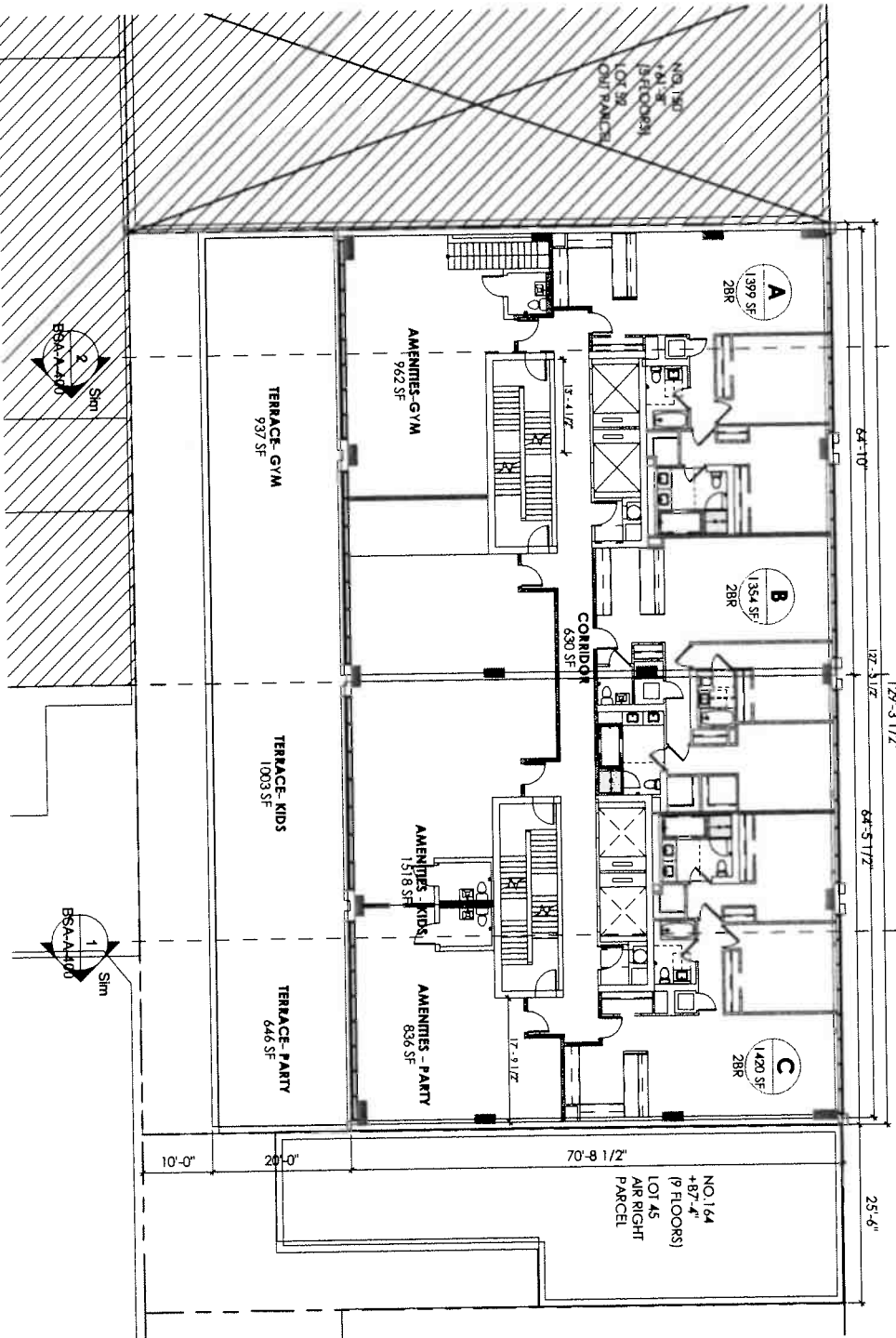
ZONING LOT LINE: _____

EAST 87TH (NARROW STREET)

717-28-BZ

C5-1A

C2-8A



NOTES:
1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

4TH FLOOR	
GROSS AREA	ZFA
11728 SF	5235 SF

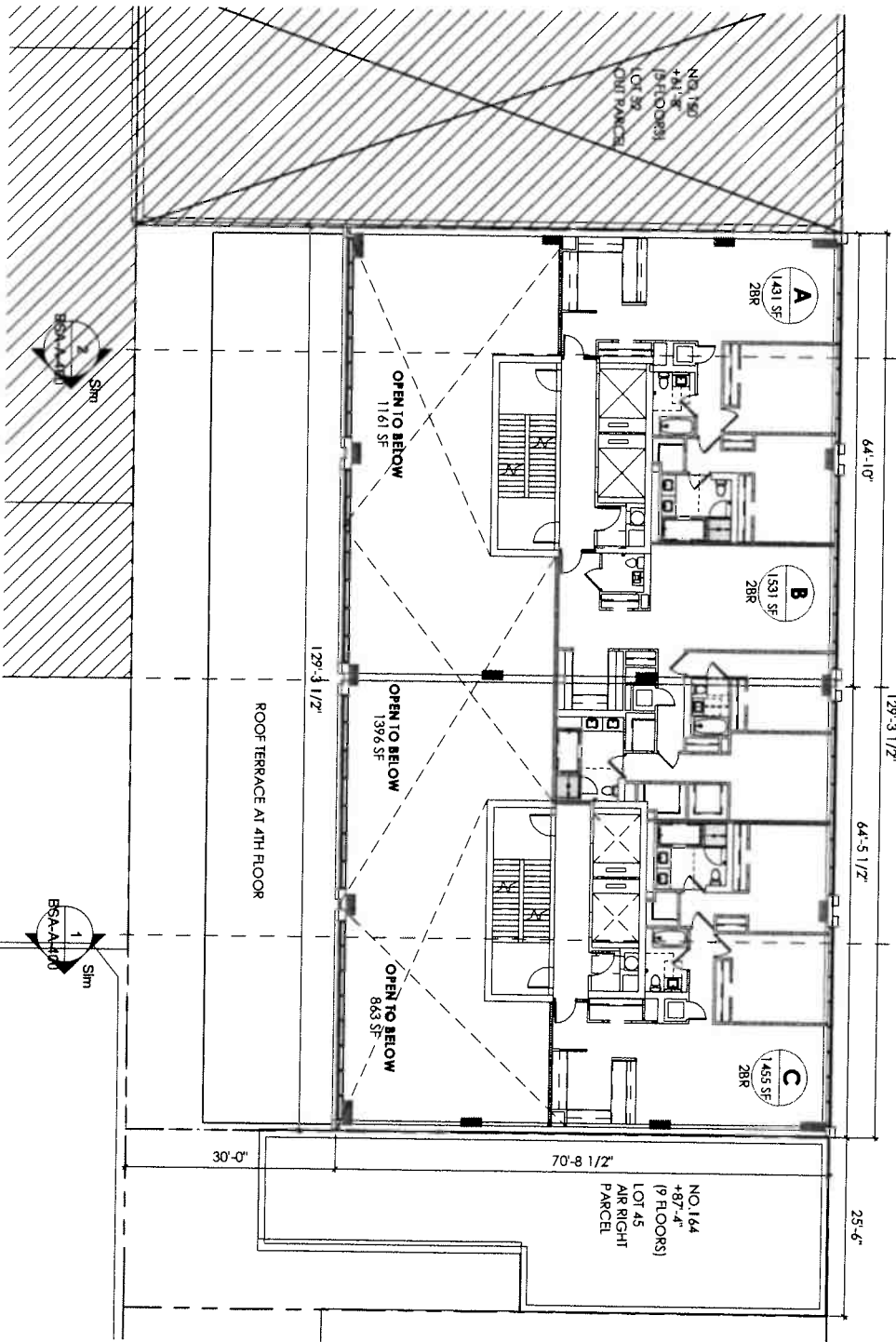
LEGEND:	
PROPERTY LINE:	---
ZONING LOT LINE:	---

