

151-05-BZ

APPLICANT – John R. Sore c/o Shalimar Management, for 100 Varick Street, LLC, owner.

SUBJECT – Application May 10, 2010 – Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a 10-story residential building which expires on August 8, 2010. M1-6 zoning district.

PREMISES AFFECTED – 100 Varick Street, easterly side of Varick Street between Broome Street and Watts Street, Block 477, Lot 35, 42, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES –

For Applicant: John R. Sore.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez4

Absent: Vice Chair Collins.....1

Negative:.....0

THE RESOLUTION –

WHEREAS, this is an application for a reopening and an extension of time to complete construction of a previously granted variance to permit, within an M1-6 zoning district, the construction of an eight-story residential building, which expires on August 8, 2010; and

WHEREAS, a public hearing was held on this application on May 18, 2010, after due notice by publication in *The City Record*, and then to decision on June 8, 2010; and

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

WHEREAS, the subject site is located on the east side of Varick Street, between Broome Street and Watts Street, within an M1-6 zoning district; and

WHEREAS, the Board has exercised jurisdiction over the site since August 8, 2006 when, under the subject calendar number, the Board granted a variance to permit the proposed construction of an eight-story, 61-unit residential building; and

WHEREAS, substantial construction was to be completed by August 8, 2010, in accordance with ZR § 72-23; and

WHEREAS, the applicant states that it has demolished the two existing buildings on the site, performed cleanup work, and conducted soil borings which indicated that bedrock suitable for bearing does not

exist until a depth of 100 feet, and the subsurface conditions will substantially increase foundation costs for the proposed development; and

WHEREAS, the applicant states that due to funding delays, additional time is necessary to complete the project; thus, the applicant now requests an extension of time to complete 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 *reopens* and *amends* the resolution, dated August 8, 2006, 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 August 8, 2014; *on condition*:

THAT substantial construction shall be completed by August 8, 2014;

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. 103625436)

Adopted by the Board of Standards and Appeals, June 8, 2010.

A true copy of resolution adopted by the Board of Standards and Appeals, June 8, 2010.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.