

3-15-A

APPLICANT – Edward Lauria, for Jeff Schaffer, owner.

SUBJECT – Application January 7, 2015 – Proposed construction does not front on a legally mapped street contrary Section 36, of the General City Law, and 502.1 2008, building Code. M1-1SRD zoning district.

PREMISES AFFECTED – 47 Trioka Way, west side of Trioka Way, 124.11’ north of Winant Avenue, Block 7400, Lot 85, 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, Commissioner Ottley-Brown and Commissioner Montanez.....4

Negative:.....0

THE RESOLUTION –

WHEREAS, the decision of the Department of Buildings (“DOB”) dated December 15, 2014 acting on DOB Application No. 520211002, 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(s) 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 a single-story commercial building which does not front on a mapped street, contrary to General City Law (“GCL”) § 36; and

WHEREAS, a public hearing was held on this application on June 2, 2015, after due notice by publication in *The City Record*, continued hearing, and then to decision on July 14, 2015; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Vice-Chair Hinkson, Commissioner Montanez, and Commissioner Ottley-Brown; and

WHEREAS, Community Board 3, Staten Island, recommended approval of this application; and

WHEREAS, the subject site is located south of Sharrotts Road, north of Winant Place and east of Arthur Kill Road, within an M1-1 zoning district, within the Special South Richmond Development District; and

WHEREAS, the applicant proposes to construct a single-story concrete block with metal wall and roof commercial building with 15,120 sq. ft. of floor area, consisting of ten storage units / contractor’s establishments each of which will contain 1,512 sq. ft. of floor area; and

WHEREAS, by letter dated May 6, 2015, the Fire Department states that it has no objection to the proposal under the following conditions: (1) that all ten storage unit / contractor’s establishments are to be fully

sprinklered in conformity with the sprinkler provisions found in the New York City Fire Code and the New York City Building Code; (2) that no parking shall be allowed at the entrance of each storage unit / contractor’s establishments indicated by yellow reflective paint diagonally stripped at a distance of 8’-0”; (3) that a 30’-0” wide fire apparatus access lane with no standing allowed shall be provided at both curb cut entrance ways travelling the distance of the parking area indicated by yellow reflective paint; (4) that a Siamese location shall be as indicated per F.D.N.Y. Site Plan A-001.00; and (5) that a fire hydrant shall be installed as per F.D.N.Y. Site Plan A-001.00 *Notes* in compliance with DEP regulations; 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 decision of the DOB, dated December 15, 2014, acting on DOB Application No. 520211002, 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 June 9, 2015”-(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 objections cited and filed by DOB;

THAT all ten storage unit / contractor’s establishments are to be fully sprinklered in conformity with the sprinkler provisions found in the New York City Fire Code and the New York City Building Code;

THAT no parking shall be allowed at the entrance of each storage unit / contractor’s establishments indicated by yellow reflective paint diagonally stripped at a distance of 8’-0”;

THAT a 30’-0” wide fire apparatus access lane with no standing allowed shall be provided at both curb cut entrance ways travelling the distance of the parking area indicated by yellow reflective paint;

THAT a Siamese location shall be as indicated per F.D.N.Y. Site Plan A-001.00;

THAT a fire hydrant shall be installed as per DEP requirements and as per F.D.N.Y. Site Plan A-001.00;

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 July 14, 2015.

A true copy of resolution adopted by the Board of Standards and Appeals, July14, 2015.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

