



**Board of Standards
and Appeals**

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Margery Perlmutter
Chair/Commissioner

August 31, 2018

Honorable Speaker Corey Johnson
New York City Council
224 West 30th Street, Suite 1206
New York, NY 10001

VIA EMAIL: SpeakerJohnson@council.nyc.gov

RE: New York City Administrative Code § 25-208(b) Report on Variances and Special Permits

Dear Honorable Speaker Johnson,

Pursuant to New York City Administrative Code § 25-208(b), the Board of Standards and Appeals is providing your office with a report regarding the applications filed and decided in the previous fiscal year, July 1, 2017 to June 30, 2018. The statute also requires reporting on the pre-application meetings held and statistics on the length of time from filing to a decision.

While the law only requires reporting on appeals, special permits and variances, the report also includes data on what is known as the "Special Order Calendar" (SOC), which includes applications to extend the term of prior Board grants and amendments to previously approved applications. In addition, in this year's report, we've provided additional context to the Review Metrics, which report the average number of days that have elapsed between the filing of an application and the Board's decision, by breaking down the duration of the application review by the fiscal year in which the application was filed.

The Board remains excited to provide additional information about its work to the public. Please feel free to reach out to me directly with any questions or comments regarding the report, which will be made available on our website shortly. I can be reached by phone at 212-386-0068 or by email at ccostanza@bsa.nyc.gov.

Sincerely,

Carlo Costanza
Executive Director

C: Deputy Mayor Alicia Glen, via email

Fiscal Year 2018 (July 1, 2017 to June 30, 2018)

FILED CASES	305
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Appeal	59
Variance of the Building Code	1
Common Law Vesting	2
Court Remand	1
GCL 35	1
GCL 36	37
Modification of a C of O	1
Interpretive Appeal	14
Revocation of a C of O	2
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BZY	
Statutory Vesting	
11-331 & 11-332	2
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SOC	
(Includes Extensions of Term, Amendments, Extensions of time to Complete Construction etc.)	93
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BZ	
Variances	
72-21	33
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Special Permits	110
Waivers for Homes in a Floodplain	
64-92	16
Schools	
73-19	7
Permit Automotive Service Station	
73-211	3
Accessory Drive-Thru Facilities	
73-243	2
Eating and Drinking Establishments	
73-244	2
Radio or Television Powers	
73-30	1
Permit a Physical Culture Establishment	
73-36	46
Reduction in parking to preserve or create affordable housing	
73-433	1
Reduction in parking for community facilities or office	
73-44	3
Permit to permit Roof Top Parking	
73-49	1
Waiver of provisions along district boundaries	
73-50	1
Modifications for zoning lots divided by district boundaries	
73-52	1
Permit the enlargement of certain manufacturing uses	
73-53	1
Enlargements/Expansions	
73-621	2
Single-family Home Enlargements	
73-622	20
Bulk modifications for certain Quality Housing Buildings	
73-623	1
Waiver of Height Restrictions around Airports	
73-66	2

Reinstatements

11-411 (pre-1961)	8
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Preapplication Meetings**Total meetings requested/held**

Requested	175
Held	111

Cases Filed in FY 2018 for which a Pre-App meeting was held	15
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Fiscal Year 2018 (July 1, 2017 to June 30, 2018)

DECIDED CASES	Granted	Denied	Withdrawn	Dismissed	TOTAL
Appeal					
Interpretative Appeal	4	6	8	3	21
GCL Waivers	53	0	7	3	63
Common Law Vesting	0	1	2	2	5
BZY	2	0	0	0	2
SOC					
(Includes Extensions of Term, Amendments, Extensions of time to Complete Construction et	101	2	16	2	121
BZ					
Variances	32	0	18	8	58
Special Permits	104	2	15	5	126
Reinstatements 11-41	3	1	0	0	4
TOTAL DECISIONS	299	12	66	23	400
INITIAL HEARINGS HELD					
	411				
BZ	157				
SOC	111				
Appeal	143				

