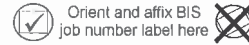




ZRD1: Zoning Resolution Determination Form

Must be typewritten.



DEPT OF BLDGS 420607846 Job Number

ES918519993 Scan Code

1 Location Information *Required for all requests on filed applications.*

House No(s) 112-13 Street Name Roosevelt Avenue
Borough Queens Block 1786 Lot 44 BIN 4045001 CB No. 306

2 Applicant Information *Required for all requests on filed applications.*

Last Name Caliendo First Name Gerald Middle Initial J.
Business Name Gerald J. Caliendo Architect, P.C. Business Telephone 718 268-9098
Business Address 138-72 Queens Blvd Business Fax 718 268-9097
City Briarwood State NY Zip 11435 Mobile Telephone 917 279-1770
E-Mail gerry@caliendoarchitects.com License Number 020241
License Type ☐ P.E. ☒ R.A. DOB PENS ID # (if available)

3 Attendee Information *Required if different from Applicant in section 2 or no Applicant.*

Relationship to the property: ☐ Filing Representative ☐ Attorney ☐ Other:
Last Name First Name Middle Initial
Business Name Business Telephone
Business Address Business Fax
City State Zip Mobile Telephone
E-Mail License/Registration # (if P.E./R.A./Attorney)
DOB PENS ID # (if available)

4 Nature of Request *Required for all requests. Only one request may be submitted per form.*

Note: Use this form only to request Zoning Resolution determination (for all other requests, use CCD1 form)

Determination request issued to: ☐ Borough Commissioner's Office ☐ Technical Affairs

Job associated with this request? ☒ Yes (provide job#/doc#/examiner name below) ☐ No

Job Number: 420607846 Document Number: 1 Examiner: Donovan Haslam

Has this request been previously denied? ☐ Yes (attach all denied request form(s) and attachment(s)) ☒ No

Indicate total number of pages submitted with this request, including attachments: (attachment may not be larger than 11" x 17")

Indicate relevant Zoning Resolution section(s): ZR' 33-23 (b)3

Indicate all Buildings Department officials that you have previously reviewed this issue with (if any):

☐ Borough Commissioner ☐ Code & Zoning Specialist ☐ General Counsel's Office
☐ Deputy Borough Commissioner ☐ Chief Plan Examiner ☒ Other: none

ADMINISTRATIVE USE ONLY

Reference #: Appointment date: Appointment time:
Appointment Scheduled With:
Comments:
Reviewed By: Date Time:

REVIEWED BY
Jed Weiss

Executive Zoning Specialist

APPROVED
WITH CONDITIONS

Control No. 30254

Date 9/30/13

Page 1 of 7

5	Description of Request (additional space is available on page 3)
Note: Buildings Department officials will only interpret or clarify the Zoning Resolution. Any request for variations of the Zoning Resolution must be filed with the Board of Standards and Appeals (BSA) or the Department of City Planning (DCP).	

Please itemize all attachments, including plans/sketches, submitted with this form. If request is based on a plan examiner objection, type in the applicable objection text exactly as it appears on the objection sheet.

We respectfully request determination on comment raised by the plan examiner as stated
"Provided Mezzanine floor on plan is prohibited in rear yard as per ZR 33-23(b)3

This is an existing one story 15' high building, which the proposed uses are Used Auto Car Sales dealership and Tire Shop with Installation Services. The proposed mezzanine is 281 SF (24'2 x 10' 11) which is in the rear portion of the 1-story which is permitted obstruction as per 33-23(b)(3) up to 1 - story and 23' ft above the curb level. Therefore since the mezzanine is not a story it is permitted in the rear yard. (See definition of mezzanine below)

As Per 12-10 the definition of Mezzanine is An intermediate floor between the floor and ceiling of any space. When the total gross floor area of all mezzanines occurring in any story exceeds thirty-three and one-third percent of the gross floor area of that story such mezzanine shall be considered as a separate story

Therefore the comment is not applicable.