EAST 87TH (NARROW STREET)

C5-1A

C2-8A

717-28-B2



NOTES:

1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

5TH FLOOR	
GROSS AREA	TOTAL
9142 SF	5294 SF

LEGEND:	
PROPERTY LINE:	---
ZONING LOT LINE:	---

EAST 87TH (NARROW STREET)

C5-1A

C2-8A

129' 3 1/2"

64'-10"

64'-5 1/2"

25'-6"

NO. 150
+61'-8"
(5 FLOORS)
LOT 52
OUT PARCEL

A
1600 SF
2BR

B
1434 SF
2BR

C
1427 SF
2BR

D
1658 SF
2BR

F
890 SF
1BR

E
878 SF
1BR

NO. 164
+87'-4"
(9 FLOORS)
LOT 45
AIR RIGHT
PARCEL

70'-8 1/2"

30'-0"

BSA-A-100
2
Sim

25'-0"

BSA-A-100
1
Sim

NOTES:

1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
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6TH - 8TH FLOOR

GROSS AREA	TFA
9139 SF	8553 SF

LEGEND:

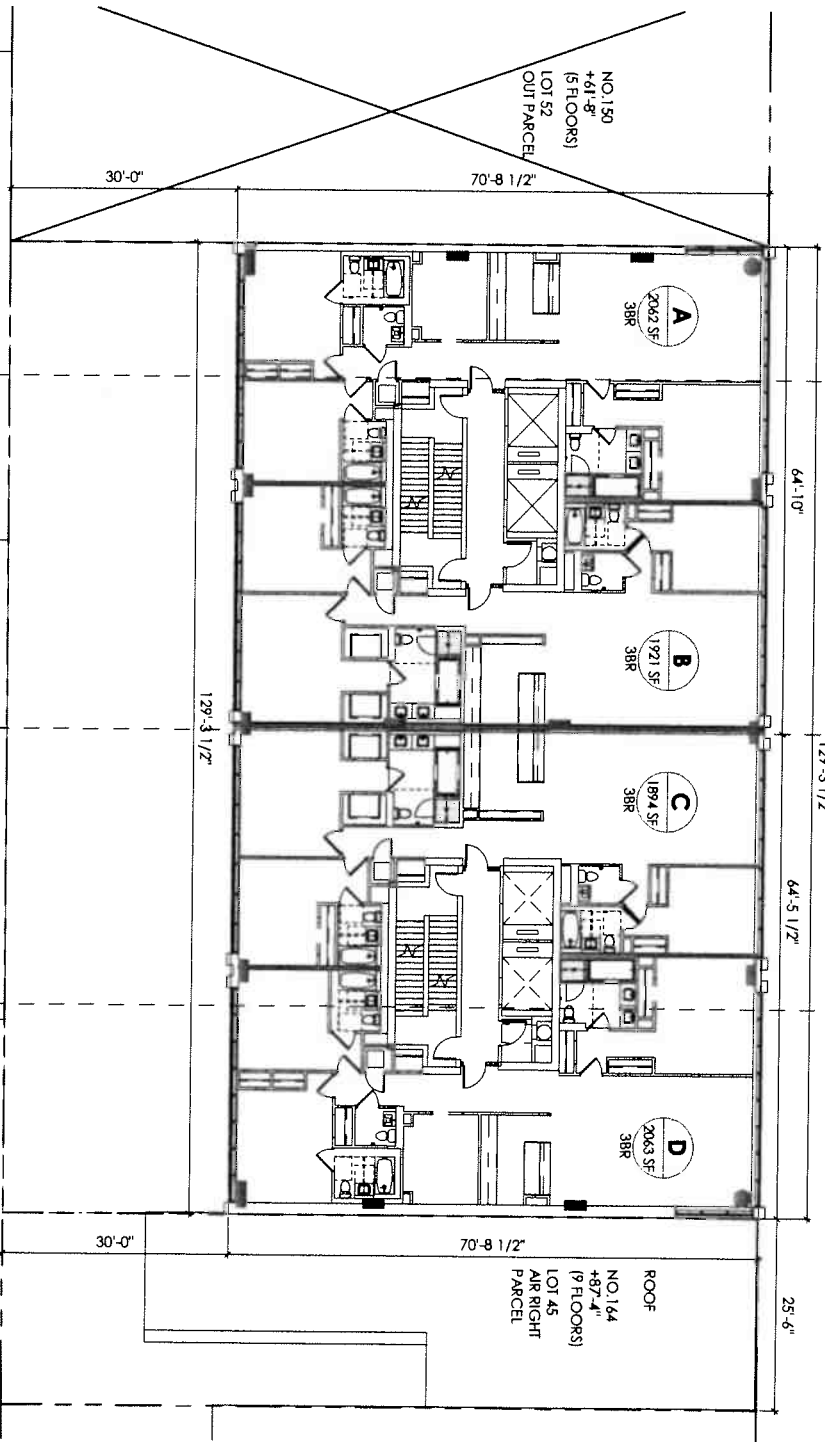
PROPERTY LINE: _____
ZONING LOT LINE: _____

