

SPECIAL ORDER CALENDAR (SOC) APPLICATION CHECKLIST

Instructions

Below is a checklist of materials that must be submitted for an SOC application, including an extension of term, extension of time to complete construction, extension of time to obtain a certificate of occupancy, amendment, reargument, rehearing, and some other kinds of applications. The checklist describes each of the materials, references other relevant documents and webpages, and specifies which items are required for the different types of SOC applications.

For the initial application filing, the [SOC Application Form](#), required application materials, and this completed checklist must be emailed to bsafilings@bsa.nyc.gov. Items marked “**Post-Filing**” may be submitted after the initial application filing and must be emailed to submit@bsa.nyc.gov. For more information about initial filing and subsequent submission requirements, see the [BSA Filing and Submission Instructions](#). BSA has the authority to request supplemental items that are not listed in the below checklist. For additional information, please contact BSA staff at (212) 386-0009.

Checklist

1. Special Order Calendar (SOC) Checklist

The applicant must complete and submit this checklist to the Board as part of its initial application. For Post-Filing items, the applicant must select the applicable checkboxes to represent that they will submit these required items at the appropriate time after the initial filing.

2. Affidavit of Ownership and Authorization

This is a notarized affidavit to affirm the identity of the applicant and applicant's representative and authorize the representative to file the application before the Board. See Board's Rules of Practice and Procedures (“Board's Rules”) § [1-09.4 Owner's Authorization](#).

3. Department of Buildings (Objection/Denial) Decision Sheet

**Only required for amendments to previously approved plans that would affect the degree of non-compliance or non-conformance.*

If the subject SOC application is seeking to alter the most recent Board-approved plans in a manner that would affect the previously approved degree of *non-conformance* (i.e., contrary to use requirements (see Z.R. § [12-10](#), definition of “use”)) or *non-compliance* (i.e., contrary to bulk requirements (see Z.R. § [12-10](#), definition of “bulk”)), then the applicant must submit a Department of Buildings (“DOB”) Objection/Denial Sheet.

This document must include the subject DOB job/application number, the relevant sections of the Zoning Resolution, and a basic description of the proposed action, and the document must be marked as an objection/denial and signed and stamped by the commissioner of buildings or a deputy commissioner of buildings or any borough superintendent of buildings acting under a written delegation of power from the commissioner of buildings filed in accordance with the provisions of NYC Charter §§ [642](#) or [645](#).

The form must cite both the sections of the Zoning Resolution under which the site would be non-compliant or non-conforming and the Z.R. sections that authorize the proposed action (i.e., for post-1961 grants, e.g., Z.R. §§ 72-21 or 73-00 and for pre-1961 grants, e.g., Z.R. §§ 11-412 or 11-413). For more information on how to obtain this determination from DOB, see [DOB NOW: Build: Determinations and Appeals](#). **The amendment application must be filed within 30 days after the date of the DOB decision.** See Board's Rules § [1-07.3\(a\) Filing Period; Amendment](#).

4. Notice Documents

**Only required for extension of term and amendment applications (not required for extension of time to complete construction or obtain a certificate of occupancy applications).*

A. Proof of Notice of Initial Filing

Applicants must provide notice of the initial application and a copy of the entire application package, containing all materials the applicant submitted to the Board, to affected government entities and submit proof to the Board in the format and time period required by the Board's Rules and summarized in [Appendix A – Summary of Application Referral, Hearing Notice, and Proof of Service Requirements](#). Note that notice of initial filing to affected government entities may be completed by email as described in [Notice re Digital Applications](#). See Board's Rules §§ [1-07.4. Application Referral](#) and [1-10.7. Proof of Service for Application Referral and Hearing Notice](#), and [Appendix A – Summary of Application Referral, Hearing Notice, and Proof of Service Requirements](#).

B. Proof of Notice of Hearing – *Post-Filing*

Applicants must provide notice of the initial public hearing to affected government entities and submit proof to the Board in the format and time period required by the Board's Rules. Note that notice to affected government entities may be completed by email as described in [Notice re Digital Applications](#). See Board's Rules §§ [1-07.6 Hearing Notice](#) and [1-10.6 Application Referral and Hearing Notice](#), and [Appendix A – Summary of Application Referral, Hearing Notice, and Proof of Service Requirements](#).

