

LAW OFFICE OF
FREDRICK A. BECKER

122 EAST 42ND STREET SUITE 2100
NEW YORK, NEW YORK 10168-0098

(212) 867-3820
FBECKER@FBECKERLAW.COM

July 29, 2015

**CERTIFIED MAIL - RETURN
RECEIPT REQUESTED**

Hon. James G. Clynes
Chairperson
Community Board No. 8
505 Park Avenue
New York, New York 10022

Re: Board of Standards and Appeals
Special Order Calendar Application
Cal. No. 382-80-BZ
Premises: 316-318 East 91st Street
New York, New York

RECEIVED

JUL 31 2015

BY COMMUNITY BOARD 8



Dear Chairperson Clynes and Members of the Community Board:

I represent the owner of the above premises in a Special Order Calendar application before the Board of Standards and Appeals (BSA) to request an extension of the term of a previously granted variance that allowed the operation of a theater on the mezzanine and second floor levels of the subject premises. The building is also now used by the property owner, the Full Gospel NY Church for religious services. This community facility use is allowed as-of-right at this location and is not part of this application request.

The subject premises is located on the southerly side of East 91st Street between First Avenue and Second Avenue, is known as Block 1553, Lot 41 on the New York City tax map, and has the address of 316 East 91st Street, New York, New York. The site is occupied by a two (2) story commercial and community facility building within an R8B zoning district.

The history of this site before the BSA dates to 1980 when the Board granted a variance under calendar number 382-80-BZ to allow a theater on the mezzanine and second floor levels of the subject premises. The first floor of the premises was occupied by a grandfathered non-conforming office use that was not part of that application. The application was granted for a term of fifteen (15) years. In 1995 the Board re-opened and amended the original resolution to extend the term for a period of ten (10) years. In 2007, the BSA extended the term for a period of ten (10) years from the expiration of the grant in 2005 through 2015.

LAW OFFICE OF
FREDRICK A. BECKER

Hon. James G. Clynes
Community Board No. 8
July 29, 2015
Page 2

It is submitted that the operation of the facility will continue to coexist in a positive manner with the immediate neighbors and the surrounding area as both a theater and house of worship.

I am enclosing a copy of the application form, the statement of facts and findings, plans for the premises, a copy of the zoning map for the subject area, and photographs of the site.

I am available to discuss the matter further with your Board, and therefore will await notification concerning an upcoming hearing.

Very truly yours,



Fredrick A. Becker

FAB:dl
encl.

cc: Board of Standards and Appeals
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Ben Kallos, Councilmember, District 5
Ms. Edith Hsu-Chen, Director, Manhattan Office, DCP
Ms. Purnima Kapur, Executive Director, DCP



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

SPECIAL ORDER CALENDAR (SOC)
Application Form

RECEIVED

JUL 31 2015

BSA APPLICATION NO. **382-80-BZ**

Section A

Applicant/
Owner

Law Office of Fredrick A. Becker **BY COMMUNITY BOARD 8**

NAME OF APPLICANT

122 East 42nd Street Suite 2100

ADDRESS

New York New York 10168

CITY STATE ZIP

(212) 867-3820

AREA CODE TELEPHONE

(212) 983-5276

AREA CODE FAX

fbecker@fbeckerlaw.com

EMAIL

Full Gospel NY Church

OWNER OF RECORD

130-30 31st Avenue

ADDRESS

Flushing New York 11354

CITY STATE ZIP

LESSEE / CONTRACT VENDEE

ADDRESS

CITY STATE ZIP

Section B

Site Data

316-318 East 91st Street

10028

STREET ADDRESS (INCLUDE ANY A/K/A)

ZIP CODE

Southerly side of East 91st Street between First Avenue and Second Avenue

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

1553

41

Manhattan

8

N/A

BLOCK

LOT(S)

BOROUGH

COMMUNITY DISTRICT

LANDMARK/HISTORIC DISTRICT

Hon. Ben Kallos

R8B

9a

CITY COUNCILMEMBER

ZONING DISTRICT

ZONING MAP NUMBER

(include special zoning district, if any)

Section C

Description

(LEGALIZATION ☐ YES ☒ NO ☐ IN PART)

Extension of the term of a previously granted variance permitting the operation of a theater at the above subject premises.

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 10 years

Expiration Date: 7/1/2015

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>4/15/15</u>) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Has a permit been obtained?
(If Yes, Permit No. _____ Date Issued _____) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Is work in progress?
(If Yes, Percentage of work completed _____%) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Has a temporary or permanent Certificate of Occupancy been obtained?
(If Yes, Expiration Date <u>July 1, 2015</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.

Section F**Board
History**

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

On July 1, 1980, when the Zoning District was R8, an application was granted by the Board under Section 72-21 to permit:

in an existing two-story building the enlargement in area and conversion of the second floor from a contractor's establishment into a theater that increases the degree of non-compliance in floor area ratio. On January 17, 1996 the Board granted an application to reopen and extend the term of the variance for ten years from July 1, 1995 to July 1, 2005. On October 30, 2007 the Board granted an application to reopen and extend the term of the variance for ten years from July 1, 2005 to July 1, 2015.

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 2015</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 type="checkbox"/> | <input checked="" 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) | <input type="checkbox"/> | <input checked="" 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.

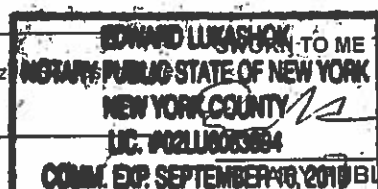
Signature of Applicant, Corporate Officer or Other Authorized Person

Fredrick A. Becker

Print Name

Attorney

Title



EDWARD LUKASHON

NOTARY PUBLIC STATE OF NEW YORK

NEW YORK COUNTY

LIC. #10210003884

COMM. EXP. SEPTEMBER 16, 2019

SWORN TO ME THIS 7 DAY OF July 20 15

LAW OFFICE OF
FREDRICK A. BECKER

122 EAST 42ND STREET SUITE 2100
NEW YORK, NEW YORK 10168-0098

(212) 867-3820
FBECKER@FBECKERLAW.COM

RECEIVED

JUL 31 2015

BY COMMUNITY BOARD 8

July 2015

STATEMENT OF FACTS AND FINDINGS

Calendar No. 382-80-BZ
Premises: 316 East 91st Street
New York, New York

This application is filed to request an extension of the term of a previously granted variance that allowed the operation of a theater on the mezzanine and second floor levels of the subject premises. The subject premises has the address of 316 East 91st Street, New York, New York, is known as block 1553, lot 41 and is located within an R8B zoning district on the New York City Tax map.

The history of this site before the Board of Standards and Appeals (BSA) dates to 1980 when the Board granted a variance under calendar number 382-80-BZ to allow a theater on the mezzanine and second floor levels of the subject premises. The first floor of the premises was occupied by a grandfathered non-conforming office use that was not part of that application. The application was granted for a term of fifteen (15) years. In 1995 the Board re-opened and amended the original resolution to extend the term for a period of ten (10) years. In 2007, the BSA extended the term for a period of ten (10) years from the expiration of the grant in 2005.

The use of the subject premises as a theater has existed since prior to 1980, a period of more than 35 years. The space, considered a small off Broadway location, has been occupied by Playhouse 91, home to smaller theater companies and the Light Opera Company of Manhattan. This theater has provided much benefit to the community and to the City of New York for decades and is truly an asset. The non-conforming office use on the ground floor was also discontinued prior to the most recent grant and the theater use occupied the entire premises.

Just prior to the previous application, the subject building was sold to the current owner, the Full Gospel Church of New York. Full Gospel has its main location in Flushing, Queens. The subject location is an adjunct location for Manhattan parishioners. The majority, if not all, of the Manhattan parishioners use public transportation to get to the site. During the past ten (10) years, Full Gospel has utilized the space for church use on weekends, choir practice one night a week and ongoing theater use. As shown on the plans submitted with this application, there has been no revision to the space and it exists unchanged from the previous grant.

The future operation of the subject use is therefore merely the continuation of a long established commercial presence on the site, and the use of the space for services and church-related activities, which is an as-of-right community facility use allowed in the R8B zoning district in which the subject premises is located. Based on the limited nature of the operation of the subject building for both uses, these uses can be expected to continue to coexist in a positive manner with the immediate neighbors and the surrounding area.

Finally, there has been compliance with all of the conditions set forth in the most recent 2007 grant and previous grants with the exception that the new Certificate of Occupancy was obtained within nine (9) months of the grant, not six (6) months as set forth in a condition of the 2007 grant.

Conclusion

For the reasons set forth above, it is respectfully requested that the Board of Standards and Appeals grant the subject application to again extend the term of the previously granted variance in that the use has continued to positively coexist with the community and has brought benefit to the community. It is also respectfully requested that if the variance is extended, that the grant be for a term of ten (10) years as was the situation with the prior extension.

Respectfully submitted,



Fredrick A. Becker

FAB:dl



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

AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION

Affidavit of Ownership

has an
office

Full Gospel New York Church, being duly sworn, deposes and says that (s)he ~~resides~~
at 130-30 31st Avenue, in the City of Flushing, in the County of Queens, in the
State of New York; that Full Gospel NY Church 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 1553, Lot(s) 41, Street and House Number
316-318 East 91st Street; 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 Law Office of Fredrick A. Becker
to make the annexed application in her/his behalf.

Signature of Owner

Print Name

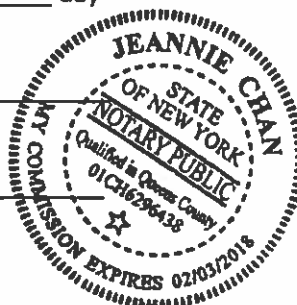
John Kim

Print Title

Director

Sworn to before me this 25th day

of June 2015



BSA Calendar No: 382-80-BZ

Premises: 316-318 East 91st Street, New York, New York

1. In July 1980 the Board granted a variance to allow in an existing two-story commercial building the enlargement in area and conversion of the second floor into a theater that increases the degree of non-compliance in floor area ratio for a term of fifteen years.
2. In January 1996 the Board reopened and amended the previous resolution to legalize minor changes to the previously approved plans, and extended the variance for a term of ten (10) years that expired on July 1, 2005.
3. In October 2007 the Board extended the term of the previously granted variance for a term of ten (10) years that expires on July 1, 2015. There were no revisions to the space at this time.



