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**Audit for Professionally Certified Applications
 BY SPECIAL ENFORCEMENT TEAM**

*** OBJECTIONS ***

APPLICATION. No.: 302372705		TYPE: AII	JOB DESCRIPTION: Proposed 2 story enlargement at rear; remove and construct interior partitions; install new plumbing fixtures as shown on drawings filed herewith. No change to use, egress or occupancy	
LOCATION: 85 80 th Street (R2- BR)			BLOCK: 5976	LOT: 72
AUDITOR NAME: FATIMA E. MURILLO		Telephone / E-mail: (212) 566-4844 / fatimam@buildings.nyc.gov.		
DISAPPROVED ON: FEBRUARY 4, 2011 Disapproved on: February 3, 2012 Disapproved on: March 30, 2012 Disapproved on: May 29, 2013		with the following <u>OBJECTIONS</u>		
Item No.	Section of Code	Objections		Date Resolved
1)	ZR 23-44	Proposed mechanical equipment (pump and hot water heater) are not permitted obstructions in required rear yard. This is contrary to section 23-44 ZR and 114-01 ZR. <i>These mechanical equipment have been removed from the required rear yard.</i>		2/2/12
2)	ZR 23-44	Approved plans indicate that new gates are being installed in required side yard. Gates are not permitted in side yard and it is contrary to section 23-44 (a) ZR and 114-01 ZR. <i>Gate to be considered a wall. Wall is a permitted obstruction. Examiner is not in complete agreement as to location of gates submitted by applicant.</i>		2/2/12
3)	ZR 12-10	Attic space shall be considered floor area as per section 12-10 ZR. Approved plans indicate attic space is being used for dwelling purposes. Amend zoning analysis to reflect increase in floor area. See objection number four. <i>Indicate demolition and removal of plumbing fixtures in attic level. Provide revised PW-1B. Also see objection #17a. (5/24/13) In order for proposed plans to be in compliance with determination obtained in Nov. 28, 2012 the items listed in objection #23 must be submitted.</i>		
4)	TPPN #13/88	Design and layout of attic space is contrary to TPPN# 13/88 and section 12-10 ZR for the following reason; 1. Space is designed to be usable for other than storage purposes. 2. Exempt space is not entirely adjacent to the perimeter wall of the building. Attic space is floor area and affects the floor area ratio of the building. See objection number three. <i>See note in objection #3 and see revised objection #20. (5/24/13) In order for proposed plans to be in compliance with determination obtained in Nov. 28, 2012 the items listed in objection #23 must be submitted.</i>		3/29/12
5)	ZR 23-141	Proposed enlargement is exceeding the maximum floor area ratio allowed. This is contrary to section 23-141 (a) ZR.		
6)	ZR 23-141	Proposed enlargement is not being provided with the required open space ratio. This is contrary to section 23-141 (a) ZR.		
7)	ZR 23-451	Provide and indicate on plans calculation and design layout of planting requirements, section 23-451 ZR.		
8)	ZR 23-461	Portion of proposed second floor enlargement located in required side yard is contrary to section 23-461 (a) ZR and section 54-313 (b) (1) ZR. Height of existing perimeter wall is greater than 21'-0" feet (see dwg. A-001.01), it is not in conformance with R3-2 height district regulations, 23-631 (b). Proposed enlargement is increasing the degree of non-compliance. <i>Proposed enlargement is no longer using the provisions of section 54-313 (b) (1) ZR. Enlargement is being provided with the required side yards.</i>		2/2/12

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By SPECIAL ENFORCEMENT TEAM (SEU/ZET)