EAST 87TH (NARROW STREET)

717-28-B2

C5-1A

C2-8A

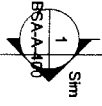
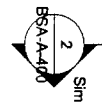


NOTES:

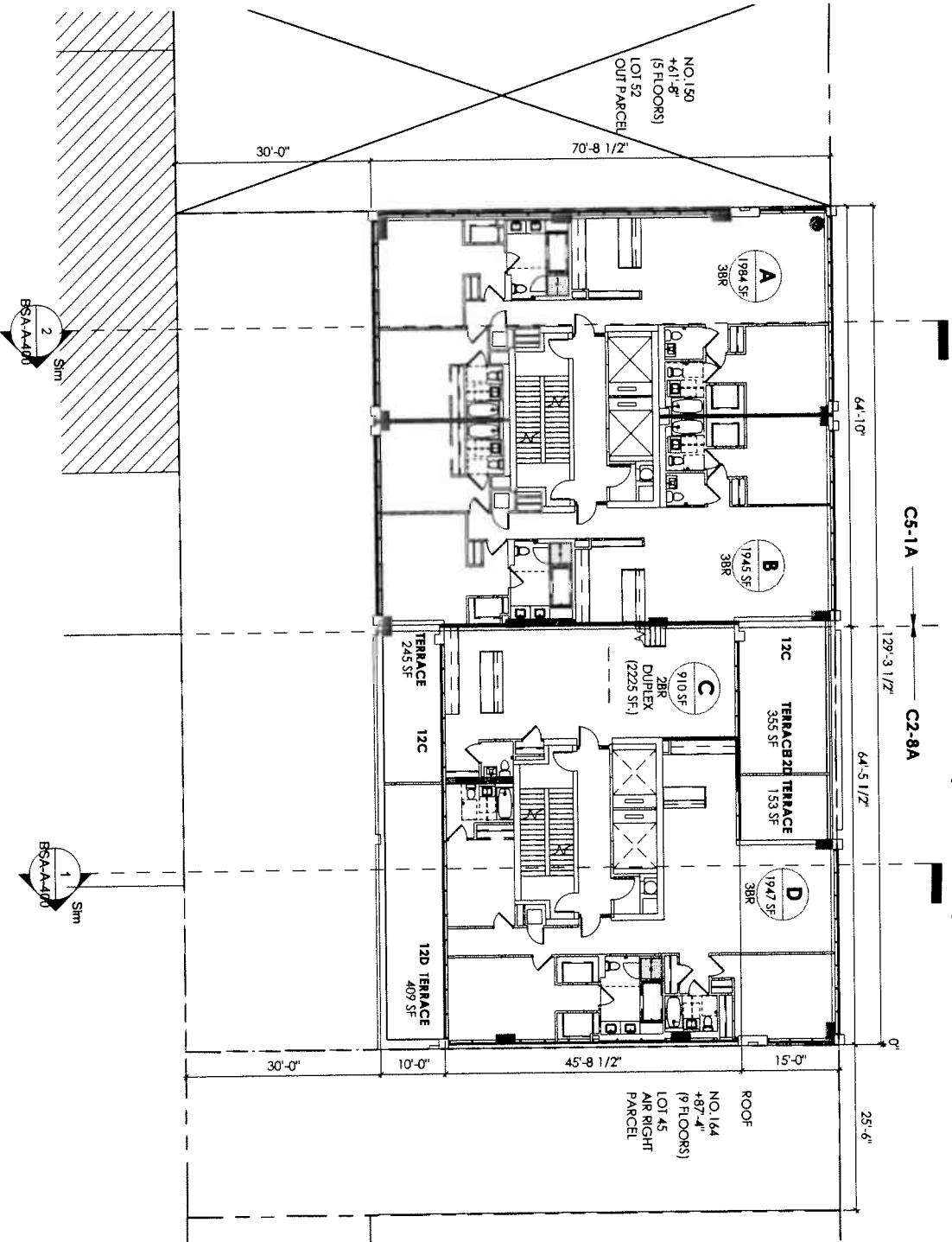
1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

9TH - 11TH FLOOR	
GROSS AREA	ZFA
9142 SF	8592 SF

LEGEND:	
PROPERTY LINE:	---
ZONING LOT LINE:	---



EAST 87TH (NARROW STREET)



NOTES:

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2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

12TH FLOOR	
GROSS AREA	ZFA
7981 SF	7483 SF

LEGEND:

PROPERTY LINE: _____

ZONING LOT LINE: _____

EAST 87TH (NARROW STREET)

