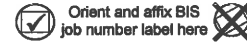




ZRD1: Zoning Resolution Determination Form



Must be typewritten.

1 Location Information Required for all requests on filed applications.

House No(s) 45-41

Street Name 11TH STREET

Borough Queens

Block 54

Lot 20

BIN 4000462

CB No. 402

2 Applicant Information Required for all requests on filed applications.

Last Name NEWMAN

First Name MITCHELL

Middle Initial D

Business Name NEWMAN DESIGN ARCHITECTS

Business Telephone (631) 673-3111

Business Address 210 WEST ROGUES PATH

Business Fax () -

City COLD SPRING HILLS State NY

Zip 11743

Mobile Telephone () -

E-Mail MNEWMAN@NDARCHITECTS.COM

License Number 015609

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 REGAN

First Name AUSTIN

Middle Initial

Business Name METROPOLIS GROUP INC

Business Telephone (212) 233-6344

Business Address 22 CORTLANDT STREET 10TH FLOOR

Business Fax (212) 233-6333

City NEW YORK

State NY

Zip 10007

Mobile Telephone (917) 992-1362

E-Mail austinr@metropolisny.com

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)

Appointment is requested with: ☒ Borough Commissioner's Office ☐ Technical Affairs

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

Job Number: 420654027

Document Number: 01

Examiner: JLEVIN

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: 08 (attachment may not be larger than 11" x 17")

Indicate relevant Zoning Resolution section(s): ZR 23-44, ZR 23-12, TPN 4/03

Note this is one of 3 lead folders in cluster filings for one zoning lot

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:

ADMINISTRATIVE USE ONLY

Reference #:

Appointment date:

Appointment time:

Appointment Scheduled With:

Comments:

Reviewed By:

REVIEWED BY
Shaughat Shaikh
Building Code Specialist, Date
NYC Development Hub

Time:

Shaughat Shaikh

APPROVED
WITH CONDITIONS

ZRD1(42391)
Page 1 of 9
Date: 12/23/2015

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.

The above referenced address is the lead address for a proposed development of 38 townhouses developed on a single zoning lot. The zoning lot is located in the Special Long Island City District and is zoned M1-4/R6A. Each townhouse will be an R-3 occupancy two-unit structure, will sit on its own tax lot and will obtain its own Certificate of Occupancy. All applications will be filed to comply with the 2014 NYC Building Code.

The street wall of the townhouses along 46th Avenue would be set back by 15 feet from the street line in order to comply with the street wall location provisions of Sec. 117-23. The entire area between the street wall and the street line would be landscaped except for an unenclosed stair system that would access the two townhouse units. As shown on the attached plans, there would be a series of steps leading from the sidewalk to Landing #1, which would access the lower unit of the townhouse entering on the 1st floor. From that landing, an exterior unenclosed stair would then lead up to Landing #2, which would access the upper unit of the townhouse entering on the 2nd floor. The stair up to Landing #2 would be supported from below by three approx. 1 sq. ft. concrete piers.

The stair would not be enclosed and would therefore not be floor area. It would be located entirely in front of the building's street wall, which would be set back in its entirety by 15 ft. from the street line. A stair between the street wall and the street line is very typical of rowhouse development in New York City and is permitted by zoning.

We received the following objections related to the stair:

- 1) ZR 23-44: Stairs are not permitted in a front yard
- 2) ZR 23-12 Stairs are not permitted in required open space.
- 3) Proposed exterior stair is prohibited at 2nd floor per DOB TPN 4/03 (420654107)

Objection #1: The 15 ft. setback area is not a "front yard" and the referenced section, ZR 23-44 ("Permitted Obstructions in Required Yards or Rear Yard Equivalents"), is not applicable. The site is located in a M1-4/R6A zoning district where no "front yard" is required. Since our street wall setback is not a required "yard" setback, ZR 23-44 does not apply. "Front yards" are only required in R1-R5 districts, as detailed in Sec. 23-45. The relevant section that applies to the 15 ft. area between the street wall and the street line is Section 23-892(a), which says that this area should be planted except for driveways and entrances to and exists from the building. As proposed, the space would be developed exclusively with planted areas and stairs that serve as an entrance to and exit from the building.