Certificate of Occupancy

CO Number: 104801500T001

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A. Borough: Manhattan Address: 316 EAST 91 STREET Building Identification Number (BIN): 1050195	Block Number: 01553 Lot Number(s): 41 Building Type: Altered	Certificate Type: Temporary Effective Date: 07/18/2008 Expiration Date: 10/16/2008
<i>For zoning lot metes & bounds, please see BISWeb.</i>		
B. Construction classification: 2 (Prior to 1968 Code) Building Occupancy Group classification: COM (Prior to 1968 Code) Multiple Dwelling Law Classification: None		
No. of stories: 2 Height in feet: 40 No. of dwelling units: 0		
C. Fire Protection Equipment: None associated with this filing.		
D. Type and number of open spaces: None associated with this filing.		
E. This Certificate is issued with the following legal limitations: Board of Standards and Appeals - Recording Info: 382-80-BZ		
Outstanding requirements for obtaining Final Certificate of Occupancy:		
There are 11 outstanding requirements. Please refer to BISWeb for further detail.		
Borough Comments: None		

Christopher M Santilli
 Borough Commissioner

Borough Commissioner

[Signature]
 Acting

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE



Certificate of Occupancy

CO Number: 104801500T001

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL		OG	E		2	BOILER ROOM AND STORAGE
MEZ	30	100	F-1A		8	THEATRE LOBBY (NON-CONJUNCTIVE USE)
MEZ	2	100	F-1A		8	OFFICE
001	10	90	E		17A	CONTRACTOR'S ESTABLISHMENT AND OFFICE INCLUDING SALES, STORAGE AND HANDLING MATERIALS WITH LOADING AND UNLOADING OF TRUCKS
002	360	120	F-1A		8	THEATRE
TEMPORARY C OF O FOR TEN (10) YEARS TO EXPIRE ON JULY 1, 2015 AS PER BSA 382-80-BZ						
END OF SECTION						

Christopher M. Santilli
Borough Commissioner

Borough Commissioner

Robert J. L...
Acting

Commissioner

END OF DOCUMENT

104801500/001 07/18/2008 05:32:28 PM



Certificate of Occupancy

CO Number: 104801500F

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A. Borough: Manhattan Address: 316 EAST 91 STREET Building Identification Number (BIN): 1050195	Block Number: 01553 Lot Number(s): 41 Building Type: Altered	Certificate Type: Final Effective Date: 03/12/2010 Expiration Date: 07/01/2015
<i>For zoning lot metes & bounds, please see BISWeb.</i>		
B. Construction classification: 2 (Prior to 1968 Code) Building Occupancy Group classification: F-1A (1968 Code) Multiple Dwelling Law Classification: None		
No. of stories: 2 Height in feet: 40 No. of dwelling units: 0		
C. Fire Protection Equipment: None associated with this filing.		
D. Type and number of open spaces: None associated with this filing.		
E. This Certificate is issued with the following legal limitations: Board of Standards and Appeals - Recording Info: 382-80-BZ		
Borough Comments: None		

Borough Commissioner

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE

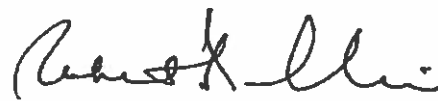
Certificate of Occupancy

CO Number: 104801500F

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL		OG	E		2	BOILER ROOM AND STORAGE
MEZ	30	100	F-1A		8	THEATRE LOBBY (NON-CONJUNCTIVE USE)
MEZ	2	100	F-1A		8	OFFICE
001	10	90	E		17A	CONTRACTOR'S ESTABLISHMENT AND OFFICE INCLUDING SALES, STORAGE AND HANDLING MATERIALS WITH LOADING AND UNLOADING OF TRUCKS
002	360	120	F-1A		8	THEATRE
TEMPORARY C OF O FOR TEN (10) YEARS TO EXPIRE ON JULY 1, 2015 AS PER BSA 382-80-BZ						
END OF SECTION						



Borough Commissioner



Commissioner

END OF DOCUMENT



**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

BSA Cal. No.: 382-80-BZ

Street Address: 316-318 East 91st Street,
New York, New York

Block: 1553 **Lot(s):** 41

Borough : Manhattan

CERTIFICATION OF INSPECTION & COMPLIANCE

Fredrick A. Becker

hereby states that I personally inspected the

(Applicant, Agent, Registered Architect or Registered Engineer)

premises and surrounding area on June 2015

(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.

The interior space has not changed. There is compliance with all fire safety and related issues. The one area of deviation from the conditions relates to obtaining a new Certificate of Occupancy. The resolution contained a condition that a new Certificate of Occupancy be obtained within six (6) months of the date of the grant which occurred on October 30, 2007, therefore by April 30, 2008. The new Certificate of Occupancy was not obtained until July 2008, a period of nine (9) months.

Applicant/Agent Signature
(Registered Architect/Engineer Seal as Appropriate)

382-80-BZ



Buildings


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

NYC Department of Buildings

Property Profile Overview

316 EAST 91 STREET

EAST 91 STREET

316 - 318

MANHATTAN 10128

Health Area : 3300

Census Tract : 154

Community Board : 108

Buildings on Lot : 1

BIN# 1050195

Tax Block : 1553

Tax Lot : 41

Condo : NO

Vacant : NO

[View DCP Addresses...](#) [Browse Block](#)
[View Zoning Documents](#)
[View Challenge Results](#)
[Pre - BIS PA](#)
[View Certificates of Occupancy](#)

Cross Street(s): 2 AVENUE, 1 AVENUE

DOB Special Place Name:

DOB Building Remarks:

Landmark Status:

Local Law: YES

SRO Restricted: NO

UB Restricted: NO

Environmental Restrictions: N/A

Legal Adult Use: NO

Additional BINs for Building: NONE

Special Status: N/A

Loft Law: NO

TA Restricted: NO

Grandfathered Sign: NO

City Owned: NO

Special District: UNKNOWN

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, Coastal Erosion Hazard Area, or Special Flood Hazard Area. [Click here for more information](#)

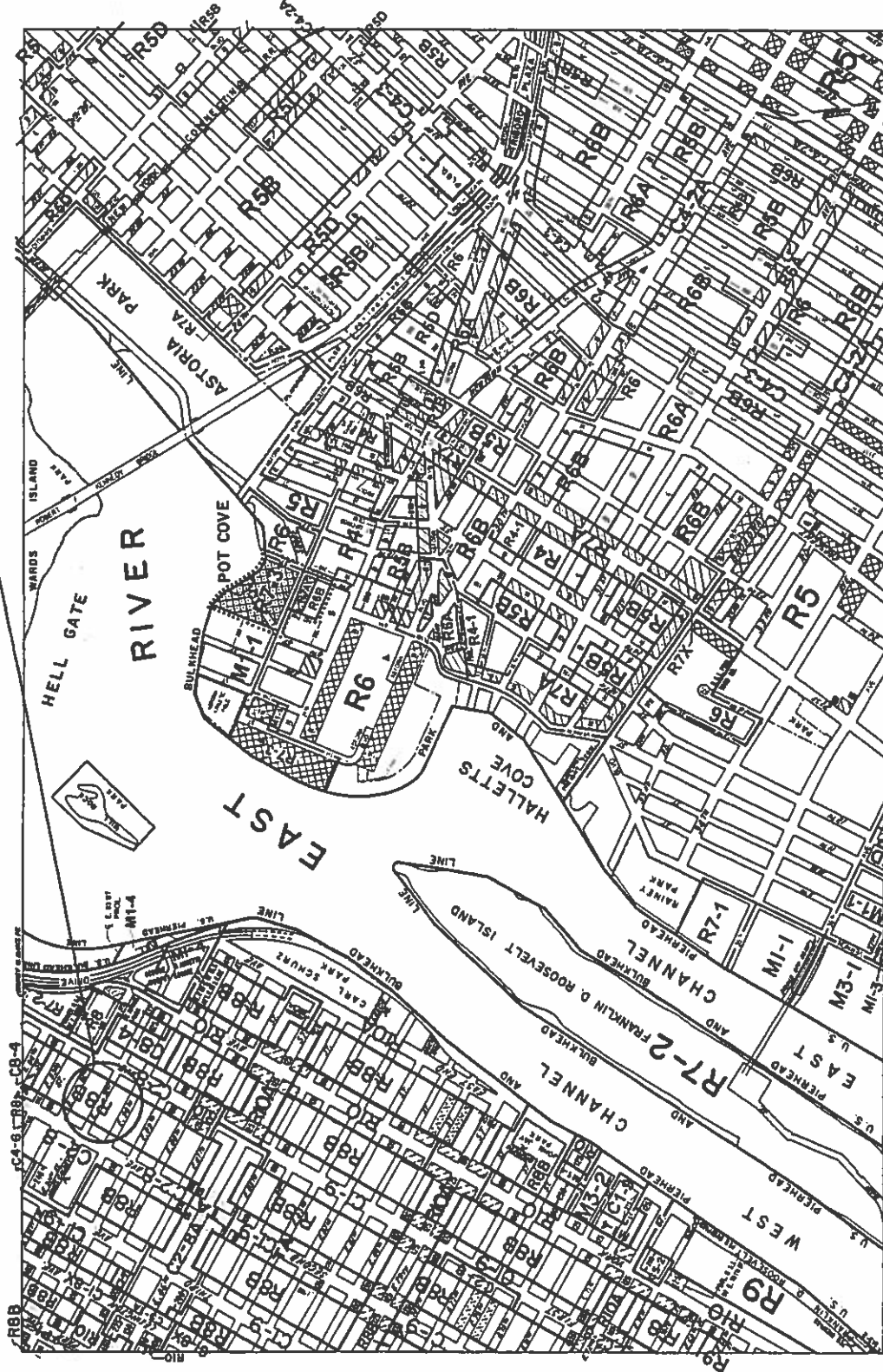
Department of Finance Building Classification: L8-LOFT BUILDINGS

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

	Total	Open	Elevator Records
Complaints	9	0	Electrical Applications
Violations-DOB	8	0	Permits In-Process / Issued
Violations-ECB (DOB)	3	0	Illuminated Signs Annual Permits
Jobs/Fillings	30		Plumbing Inspections
ARA / LAA Jobs	1		Open Plumbing Jobs / Work Types
Total Jobs	31		Facades
Actions	20		Marquee Annual Permits
OR Enter Action Type: <input type="text"/>			Boiler Records
OR Select from List: <input type="text"/>			DEP Boiler Information
AND <input type="button" value="Show Actions"/>			Crane Information
			After Hours Variance Permits

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.

SITE



0 600 1200 1600 FEET

8.0000. INVESTIGATION FOR THE CITY OF NEW YORK
SHOWING THE ZONING DISTRICTS AND THE ZONING MAP
ON THIS MAP PRIOR TO THE EFFECTIVE DATE OF THE
ZONING MAP CHANGE (CITY OF NEW YORK)

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5
NOTE: Where no dimensions are shown, the dimensions shown on the zoning map, such dimensions are determined
in Article VI, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:
The number(s) and/or letter(s) that follow
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 letter(s) within the shaded
area designates the special purpose
district as described in the text
of the Zoning Resolution.

