

175-05-BZ

APPLICANT – Eric Palatnik, P.C., for Athanasios Amaxus, owner.

SUBJECT – Application September 9, 2010 – Extension of Time to Complete Construction of a previously approved Variance (§72-21) to construct a four-story multiple dwelling with accessory parking which expires on January 9, 2011. M1-1 zoning district. PREMISES AFFECTED – 18-24 Luquer Street, between Hicks Street and Columbia Street, Block 520, Lot 16, Borough of Brooklyn.

COMMUNITY BOARD #16BK

APPEARANCES –

For Applicant: Trevis Savage.

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 Montanez5

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 M1-1 zoning district, the construction of a three-story and cellar residential building, which expired on January 9, 2011; and

WHEREAS, a public hearing was held on this application on October 19, 2010, after due notice by publication in *The City Record*, with continued hearings on November 23, 2010 and December 14, 2010, and then to decision on January 25, 2011; 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 south side of Luquer Street between Columbia Street and Hicks Street, within an M1-1 zoning district; and

WHEREAS, the Board has exercised jurisdiction over the site since January 9, 2007 when, under the subject calendar number, the Board granted a variance to permit the proposed construction of a three-story and cellar 12-unit residential building; and

WHEREAS, substantial construction was to be completed by January 9, 2011, in accordance with ZR § 72-23; 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

A true copy of resolution adopted by the Board of Standards and Appeals, January 25, 2011.

Printed in Bulletin Nos. 4-5, Vol. 96.

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

WHEREAS, at hearing, the Board questioned whether the site was being used as a parking lot, and directed the applicant to remove the graffiti from the construction fence; and

WHEREAS, in response, the applicant states that the site is not being used as a parking lot, and submitted photographs reflecting that the graffiti has been removed from the construction fence; and

WHEREAS, the Board also raised concerns about the condition of the fence located along the eastern lot line and whether it encroached onto the adjacent lot; and

WHEREAS, in response, the applicant submitted photographs reflecting that the portion of the fence that was in disrepair has been removed, and represents that the fence will be restored as soon as weather permits; 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 January 9, 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 9, 2015; *on condition*:

THAT substantial construction shall be completed by January 9, 2015;

THAT the fence located along the eastern lot line shall be repaired by April 25, 2011;

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. 301973639)

Adopted by the Board of Standards and Appeals, January 25, 2011.