Thank you for your consideration in this matter

<i>Note: Buildings Department Determination will be issued on the ZRD1 Response Form</i>	
ADMINISTRATIVE USE ONLY	REVIEWED BY Jed Weiss Executive Zoning Specialist
Reviewed By:	Date: Time:



**APPROVED
WITH CONDITIONS**

Control No. **30254**
Date **9/30/13**
Page **2 of 7**

6	Description of Request (use this section if additional space is required for description)
---	---

Note: Buildings Department Determination will be issued on the ZRD1 Response Form

7	Statements and Signature Required for all requests
---	--

I hereby state that all of the above information is correct and complete to the best of my knowledge. Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a City employee, or for a City employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine, or both.

Name (please print) Gerald Caliendo	9/10/13
Signature	Date
09-10-13	
	
P.E. / R.A. Seal (apply seal, then sign and date over seal - not required for Attorneys on unfiled applications)	

ADMINISTRATIVE USE ONLY	REVIEWED BY		
	Jed Weiss		
Reviewed By:	Executive Zoning Specialist	Date	Time:



**APPROVED
WITH CONDITIONS**

Control No. **30254**
Date **9/30/13**
Page **3 of 7**

ZRD1/CCD1 Response Form

Location Information (To be completed by a Buildings Department official if applicable)

House No(s) 112-13

Street Name Roosevelt Avenue

Borough Queens

Block 1786

Lot 44

BIN 4045001

Job No. 420607846

DETERMINATION (To be completed by a Buildings Department official)

Request has been: ☐ Approved ☐ Denied ☒ Approved with conditions

Follow-up appointment required? ☐ Yes ☒ No

Primary Zoning Resolution or Code Section(s): ZR 33-23(b), ZR 12-10 "story" definition, ZR 32-16

Other secondary Zoning Resolution or Code Section(s): ZR 32-18, ZR 32-412, ZR 12-10 "completely enclosed building"

Comments:

The request, to determine that a proposed interstitial level in the required rear yard within the subject existing building does not constitute a second "story" and thus complies as a permitted obstruction as per ZR 33-23, is hereby approved with the following conditions:

- (1) Such level counts as zoning "floor area";
- (2) Such level is within a building portion that does not exceed 23'-0" above curb level;
- (3) Such level is less than 1/3 of the gross area of the first floor below;
- (4) Such level qualifies as a "mezzanine" as per BC 505;
- (5) Because the "mezzanine" would count as zoning "floor area" (and a non-conforming use cannot be enlarged), the uses within the building must be conforming uses in this C2 district. Therefore, proposed UG 9A auto showroom and UG 7D auto service establishment must be SEPARATE establishments because the UG9A auto showroom shall not have any repair services or preparation for delivery. Once the plan has been amended to the examiner's satisfaction, a note requiring physically separate establishments shall be placed on the Schedule A and resultant C of O; and
- (6) As per ZR 32-412, all automobiles, for either service or sale, shall be located within a "completely enclosed building" (as defined by ZR 12-10). A note requiring this shall be placed on the Schedule A and resultant C of O.

Note: If determination is not uploaded via eSubmit or scanned (whichever is applicable), it will be deemed invalid.



Name of Authorized Reviewer (please print): Jed A. Weiss

Title (please print): Executive Zoning Specialist (on behalf of NYC Development Hub)

Authorized Signature: *[Signature]*

Date: **9/30/13**

Time:

Issuers: write signature, date, and time on each page of the request forms; and attach this form.

Note: Determination will expire if construction document approval is not obtained within 12 months of issuance.

- THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS BEFORE ANY CONSTRUCTION WORK IS STARTED
2. AT LEAST 24 HOURS WRITTEN NOTICE SHALL BE GIVEN TO THE COMMISSIONER PRIOR TO COMMENCEMENT OF ANY WORK SEC C26-118.5
3. LINTELS SUPPORTING MASONRY WALLS OVER 4'-0" SHALL BE FIRE PROTECTED WITH MATERIALS HAVING THE REQUIRED FIRE RESISTIVE RATING OF THE WALL SUPPORTED SEC. C26-502.4
4. SUSPENDED CEILINGS SHALL HAVE HANGERS AND SUPPORTING GRIDS OF NON-COMBUSTIBLE MATERIALS, SEC C26-504.12
5. INTERIOR FINISHES TO COMPLY WITH SEC. C26-504.10 AND TABLE 5-4
6. ALL PARTITIONS ENCLOSED TENANT SPACES AND EXIT CORRIDORS SHALL BE CONSTRUCTED OF 5/8" SHEET ROCK FIRE CODE "C" TWO LAYERS ON EACH SIDE OF 3 5/8" METAL STUDS. PARTITIONS SEPARATING TENANTS AND PUBLIC HALL PARTITIONS SHALL BE CARRIED THRU TO UNDERSIDE OF ROOF ABOVE
7. WHERE NON-COMBUSTIBLE PIPES AND CONDUITS PASS THROUGH RATED CONSTRUCTION, THE AREA OF SUCH OPENING MAY NOT EXCEED 25 SQ. IN. IN ANY 100 SQ. FT. OF WALL OR FLOOR AREA. THE SPACE BETWEEN THE PIPE AND ITS SLEEVE OR OPENING MAY NOT EXCEED 1/2" AND WILL BE PACKED WITH NON-COMBUSTIBLE MATERIAL SUCH AS MINERAL WOOL SEC. 27-343
8. CONCEALED SPACES WITHIN PARTITIONS, WALLS, FLOORS, ROOFS, STAIRS, FURRING, PIPE SPACES, ETC. THAT WOULD PERMIT PASSAGE OF FLAME, SMOKE, FUMES, OR HOT GASES FROM ONE FLOOR TO ANOTHER, OR FROM ONE CONCEALED AREA TO ANOTHER, SHALL BE FIRESTOPPED TO FORM AN EFFECTIVE DRAFT BARRIER OR SHALL BE FILLED WITH NON-COMBUSTIBLE MATERIAL SEC. 27-345
9. PLUMBING VENTS SHALL EXTEND ABOVE ROOF AS PER SEC. P103.4(A)
10. ALL ELECTRICAL OUTLETS TO MEET ALL REQUIREMENTS OF THE NYC ELECTRICAL

	DROP ARCH OR CONDITION ABOVE
	NEW POURED CONCRETE FOUNDATION WALL AND FOOTING (3500 PSI MIN.)
	EXISTING FOUNDATION
	EXISTING WALL / PARTITION
	NEW NON-RATED INTERIOR PARTITION WITH 3½" MTL. STUDS @ 16" O.C., WITH ¾" TYPE X GYPSUM BOARD ON BOTH SIDES
	NEW 1-HOUR RATED INTERIOR PARTITION WITH 3½" MTL. STUDS @ 16" O.C., WITH ONE LAYER OF ¾" TYPE X GYPSUM BOARD ON EACH SIDE
	NEW 2-HOUR RATED INTERIOR PARTITION WITH 3½" MTL. STUDS @ 16" O.C., WITH TWO LAYERS OF ¾" TYPE X GYPSUM BOARD ON EACH SIDE
	BRICK WALL WITH ONE LAYER OF ¾" TYPE X GYPSUM BOARD

	INDICATES REVISION NUMBER
72.57'	DENOTES ELEVATION
	NEW YORK CITY APPROVED HARDWIRED COMBINED SMOKE DETECTOR & CARBON MONOXIDE DETECTOR. [TYP.]
	MECHANICAL VENT 50 CFM MIN OR AS NOTED ON PLANS
	INTERIOR FLOOR DRAIN
	SPRINKLER HEADS

TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGMENT,
THESE PLANS AND SPECIFICATIONS ARE IN COMPLIANCE WITH THE
ENERGY CONSERVATION CODE OF NEW YORK STATE, USING CHAPTER 4 IN
CASE OF CONFLICT WITH REQUIREMENTS OF THE NYC BUILDING OR
OTHER CODES THE MORE STRINGENT REQUIREMENTS SHALL APPLY

1. THE OWNER/CONTRACTOR TO NOTIFY THE ARCHITECT OF ANY DISCREPANCIES IN THE PLANS, INCLUDING FIELD CONDITIONS, CONSTRUCTION DETAILS AND OR SPECIFICATIONS PRIOR TO THE COMMENCEMENT OF ANY WORK.
2. THE BUILDING SHALL BE SUFFICIENTLY BRACED AT ALL TIMES DURING THE COURSE OF CONSTRUCTION TO SATISFY RAIN, SNOW OR WIND LOADS.
3. CONTRACTOR TO PERFORM TEST PITS TO VERIFY THE DEPTH OF FOOTINGS OF THE ADJACENT BUILDINGS. CONTRACTOR TO SUBMIT THE DEPTH (ELEVATION) OF THE FOOTINGS TO THE ARCHITECT.
4. CONTRACTOR TO MONITOR ALL EXCAVATION USING MECHANICAL EQUIPMENT NO USE OF MECHANICAL EQUIPMENT WITHIN 3'-0" OF ADJACENT FOUNDATION.
5. WITHIN 3'-0" OF ADJACENT FOUNDATION TO BE EXCAVATED BY HAND AND REPAIR ADJACENT FOUNDATION AS REQUIRED TO INSURE STRUCTURAL STABILITY OF ADJACENT BUILDING.
6. THE OWNER AND OR CONTRACTOR SHALL ADHERE TO NEW YORK CITY DEPARTMENT OF BUILDINGS RULE 1 RCNY § 52-01 AS STATED IN THE NEW YORK CITY BUILDING CODE.

FIRESTOP, DRAFTSTOP AND FIREBLOCK SYSTEMS	BC 1704.25
MECHANICAL SYSTEMS	BC 1704.15
FIRE-RESISTANCE RATED CONSTRUCTION	BC 1093.4

N.Y.C. ZONING CALCULATIONS:	
BLOCK: 1786	LOT: 44
ZONE: C2-4	MAP No: 10B
<u>LOT AREA:</u>	= 50.00' x 125.00' = 6,250.00 SF
	TOTAL = 6,250.00 SF
<u>FLOOR AREA RATIO:</u> (SEC. 33-121 Z.R.)	= 2.0 (FOR COMMERCIAL BLDGS.)
MAX. ALLOW. FA	= 6,250.00 SF x 2.0 = 12,500.00 SF
<u>PROPOSED FA</u>	
CELLAR FLOOR	= 39'5" x 16.58' = 665.81 SF 665.81 SF (NOT COUNTED)
FIRST FLOOR	= 80.42 x 50.00' = 4,021 SF = 4,021 SF
MEZZANINE FLOOR	= 24.17 x 11.31' = 273.36 SF = 273.36 SF
	<u>= 3,471.00 + 273.36 SF = 4,214.36</u>
TOTAL	= 4,214.36 SF < 12,500.00 SF

