



Zoning Challenge and Appeal Form

(for approved applications)

Must be typewritten

1	Property Information <i>Required for all challenges.</i>
----------	---

BIS Job Number 121193519

BIS Document Number 12

Borough Manhattan

House No(s) 108

Street Name Chambers Street

2	Challenger Information <i>Optional.</i>
----------	--

Note to all challengers: This form will be scanned and posted to the Department's website.

Last Name Janes

First Name George

Middle Initial M

Affiliated Organization Prepared for: The Board of Managers of the Keystone Condominium

E-Mail george@georgejanes.com

Contact Number 917-612-7478

3	Description of Challenge <i>Required for all challenges.</i>
----------	---

Note: Use this form only for challenges related to the Zoning Resolution

Select one: ☒ Initial challenge ☐ Appeal to a previously denied challenge (denied challenge must be attached)

Indicate total number of pages submitted with challenge, including attachments: 20 (attachment may not be larger than 11" x 17")

Indicate relevant Zoning Resolution section(s) below. Improper citation of the Zoning Resolution may affect the processing and review of this challenge.

12-10 Floor Area, Abut, 111-20(c)(iv), 23-462 (c). Also BC 1613.7 of the 2014 Building Code

Describe the challenge in detail below: (continue on page 2 if additional space is required)

Please see attached.

Note to challengers: An official decision to the challenge will be made available no earlier than 75 days after the Development Challenge process begins. For more information on the status of the Development Challenge process see the Challenge Period Status link on the Application Details page on the Department's website.

ADMINISTRATIVE USE ONLY	
--------------------------------	--

Reviewer's Signature:

Date:

Time:

WO#:

GEORGE M.
JANES &
ASSOCIATES

250 EAST 87TH STREET
NEW YORK, NY 10128

www.georgejanes.com

T: 646.652.6498
F: 801.457.7154
E: george@georgejanes.com

May 7, 2018

Rick D. Chandler, P.E., Commissioner
Department of Buildings
280 Broadway
New York, NY 10007

RE: Zoning Challenge
108 Chambers
Block 136, Lot 26
Job No: 121193519

Dear Commissioner Chandler:

At the request of the Board of Managers of the Keystone Condominium, I have reviewed the updated zoning diagram and related materials for the new building under construction at 108 Chambers Street. My firm regularly consults with landowners, architects, community groups and Community Boards on the New York City Zoning Resolution, and I have been a member of the American Institute of Certified Planners for the past 21 years.

This challenge is similar to one filed on February 24, 2018. It is being filed again because a new ZD1 posted on March 23, 2018 is materially different from the one on which the February 24, 2018 challenge was based. The Department does not need to answer the February zoning challenge as all still relevant arguments are repeated herein.

Summary of findings

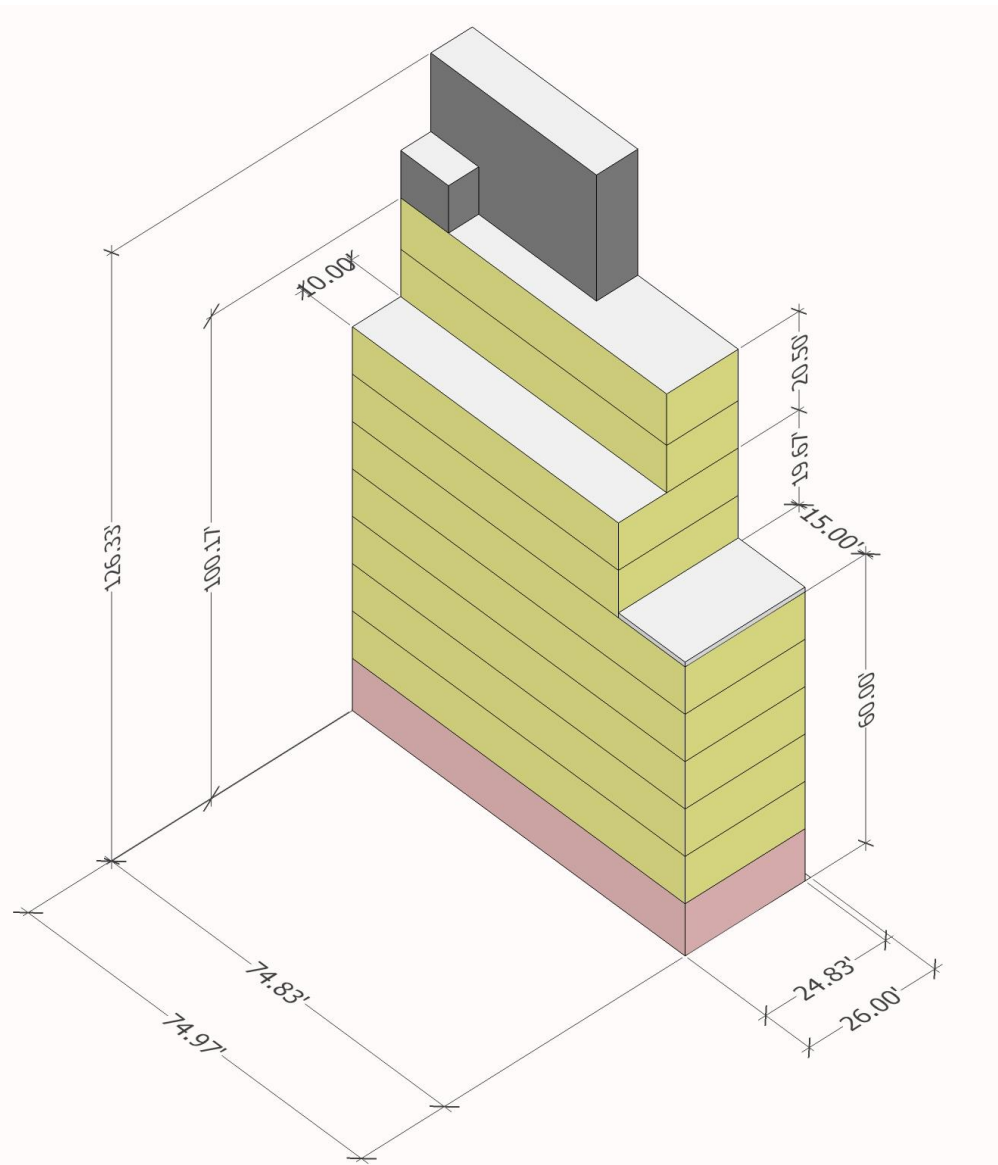
There are three serious errors and concerns:

- 1) The building may be too big for its zoning district;
- 2) The building has a side yard that is too small;
- 3) The Church Street base height is too high. The building must match the base height of the adjacent building.

Project summary

The proposed building is on a corner lot at the intersection of Church and Chambers Streets. The zoning district is C6-3A and the lot is located in the Tribeca Special Mixed Use District in Area 3. The maximum FAR of this district is 7.52. According to the ZD1, the lot is 1,947 SF. At 7.52 FAR, the building may be 14,641 zoning square feet.

The following shows an axonometric view of the building my office modeled using the ZD1 and a full set of zoning drawings.



Axonometric view of the building proposed in traditional land use colors

Since the building is only 24'10" wide along Chambers Street, the building proposed is height limited by the sliver rule 23-692, as modified by the Special District.

Error 1: The building may be too large

The following shows the floor area schedule in the ZD1:

4 Proposed Floor Area Required for all applications. One Use Group per line.							
Floor Number	Building Code Gross Floor Area (sq. ft.)	Use Group	Zoning Floor Area (sq. ft.)				FAR
			Residential	Community Facility	Commercial	Manufacturing	
CEL	300	6					
MEZ	430	6					
001	1842	6			1787		.9
002	1842	2	1675				.8
003	1842	2	1675				.8
004	1842	2	1675				.8
005	1842	2	1675				.8
006	1842	2	1675				.8
007	1489	2	1332				.6
008	1489	2	1344				.6
009	890	2	743				.3
010	890	2	743				.3
ROF	300	2	300				.1
Totals	18392		12837		1787		6.8
Total Zoning Floor Area						14624	

Proposed Floor Area Table from the ZD1. The number circled in red is not the sum of the column.

The gross floor area (GFA) number circled in red is not the sum of its column. When this column of numbers is summed, the total is 16,840 GFA, a difference of 1,552 SF! Further, the FAR column, while it sums, is not accurate. If the building is 14,624 ZFA and the lot area is 1,947 SF, then this building is constructed at 7.51 FAR, not 6.8. It appears the applicant truncated the FAR calculation for each floor to one digit and then summed that number, producing a number more than 0.7 FAR smaller than the building proposed.