Objection #2: The 15 ft. set back area is not "open space" and the referenced section, ZR 23-12 ("Permitted Obstructions in Open Space"), is not applicable. "Open space" regulations apply to height factor buildings, not Quality Housing buildings. ZR 23-142, the section that requires "open space" applies to buildings that are developed under height factor regulations only and Section 23-12 pertains to "open space" only. In contextual districts like the subject M1-4/R6A district, these sections are not applicable and there is no open space requirement. Instead, the footprint of the building is limited by lot coverage regulations. This is made even clearer in mixed-use districts like the subject M1-4/R6A district. Section 117-21 of the Special Long Island City District regulations refers you to the bulk regulations of the Special Mixed Use District, and Sec. 123-63 of that special district says: "Where the designated Residence District is an R6, R7, R8 or R9 District, the maximum required open space ratio and the maximum floor area ratio provisions of Sections 23-142, 23-143 and paragraph (a) of Section 123-147 shall not apply." Since there is no open space requirement, ZR 23-12 does not apply.

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

ADMINISTRATIVE USE ONLY	REVIEWED BY Shaouqat Shaikh Building Code Specialist, Date: _____ Time: _____ NYC Development Hub
Reviewed By:	

Shaouqat Shaikh

**APPROVED
WITH CONDITIONS**

ZRD1(42391)
Page 2 of 9
Date: 12/23/2015

6	Description of Request (use this section if additional space is required for description)
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Objection #3: The TPPN was created in part to clarify when certain elements such as porches and terraces could be considered permitted obstructions to yards per ZR 23-44. As explained previously ZR 23-44 does not apply to the stair because the area in question is not a required yard.

Because the space between the street wall and the street line is neither "open space" nor a required "front yard", we respectfully ask for these two objections to be removed and for your concurrence that the stairs proposed would be compliant with zoning. Thank you.

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

7	Statements and Signature Required for all requests
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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)

MITCHELL NEWMAN

Signature

Date

Mitchell Newman

9/22/15



P.E. / R.A. Seal (apply seal, then sign and date over seal – not required for pre-emptive applications)

ADMINISTRATIVE USE ONLY

REVIEWED BY

Shauqat Shaikh

Building Code Specialist,
NYC Development Hub

Reviewed By:

Date

Time:

Shauqat Shaikh

**APPROVED
WITH CONDITIONS**

ZRD1(42391)
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Date: 12/23/2015

ZRD1/CCD1 Response Form

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

House No(s) 45-41

Street Name 11th Street

Borough Queens

Block 54

Lot 20

BIN 4000462

Job No. 420654027

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 23-44, ZR 23-12, TPPN 4/03

Other secondary Zoning Resolution or Code Section(s):

Comments:

The request to wave the comments (objections) for the proposed open stairs is hereby approved with the conditions that these stairs are include as lot coverage in the zoning analysis.

The proposed buildings are located within M1-4/R6A in the Special Long Island District which is subject to ZR 117-23 for the street wall location provision.

The proposed stairs are located in the open area which is neither required front yard nor required open space hence the compliance with ZR 23-44 (also TPPN 4/200) and ZR 23-12 are not applicable.