C. Submission Notice(s) and Cover Letter(s) – *Post-Filing*

If the applicant submits new or revised materials after filing, then the applicant must provide notice and copies of the materials to the applicable affected entities and the Board with a cover letter explaining (i) the content of the new submission(s), (ii) any deviations from previously submitted materials, and (iii) the reasons for the changes, including whether the changes were made in response to directions from the Board or staff. Submission notices and cover letters must be submitted in the time period required by the Board's Rules and summarized in the [BSA Filing and Submission Instructions](#). The submission notice and cover letter may be sent by email as described in [Notice re Digital Applications](#). See Board's Rules § [1-07.7 Revised Application and Additional Submissions](#).

5. City Environmental Quality Review (CEQR) Materials

All applications filed at the Board are subject to CEQR. Applicants must first review the BSA [CEQR Type II Checklist](#) and [CEQR Type II Checklist Instructions](#), which will help to determine if the application is classified as a "Type II," "Unlisted," or "Type I" application under CEQR. If the application is a Type II action, then the applicant must complete and submit the Type II form and any supporting materials, if required. If the application is an Unlisted application, then the applicant must complete the [EAS Short Form](#) and prepare and submit an EAS. If the application is a Type I application, then the applicant must complete an [EAS Full Form](#) and prepare and submit an EAS. Some SOC applications for an extension of term of an automotive use may require a [CEQR Protocol Affidavit](#).

Applications to amend prior grants that had an EAS or Environmental Impact Statement ("EIS") may require a Technical Memorandum to prove that the EAS/EIS findings remain accurate. If the Board determines that the scope of the proposed amendment constitutes a "major" amendment, then the applicant would be required to submit a new application on the BZ Calendar, which would affect the CEQR procedure for the application. See Board's Rules § [1-05.1\(d\)](#). Some applications may also be eligible for the [Green Fast Track program](#), which is a streamlined CEQR review for some housing development projects. See also Board's Rules § [1-08 City Environmental Quality Review \(CEQR\)](#); the [2021 CEQR Technical Manual](#); [N.Y. Environmental Conservation Law, Article 8](#); and [6 N.Y.C.R.R. Part 617](#).

6. Most Recent Certificate of Occupancy

The applicant must submit a copy of the most recent certificate of occupancy ("CO"), if existing. If the property does not currently have a valid CO but has a temporary CO ("TCO"), then the applicant must submit a copy of the TCO. If the property does not have a current, valid CO or TCO, then the applicant must state that fact in the statement of facts and findings ([Item 16](#)).

7. BSA Certification Form(s)

This form confirms the identity of the preparer of a submission. **A separate [BSA Certification Form](#) must be submitted for each preparer of application materials.** For example, if an architect, lawyer, and environmental consultant are the only members of an application team that prepared materials, then each of the three must submit a form. For Post-Filing submissions, the preparer must submit a form if they have not previously submitted one. See [Admin Notice Re Certification of Submissions](#).

8. Community Board Materials

A. Community Board Presentation Materials – *Post-Filing*

After the applicant presents its BSA application at a community board's public hearing, the applicant must submit a copy of the presentation materials to the Board. See Board's Rules § [1-07.5 Community Board Review](#) and BSA's [Administrative Notice Re Community Board Materials](#).

B. Certification of Materials Presented at Community Board Hearings – *Post-Filing*

After the applicant presents its BSA application at a community board's public hearing, the applicant must submit a [Certification of Presentation Materials Used at Community Board \(CB\) Hearings](#) to affirm to the Board that the attached presentation materials were in fact presented to the community board. See Board's Rules § [1-07.5 Community Board Review](#) and BSA's [Administrative Notice Re Community Board Materials](#).

C. Copy of Community Board Recommendation or Waiver – *Post-Filing*

After reviewing the BSA application, the community board may issue an advisory recommendation on the BSA application or waive its right to recommendation. The applicant must remain in contact with the community board to review the status of the community board's recommendation or waiver and ensure that the community board submits a recommendation or communicates a waiver. Note that, by selecting this checkbox, the applicant is not agreeing to submit this item, but rather is agreeing to remain in contact with the community board to ensure the community board provides its recommendation or waiver. See Board's Rules § [1-07.5 Community Board Review](#) and BSA's [Administrative Notice Re Community Board Materials](#).