Further, the building described in the plan does not equal the numbers shown in this table. For example, the plan shows a floor plate for the first six floors that is a perfect rectangle, 74.83' long by 24.83' wide. Area calculations (i.e. length multiplied by width) for the first six floors shows that each of these floors should equal 1,858 GFA. The ZD1 shows a number 16 GFA smaller for each floor. While 16 SF is not a large number, a single floor is nearly enough to push the proposed building out of FAR compliance and there are six of these floors.

The area shown in plan must match the area shown in this table; the numbers must sum and must be accurate. This is not too much for the Department to ask from its applicants and I look forward to reviewing a revised ZD1 that demonstrates compliance.

Error 2: There is a side yard that does not comply

The plan shows that the building is proposed to be 24.83 feet wide on a lot that is 26 feet. There is a gap between the proposed building and its neighbor that is 14

inches wide. Since the building is already under construction, the gap is clearly visible from the street:



Photograph of the side yard between 108 and 110 Chambers taken April 30, 2018.

Most of the gap is hidden behind the plywood and it appears to be the 14 inches shown in plan. ZR 23-462 (c) notes that while side yards are not required, if they are provided they need to be at least eight feet.

The Department issued a Building Bulletin (2016-011) to address the conflict between seismic gaps required by the building code and ZR 23-462 (c). That Building Bulletin states:

When a structural separation not exceeding the minimum width required by the Building Code is provided, the building shall be considered built on the side lot line and would not

set off the Zoning Resolution minimum required width.

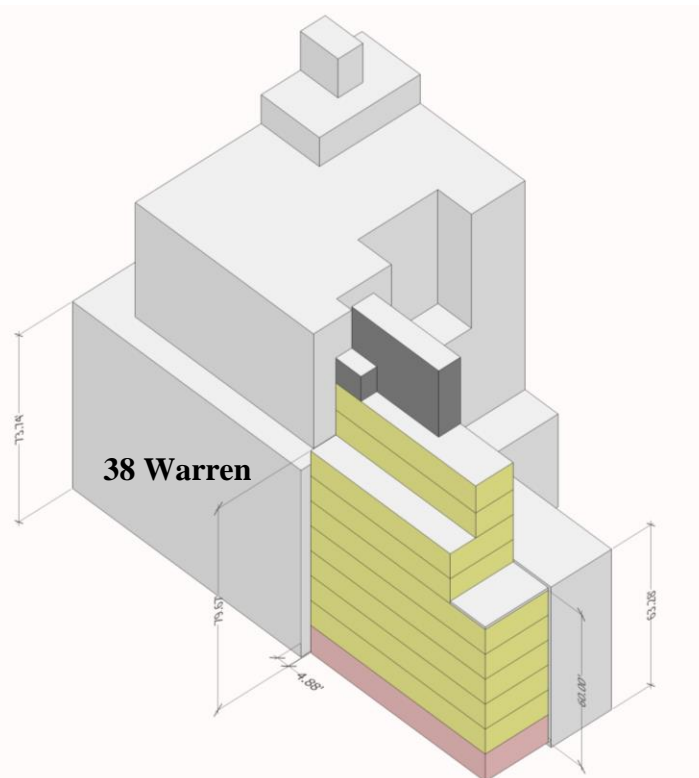
BC 1613.7 of the 2014 Building Code calls for 1 inch of seismic separation for each inch of height. This building is 126.33 feet to the top of the mechanicals, requiring a seismic separation of less than 3 inches but 14 inches is provided. This building, therefore, has a side yard of nearly 1 foot. It does not comply with 23-462(c).

Error 3: The base height is too high

The special district requires that the building base match the height of an adjoining building:

The maximum height of a #street wall# before setback shall be 85 feet **or the height of an adjoining #building# fronting on the same #street line#** with a height of at least 60 feet, whichever is less. (111-20(c)(iv)).

The following shows 108 Chambers in context with neighboring buildings taken from New York City's 3D LIDAR model:¹

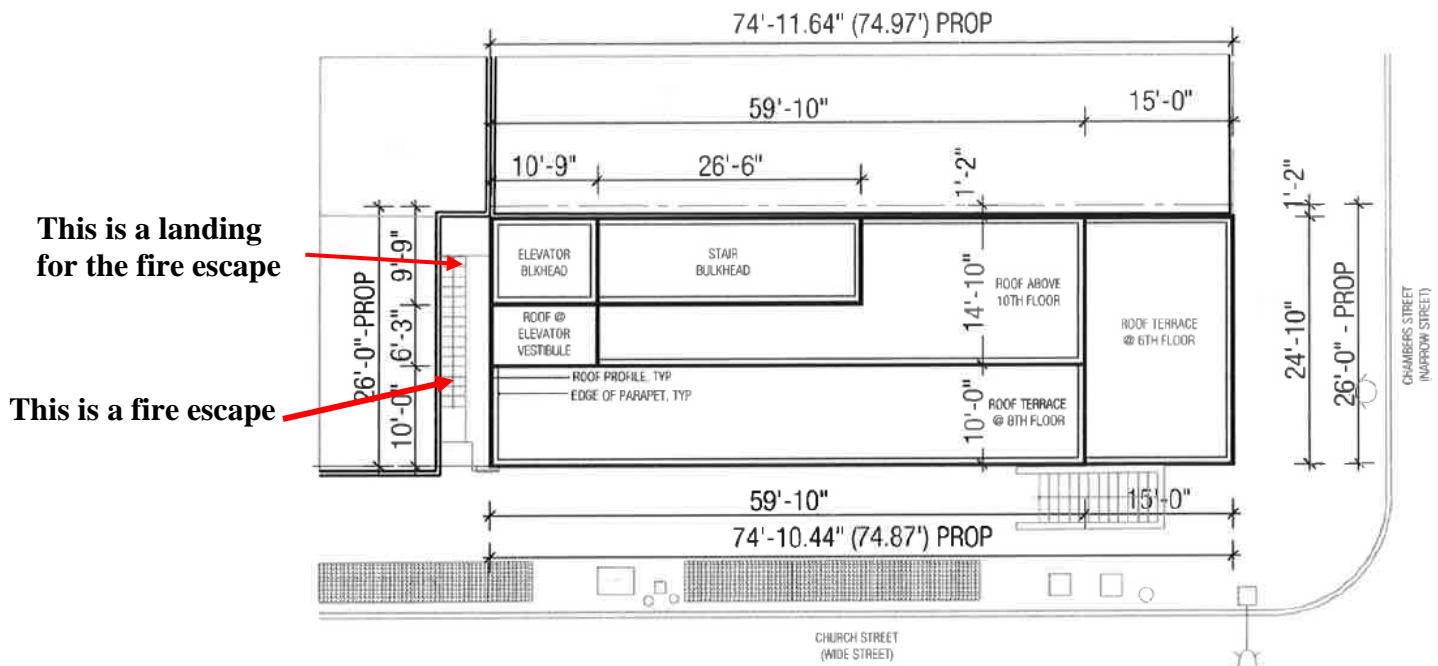


Axonometric view of proposed building (colored) shown with neighboring buildings. Dimensions from 3D LIDAR model or from ZD1.

¹ The ground elevation of the new building was taken from the ZD1. Its ground elevation is substantially higher than both adjoining buildings. This means that, even though 110 Chambers is shown with a streetwall of 63 feet, it matches the streetwall of the proposed building at 60 feet.

The proposed building clearly does not match the base height of 38 Warren and the ZD1 claims this is not an adjoining building. This is not accurate, however, as 38 Warren adjoins the new development.

