

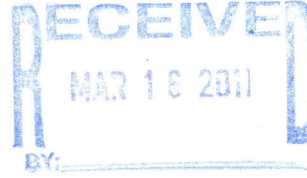
DECAMPO, DIAMOND & ASH

THOMAS M. ASH III

WILLIAM H. DIAMOND

FRANCIS R. ANGELINO
OF COUNSEL

747 Third Avenue, 37C
New York, New York 10017
Telephone (212)758-3500
Facsimile (212)758-1728



Mach 10, 2011

Manhattan Community Board 8
505 Park Avenue, 602
New York, NY 10022
Attn. Chair: Jacqueline Ludorf

Re: 50 East 69th Street, Manhattan,
BSA Cal. No. 307-81-BZ

Dear Chair Ludorf:

Please be advised that we have today filed an Application with the Board of Standards and Appeals (the "Board") for an Extension of the term of a previously approved and extended variance, pursuant to Section 72-21 of the Zoning Resolution, which permitted, in an R8B district, in a five story and penthouse building, medical office use on all floors except the owner's residential penthouse. Since 1981, when the variance was first granted, the building has been continuously occupied by the Center for Specialty Care which has its plastic surgery practice at the building.

In accordance with the rules of the Board, we are sending you copies of the following documents:

1. SOC Application;
2. Department of Building Objection;
3. Statement of Facts and Findings,
4. Architectural Plans, for Previously Approved and Proposed Conditions, no change, together with the colored Radius Diagram;
5. Color photographs of site;

6. List of Affected Property Owners and Tenants;
7. Affidavit of Ownership and Certificate of Inspection;
8. BSA Zoning Analysis and Zoning Analysis Forms.

Please let me know when your Board will schedule this application for its review.

Very truly yours,



Francis R. Angelino

FRA:ag
Enclosures

cc: Board of Standards and Appeals
City Planning Commission (2 copies)
Manhattan Borough President Stringer
Council Member Garodnick

December 20, 2001

Hon. James L. Chin
Chairman
NYC Board of Standards and Appeals
40 Rector Street
New York, NY 10006

Re: BSA Cal. No. 307-81-BZ, 50 East 69th Street

Dear Chairman Chin:

At its Land Use/Full Board meeting on Wednesday, December 19, 2001, Community Board 8M passed the following resolution by a vote of 30 in favor, 0 opposed and 0 abstentions:

Whereas, above referenced applicant has requested an extension of the term of an existing variance for an additional ten-year term; and

Whereas, Community Board 8M held a public hearing regarding this matter;

Be it resolved, that Community Board 8M recommends approval of this application.

Kindly advise this office of your decision made concerning this matter.

Sincerely,

Kenneth M. Moltner
Chair

cc: Hon. Rudolph Giuliani
Hon. C. Virginia Fields
Hon. Carolyn Maloney
Hon. Roy Goodman
Hon. Alexander Grannis
Hon. John Ravitz
Hon. A. Gifford Miller
Hon. Eva Moskowitz
Francis R. Angelino, Angelino, DeCampo, Diamond & Ash



City of New York
Board of Standards and Appeals
40 Rector Street, 9th Floor
New York, NY 10006-1705
 Phone: (212) 788-8500
 Fax: (212) 788-8769
www.nyc.gov/bsa

SPECIAL ORDER CALENDAR (SOC)
Application Form

BSA APPLICATION NO. 307-81-BZ

Section A**Applicant/
Owner**

Francis R. Angelino, Esq

50 East 69th Street Corp.

747 Third Avenue, s.33A

50 East 69th Street

NY NY 10017

NY NY 10021

212 7583500 X 222

212 7581728

FANGELINO@DDANYC.COM

Section B**Site Data**

50 East 69th Street

10021

S/S Bet. Madison & Park Avenues

1383 40 Manhattan 8M Upper East Side H.D.

Garodnick R8B LH-1A 8c

Section C**Description**(LEGALIZATION ☐ YES ☒ NO ☐ IN PART)

Additional 10 year Extension of Term of three times granted variance for medical office use.

