

490-69-BZ

APPLICANT - Sheldon Lobel, P.C., for 300 East 74th Owners Corp., owner; GGMC Parking, LLC, lessee.

SUBJECT - Application September 2, 2004 - reopening for an extension of term of a variance for attended transient parking in a multiple dwelling presently located in a C1-9 and R8-B zoning district. The original grant of the variance by the Board of Standards and Appeals was made pursuant to Section 60(3) of the multiple Dwelling Law.

PREMISES AFFECTED - 1408/18 Second Avenue, 303/09 East 73rd Street, 300/04 East 74th Street, east side of Second Avenue, 50' north of East 73rd Street, Block 1448, Lot 3, Borough of Manhattan.

COMMUNITY BOARD#8M

APPEARANCES -

For Applicant: Janice Cahalane.

ACTION OF THE BOARD - Application granted upon condition.

THE VOTE TO GRANT -

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

Negative:.....0

THE RESOLUTION -

WHEREAS, this application is a request for a re-opening and an extension of term of the variance; and

WHEREAS, a public hearing was held on this application on March 8, 2005, after due notice by publication in The City Record, with a continued hearing on April 12, 2005, and then to decision on May 10, 2005; and

WHEREAS, Community Board No. 8, Manhattan, recommended approval of this application; and

WHEREAS, on November 25, 1969, the Board granted an application pursuant to Section 60(1)(b) of the Multiple Dwelling Law ("MDL") under the subject calendar number to permit the use of transient parking for the unused and surplus parking spaces in a multiple dwelling accessory garage, in addition to tenant and monthly parking, on condition that the transient parking spaces shall not exceed forty in number; and

WHEREAS, the term of the variance was extended for a period of ten years on January 8, 1985 and November 15, 1994.

Therefore it is Resolved that the Board of Standards and Appeals waives the Rules of Practice and Procedure, reopens and amends the resolution pursuant to Section 60(1)(b) of the MDL, said resolution having been adopted on November 25, 1969, so that as amended this portion of the

resolution shall read: "granted for a term of ten (10) years from November 15, 2004 to expire on November 15, 2014; on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked `Received April 22, 2005'-(4) sheets; and on further condition;

THAT the number of daily transient parking spaces shall be no greater than 40;

THAT all residential leases shall indicate that the spaces devoted to transient parking can be recaptured by residential tenants on 30 days notice to the owner;

THAT a sign providing the same information about tenant recapture rights be placed in a conspicuous place within the garage;

THAT the above conditions shall be listed on the certificate of occupancy;

THAT all conditions from prior resolutions not specifically waived by the Board remain in effect;

THAT the layout of the parking garage shall be as approved by the Department of Buildings;

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. 103799383)

Adopted by the Board of Standards and Appeals, May 10, 2005.

A true copy of resolution adopted by the Board of Standards and Appeals, May 10, 2005.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.