Name of Authorized Reviewer (please print):

Title (please print):

Authorized Signature:

REVIEWED BY

Shauqat Shaikh

Building Code Specialist
NYC Development Hub

Date:

Time:

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

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

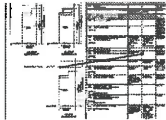
APPROVED
WITH CONDITIONS

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Page 4 of 9
Date: 12/23/2015



Subject: Callout
Page: Page 3
Lock: Unlocked
Status:
Checkmark: Unchecked
Author: jlevin
Date: 7/14/2015 12:01:39 PM
Color: ■
Depth:

Provide location on site plan



Subject: Callout
Page: Page 3
Lock: Unlocked
Status:
Checkmark: Unchecked
Author: jlevin
Date: 7/15/2015 10:06:37 AM
Color: ■
Depth:

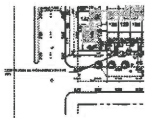
Clarify Side Yard at Lot 131



Subject: Callout
Page: Page 3
Lock: Unlocked
Status:
Checkmark: Unchecked
Author: jlevin
Date: 7/15/2015 10:06:39 AM
Color: ■
Depth:

Clarify: Provide applicable Lot number(s)

Page 9 (3)



Subject: Callout
Page: Page 9
Lock: Unlocked
Status:
Checkmark: Unchecked
Author: judeh
Date: 7/15/2015 3:16:48 PM
Color: ■
Depth:

ZR23-44: stairs are not permitted in the front yard.



Subject: Callout
Page: Page 9
Lock: Unlocked
Status:
Checkmark: Unchecked
Author: judeh
Date: 7/15/2015 3:16:56 PM
Color: ■
Depth:

ZR23-12: Stairs are not permitted in required open space.



Subject: Callout
Page: Page 9
Lock: Unlocked
Status:
Checkmark: Unchecked
Author: judeh
Date: 7/15/2015 3:30:48 PM
Color: ■
Depth:

TPPN 26/70: Stairs are not permitted to access the second floor of a more than 3 story building.





ARCHITECTURE • URBAN PLANNING
NEWMAN DESIGN ARCHITECTS PLLC
210 West Rouses Path • Cold Spring Hills, NY 11743
TEL: 212.673.3110 • TEL: 631.673.3111 • FAX: 631.673.2031
www.ndarchitects.com



PROJECT:
L.I.C. Two Family Dwellings - 46th Avenue Entry Stairs

Long Island City, NY

DATE: 09/22/15
SCALE: AS NOTED
DRAWN BY: PG
JOB #: 15-01

DWG. #:
ZSK-001

11TH STREET

45TH ROAD

SIDEWALK

EXISTING BUILDING

EXISTING BUILDING

PROPERTY LINE

46TH AVENUE

SIDEWALK

1

SITE PLAN

Scale: 1/32" = 1'-0"