..... AREA(S) REZONED

Effective Date(s) of Rezoning:

11-25-2014 C 140322 ZMO

Special Requirements:

For a list of lots subject to CEOR
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 CHANGE(S):

A 09-13-2014 C 130068 MUQ

ZONING MAP 9a

N

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 website of the Department of City Planning at
www.dcp.nyc.gov. For more information, contact the Zoning Information Center at
(212) 730-5291.

6/15/2015

Digital Tax Map - New York City Department of Finance

316-318 East 91st Street, New York, New York - Digital Tax Map - New York City Dept. of Finance
(6/15/2015)



382-80-AZ



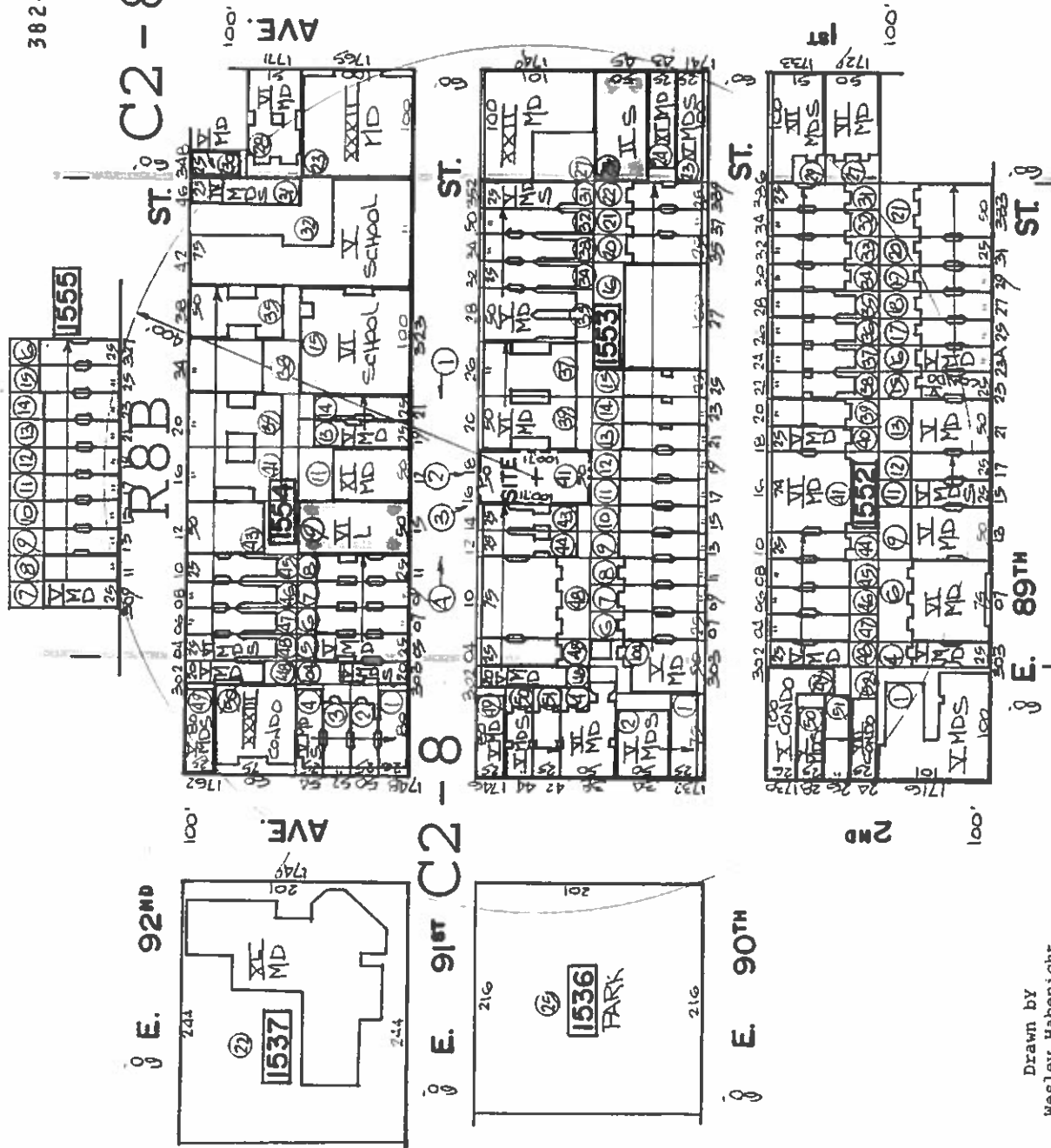
Scale 1"=100'

0 20' 50' 100'

LEGEND

- Lot Number
- Block Number
- II Story Heights
- MD Multiple Dwellings
- S Store
- L Loft
- ② Photo Points

Note:
All Buildings Constructed
of Stone, Brick or
Concrete Unless Otherwise
Specified.



Land Use

Multiple Dwelling ● Commercial ● Institutional/Community Facility ● Park

Drawn by
Wesley Habenicht
P.O. Box 20382
Floral Park N.Y. 11002
516 352-3295

BSA CALENDAR NO.

382-80-BZ

BLOCK 1553

LOT 41

SUBJECT SITE ADDRESS

316 East 91st Street, New York, New York

APPLICANT

Law Office of Fredrick A. Becker

ZONING DISTRICT R8B

PRIOR BSA #

COMPLIANT: "Y"

SPECIAL/HISTORIC DISTRICT N/A

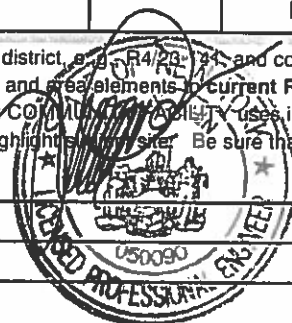
IF NOT: "N" and

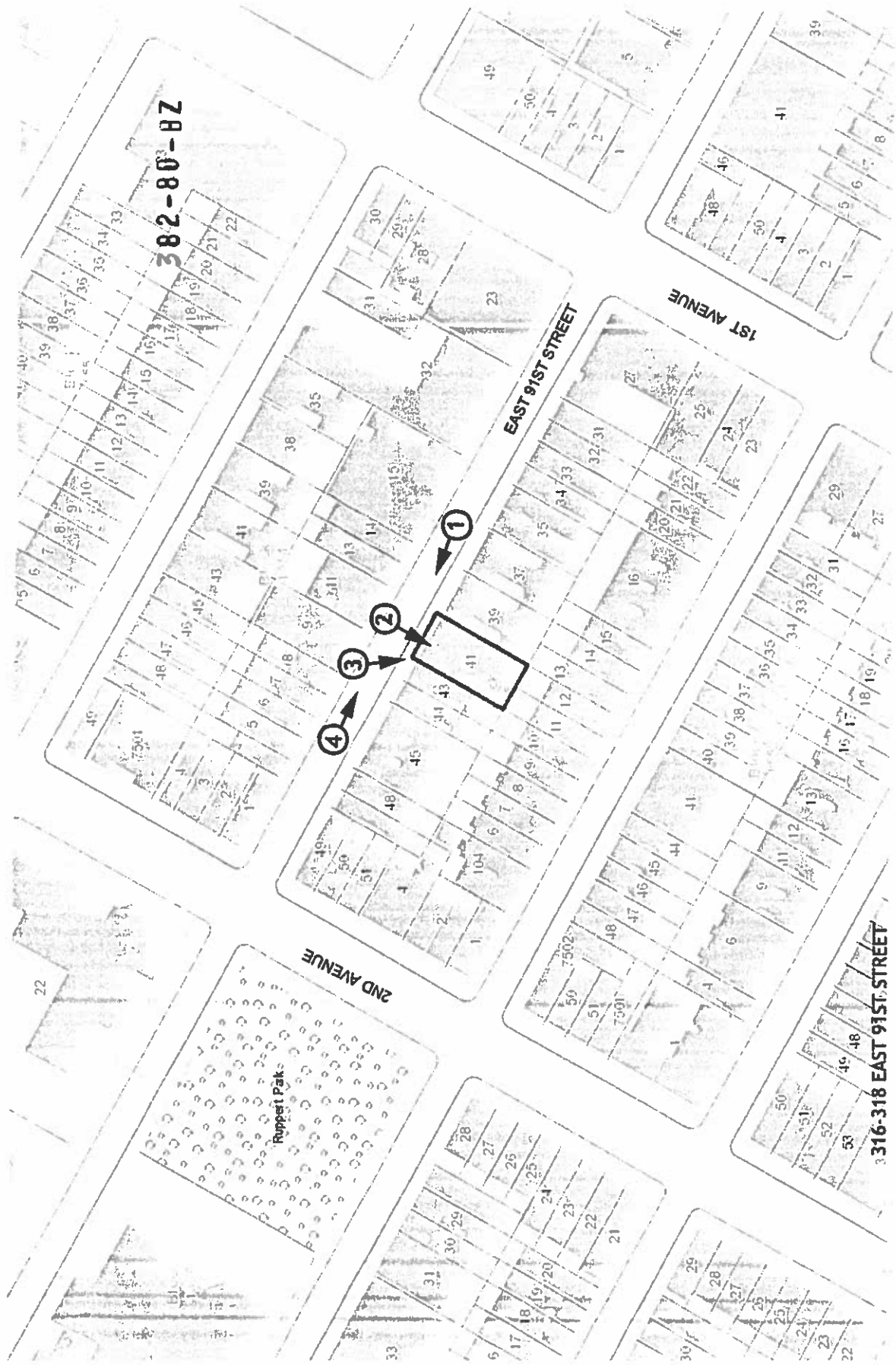
COMMUNITY BOARD 8

INDICATE AMT

* APPLICABLE	MAXIMUM	MINIMUM	LEGAL PER			
ZR SECTION	PERMITTED	REQUIRED	C of O or BSA	EXISTING	PROPOSED	OVER/UNDER
LOT AREA				5,050	5,050	Y
LOT WIDTH				50'	50'	Y
USE GROUP (S)			8	4 and 8	4 and 8	Y
FA RESIDENTIAL						N/A
FA COMMUNITY FACILITY				4,824	4,824	Y
FA COMMERCIAL/INDUST.			7,631	7,631	7,631	Y
FLOOR AREA TOTAL			7,631	7,631	7,631	Y
FAR RESIDENTIAL						N/A
FAR COMMUNITY FACILITY						N/A
FAR COMMERCIAL/INDUST.						N/A
FAR TOTAL						N/A
OPEN SPACE						N/A
OPEN SPACE RATIO						N/A
LOT COVERAGE (%)						N/A
NO. DWELLING UNITS						N/A
WALL HEIGHT			50' +/-	50' +/-	50' +/-	Y
TOTAL HEIGHT			50' +/-	50' +/-	50' +/-	Y
NUMBER OF STORIES			2 & cellar	2 & cellar	2 & cellar	Y
FRONT YARD						N/A
SIDE YARD						N/A
SIDE YARD						N/A
REAR YARD						N/A
SETBACK (S)						N/A
SKY EXP. PLANE (SLOPE)						N/A
NO. PARKING SPACES						N/A
LOADING BERTH (S)						N/A
OTHER:						N/A

