



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD No. 4**

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**WALTER MANKOFF**  
Chair

**ANTHONY M. BORELLI**  
District Manager

April 14, 2005

Hon. Meenakshe Srinivasan  
Chair  
Board of Standards and Appeals  
40 Rector Street  
New York, NY 10007

**Re: BSA No. 25-05-BZ, Request for Variance to permit legalization of residential uses at 521 West 36<sup>th</sup> Street, Block 708, Lot 20**

Dear Chair Srinivasan:

At the recommendation of its Clinton/Hell's Kitchen Land Use Committee, Manhattan Community Board No. 4, having held a duly noticed public hearing on BSA Calendar No. 25-05-BZ, voted at its meeting on April 6, 2005 to recommend approval of this application ( 37 in favor, 0 opposed, 0 abstentions and 0 present but not eligible to vote).

This application requests a variance of Section 42-00 of the Zoning Resolution to permit legalization of five residential units in an existing building within an M1-5 zoning district, which does not permit residential use.

The existing building, four stories plus penthouse, was previously two separate buildings. Half of the ground floor is leased to a video equipment rental business, and the other half is used for accessory parking for the tenants. There is documented residential use of the upper floors of the east side of the building since at least 1923, and the application states that all of the existing residential units existed prior to 1985. The applicant has advised this Board in writing (copy attached) that none of the residential units is currently rent controlled or rent stabilized.

The building lies within the boundaries of "Hudson Boulevard and Park" and is subject to acquisition by the City as a result of the recent Hudson Yards rezonings (see ULURP application number 040507 MMM).

This Board has reviewed the applicant's analysis of the findings required by ZR Section 72-21, and agrees that the requirements for the granting of the requested variance have been satisfied. In addition, legalization of these residential units will ensure that their occupants are recognized as legal tenants if the property is eventually acquired for incorporation into Hudson Boulevard and Park.

**M. Srinivasan**  
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We therefore recommend approval of the application, provided it has no adverse impact on any of the existing residential tenants or their rents.

Sincerely,



Walter Mankoff  
Chair  
Manhattan Community Board No. 4



Anna Hayes Levin  
Co-Chair  
Clinton/Hell's Kitchen Land Use Committee



Simone Sindin  
Co-Chair  
Clinton/Hell's Kitchen Land Use Committee

cc: elected officials  
applicant