1
ZSK-002

2
ZSK-002

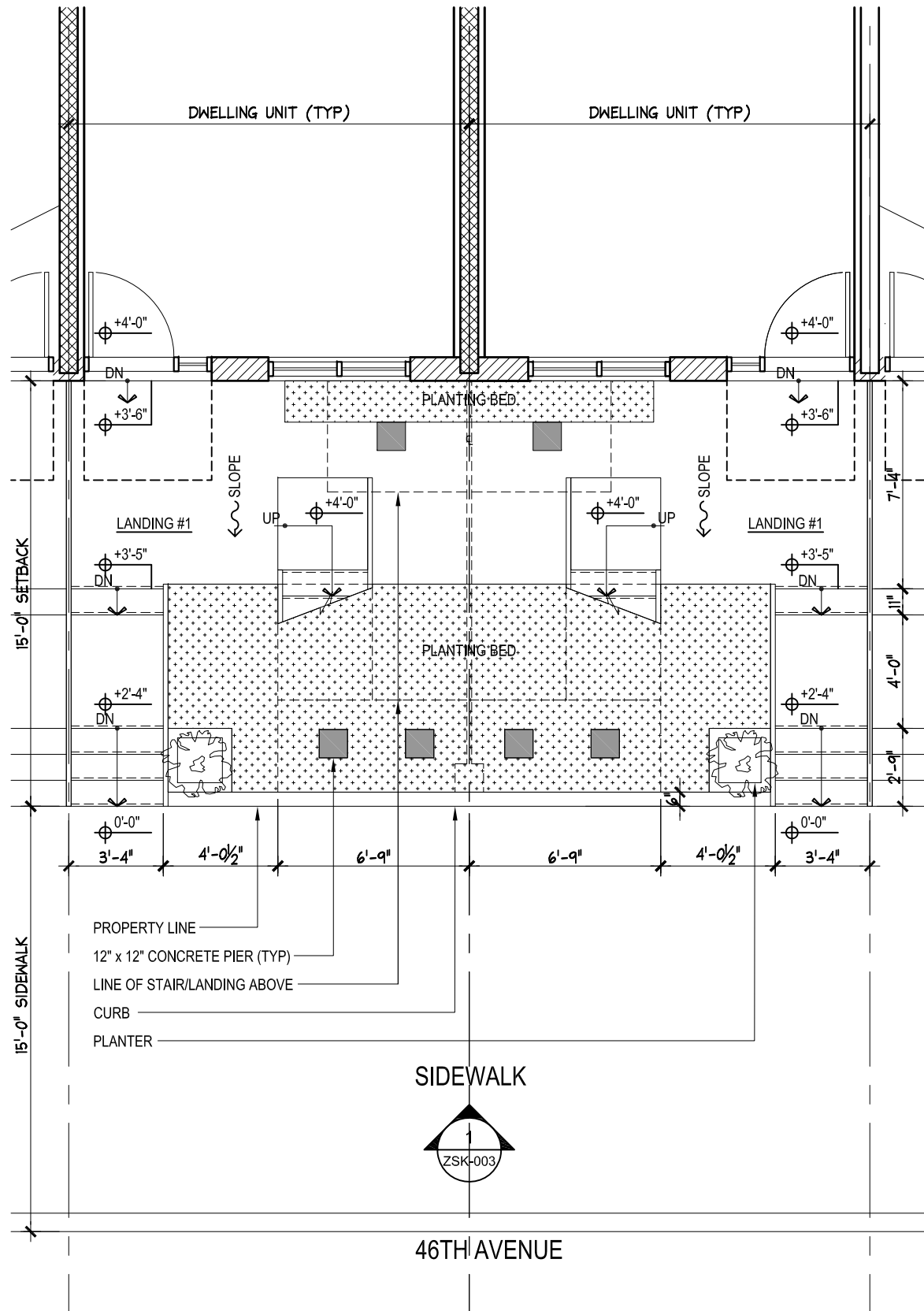
REVIEWED BY
Shauqat Shaikh
TY Building Code Specialist,
NYC Development Hub