(SEC. 33-431 Z.R.)	
MAX. FRONT HALL HEIGHT WITH INITIAL SETBACK DISTANCE	
<u>REQUIRED</u> 30'-0" MAX.	<u>PROVIDED</u> 15'-0"
<u>REQUIRED YARDS:</u>	
SIDE YARDS (SEC. 33-25 Z.R.)	
<u>REQUIRED</u> NONE	<u>PROVIDED</u> NONE
REAR YARDS (SEC. 33-26 Z.R.)	
<u>REQUIRED</u> NONE	<u>PROVIDED</u> NONE
<u>OFF-STREET PARKING REQUIREMENTS:</u>	
(SEC. 36-21 Z.R.)	
<u>REQUIRED</u> 1 PER 300 SF OF FLOOR AREA 4,294.36 ÷ 14.31 SPACES/MIN. REQ'D 300	<u>PROVIDED</u> NONE REQ'D MINIMUM OF SPACES REQ'D (15) AS PER SEC. 36-231 Z.R.
<u>OFF-STREET LOADING BERTH REQUIREMENTS:</u>	
(SEC. 36-62 Z.R.)	
<u>REQUIRED</u> NONE REQ'D FOR FIRST 8,000 SF OF FLOOR AREA	<u>PROVIDED</u> NONE (4,294.36 ACTUAL SF)

112th STREET (DEPEYSTER ST)
(80' WIDE)

50.00
50.00

GARAGE FRAME

78.42

#112-13
EXISTING
1 STORY
BUILDING
C.C.
O.G.
F.F.E. 00.00'

78.42

EXISTING 2-STORY BUILDING

LOT: 44
BLOCK: 1786

EXISTING CHAIN LINK FENCE

EXISTING FRONT YARD

EXISTING ASPHALT PAVING TO REMAIN

Access to Cellar

50.00
CONCRETE SIDEWALK

PROPOSED CURB CUT

ROOSEVELT AVENUE
(80' WIDE)

REVIEWED BY
Jed Weiss
Executive Zoning Specialist

**APPROVED
WITH CONDITIONS**

Control No. **30254**
Date **9/30/13**
Page **5 of 7**

THE ARCHITECT SHALL NOT HAVE CONTROL OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, DEVIATIONS, TECHNIQUES, SEQUENCES OR PROCEDURES, OR FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTIONS WITH THE WORK FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR, SUBCONTRACTORS OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK, OR FOR THE FAILURE OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. ALWAYS USE DIMENSIONS AS SHOWN. DRAWINGS ARE NOT TO BE SCALED. GERALD J. ANDERSON ARCHITECT, P.C. AND ITS PRINCIPALS/EMPLOYEES ARE NOT RETAINED FOR ANY CONSTRUCTION SUPERVISION.

Gerald J. Caliendo, R.A., A.I.A.
Architect, P.C.

Architecture
Interior Design
Code Consultation
Building Dept.
Expediting

138-72 Queens Boulevard
Briarwood N.Y. 11435

Tel. (718) 268-9098
Fax (718) 268-9097

www.gcaliendoarchitects.com

CONSULTANTS

OWNER: Edward Yakubov

E: SITE PLAN & NOTES

PROJECT ADDRESS:
112-13 ROOSEVELT AVE.

Queens, NY

DRAWN BY:	TORTIK
CHECKED BY:	GJC
JOB NO:	13081
SCALE:	AS NOTED
DATE:	04-30-13

[illegible]

