

1077-66-BZ

APPLICANT – Carl A. Sulfaro, Esq., for Richmond Petroleum, Incorporated, owner.

SUBJECT – Application May 10, 2006 – Pursuant to ZR §72-01 & §72-22 to reopen and amend the BSA resolution for a change of use to an existing gasoline service station with minor auto repairs. The amendment is to convert the existing auto repair bays to a convenience store as accessory use to an existing gasoline service station. The premise is located in C2-2 in an R3-2 zoning district.

PREMISES AFFECTED – 1320 Richard Terrace, Southwest corner of Bement Avenue, Block 157, Lot 9, Borough of Staten Island.

COMMUNITY BOARD #1SI

APPEARANCES –

For Applicant: Carl Sulfaro.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice-Chair Babbar, and Commissioner Collins.....3

Negative:.....0

THE RESOLUTION:

WHEREAS, this is an application for a re-opening and an amendment to the previously granted variance for a gasoline service station with accessory uses; and

WHEREAS, a public hearing was held on this application on August 8, 2006, after due notice by publication in *The City Record*, and then to decision on September 12, 2006; and

WHEREAS, Community Board 1, Staten Island, recommends conditional approval of this application; certain of the conditions are addressed below, including that a landscaped buffer zone be maintained along the residential property line; and

WHEREAS, the premises is located on the southwest corner of Bement Avenue and Richmond Terrace; and

WHEREAS, the site is located within a C2-2 (R3-2) zoning district and is improved upon with a gasoline service station; and

WHEREAS, the Board has exercised jurisdiction over the subject site since March 14, 1967 when, under the subject calendar number, the Board granted an application for the reconstruction of a prior gasoline service station; and

WHEREAS, subsequently, the grant was amended twice to permit an extension of time to complete construction; and

WHEREAS, on November 14, 2000, the Board granted an amendment to permit the installation of a metal canopy and the enlargement of the accessory building to create an attendant area, convenience store, and repair service area; and

WHEREAS, the applicant represents that the accessory building was never enlarged and the convenience store never established; and

WHEREAS, the applicant now seeks to make the following changes: an enlargement of the proposed accessory building by an additional 586.75 sq. ft., the provision of eight accessory parking spaces, the addition of two non-illuminated signs, and the addition of landscaping along the western edge of the property; and

WHEREAS, the applicant represents that the existing floor area of the accessory building is 1,344 sq. ft and after the proposed enlargement, the total floor area will be 1,930.75 sq. ft.; and

WHEREAS, at hearing, the Board asked the applicant to clarify the hours of operation for the service station and proposed convenience store; and

WHEREAS, the applicant responded that the station has been open for 24 hours a day and represents that there have not been any complaints; and

WHEREAS, additionally, the Board requested that the applicant maintain the site, specifically including the sidewalk, in good repair; and

WHEREAS, accordingly, based upon the submitted evidence, the Board finds the proposed amendments are appropriate, with certain conditions as set forth below.

Therefore it is Resolved that the Board of Standards and Appeals *reopens and amends* the resolution, as adopted on March 14, 1967, so that as amended this portion of the resolution shall read: “to permit the enlargement of the accessory service building and to permit its conversion to an accessory convenience store; the provision of eight accessory parking spaces; the addition of two non-illuminated signs, and the addition of landscaping, *on condition* that the use shall substantially conform to drawings as filed with this application, marked “Received May 10, 2006”-(3) sheets and “Received August 29, 2006”-(2) sheets; and *on further condition:*

THAT the sidewalk shall be repaired and maintained in good repair;

THAT planting along the westerly and southwesterly lot lines shall be planted and maintained;

THAT the above condition shall be listed on the certificate of occupancy;

THAT all conditions from prior resolutions not specifically waived by the Board remain in effect;

THAT DOB shall review and approve the layout of the onsite parking;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code, and any other relevant laws under its jurisdiction irrespective of plan(s)/configuration(s) not related to the relief granted.” (DOB Application No. 500828303)

Adopted by the Board of Standards and Appeals, September 12, 2006.

A true copy of resolution adopted by the Board of Standards and Appeals, September 12, 2006.

Printed in Bulletin Nos. 35-36, Vol. 91.

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.