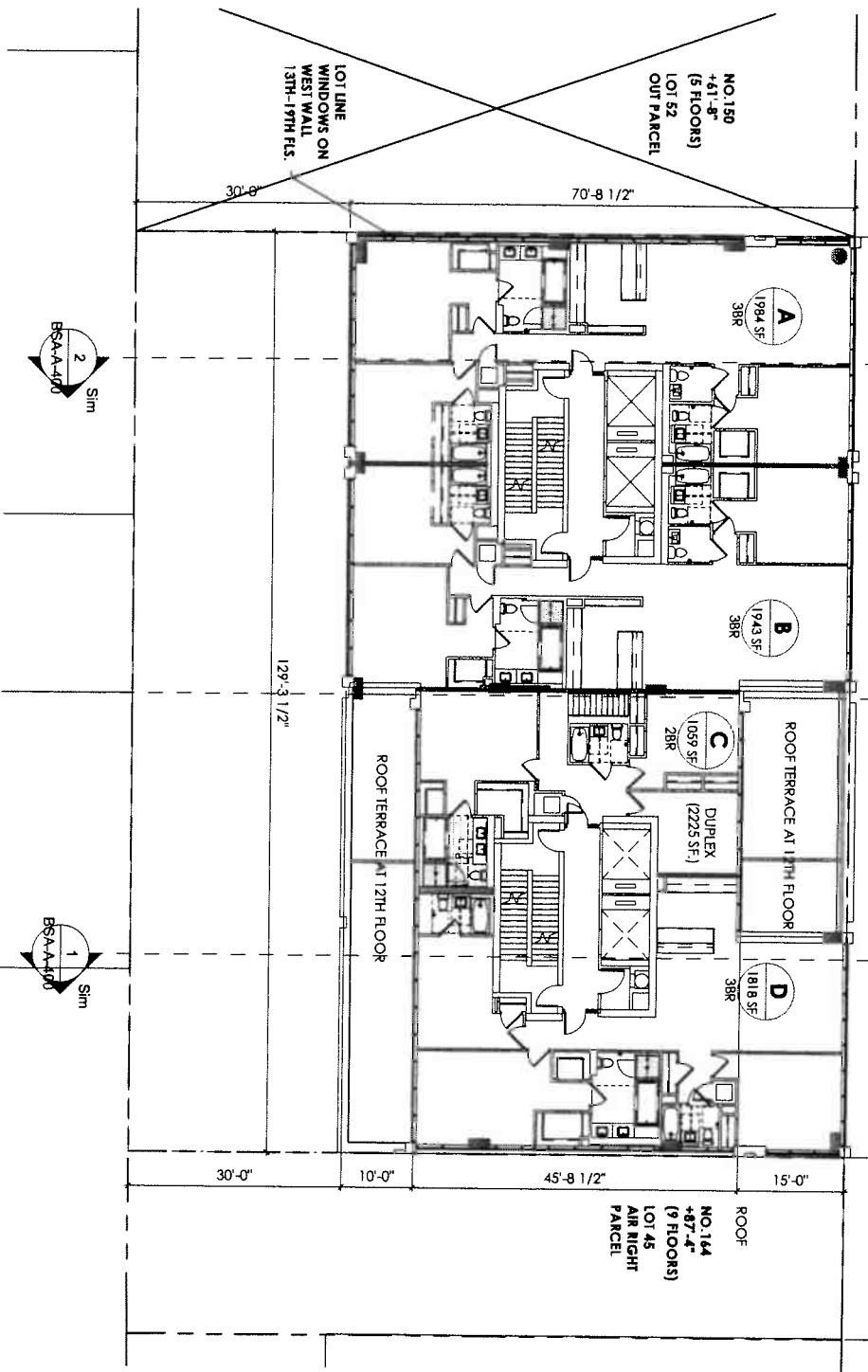
C5-1A C2-8A

717-28-BZ

NOTES:

1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

13TH FLOOR	
GROSS AREA	ZFA
7998 SF	7500 SF



LEGEND:

PROPERTY LINE:	---
ZONING LOT LINE:	---

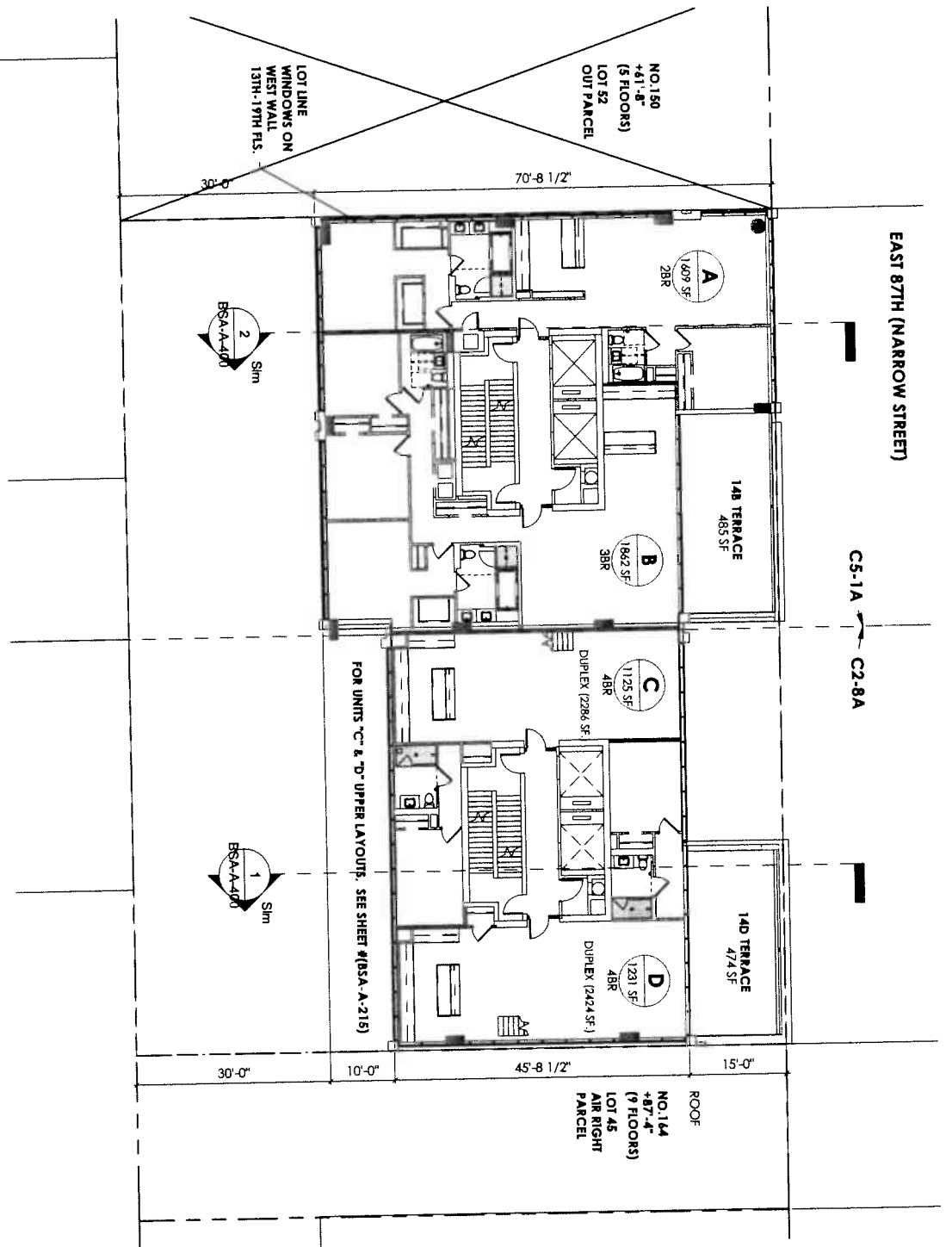
EAST 87TH (NARROW STREET)

CS-1A C2-8A

717-28-BZ

NOTES:
1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

14TH - 15TH FLOOR	
GROSS AREA	ZFA
7022 SF	6567 SF



LEGEND:
PROPERTY LINE:
ZONING LOT LINE:

EAST 87TH (NARROW STREET)