9. Maps

**Only required for extension of term applications, amendments to previously approved plans that would affect the previously approved degree of non-compliance or non-conformance, and amendments to Board conditions that would affect the site's layout or operations (not required for applications to extend the time to complete construction or obtain a certificate of occupancy).*

A. Tax Map

The applicant must submit a section of the NYC Tax Map depicting the subject property. See NYC's [Digital Tax Map](#) located within the Department of Finance's Property Information Portal.

B. Zoning Map

The applicant must submit a copy of the relevant Zoning Map Section depicting the subject property. The Zoning Map Section may be found by navigating to the property on NYC's [Digital Zoning and Land Use Map](#) ("ZoLa"), then clicking the "Zoning Map" link under the "Zoning Details" header.

C. Radius Diagram and Land Use Map

The applicant must prepare and submit a map/diagram that adheres to BSA's [Guidelines for Radius Maps](#) and depicts the land uses within the radius of the affected area of the site. The affected area radius is defined in the Board's Rules § [1-02 Definitions \("Affected area"\)](#); it is usually a 400-foot radius from the center of the property but differs depending on the size of the property and the use.

D. Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Map ("FIRM")

The applicant should submit the applicable FEMA FIRM panel map depicting the subject property. If no FEMA FIRM panel map was produced that includes the subject site, then the applicant should clearly indicate this in their statement of facts ([Item 16.A](#)) and submit, if available, a FIRM index map to indicate this. See FEMA's [Map Service Center](#).

10. Violation History

The applicant must submit printouts or screenshots of the DOB [Building Information System \("BIS"\)](#) Property Profile Overview Violations pages (both "Violations-DOB" and "Violations-OATH/ECB") to confirm the status and nature of any DOB-related violations for the property. The applicant must submit proof of any violations from other local, state, or federal agencies that may affect the applicant's BSA application. If there are active violations for the Premises, the applicant should provide an anticipated timeline of curing the violations.

11. Photographs with Photographic Key Map

The applicant must submit photographs of the Premises, including the entire lot and any improvements, from various angles. These photographs must also include a photographic key map, consisting of a map of the lot and surroundings with arrows at the location of each photograph pointing in the direction of the particular photograph, and each photograph and arrow must be numbered consistently with the corresponding photograph.

Please review the [Guidelines for Photographs of Existing Conditions](#) and ensure your photographs adhere to the requirements stated in the Guidelines.

12. Board History

A. Copies of All Prior Board Resolutions, Letters of Substantial Compliance, and Letters of No Objection (Denied or Granted)

All SOC applicants must submit copies of all prior Board resolutions, Letters of Substantial Compliance, and Letters of No Objection. To obtain past resolutions and letters, you may visit the Board's website [Search for Resolutions](#) page to search for resolutions from 1998 to the present, or you may contact resolutions@bsa.nyc.gov to obtain resolutions from prior to 1998 and letters for the Premises. In your request, provide the BSA calendar number(s) of the previous case(s) and the street address and block and lot numbers.

B. Conditions Compliance Chart and Certification of Inspection

All SOC applicants must submit a Conditions Compliance Chart, which may be either independent from or included within the statement of facts ([Item 16.A](#)), to affirm the status of compliance with previous Board conditions. Review the Board's [Guidelines for Compliance Chart](#) for more information. Applicants for an extension of term must also submit a [Certification of Inspection and Compliance](#).

C. Most Recent Previously Approved Plans

All SOC applicants must submit the most recent Board-approved plans. If the plans from the prior application were electronically submitted to BSA, they may be obtained by contacting staff at (212) 386-0009 or records@bsa.nyc.gov and requesting the PDF file. State the BSA calendar numbers, street addresses, and block and lot numbers. If the previously approved plans were submitted to the Board as paper copies, then the applicant must fill out the [Archive Request Form](#) and email it to records@bsa.nyc.gov. A \$50 fee, per case, is required and copies are available at a cost of twenty-five (\$0.25) cents per page.

