

6-00-BZ

CEQR # 00-BSA-077X

APPLICANT - Mothiur Rahman, for Barrington Travel Group Inc., owner.

SUBJECT - Application January 14, 2000 - under Z.R. §72-21, to permit within an R7-1 zoning district, the legalization of an open parking lot, Use Group 8, which is contrary to Z.R. § 22-00.

PREMISES AFFECTED - 582 East 180th Street, south east corner of East 180th Street and La Fontain Street, Block 3069, Lot 17, Borough of The Bronx.

COMMUNITY BOARD #6BX

APPEARANCES -

For Applicant: Mothiur Rahman.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative:0

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated January 13, 2000, acting on ALT. Applic. No. 200146270, reads:

“1.PROPOSED USE “OPEN PARKING LOT” IS NOT PERMITTED IN R7-1 ZONING DISTRICT AS PER SECTION 22-00 OF Z.R. ”;

and

WHEREAS, Community Board #6, the Bronx, has recommended approval of this application; and

WHEREAS, a public hearing was held on this application on August 8, 2000, after due notice by publication in the *City Record*, and laid over to September 12, 2000 for decision; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice Chair Paul Bonfilio, R.A., Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, this is an application for a use variance under Z.R. § 72-21 to permit within an R7-1 zoning district, the legalization of an open parking lot, Use Group 8, which is contrary to Z.R. § 22-00; and

WHEREAS, the subject premises has been unimproved since a building thereon was demolished in 1971; and

WHEREAS, as a result of the demolition, debris was dumped into the cellar creating a hardship for all future development; and

WHEREAS, any rebuilding would require site preparation by removing former foundation and extensive debris off the site; and

WHEREAS, the applicant represents that a complying housing or office development would require excavation to below footing walls resulting in both an undue hardship and financial burden; and

WHEREAS, the aforementioned unique conditions demonstrate that the development of this site with a complying or conforming development creates a practical difficulty and an undue financial burden; and

WHEREAS, evidence in the record, including a feasibility study, demonstrates that a complying development would not yield a reasonable return; and

WHEREAS, the record indicates that the existing subject parking lot use is across from a Con-Edison power plant, in front of a public school and multiple dwellings and another school to rear of the subject premises ; and

WHEREAS, evidence in the record indicates that the lot has operated without complaint from these surrounding entities; and

WHEREAS, therefore, the Board finds that the proposed application, for a legalization, will not alter the essential character of the surrounding neighborhood, impair the use or development of adjacent properties nor be detrimental to the public welfare; and

WHEREAS, the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, the Board finds that the variance is the minimum variance necessary to afford relief; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has carefully considered all relevant areas of environmental concern; and

WHEREAS, the evidence demonstrates no foreseeable significant environmental impacts that would require the preparation of an Environmental Impact Statement; and

WHEREAS, therefore, the Board has determined, that the proposed action will not result in any significant environmental effects.

Resolved that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. §72-21 and *grants* a variance to permit, within an R7-1 zoning district, the legalization of an open parking lot, Use Group 8, which is contrary to Z.R. § 22-00 *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked “Received January 14, 2000”-(2) sheets and “April 17, 2000”-(1) sheet; and *on further condition*;

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THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

THAT substantial construction shall be completed in accordance with Z.R. §72-23.

Adopted by the Board of Standards and Appeals, September 12, 2000.

A true copy of resolution adopted by the Board of Standards and Appeals, September 12, 2000.
Printed in Bulletin No. 35-37, Vol. 85.

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