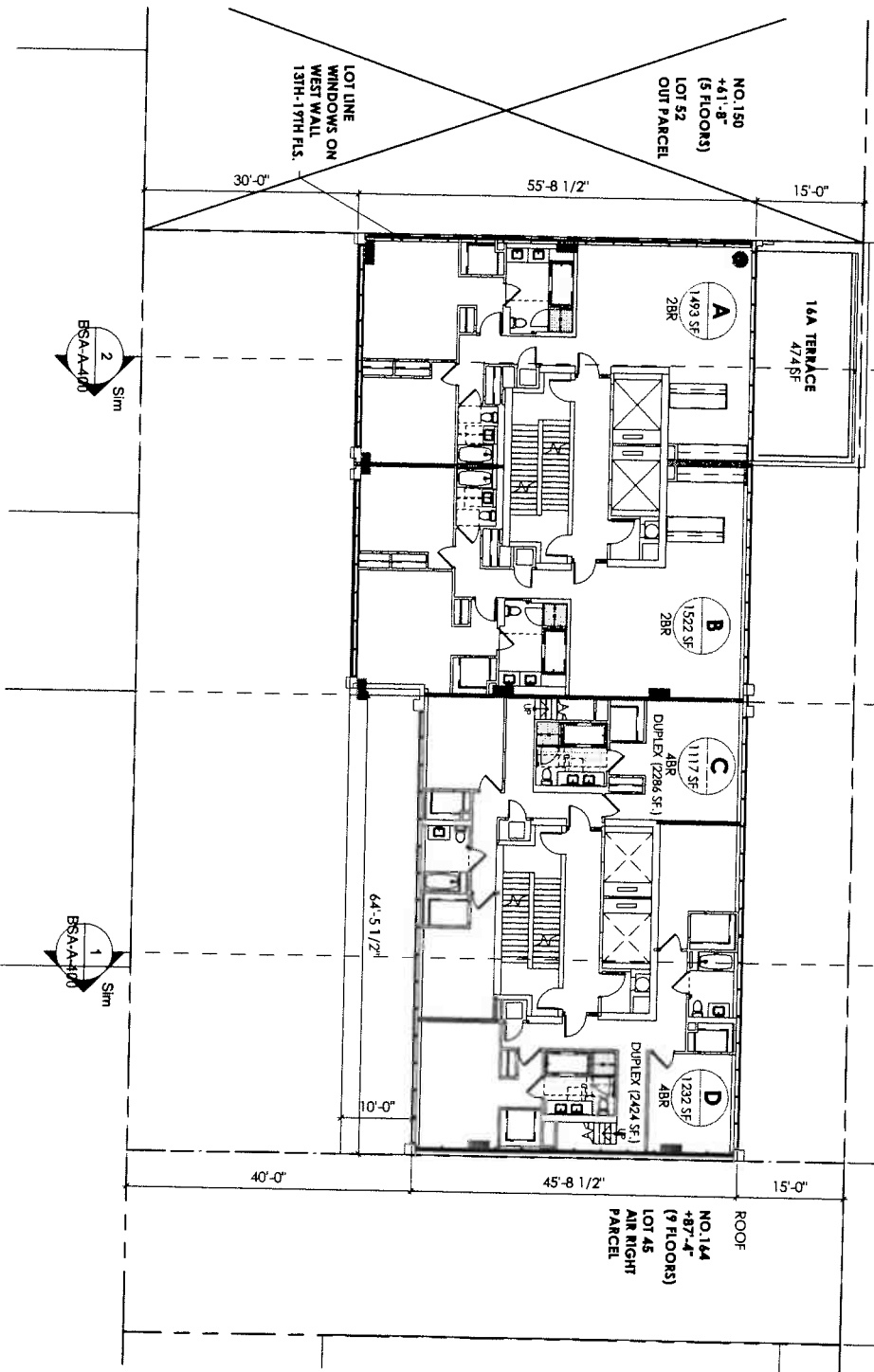
C5-1A C2-8A

717-28-82

NOTES:

1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

16TH FLOOR	
GROSS AREA	TFA
6558 SF	6124 SF



LEGEND:
PROPERTY LINE:
ZONING LOT LINE:

EAST 87TH (NARROW STREET)

