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October 19, 2012

By Hand

Hon. Meenakshi Srinivasan, Chairperson  
New York City Board of Standards and Appeals  
40 Rector Street, 9<sup>th</sup> Floor  
New York, New York 10006

Re: BZ Application  
Columbia Grammar & Preparatory School  
Block 1206, Lot 20  
36 West 93rd Street (a/k/a 33 West 92nd Street)  
Borough of Manhattan, New York

Dear Chair Srinivasan:

On behalf of Columbia Grammar & Preparatory School, we file herewith one original and 10 copies of an application for a variance to permit the enlargement of an existing school building.

In addition, please find enclosed a check in the amount of Five Thousand Four Hundred Eighty Dollars (\$5,480.00), which covers the BZ Application and City Environmental Quality Review fees.

Please contact our office for any additional information or clarification. Thank you.

Respectfully submitted,

  
Ron J. Mandel

RJM:afb  
Enclosures

**DAVIDOFF HUTCHER & CITRON LLP**

October 19, 2012

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cc: Via Certified Mail, Return Receipt Requested

Hon. Mark Diller, Chair  
Manhattan Community Board No. 7

Hon. Gale Brewer, Council Member

Hon. Scott Stringer  
Manhattan Borough President

Borough Commissioner Martin Rebholz, R.A.  
Manhattan Office, Department of Buildings

Ms. Edith Hsu-Chen, Director  
Manhattan Office, Department of City Planning

Mr. Christopher Holme  
Zoning & Urban Design Division, Department of City Planning



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

**ZONING (BZ) CALENDAR**  
 Application Form

BSA APPLICATION NO. \_\_\_\_\_  
 CEQR NO. \_\_\_\_\_

**Section A**  
 Applicant/  
 Owner

<b>Davidoff Hatcher &amp; Citron LLP</b> NAME OF APPLICANT <b>605 Third Avenue</b> ADDRESS <b>New York NY 10158</b> CITY STATE ZIP <b>(212) 557-7200</b> AREA CODE TELEPHONE <b>(212) 286-1884</b> AREA CODE TELEPHONE <b>rm@dhclegal.com</b> EMAIL _____ CITY STATE ZIP	<b>Columbia Grammar &amp; Preparatory School</b> OWNER OF RECORD <b>5 West 93rd Street</b> ADDRESS <b>New York NY 10025</b> CITY STATE ZIP <b>N/A</b> LESSEE / CONTRACT VENDEE _____ ADDRESS _____ CITY STATE ZIP
---	--

**Section B**  
 Site  
 Data

**36 West 93rd Street (a/k/a 33 West 92nd Street)** 10025  
 STREET ADDRESS (INCLUDE ANY A/K/A) ZIP CODE  
**Between Central Park West and Columbus Avenue**  
 DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS  

<b>1206</b> BLOCK	<b>20</b> LOT(S)	<b>Manhattan</b> BOROUGH	<b>7</b> COMMUNITY DISTRICT	<b>Upper West Side - CPW</b> LANDMARK/HISTORIC DISTRICT
<b>Hon. Gale Brewer</b> CITY COUNCIL MEMBER	<b>R7-2</b> ZONING DISTRICT (include special district, if any)	<b>5d</b> ZONING MAP NUMBER		

**Section C**  
 Dept of Building  
 Decision

BSA AUTHORIZING SECTION(S) 72-21 for  VARIANCE  SPECIAL PERMIT (Including 11-41)  
 Section(s) of the Zoning Resolution to be varied 24-11, 24-33, 24-382, 24-522  
 DOB Decision (Objection/ Denial) date: September 24, 2012 Acting on Application No: 121161857

**Section D**  
 Description

(LEGALIZATION  YES  NO  IN PART)  
 Enlargement of an existing 5-story with subcellar and cellar school building does not comply with the zoning requirements for lot coverage (ZR Section 24-11), permitted obstruction in rear yard equivalent (ZR Section 24-33), rear yard equivalent (ZR Section 24-382), and sky exposure plane (ZR Section 24-522).

**Section E**  
 BSA History  
 and  
 Related Actions

If "YES" to any of the below questions, please explain in the STATEMENT OF FACTS

	YES	NO
1. Has the premises been the subject of any previous BSA application(s)? .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PRIOR BSA APPLICATION NO(S): <u>77-08-BZ</u>		
2. Are there any applications concerning the premises pending before any other government agency?....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Is the property the subject of any court action?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Section F**  
 Signature

I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS ARE TRUE.

Ron Mandel  
 Signature of Applicant, Corporate Officer or Other Authorized Representative  
**Ron Mandel**  
 Print Name  
**Attorney**  
 Title

SWORN TO ME THIS 19<sup>th</sup> DAY OF October 2012  
**RALPH PRETE**  
 Notary Public State of New York  
 No. 02PR5073349  
 Qualified in New York County  
 Commission Expires 02/24/2016  
**NOTARY PUBLIC**



**BOARD OF STANDARDS AND APPEALS**

40 Rector Street, 9<sup>th</sup> Floor  
New York, New York 10006-1705  
Phone: (212) 788-8500  
[www.nyc.gov/bsa](http://www.nyc.gov/bsa)

**AFFIDAVIT OF OWNERSHIP AND AUTHORIZATION**

**Affidavit of Ownership**

Sharonah Volkowitz, being duly sworn, deposes and says that (s)he resides at 141-16 72<sup>nd</sup> Crescent in the City of Queens, in the County of New York, in the State of New York; that Columbia Grammar & Preparatory School is the owner in fee of all that certain lot, piece or parcel of land located in the Borough of Manhattan, in the City of New York and known and designated as Block 1206, Lot(s) 20, Street and House Number 36 West 93rd St, also known as 33 West 92nd St; and that the statement of facts in the annexed application are true.

Check one of the following conditions:

- Sole property owner of zoning lot
- Cooperative Building
- Condominium Building
- Zoning lot contains more than one tax lot and property owner

**Owner's Authorization**

The owner identified above hereby authorizes Davidoff Hutcher & Citron LLP to make the annexed application in her/his behalf.

Signature of Owner *Sharonah Volkowitz*  
 Print Name Sharonah Volkowitz  
 Print Title Chief Financial Officer

Sworn to before me this 18<sup>th</sup> day of October, 2012

*[Signature]*

MARIA T DANILUK  
Notary public, State of New York  
No. 01DA6091638  
Qualified in Queens County  
Commission Expires 04/28/2015



Department of Buildings  
 280 Broadway  
 New York, New York 10007  
 (212) 566-5000 | TTY (212) 566-4769  
 nyc.gov/buildings

MANHATTAN (1)  
 280 BROADWAY 3<sup>RD</sup> FLOOR  
 New York, NY 10007

BRONX (2)  
 1932 ARTHUR AVENUE  
 BRONX, NY 10457

BROOKLYN (3)  
 210 JORALEMON STREET  
 BROOKLYN, NY 11201

QUEENS (4)  
 129-55 QUEENS BLVD.  
 QUEENS, NY 11424

STATEN ISLAND (5)  
 BORO HALL- ST. GEORGE  
 STATEN ISLAND, NY 10301

## Notice of Objections

Applicant: Peter Samton  
 Gruzen Samton LLP  
 320 west 13<sup>th</sup> Street,  
 New York, NY 10014

Tel (212) 477-0900

Map: %D3B

NYC Department of Buildings Examiner: Kenneth Fladen, R.A.

Date: September 20, 2012  
 Job Application #: 121161857  
 Application Type: Alt 1 (BSA Denial)  
 Premises 36 West 93 Street, NYC  
 Zoning District: R7-2

Block 1206 Lot 20 Doc(s):

Examiner's Signature					
To discuss and resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the Plan Examiner's and your time, please make sure you are prepared to discuss and resolve these objections before arriving for your scheduled plan examination appointment.					
Obj. #	Doc. #	Section of Code	Objection	Date Resolved	Comments
1		ZR 24-11	The lot coverage proposed exceeds that allowed .		
2		ZR 24-522	The building envelope , as proposed, encroaches into the required sky exposure plane ( north sky exposure plane).		
3		ZR 24-382	Provide the required minimum rear yard equivalent.		
4		ZR 24-33	Only a (1) a one story building portion, maximum 23'0" high in height, is allowed as a permitted obstruction in a rear yard equivalent. The proposed building envelope does not comply.		
<p><b>DENIED</b></p> <p>FOR APPEAL TO BOARD OF STANDARDS AND APPEALS</p> <p>DATE <u>9-24-12</u></p> <p>PER <u>Martin Redholz, RA</u>            Borough Commissioner</p>					

THE CITY OF NEW YORK

NB# 100738178



DEPARTMENT OF BUILDINGS  
CERTIFICATE OF OCCUPANCY

BOROUGH MANHATTAN

DATE: DEC 05 1996 NO.

110614

This certificate supersedes C.O. NO T110041 ZONING DISTRICT R7-2  
THIS CERTIFIES that the new ~~sketch~~ existing building premises located at  
33 WEST 92ND STREET AKA: 36 WEST 93RD STREET Block 1206 Lot 20  
CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS,  
RULES AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN.

PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOAD LBS PER SQ FT	MAXIMUM NO OF PERSONS PERMITTED	ZONING DWELLING OR ROOMING UNITS	BUILDING CODE HABITABLE ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
SUB-CELLAR	OG	5			3	D-1	GAS AND WATER METER ROOM
						D-1	FIRE PUMP ROOM
						D-1	ELECT. METER ROOM
						D-1	SEWAGE EJECTOR ROOM
						D-1	KITCHEN, PANTRY
						B-2	DAILY STORAGE ROOM
						B-2	FOOD BANK FREEZER, REFRIGERATOR
						E	OFFICE
						B-2	STORAGE
						G	CHORAL REHEARSAL
CELLAR	100	120			3	F-1	MULTIPURPOSE ROOM
						D-2	MECHANICAL EQUIP. ROOM
						B-2	PANTRY GARBAGE CLOSET
1ST FLOOR	150	17			3	D-2	BACKFLOW PREVENTOR CLOSET
						B-2	RECEIVING AREA
						F-4	SEVERY AND DINING ROOM

(NON-SIMULTANEOUS OCCUANCY SEE NOTE)

(NON-SIMULTANEOUS OCCUPANCY SEE NOTE)

(CONTINUED)

OPEN SPACE USES \_\_\_\_\_  
(SPECIFY - PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

M.C.G. NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED  
THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
SPECIFICATIONS NOTED ON THE REVERSE SIDE.

*Romy A. Anzoni, P.E.*  
BOROUGH SUPERINTENDENT

*Robert A. ...*  
COMMISSIONER

ORIGINAL     OFFICE COPY - DEPARTMENT OF BUILDINGS     COPY

THAT THE ZONING LOT ON WHICH THE PREMISES IS LOCATED IS BOUNDED AS FOLLOWS.

