

**65-14-A thru 88-14-A**

APPLICANT – Rothkrug Rothkrug & Spector LLP., for Block 7092 LLC, owner.

SUBJECT – Application April 29, 2014 – Proposed construction of buildings that do not front on a legally mapped street pursuant to Section 36 Article 3 of the General City Law. R3-1(SRD) zoning district.

PREMISES AFFECTED – 8, 10, 14, 16, 20, 22, 9, 11, 15, 17, 21, 23, 26, 27 Lemon Drop Court, Block 7105, Lots No. 158, 159, 160, 161, 162, 163, 165, 166, 167, 168, 169, 170, 164, 171, and 11, 15, 19, 20, 23, 12, 14, 18, 29, 27 Apricot Court, Block 7105, Lots No. 153, 154, 155, 151, 156, 148, 149, 150, 152, 157. Borough of Staten Island.

**COMMUNITY BOARD #3SI**

**ACTION OF THE BOARD** – Application granted on condition.

**THE VOTE TO GRANT** –

Affirmative: Chair Perlmutter; Vice-Chair Hinkson and Commissioner Montanez.....3

Negative:.....0

Absent: Commissioner Ottley-Brown .....1

**THE RESOLUTION** –

WHEREAS, the decision of the Department of Buildings (“DOB”), dated March 31, 2014 acting on DOB Application Nos. 520188449, 430, 421, 412, 403, 323, 387, 582, 396, 573, 564, 378, 298, 289, 314, 270, 305, 369, 350, 476, 467, 458, 332, 341, reads 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 Building Code; and

WHEREAS, this is an application to allow the construction of 24 , two-story, one and two family buildings not fronting a mapped street, contrary to General City Law (“GCL”) § 36; and

WHEREAS, a public hearing was held on this application on December 16, 2014, after due notice by publication in *The City Record*, hearing closed, and then to decision on January 6<sup>th</sup>; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Commissioner Montanez; and

WHEREAS, the subject site is located on the at the northwest corner of the intersection of Turner Street and

**A true copy of resolution adopted by the Board of Standards and Appeals, January 6, 2015.**

**Printed in Bulletin Nos. 1-3, Vol. 100.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**

Crabtree Avenue, within an R3-1 (SRD) zoning district; and

WHEREAS, the applicant proposes to construct 24, two-story, one and two-family dwellings and, on Lot 151, a three story, two-family home on the site; and

WHEREAS, seven of the aforesaid dwellings do not front a legally mapped street, thereby necessitating a GCL waiver; and

WHEREAS, the applicant represents that the dwellings will be fully sprinklered; and

WHEREAS, a DEC permit has been obtained as this site is adjacent to Freshwater Wetlands; and

WHEREAS, by letter dated December 12, 2014, the Fire Department states that it has no objection to the proposal under the following conditions; (1) minimum curb to curb street width shall be 34 feet; (2) all buildings must be fully sprinklered; (3) the main entrance to all dwellings shall be located upon the side of the building facing the street with no rear main entrances; and

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

*Therefore it is Resolved*, that the decision of the DOB, dated March 31, 2014, acting on DOB Application Nos. 520188449, 430, 421, 412, 403, 323, 387, 582, 396, 573, 564, 378, 298, 289, 314, 270, 305, 369, 350, 476, 467, 458, 332, and 341, is modified by the power vested in the Board by Section 36 of the General City Law, and that this appeal is granted, limited to the decision noted above; *on condition* that construction shall substantially conform to the drawing filed with the application marked “Received December 31, 2014”- one (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 is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s);

THAT building shall be fully-sprinklered;

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 6, 2015.

