



CITY OF NEW YORK
BOARD OF STANDARDS AND APPEALS
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<http://www.nyc.gov/html/bsa/>

DETAILED INSTRUCTIONS FOR COMPLETING SOC APPLICATION

Applications to reopen a zoning case previously granted by the Board for the purpose of extending the time to complete the work, extending the term of the variance, or amending the variance, are generally filed on the Board's "SOC" application form.

Information regarding the filing of an SOC application may be obtained by contacting the Application Desk at (212) 788-8500 or by calling the SOC Examiner at (212) 788-8757.

The SOC Application Form must be signed by the property owner or authorized representative of the owner, affirming that all statements contained within the Application Form and attached materials are true. The Application Form must also be notarized by a notary public, pursuant to all applicable notary laws.

Submit one (1) original and eight (8) copies of the completed SOC Application Form, with all required attachments, to the Board. Each packet, original and copies, should contain the required attachments. One application is required for each separate property.

SOC Application Form

Item A: Indicate the applicant's name and address, the name and address of the owner of record and the lessee / contract vendee of the property, if applicable. List the telephone number where an examiner may reach the applicant during business hours should questions arise concerning the application. If the application is being submitted by a contract vendee, the contract vendee's name should be entered in place of owner of record.

Item B: The Street Address and exact location of the subject premises must be specified in this section. The Description of Property should be completed as indicated in the following example:

"Premises is situated on the west side of Fifth Avenue, 100 feet north of the corner formed by the intersection of X Street and Fifth Avenue."

Include the block number and lot number(s), the street and house number, the borough and the Community District within which the premises is located. If the property in question is located in the borough of Queens, the name of the neighborhood should be included as follows: "Borough: Woodside, Queens". If the

site is located within the boundaries of two Community Districts, both should be listed here. In addition, the applicant should note if the premises is identified by another address (A/K/A).

Give the Zoning District that the premises is located within and provide the number of the map section as it appears in the New York City Zoning Resolution. Also, please indicate the City Councilmember whose district the premises is located within.

Item C: Provide a brief description of the application and check off whether the proposal is a legalization.

Check off the appropriate box(es) for which the application is being made. For extensions of term or extensions of time, please list the expiration date and the length of the term requested.

If a Waiver of the Rules of Practice and Procedure is requested, please explain in the attached statement.

Item D: Fill in the date of the denial upon which this application is being made and indicate the new building number (N.B. #), alteration application number (Alt. #) or building notice number (BN #) under which the plans were originally filed at the Department of Buildings or Department of Small Business Services.

Answer questions #1-5, providing applicable information. If you have answered “No” to any of these questions, please explain this in your attached statement.

Item E: List any previous Board cases regarding this property. Copies of all previous Board Resolutions should be attached and explained in the statement of facts.

Item F: Provide information regarding inspection and compliance with previous Board resolutions and the conditions listed therein. If there are any condition changes, violations, other applications, or other actions which affect the premises, please indicate this in the appropriate box.

Attachments for SOC Applications

Submit eight (8) legible copies of a STATEMENT, on letterhead signed by the applicant, providing information as to the site, including its past and current uses, the original Board grants, and explanation of the current proposal denoting the differences between the existing and proposed conditions. The Statement should also contain one brief paragraph for each item from the Application requiring further explanation. Include the Calendar Number and Premises Affected at the top of the Statement. Staple one copy of the Statement to the back of each copy of the application form.

The applicant is required to sign the application and have his or her signature notarized. The fee owner must sign the Affidavit of Ownership, which authorizes the applicant to file the application on his or her behalf. The Affidavit must also be notarized. If the application is filed by a contract vendee, the contract vendee may complete the Affidavit of Ownership.

THE APPLICANT IS ADVISED TO REVIEW THE BOARD'S RULES OF PROCEDURE REGARDING OWNER AUTHORIZATION AND CONSENT.