REGISTERED ARCHITECT
GERALD J. CALIENDO
020241
STATE OF NEW YORK

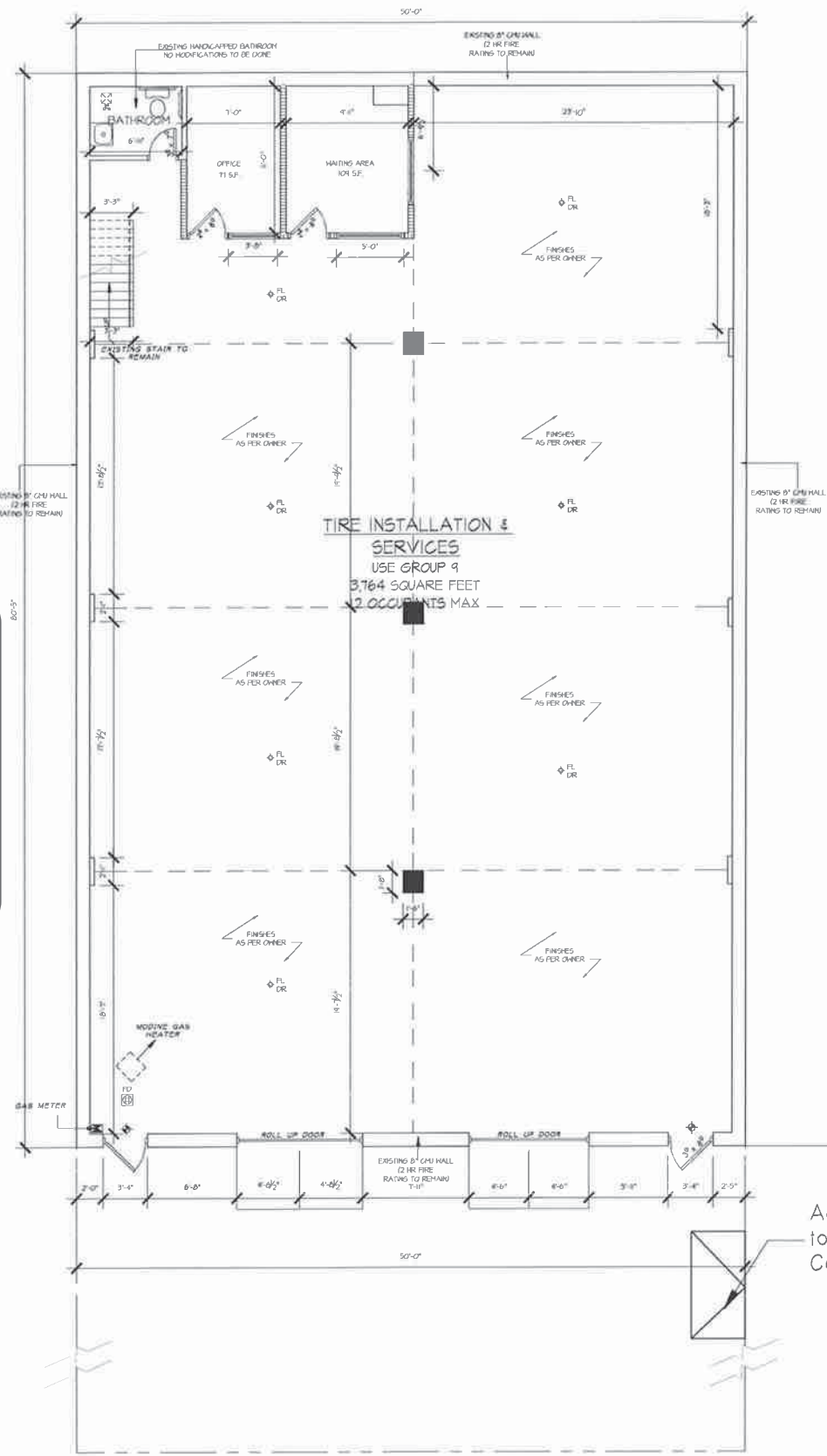
DRAWING No:		1 OF 8
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A-001.00