BEGINNING at a point on the SOUTH side of WEST 93RD STREET  
 distant 250.0 WEST feet from the corner formed by the intersection of  
 WEST 93RD STREET and CENTRAL PARK WEST

running thence SOUTH 100.71' feet; thence WEST 4.92' feet;  
 thence SOUTH 100.80' feet; thence WEST 35.83' feet;  
 thence NORTH 201.42' feet; thence EAST 45.0 feet;  
 to the point or place of beginning.

100738178  
 N.B. INDEX No. DATE OF COMPLETION 9/03/96 CONSTRUCTION CLASSIFICATION 1-C  
 BUILDING OCCUPANCY GROUP CLASSIFICATION G HEIGHT 5 STORIES 62.81 FEET

THE FOLLOWING FIRE DETECTION AND EXTINGUISHING SYSTEMS ARE REQUIRED AND WERE INSTALLED IN COMPLIANCE WITH APPLICABLE LAWS.

	YES	NO		YES	NO
STANDPIPE SYSTEM	y		AUTOMATIC SPRINKLER SYSTEM		
YARD HYDRANT SYSTEM					
STANDPIPE FIRE TELEPHONE AND SIGNALLING SYSTEM					
SMOKE DETECTOR					
FIRE ALARM AND SIGNAL SYSTEM	y				

STORM DRAINAGE DISCHARGES INTO:

A) STORM SEWER  B) COMBINED SEWER  C) PRIVATE SEWAGE DISPOSAL SYSTEM

SANITARY DRAINAGE DISCHARGES INTO:

A) SANITARY SEWER  B) COMBINED SEWER  C) PRIVATE SEWAGE DISPOSAL SYSTEM

LIMITATIONS OR RESTRICTIONS:

BOARD OF STANDARDS AND APPEALS CAL. NO. \_\_\_\_\_

CITY PLANNING COMMISSION CAL. NO. \_\_\_\_\_

OTHERS:

THE CITY OF NEW YORK



DEPARTMENT OF BUILDINGS  
**CERTIFICATE OF OCCUPANCY**

NB# 100738178

BOROUGH **MANHATTAN** DATE **DEC 05 1995** NO. **110814**  
 This certificate supersedes C.O. NO **T110041** ZONING DISTRICT **R7-2**  
 THIS CERTIFIES that the new ~~structure~~ building premises located at  
**33 WEST 92ND STREET AKA: 36 WEST 93RD STREET** Block **1206** Lot **20**  
 CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS,  
 RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN.

PERMISSIBLE USE AND OCCUPANCY

FLOOR	LIVE LOAD LBS PER SQ FT	MAXIMUM NO OF PERSONS PERMITTED	ZONING DWELLING OR ROOMING UNITS	BUILDING CODE HABITABLE ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
4TH FLOOR	80	4				E	RECEPTIONIST
		3				E	ADMISSION OFFICE
						D-2	RECEPTION
						D-2	MECHANICAL EQUIP. ROOM
5TH FLOOR	80	102			3	G	CLASSROOMS
		17				G	6 @ 17 EACH
						D-2	COMPUTER ROOM
						D-2	MECHANICAL EQUIP. ROOM
ROOF	80	6			3	E	OFFICES
		10				G	6 @ 1 EACH
		34				G	LEARNING RESOURCE ROOM
		12				E	CLASSROOMS
		3				E	2 @ 17 EACH CONFERENCE ROOM
ROOF	80					E	RECEPTION
						D-2	MECHANICAL EQUIP. ROOM
						D-2	ELEVATOR MACHINE ROOM
ROOF	80					D-2	MECHANICAL EQUIP. ROOM
						D-2	MECHANICAL EQUIP. ROOM

- NOTES: 1. ~~NON-SIMULTANEOUS OCCUPANCY OF SUB-CELLAR MULTI-PURPOSE ROOM AND CELLAR FLOOR DINING ROOM.~~
2. TOTAL OCCUPANCY OF SUB-CELLAR FLOOR NOT TO EXCEED 255 PERSONS AT ANY TIME.

THIS CERTIFICATE OF OCCUPANCY MUST BE POSTED  
 WITHIN THE BUILDING IN ACCORDANCE WITH THE RULES  
 OF THE DEPARTMENT PROMULGATED MARCH 31ST, 1967.

OPEN SPACE USES \_\_\_\_\_ (SPECIFY PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

M.C.G. NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
 A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED  
 THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND  
 SPECIFICATIONS NOTED ON THE REVERSE SIDE.

*Romy A. Anisio, P.E.*  
 BOROUGH SUPERINTENDENT

*[Signature]*  
 M-10

ORIGINAL  OFFICE COPY - DEPARTMENT OF BUILDINGS  COPY



**Application of Davidoff Hatcher & Citron LLP On Behalf of  
Columbia Grammar & Preparatory School, Property Owner**

**Submitted Pursuant to Section 72-21 of the Zoning Resolution  
To Permit the Proposed Enlargement of an Existing Educational Facility (UG 3)**

**Premises:           36 West 93<sup>rd</sup> Street (aka 33 West 92<sup>nd</sup> Street)  
                          Block 1206, Lot 20  
                          New York, New York**

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**STATEMENT OF FACTS AND FINDINGS**

This variance application is filed on behalf of Columbia Grammar & Preparatory School (“Columbia Grammar” or “Applicant”), pursuant to Section 72-21 of the New York City Zoning Resolution (“Zoning Resolution”). The proposed variance allows the enlargement of an existing school building (Use Group 3) located at 36 West 93<sup>rd</sup> Street (aka 33 West 92<sup>nd</sup> Street), in the Borough of Manhattan. The site is situated in an R7-2 zoning district and the Upper West Side/Central Park West Historic District. The property also is located in the former West Side Urban Renewal Area.

The subject site is a narrow through lot that fronts on the north side of West 92<sup>nd</sup> Street and the south side of West 93<sup>rd</sup> Street between Central Park West and Columbus Avenue. The lot has a frontage of 35 feet along West 92<sup>nd</sup> Street and 45 feet along West 93<sup>rd</sup> Street. The lot has a depth of 201 feet and a lot area of 8,354 square feet.

The configuration of the subject zoning lot, the development limitations imposed by the existing school building, and Columbia Grammar’s compelling programmatic requirements, necessitate the requested bulk variance to allow the proposed enlargement. The enlargement of the building, which remains within the zoning lot’s maximum allowable floor area, is required by Columbia Grammar principally to fulfill the school’s longstanding goal of having a self-

contained middle division consisting of grades five through seven. Columbia Grammar is one of the last public or private schools in New York City with grades pre-kindergarten through 12 that does not have a middle school. The school's severe space limitations have required Columbia Grammar to maintain grades five and six as the final two years of its elementary school division. At the same time, Columbia Grammar has been forced to house grade seven as the first two year of its high school within a different facility. The arrangement of the school with only lower and upper divisions represents an outdated approach to school organization.

The variance is required because the proposed enlargement does not comply with the zoning requirements for lot coverage (Zoning Resolution Section 24-11), permitted obstruction (Zoning Resolution Section 24-33)<sup>1</sup>, rear yard equivalent (Zoning Resolution Section 24-382), and encroachment into the required sky exposure plane (Zoning Resolution Section 24-522). After the proposed enlargement, the building will remain below the maximum permissible as-of-right floor area. Notwithstanding the variance required for the enlargement, moreover, the proposed building remains in harmony with the surrounding development and the character of the neighborhood.

### **Background**

#### **A. The Applicant**

Columbia Grammar is a not-for-profit organization and tax exempt under Section 501(c)(3) of the Internal Revenue Code. See 501(c)(3) Letter from Internal Revenue Service.

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<sup>1</sup> The portion of the existing building located in the required rear yard equivalent is a permitted obstruction, as per Zoning Resolution Section 24-33. This application seeks a waiver of Zoning Resolution Section 24-382 because the proposed enlargement encroaches into the required rear yard equivalent. The Department of Buildings plan examiner referenced Zoning Resolution Section 24-33 because the applicant is exceeding the existing permitted obstruction in the rear yard equivalent.

The Applicant is one of the oldest educational facilities in the United States and is recognized as one of the most distinguished educational institutions serving New York City.

Columbia Grammar was founded in 1764 by Kings College (presently known as Columbia University) as a boys' preparatory school for the College. It functioned with the support of the College for nearly one hundred years, when then located at 5 West 93<sup>rd</sup> Street. In 1937, the Leonard School for Girls was founded using several interconnected brownstones on West 94<sup>th</sup> Street. The Leonard School subsequently merged with Columbia Grammar in 1956, to become the current co-educational institution.

Since Columbia Grammar's founding, the school has adapted its facilities to meet the needs of its student population and the needs of the surrounding community. Columbia Grammar's lower division, consisting of a pre-kindergarten and kindergarten through grade four, is located in a series of five interconnecting brownstones fronting on West 94<sup>th</sup> Street and the original Columbia Grammar School building at 5 West 93<sup>rd</sup> Street. In addition to classrooms, these buildings house a library, art studios, a gymnasium, swimming pool, music studios, a science and computer lab, and the school cafeteria. In 1984, Columbia Grammar expanded with the construction of a new preparatory school at 4 West 93<sup>rd</sup> to house its high school, containing a gymnasium, additional science and computer labs, a library, music studios and classrooms. In September 2001 there was a further enlargement to the high school building containing another gym, theater, and three floors of classrooms and science labs for grades 7 and 8. In 1996, the existing building on the subject lot was completed. This building, which spans through from 92<sup>nd</sup> to 93<sup>rd</sup> Street, has computer labs, art studios, a library, science labs, a fully-equipped theater, cafeteria and classrooms for the school's fifth and sixth grades.

Columbia Grammar's present facilities, however, cannot adequately accommodate the needs of its existing student body. As noted above, the existing facilities do not allow Columbia Grammar to reorganize its lower and upper divisions, comprised of grades pre-kindergarten through twelve, into lower, middle and upper divisions, as a consequence of the space limitations imposed by the school's existing buildings. With the BSA's grant of the proposed variance, the Applicant can continue to ensure an effective and successful educational program for its student body that is consistent with modern educational policies and practices.

**B. Subject Property and Existing Conditions**

The property was formerly owned by the City of New York and occupied by two three-story row houses, designated as Site 23B in the former West Side Urban Renewal Area. In 1965, the former row houses were demolished pursuant to a demolition application. Subsequently, the City conveyed the vacant lot to Columbia Grammar. The school building that was developed on the property was limited by the then applicable West Side Urban Renewal area controls affecting the site, which were more restrictive than the applicable zoning bulk regulations.

The site is currently developed with a 5-story plus sub-cellar and cellar building. See Certificate of Occupancy, dated December 5, 1996. The existing building was erected as-of-right with a Certificate of Appropriateness from the Landmarks Preservation Commission. Although the existing building has a total height of 5-stories, its wall height measures four stories along West 93<sup>rd</sup> Street and two stories along West 92<sup>nd</sup> Street.

**C. Proposed Conditions**

The proposed enlargement of the existing five-story school building involves:

- building out an existing setback area at the West 92<sup>nd</sup> Street frontage at existing floors three and four;
- building out an existing setback area at the West 93<sup>rd</sup> Street frontage at the existing fifth floor; and
- adding two new floors so that, upon completion, the building will consist of a sub-cellar, cellar and seven floors above grade.