Shauqat Shaikh

**APPROVED
WITH CONDITIONS**

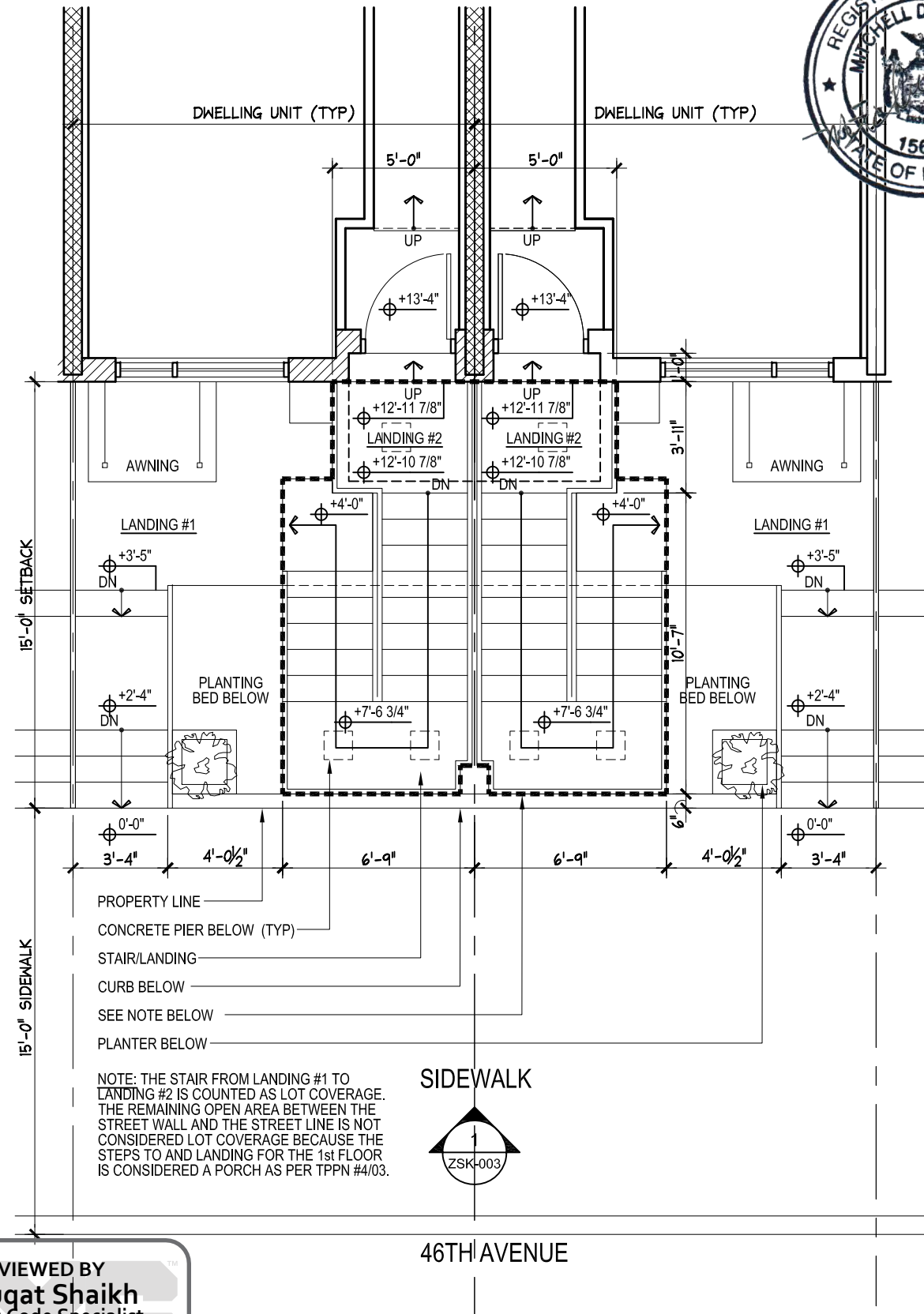
ZRD1(42391)
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Date: 12/23/2015





46TH STREET - PARTIAL FIRST FLOOR ENTRY PLAN

Scale: 3/16" = 1'-0"



46TH STREET - PARTIAL SECOND FLOOR ENTRY PLAN

Scale: 3/16" = 1'-0"