When photographs are required, submit eight (8) stapled sets of unmounted 8" x 10" photographs, showing the existing site conditions. (If there are deviations between the existing site conditions and the previously approved Board application, please explain in the statement). On the front of each photograph, number each view, print street names, show compass points and outline the premises. On the back of each photograph, indicate the photographer's name and address, the date the photographs were taken and the Calendar number. All views should be taken from points near the premises. The photographs must be unobstructed, show the entire height of the buildings and should include at least a small portion of the premises or indicate by an arrow the relative location of the premises. A key showing the location from which the photos were taken should also be submitted. The photographs should show the site conditions and document the conditions

Drawings should be 8½" x 11". If necessary for legibility, drawings up to 11" x 14" will be accepted. They must be dimensioned, drawn to scale, and bear the seal of a registered architect or licensed professional engineer. Indicate the Calendar number on the back of each sheet.

Corrections must be made and /or superseding documents submitted in person by the applicant. Corrections must be initialed and dated. Superseding documents must be stapled in place of the old material. The old material must be removed from each set, marked "VOID," initialed, dated, stapled together and placed behind all the other documents in the case folder.

Instructions for SOC Applications Regarding "BZ" Cases

Submit an original or legible photocopy of the Zoning Map Quarter Section and indicate the location of the premises. If the premises is in more than one Zoning District, submit one copy of a dimensioned sketch of the premises showing the location of the Zoning District Boundary.

For Extension of Time to Complete Construction/ Obtain a Certificate of Occupancy:

Submit either a Temporary Certificate of Occupancy or one or more photographs clearly showing the present status of work on the premises (this is not required if work has commenced). In an attached statement, explain the reason for the delay in construction or obtaining a certificate of occupancy and provide a schedule for completion

For Extension of the Term of Variance:

Mail one copy of the application to the Chairperson of the Community District Planning Board in whose area the premises is located, with a notice that this application has been filed. The notice must indicate the BSA Calendar Number and the premises affected, as well as a statement that you are enclosing a copy of your application. Submit a copy of such notice to the Board of Standards and Appeals (Refer to Rules of Procedure Article III, Section 6).

Submit photographs showing the following: actual conditions of the premises; properties within 400 ft. of the premises on both sides of streets on which the premises front; and the frontages of lots within 100 ft. of the rear of the premises. Note: Your application can not be placed on the calendar unless the photographs show full compliance with the Board's resolution and the approved drawings. Especially with regard to gasoline stations and parking lots, the following must be shown clearly: surfacing of the lot, all fences, screening, gates, landscaped areas, bumpers and signs. Sidewalks, curbs and curb cuts must be shown in good condition.

Staple an 8" x 10" sketch on top of each set of photographs. Include sufficient area to show the premises and the point at which each photograph was taken. Show compass points, print street names and outline the premises. Indicate the point at which each photograph was taken by means of a number within a circle and an arrow showing the direction in which the camera faced when each photograph was taken.

Radius Diagram

A radius diagram, drawn to a scale of 100 feet to 1 inch on sheets not to exceed 11" by 17" in size, must be attached to this application. The radius diagram must clearly show the following:

1. The use and height, in stories, and type of construction of all properties within a radius of 400 feet from the center of the plot which is the subject of the application. (If the site is greater than 40,000 square feet or has greater than a 300 foot frontage, a 200 foot radius from each corner of the site must be used). On all applications for lots containing separately owned one, two or three family dwellings, and on applications for special permits with lot area less than 40,000 square feet, the area of notification is 200 feet from the center of the lot.
2. All block numbers must be blocked (i.e. printed) within a rectangle; for example:


4624

3. All lot numbers must be circled, for example:

1

4. The frontage and the depth of all lots, rounded to the nearest foot, must be marked within the building line.
5. All house numbers must be marked outside of the building line.
6. Street names must be indicated.

