

236-98-BZ

APPLICANT - Deidre A. Carson, Esq., Greenberg Traurig, LLP, for Anthony Fericola, owner.

SUBJECT - Application June 1, 2004 - reopening for an extension of time to complete construction.

PREMISES AFFECTED - 103-117 Kent Avenue, northeast corner of the intersection of Kent Avenue and North 7th Street, Block 2317, Lots 1, 3, 5, 6, 7 and 36, Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEARANCES -

For Applicant: Janice Cahalane.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

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

Negative:.....0

Absent: Commissioner Chin.....1

THE RESOLUTION -

WHEREAS, this application is for an extension of time to complete construction; and

WHEREAS, a public hearing was held on this application on October 19, 2004, after due notice by publication in *The City Record*, and then to November 9, 2004 for decision; and

WHEREAS, on May 2, 2000, the Board granted an application under the subject BSA calendar number to permit the conversion and enlargement of an existing one-story manufacturing building for residential use; and

WHEREAS, on May 7, 2002, the Board granted an application for an amendment to the resolution to permit: (1) the substitution of 5 three-bedroom duplex apartments with 10 two-bedroom simplex apartments along the Kent Avenue frontage; (2) an increase in the number of parking spaces provided from 20 to 23; (3) the creation of a cellar level of parking at the location of the existing building; and (4) the installation of a passenger elevator to service the dwelling units in the portion of the proposed building at the corner of Kent Avenue and North Seventh Street; and

WHEREAS, the applicant states that construction has been delayed by a number of factors including design changes, financing difficulties and site preparation requirements, including those imposed by the MTA.

Therefore it is Resolved that the Board of Standards and Appeals *reopens and amends* the resolution, said resolution having been adopted on May 2, 2000, so that as amended this portion of the

resolution shall read: "to permit an extension of the time to complete construction for a period of three (3) years from the date of this resolution; *on 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 shall appear on the certificate of occupancy;

THAT the construction of the proposed development shall comply with the previously approved Board plans;

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."

Adopted by the Board of Standards and Appeals, November 9, 2004.

**A true copy of resolution adopted by the Board of Standards and Appeals, November 9, 2004.
Printed in Bulletin No. 45-46, Vol. 89.**

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.