

110-14-A thru 112-14-A

APPLICANT – Rothkrug Rothkrug & Spector LLP, for WRR Realty Corp., owner.

SUBJECT – Application May 29, 2014 – Proposed construction of buildings that does not front a legally mapped street, pursuant the Article 3, Section 36 of the General City Law. R3A zoning district.

PREMISES AFFECTED – 115, 109, 105 Roswell Avenue, north side of Roswell Avenue, 149.72 feet east of Wild Avenue, Block 2642, Lot 88, 91, 92, Borough Staten Island

COMMUNITY BOARD #2SI

ACTION OF THE BOARD – Application granted on condition.

Affirmative: Chair Perlmutter, Vice-Chair Hinkson, Commissioner Ottley-Brown and Commissioner Montanez.....4
Negative:.....0

THE RESOLUTION –

WHEREAS, the decisions of the Department of Buildings (“DOB”) dated April 28, 2014, acting on DOB Application Nos. 520192185, 520192238, 520192247, read in pertinent part:

The street giving access to the proposed building is not duly placed the official map of the City of New York, therefore,

- A) No Certificate of Occupancy can be issued pursuant to Article 3, Section 36 of the General City Law;
- B) Proposed construction does not have at least 8% of the total perimeter of building fronting directly upon a legally mapped street or frontage space contrary to section 502.1 of the 2008 NYC Building Code; and

WHEREAS, this is an application to allow the construction of three two-story, single-family dwellings which do not front on a mapped street, contrary to General City Law (“GCL”) § 36; and

WHEREAS, a public hearing was held on this application on January 13, 2015, after due notice by publication in *The City Record*, and then to decision on January 30, 2015; and

WHEREAS, Commissioner Montanez performed an inspection of the site, premises, surrounding area and neighborhood; and

WHEREAS, the subject site is located north side of Rosewell Avenue, within an R3A zoning district; and

WHEREAS, Roswell Avenue is an unmapped

A true copy of resolution adopted by the Board of Standards and Appeals, January 30, 2015.

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access road that is paved and improved to a width of 50 feet; Roswell Avenue provides two-way access between Wild Avenue to the west and Dean Avenue to the east; and

WHEREAS, the applicant proposes to construct on the site three two-story, single-family dwellings, each with approximately 1,423 sq. ft. (0.58 FAR); and

WHEREAS, by letter dated January 16, 2015, the Fire Department states that it has no objection to the proposal provided that the proposed buildings are sprinklered throughout in compliance with the NYC Fire Code and the NYC City Building Code; and

WHEREAS, accordingly, the Board has determined that the applicant has submitted adequate evidence to warrant approval of the application, subject to certain conditions set forth herein.

Therefore it is Resolved, that the decisions of the DOB, dated April 28, 2014, are modified by the power vested in the Board by Section 36 of the General City Law, and that these appeals are granted, limited to the decision noted above; *on condition* that construction shall substantially conform to the drawing filed with the application marked “Received November 18, 2014”-(1) sheet; that the proposal will comply with all applicable zoning district requirements; and that all other applicable laws, rules, and regulations shall be complied with; and *on further condition*:

THAT this approval shall be limited to the relief granted by the Board in response to objections cited by DOB;

THAT dwellings shall be fully-sprinklered in compliance with the NYC Fire Code and the NYC City Building Code; and

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT DOB 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)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, January 30, 2015.