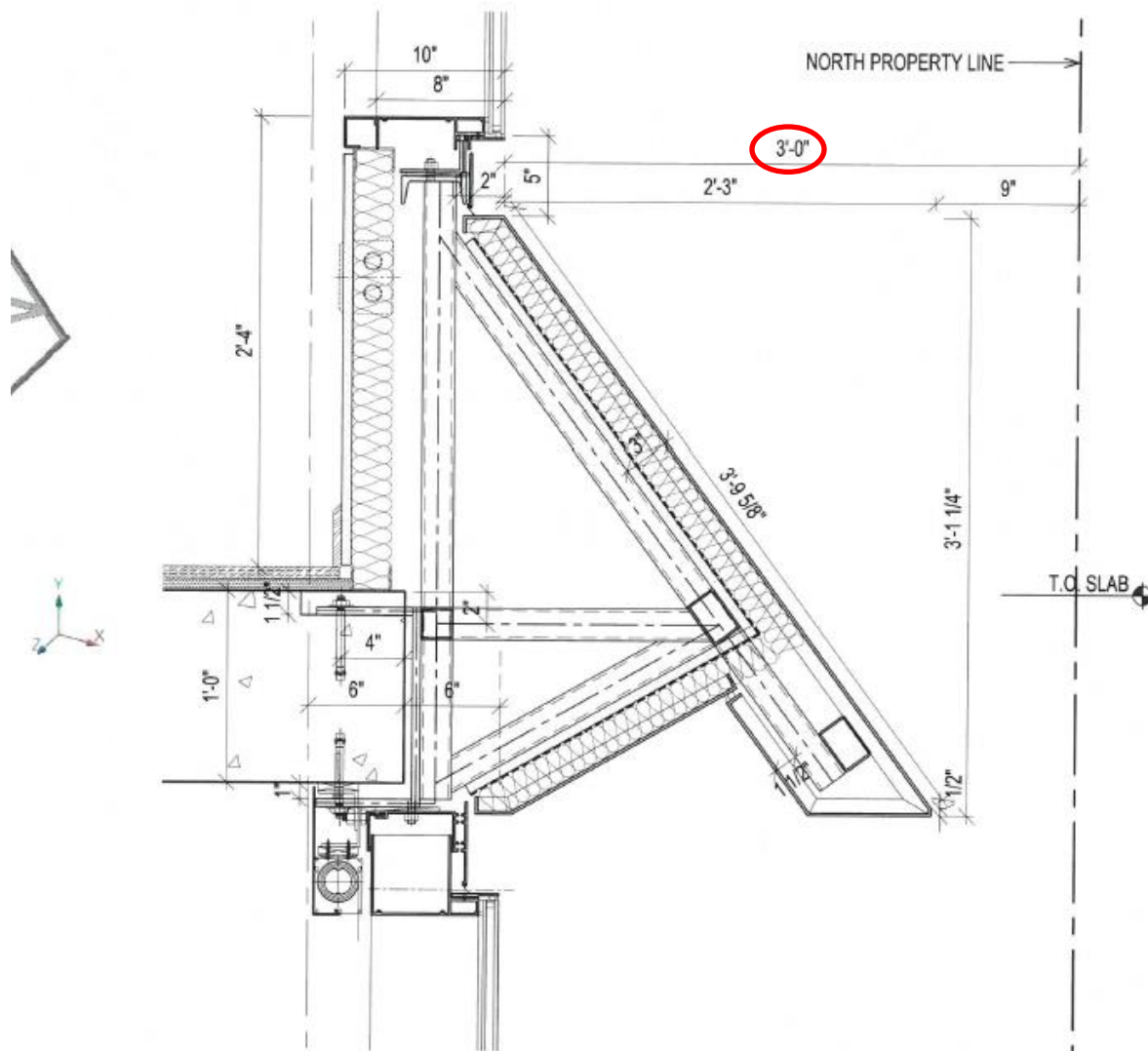
In case the Department needs more evidence, however, please see the plan from the ZD1 below:



Detail ZD1 plan highlighting 38 Warren's fire escape

38 Warren has a fire escape that fills in the small non-complying space between the new building and the exterior building wall of 38 Warren. Fire escapes are permitted obstructions in outer courts, like this one.

On September 5, 2017, the Department issued Zoning Resolution Determination (ZRD1) #51136 for a building at 249 East 62nd Street. In that ZRD1 (and the ZD1 for the same building), the Department found that a permitted obstruction (in that case, a solar shading device) functioned as the exterior of the building for determining if there is an open area at the lot line. A diagram from that ZD1 is shown below:



M S.	2	REVIEWED BY Scott D. Pavan, RA Borough Commissioner	TYPICAL SECTION DETAIL	1-1/2" = 1'-0"	1
			SCALE: AS NOTED SHEET NUMBER: SK-004B		

Detail from page 8 of ZRD1 #51136 (249 East 62nd Street) showing how permitted obstructions and a seismic separation connect a new building to a lot line.

This diagram shows an open area 3 feet along the lot line. This is considered to comply because it consists of a permitted obstruction of 2'3" and a seismic separation of 9 inches. Despite all appearances, the Department concluded that this open area functions the same as a building for the purposes of abutting the lot line. A similar diagram can be made for the Warren Street building and its fire escape, most notably the fire escape landing. If the 62nd Street building abuts the

lot line, so does the Warren Street building and if the Warren Street building abuts, then it adjoins with 108 Chambers Street and the base heights must match.

The approvals for 108 Chambers and 249 East 62nd Street cannot both be right. The finding for East 62nd Street was clearly the result of extensive back-and-forth between the applicant and the Department and is the subject of a Zoning Resolution Determination. It was challenged, and on April 23, 2018, the Department denied the challenge. Clearly, the Department's decision on 249 East 62nd Street is purposeful. Here, the applicant just claimed that the buildings do not adjoin, perhaps not realizing that distances of less than six inches and the abutting fire escape landing count when making that determination. If so, and since the Department has affirmed that the East 62nd Street determination is correct, then it must find that the proposed building adjoins 38 Warren and the base height of the new building must match.

Close

Your attention and hard work to make New York City a better place is genuinely appreciated. Should you have any questions or would like to discuss, please feel free to contact me at 917-612-7478 or george@georgejanes.com.

Sincerely,



George M. Janes, AICP
George M. Janes & Associates

For:

The Board of Managers of the Keystone Condominium

Attachments: ZD1 for 108 Chambers
ZRD1 #51136
BB 2016-011

SITE PLAN DIAGRAM

1/16"=1'-0"

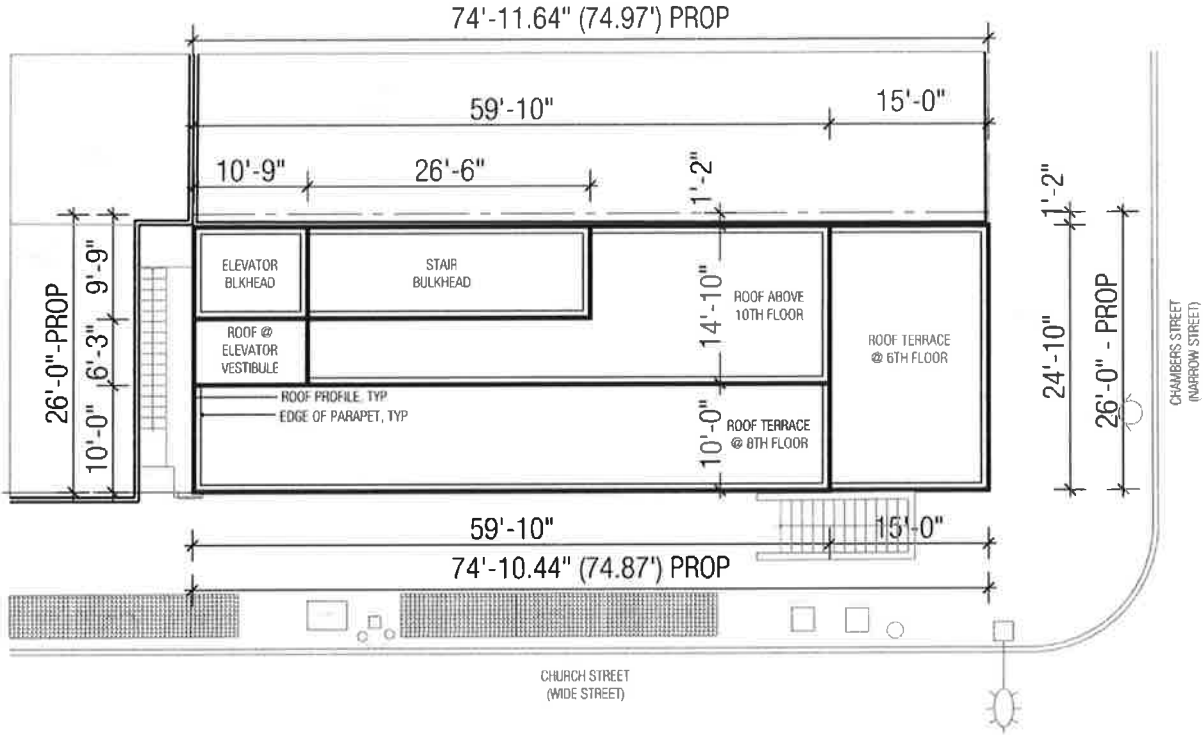
LOT AREA = 1,947 SF

LOT COVERAGE = 100% AS PER ZR

NO REAR YARD AS PER ZR 32-26/33-301

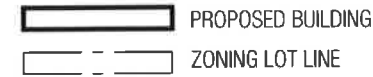
NO SIDE YARDS AS PER ZR 33-25

(4) STREET TREES REQ'D AS PER ZR-33-03(a)/26-41 - TREES TO BE LOCATED OFFSITE



LEGEND

C6-3A
R9A EQUIVALENT
SPECIAL TRIBECA MIXED USE DISTRICT (AREA A3)
NOT IN HISTORICAL DISTRICT
NOT LANDMARK BUILDING



ZD1 Zoning Diagram
Must be typewritten.

