

269-98-BZ

APPLICANT – Mothiur Rahman, for Mothiur Rahman, owner.

SUBJECT – Application April 12, 2006 – Pursuant to ZR §72-01 for the Extension of Time to Complete Construction and to obtain a Certificate of Occupancy for the construction of a two story building for commercial use (Retail UG6) in a residential use district.

PREMISES AFFECTED – 70 East 184th Street, a/k/a 2363 Morris Avenue, south side of East 184th Street, corner formed by the intersection of Morris Avenue, Block 3183, Lot 42, Borough of The Bronx.

COMMUNITY BOARD #5BX

APPEARANCES –

For Applicant: Mothiur Rahman.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice-Chair Babbar, and Commissioner Collins.....3

Negative:.....0

THE RESOLUTION:

WHEREAS, this is an application for a reopening and an extension of time to complete construction of a two-story commercial building permitted by a prior grant, which expired on April 13, 2006; and

WHEREAS, a public hearing was held on this application on June 13, 2006, after due notice by publication in the *City Record*, with continued hearings to July 18, 2006, and then to decision on August 15, 2006; and

WHEREAS, on January 11, 2000, under the subject calendar number, the Board granted a variance application to permit the construction of a two-story commercial building (UG 6) in an R8 zoning district; and

WHEREAS, on April 13, 2004, the Board reopened and amended the resolution to permit an extension of time to complete construction and obtain a certificate of occupancy, which expired on April 13, 2006; and

WHEREAS, the applicant states that the reason for the requested extension of time is that construction has not commenced due to financing issues; and

WHEREAS, at hearing, the Board asked the applicant how much time would be required to complete construction; and

WHEREAS, the applicant responded that construction could begin immediately and be completed in two years; and

WHEREAS, the Board has determined that the

A true copy of resolution adopted by the Board of Standards and Appeals, August 15, 2006.

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Borough Com'r.

evidence in the record supports the grant of the requested extension.

Therefore it is Resolved that the Board of Standards and Appeals reopens and amends the resolution, said resolution having been adopted on January 11, 2000, so that as amended this portion of the resolution shall read: “to permit an extension of time to complete construction, for a period of two years from the date of this resolution to expire on August 15, 2008; *on condition*:

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. 200483422)

Adopted by the Board of Standards and Appeals, August 15, 2006.