REVIEWED BY
Shaukat Shaikh
Building Code Specialist,
NYC Development Hub

**APPROVED
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Date: 12/23/2015



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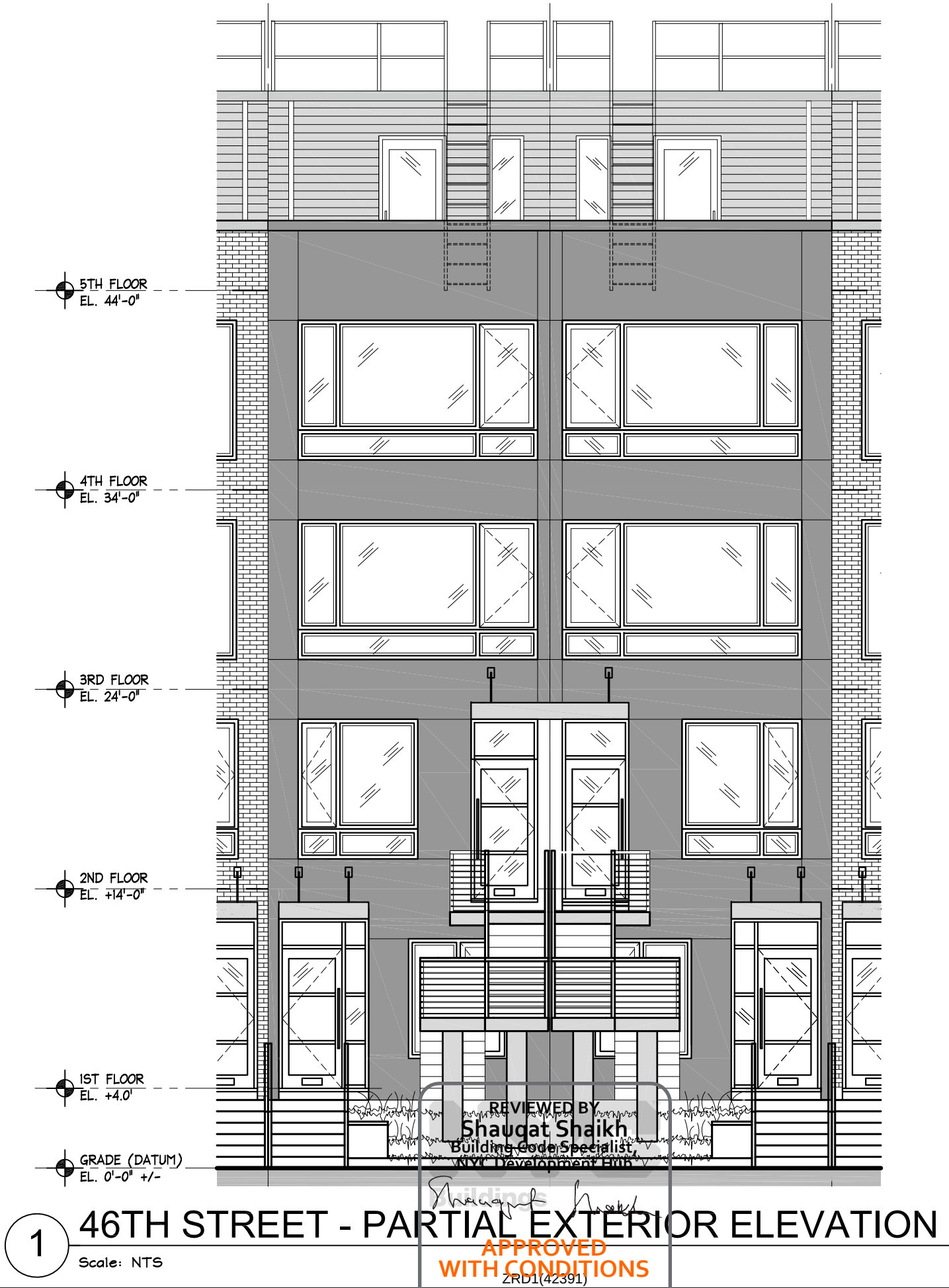