As noted, the underdeveloped lot is located in an R7-2 zoning district which allows a maximum as-of-right permissible Floor Area Ratio ("FAR") of 6.5 and the development of 54,301 square feet of zoning floor area. Currently, the building consists of 28,178 square feet of floor area (FAR 3.37), which is substantially below the maximum floor area allowed in the underlying zoning district. The existing five-story school building measures 68 feet in height, excluding rooftop bulkheads, elevator machine room and other mechanical spaces.

After the enlargement, the building will be seven-stories measuring 95 feet in height, excluding rooftop bulkheads and mechanical spaces. The proposed building measures 40,778 square feet in zoning floor area and will contain additional classroom space. The proposed addition also will allow a modest increase in its student population by 30 students, which remains substantially below the demand for new admissions coming from the surrounding community. The enclosed application materials show that the proposed conditions, as compared to the existing conditions, will be a vast improvement for the educational institution.

**D. Department of Buildings Objections**

Plans were filed with the Department of Buildings ("DOB") for the proposed

development under application number 121161857. On September 24, 2012, the following objection was issued by the DOB (verbatim):

ZR 24-11	The lot coverage proposed exceeds that allowed.
ZR 24-522	The building envelope, as proposed, encroaches into the required sky exposure plane (north sky exposure plane).
ZR 24-382	Provide the required minimum rear yard equivalent.
ZR 24-33	Only a (1) a one story building portion, maximum 23'0" [in height], is allowed as a permitted obstruction in a rear yard equivalent. The proposed building envelope does not comply.

This DOB objection serves as a basis for the instant application.

**STATEMENT OF FINDINGS PURSUANT TO  
ZONING RESOLUTION SECTION 72-21**

As authorized by Zoning Resolution Section 72-21, the Board of Standards and Appeals (the "Board" or "BSA") has the authority to vary the strict application of zoning regulations provided that the five requisite findings of Zoning Resolution Section 72-21 are satisfied. In addition, based upon ample New York case law and BSA precedent, due consideration must be given to the fact that the existing and proposed use of the site is a school and, as such, it is entitled to deferential and protective treatment in zoning matters because of its unique contribution to the public welfare. The following analysis is offered with respect to the findings:

**(A) *As a result of unique physical conditions peculiar to and inherent in the zoning lot, practical difficulties or unnecessary hardship arise in complying strictly with the use or bulk provisions of the Zoning Resolution.***

The configuration of the subject zoning lot, the limitations imposed by the existing school building, and Columbia Grammar's compelling programmatic requirements combine to establish the practical difficulties and unnecessary hardship the Applicant confronts in seeking to enlarge the existing school building in strict compliance with the bulk provisions of the Zoning Resolution.

As evidenced by the attached plans prepared by the project architects, Gruzen Samton LLP, the zoning lot is narrow and oddly configured. Specifically, the zoning lot's frontage is 45 feet along West 93<sup>rd</sup> Street and wider by approximately 5 feet at its eastern property line, then narrows at the midblock, and the property line runs slightly diagonal towards West 92<sup>nd</sup> Street where it fronts said street for approximately 35 feet.

The footprint of the under-built building itself provides further evidence of the Applicant's inability to use space that would have been available in a more typical square-shaped lot. This constraint requires that the enlargement be constructed within the required setback area and within the rear yard.

The relief sought is the minimal amount needed by the educational institution while allowing for a facility with the requisite amount of floor area to permit the applicant to achieve its stated goals. For the reasons detailed below, the applicant unsuccessfully attempted to design the proposed enlarged facility so as to avoid the waiver relative to the sky exposure plane encroachment.

As illustrated by the proposed plans, the encroachment within the sky exposure plane at

its widest point would be violated by 7'-7" along the 93<sup>rd</sup> Street façade. This is the location where a library is proposed at the fifth floor and two classrooms proposed to be added at the sixth floor. The location of the additional floor area is driven in part by the building's structural support system. As explained by the project architect, Gruzen Samton Architects LLP, and project structural engineer, Robert Sillman Associates, the load capacity for the addition along 93<sup>rd</sup> Street is designed to be distributed across both building sections to be supported by the building's existing column and foundation support system.

Moreover, should the street wall of the two-story addition be required to setback beyond the 7'-7" sky exposure plane encroachment it would effectively eliminate the proposed rooms because their depth would be too narrow (existing elevator and stairwell located behind).

The architect attempted to shift this needed floor space to the south side of the building, however, Robert Sillman Associates determined that the existing transfer beams along the 92<sup>nd</sup> Street façade are already very close to their allowable stress level. In addition to the structural issues affecting the 92<sup>nd</sup> Street façade, the relocation of the floor area is programmatically problematic since the building narrows along the 92<sup>nd</sup> Street façade. The narrow lot condition at that part of the property would not yield two classrooms with appropriate sizes. In addition, a major piece of MEP equipment must be located in the proposed 4<sup>th</sup> floor addition, and its required air intake and discharge would be directed toward the "open" area on that floor.

The BSA and New York decisional law, as noted above, have consistently recognized the importance of affording educational institutions special treatment under zoning in furtherance of their vital role in the community. In this regard, the programmatic needs of a school have continuously been recognized as a means of contributing to the uniqueness of a zoning lot, as required under Zoning Resolution Section 72-21(a). (See, e.g., BSA Cal. No. 54-06-BZ [Board

noted that “as an educational institution, the School is entitled to special treatment under applicable zoning ordinances, and its programmatic space needs may form the basis for a claim of practical difficulties”]; BSA Cal. No.113-06-BZ [educational institution is “entitled to significant deference under the case law of the State of New York as to zoning and as to its ability to rely upon programmatic needs in support of the subject variance application”]).

Columbia Grammar’s programmatic needs dictate that a variance is required for it to accomplish its stated goals. The proposed floor area to be added to the existing building is required to fulfill the school’s longstanding goal of having a self-contained middle division consisting of grades five through seven. As noted above, the existing building is too small to accommodate the organization of the school with lower, middle and upper divisions, as it was not designed to accommodate the necessary classrooms and ancillary space needed for a middle division. Columbia Grammar is actually one of the last public or private schools in New York City with grades pre-kindergarten through 12 that does not have a middle school.

In the years since the school’s facilities were developed, educators have come to recognize the importance of grouping grades K through 12 into lower, middle and upper schools, as a matter of sound educational policy. Relevant literature suggests that students in grades five through seven greatly benefit from the middle school experience – with their own separate curriculum, educators who are trained to educate that particular age group, and administrators who are experienced and focused on the social and developmental needs of middle school aged children. Instead, the school’s severe space limitations have required Columbia Grammar to maintain grades five and six as the final two years of its elementary school division and house grade seven as the first year of its high school.

The proposed enlargement will allow a very modest growth in the school's student body and satisfy, to a limited degree, the demand for enrollment. With the proposed enlargement, Columbia Grammar will be able to increase its student enrollment by approximately 30 students. As a result, the proposed enlargement would grant the school an opportunity to develop a curriculum which is comprehensive and appropriate to the needs of its student body, as well as better serve the demand of families from the surrounding communities.

As discussed, the floor area requested is far less than the maximum allowed for the underlying zoning district. In order to meet the Applicant's programmatic needs by developing the proposed as-of-right floor area, however, the school cannot comply with the zoning requirements for lot coverage (Zoning Resolution Section 24-11), permitted obstruction (Zoning Resolution Section 24-33), rear yard equivalent (Zoning Resolution Section 24-382), and sky exposure plane (Zoning Resolution Section 24-522). The proposed encroachment into the existing rear yard equivalent (above the 23 ft. high permitted obstruction), combined with the build out of the 93<sup>rd</sup> Street setback allows the school to create a rational design for the additional classrooms and ancillary facilities while minimizing the overall height of the building to seven stories.

As a result of the unique needs of the Applicant, practical difficulties arise in complying strictly with the provisions of the Zoning Resolution. The unique features affecting the Premises include (1) the lot's odd shape with its varying frontages on West 92<sup>nd</sup> Street and West 93<sup>rd</sup> Street, (2) the lot's narrowness, and (3) the existing building's unique footprint, configuration and structure support system, and (4) the programmatic needs posed by the Applicant's condition as a not-for-profit, specifically the need for additional floor area for the educational institution to achieve its stated goals. These unique features provide evidence that strict compliance with the

relevant provisions of the Zoning Resolution would bring about practical difficulties in the use of the premises. We assert herein that practical difficulties due to the strict application of the Zoning Resolution form the rational basis necessary for the grant of the requested relief.

**(B) *Because of such physical conditions there is no reasonable possibility that the development of the zoning lot in strict conformity with the provisions of the Zoning Resolution will bring a reasonable return, and that the grant of a variance is therefore necessary to enable the owner to realize a reasonable return from such zoning lot.***

Since the enlargement is proposed by a non-profit institution and the variance is needed to further its non-profit mission, the finding set forth in Zoning Resolution Section 72-21(b) does not have to be made in order to grant the variance requested. See 501(c)(3) Letter from Internal Revenue Service.

**(C) *The variance, if granted, will not alter the essential character of the neighborhood or district in which the zoning lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.***

The subject community facility is a permitted use within the R7-2 district. Moreover, after the proposed enlargement the school building will remain below the maximum permitted floor area and in full harmony with existing development on the subject block and the surrounding area.

The proposed bulk and height of the building will be in context with the surrounding buildings. As noted, the subject lot is located within the Upper West Side/Central Park West Historic District. In the Landmarks Preservation Commission (“LPC”) report which designated the historic district, LPC stated that the area is “defined by its large concentration of architecturally distinctive and high quality buildings which characterize the development of the Upper West Side east of Broadway over a 50 year period from the 1880’s to the 1930’s.” The

report also notes that the residential buildings range from three-, four-, and five-story row houses, to twelve- to seventeen-story multiple dwellings. The district's residential buildings also include eight- to twelve-story apartment hotels and studio buildings that are on both the avenues as well as streets. The LPC report also explains that the Upper West Side is characterized by a variety of institutional buildings intended to meet the social, educational, and religious needs of neighborhood residents, which "complement the residential buildings and enhance the architectural character of the area."

The designation report notes that although the early development of the historic district's side streets was defined by "long rows of houses which present a picture of the final years of row house construction in Manhattan," after World War II apartment buildings were developed that interrupted the rows of houses on the side streets. "The resultant eight- to ten-story buildings relate to the row houses in materials and architectural details even though twice the height of the row houses."

Dramatic changes occurred in the district during the 1960's and 1970's, with urban renewal activity fostered by the federal and New York State governments. The West Side Urban Renewal Area covered the area between West 87<sup>th</sup> Street, West 97<sup>th</sup> Street, Central Park West and Amsterdam Avenue, including the subject block. Most of the existing flats and tenements on Columbus Avenue between West 87<sup>th</sup> and 97<sup>th</sup> Streets were demolished, which were replaced by high rise apartment buildings.