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: 09/15/11
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? | N/A | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Have plans been approved? | " | <input type="checkbox"/> | <input type="checkbox"/> |
| (If Yes, Date Approved | | | |
| 3. Has a permit been obtained? | " | <input type="checkbox"/> | <input type="checkbox"/> |
| (If Yes, Permit No. Date Issued | | | |
| 4. Is work in progress? | " | <input type="checkbox"/> | <input type="checkbox"/> |
| (If Yes, Percentage of work completed%) | | | |
| 5. Has a temporary or permanent Certificate of Occupancy been obtained? | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (If Yes, Expiration Date 09/15/11 Attach a copy) | | | |

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 On 09/15/81, when the Zoning District was R8, an application was granted by the Board under Section 72-21 ZR to permit:

a medical office use building, use group 6 and owner's penthouse apartment. Extensions of the term of the variance were renewed in 1991 and in 2001 for ten year terms.

Section G

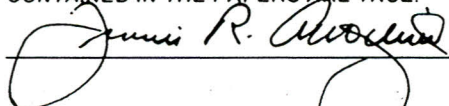
Inspection
and
Compliance

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 1. Have you reviewed the Board's case file? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Have you recently inspected the premises and surrounding area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (If Yes, date of most recent site inspection <u>February 15, 2011</u>) | | |
| 3. Did you find: | | |
| a. Compliance with the terms and conditions of the Board's resolution? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Attach a completed Certificate of Inspection and Compliance | | |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (File / CP No.) | | |
| 5. Are there any outstanding violation(s) on the premises? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (If Yes, submit a DOB BIS printout) | | |
| 6. Is there any other application before the Board which affects the premises? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (If Yes, Cal No.) | | |
| 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.



Francis R. Angelino Attorney

SWORN TO ME THIS 8th DAY OF March 2011


NOTARY PUBLIC

NORMA SILFEN
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02S16168317
QUALIFIED IN WESTCHESTER
COMMISSION EXPIRES JULY 2012

DECAMPO, DIAMOND & ASH

THOMAS M. ASH III

WILLIAM H. DIAMOND

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New York, New York 10017
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STATEMENT OF FACTS AND FINDINGS

RE: 307-81-BZ; 50 East 69th Street, Manhattan
(the "Subject Premises")

This application, submitted on behalf of 50 East 69th Street Corp. (the "Applicant"), seeks the extension of the term of an existing variance, regarding the Subject Premises, for an additional ten (10) year term. The existing variance, which permitted the conversion of a five story and penthouse school into a medical office building with medical office use above the first floor in a residential district and an owner-occupied apartment in the penthouse, was initially approved by the Board on September 15, 1981 (the "Variance"), for a term of ten years, and was granted two ten year extensions of its term in 1992 and in 2001 (copies of the Board's granting resolutions are submitted herewith).

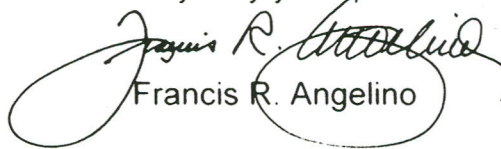
Applicant now seeks the Board's consent to a further ten year extension of the term of the Variance from September 15, 2011, when the current term expires, until September 15, 2021. Applicant has continuously operated its medical offices, Use Group 6 use, at the Subject Premises in compliance with the conditions of the Variance. Applicant desires to continue operating its medical offices in the same manner as set forth in the Variance, without any modifications to the Subject Premises or the conditions of the grant of the Variance.

There have been no significant changes in the character of the surrounding Upper East Side neighborhood since the last extension of the term of the Variance, as is further indicated by the radius diagram which is being submitted with this application. Applicant is unaware of any existing violations or complaints by surrounding neighbors with respect to the operation of the medical practice within the Subject Premises. Accordingly, Applicant believes that as further extension of the existing variance for an additional ten (10) year term will not adversely affect the character of the surrounding neighborhood.