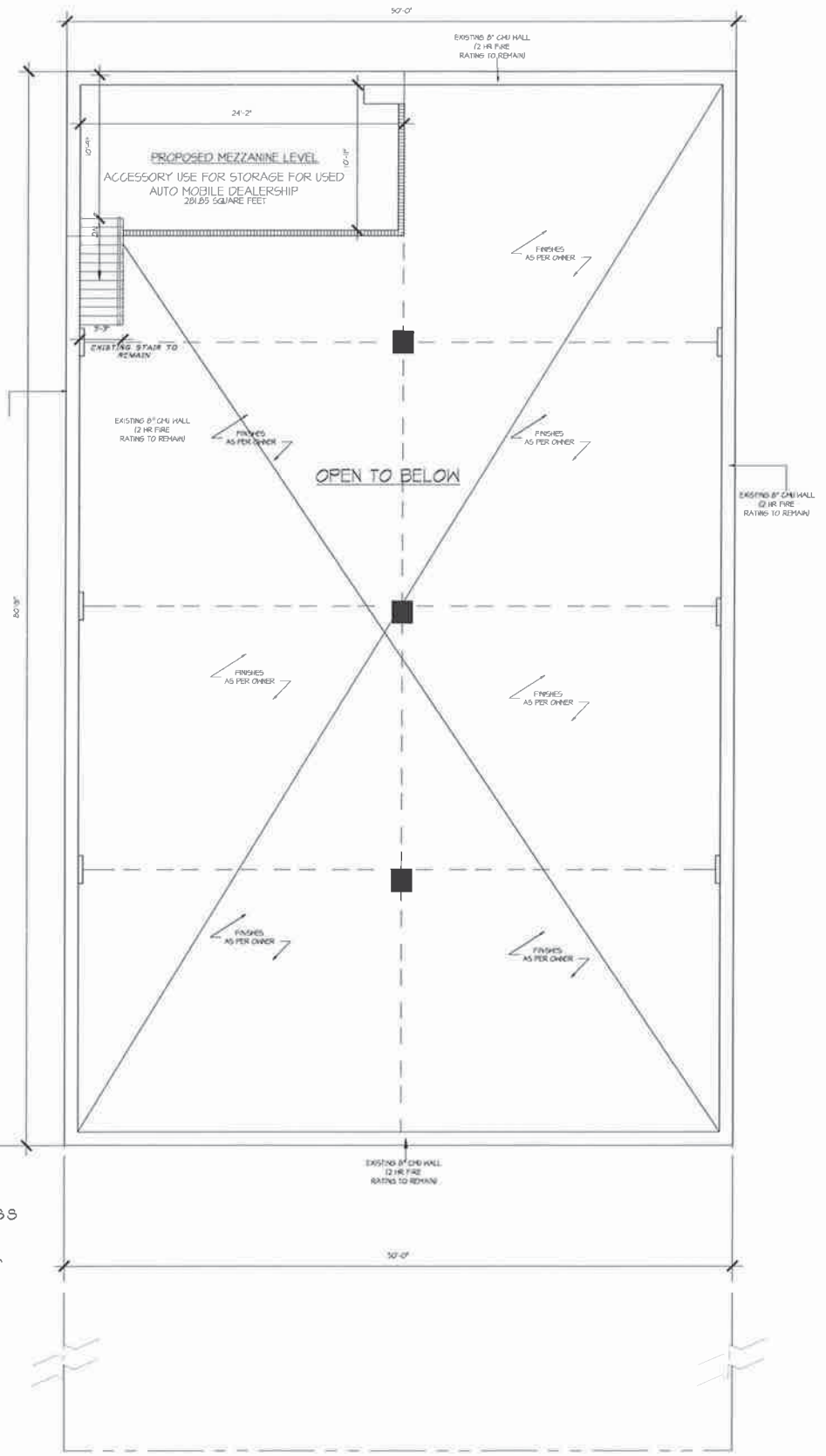
REVIEWED BY
Jed Weiss
Executive Zoning Specialist


**APPROVED
WITH CONDITIONS**

Control No. **30254**
Date **9/30/13**
Page **6 of 7**



PROPOSED FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



PROPOSED MEZZANINE FLOOR PLANN
SCALE: 3/16" = 1'-0"

Architect
Interior Design
Code Consultant
Building Dept.
Expediting


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CONSULTANTS:

OWNER:
Edward Yakubov

DRAWING TITLE:
PROPOSED PLANS

PROJECT ADDRESS:
112-13 ROOSEVELT AVE.
CARONA
Queens, NY

DRAWN BY:	TORTIK	NO.	DATE	REVISION
CHECKED BY:	GJC			
JOB NO:	13061			
SCALE:	AS NOTED			
DATE:	04-30-13			

SEAL:


DOB:

DRAWING No: 4 OF 8
A-004.00

THE ARCHITECT SHALL NOT HAVE CONTROL OR CHARGE OF AND SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OR FOR SAFETY, PRECAUTIONS AND PROGRAMS IN CONNECTIONS WITH THE WORK, FOR THE ACTS OR OMISSIONS OF THE CONTRACTOR, SUB-CONTRACTORS OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK, OR FOR THE FAILURE OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. ALWAYS USE DIMENSIONS AS SHOWN. DRAWINGS ARE NOT TO BE SCALED. GERALD J. CALIENDO ARCHITECT, P.C. AND ITS PRINCIPALS/EMPLOYEES WERE NOT RETAINED FOR ANY CONSTRUCTION SUPERVISION.

TOP OF ROOF
EL. 15.00

BASE PLANE
EL. 00.00

EXIST. 1
STY
BLDG.

SIGN

1
A-5
NORTH ELEVATION
SCALE: 1/4" = 1'-0"

3
A-5

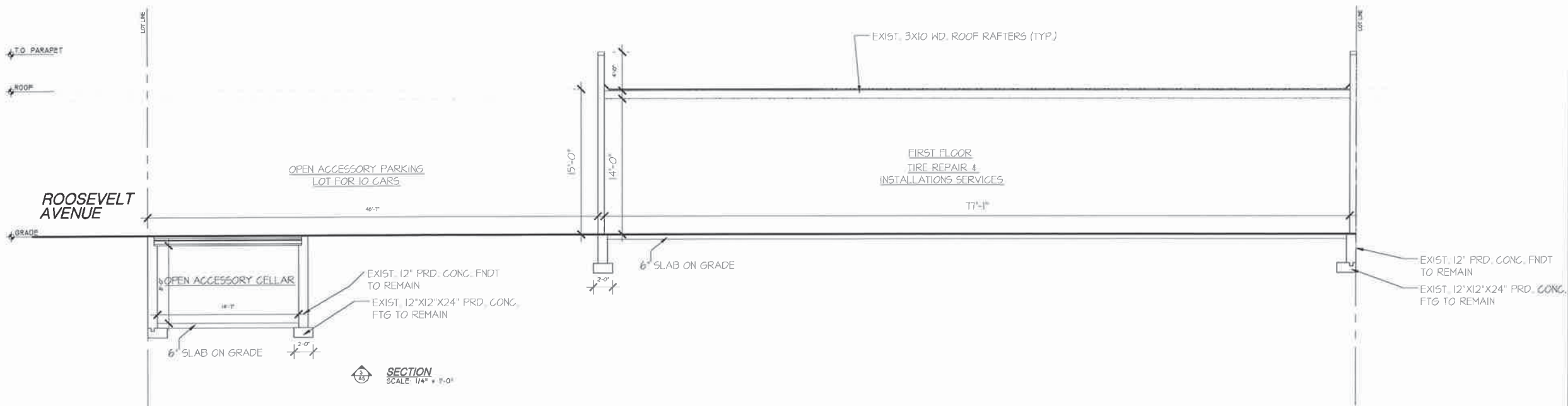
EXIST. 1
STY
BLDG.

2
A-5
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

REVIEWED BY
Jed Weiss
Executive Zoning Specialist

**APPROVED
WITH CONDITIONS**

Control No. **30254**
Date **9/30/13**
Page **7 of 7**



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Architecture
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Building Dept.
Expediting

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CONSULTANTS:

OWNER
Edward Yakubov

DRAWING TITLE:
ELEVATIONS & SECTION

PROJECT ADDRESS:
**112-13 ROOSEVELT AVE.
CARONA
Queens, NY**

DRAWN BY: TORTIK
CHECKED BY: GJC
JOB NO: 13061
SCALE: AS NOTED
DATE: 04-30-13

REVISION
NO. DATE



DRAWING No: 5 OF 8

A-005.00