The proposed enlarged building is designed to be compatible with the existing character of its surrounding area. On April 15, 2008, LPC issued a Certificate of Appropriateness based upon its determination that the proposed enlargement is "appropriate to the building, the streetscape, and the Upper West Side/Central Park West Historic District..." See Certificate of

Appropriateness, issued April 15, 2008. As LPC explained in the Certificate of Appropriateness, "...the proposed additions will not cause damage to [the] historic fabric or any significant historic features of the district; that the construction of rooftop additions on this through-lot building will result in an overall building height that relates to the taller surrounding buildings; that the geometry of the addition, which raises the street wall two floors on West 93<sup>rd</sup> Street with set-back addition and two floors on West 92<sup>nd</sup> Street, will be compatible with the massing of other institutional buildings in this historic district..." See Certificate of Appropriateness, issued April 15, 2008. In addition, on July 25, 2012, LPC issued Status Update Letters authorizing the issuance of an amended Certificate of Appropriateness for the proposed roof mechanical systems.

More specifically, the height and bulk of the school building will be in context with the nearby buildings on the north and south sides of both West 92<sup>nd</sup> Street and West 93<sup>rd</sup> Street. To the west of the subject lot is 50 West 93<sup>rd</sup> Street, which is eight stories in height; and 70 West 93<sup>rd</sup> Street, which is 31 stories high. To the east of Columbia Grammar is 2 West 93<sup>rd</sup> Street that rises to a height of 16 floors; and 325 Central Park West, which has 16 floors. On the north side of West 92<sup>nd</sup> Street there are One West 92<sup>nd</sup> Street with 15 floors; 7 West 92<sup>nd</sup> Street that is seven stories high; 35 West 92<sup>nd</sup> Street, which rises to a height of 13 stories; and 73 West 92<sup>nd</sup> Street that is 31 stories tall. Across from the subject lot on the north side of West 93<sup>rd</sup> Street to the west there is 37 West 93<sup>rd</sup> Street that is eight stories high; and 689 Columbus Avenue, which rises to a height of 16 floors. To the east of the property on the north side of West 93<sup>rd</sup> Street, there is 333 Central Park West that is 12 floors in height. Thus, there are a substantial number of taller buildings with greater bulk in the immediate area.

The proposed enlargement does not alter the essential character of the neighborhood or district in which the zoning lot is located and will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

**(D) *The practical difficulties or unnecessary hardship claimed as a ground for a variance have not been created by the owner or by a predecessor in title.***

The practical difficulties faced by Columbia Grammar concerning the enlargement of its existing school building at the site are not caused by the owner of the site nor a predecessor in title, but is inherent in the site and the uniqueness posed by the Applicant's programmatic needs. Without the grant of the requested variance, the Applicant would be, in effect, penalized for a situation due to circumstances beyond its control. Absent relief from this Board, nothing can reasonably be done to alleviate the difficulties.

**(E) *The variance, if granted, is the minimum variance necessary to afford relief.***

There is no possibility that Columbia Grammar can enlarge the existing school building to create appropriate floor plates, and provide the needed additional classrooms or ancillary facilities, without the relief requested by this application. The building presently encroaches legally in the rear yard to a height of 23 feet. The proposed encroachment into the existing rear yard equivalent, combined with the build out of the 93<sup>rd</sup> Street setback will allow the school to create a rational design for the additional classrooms and ancillary facilities while minimizing the overall increase of the building's height. It bears emphasis, that the proposed school addition remains below the maximum floor area permitted as-of-right upon the property.

For the foregoing reasons, it is respectfully requested that this application be granted in all respects.

Jan. 15. 2008 12:00PM

Address any reply to: P.O. Box 3100, New York, N.Y. No. 1495 P. 2

Department of the Treasury

District Director

**Internal Revenue Service**

Date:

May 28, 1971

In reply refer to:

AU:F:610:SR



▷ Columbia Grammar School, Inc.  
7 West 93rd Street  
New York, New York 10025

Gentlemen:

On the basis of your statement and the information recently submitted regarding the admissions policy of your institution, and the publicizing thereof, and with the understanding that such policies will remain in effect, we confirm the exempt status of your institution under Internal Revenue Code, Section 501(a), as an organization described in Section 501(c)(3).

This confirmation does not preclude a reevaluation of your admissions policy at a later date. It also does not preclude an examination of the operations of your institution to determine if the policy as described in your statement is being implemented.

Very truly yours,

*Ernest H. Gray*

Acting District Director

Jan. 2. 2008 10:2:58 PM  
3 JFK Federal Bldg., Boston, Mass. 02203  
4 35 Tillary St., Brooklyn, N.Y. 11201

8 34 W. Mohawk St., Buffalo, N.Y. 14202  
5 11 Elmwood Ave., Burlington, Vt. 05401  
7 450 Main St., Hartford, Conn. 06118

9 P.O. Box 31 No. 1340, N.P. 2308  
10 80 Daniel S. Th. N. 1801  
130 Broadway, Providence, R.I. 02903

# Department of the Treasury

## District Director Internal Revenue Service

Date: April 24, 1972  
In reply refer to: AU:F:610:GS  
264-1872



► Columbia Grammar and Preparatory School  
5 West 93 Street  
New York, N.Y. 10025

Date of Exemption: December 1941  
Internal Revenue Code Section: 501(c)(3)  
Material Submitted: Name Change -- formerly Columbia  
Grammar School

Gentlemen:

Thank you for submitting the above material. We have made it a part of your file.

The changes indicated do not adversely affect your exempt status and the exemption letter issued to you continues in effect.

Please let us know about any future change in the character, purpose, method of operation, name or address of your organization. This is a requirement for retaining your exempt status.

Thank you for your cooperation.

Sincerely yours,  
District Director



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK, NY 10007

TEL: 212 669-7700 FAX: 212 669-7780



# PERMIT

## CERTIFICATE OF APPROPRIATENESS

<b>ISSUE DATE:</b> 04/15/08	<b>EXPIRATION DATE:</b> 09/18/2013	<b>DOCKET #:</b> 085465	<b>COFA #:</b> COFA 08-8890
<b>ADDRESS</b> 36 WEST 93RD STREET <b>HISTORIC DISTRICT</b> UPPER WEST SIDE-CPW		<b>BOROUGH:</b> MANHATTAN	<b>BLOCK/LOT:</b> 1206 / 20

**Display This Permit While Work Is In Progress**

**ISSUED TO:**

**Dr. Richard J. Soghoian**  
**Columbia Grammar & Preparatory School**  
**5 West 93rd Street**  
**New York, NY 10025**

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of September 18, 2007, following the Public Meeting of July 17, 2007, and the Public Hearing and Public Meeting of May 22, 2007, voted to grant a Certificate of Appropriateness for work at the subject premises, with modifications, as put forward in your application completed on April 12, 2007; as described in Status Update Letter 08-3246 (LPC 07-3477) issued on September 18, 2007.

The proposal, as approved, includes the construction of a two-story addition and penthouse at the West 93rd Street elevation; the construction of a two story addition at the West 92nd Street elevation; the removal of the existing awning at the West 93rd Street entrance; and the installation of a metal, glass, and terra cotta canopy. The additions will be clad in terra cotta with blue glazed brick bands, and terra cotta rain screens. The proposal, as originally presented, called for the additions to be clad in standing seam metal, and feature curved rooflines. The proposal was shown on presentation boards consisting of a historic district map, current condition photographs, material samples, renderings, and elevation and plan drawings, dated April 16, 2007; July 3, 2007; July 10, 2007; and August 8, 2007; all prepared by Gruzen Sampton Architects LLP, and all presented at the Public Hearing and Public Meetings.

In reviewing this proposal, the Commission noted that 36 West 93rd Street, aka 33 West 92nd Street, is an institutional building designed by Michael Wurmfeld and built in 1995; and approved under Certificate of Appropriateness 95-0122 (LPC 95-2467), issued on March 16, 1995.

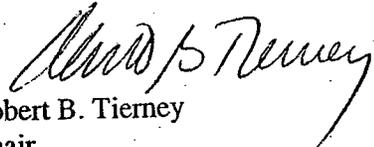
With regard to this proposal, the Commission found that the proposed additions will not cause damage to historic fabric or any significant historic features of the district; that the construction of rooftop

additions on this through-lot building will result in an overall building height that relates to the taller surrounding buildings; that the geometry of the addition, which raises the streetwall two floors on West 93rd Street with a set-back addition and two floors on West 92nd Street, will be compatible with the massing of other institutional buildings in this historic district; that the large windows will relate well to the windows on the existing building, thereby, integrating the addition with the existing building; that the proposed horizontal bands of blue-glazed brick and the terra cotta rain screen cladding in terms will help integrate the proposed addition with the existing building in terms of materiality and texture; that the two-story addition on top of the fourth floor set-back, differentiated by limestone colored terra cotta, will create a crowning element that recalls prominent termination treatments at the upper floors of buildings within the district; and that the window openings line up with, and will relate well to, the fenestration pattern of the lower floors. Based on these findings the Commission determined the work to be appropriate to the building, the streetscape, and the Upper West Side/Central Park West Historic District, and voted to approve this application, with certain modifications.

However, the Commission made its determination subject to the stipulation that the awning at the West 93rd Street elevation be removed, and a projecting element installed that relates to the materials and design of the rooftop additions; and that two sets of signed and sealed Department of Buildings filing drawings be submitted to the Commission for review and approval. Subsequently, on January 22, 2008, the Commission received rendering "Rectilinear Glass Canopy with Terracotta Header Accent", dated January 22, 2008, prepared by Gruzen Samton Architects LLP; and on March 31, 2008, the Commission received drawings Z-001, Z-002, A-100, A-101, A-102-A, A-102-B, E/P-100, E/P-101, E/P-102, E/P-103, E/P-104, E/P-105, E/P-106, E/P-107, LS-100, LS-101, LS-102, and LS-103, dated January 15, 2008, prepared by Peter Samton, R.A. The Commission reviewed the drawings and found that the proposed awning at the 93rd Street ground floor entrance will create a projecting element that is consistent with the design of the new addition, and serve to integrate the addition with the original building at this elevation; that the change requested by the Commission has been incorporated into the proposal, and that the design approved by the Commission has been maintained. Based on this and the above findings, the drawings are being marked approved with a perforated seal, and Certificate of Appropriateness 08-6663 is being issued.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of approval. The work is limited to what is contained in the perforated documents. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fines. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Jacqueline Peu-Duvallon.