* In Applicable ZR Section column: For RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g., R4/23, 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 where 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:





Photographed by:

GEORGE CONSTANTINOU
24-35 28TH STREET, #3A
LONG ISLAND CITY, NY 11102
Phone: (718) 932-8784
Fax: (718) 932-3685



PHOTOGRAPH LOCATION POINTS

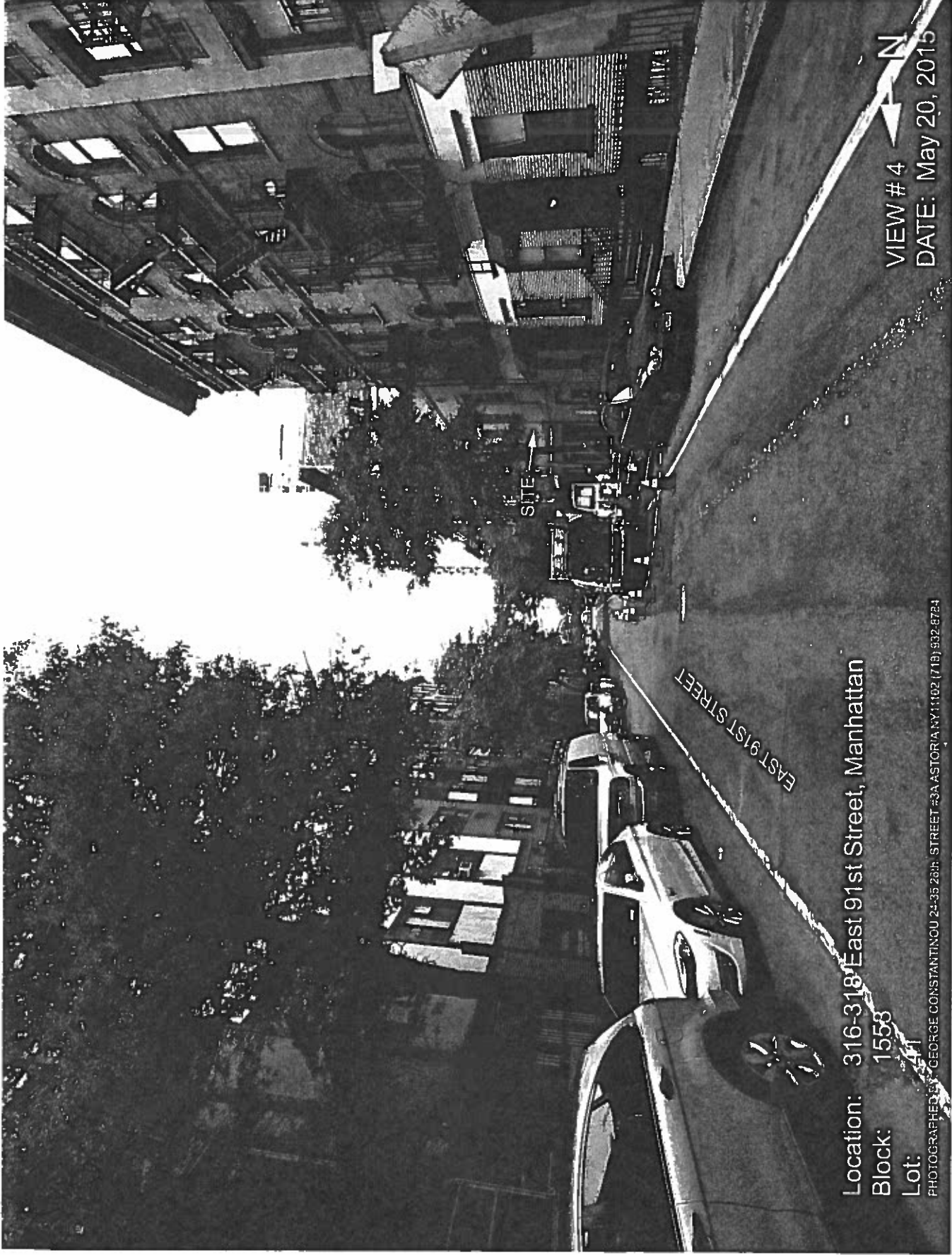
BLOCK: 1553

LOT: 41

BOROUGH OF MANHATTAN

CAMERA POSITION





Location: 316-318 East 91st Street, Manhattan
Block: 1558
Lot: 251

PHOTOGRAPHED BY: GEORGE CONSTANTINO 21-35 23rd STREET #3A ASTORIA NY 1102 (718) 532-8724

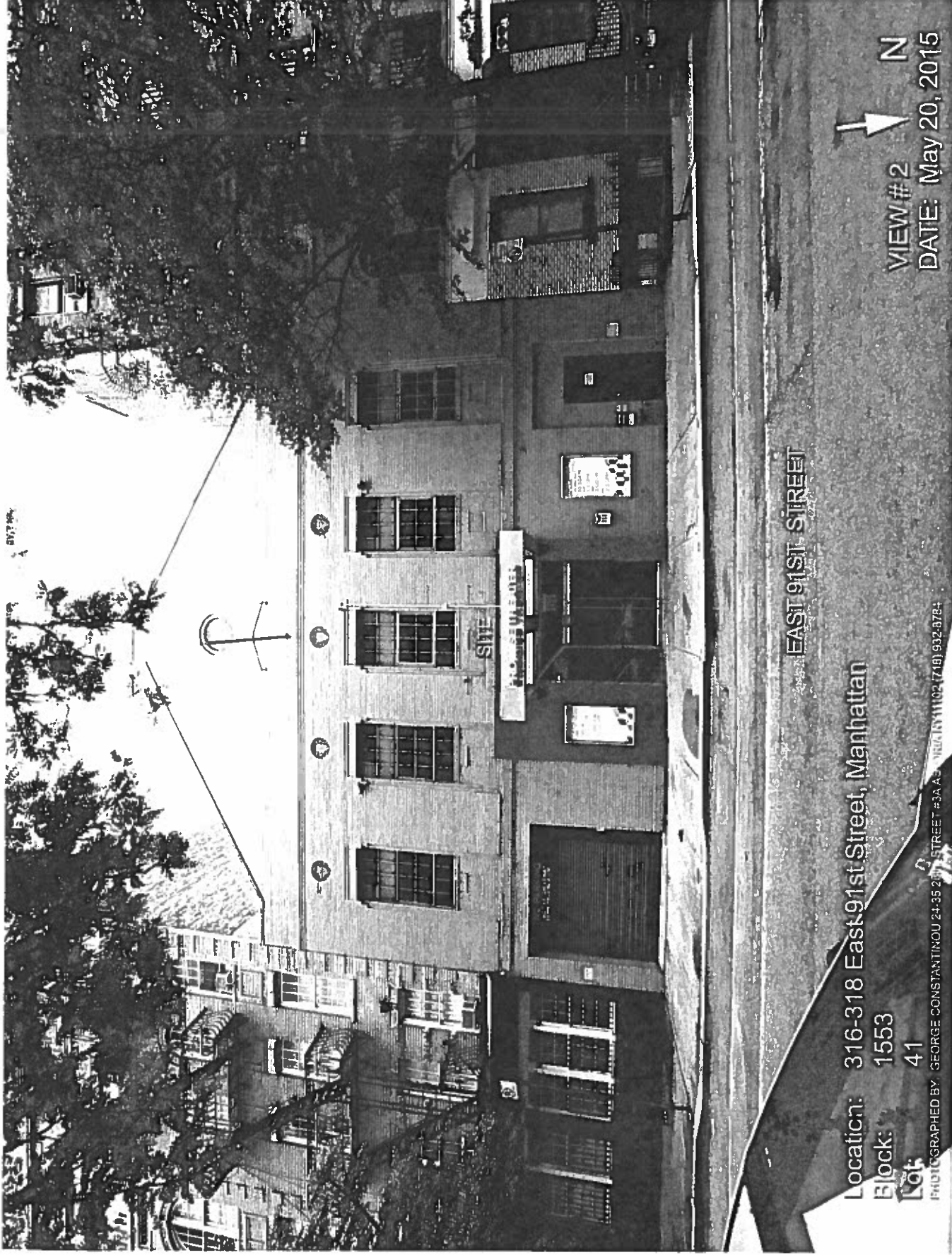
VIEW # 4
DATE: May 20, 2015



VIEW # 1  N
DATE: May 20, 2015

Location: 316-318 East 91st Street, Manhattan
Block: 1553
Lot: 41

PHOTOGRAPHED BY: GEORGE CONSTANTINOU 21-35 23RD STREET #3A ASTOR, NY 1102 (718) 932-8724



Location: 316-318 East 91st Street, Manhattan
Block: 1553
Lot: 41

PHOTOGRAPHED BY: GEORGE CONSTANTINOU 24-35 2ND STREET #3A ASHUTOWN NY 11102 (718) 932-3784

EAST 91ST STREET

VIEW #2
N
↑

DATE: May 20, 2015

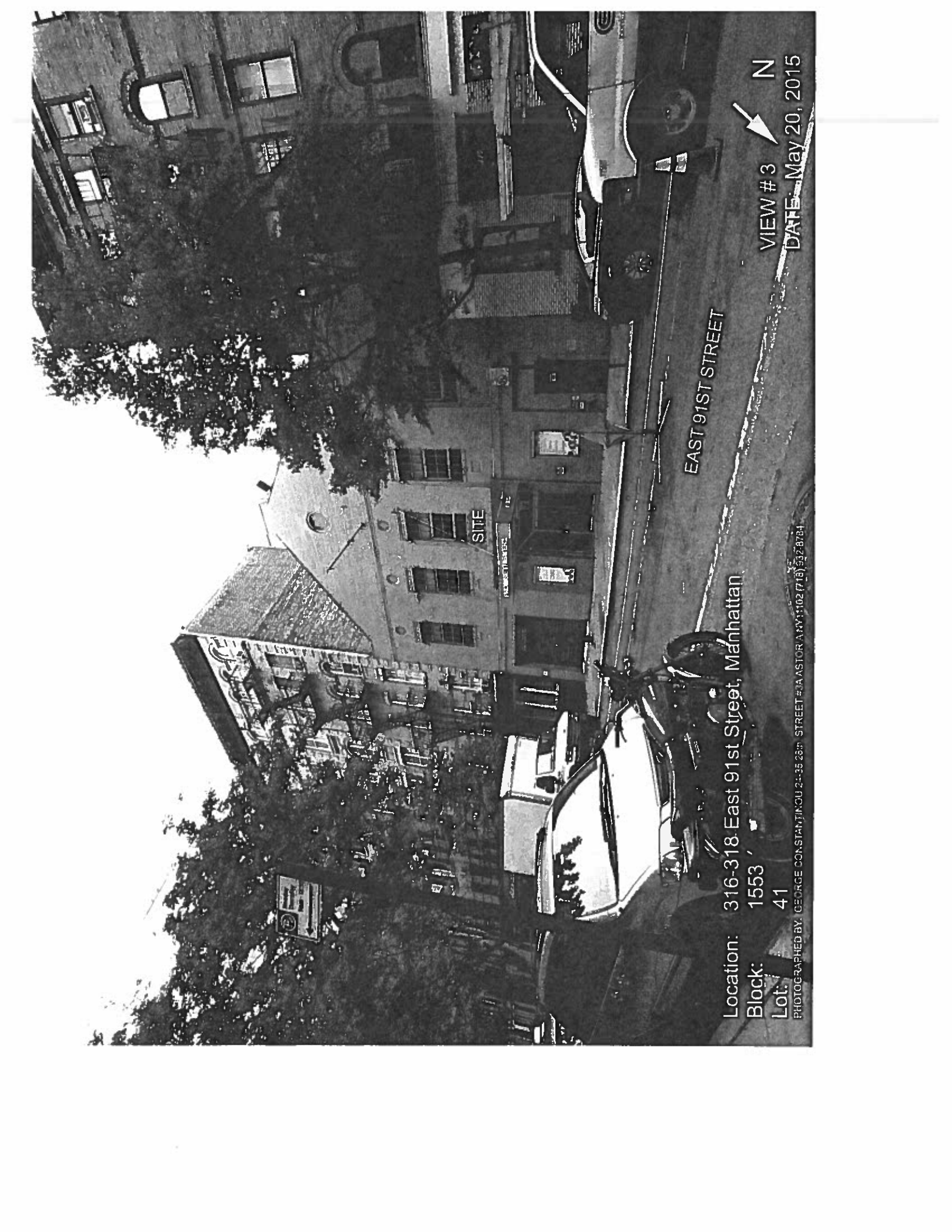
Location: 316-318 East 91st Street, Manhattan
Block: 1553
Lot: 41

EAST 91ST STREET

VIEW # 3
DATE: May 20, 2015



PHOTOGRAPHED BY: GEORGE CONSTANTINO 212-352-2877 STREET # 3A ASTOR NY 1102 (718) 532-8784



382-80-BZ

APPLICANT—Stein, Davidoff for Howard Estrin, owner, Ross and Timm Productions, Lessee.

SUBJECT—Application March 17, 1980—decision of the Borough Superintendent, under Section 72-01(b) and 72-21 of the Zoning Resolution, to permit in an R8 district, in an existing two story building, the enlargement in area and conversion of the second floor from a contractor's establishment into a theatre that increases the degree of non-compliance in floor area ratio.

PREMISES AFFECTED—316 East 91st Street, south side, 250 feet east of Second Avenue, Block 1553, Lot 41, Borough of Manhattan, Community Board #8M.

APPEARANCES—

For Applicant: Sid Davidoff.

For Opposition: None.

RECOMMENDATION OF THE COMMUNITY BOARD—Favorable to the application.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Fossella, Vice Chairman Agusta, Commissioner Carroll, Commissioner Walsh, Commissioner Cincotta and Commissioner Wolf 6

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 17, 1980, after due notice by publication in the Bulletin; laid over to July 1, 1980; and

WHEREAS, the decision of the Borough Superintendent, dated March 11, 1980 acting on Alt. Applic. #1474/79, reads:

"1. Change of use from offices for electrical contractor U.G.6 to theatre U.G.8, on second story in an R8 zone district is contrary to Section 52-332 of the Zoning Resolution.

"2. New floor area is an increase in the degree of non-compliance and is contrary to Section 52-41 of the Zoning Resolution."

and

WHEREAS, the premises and surrounding area had a site and neighborhood evaluation by a committee of the Board consisting of Commissioner John J. Walsh, P.E. and Commissioner Stanley M. Wolf, R.A.; and

WHEREAS, Community Board #8M has recommended approval of this application; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Section 72-21 of the Zoning Resolution, and that the applicant is therefore entitled to relief on the grounds of practical difficulty and/or unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make each and every one of the required findings and grants a variation in the application of the Zoning Resolution, limited to the objection cited, and that the application be and it hereby is *granted* under Section 72-21 of the Zoning Resolution, to permit in an R8 district, in an existing two-story building, the enlargement in area and conversion of the second floor from a contractor's establishment into a theatre that increases the degree of non-compliance in floor area ratio on condition that all work shall substantially conform to drawings as they apply to the objection, above noted, filed with this application, marked "Received March 17, 1980", 5 sheets, and "May 28, 1980", 4 sheets; and on further condition that this variance shall be limited for a term of 15 years; that a waiting area for theatre patrons be provided within the building; that the theatre shall close no later than 12:30 A.M.; and that all laws, rules and regulations applicable be complied with, and that substantial construction be completed in accordance with Section 72-23 of the Zoning Resolution.

A true copy of resolution adopted by the Board of Standards and Appeals July 1, 1980.
Printed in Bulletin No. 28, Vol. LXV.

Copies Sent

To Applicant

Fire Com'r.

Borough Supt.

JUL 14 1980

Vito J. Fossella
Chairman

382-90-BZ

APPLICANT - Martyn & Don Weston Architects, for 316 East 91st Street Corporation, owners.

SUBJECT -Application January 17, 1995 - reopening for an amendment to the resolution to reflect the actual conditions at the premises and reopening for an extension of term of the variance which expired July 1, 1995 - application previously granted on condition.

PREMISES AFFECTED - 316 East 91st Street, south side, 250' east of Second Avenue, Block 1553, Lot 41, Borough of Manhattan.

APPEARANCES -

For Applicant: Don Weston.

For Administration: John Scrofani, Fire Department.

ACTION OF THE BOARD - Application reopened, term of the variance extended and resolution amended.

THE VOTE TO GRANT -

Affirmative: Chairman Silva, Vice-Chair Flahive, Commissioner Chin, Commissioner Palladino and Commissioner Joseph.....5

Negative:.....0