121193519

Submitted to resolve objections stated in a notice of intent to revoke issued pursuant to rule 101-15.
☐ Yes ☐ No

Location Information

House No(s) 108
Street Name Chambers Street

Borough Manhattan
Block 136
Lot 28
BIN 1001487

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. I understand that if I am found after hearing to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this code or of a rule of any agency, I may be barred from filing further applications or documents with the Department.

Name (please print)

Jeremy Singer

Signature

Date

08-12-18



P.E. / R.A. Seal (apply seal, then sign and date over seal)

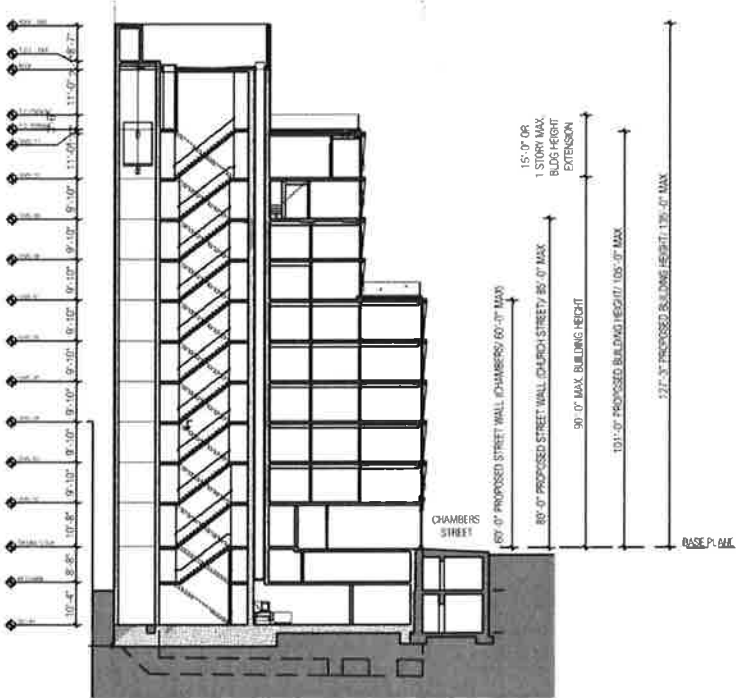
Internal Use Only

BIS Dot #

PLAN EXAMINER SIGN AND DATE

SECTION DIAGRAMS

NOT TO SCALE
MAX STREET WALL = 85' AS PER ZR 111-20(C)(1)(V)

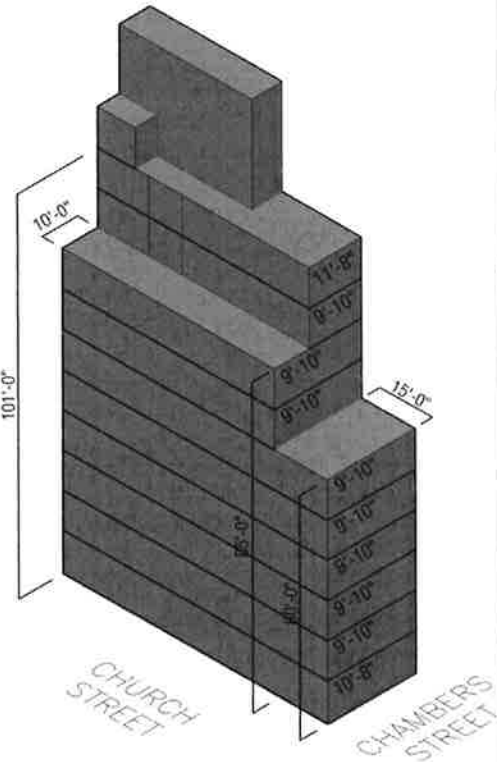


AXONOMETRIC DIAGRAM

NOT TO SCALE

HEIGHT AND SETBACK REGULATIONS

- 111-20(C)(1)(V) MAX HEIGHT OF STREET WALL: 85', OR THE HEIGHT OF AN ADJOINING BUILDING FRONTING ON THE SAME STREET LINE WITH A HEIGHT OF AT LEAST 60', WHICHEVER IS LESS.
- COMPLIES PROPOSED STREET WALL @ CHURCH STREET: 85'-0" (NO ADJOINING BUILDING)
- COMPLIES PROPOSED STREET WALL @ CHAMBERS STREET: 60'-0" (BASED ON ADJOINING BUILDING)
- 111-20(c)(2) SETBACK REQUIRED: 15' ON NARROW STREET, 10' ON WIDE STREET
- COMPLIES SETBACK PROPOSED @ CHAMBERS STREET (NARROW STREET) = 15'
- COMPLIES SETBACK PROPOSED @ CHURCH STREET (WIDE STREET) = 10'
- 111-20(c)(2) MAX BUILDING HEIGHT
- SPECIAL REGULATIONS FOR NARROW BUILDINGS. A BUILDING OR PORTION OF A BUILDING MAY BE CONSTRUCTED ABOVE THE MAXIMUM HEIGHT OF STREET WALL PERMITTED PURSUANT TO SECTION 23-692, PROVIDED SUCH PORTION OF A BUILDING EXCEEDING SUCH HEIGHT LIMITATION DOES NOT EXCEED A HEIGHT OF ONE STORY OR 15', WHICHEVER IS LESS, AND PROVIDED SUCH PORTION OF A BUILDING IS SET BACK AT LEAST 10' FROM THE STREET WALL OF THE BUILDING FACING A WIDE STREET, AND 15' FROM THE STREET WALL OF A BUILDING FACING A NARROW STREET.
- 23-692(c) HEIGHT LIMITATIONS FOR NARROW BUILDINGS OR ENLARGEMENTS...PORTIONS OF BUILDINGS WITH STREET WALLS LESS THAN 45 FEET IN WIDTH SHALL NOT BE PERMITTED ABOVE THE FOLLOWING HEIGHTS:
- FOR CORNER LOTS BONDED BY AT LEAST ONE WIDE STREET, A HEIGHT EQUAL TO THE WIDTH OF THE WIDEST STREET IT FRONTS, OR 100', WHICHEVER IS LESS.
- WIDTH OF WIDEST STREET ON WHICH LOT FRONTS (CHURCH STREET): 90' (BASED ON AVAILABLE SOURCES AND CONFIRMED BY SURVEY)
- 90' (PER 23-692(c)) + 15' (PER 111-20(c)(2)) = 105'
- 111-20(C)(1)(i) PERMITTED OBSTRUCTIONS
- 33-42 (F1) STAIR BULKHEADS (INCLUDING SHAFTS OR VESTIBULES)
- 12-10 'STREET WALL' DEFINITION - A STREET WALL IS A PORTION OF A WALL OF A 'BUILDING' FACING A 'STREET'.





ZD1 Zoning Diagram

Must be typewritten.
Sheet 2 of 2

1	Applicant Information <i>Required for all applications.</i>				
	Last Name Singer		First Name Jeremy		Middle Initial
	Business Name Woods Bagot Architects, P.C.		Business Telephone 646		756-3311
	Business Address 142 West 57th Street		Business Fax		
	City New York	State NY	Zip 10019	Mobile Telephone	
	E-Mail jeremy.singer@woodsbagot.com			License Number 034573	
2	Additional Zoning Characteristics <i>Required as applicable.</i>				
	Dwelling Units 8	Parking area 0	sq. ft.	Parking Spaces: Total 0	Enclosed 0
3	BSA and/or CPC Approval for Subject Application <i>Required as applicable.</i>				

Board of Standards & Appeals (BSA)

- ☐ Variance Cal. No. _____ Authorizing Zoning Section 72-21
☐ Special Permit Cal. No. _____ Authorizing Zoning Section _____
☐ General City Law Waiver Cal. No. _____ General City Law Section _____
☐ Other Cal. No. _____

City Planning Commission (CPC)

- ☐ Special Permit ULURP No. _____ Authorizing Zoning Section _____
☐ Authorization App. No. _____ Authorizing Zoning Section _____
☐ Certification App. No. _____ Authorizing Zoning Section _____
☐ Other App. No. _____

4	Proposed Floor Area Required for all applications. One Use Group per line.
---	--

Floor Number	Building Code Gross Floor Area (sq. ft.)	Use Group	Zoning Floor Area (sq. ft.)				FAR
			Residential	Community Facility	Commercial	Manufacturing	
CEL	300	6					
MEZ	430	6					
001	1842	6			1787		.9
002	1842	2	1675				.8
003	1842	2	1675				.8
004	1842	2	1675				.8
005	1842	2	1675				.8
006	1842	2	1675				.8
007	1489	2	1332				.6
008	1489	2	1344				.6
009	890	2	743				.3
010	890	2	743				.3
ROF	300	2	300				.1

ZD1

Sheet _____ of _____

4	Proposed Floor Area <i>Required for all applications. One Use Group per line.</i>
---	---

[illegible]

Total Zoning Floor Area	14624
-------------------------	-------



ZRD1: Zoning Resolution Determination Form

☒ Orient and affix BIS
job number label here ☒

Must be typewritten.