  
Robert B. Tierney  
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:  
Peter Samton, Gruzen Samton LLP**

cc: Caroline Kane Levy, Deputy Director, Preservation/LPC; Howard Weiss/Davidoff



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK, NY 10007  
TEL: 212 669-7700 FAX: 212 669-7780



July 25, 2012

ISSUED TO:

Sharonah Volkowitz,  
Columbia Grammar & Preparatory School  
5 West 93rd Street  
New York, NY 10025

Re: **STATUS UPDATE LETTER**  
LPC - 133779  
SUL 13-4447  
36 WEST 93RD STREET  
AKA 33 West 92nd Street  
UPPER WEST SIDE-CPW  
Borough of Manhattan  
Block/Lot: 1206 / 20

This letter is to inform you that at the Public Meeting of July 17, 2012, following the Public Hearing of the same date, the Landmarks Preservation Commission voted to grant an amendment to the Certificate of Appropriateness 08-8890 (LPC 08-5465) for the construction of rooftop additions at the subject premises; as put forward in your application completed on July 12, 2012. The approval will expire on September 18, 2013.

No work can begin until a Certificate of Appropriateness is issued. Upon receipt, review, and approval of two sets of final signed and sealed Department of Buildings filing drawings for the proposed work, a Certificate of Appropriateness will be issued.

Please note that all drawings, including amendments which are to be filed at the Department of Buildings, must be approved by the Landmarks Preservation Commission. Thank you for your cooperation.

Marianne Hurley

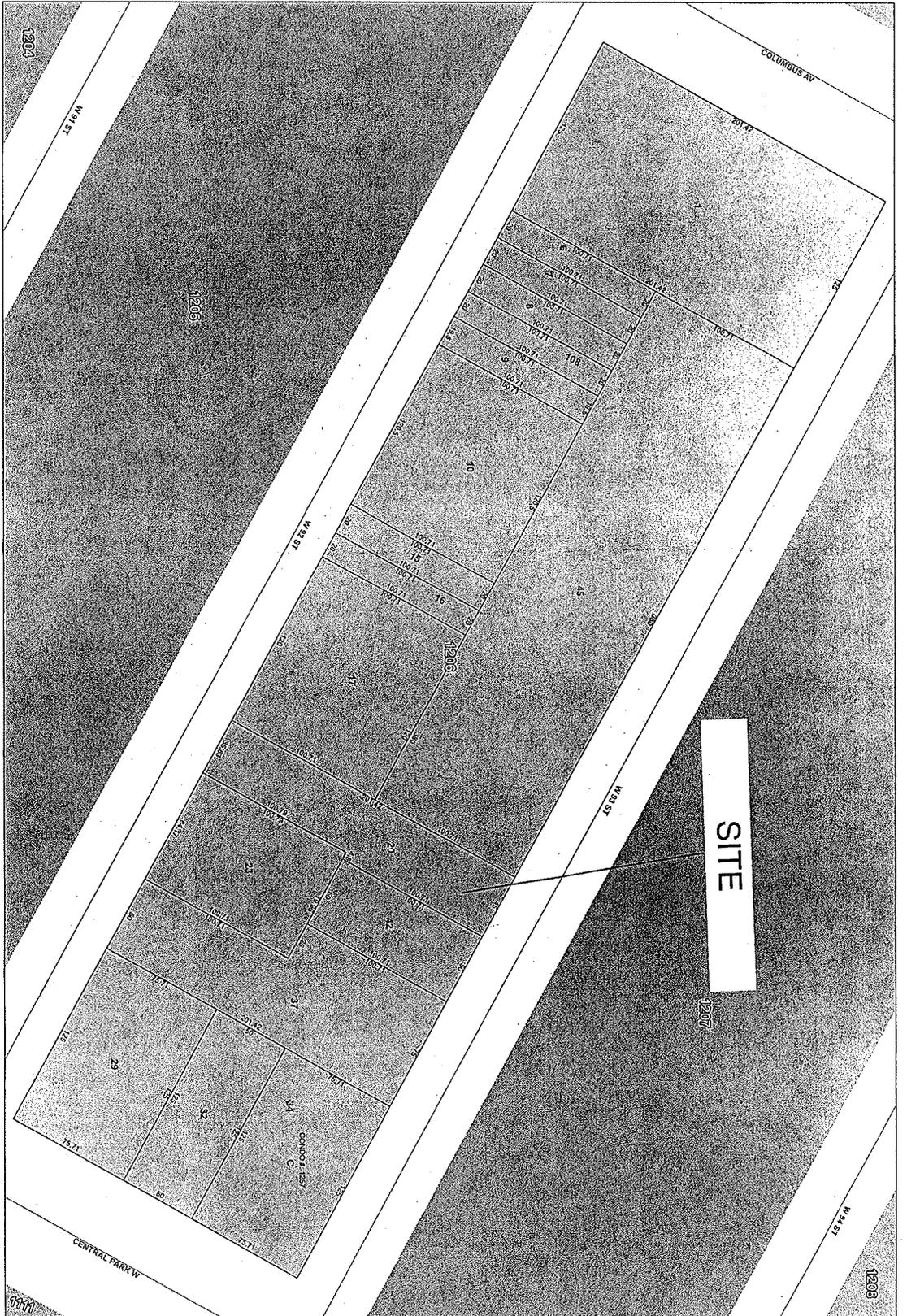
**Please Note: THIS IS NOT A PERMIT**

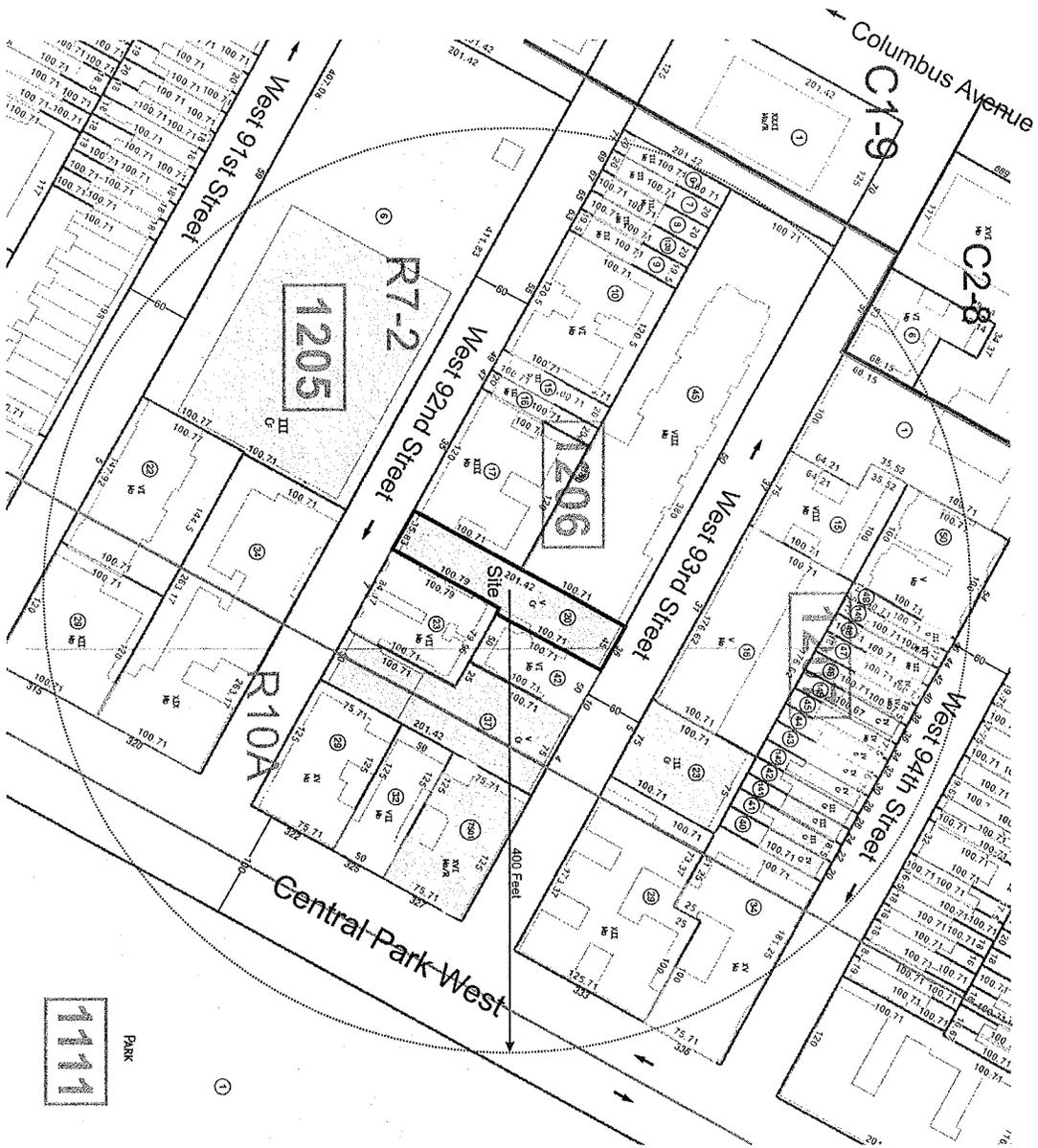
cc: C. Kane Levy, Deputy Director, LPC





- Legend
- Streets
  - Miscellaneous Text
  - 1 Possession Hooks
  - 1 Boundary Lines
  - 1 Lot Face Possession Hooks
  - Regular
  - Underwater
  - Tax Lot Polygon
  - Condo Number
  - Tax Block Polygon

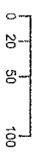




36 West 93rd Street



Scale: 1" = 100'



Urban Cartographics

- Legend**
- Ⓢ - Lot Numbers
  - ### - Block Numbers
  - 1, 1.1, 1.1.1 - Story Height
  - MD - Multiple Dwelling
  - D - Dwelling
  - R - Retail
  - G - Garage
  - C - Commercial
  - I - Industrial
  - M - Manufacturing
  - W - Warehouse
  - V - Vacant

- Land Uses**
- One and Two-Family Homes
  - Multiple Dwelling
  - Commercial
  - Mixed Use (Residential-Commercial)
  - Manufacturing
  - Open Space / Park Land
  - Institutional / Community Facility
  - Parking / Automotive