* Continuation of Objections *

Application number: 302372705

Item No.	Section of Code	Objections	Date Resolved
9)	ZR 23-461	Second floor enlargement located in required side yard is contrary to section 23-461 (a) ZR and 54-313 (b) (2) ZR. This is increasing the degree of non-compliance. Existing side yard is less than three feet in width. <i>Proposed enlargement is no longer using the provisions of section 54-313 (b) (1) ZR. Enlargement is being provided with the required side yards.</i>	2/3/12
10)	ZR 23-44	Proposed second floor enlargement is not a permitted obstruction in required side yard and it is increasing the degree of non-compliance as per section 23-44 ZR and 54-31 ZR. <i>Proposed enlargement is no longer using the provisions of section 54-313 (b) (1) ZR. Enlargement is being provided with the required side yards.</i>	2/3/12
11)	DOB Memo	Provide proper zoning exhibits for new enlargement as per memo 5/18/78.	3/29/12
12)	ZR 12-10	Cellar layout with its own separate entrance indicates (space compartmentation with a bathroom greater than 5'x5') that is being used as a habitable/living space. This is floor area as per section 12-10 ZR. This affects the overall floor area ratio of the zoning lot. <i>Indicate demolition of partitions in cellar level. Also see objection #17a.</i>	
13)		Submit the following items:	
		a) Correct information in PW-1.	
		b) Provide proper asbestos report.	
		c) Provide proof of existing conditions. (Including but not limited to front porch, attic being use as habitable space.)	
		d) Provide permitted application which existing garage is being partially demolish and reconstructed.	
		e) Have portions of existing foundations from garage been removed or do they remain buried onsite? <i>Applicant's office indicates portions of foundation are buried in the required rear yard. This condition might have an impact on storm water discharge for zoning lot.</i>	2/3/12
		f) Show location of existing drywell. <i>Applicant's office indicates that there is no a drywell on zoning lot. See objection #19.</i>	2/3/12
		g) Provide permitted application where entire site was paved? See plans A-001.01.	
		h) Amend, complete and correct zoning analysis.	
		i) Indicate on plans construction classification of existing garage. <i>See drawing A-001.02, class II-B is indicated.</i>	2/3/12
		j) Plans indicate a roof entrance porch is being proposed. This must be included in lot coverage calculations, section 12-10 ZR.	
		k) Provide proposed construction classification. <i>Class II-D is being proposed. See drawing A-001.02.</i>	2/3/12
14)	BC 27-751	Habitable rooms at attic level are contrary to BC 27-751. Minimum required clear ceiling height is eight feet. PW-1 indicates 1968 Code review was requested. <i>Indicate demolition and removal of plumbing fixtures in attic level. Provide revised PW-1B. Also see objection #17a. (5/24/13) In order for proposed plans to be in compliance with determination obtained in Nov. 28, 2012 the items listed in objection #23 must be submitted.</i>	
15)	Table 4-1	Approved plans indicate this is a three story building as per BC 27-232, definition of a story. Class II-D construction is contrary to Table 4-1 and BC 27-301. PW-1 indicates 1968 Code review was requested.	
16)	BC 27-826.01	Approved plans indicate that location of exterior gas grilled at rear of building is contrary to BC 27-826.01 and BC 27-114 (b). <i>Gas grilled (exterior) has been omitted from drawings.</i>	3/29/12
Objections below are raised based on new drawings submitted on January 23, 2012.			
17)		Submit the following items: a. Has original approval been built? If so indicate proposed demolition for as-built conditions. b. In latest set submission, first floor has not been submitted. Are there any proposed changes in the first floor? <i>First floor has been submitted.</i> c. Provide correct dimension of façade building wall.	3/29/12

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* Continuation of Objections *

Application number: 302372705

Item No.	Section of Code	Objections	Date Resolved
18)	ZR 25-62	Plans submitted indicate that car access to rear enclosed garage is being obstructed by building projections (i.e. chimney and other). These are contrary to section 25-62 ZR or provide dimensions to verify that required access width is being provided.	
19)	BC 27-901	Plans submitted indicate that impervious lot coverage has been increased by more than 200 square feet of the existing lot area. Indicate how disposal of storm water is being accomplished, BC 27-901 (k). <i>See determination dated October 15, 2012.</i>	5/24/13
Objections below are raised based on amended drawings submitted on March 21, 2012.			
20)	TPPN #13/88	Proposed attic space is contrary to TPPN# 13/88 and section 12-10 ZR for the following reason. The measured head room shall be between the floor level and the ceiling fastened directly the roof rafters. Drop/tie beam that are below the roof rafters are countable toward floor area above the height of eight feet. Therefore portion of attic space is floor area and affects the floor area ratio of the building. See objection number five. (5/24/13) <i>In order for proposed plans to be in compliance with determination obtained in Nov. 28, 2012 the items listed in objection #23 must be submitted.</i>	
21)		In order to verify calculations of existing impervious area (objection #18), submit original survey. <i>See survey in drawing A-001.04 and determination obtain for objection#19. Correction for the objection number in parentheses. The correct objection # is 19.</i>	5/24/13
Objections below are raised based on amended drawings submitted on April 15, 2013.			
22)		Submit the following items: 1. Drawing A-002.04 indicating detail calculations of pervious and impervious lot area. 2. Indicate how air handler in one of the created crawl spaces is being service. 3. Is this building sprinkler? See drawing A-001.02. Provide permitted application where sprinkler system was installed?	
23)		In order for proposed plans to be in compliance with determination obtained in Nov. 28, 2012 the items listed below must be shown on proposed plans; 1. Indicate demolition of existing attic floor level in its entirety, (see objection #24). As per determination a new floor is being proposed. Also see existing conditions from approval obtain in Dec 11, 2009. 2. Indicate on plan existing stair leading to the attic level being demolished. 3. Indicate on plans the actual removal of all plumbing fixtures and walls from the <u>existing</u> attic floor. 4. Indicate the length (actual height) that pull down stair stretches. 5. Provide required note in schedule "A", "Attic is not to be occupied as sleeping, living, or cooking areas." 6. No new windows in attic level. Approval of Dec. 11, 2009 indicates that the existing building height was 30'-4.5" feet and that said windows did not exist. Proposed plans submitted indicates that new height of building is 36'-2.5" feet.	
24)	ZR 12-10	Proposed plans indicate new crawl spaces between second floor and roof are being proposed. This is floor as per section 12-10 ZR.	
25)	ZR 12-10	If rear structure in required rear yard cannot function as a garage as per objection #18, then it is considered floor are as per section 12-10 ZR. The function of the rear structure will be for other than garage.	
Audit/examination pending on resolution of above objections.			
If reconsiderations are sought regarding any of the above objections, Applicant is to notify Special Enforcement prior to submitting request to borough by calling (212) 566-5911. For appointment, please call Pahola Dominguez at (212) 566-5911			

Audit Status: Intent to Revoke

Date: May 29, 2013

Fatima E. Murillo.
Zoning Consultant