THE RESOLUTION -

WHEREAS, the applicant requested an extension of the term of the variance and an amendment of the resolution to legalize some minor changes to the previously approved plans for the premises such as the relocation of the box office, toilets and control booth, the installation of a spiral staircase and the re-arrangement of rehearsal space at the top of the auditorium to dressing rooms, storage and office space; and

WHEREAS, Community Board #8, Manhattan recommended approval of the application; and

WHEREAS, a public hearing was held on this application on August 8, 1995 after due notice by publication in the City Record, laid over to September 27, 1995, October 31, 1995, December 12, 1995 and then to January 17, 1996 for decision; and

WHEREAS, the commercial occupancy on the first floor, including the loading dock, is separated from the theater in the remainder of the building by a concrete slab with a minimum three hour rating; and

WHEREAS, the owner has corrected all outstanding violations issued by the New York City Fire Department; and

Resolved, that the Board of Standards and Appeals hereby reopens and amends the resolution pursuant to Z.R. §72-01 and §72-22, said resolution having been adopted on July 1, 1980 expiring July 1, 1995, so that as amended this portion of the resolution shall read:

"to reflect the actual conditions at the premises and extend the term; on condition that the term of the variance shall be limited to ten years from July 1, 1995 to expire on July 1, 2005; that exit lights, emergency lighting, fire extinguishers and other fire safety measures shall be provided in accordance with BSA approved plans; that the premises shall remain graffiti-free; that the premises shall be maintained in substantial compliance with the proposed drawings submitted with the application marked 'Received January 17, 1995'-(2) sheets, 'August 21, 1995'-(2) sheets and 'November 16, 1995'-(1) sheet; and that other than as herein amended the resolution above cited shall be complied with in all respects, and that a new certificate of occupancy shall be obtained within one year from the date of this amended resolution."

(Dept. of Bldgs. #100938050)

Adopted by the Board of Standards and Appeals, January 17, 1996.

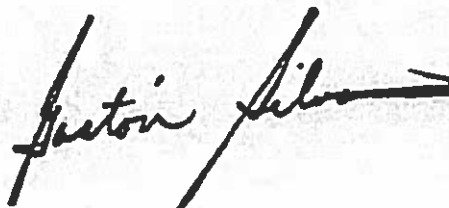
A true copy of resolution adopted by the Board of Standards and Appeals, January 17, 1996.

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.



Chairman.

382-80-BZ

APPLICANT – The Law Office of Fredrick A. Becker, for Full Gospel New York Church, owners.

SUBJECT – Application June 29, 2007 – Extension of Term of a previously granted variance, which expired on July 1, 2005, to allow the operation of a theater (Playhouse 91) on the mezzanine and second floors located in an R8b zoning district.

PREMISES AFFECTED – 316 East 91st Street, south side of East 91st Street, 250' east side of Second Avenue, Block 1553, Lot 41, Borough of Manhattan.

COMMUNITY BOARD #8M

APPEARANCES –

For Applicant: Fredrick A. Becker.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown and Commissioner Hinkson.....4

Negative:.....0

THE RESOLUTION:

WHEREAS, this is an application for a waiver of the Rules of Practice and Procedure, a reopening, and an extension of the term for a previously granted variance to allow the operation of a theater, which expired on July 1, 2005; and

WHEREAS, a public hearing was held on this application on October 2, 2007 after due notice by publication in *The City Record*, and then to decision on October 30, 2007; and

WHEREAS, Community Board 8, Manhattan, recommends approval of the application; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by Commissioner Hinkson; and

WHEREAS, the subject premises is located on the south side of East 91st Street, 250'-0" east of Second Avenue; and

WHEREAS, the theater is located on the mezzanine and second floors of a two-story commercial building within an R8B zoning district; and

WHEREAS, on July 1, 1980, under the subject calendar number, the Board granted a variance, pursuant to ZR § 72-21, to permit the enlargement and conversion of the second floor of an existing two-story commercial building into a theater for a term of fifteen years; and

WHEREAS, the first floor of the premises is occupied by a legal non-conforming use that was not included in that application; and

WHEREAS, on January 17, 1996, the grant was

amended to legalize changes to previously approved plans which included relocating the box office, restrooms, and control booth and to extend the term for ten years, to expire July 1, 2005; and

WHEREAS, the instant application seeks to extend the term of the variance for an additional ten years; and

WHEREAS, the applicant states that the theater has been in operation at the subject premises for more than 25 years; and

WHEREAS, the applicant proposes to maintain the use of the subject premises as a theater; and does not seek any changes to the building; and

WHEREAS, the applicant states that the delay in filing an amendment to extend the term of the variance was due to a change in ownership; and

WHEREAS, the applicant notes that it has diligently pursued the filing of this application since its purchase of the property this year, and

WHEREAS, the applicant further represents that it is in compliance with all the conditions of the 1995 grant; and

WHEREAS, based upon its review of the record, the Board finds that the requested extension of term is appropriate with certain conditions as set forth below.