Prepared for Davidoff Malito & Hatcher LLP by Urban Cartographics

**36 West 93rd Street, Manhattan**

**Block 1111**

**Block 1111, Lot 1**

CULTURAL AFFAIRS 2  
SUSAN ROTHSCHILD/GEN COUNSEL  
31 CHAMBERS ST. STE 201  
NEW YORK, NY 10007-4031

**Block 1205**

**Block 000, Lot 6**

PARKS AND RECREATION (GENERAL)  
ARSENAL WEST  
16 W. 61ST ST.  
NEW YORK, NY 10023-7604

**Block 000, Lot 22**

GAIA BY THE PARK LLC  
5 W. 91ST ST.  
NEW YORK, NY 10024-1432

**Block 000, Lot 29**

BROOKFORD, LLC  
360 SHORE RD.  
LONG BEACH, NY 11561-4300

**Block 000, Lot 34**

ARDSLEY TENANTS CORP.  
320 CENTRAL PARK W.  
NEW YORK, NY 10025-7659

**Block 1206**

**Block 1206, Lot 1**

COLUMBUS MANOR LLC  
STELLER MGTMENT  
70 W. 93RD ST. STE 100  
NEW YORK, NY 10025-7620

**Block 1206, Lot 6**

JOHN WEHBA  
71 W. 92ND ST.  
NEW YORK, NY 10025-7633

**Block 1206, Lot 7**

MOHAMMAD I. KHAN  
69 W. 92ND ST.  
NEW YORK, NY 10025-7633

**Block 1206, Lot 8**

TURANSKI, ANDREAS  
67 W. 92ND ST.  
NEW YORK, NY 10025-7648

**Block 1206, Lot 108**

HUNTER CATHERINE  
65 W. 92ND ST.  
NEW YORK, NY 10025-7647

**Block 1206, Lot 9**

63 WEST 92 ST. RLTY CORP.  
63 W. 92ND ST.  
NEW YORK, NY 10025-7695

**Block 1206, Lot 10**

55 WEST 92ND STREET,  
HIRTH REAL ESTATE ENTITIES  
P.O. BOX 467  
CEDARHURST, NY 11516-0467

**Block 1206, Lot 15**

PHYLLIS DEARBORN MASSAR  
C/O ROBINSON BROG LEINWAND  
875 3RD AVE.  
NEW YORK, NY 10022-6225

**Block 1206, Lot 16**

BROCKMAN, ALAN  
47 W. 92ND ST.  
NEW YORK, NY 10025-7640

**Block 1206, Lot 17**

35 W. 92ND ST. CORP.  
M. RAPAPORT CO., INC.  
18 E. 48TH ST. FL. 6  
NEW YORK, NY 10017-1014

**Block 1206, Lot 20**

COLUMBIA GRAMMAR  
& PREPARATORY SCHOOL  
5 W. 93RD ST.  
NEW YORK, NY 10025-7602

**Block 1206, Lot 29**

322 REALTY CORP.  
C/O ORSID REALTY CORP.  
1740 BROADWAY FL. 2  
NEW YORK, NY 10019-4315

Block 1206, Lot 32

THREE TWENTY FIVE COOPERATIVE  
325 CENTRAL PARK W.  
NEW YORK, NY 10025-7630

Block 1206, Lot 7501

327 CENTRAL PARK WEST CONDOMINIUM  
C/O RUDD REALTY MANAGEMENT CORP  
641 LEXINGTON AVE. FL. 10  
NEW YORK, NY 10022-4503

Block 1206, Lot 37

COLUMBIA GRAMMAR SCHOOL  
5 W. 93RD ST.  
NEW YORK, NY 10025-7699

Block 1206, Lot 42

10 WEST 93 STREET HDFC  
P.O. BOX 20082  
NEW YORK, NY 10025-1517

Block 1206, Lot 45

WESTWOOD HOUSE LLC  
STELLER MGMTMENT  
70 W. 93RD ST. STE 100  
NEW YORK, NY 10025-7620

Block 1207

Block 1207, Lot 1

STRYCKER'S BAY APTS. INC.  
C/O TUDOR REALTY SERVICES CORP  
250 PARK AVE. S.  
NEW YORK, NY 10003-1402

Block 1207, Lot 6

SIRIUS LLC  
2109 BROADWAY  
NEW YORK, NY 10023-2138

Block 1207, Lot 15

OWNER/AGENT  
37 W. 93RD ST.  
NEW YORK, NY 10025-7608

Block 1207, Lot 16

NINE G. CO. OPERATIVE INC.  
ANDREWS BUILDING CORP.  
666 BROADWAY  
NEW YORK, NY 10012-2317

Block 1207, Lot 23

COLUMBIA GRAMMAR SCHOOL  
7 W. 93RD ST.  
NEW YORK, NY 10025

Block 1207, Lot 29

333 CENTRAL PARK W. OWNERS CORP.  
C/O MIDBOR MGMT  
148 W. 37TH ST. FL. 8  
NEW YORK, NY 10018-6978

Block 1207, Lot 34

CHARLES H. GREENTHAL MGMT CORP.  
4 PARK AVE. FL. 3  
NEW YORK, NY 10016-5329

Block 1207, Lot 40

COLUMBIA GRAMMAR SCHOOL  
5 W. 93RD ST.  
NEW YORK, NY 10025-7699

Block 1207, Lot 41

COLUMBIA GRAMMAR SCHOOL  
7 W. 93RD ST.  
NEW YORK, NY 10025

Block 1207, Lot 141

COLUMBIA GRAMMAR SCHOOL  
7 W. 93RD ST.  
NEW YORK, NY 10025

Block 1207, Lot 42

COLUMBIA GRAMMAR SCHOOL  
5 W. 93RD ST.  
NEW YORK, NY 10025-7699

Block 1207, Lot 142

COLUMBIA GRAMMAR SCHOOL  
5 W. 93RD ST.  
NEW YORK, NY 10025-7699

Block 1207, Lot 43

COLUMBIA GRAMMAR AND PREPARATORY  
SCHOOL  
30 W. 94TH ST.  
NEW YORK, NY 10025-7112

Block 1207, Lot 44

COLUMBIA GRAMMAR & PREPARATORY  
SCHOOL  
32 W. 94TH ST.  
NEW YORK, NY 10025-7112

Block 1207, Lot 45

COLUMBIA GRAMMAR AND PREPARATORY  
SCHOOL  
34 W. 94TH ST.  
NEW YORK, NY 10025-7120

Block 1207, Lot 145

COLUMBIA GRAMMAR AND PREPARATORY  
SCHOOL  
34 W. 94TH ST.  
NEW YORK, NY 10025-7120

Block 1207, Lot 46

COLUMBIA GRAMMAR SCHOOL  
5 W. 93RD ST.  
NEW YORK, NY 10025-7699

Block 1207, Lot 47

DAVID G. KEYKO  
40 W. 94TH ST.  
NEW YORK, NY 10025-7112

Block 1207, Lot 48

SILVERSHORE PROPERTIES 10 LLC  
C/O SEYMOUR HURWITZ  
ESQ WEST 44TH ST.  
NEW YORK, NY 10036

Block 1207, Lot 149

FLATLEY, ROBERT  
44 W. 94TH ST.  
NEW YORK, NY 10025-7112

Block 1207, Lot 49

HOULTON, ELIZABETH  
46 W. 94TH ST.  
NEW YORK, NY 10025-7112

Block 1207, Lot 50

NEW YORK CITY HOUSING AUTH  
250 BROADWAY  
NEW YORK, NY 10007-2516

**36 West 93rd Street, Manhattan**

**Community Board**

Manhattan Community District #7  
250 W. 87th Street  
New York, NY 10024

**City Councilperson**

Gale A. Brewer  
563 Columbus Ave  
New York, New York 10024

**Borough President**

Office of Manhattan Borough President  
Scott M. Stringer  
1 Centre Street, 19th Floor  
New York, NY 10007

**Department of City Planning (Manhattan Office)**

Ms. Edith Hsu-Chen  
Director, Manhattan Office  
Department of City Planning  
22 Reade Street, 6W  
New York, NY 10007-1216

**Department of City Planning (Central Office)**

Christopher Holme  
22 Reade Street  
New York, NY 10007-1216

State of New York )  
County of Queens )

Ian Rasmussen, being duly sworn, deposes and says: That the foregoing names and addresses were obtained from the City Collector's office on the 26th day of March, 2012.



Sworn before me on

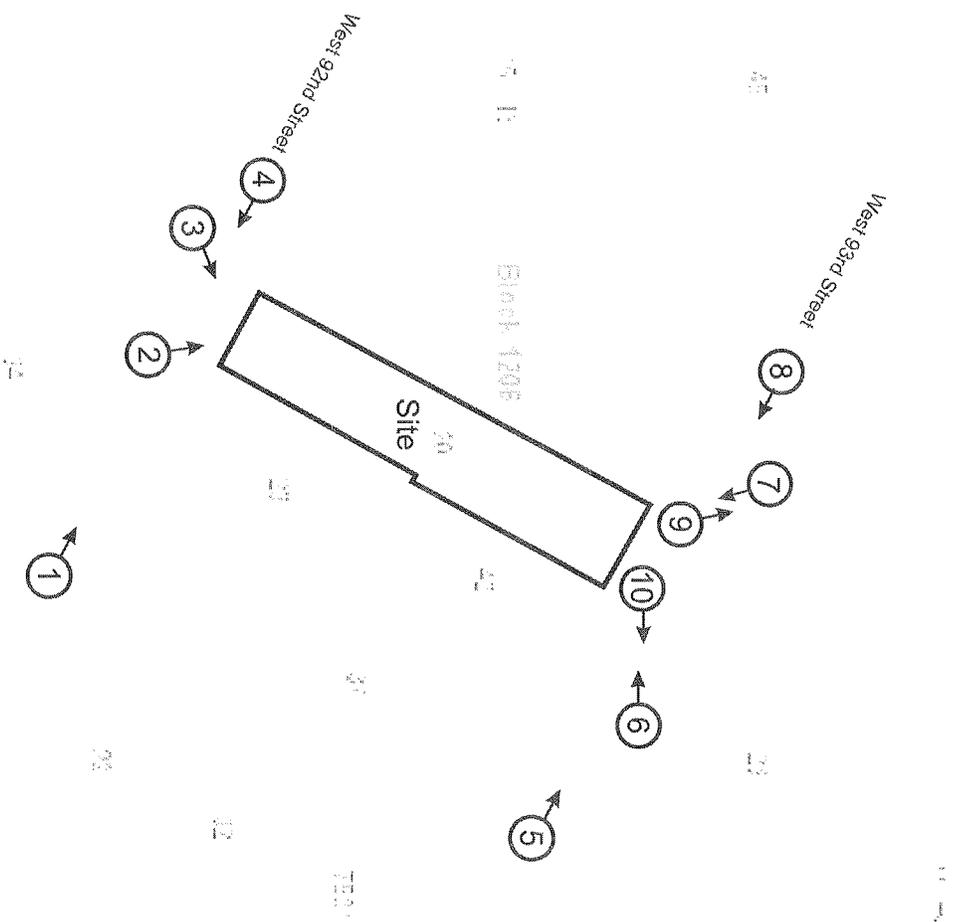
this 27 day of March, 2012.



