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Margery Perlmutter  
*Chair/Commissioner*

December 14, 2018

Honorable Speaker Corey Johnson  
New York City Council  
City Hall Office  
New York, NY 10007

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

Dear Honorable Speaker Johnson,

Pursuant to New York City Administrative Code § 25-208(a), the Board of Standards and Appeals is providing your office with a report regarding the applications filed and decided upon for the first four months of the fiscal year, that is, from July 1, 2018 to October 31, 2018. The statute also requires reporting on the pre-application meeting 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 application. In addition, in this year's reports, 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](mailto:ccostanza@bsa.nyc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Carlo Costanza".

Carlo Costanza  
Executive Director

C: Deputy Mayor Alicia Glen, via email

**Fiscal Year 2019 (July 1, 2018 to October 31, 2018)**

|   |            |
|---|------------|
| <b>FILED CASES</b>  | <b>105</b> |
| <hr/>   |            |
| <b>Appeal</b>   | <b>16</b>  |
| GCL Waivers   | 6          |
| Interpretive Appeal   | 5          |
| Common Law Vesting  | 5          |
| <br>  |            |
| <b>SOC</b>  |            |
| (Includes Extensions of Term, Amendments, Extensions of time to Complet | <b>34</b>  |
| <hr/>   |            |
| <b>BZ</b>   | <b>6</b>   |
| Variances   |            |
| 72-21   |            |
| <hr/>   |            |
| <b>BZY</b>  | <b>0</b>   |
| Statutory Vesting   |            |
| 11-331 & 11-332   | <b>0</b>   |
| <hr/>   |            |
| Special Permits   |            |
| Waivers for Homes in a Floodplain                                       | <b>17</b>  |
| 64-92   |            |
| Schools in M1 or C8 Districts   | <b>2</b>   |
| 73-19   |            |
| Permit Automotive Service Station                                       | <b>2</b>   |
| 73-211  |            |
| Accessory Drive-Thru to Eating and Drinking Est.                        | <b>1</b>   |
| 73-243  |            |
| Permit a Physical Culture Establishment                                 | <b>16</b>  |
| 73-36   |            |
| Reduction in parking for community facilities or office                 | <b>1</b>   |
| 73-44   |            |
| Enlargements of buildings containing residential                        | <b>2</b>   |
| 73-621  |            |
| Single-family Home Enlargements   | <b>8</b>   |
| 73-622  |            |
| <hr/>   |            |
| <b>Filed Cases for which a Pre-App meeting was held</b>                 | <b>0</b>   |
| <hr/>   |            |
| <b>Preapplication Meetings</b>  |            |
| <b>Total meetings requested/held</b>                                    | <b>21</b>  |
| <hr/>   |            |

Fiscal Year 2019 (July 1, 2018 to October 31, 2018)

| DECIDED CASES  | Granted        | Denied        | Withdrawn        | Dismissed        | TOTAL DECIDED        |
|--|----------------|---------------|------------------|------------------|----------------------|
| <b>Appeal</b>  | 1              | 1             | 0                | 0                | 2                    |
| <b>GCL Waivers</b>   | 14             | 0             | 0                | 0                | 14                   |
| <b>Revoke a C of O</b>   | 1              | 0             | 1                | 0                | 2                    |
|  | <b>Granted</b> | <b>Denied</b> | <b>Withdrawn</b> | <b>Dismissed</b> | <b>TOTAL DECIDED</b> |
| <b>SOC</b>   | 33             | 1             | 2                | 0                | 36                   |
| <small>(Includes Extensions of Term, Amendments, Extensions of time to Complete Construction etc.)</small> |                |               |                  |                  |                      |
|  | <b>Granted</b> | <b>Denied</b> | <b>Withdrawn</b> | <b>Dismissed</b> | <b>TOTAL DECIDED</b> |
| <b>BZ</b>  |                |               |                  |                  |                      |
| Variances  | 9              | 0             | 7                | 1                | 17                   |
| Special Permits  | 49             | 0             | 0                | 0                | 49                   |
|  | <b>Granted</b> | <b>Denied</b> | <b>Withdrawn</b> | <b>Dismissed</b> | <b>TOTAL DECIDED</b> |
| Reinstatements 11-41   | 1              | 0             | 0                | 0                | 1                    |
| <b>Initial Hearings Held</b>   |                |               |                  |                  |                      |
| BZ   | 74             |               |                  |                  |                      |
| SOC  | 35             |               |                  |                  |                      |
| Appeal   | 36             |               |                  |                  |                      |
| <b>2012</b>  |                |               |                  |                  |                      |
| REVIEW METRICS Granted or Denied (FY 2019)   | 0              |               |                  |                  |                      |
| 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              |               |                  |                  |                      |
| REVIEW METRICS Dismissed or Withdrawn (FY 2019)  | 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   | 2141           |               |                  |                  |                      |
| <b>2013</b>  |                |               |                  |                  |                      |
| REVIEW METRICS Granted or Denied (FY 2019)   | 0              |               |                  |                  |                      |
| 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              |               |                  |                  |                      |
| REVIEW METRICS Dismissed or Withdrawn (FY 2019)  | 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   | 1685           |               |                  |                  |                      |
| <b>2014</b>  |                |               |                  |                  |                      |
| REVIEW METRICS Granted or Denied (FY 2019)   | 4              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: Appeal   | 0              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: SOC  | 1393           |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: BZ   | 1453           |               |                  |                  |                      |
| REVIEW METRICS Dismissed or Withdrawn (FY 2019)  | 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           |               |                  |                  |                      |
| <b>2015</b>  |                |               |                  |                  |                      |
| REVIEW METRICS Granted or Denied (FY 2019)   | 7              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: Appeal   | 1121           |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: SOC  | 1144           |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: BZ   | 1222           |               |                  |                  |                      |
| REVIEW METRICS Dismissed or Withdrawn (FY 2019)  | 2              |               |                  |                  |                      |
| 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   | 1185           |               |                  |                  |                      |
| <b>2016</b>  |                |               |                  |                  |                      |
| REVIEW METRICS Granted or Denied (FY 2019)   | 14             |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: Appeal   | 0              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: SOC  | 817            |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: BZ   | 751            |               |                  |                  |                      |
| REVIEW METRICS Dismissed or Withdrawn (FY 2019)  | 2              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: Appeal   | 0              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: SOC  | 356            |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: BZ   | 922            |               |                  |                  |                      |
| <b>2017</b>  |                |               |                  |                  |                      |
| REVIEW METRICS Granted or Denied (FY 2019)   | 39             |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: Appeal   | 428            |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: SOC  | 424            |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: BZ   | 403            |               |                  |                  |                      |
| REVIEW METRICS Dismissed or Withdrawn (FY 2019)  | 4              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: Appeal   | 531            |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: SOC  | 0              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: BZ   | 499            |               |                  |                  |                      |
| <b>2018</b>  |                |               |                  |                  |                      |
| REVIEW METRICS Granted or Denied (FY 2019)   | 45             |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: Appeal   | 139            |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: SOC  | 162            |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: BZ   | 74             |               |                  |                  |                      |
| REVIEW METRICS Dismissed or Withdrawn (FY 2019)  | 1              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: Appeal   | 0              |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: SOC  | 145            |               |                  |                  |                      |
| Average Number of Days from Filing to Decision: BZ   | 0              |               |                  |                  |                      |