136-06-BZ
APPLICANT – Law Office of Fredrick A. Becker, for Fulton View Realty, LLC, lessee.
SUBJECT – Application August 24, 2012 – Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the residential conversion and one-story enlargement of three, four-story buildings. M2-1 zoning district.
PREMISES AFFECTED – 11-15 Old Fulton Street, between Water Street and Front Street, Block 35, Lot 7, 8 & 9, Borough of Brooklyn.
COMMUNITY BOARD #2BK
ACTION OF THE BOARD – Application granted on condition.
THE VOTE TO GRANT –
Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez 5
Negative:.....0
THE RESOLUTION –

WHEREAS, this is an application for a waiver of the Rules of Practice and Procedure, a reopening, and an extension of time to complete construction of a previously granted variance to permit the residential conversion and one-story enlargement of three existing four-story buildings, which expired on May 8, 2011; and

WHEREAS, a public hearing was held on this application on January 8, 2013, after due notice by publication in *The City Record*, and then to decision on January 29, 2013; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan, Commissioner Montanez, and Commissioner Ottley-Brown; and

WHEREAS, the subject site is located on the north side of Old Fulton Street, between Front Street and Water Street, in an M2-1 zoning district within the Fulton Ferry Historic District; and

WHEREAS, on May 8, 2007, under the subject calendar number, the Board granted a variance to permit the proposed residential conversion and one-story enlargement of three adjacent four-story buildings, with ground floor retail and 15 dwelling units, contrary to ZR §§ 42-10, 43-12, 43-26, and 54-31; and

WHEREAS, substantial construction was to be completed by May 8, 2011, in accordance with ZR § 72-23; and

WHEREAS, the applicant states that due to financing delays, additional time is necessary to complete the project; thus, the applicant now requests an extension of time to complete construction; and

WHEREAS, the applicant represents that the owner is now prepared to proceed with construction; and

WHEREAS, based upon its review of the record, the Board finds that the requested extension of time to complete construction is appropriate with certain conditions as set forth below.

Therefore it is Resolved that the Board of Standards and Appeals *waives* the Rules of Practice and Procedure, *reopens*, and *amends* the resolution, dated May 8, 2007, so that as amended this portion of the resolution shall read: "to grant an extension of the time to complete construction for a term of four years, to expire on January 29, 2017; *on condition*:

THAT substantial construction will be completed by January 29, 2017;

THAT all conditions from prior resolutions not specifically waived by the Board 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; 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) and/or configuration(s) not related to the relief granted."
(DOB Application No. 301564162)

Adopted by the Board of Standards and Appeals, January 29, 2013.

A true copy of resolution adopted by the Board of Standards and Appeals, January 29, 2013.
Printed in Bulletin Nos. 4-5, Vol. 98.
Copies Sent
To Applicant
Fire Com'r.
Borough Com'r.