

254-00-A

APPLICANT - Thomas Michel and Denise Michel, for Thomas Michel and Denise Michel, owners.

SUBJECT - Application October 24, 2000 - proposed renovation and enlargement of an existing one family dwelling, not fronting on a legally mapped street, and located within the bed of a mapped street, which is contrary to Sections 35 and 36, Article 3 of the General City Law.

PREMISES AFFECTED - 99-78 164th Road, southwest corner of 104th Street, Block 14254, Lot 1660 and 1661, Borough of Queens.

COMMUNITY BOARD #10Q

APPEARANCES -

For Administration: Battalion Chief Robert J. Stec and John Scrofani, Fire Department.

ACTION OF THE BOARD- Appeal granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner

Caliendo.....4

Negative:0

THE RESOLUTION-

WHEREAS, the decision of the Queens Borough Commissioner, dated October 4, 2000, acting on Alteration Application No. 401123841, reads:

“A1 - The proposed enlargement is on a site located partially in the bed of a mapped street therefore no permit or Certificate of Occupancy can be issued as per Art. 3 Sect. 35 of the General City Law”; and

“A2 - The site and building is not fronting on an official mapped street therefore; no permit or Certificate of Occupancy can be issued as per Art. 3, Sect. 36 of the General City Law; also no permit can be issued since proposed construction does not have at least 8% of the total perimeter of the building fronting directly upon a legally mapped street frontage and therefore contrary to Section C27-291 (C26-401.1) of the Administrative Code of the City of New York.”; and

WHEREAS, Community Board #10, Queens, has recommended approval of this appeal; and

WHEREAS, by the letter dated December 11, 2000, the Department of Environmental Protection has reviewed the above project and has no objections; and

WHEREAS, by the letter dated November 27, 2000, the Department of Transportation has reviewed the above project and has no objections; and

WHEREAS, by the letter dated October 31, 2000, the Fire Department has reviewed the above project and has no objections; and

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions.

Resolved, that the decision of the Queens Borough Commissioner dated October 4, 2000, acting on Alteration Application No. 401123841, objections Numbers 1, and 2, is modified under the power vested in the Board by §§35 and 36 of the General City Law, and that this appeal is granted, on condition that construction shall substantially conform to drawings filed with the application marked, “Received October 24, 2000”-(3) sheets; and that all applicable laws, rules, and regulations shall be complied with.

Adopted by the Board of Standards and Appeals, January 9, 2001.

