

**515-89-BZ**

**APPLICANT** - Sheldon Lobel, P.C., for 50 East 78th Street, L.P., owner.

**SUBJECT** - Application August 23, 2003 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of time which expired October 16, 1998.

**PREMISES AFFECTED** - 50 East 78th Street, 78th Street between Madison and Park Avenues, Block 1392, Lot 47, Borough of Manhattan.

**COMMUNITY BOARD #8M**

**APPEARANCES** -

For Applicant: Jordan Most.

**ACTION OF THE BOARD** - Rules of Practice and Procedure waived, application reopened and time to obtain a Certificate of Occupancy extended.

**THE VOTE TO GRANT** -

Affirmative: Chairman Chin, Vice-Chair Babbar and Commissioner Caliendo.....3

Negative: .....0

Absent: Commissioner Miele.....1

**THE RESOLUTION** -

WHEREAS, the applicant requests a waiver of the rules of practice and procedure and a re-opening to amend the resolution allowing for an extension of time to obtain a new certificate of occupancy which expired on May 11, 2000; and

WHEREAS, a public hearing was held on this application on October 28, 2003, after due notice by publication in The City Record, and laid over to November 18, 2003 for decision; and

WHEREAS, on May 11, 1999, the Board granted the extension of term of a special permit, until October 7, 2007, for a commercial art gallery, on condition that a Certificate of Occupancy be obtained by May 11, 2000.

Resolved, that the Board of Standards and Appeals, waives the rules of practice and procedures reopens and amends the resolution to extend the time to obtain a Certificate of Occupancy which expired on May 11, 2000, said resolution having been adopted on October 16, 1990 amended through May 11, 1999, so that as amended this portion of the resolution shall read:

"to extend the time to obtain a new Certificate of Occupancy so that a new Certificate of Occupancy shall be obtained within sixty (60) months from May 11, 2000", 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 and all conditions from prior resolutions shall appear on the certificate of

occupancy;

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;

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 Alt #265/30)

Adopted by the Board of Standards and Appeals, November 18, 2003.

**A true copy of resolution adopted by the Board of Standards and Appeals, November 18, 2003.**

**Printed in Bulletin No. 47, Vol. 88.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**