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

1 Location Information Required for all requests on filed applications.

House No(s) 1179

Street Name Second Avenue

Borough Manhattan

Block 1417

Lot 22

BIN 1813804

CB No. 108

2 Applicant Information Required for all requests on filed applications.

Last Name Bargmann

First Name Jay D.

Middle Initial

Business Name Rafael Vinoly Architects, PC

Business Telephone (212) 924-5060

Business Address 50 Vandam Street,

Business Fax

City New York

State NY

Zip 10013

Mobile Telephone

E-Mail jlbargmann@rvapc.com

License Number 015267

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: ☐ Attorney ☒ Filing Representative (Class 2) ☐ Other

Last Name Piedrahita

First Name Claudia

Middle Initial

Business Name Milrose Consultants, Inc.

Business Telephone (917) 748-6713

Business Address 498 Seventh Avenue, 17th Floor

Business Fax (212) 643-4859

City New York

State NY

Zip 10018

Mobile Telephone (917) 748-6713

E-Mail determinationteam@milrose.com

License/Registration # (if P.E./R.A./R.L.A./Attorney)

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

Determination request is for: ☒ Determination ☐ Predetermination

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

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

Job #: 122975995

Document #: 01

Objection #:

Examiner: A. Atkins

Has this request or a similar one been previously Denied? ☒ Yes (attach all denied request form(s) and attachment(s)) ☐ No

Enter short description of Technical Topic (5 words or less): Building Projections

Enter All Control #(s) for related CCD1/ZRD1 requests: 50813

Zoning District(s): C2-8 / R8B

TPPN, Memo:

Zoning Overlay(s): N/A

MDL:

Special District(s): N/A

BBs: 2015-017

ZR Section: 23-44, 12-10

Code Section: 705.2

Rule #:

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

Control #:

Appointment Scheduled With:

Comments:

Review Team Members:

Reviewed By:

REVIEWED BY
Scott DeRaven, RA
Borough Commissioner

APPROVED
WITH CONDITIONS

Date

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. (*attachment may not be larger than 11" x 17"*)
 If request is based on a plan examiner objection, type in the applicable objection text exactly as it appears on the Objection sheet and include a copy of the Objection sheet in the submitted Pdf.

Respectfully request a variance to permit a proposed building projection along the North lot line of a new building as indicated by DOB objections dated 3/17/2017 and stated as follows:

Page 37 – Show compliance with requirements of BC 705.2.

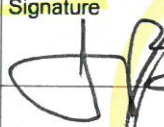
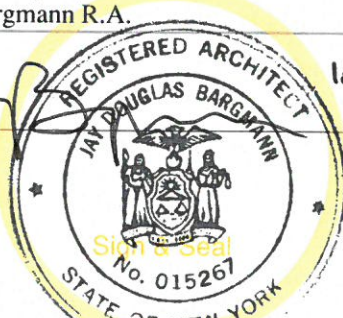

At issue is a proposed building projection (awning) along the North exterior wall which is setback from the adjacent property (Tax Lot 28). The proposed projection is in keeping with the general design for the building elevation and represents an integral element in the design of the proposed exterior wall design; the proposed projection distance of the awning is 25 inches in compliance with ZR 23 - 44.

All issues related to protected and unprotected openings along the side lot line have been addressed through the plan examination process and in compliance with BC Table 705.8 and BB 2015 - 017.

All issues related to zoning projections and open areas along the side lot line separation have also been addressed. The proposed design is a permitted projection in a side yard as per ZR 23 – 44 and is not considered to be lot coverage as per the definition of Lot Coverage in ZR 12 – 10.

Accordingly; BC 705.2 indicates that building projections must meet one of three solutions whichever provides the least projected dimension.

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

6	Statements and Signature Required for all requests (If Attorney, include "Esquire" or "Esq." in signature)	
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) Jay D. Bargmann R.A. Signature   Date 16-8-2017 P.E. / R.A. Seal (apply seal, then sign and date over seal – not required for Attorneys on unfilled applications)
REVIEWED BY Scott D. Pavan, RA Borough Commissioner		
ADMINISTRATIVE USE ONLY Reviewed By:  Date:		

**APPROVED
WITH CONDITIONS**
 ZRD1 (51136) Page 2 of 8

Date: 09/05/2017

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

The North exterior wall above 150' feet above grade is to be setback off the North side lot line a minimum distance of 3 feet; the total height of the building will be 510'-0" to the top of the mechanical bulkhead enclosure. Allowing for 11 inches of the 3 feet needed to accommodate the mandated seismic separation distance of 1" / 50 feet ratio the remaining distance is 25 inches which is for the building projection (awning) from the building.

Using the criteria established under BC 705.2 the maximum allowable building projection would be 18 inches (1/2 the distance from the exterior face of the wall to the tax lot line where the building is provided with full sprinkler protection). This provision does not allow for the required seismic design separation which effectively shifts the tax lot line by 11 inches in regard to our site conditions as per BC 1613.7; in practice then the proposed shifted separation distance is 25 inches.

Applying the criteria under BC 705.2 would limit the proposed projection to 12.5 inches. This represents a hardship created by conflicting Building Code and Zoning Resolution requirements; a 12.5 inches projection would create a non-complying side yard condition.

The proposed projection therefore addresses the conflicts and represents the minimum projection in order to comply with the mandatory seismic separation distance and to eliminate the conflict for zoning related to an open area along a side lot line.

We therefore respectfully request that a variance be granted to allow for the projected awning along the North lot line as indicated in the design drawings.

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

8 Statements and Signature Required for all requests (If Attorney, include "Esquire" or "Esq." in signature)

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)

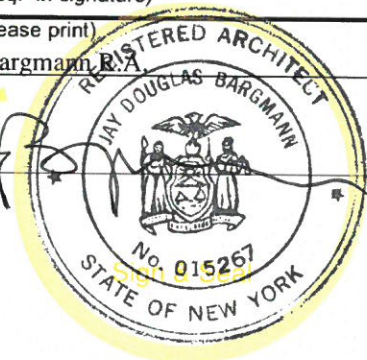
Jay D. Bargmann, R.A.

Signature

Date

11.8.2017

P.E. / R.A. Seal (apply seal, then sign and date over seal – not required for Attorneys on unfilled applications)



ADMINISTRATIVE USE ONLY

Reviewed By:

REVIEWED BY
Scott D. Pavan, RA
Borough Commissioner

Date

**APPROVED
WITH CONDITIONS**
ZRD1 (51136) Page 3 of 8

Date: 09/05/2017

ZRD1/CCD1 Response Form

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

House No(s) 1179

Street Name Second Avenue

Borough Manhattan

Block 1417

Lot 22

BIN 1813804

Job No. 122975995

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): BC 705.2 (2)

Other secondary Zoning Resolution or Code Section(s):

Comments:

The request to accept the proposed sun shading devices extending beyond the exterior north building wall in excess of that permitted BC 705.2(2) is hereby approved with conditions.

The proposed devices project beyond the prescribed 12.5" and 13.5" from the exterior wall per BC 705.2(2). The request is accepted provided:

1. The applicant shall clearly indicate on plans that the proposed devices are constructed entirely of non-combustible materials.