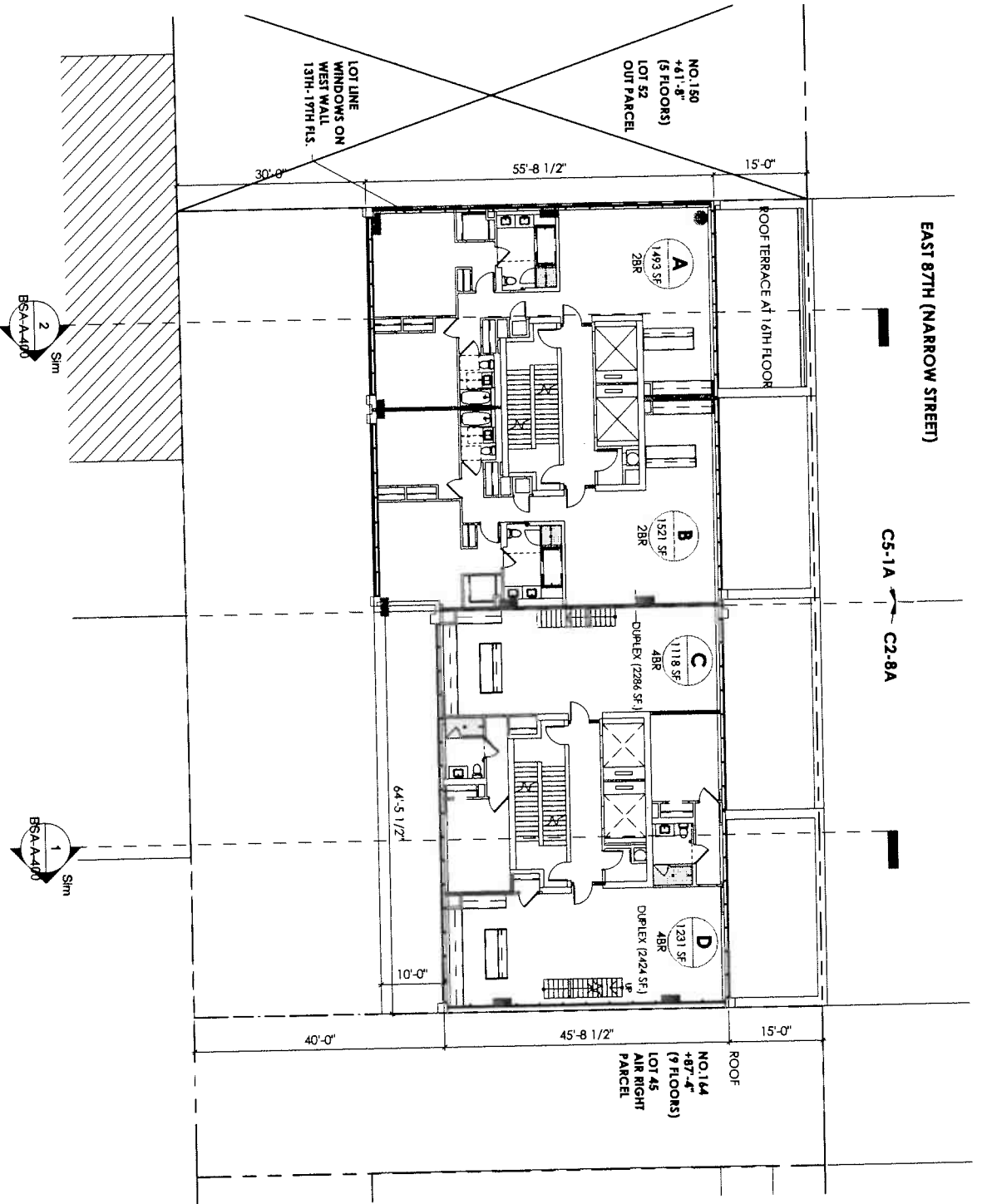
CS-1A C2-8A

717-28-8Z

NOTES:

1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

17TH FLOOR	
GROSS AREA	ZFA
6558 SF	6124 SF



LEGEND:

PROPERTY LINE: ———

ZONING LOT LINE: - - - - -

EAST 87TH (NARROW STREET)

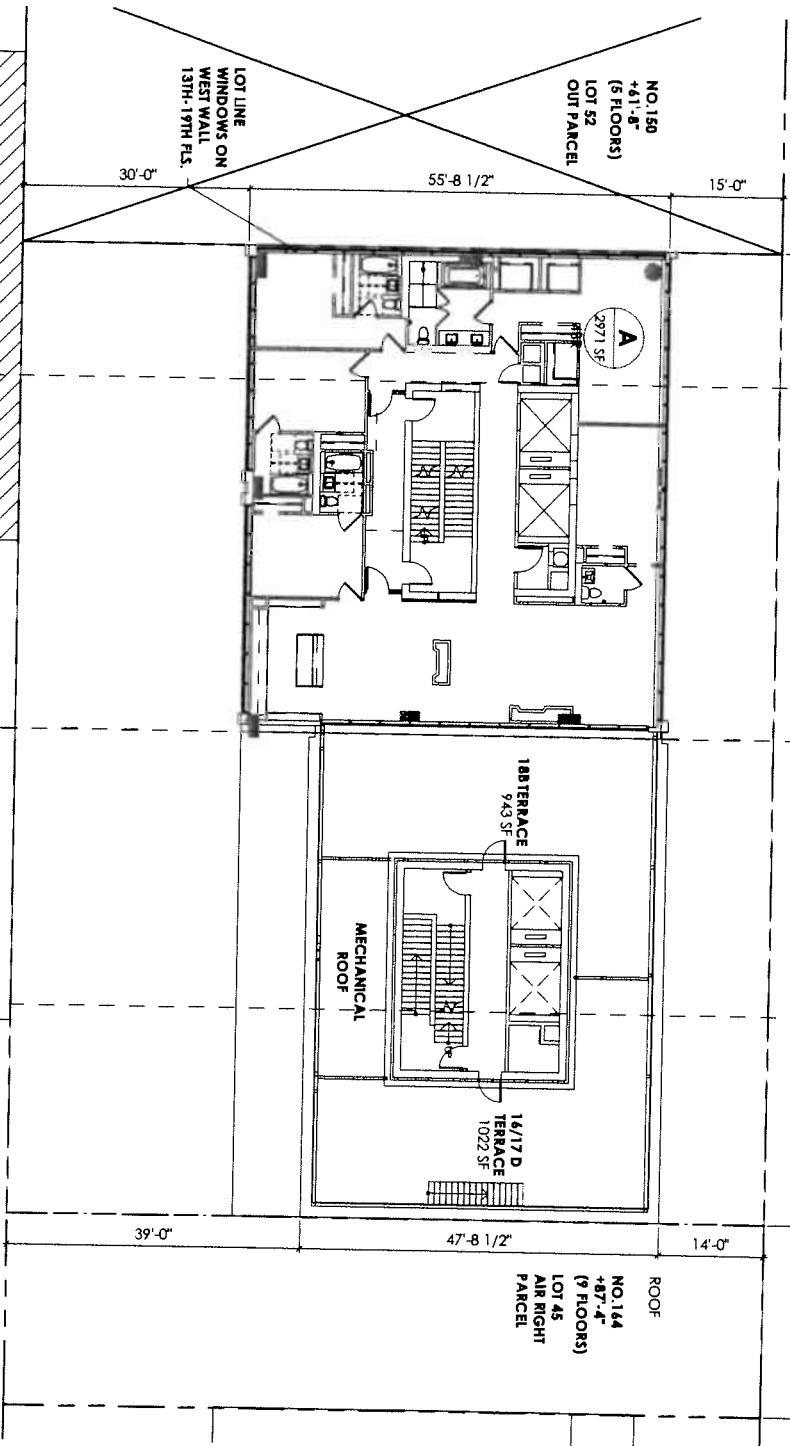
C5-1A C2-8A

717-28-BZ

NOTES:

1. LAYOUTS ILLUSTRATIVE ONLY. INTERIOR LAYOUTS AND ALL EXITS SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY WITH ZONING - NO VARIANCE REQUESTED.

