

1204-80-BZ

APPLICANT - Joseph P. Morsellino, Esq., for 835 Tilden Street Holding Corporation, owner; East End Sanitation, lessee.

SUBJECT - Application August 28, 2001 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance and for an amendment to the resolution.

PREMISES AFFECTED - 835 Tilden Street, 300' east of Barnes Avenue, Block 4671, Lot 9, Borough of The Bronx.

COMMUNITY BOARD #12BX

APPEARANCES -

For Applicant: Joseph Morsellino.

ACTION OF THE BOARD - Rules of Practice and Procedure waived, application reopened, term of variance extended and resolution amended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo....4

Negative:

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THE RESOLUTION -

WHEREAS, the applicant has requested a reopening and an extension of the term of the variance which expired January 26, 2002; and

WHEREAS, a public hearing was held on this application on February 26, 2002 after due notice by publication in *The City Record*, and laid over to March 19, 2002, and then to April 9, 2002 for decision; and

WHEREAS, the applicant is seeking to extend the term of the variance for an additional ten (10) years; and

Resolved, that the Board of Standards and Appeals hereby waives the Rules of Practice and Procedure and *reopens and extends* the resolution pursuant to Z.R. §§72-01 and 72-22, said resolution having been adopted January 26, 1982, as amended through July 14, 1992, so that as amended this portion of the resolution shall read:

“to extend the of the variance to ten (10) years from January 26, 2002, expiring January 26, 2012, *on condition that*, the premises be kept clean of debris and graffiti;

THAT this variance shall expire with any change of use, ownership or lessee;

THAT there shall be no outdoor parking of vehicles on the premises;

THAT all lighting shall be pointed away from residential dwellings;

THAT all signs shall be maintained in accordance with BSA approved plans;

THAT the premises shall be maintained in substantial compliance with previously Board approved plans marked “Received August 27, 2001”-(1) sheet, “March 1, 2002” -(1) sheet; and that other than as herein amended the resolution above

cited shall be complied with in all respects, and a new Certificate of Occupancy shall be obtained within one year from the date of this amended resolution; on further condition

THAT all other conditions of the prior grant remain in effect;

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;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

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) and/or configuration(s) not related to the relief granted.”

(ALT No. 200683449)

Adopted by the Board of Standards and Appeals, April 9, 2002.