13. Plans

A. Existing and Proposed Conditions Plans

**Only required for extension of term applications and amendments to previously approved plans.*

For all extension of term applications and amendments to previously approved plans, the applicant must submit proposed conditions plans as described in the [Guidelines for Drawings](#). The BSA project manager assigned to the application will provide further guidance on plan revisions.

B. As-of-Right Plans

**Only required for certain amendments to previously approved plans.*

If the SOC application requests an amendment that affects the degree of *non-conformance* (i.e., contrary to use requirements (see Z.R. § [12-10](#), definition of “use”)) or *non-compliance* (i.e., contrary to bulk requirements (see Z.R. § [12-10](#), definition of “bulk”)) pursuant to Z.R. §§ [11-412](#), [11-413](#), or pursuant to the findings of the original variance or special permit section (for post-1961 grants), then the applicant must submit as-of-right (complying/conforming) conditions plans, in addition to proposed plans, as specified by the [Guidelines for Drawings](#), to demonstrate the infeasibility of compliance and/or conformance with the applicable Zoning Regulations.

C. Most Recent Previously Approved Plans

**Required for all SOC applications.*

All SOC applicants must also submit the most recent Board-approved plans. See [Item 12.C](#) above for more information.

14. Other BSA Forms

**Only required for amendment applications seeking to modify previously approved zoning bulk or signage.*

A. BSA Zoning Analysis Form

If the application is an amendment that proposes to alter previously approved zoning bulk parameters for the subject property, then the [Zoning Analysis Form](#) must be filled out, signed, and sealed by a registered architect or licensed engineer. See [Guidelines for BSA Zoning Analysis Form](#).

B. BSA Signage Analysis Form

If the application is an amendment that proposes to alter previously approved signage parameters for the subject property, then the [Signage Analysis Form](#) must be filled out, signed, and sealed by a registered architect or licensed engineer. The applicant must complete a separate analysis form for each building street frontage with existing or proposed signage. See [Guidelines for BSA Signage Analysis Form](#).

15. Requirements for Waivers of the Board’s Rules of Practice and Procedures

A. Waiver of the Board’s Rules – General Description and Procedure for Requesting Waivers

A waiver must be requested for certain extension of term and extension of time applications that are filed within certain filing periods described in Board’s Rules § [1-07.3 Filing Period](#). The waiver requirements for all SOC application types for all filing periods are provided in Board’s Rules § [1-07.3 Filing Period](#) and summarized in tabular format in Board’s Rules, Appendices [C](#) and [D](#). Please review the Board’s Rules and Appendices to determine if a waiver is required for your application based on the application type and filing period.

To request a waiver of the applicable filing period, the applicant must select the box in Section C of the [SOC Application Form](#) and write the section of the Board’s Rules to be waived on the line, and then fill out the rest of the SOC Application Form and file that completed form and all required application materials to bsafilings@bsa.nyc.gov as described in this checklist. If your initial application filing is accepted, after the application fees are paid, then the Board will proceed with reviewing your application and conducting public hearings, and the Board or staff will inform you if more information is needed to support the request for the waiver.

B. Additional Evidence Required for Certain Waiver Requests – “Proof of Continuous Use” and “Substantial Prejudice” Statement

Requests for waivers under **subsections (b)(2), (b)(3)(i), and (b)(4)(i)** of Board’s Rules § [1-07.3](#) require **additional evidence** to support the request for the waiver. For SOC applications that require waivers of **subsections (b)(2), (b)(3)(i), or (b)(4)(i)** of Board’s Rules § [1-07.3](#), the applicant must submit proof that the use has been continuous since the expiration of term and that substantial prejudice would result without the waiver as described below.

(i) Proof of Continuous Use

Proof of continuous use can be a combination of indirect and direct evidence. Direct evidence may include photographs clearly depicting the operation of the use at the site or other direct evidence of services or operations. Indirect evidence of continuous use may include copies of documents from a government agency showing continued approval of a business-related function; utility bills; and/or other evidence that the site was being actively operated (this does not include tax documentation, as such documentation does not accurately represent actual use of the property). Please also review the BSA [Guidelines for Proof of Continuous Use](#) and ensure your submissions adhere to the requirements stated in the Guidelines.