REVIEW METRICS

Applications filed in FY 2018 --

Granted or Denied in FY 2018	69
Average Number of Days from Filing to Decision: Appeal	175
Average Number of Days from Filing to Decision: SOC	123
Average Number of Days from Filing to Decision: BZ	104

Dismissed or Withdrawn in FY 2018	7
Average Number of Days from Filing to Decision: Appeal	112
Average Number of Days from Filing to Decision: SOC	122
Average Number of Days from Filing to Decision: BZ	231

Applications filed in FY 2017 --

Granted or Denied in FY 2018	122
Average Number of Days from Filing to Decision: Appeal	373
Average Number of Days from Filing to Decision: SOC	333
Average Number of Days from Filing to Decision: BZ	321

Dismissed or Withdrawn in FY 2018	14
Average Number of Days from Filing to Decision: Appeal	383
Average Number of Days from Filing to Decision: SOC	224
Average Number of Days from Filing to Decision: BZ	365

Applications filed in FY 2016 --

Granted or Denied in FY 2018	84
Average Number of Days from Filing to Decision: Appeal	758
Average Number of Days from Filing to Decision: SOC	700
Average Number of Days from Filing to Decision: BZ	679

Dismissed or Withdrawn in FY 2018	18
Average Number of Days from Filing to Decision: Appeal	717
Average Number of Days from Filing to Decision: SOC	663
Average Number of Days from Filing to Decision: BZ	608

Applications filed in FY 2015 --

Granted or Denied in FY 2018	26
Average Number of Days from Filing to Decision: Appeal	1309
Average Number of Days from Filing to Decision: SOC	1124
Average Number of Days from Filing to Decision: BZ	1088

Dismissed or Withdrawn in FY 2018	32
Average Number of Days from Filing to Decision: Appeal	998
Average Number of Days from Filing to Decision: SOC	1161
Average Number of Days from Filing to Decision: BZ	1109

Applications filed in FY 2014 --

Granted or Denied in FY 2018	8
Average Number of Days from Filing to Decision: Appeal	0
Average Number of Days from Filing to Decision: SOC	1244
Average Number of Days from Filing to Decision: BZ	1489

Dismissed or Withdrawn in FY 2018	8
Average Number of Days from Filing to Decision: Appeal	1445
Average Number of Days from Filing to Decision: SOC	1407
Average Number of Days from Filing to Decision: BZ	1383

Applications filed in FY 2013 --

Granted or Denied in FY 2018	1
Average Number of Days from Filing to Decision: Appeal	1643
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	0

Dismissed or Withdrawn in FY 2018	6
Average Number of Days from Filing to Decision: Appeal	1702
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	1717

Applications filed in FY 2012 --

Granted or Denied in FY 2018	1
Average Number of Days from Filing to Decision: Appeal	1961
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	0

Dismissed or Withdrawn in FY 2018	1
Average Number of Days from Filing to Decision: Appeal	2405
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	0

Applications filed in FY 2011 --

Granted or Denied in FY 2018	
Average Number of Days from Filing to Decision: Appeal	0
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	0

Dismissed or Withdrawn in FY 2018	2
Average Number of Days from Filing to Decision: Appeal	2444
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	2413

Applications filed in FY 2010 --

Granted or Denied in FY 2018	
Average Number of Days from Filing to Decision: Appeal	0
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	0

Dismissed or Withdrawn in FY 2018	1
Average Number of Days from Filing to Decision: Appeal	2836
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	0

Applications filed in FY 2009 --

Granted or Denied in FY 2018	
Average Number of Days from Filing to Decision: Appeal	0
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	0

Dismissed or Withdrawn in FY 2018	1
Average Number of Days from Filing to Decision: Appeal	0
Average Number of Days from Filing to Decision: SOC	0
Average Number of Days from Filing to Decision: BZ	3410