

173-92-BZ

APPLICANT - Law Offices of Howard Goldman LLC, for Bremen House, Inc., owner.

SUBJECT - Application February 20, 2004 - reopening for an extension of term of special permit granted pursuant to Z.R. §73-36 that permitted a physical culture establishment on the second floor of a building, located in a C2-8 zoning district.

PREMISES AFFECTED - 220 East 86th Street, between 2nd and 3rd Avenues, Block 1531, Lot 38, Borough of Manhattan.

COMMUNITY BOARD #8M

APPEARANCES - None.

ACTION OF THE BOARD - Application reopened, and term of special permit extended.

THE VOTE TO GRANT -

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

Negative:.....0

Absent: Commissioner Miele.....1

THE RESOLUTION -

WHEREAS, a public hearing was held on this application on July 13, 2004 after due notice by publication in *The City Record*, and laid over to August 10, 2004 for decision; and

WHEREAS, the applicant requests a reopening and an extension of the term of the special permit, which expired on January 25, 2004; and

WHEREAS, on July 12, 1977, under Calendar Nos. 88-77-BZ, 89-77-BZ and 90-77-BZ the Board granted three (3) separate applications under Z.R. §2-21 to permit the enlargement in area of the first floor of one building on a site comprising two (2) zoning lots; and

WHEREAS, all of the above-referenced lots were subsequently declared to be one zoning lot; and

WHEREAS, the resolutions were superseded on December 8, 1992 under Calendar No. 88-77-BZ to legalize, among other things, the removal of two (2) small partitions and erection of several non-bearing partitions on condition that the owner obtain a special permit to legalize the use of the second floor as a physical culture establishment; and

WHEREAS, on January 25 1994, under Calendar No. 173-92-BZ the Board granted a special permit pursuant to Z.R. §73-36 to establish in a C2-8A and R8B district, the legalization of a physical culture establishment for martial arts (Use Group 9) on the second floor of a four (4) story and cellar mixed-use building located within the C2-8A zoned portion of the site.

Resolved, that the Board of Standards and Appeals, *reopens and amends* the resolution, said resolution having been adopted on January 25, 1994, 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 ten (10) years from January 25, 2004, expiring on January 25, 2014; *on condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked "Received July 27, 2004"- (2) sheets; and *on further condition*;

THAT there shall be no change in ownership or operating control of the physical culture establishment without prior application to and approval from the Board;

THAT the hours and days of operation of the facility are Monday through Friday from 10:00 a.m. until 9:00 p.m.; and Saturday and Sunday from 9:00 a.m. until 5:00 p.m.;

THAT all signage shall comply with the underlying zoning district regulations;

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

THAT all signs shall comply with the underlying district regulations;

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 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 # 100488116)

Adopted by the Board of Standards and Appeals, August 10, 2004.

A true copy of resolution adopted by the Board of Standards and Appeals, August 10, 2004.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.