7. Street widths must be indicated (property line to property line).
8. Compass points must be indicated.
9. The point at which each photograph submitted as part of this application was taken by should be indicated with a circle with an arrow showing the direction in which the camera faced (see legend below).
10. Explanatory Legend, with the following minimum of information:

III	Story Height
MD	Multiple Dwelling
D	Dwelling
R	Retail
G	Garage
C	Commercial
I	Industrial
M	Manufacturing
W	Warehouse
	Camera Position

Radius diagrams must show the zoning district boundaries, dimensioned, labeled and distinctly color coded as follows:

- Orange for Residential Districts
- Red for Commercial Districts
- Light Green for Manufacturing Districts

If a land use survey is required (applications for change in use), it should be distinctly color coded as follows:

- Yellow for Residential Uses
- Red for Commercial Districts
- Purple for Manufacturing/Industrial Uses
- Blue for Community Facility Uses
- Grey for Vacant Land
- Green for Open Space

If there are any signs on the premises, please indicate in Section F whether such signs comply with the terms and conditions of the Board's resolution and submit the following:

- * One copy of the current Permit or Approval for each sign, including one copy of the current Annual Maintenance Permit for any sign which requires same.

* An identifying list concisely describing each sign and indicating the Department of Buildings file number or permit number, and the date of issuance of the Approval or Permit.

If the subject of this application is for uses on “land with minor improvements” as defined in the Zoning Resolution, include a paragraph in the Statement explaining what attempts, if any, have been made to develop the premises in conformance with the Zoning Resolution.

For Amendment of the Resolution:

Include a brief paragraph in the Statement giving the reason for the requested amendment. List the specific changes sought and indicate how they differ from the terms and conditions of the Board’s resolution or the approved plans. Submit stapled sets of titled drawings showing “Conditions as Approved by the Board,” “Existing Conditions” (if different from the approved conditions), and “Proposed Conditions” (not required for changes in the text of the resolution which do not affect the appropriate physical conditions on the premises).

A BSA Zoning Analysis form should be completed, explaining any differences between the proposed and existing conditions.

For a Request for an Extension of Time to Complete Work or Obtain a Certificate of Occupancy:

Applications for extension of time in which to obtain a permit, complete the work and/or obtain a Certificate of Occupancy shall be filed not more than thirty (30) days prior to and no more than thirty (30) days subsequent to the expiration date.

For a Request for a Rehearing pursuant to §1-10(e) of the Board’s Rules of Practice and Procedure:

A request for a rehearing shall not be granted unless substantial new evidence is submitted that was not available at the time of the initial hearing, or there is a material change in plans or circumstances or an application is filed under a different jurisdictional provision of the law.

- (a) Check off “Other” in Section C of the SOC Form.
- (b) Submit all necessary supporting documents and plans

Instructions for SOC Applications regarding “A” Cases

For Amendment of the Resolution:

Include a brief paragraph in the Statement giving the reasons for the requested amendment. List the specific changes sought and indicate how they differ from the terms and conditions of the Board's resolution.

Submit stapled sets of titled drawings showing "Conditions as Approved by the Board" and sets showing "Proposed Conditions" (not required for changes in the text of the resolution which do not affect the approved physical condition on the premises).

For Amendment of the Resolution pertaining to the Packaging of Flammable Materials:

For this type of application, the "Owner of Record" on the application form is deemed to refer to the manufacturer. Submit legible copies of a signed STATEMENT on the manufacturer's letterhead. The following information must be included:

- * The purpose of the requested amendment.
- * Whether there have been any changes in the composition of the product, the flash point, the container, the method of packaging, or the construction of the cartons.

Notification Requirements

The applicant, within three (3) business days after an application has been filed with the Board, shall forward a copy of the application and all supporting documents filed, together with a copy of the original variance or special permit and any relevant amendments to:

- a) The affected Community Board(s) or (Borough Board);
- b) The affected City Councilmember;
- c) The affected Borough President; and
- d) The City Planning Commission;

The applicant shall submit proof of service on the above listed individuals or entities to the Board within ten (10) days of the initial filing in accordance with §1-03(f) of the BSA Rules.

THE APPLICANT IS ADVISED TO REVIEW THE BOARD'S RULES OF PROCEDURE REGARDING NOTIFICATION FOR FURTHER EXPLANATION.