Name of Authorized Reviewer (please print):

Title (please print):

Authorized Signature:

REVIEWED BY
Scott D. Pavan, RA
Borough Commissioner

Date:

Time:

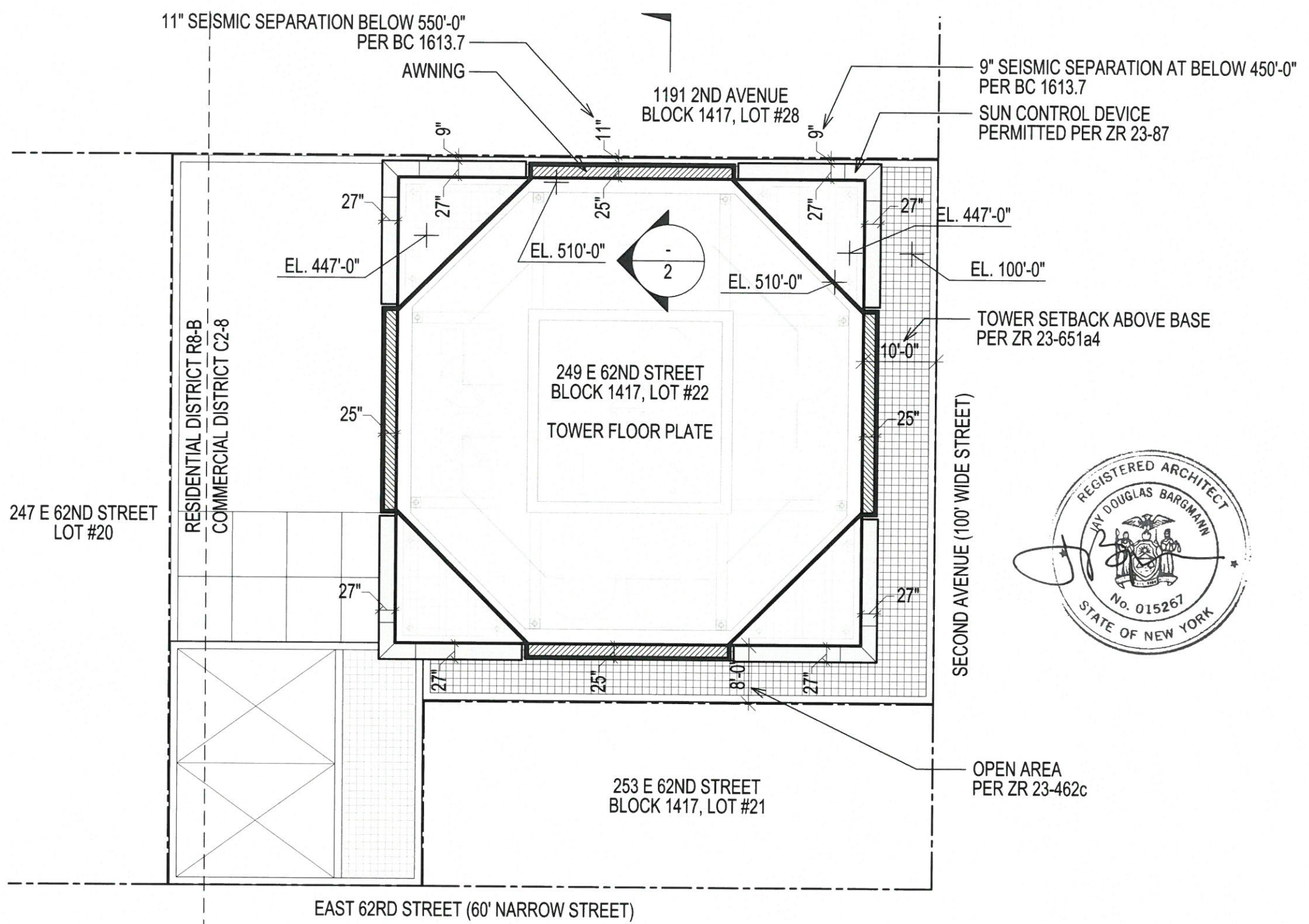
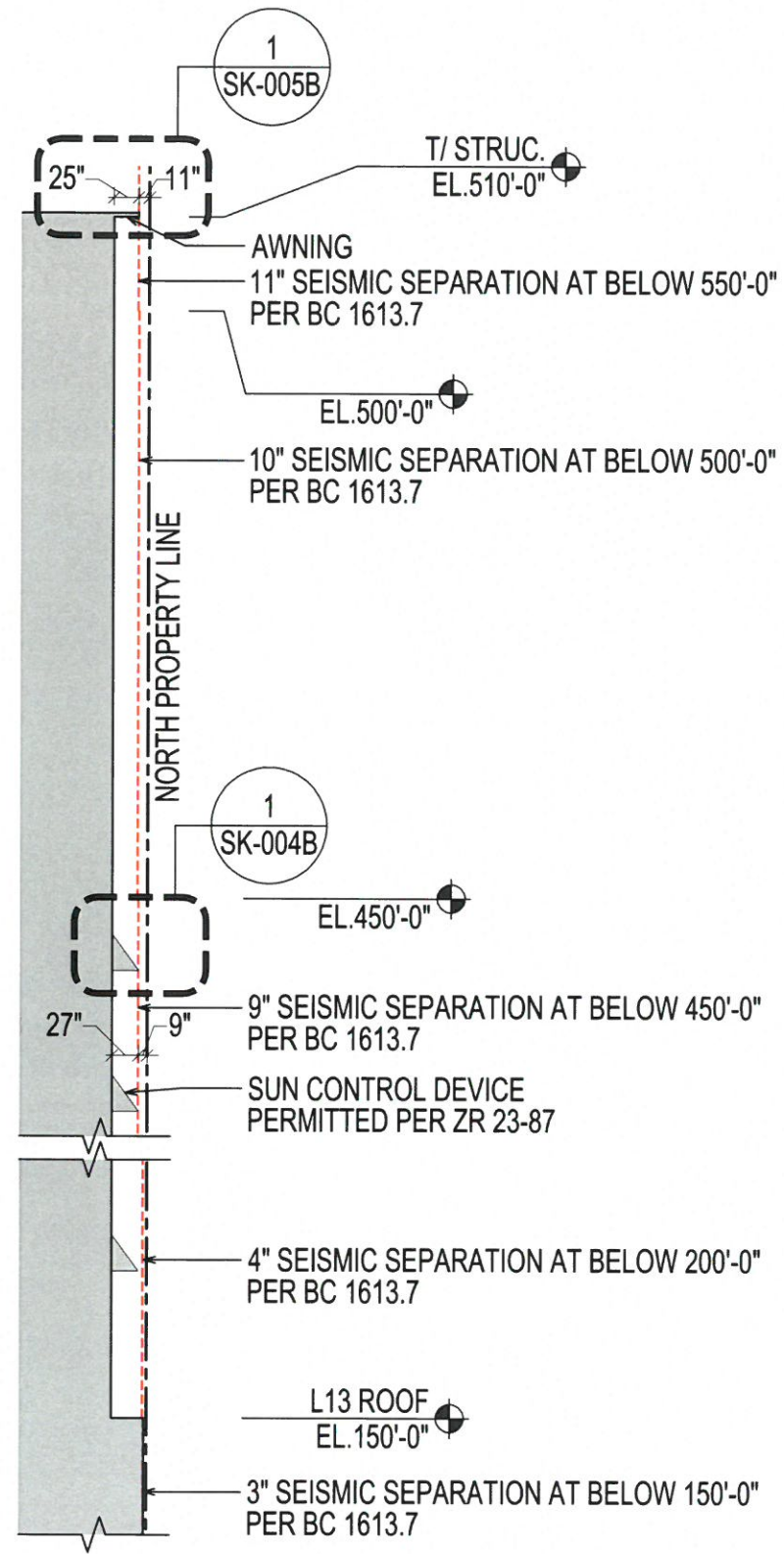
Issuers: write signature, date, and time on each page of the request forms; and attach this form.