Ian Rasmussen

WILLIAM LI  
Notary Public, State of New York  
No.01LI6192428  
Qualified in Queens County  
COMMISSION EXPIRES 09/02/2012

[Notary Public Stamp]



36 West 93rd Street, Manhattan  
Block 1206, Lot 20

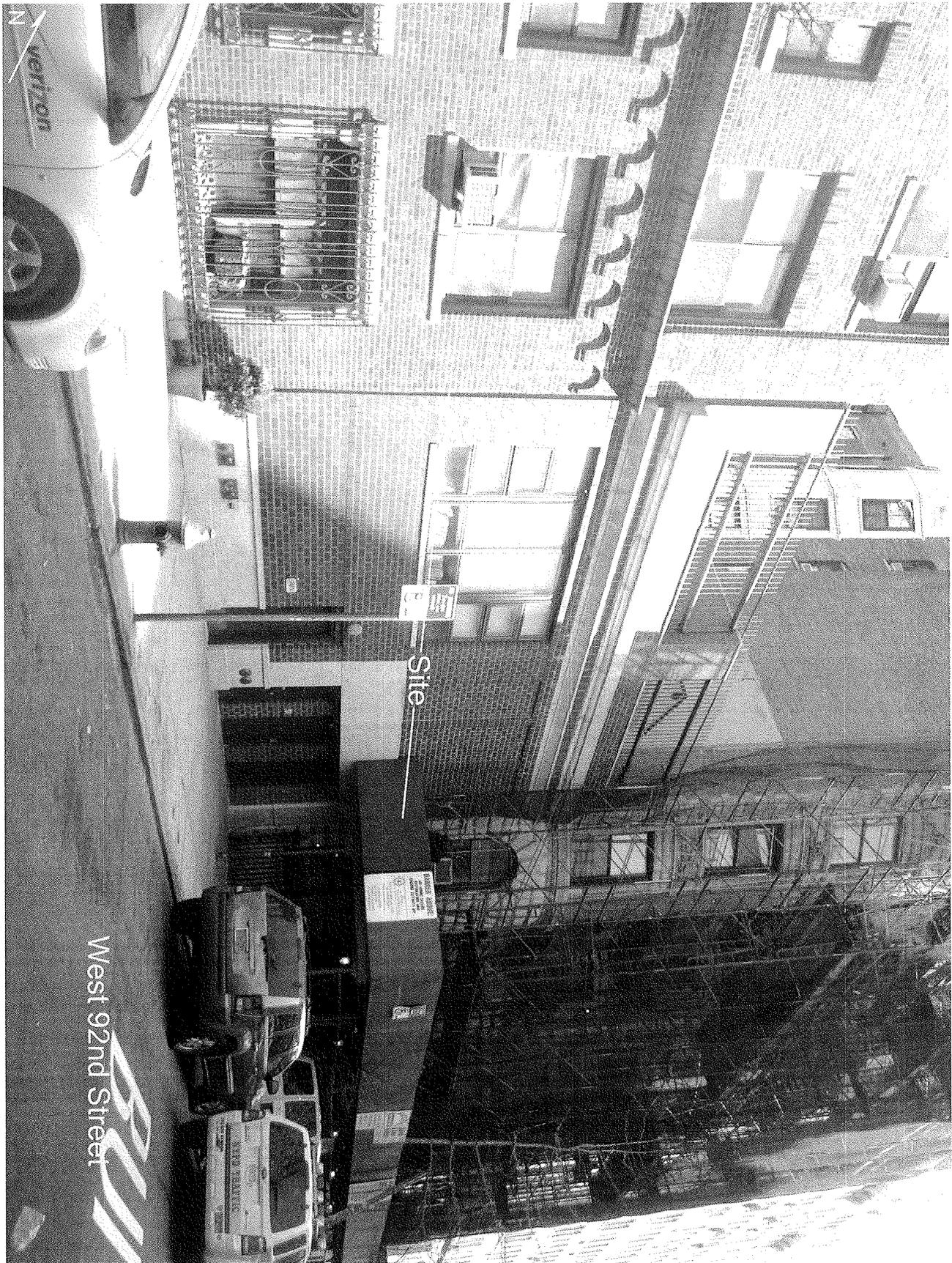
Photo #1

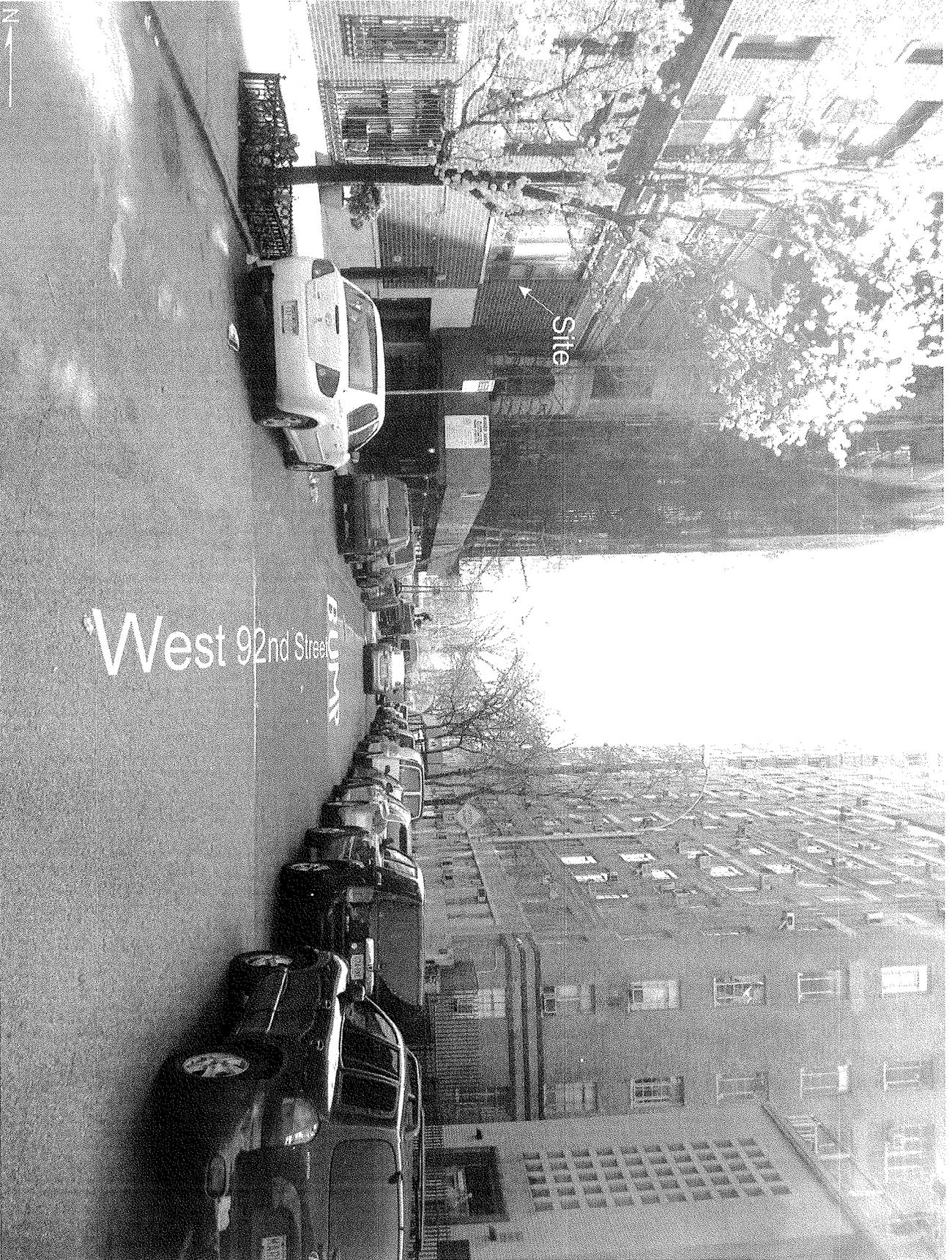


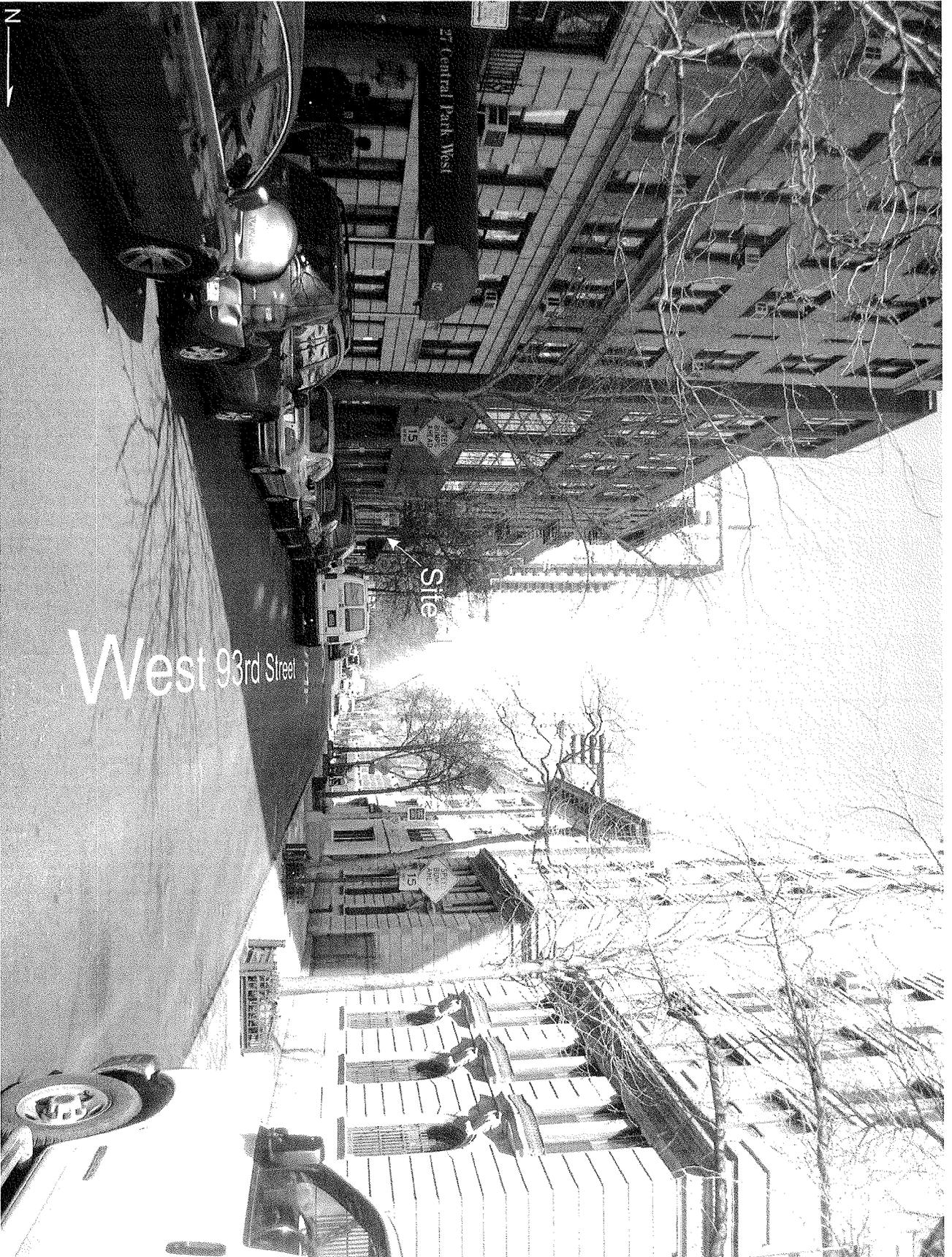


36 West 93rd Street, Manhattan  
Block 1206, Lot 20

Photo #3







36 West 93rd Street, Manhattan  
Block 1206, Lot 20

Photo #6



Urban Cartographics

107-14 Queens Boulevard, Forest Hills, NY 11375

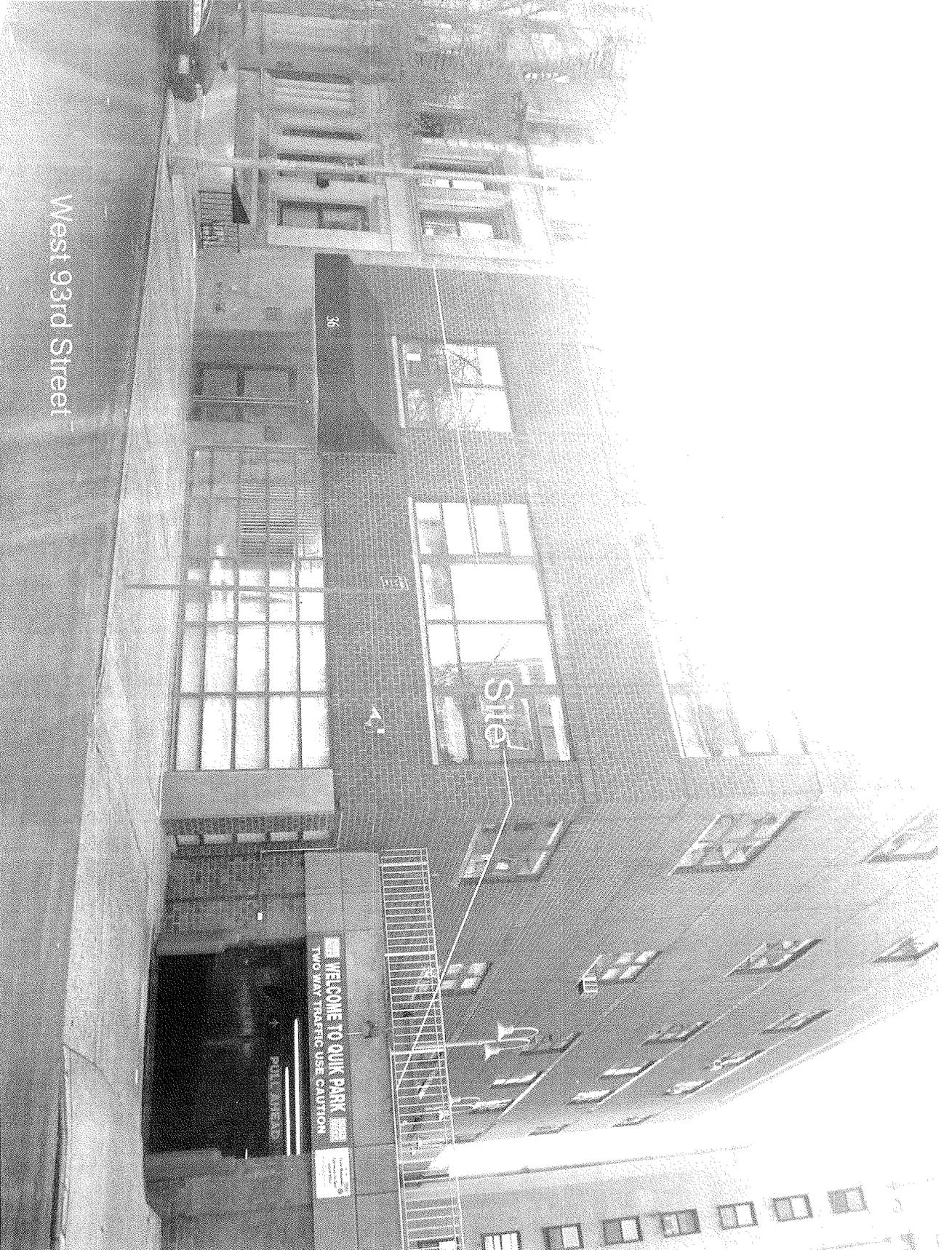
781.427.5299

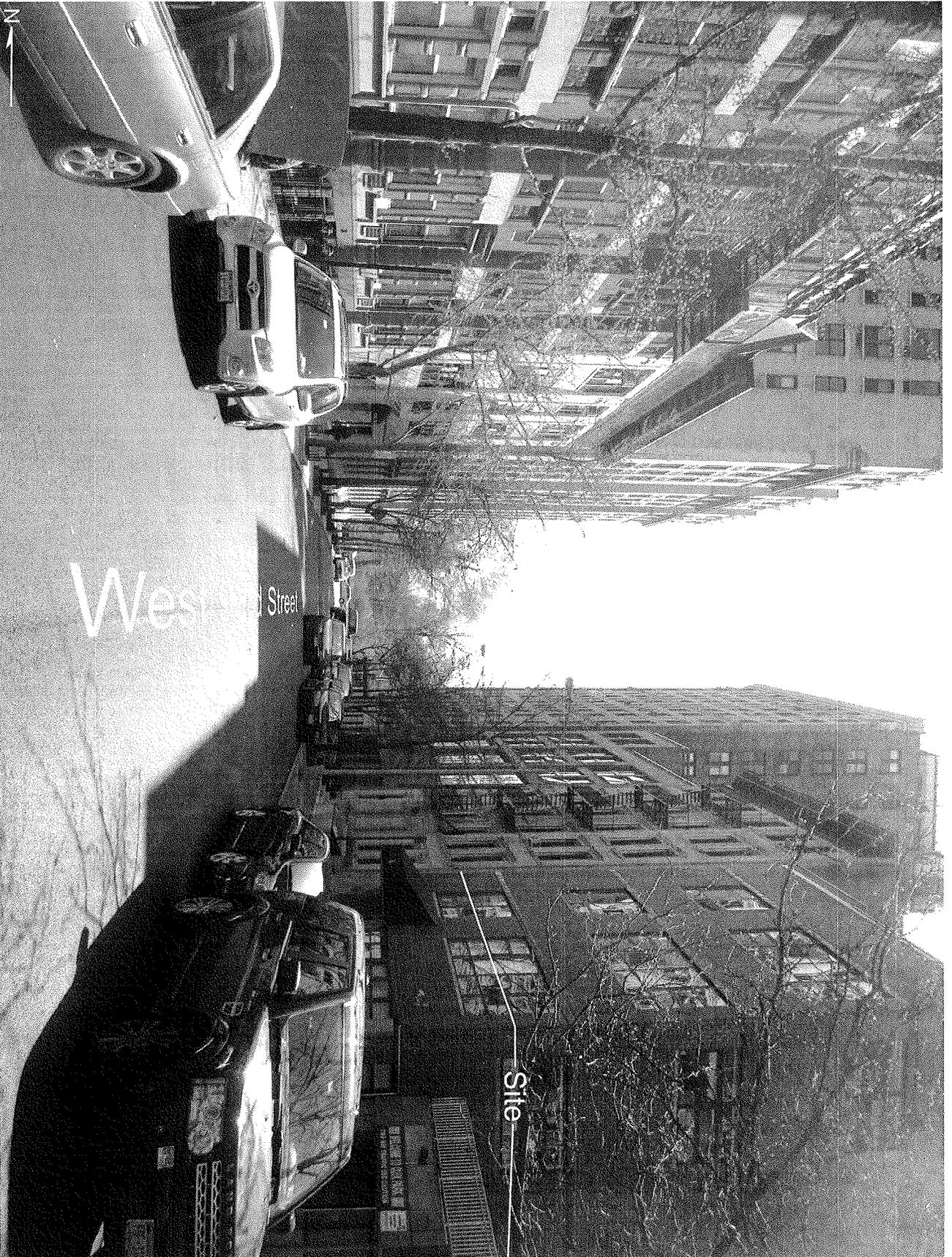
urbancartographics@gmail.com

www.urbancartographics.com

36 West 93rd Street, Manhattan  
Block 1206, Lot 20

Photo #7





36 West 93rd Street, Manhattan  
Block 1206, Lot 20

Photo #9



West 93rd Street

36 West 93rd Street, Manhattan  
Block 1206, Lot 20

Photo #10



BSA CALENDAR NO. \_\_\_\_\_ BLOCK 1206 LOT 20  
 SUBJECT SITE ADDRESS 36 W. 93rd st./33 W. 92 st, New York, NY  
 APPLICANT Davidoff Hutcher & Citron LLP

ZONING DISTRICT R7-2 PRIOR BSA # \_\_\_\_\_ COMPLIANT: "Y"  
 IF NOT: "N" and

SPECIAL/HISTORIC DISTRICT \_\_\_\_\_ INDICATE AMT  
 COMMUNITY BOARD 107 \* **APPLICABLE** ZR SECTION PERMITTED MINIMUM REQUIRED LEGAL PER C of O or BSA EXISTING PROPOSED OVER/UNDER

LOT AREA	8,354 SF		-	-	-	-	-
LOT WIDTH	45 FT		-	-	-	-	-
USE GROUP (S)	22-00	1-4		-	3	3	Y
FA RESIDENTIAL	-	-		-	-	-	NA
FA COMMUNITY FACILITY	24-11	54,301		-	28,178	40,778	Y
