

200-24-BZ

APPLICANT - Stephen Ely, for Haymes Investment Company, owner; Cha Duk Kim, Hail Super Corp, lessee.

SUBJECT - Application October 20, 2000 - reopening for an extension of term of the variance which expired September 23, 2000, and for an amendment to legalize the change of use from automotive related service (Use Group 16) to use food store (Use Group 6).

PREMISES AFFECTED -3030 Jerome Avenue a.k.a 3103 Villa Avenue, 161.81' south of East 204th Street, Block 3321, Lot 25 Borough of The Bronx.

COMMUNITY BOARD #7BX**APPEARANCES -**

For Administration: Lt. Haven, Fire Department.

ACTION OF THE BOARD - Application reopened, term of the variance extended and resolution amended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....

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Negative:

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THE RESOLUTION -

WHEREAS, the applicant requested an extension of the term of the variance and an amendment to the resolution; and

WHEREAS, a public hearing was held on this application on March 27, 2001 after due notice by publication in the City Record, laid over to April 17, 2001 for decision.

WHEREAS, the applicant proposes to legalize the change of use from automotive related services (Use Group 16) to a retail food store (Use Group 6) and to extend the term of the variance; and

WHEREAS, the Board finds that the current occupancy will have no negative impact in the development of the surrounding area;

Resolved, that the Board of Standards and Appeals *reopens and amends* the resolution pursuant to §11-411 and §11-413 of the *Zoning Resolution*, said resolution having been adopted on March 20, 1960 as amended through May 7, 1991 expiring on September 23, 2000, so that as amended this portion of the resolution shall read:

" to legalize the change of use from automotive related services (Use Group16) to a retail food store (Use Group 6) and to extend the term of the variance; on condition that the term of the variance shall be limited to ten years to expire on September 23, 2010; that the garbage pickup and all loading and unloading shall occur from the commercial portion of the property; that the premises shall be maintained graffiti free and in substantial compliance with the proposed conditions plans submitted with this application marked 'Received October 20, 2000' -(3) sheets; and that the change of use, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department."

(DOB 200608896)

Adopted by the Board of Standards and Appeals, April 17, 2001.