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

APPROVED
WITH CONDITIONS

ZRD1 (51136) Page 4 of 8

Date: 09/05/2017



249 E 62ND STREET
NEW YORK, NY 10065

PROJECT NO. 714.000

07/03/17
© RAFAEL VIÑOLY ARCHITECTS PC

SHEET TITLE: SEISMIC SEPARATION COVERAGE DIAGRAM

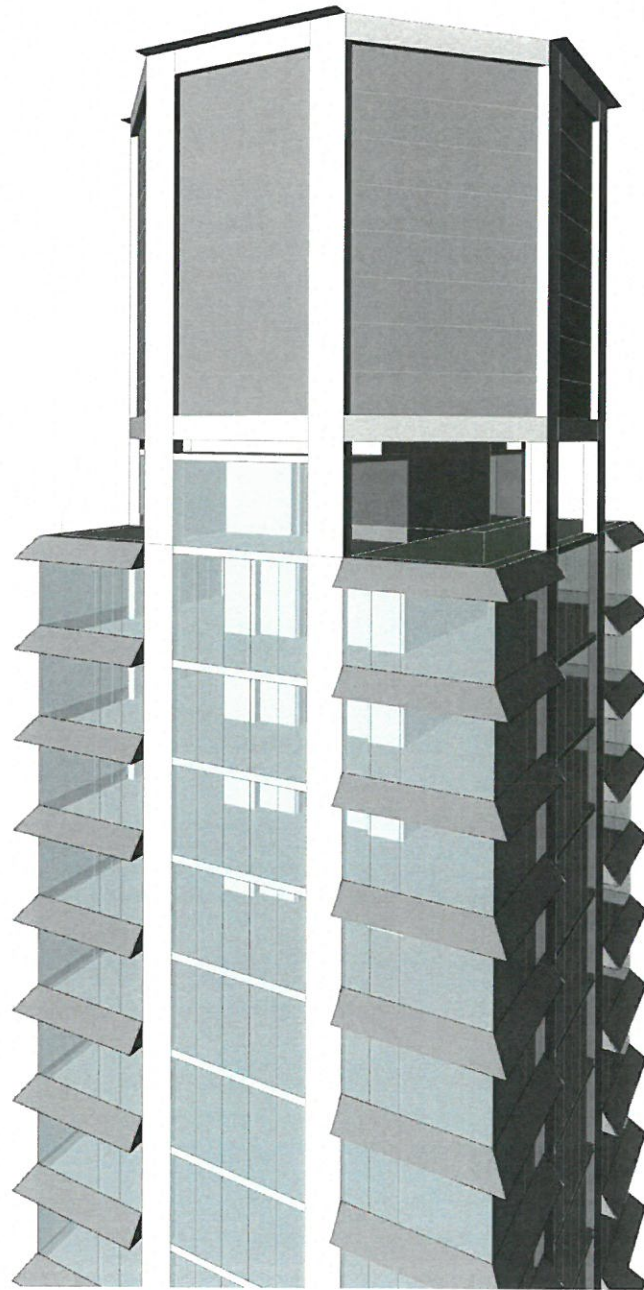
REVIEWED BY
Scott D. Pavan, RA
Borough Commissioner
**APPROVED
WITH CONDITIONS**
Date: 09/05/2017

PLAN DIAGRAM

1/16" = 1'-0"

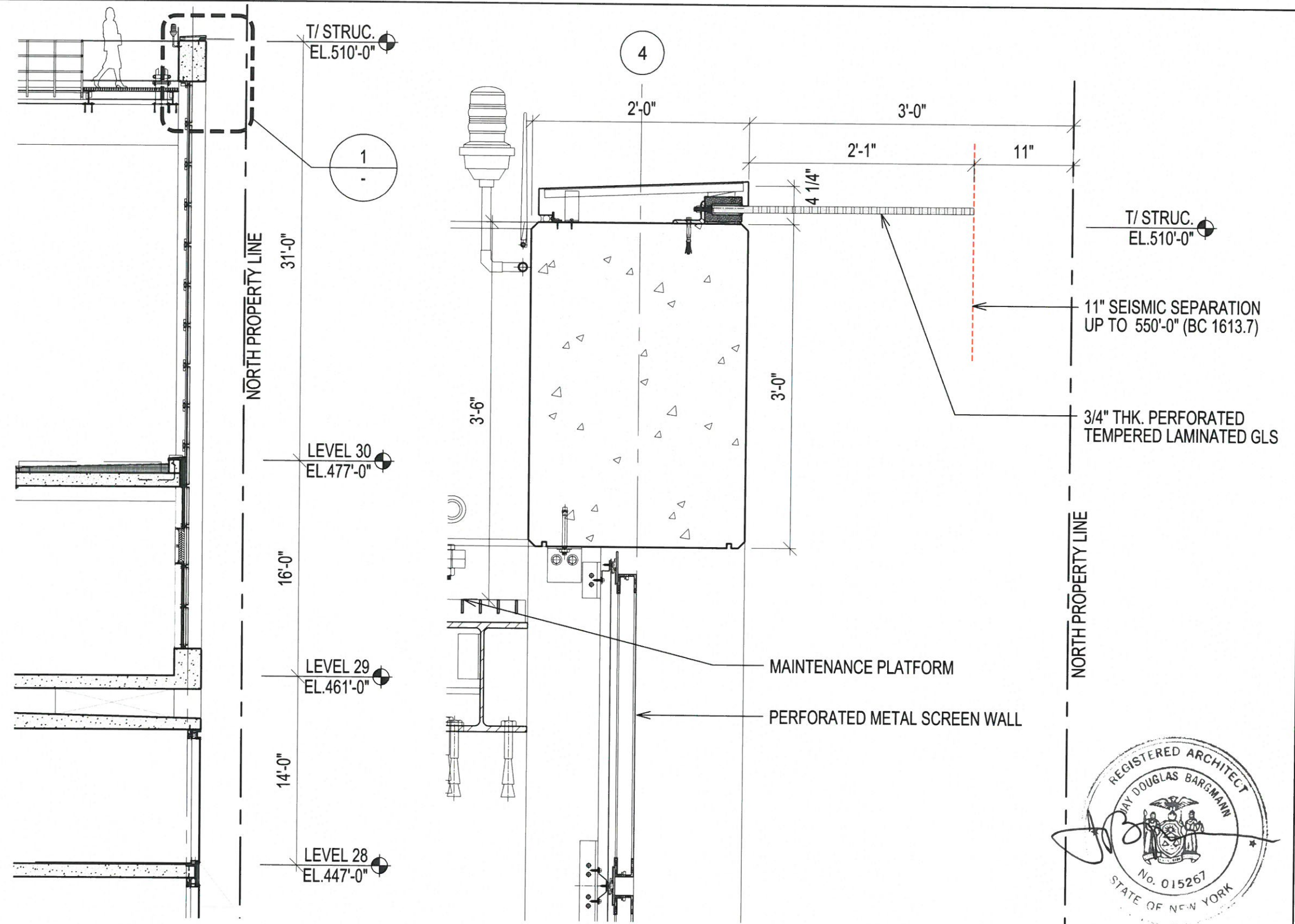
1

SCALE:
1/16" = 1'-0"
SHEET NUMBER:
SK-005A



PERSPECTIVE VIEW
N.T.S.

3



PARTIAL SECTION B-C TO WEST

1/8" = 1'-0"

REVIEWED BY
Scott D. Pavan, RA
Borough Commissioner

TOP OF STRUCTURE SECTION DETAIL

1" = 1'-0"

