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Chair

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The City of New York
Manhattan Community Board 8

October 18, 2013

Hon. Robert B. Tierney, Chair
NYC Landmarks Preservation Commission
Municipal Building
One Centre Street, 9th Floor
New York, NY 10007

Re: **110 East 70th Street (between Park and Lexington Avenues) - Upper East Side Historic**

Dear Chair Tierney:

At the Full Board meeting on Wednesday, October 16, 2013, the board adopted the following resolution regarding **110 East 70th Street (between Park and Lexington Avenues) - Upper East Side Historic District –** *Steven Harris Architects LLP–* Application is under Section 74-711 of the Zoning Resolution seeking a modification of the bulk regulations applicable to a single-family home in order to legalize the residential use of a portion of an existing rear yard extension.

[*This is a Section 74-711 special permit application.* Section 74-711 of the zoning resolution allows the City Planning Commission, by special permit, to modify use and bulk regulations in order to further the preservation of designated landmark buildings or buildings located within historic districts. The 74-711 special permit provision gives the Landmarks Preservation Commission allowance to grant certain zoning law waivers provided the project entails a major restoration component and the owner agrees to a building maintenance component going forward.]

> **WHEREAS** 110 East 70th Street is a house originally constructed in 1869 and altered by Robertson and Potter in 1905 in the simplified Beaux Arts style.
> WHEREAS 110 East 70th Street includes a 1923 rear extension; this extension was enlarged by 100 feet in 1995.
> WHEREAS prior to 2008, there was a doctor's office at 100 East 70th Street; the extension was part of the doctor's office; the property was sold and an application heard and approved at the Landmarks Committee of Community Board for restoration work at the site which was to be converted to a single family house from a community facility.
> **WHEREAS** in 2008 the Landmarks Preservation Commission granted a Certificate of Appropriateness for the work at 110 East 70th Street.
> **WHEREAS** the Department of Buildings issued a permit for the demolition and reconstruction of the one-story 100 sq. ft. rear yard addition. The footprint of the house was not changed.
> **WHEREAS** the demolition and construction work at the site triggered a reexamination by the Department of Buildings of the permits issued for the site – specifically for the demolition of the 100 sq. ft. 1995 enlargement; demolition was for more than 75% of the extension and because of an amendment to the Zoning Resolution (subsequent to the issuance of the C of A) that affects changes of use from community facility to residential, a violation was issued by DOB.
> **WHEREAS** the applicant completely restored the 3 main elevations of the property in 2008 which provides the justification for asking for a waiver under Section 74-711.
> **WHEREAS** in 2008 Community Board #8 found the application acceptable.

WHEREAS approval of this application and thus approving the waiver under Section 74-711 of the Zoning Resolution, accommodates the 2008 application to the Landmarks Preservation Commission.
WHEREAS the DOB reversal of its decision regarding the original permit prompted the applicant to seek remediation through the Section 74-711 permit process.
THEREFORE BE IT RESOLVED that this application is approved as presented.

This recommendation was approved by a vote of 35 in favor, 0 opposed, and 0 abstentions.

Sincerely,

Nicholas Viest
Chair

David Helpern and David Liston
Co-Chairs, Landmarks Committee

cc: Hon. Michael Bloomberg, Mayor of the City of New York
       Hon. Scott M. Stringer, Manhattan Borough President
       Hon. Liz Krueger, NYS Senate Member
       Hon. Dan Quart, NYS Assembly Member
       Hon. Micah Kellner, NYS Assembly Member
       Hon. Daniel Garodnick, NYC Council Member
       Hon. Jessica Lappin, NYC Council Member