

813-63-BZ

APPLICANT - Howard A. Zipser/Stadtmauer Bailkin, LLP, for Selma R. Miller, owner; Central Parking Corporation, lessee.

SUBJECT - Application March 16, 2004 - reopening for an amendment to reflect the existence of 97 parking spaces in a

ccordance with Consumer Affairs License 0914278.

PREMISES AFFECTED - 699/711 West End Avenue, west side of West End Avenue between West 94th and 95th Streets, Block 1253, Lot 21, Borough of Manhattan.

COMMUNITY BOARD #7M

APPEARANCES -

For Applicant: Eric Palatnik.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Caliendo, Commissioner Miele and Commissioner Chin.....5

Negative:.....0

THE RESOLUTION:

WHEREAS, this application is a request for a re-opening and an amendment to the resolution; and

WHEREAS, a public hearing was held on this application on October 26, 2004, after due notice by publication in The City Record, and then to decision on December 7, 2004; and

WHEREAS, Community Board No. 7, Manhattan, recommended approval of this application; and

WHEREAS, on January 14, 1964, the Board granted an application 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, on condition that the transient parking spaces shall not exceed thirty in number, in addition to the number of cars parked by tenants of the building and cars parked on a monthly basis; and

WHEREAS, the term of the variance was extended on January 22, 1980, December 11, 2000 and October 22, 2003 - for periods of ten years; and

WHEREAS, the most recently BSA-approved plans indicated 30 spaces for transient parking, and 24 spaces for monthly parking (including tenants of the building) - for a total of 54 parking spaces; and

WHEREAS, the applicant further states that while the garage has not increased in size since the most recent Board grant, the capacity of the garage has increased; and

WHEREAS, the applicant states that the parking garage has a total area of approximately 19,024 square feet and currently has parking for 125 vehicles; and

WHEREAS, however, the applicant represents

that in accordance with Z.R.§25-62, which provides that attended parking facilities must provide a minimum of 200 square feet of unobstructed standing or maneuvering area per space, and with the provision of 10 reservoir spaces, the actual number of parking spaces would only total 87 parking spaces in the subject garage; and

WHEREAS, the applicant has submitted a proposed plan which indicates that the number of tenant parking spaces will be 30; the number of monthly parking spaces will be 40 and the number of daily transient spaces will be 17; and

WHEREAS, therefore the applicant seeks to amend the resolution to reflect the existence of 87 parking spaces, in accordance with Consumer Affairs License No. 0914278.

Therefore it is Resolved that the Board of Standards and Appeals waives the Rules of Practice and Procedure, reopens and amends the resolution, so that as amended this portion of the resolution shall read: "to permit a modification in the number of total parking spaces from 125 to 87 plus 10 reservoir spaces; on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received November 22, 2004"- (1) sheet; and on further condition;

THAT the total number of parking spaces, not inclusive of the 10 reservoir spaces, shall be limited to 87 - and that the number of daily transient parking spaces shall be no greater than 30;

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 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 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 #103456920)

Adopted by the Board of Standards and Appeals, December 7, 2004.

A true copy of resolution adopted by the Board of Standards and Appeals, December 7, 2004.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.