18TH FLOOR	
GROSS AREA	ZFA
4274 SF	4014 SF



LEGEND:
PROPERTY LINE: ———
ZONING LOT LINE: - - - - -



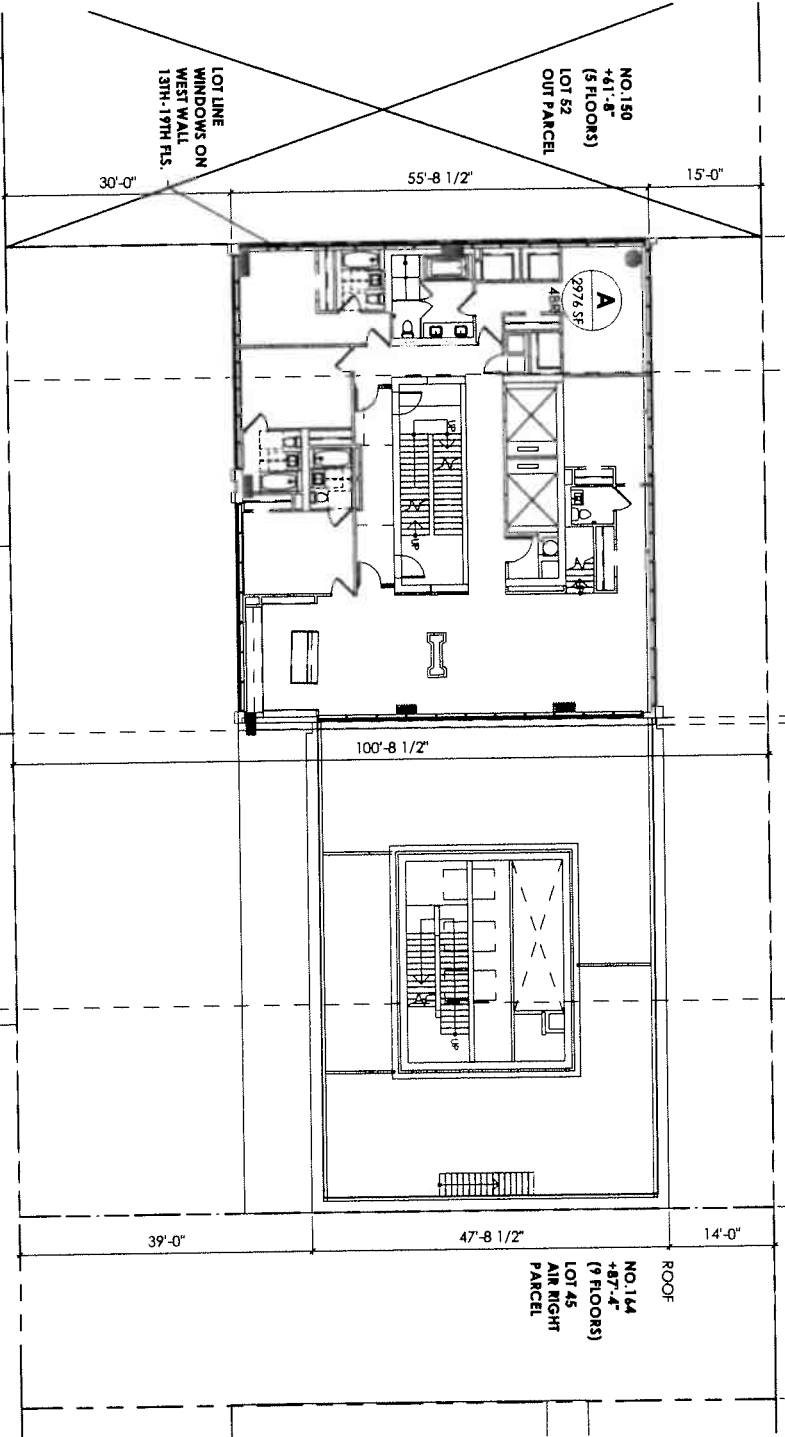
EAST 87TH (NARROW STREET)

CS-1A C2-8A

717-28-8Z

NOTES:
1. LAYOUTS ILLUSTRATIVE ONLY.
INTERIOR LAYOUTS AND ALL EXITS
SHALL BE AS APPROVED BY DOB.
2. RESIDENTIAL USE TO COMPLY
WITH ZONING - NO VARIANCE
REQUESTED.

19TH FLOOR	
GROSS AREA	ZFA
4051 SF	3392 SF



LEGEND:
PROPERTY LINE:
ZONING LOT LINE:

LEXINGTON AVENUE (WIDE STREET)

EAST 87TH (NARROW STREET)

C5-1A C2-8A

717-28-BZ

NO. 150
+61'-8"
(5 FLOORS)
LOT 52
OUT PARCEL

29'-6" 57'-2 1/2" 14'-0"

PUBLIC TERRACE
750 SF

PRIVATE TERRACE
852 SF

CORRIDOR
649 SF

MECHANICAL ROOF
1382 SF

2
BSA-A-400
Sim

1
BSA-A-400
Sim

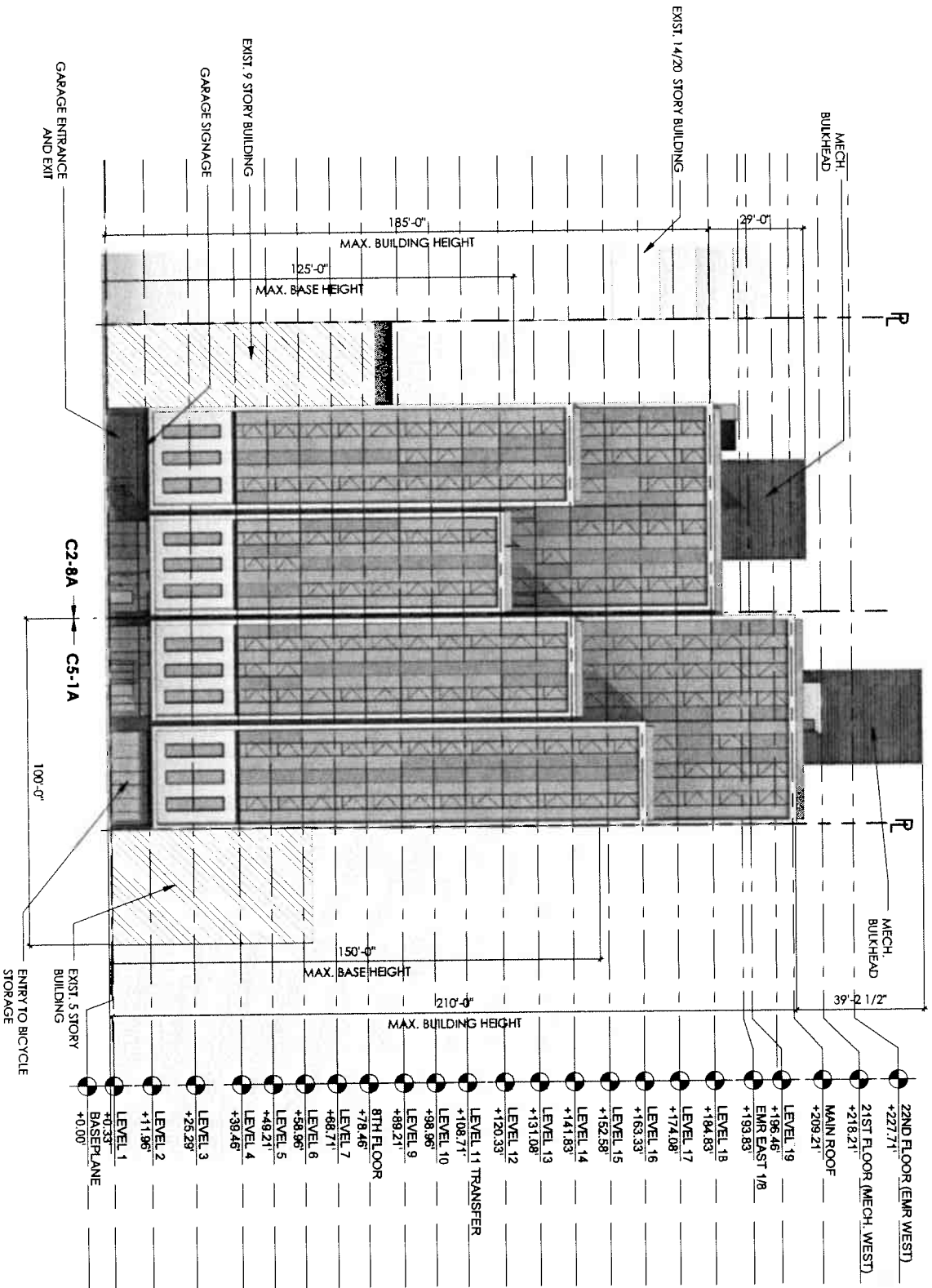
NO. 144
+87'-4"
(9 FLOORS)
LOT 45
AIR RIGHT
PARCEL