Therefore it is Resolved that the Board of Standards and Appeals *waives* the Rules of Practice and Procedure, *reopens*, and *amends* the resolution, dated July 1, 1980, so that as amended this portion of the resolution shall read: "to grant an extension of the variance for a term of ten years from the expiration of the last grant to expire on July 1, 2015; *on condition* that the use and operation shall substantially conform to previously approved plans; and *on further condition*:

THAT this grant shall expire on July 1, 2015;

THAT all conditions from prior resolutions not specifically waived by the Board remain in effect;

THAT a new certificate of occupancy shall be obtained within six months of the date of this grant, on April 30, 2008;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code, and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted."

(DOB Application No. 104801500)

Adopted by the Board of Standards and Appeals, October 30, 2007.

A true copy of resolution adopted by the Board of Standards and Appeals, October 30, 2007.

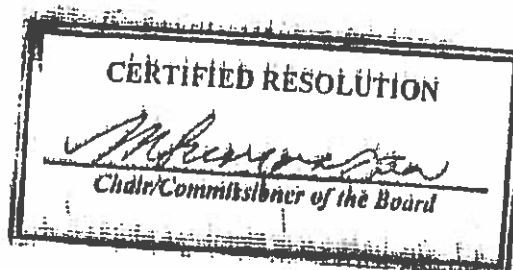
Printed in Bulletin No. 43, Vol. 92.

Copies Sent

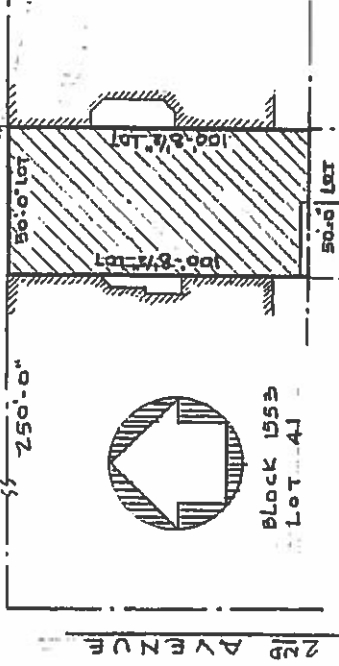
To Applicant

Fire Com'r.

Borough Com'r.



EAST 91ST STREET



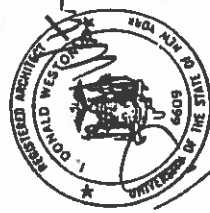
SITE PLAN

APPROVED
BOARD OF STANDARD AND APPEALS

LEGAL, EXISTING & PROPOSED CONDITIONS

CONDITIONS APPROVED BY THE BOARD

PSA ZAL NO. 382-80-BZ



JEWISH REPERTORY THEATRE
212 EAST 91ST STREET
NEW YORK, NEW YORK

MARTIN & DON WESTON
ARCHITECTS
200 WESTERN STREET - BROOKLYN, N.Y.

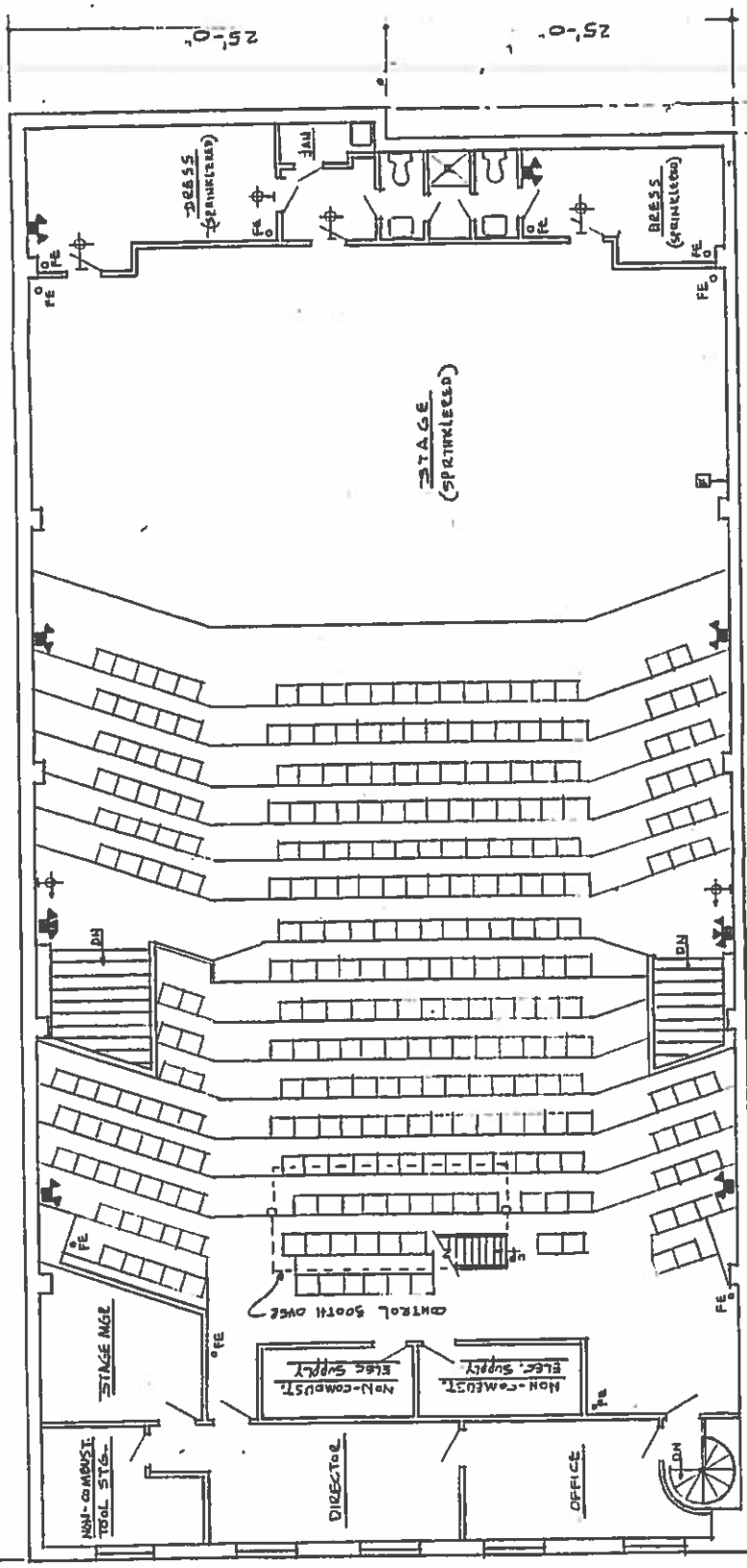
DATE AUG 23, 1994

SCALE 1" = 40'-0"

NO. 382-8

PLAN A-1

100'-8 1/2"



NOTE: FIRE EXT.
IN CONTROL ROOMS
& CAT WALK...

299 SEAT AUDITORIUM

2ND FLOOR PLAN

SYMBOLS

- ☒ FIRE EXTINGUISHER...
- ☒ FIRE PROOF SELF CLOSING DOOR...
- ☒ DIRECTIONAL EXIT LIGHT & SIGN...
- ☒ EXIT LIGHT & SIGN...
- ☒ 12 VOLT BATTERY PACK LIGHT ALARM...
- ☒ 25 WATT LAMP...
- ☒ FIRE ALARM PULL BOX...

EXISTING & PROPOSED CONDITIONS

BSA CAL NO 302-80-BZ

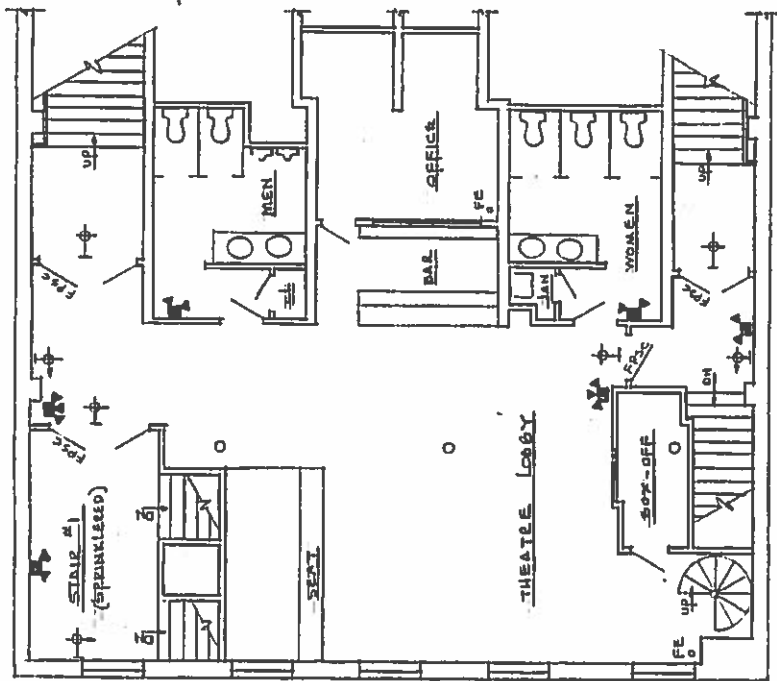
APPROVED PLANS
BOARD OF S...



JEWISH REPERTORY THEATRE
316 EAST 91ST STREET
NEW YORK, NEW YORK

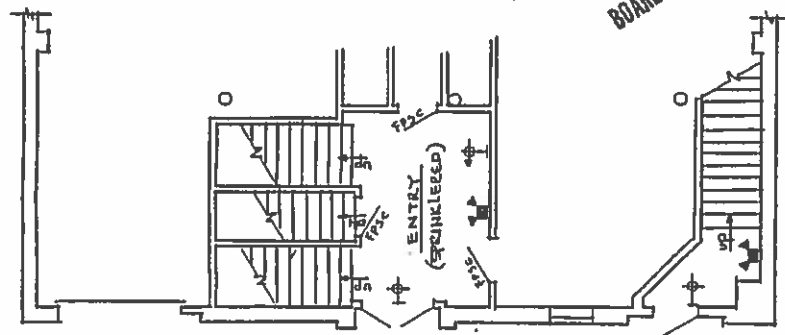
MARTYN & DON WESTON
ARCHITECTS
100 BEINGEN STREET - BROOKLYN, N.Y.

