

March 4, 2004

Laura Osorio
Manhattan Borough Commissioner
Department of Buildings
60 Hudson Street 5th Floor
New York, NY 10013

Re: Advertising sign on 23rd Street at Tenth Avenue

Dear Commissioner Osorio:

Manhattan Community No. 4, at its regular meeting on March 3, 2004, voted 33 in favor, 0 against, 0 abstaining, 0 present but not eligible to vote, to request confirmation that the advertising sign identified below is legal, or, if it is not, its removal.

The sign is located on the southwest corner of 23rd Street and Tenth Avenue, adjacent to the High Line elevated tracks, facing east. It is brightly illuminated at night, and the lights are a significant annoyance to tenants in nearby residential buildings.

This part of West Chelsea was rezoned to MX-3 on September 9, 1999, while the sign was erected in the second quarter of 2003. Since the Zoning Resolution stipulates that signage in a Special Mixed-Use District is governed by the signage regulations governing C6-1 districts, the Board concludes that this sign must conform to the signage regulations governing a C6-1 district. Based on the following stipulations of the Zoning Resolution the Board concludes that this sign is illegal and should be removed:

Advertising signs are not legal in C6-1 districts, and thus are not legal in the West Chelsea MX-3 district;

The square footage of this sign exceeds the limits for any sign on an interior lot of this width in a C6-1 district;

The height of this sign exceeds the limit from the curb line allowed in a C6-1 district.

If the Department of Buildings believes that the sign is in fact legal, CB4 respectfully requests that DOB provide to the Board the date the original permit was issued, details as to what the permit allowed and specific reasons why the sign does not violate the points listed above.

Osorio
March 4, 2004
Page 2 of 2

If DOB does not believe that the sign is legal, or cannot confirm its legality, CB4 respectfully requests that DOB act to ensure that the sign is removed as quickly as possible.

Sincerely,



Walter Mankoff
Chair
Manhattan Community Board No. 4



Lee Compton
Co-Chair
Chelsea Preservation & Planning Committee



Edward S. Kirkland
Co-Chair
Chelsea Preservation & Planning Committee

Cc: Councilmember Quinn
Office of Midtown Enforcement
Eric Botsford, Manhattan Office, Department of City Planning
Peter Allen