FA COMMERCIAL/INDUST.	-	-		-	-	-	NA
FLOOR AREA TOTAL	-	54,301		-	28,178	40,778	Y
FAR RESIDENTIAL	24-142	-		-	-	-	NA
FAR COMMUNITY FACILITY	24-11	6.5		-	3.37	4.88	Y
FAR COMMERCIAL/INDUST.	-	-		-	-	-	NA
FAR TOTAL	-	6.5		-	3.37	4.88	Y
OPEN SPACE	23-142		-	-	-	-	NA
OPEN SPACE RATIO	23-142		-	-	-	-	NA
LOT COVERAGE (%)	24-11	65%		-	98%	98%	N; +33%
NO. DWELLING UNITS	-	-		-	-	-	NA
WALL HEIGHT	-	NA		-	-	-	NA
TOTAL HEIGHT	-	NA		-	68'	95'	NA
NUMBER OF STORIES				-	-	7	NA
FRONT YARD	24-34		none	-	none	none	Y
SIDE YARD	24-35		none	-	none	none	Y
SIDE YARD	24-35		none	-	none	none	Y
REAR YARD	24-382		30' / 60'	-	74'	0'	N; 60'over
SETBACK (S)	24-522		20' at 60'	-	20' at 60'	NA	NA
SKY EXP. PLANE (SCOPE)	24-522	2.7:1		-	-	see diagram	N
NO. PARKING SPACES	13-41	-	none	-	none	none	Y
LOADING BERTH (S)	25-72	-	none	-	none	none	Y
OTHER: sliver @ 92nd St.	23-692	60' height	-	-	23'	54'	Y

\* In **Applicable ZR Section column**: For RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g., R4/23-141, and contrast compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area elements to **current R district requirements**, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY uses in districts where not permitted, contrast to **nearest district where permitted**. For all applications, attach zoning map and highlight subject site. Be sure that all items noted in the DOB Denial/Objection are included. **NOTES:** Total height is to top of main roof; bulkheads, elevator machine room, mezz.