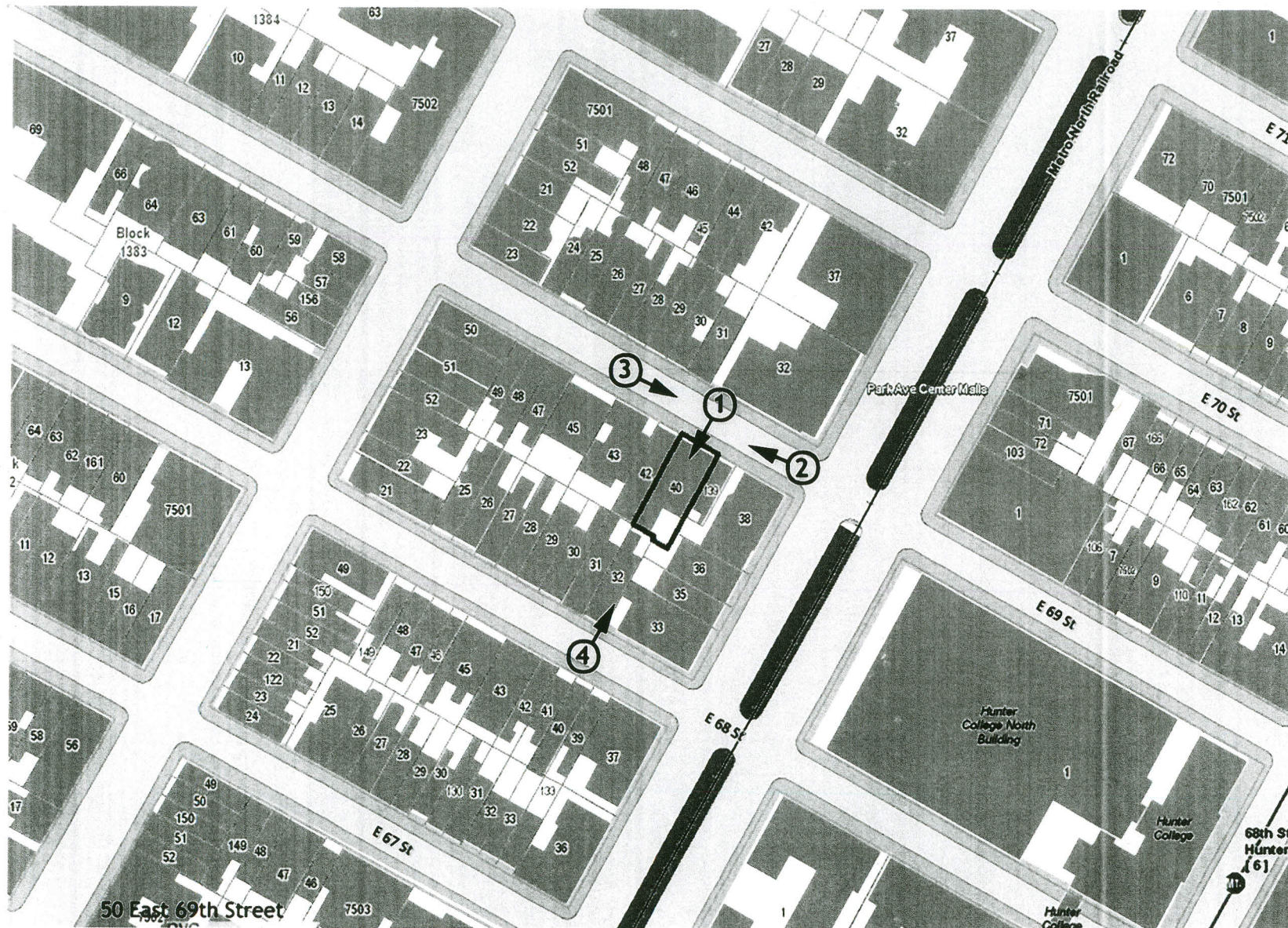
Since the approved plans date back to 1981, we are submitting updated and formatted plans, entitled "Previously Approved and Proposed Conditions". The updated plans essentially are the same as the approved plans except for some minor changes in interior partitions that would be considered as normal over a thirty year period. The conditions of the Board's grant as to days and hours of operation and as to the permitted use have not changed.

Based on the foregoing adherence by the Applicant to the conditions of the Variance, and because the neighborhood conditions have not materially changed in the ten (10) years since the Board granted its last extension of the term of this Variance, Applicant respectfully requests that the Board grant an additional ten (10) year extension of the term of the Variance.