REV. AUG. 16, 1945
DATE - AUG. 23, 1944
SCALE 1/8" = 1'-0"
JOB NO. 3898
DWG. NO. A-2



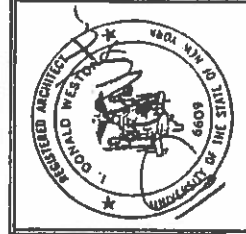
STAIR #2
(SPRINKLED)

MEZZANINE FLOOR PLAN



PARTIAL 1ST FLOOR PLAN

APPROVED PLANS
BOARD OF STANDARD AND APPEALS



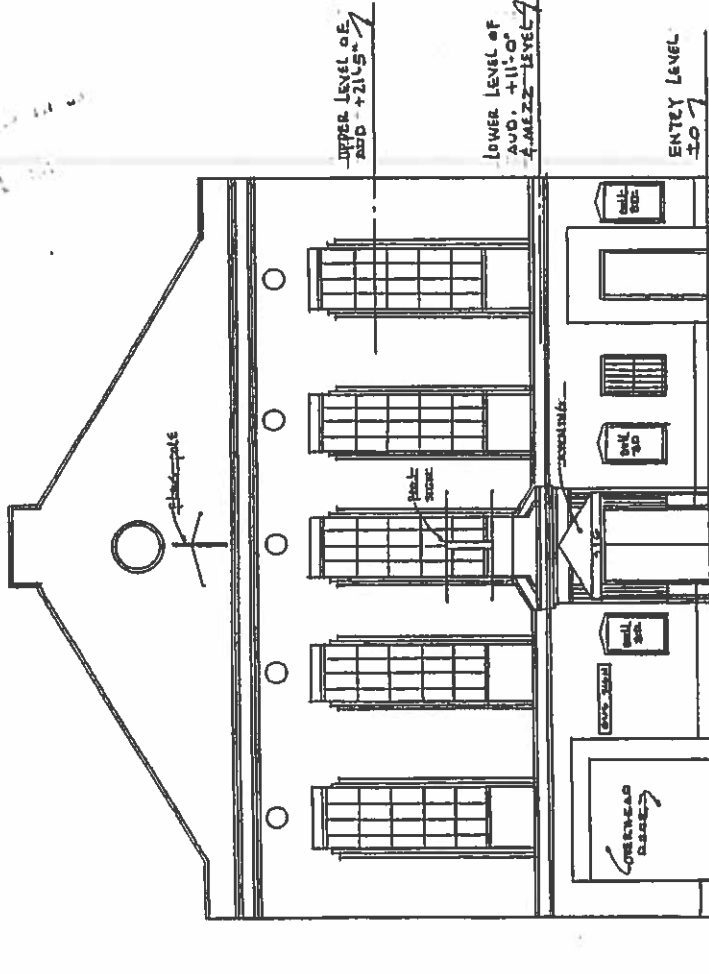
JEWISH REPERTORY THEATRE
316 EAST 91ST STREET
NEW YORK, NEW YORK

MARTIN & DON WESTON
ARCHITECTS
100 RANSOM STREET - BROOKLYN, N.Y.

REV	AUG 16, 1995
DATE	AUG 23, 1994
SCALE	1/8" = 1'-0"
NO	2898
NO	A-3

LEGAL, EXISTING & PROPOSED CONDITIONS

BSA. CAL NO 382-80-BE



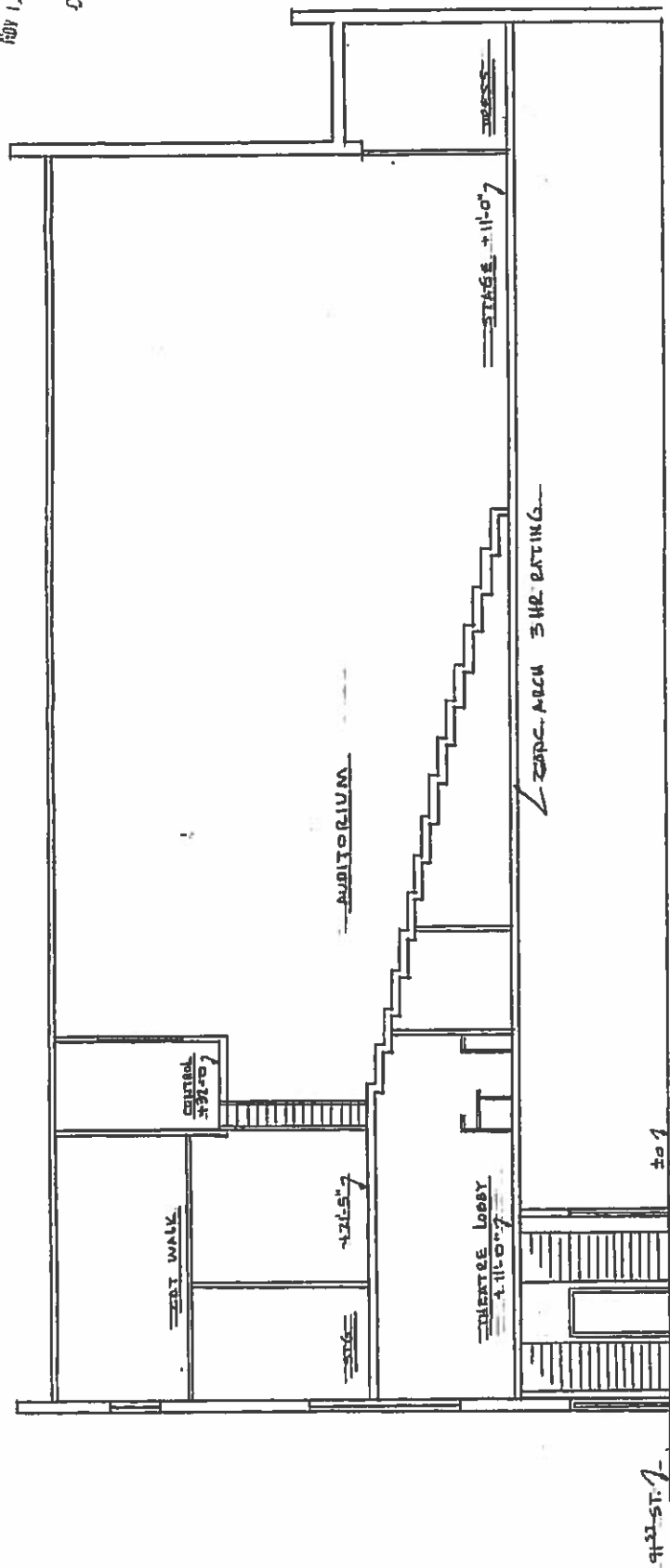
APPROVED PLANS
 FRONT ELEVATION OF STANDARD A.J.

	JEWISH REPERTORY THEATRE		DATE	AUG-23-1944
	312 EAST 91ST STREET		SCALE	1/8" = 1'-0"
	NEW YORK, NEW YORK		NO.	38915
	MARION & DON WESTON		PLAN NO.	A-4
		ARCHITECTS		
		CONRAD WESTON - ARCHITECT, S.W.		

EXISTING, LEGAL & PROPOSED CONDITIONS

D S A CAL. NO 382-80-02

CAL. HQ.



SECRET

2000

STREET AND AREAS



JEWISH REPERTORY THEATRE
- 316 EAST 91ST STREET
- NEW YORK, NEW YORK

MARTYN & DON WESTON

ARCHITECTS

you must start - somewhere. Now.

DATE. AUG 23. 1994

10-1-91

ॐ नमो भगवते वासुदेवाय

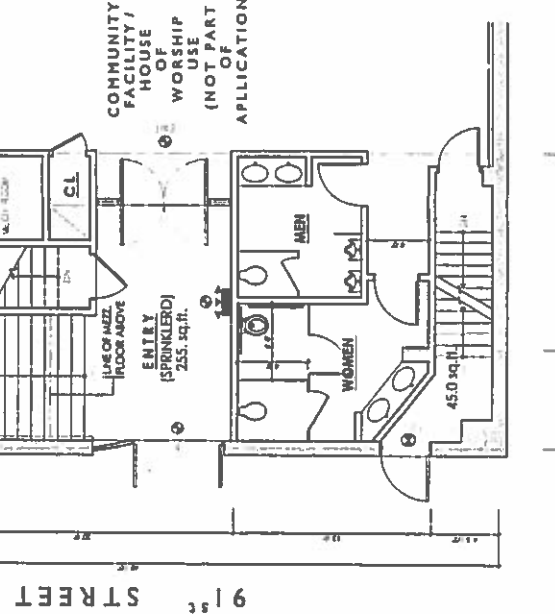
DMC - A - 15

LEGAL, EXISTING & PROPOSED CONDITIONS

BSA CAL. NO. 382-80-BZ

USE / OCC. G. / U.G.	GROSS FLOOR AREA	FLOOR	NET FLOOR AREA
USE / OCC. G. / U.G.	4,974.0 SQ. FT.	CELLAR	
• THEATER ENTRY (NON-CONJUNCTIVE USE) • OCC. G. - F. / U.G. - 8 • COMMUNITY FACILITY HALLS OF WORKSHOP • OCC. G. - F. / U.G. - 6A (1,314.5 SQ. FT.)	400.0 SQ. FT.	FIRST FLOOR	
• THEATER LIGHT (NON-CONJUNCTIVE USE) • OFFICE • OCC. G. - F. / U.G. - 8	1,016.0 SQ. FT.	FIRST FLOOR MEZZANINE	
• THEATER • OCC. G. - F. / U.G. - 8	4,974.0 SQ. FT.	SECOND FLOOR	
• OFFICE AND CONTROL BOOTH • OCC. G. - F. / U.G. - 8	609.48 SQ. FT.	SECOND FLOOR MEZZANINE	
TOTAL GROSS FLOOR AREA = 12,094.48 SQ. FT. (EXCLUDED CELLAR AREA)			