PROJECT:
L.I.C. Two Family Dwellings - 46th Avenue Entry Stairs

Long Island City, NY

DATE: 09/22/15
SCALE: AS NOTED
DRAWN BY: PG
JOB #: 15-01

DWG. #: **ZSK-002**



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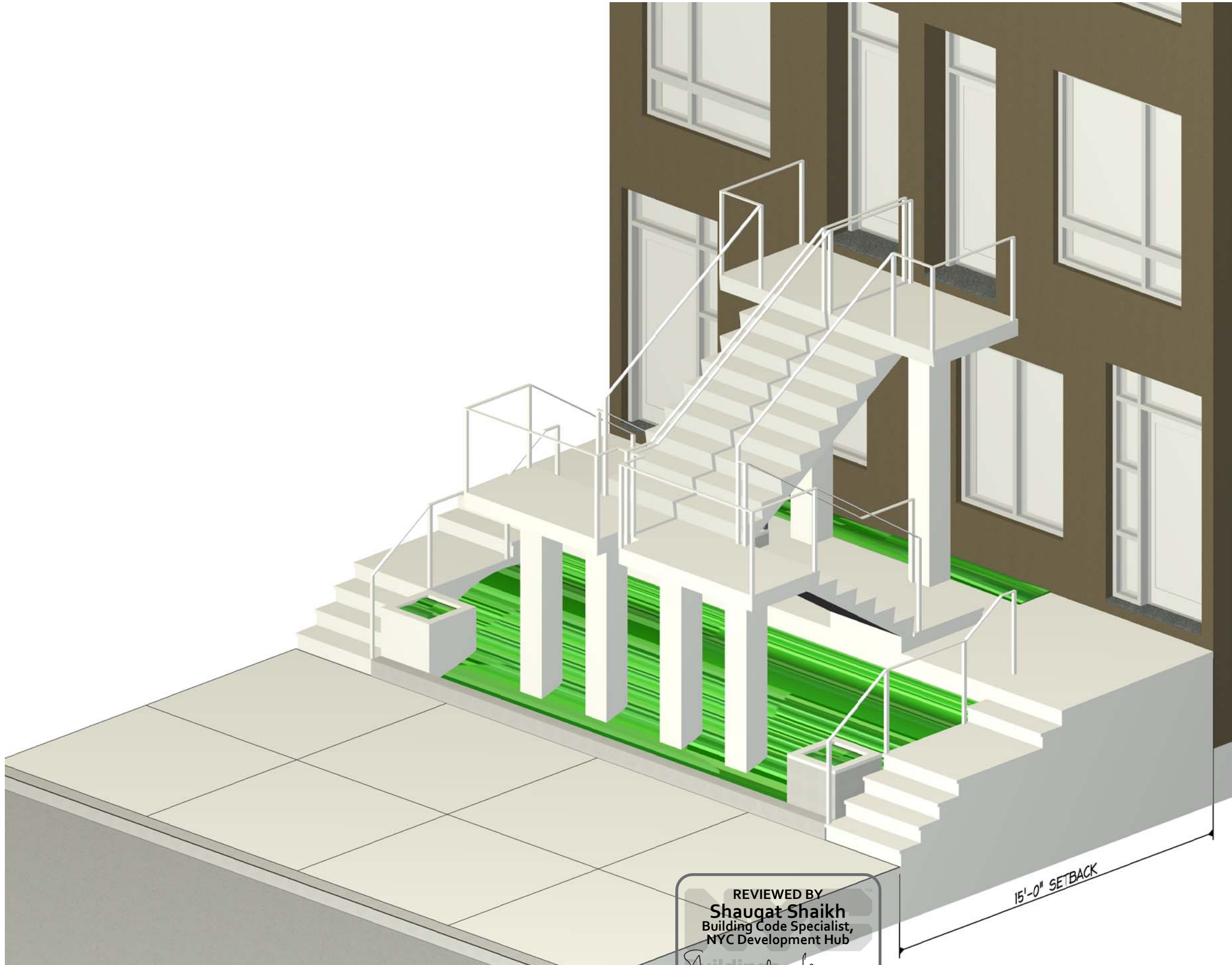
**NEWMAN
DESIGN**

PROJECT:
L.I.C. Two Family Dwellings - 46th Avenue Entry Stairs
Long Island City, NY

DATE: 09/22/15
SCALE: AS NOTED
DRAWN BY: PG
JOB #: 15-01

ZSK-003

DWG. #:



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PROJECT:
L.I.C. Two Family Dwellings - 46th Avenue Entry Stairs

Long Island City, NY

DATE: 09/22/15
SCALE: AS NOTED
DRAWN BY: PG
JOB #: 15-01

DWG. #: **ZSK-004**

1

46TH STREET - PARTIAL AXONOMETRIC VIEW

Scale: N.T.S.

REVIEWED BY
Shauqat Shaikh
Building Code Specialist,
NYC Development Hub

Shauqat Shaikh

**APPROVED
WITH CONDITIONS**

ZRD1(42391)

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Date: 12/23/2015

15'-0" SETBACK