Very truly yours,


Francis R. Angelino

February 25, 2011



50 East 69th Street

BLOCK: 1383

LOT: 40

BOROUGH OF MANHATTAN

○ → CAMERA POSITION



PHOTOGRAPH LOCATION POINTS

NOT TO SCALE

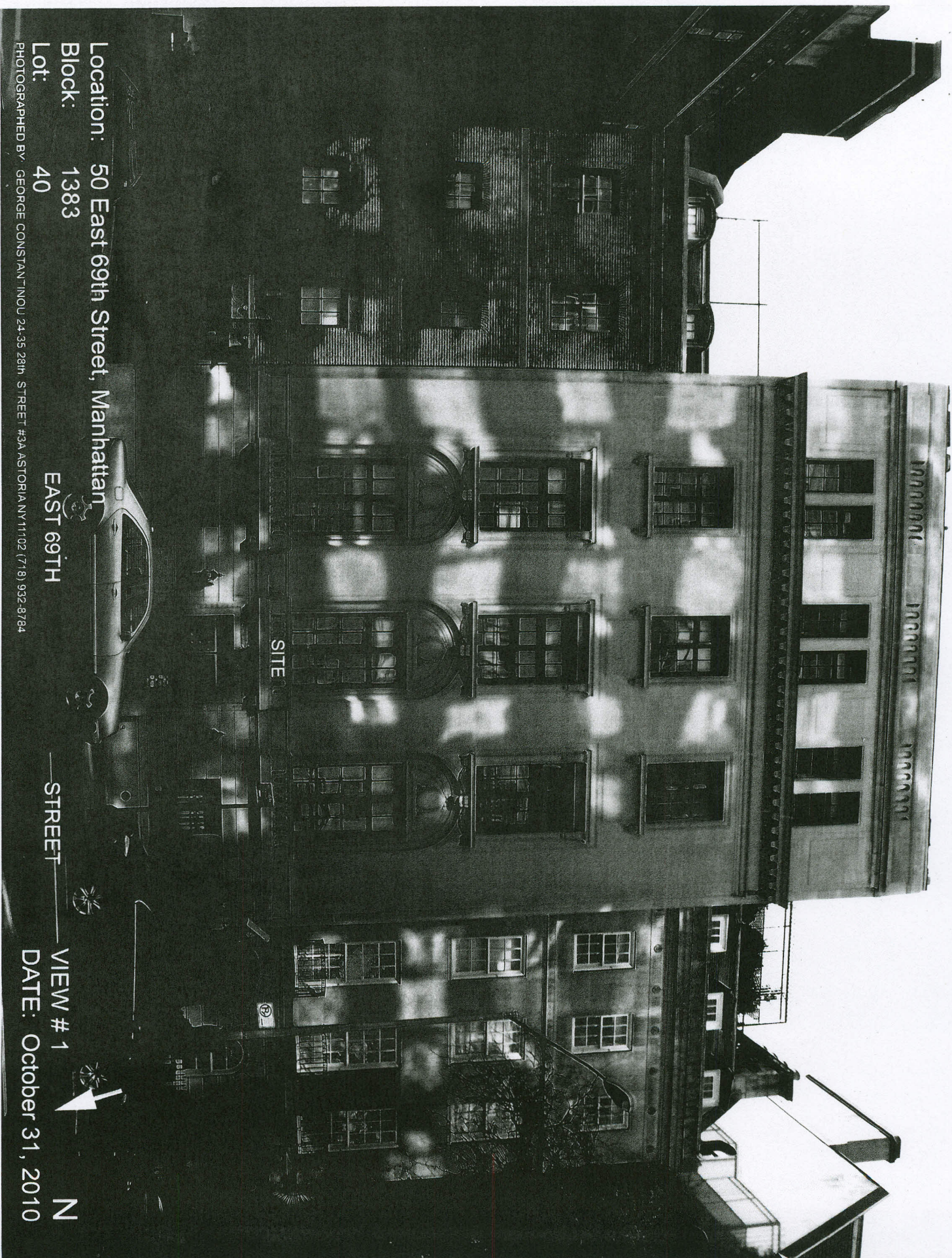
Photographed by:

GEORGE CONSTANTINOU
24-35 28TH STREET, #3A
LONG ISLAND CITY, NY 11102

Phone: (718) 932-8784

Fax: (718) 932-3685

Date: October 31, 2010



Location: 50 East 69th Street, Manhattan

Block: 1383

Lot: 40

EAST 69TH

STREET

VIEW # 1



DATE: October 31, 2010

PHOTOGRAPHED BY: GEORGE CONSTANTINO 24-35 28th STREET #3A ASTORIA NY 11102 (718) 932-8784

SITE

EAST 69TH

STREET

Location: 50 East 69th Street, Manhattan

Block: 1383

Lot: 40

PHOTOGRAPHED BY: GEORGE CONSTANTINO 24-35 28mm STREET #3A ASTORIA NY 11021 718 932-8784

VIEW #2 → N

DATE: October 31, 2010

Location: 50 East 69th Street, Manhattan

Block: 1383

Lot: 40

PHOTOGRAPHED BY: GEORGE CONSTANTINOU 24-35 28th STREET #3A ASTORIA NY 11102 (718) 932-8784

EAST 69TH STREET

SITE

VIEW #3



N

DATE: October 31, 2010





Location: 50 East 69th Street, Manhattan

Block: 1383

Lot: 40

PHOTOGRAPHED BY: GEORGE CONSTANTINOU 24-35 28th STREET #3A ASTORIA NY 11102 (718) 932-8784

EAST 68TH STREET

VIEW # 4

DATE: October 31, 2010



N

A detailed black and white map of Midtown Manhattan, New York City. The map shows the Hudson River on the left, with the Pierhead and various piers labeled. The city grid is filled with blocks, many of which are labeled with codes such as M2-3, M1-5, M3-2, M1-1, M1-2, M1-3, M1-4, M1-5, M1-6, M1-7, M1-8, M1-9, M1-10, M1-11, M1-12, M1-13, M1-14, M1-15, M1-16, M1-17, M1-18, M1-19, M1-20, M1-21, M1-22, M1-23, M1-24, M1-25, M1-26, M1-27, M1-28, M1-29, M1-30, M1-31, M1-32, M1-33, M1-34, M1-35, M1-36, M1-37, M1-38, M1-39, M1-40, M1-41, M1-42, M1-43, M1-44, M1-45, M1-46, M1-47, M1-48, M1-49, M1-50, M1-51, M1-52, M1-53, M1-54, M1-55, M1-56, M1-57, M1-58, M1-59, M1-60, M1-61, M1-62, M1-63, M1-64, M1-65, M1-66, M1-67, M1-68, M1-69, M1-70, M1-71, M1-72, M1-73, M1-74, M1-75, M1-76, M1-77, M1-78, M1-79, M1-80, M1-81, M1-82, M1-83, M1-84, M1-85, M1-86, M1-87, M1-88, M1-89, M1-90, M1-91, M1-92, M1-93, M1-94, M1-95, M1-96, M1-97, M1-98, M1-99, M1-100. The map also shows Central Park, the Metropolitan Museum of Art, and the Zoo. A 'SITE' label points to a specific location in the lower right quadrant of the map. The map is oriented with North at the top.

600 0 600 1200 1800 FEET

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C1-9 C2-5

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.

THE NEW YORK CITY PLANNING COMMISSION

The contents and/or other(s) prior to gas or R, C or M for the designated engine use, low and other controls as described in the text of the labeling instruction.

C - CONFIDENTIAL - DIRECT

— JAMES A. F. FROST, DIRECTOR

area designated "the street" subject
district is described in the text
of the Joint Resolution.

AF60 87045

* 01/01/2010	0	193051	70%
12/31/2009	0	2495430	70%

For a list of air subject in CFCR
environments requirements, see
APPENDIX C

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

for inclusionary housing
disputed provisions. The
city will not.

▲ 7-03-2009 0 11:03:21 1000

MAP KEY

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

Co-ordinated by the City of New York

8C ZONING MAP

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website www.nyc.gov/cityplanning or contact the Zoning Information Desk at (212) 720-3291.