[1] LOT AREA : 100.71 x 50 = 5,035.5 SQ. FT.	
[2] ACTUAL FLOOR AREA : (EXISTING - NO CHANGE)	
FLOOR AREA	USE / OCC. # / U.G.
GROSS FLOOR AREA	
CELLAR	4,974.0 SQ. FT. - THEATER BOOM & STORAGE
FIRST FLOOR	4,003.5 SQ. FT. - THEATER ENTRY (NON-CONJUNCTIVE USE) - OCC. # : 1 - U.G. : 8 - COMMUNITY FACILITY HALLS OF WORKSHOP - OCC. # : 118 - U.G. : 64 (1,347.5 SQ. FT.)
REST ROOM MEZANINE	1,016.8 SQ. FT. - THEATER LOBBY (NON-CONJUNCTIVE USE) - OFFICE - OCC. # : 1 - U.G. : 8
SECOND FLOOR	4,974.0 SQ. FT. - THEATER - OCC. # : 114 - U.G. : 8
SECOND FLOOR MEZANINE	649.48 SQ. FT. - OFFICE AND CONTROL BOOTH - OCC. # : 114 - U.G. : 8
TOTAL GROSS FLOOR AREA = 12,094.48 SQ. FT. (EXCLUDED CELLAR AREA)	






2 FIRST FLOOR MEZZANINE PLAN
SCALE: 1/8" = 1'-0"

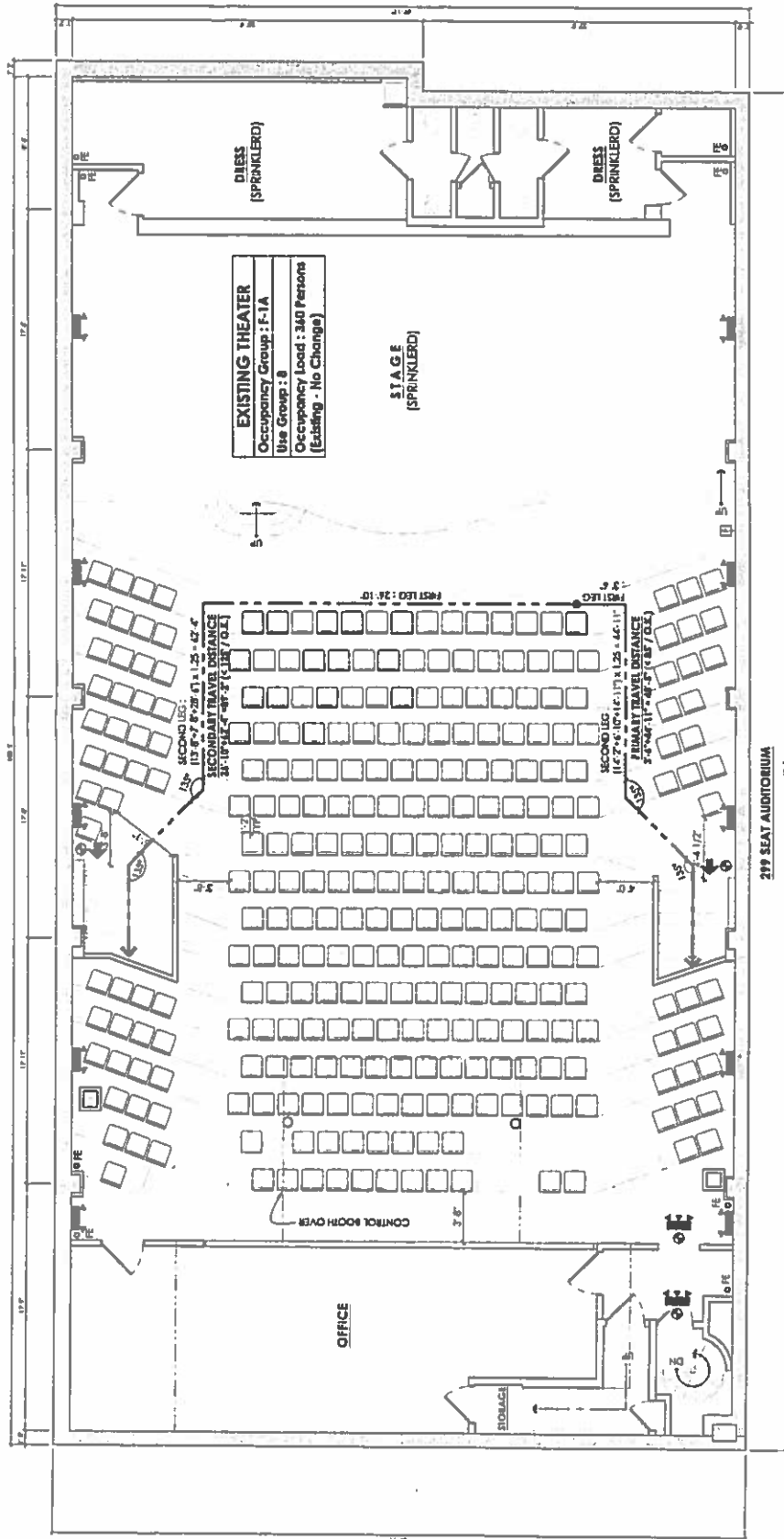
A-001.00
Date: July 27, 2015

Provided by: **PROMISE CONSULTANTS**
14 CHILFINGHAM TERRACE LAMINGTON, VIC 3090
TEL: 03 9419 9646 FAX: 03 9419 6156
E-mail: info@promiseconsultants.com

BSA VARIANCE EXTENSION OF TERM
CAL No. # 302-80-BZ
EXISTING / PROPOSED CONDITIONS

Project: FULL GOSPEL NEW YORK CHURCH
316 EAST 91ST STREET NEW YORK, NY 10128
BLOCK: 1553 LOT: 04
ZONING: R6B MAP#: 98
BIN#: H50195 COMM#: 108

LEGEND	
O/E	FREE EXT INCLOSURE
PP4C	FREE PROOF LEFT CLOSING DOOR
	DIRECTIONAL EXT LIGHT & SIGN
	EXT LIGHT & SIGN
	FREE ALARM PULL BOX



NOTE: FIRE EXT. IN CONTROL BOOTH & OFFICE

1 SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"

NOTE: ALL PARTITIONS & EXITS SHALL BE APPROVED BY DOB

Project: FULL GOSPEL NEW YORK CHURCH
316 EAST 91ST STREET NEW YORK, NY 10128
BLOCK: 1553 LOT: 041
ZONING: M2-10 MAP: 22
SINCE: 100195 CON: 100

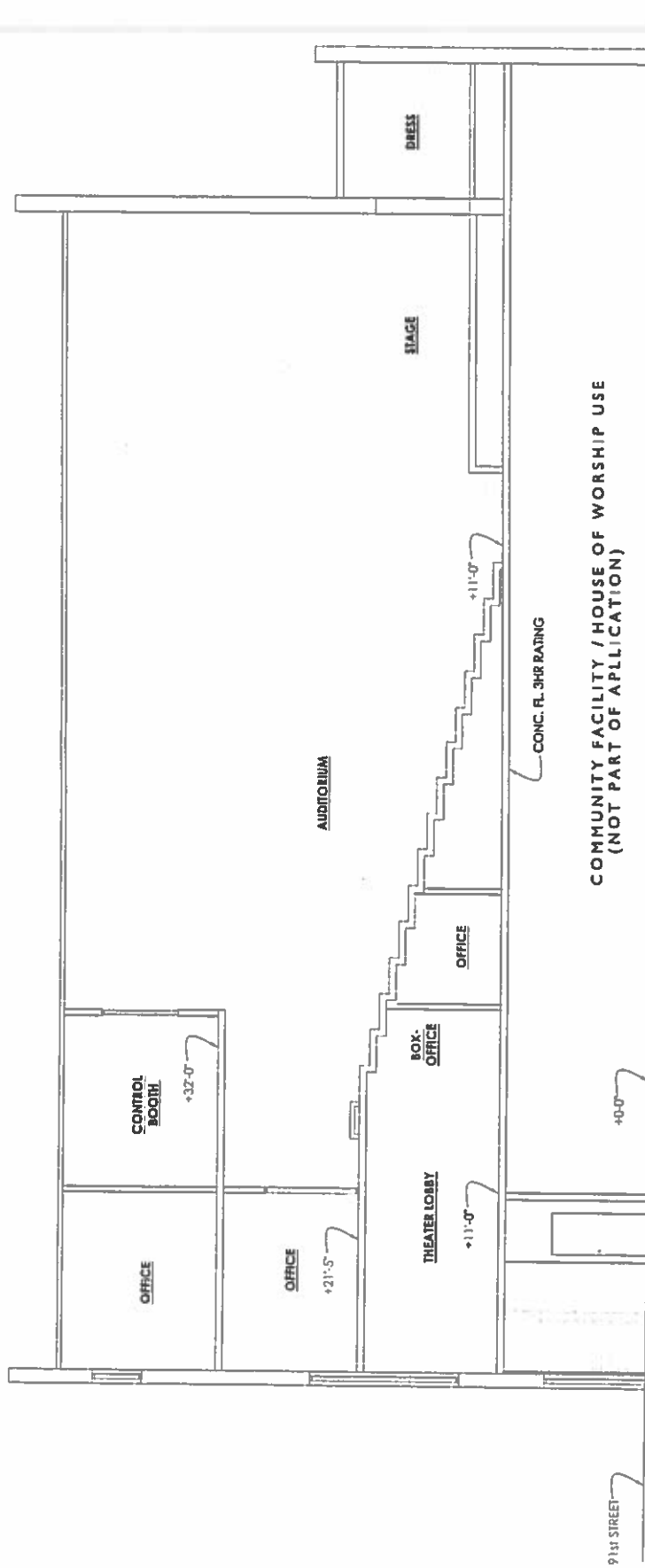
BSA VARIANCE EXTENSION OF TERM
CAL No. # 382-80-BZ
EXISTING / PROPOSED CONDITIONS

Prepared by: PHOEBE CONSULTANTS
100 WOODLAND STREET, LINDENHURST, NY 11756
Phone: 631-465-1111
Fax: 631-465-1112

A-002.00

Date: MAY 31, 2015





1 BUILDING SECTION
A03 SCALE: 1/8" = 1'-0"

NOTE: ALL PARTITIONS & EXITS SHALL BE APPROVED BY DOB.

Project: FULL GOSPEL NEW YORK CHURCH
316 EAST 91ST STREET NEW YORK, NY 10128
BLOCK: 153 LOT: 4
ZONING: R10 COMM
BIN #: 1010193

BSA VARIANCE EXTENSION OF TERM
CAL No. # 382-80-BZ
EXISTING / PROPOSED CONDITIONS

Prepared by: GEORGE CONSULTANTS
1100 MADISON AVE, SUITE 1400
NEW YORK, NY 10017
Email: gpc@georgeconsultants.com

A-003.00
Date: July 27, 2015