

**578-71-BZ**

APPLICANT - Walter T. Gorman, P.E., for The Richard W. Schenkel Trust and Schenkel Investments, L.P., owner; One Hess Plaza, lessee.

SUBJECT - Application May 27, 2003 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 833/47 4<sup>th</sup> Avenue, southeast corner of 30<sup>th</sup> Street, Block 673, Lot 1, Borough of Brooklyn.

**COMMUNITY BOARD #7BK**

APPEARANCES -

For Applicant: John Ronan.

**ACTION OF THE BOARD** - Application re-opened and resolution amended.

**THE VOTE TO GRANT** -

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

Negative: .....0

**THE RESOLUTION** -

WHEREAS, a public hearing was held on this application on August 5, 2003, after due notice by publication in The City Record, laid over to September 16, 2003 and then to October 7, 2003 for decision; and

WHEREAS, on February 1, 1972, under Z.R. §73-11, the Board granted a special permit allowing the reconstruction of two existing automotive service stations into one automotive station with accessory uses; and

WHEREAS, Community Board 7, Brooklyn, recommends conditional approval of this application; and

WHEREAS, the instant application seeks to erect an accessory convenience store and a new steel canopy, and install six (6) multi-product dispensers and one (1) diesel pump; and

WHEREAS, the proposal will also eliminate the accessory auto repairs as the service station discontinued operation in January 2003.

Resolved, that the Board of Standards and Appeals, reopens and amends the resolution, pursuant to Zoning Resolution Section 73-111, said resolution having been adopted on February 1, 1972 as amended through August 9, 1988, so that as amended this portion of the resolution shall read:

"to permit the erection of a new one-story accessory convenience store; the erection of a new steel canopy over six (6) multi-product dispensers and one (1) diesel dispenser, and the installation of six (6) multi-product dispensers and one diesel pump, on condition

THAT all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received September 23, 2003"-(6) sheets; and on further condition;

THAT trees and other landscaping are provided and maintained in accordance with BSA approved plans;

THAT lighting shall be positioned down and away from residential uses:

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 Application#s301543649, 301543667 & 301543676)

Adopted by the Board of Standards and Appeals, October 7, 2003.

**A true copy of resolution adopted by the Board of Standards and Appeals, October 7, 2003.**

**Printed in Bulletin No. 42, Vol. 88.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**