(ii) Substantial Prejudice Statement

The applicant must also describe in its statement of findings, with reference to the proof of continuous use and other relevant evidence, how the Board's decision to deny the waiver would result in substantial prejudice. For example, this description may elaborate on (i) the negative consequences of ceasing the existing use and complying with the zoning district regulations, such as the time and cost commitments of demolishing existing buildings and other improvements and replacing them with as-of-right structures; and (ii) the negative effects that ceasing the existing use would impose on the neighborhood, such as the burden of traveling further to find the services provided by the existing use and the loss of a longstanding community institution (applicants should state the number of years that the business has continually operated at the site).

C. Summary of Waiver Requirements for SOC Applications

See Board's Rules of Practice and Procedures, Appendices [C](#) and [D](#), for summaries of the filing and waiver requirements for various types of SOC applications as well as Board's Rules [§ 1-07.3 Filing Period](#) for the specific applicable regulations.

16. Written Statements

The statements of fact and findings, which may be submitted as separate documents or combined, are the primary written component of all types of BSA applications. The statements must include, at a minimum, the following information.

A. Statement of Facts

The statement of facts must describe the basic property and application information, including the site location (i.e., street address(es), block and lot numbers, zoning district(s), any other special districts or designations, the surrounding land uses, and relevant neighborhood conditions); existing site conditions (i.e., zoning lot boundaries, street frontages, and improvements); the type of request being made (extension of term, extension of time to complete construction or obtain a certificate of occupancy, amendment to previously approved plans, amendment of a Board condition, reargument, rehearing, or any other SOC application or combination of SOC application types); any waivers requested, if applicable (i.e., any additional waivers requested under Z.R. § 72-21 for post-1961 variances, under Z.R. § 73-00 for post-1961 special permits, or Z.R. §§ 11-412 or 11-413 for pre-1961 grants); any existing or proposed non-conformance or non-compliance and the dimensions of each non-compliant bulk or parking parameter; all relevant sections of the Zoning Resolution or other applicable law; and the history of the site, including all history before the Board and all relevant history of the DOB decision, if any. Please affirm the section of waiver requested if requesting a waiver of the Board's Rules.

For extension of time applications, the applicant must also include (i) a narrative of the construction and/or DOB sign-off history and the site-specific reasons for the delay in completing construction and/or obtaining a certificate of occupancy; and (ii) a timeline of the anticipated completion of construction or the issuance of a new certificate of occupancy, which must specify the anticipated date of completion of each major milestone for construction completion and/or certificate-of-occupancy issuance.

B. Statement of Findings

This must include a detailed description of the proposed action, why it is needed, and how it would continue to satisfy all applicable laws and rules, including the original variance findings of Z.R. § 72-21, the general findings (Z.R. § 73-03) and specific findings (i.e., Z.R. § 73-00) of the subject special permit, or the applicable provisions of Z.R. § [11-40](#) (for pre-1961 grants and extensions pursuant to Z.R. §§ 11-46 and 11-47). The statement of findings must also analyze all applicable law and reference all relevant submissions and testimony in the record.

If the SOC application requests an amendment to Board conditions, the applicant must directly reference and quote the condition(s) that the applicant seeks to modify or delete and must explicitly write any proposed text for new or modified condition(s).

If the statement references sections of law, regulation, or judicial or administrative decisions, then the statement must analyze the text and its applicability to the subject appeal or other A-Calendar application; the statement **must illustrate** how the cited law, regulation, decision, or other precedent is relevant to the appeal by comparing both the factual and legal material of the precedent to the factual and legal material of the subject appeal or application.

C. Copies of Cited Precedent (i.e., all cited laws, regulations, and judicial or administrative decisions)

The applicant should provide the relevant excerpts of all laws and regulations it cites and full copies of all judicial and/or administrative agency decisions that it references in its written statements or in testimony during a public hearing (if applicable).

For more information about these items and/or the requirements for processing applications before the Board, contact the BSA office at (212) 386-0009.