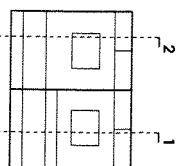
51'-0" 22'-11 1/2"

LEGEND:

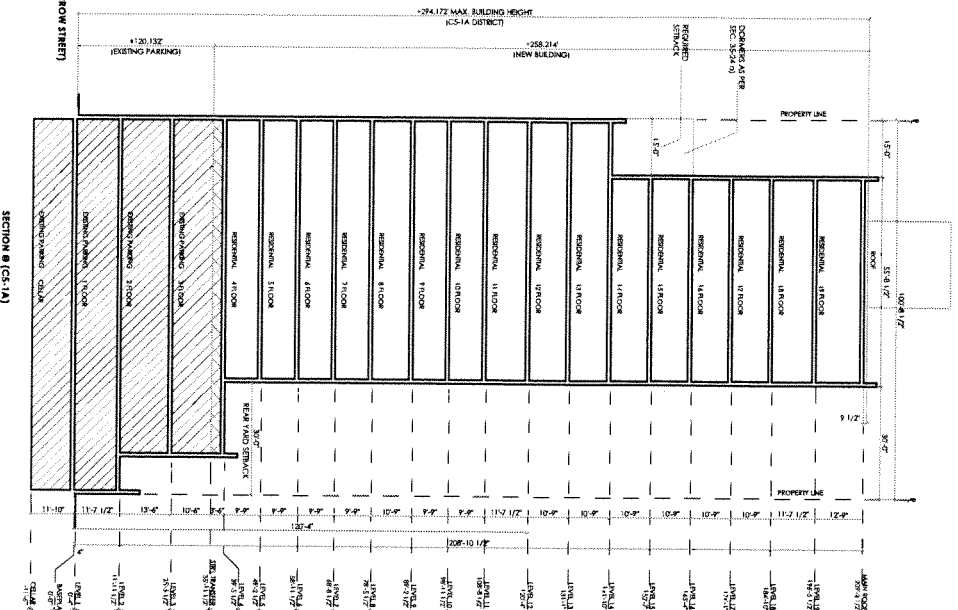
PROPERTY LINE:

ZONING LOT LINE:

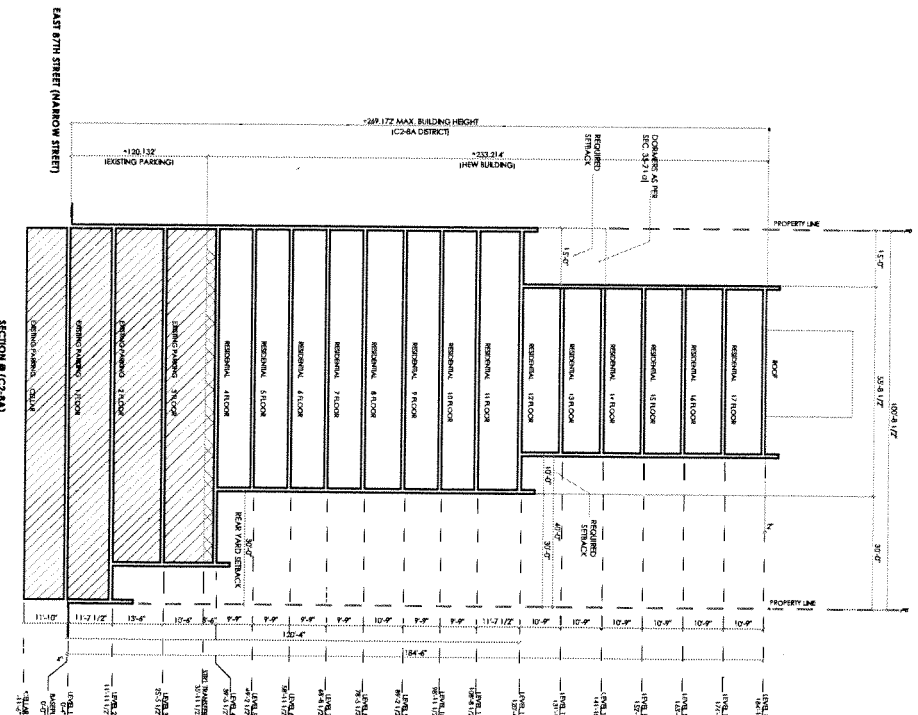




KEY PLAN



2 SECTION 2 IN C5-1A ZONING DISTRICT
SCALE: 1/32" = 1'-0"



1 SECTION 1 IN C2-8A ZONING DISTRICT
SCALE: 1/32" = 1'-0"

SECTIONS

152 EAST 87TH STREET

2014.08.25 As indicated

ALLAN GARAGE LLC

BSA-A-400

