

145-95-BZ

APPLICANT - Sullivan Chester & Gardner, P.C., for LRHC, Inc., d/b/a Lucille Roberts, owner.

SUBJECT - Application June 5, 2003 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired November 13, 2002.

PREMISES AFFECTED - 80 Fifth Avenue, southwest corner of West 14th Street, Block 577, Lot 39, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES - None.

ACTION OF THE BOARD - Rules of Practice and Procedure waived, application reopened, and term of the special permit extended.

THE VOTE TO GRANT -

Affirmative: Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....3

Negative:.....0

Abstain: Chair Srinivasan.....1

Absent: Commissioner Chin.....1

THE RESOLUTION -

WHEREAS, a public hearing was held on this application on August 12, 2003, after due notice by publication in The City Record, and laid over to September 30, 2003, November 25, 2003, January 13, 2004, and then to February 3, 2004 for decision; and

WHEREAS, the applicant requests a waiver of the Rules of Practice and Procedure, a re-opening, and an extension of the term of the special permit, which expired on November 13, 2002; and

WHEREAS, November 13, 1996, the Board granted an application permitting, in a C6-4 zoning district, the legalization of a physical culture establishment located on the second floor of a 16-story commercial building.

Resolved, that the Board of Standards and Appeals, waives the Rules of Practice and Procedure, *reopens and amends* the resolution, so that as amended this portion of the resolution shall read: "to permit the extension of the term of the special permit for an additional (10) years, from November 13, 2002 to expire on November 13, 2012, on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received June 5, 2003"-(2) sheets; and *on further condition*:

THAT the premises shall be maintained free of debris and graffiti;

THAT any graffiti located on the premises shall be removed within 48 hours;

THAT the above conditions and all conditions from prior resolutions shall appear on the certificate of occupancy;

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 #100908485)

Adopted by the Board of Standards and Appeals, February 3, 2004.

**A true copy of resolution adopted by the Board of Standards and Appeals, February 3, 2004.
Printed in Bulletin No. 7, Vol. 89.**

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.