1

249 E 62ND STREET
NEW YORK, NY 10065

07/03/17

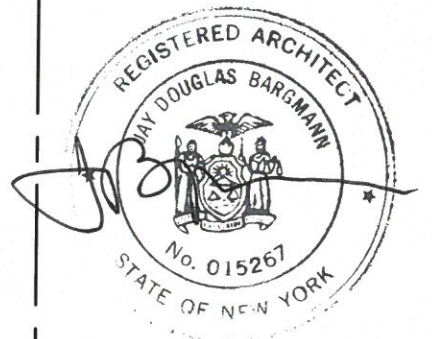
PROJECT NO. 714.000

© RAFAEL VINOLY ARCHITECTS PC

SHEET TITLE : SEISMIC SEPARATION COVERAGE DIAGRAM

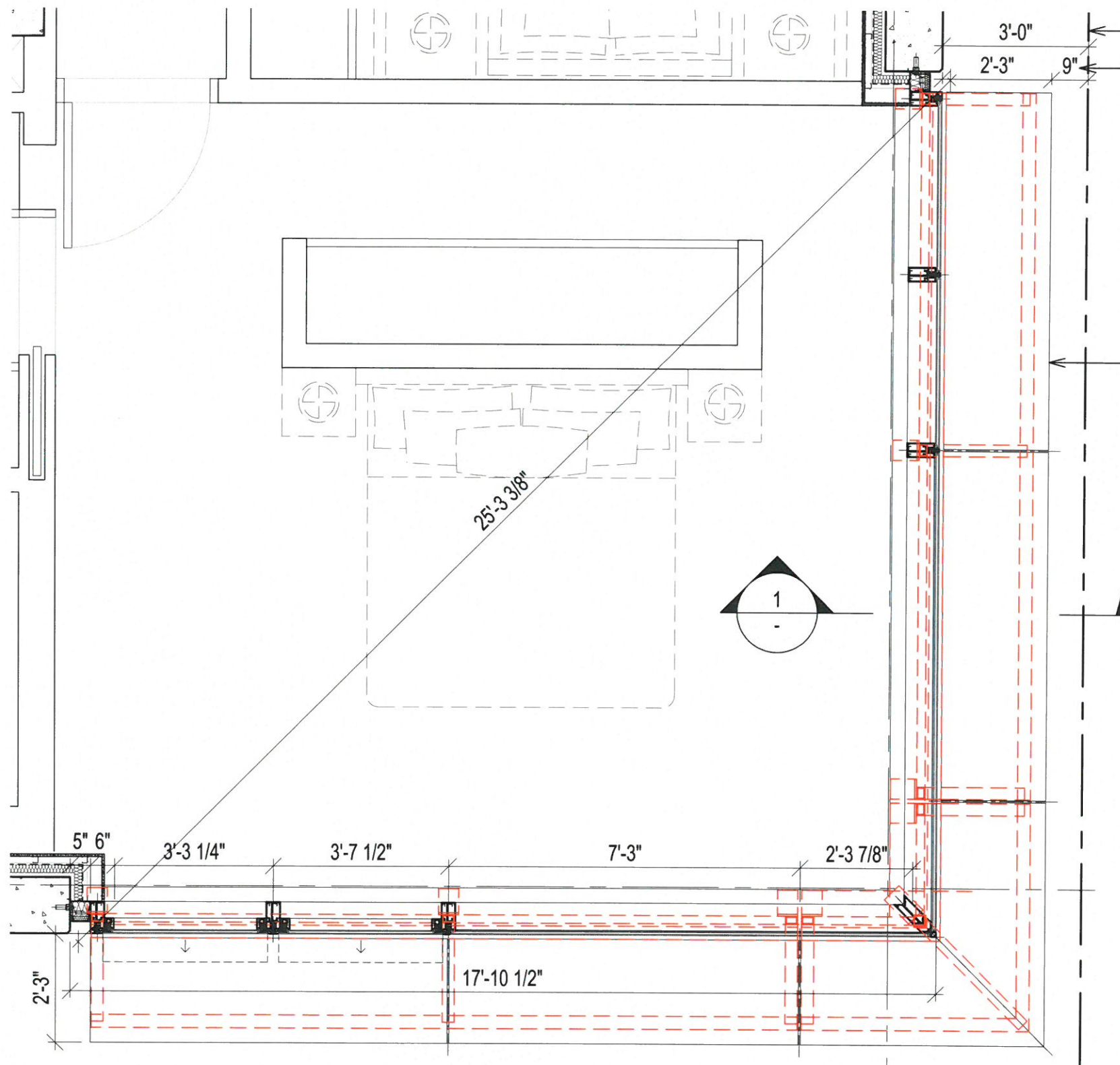
APPROVED
WITH CONDITIONS

Date: 09/05/2017



SCALE :
AS NOTED

SHEET NUMBER :
SK-005B



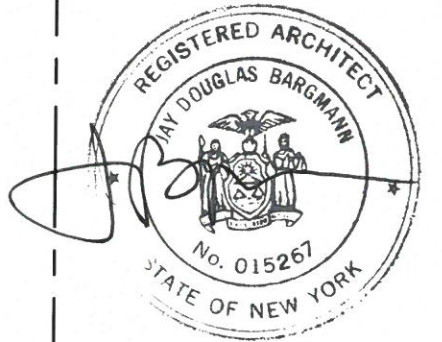
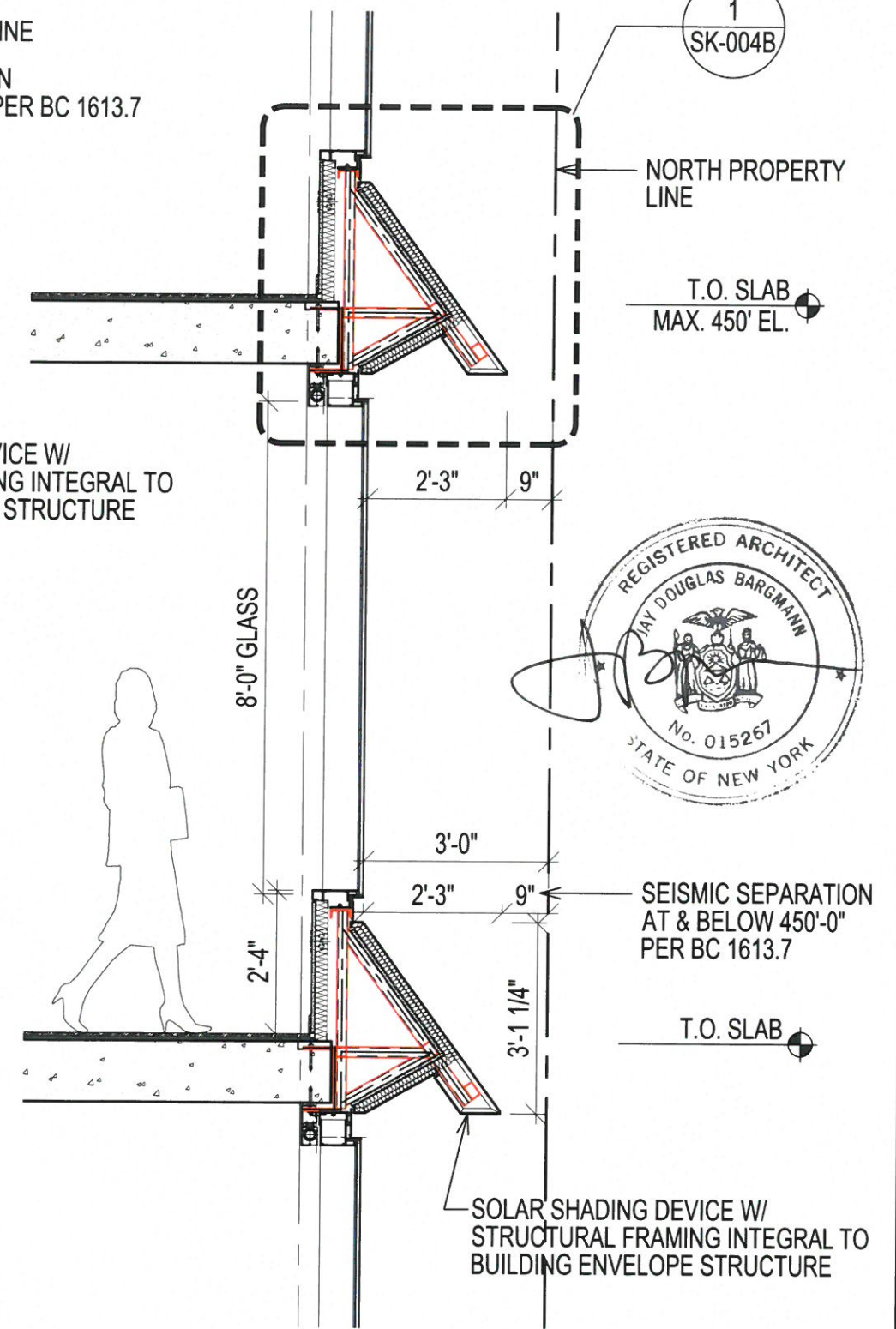
TYPICAL PLAN OF TOWER CORNER

REVIEWED BY
Scott D. Pavan, RA
Borough Commissioner

Building

APPROVED
WITH CONDITIONS

Date: 09/05/2017



TYPICAL SECTION

3/8" = 1'-0"

1

249 E 62ND STREET
NEW YORK, NY 10065

06/23/17

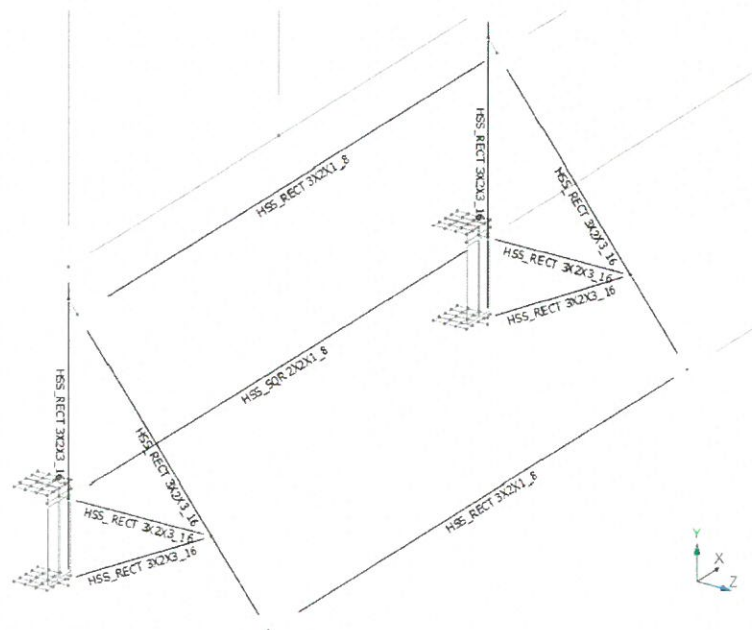
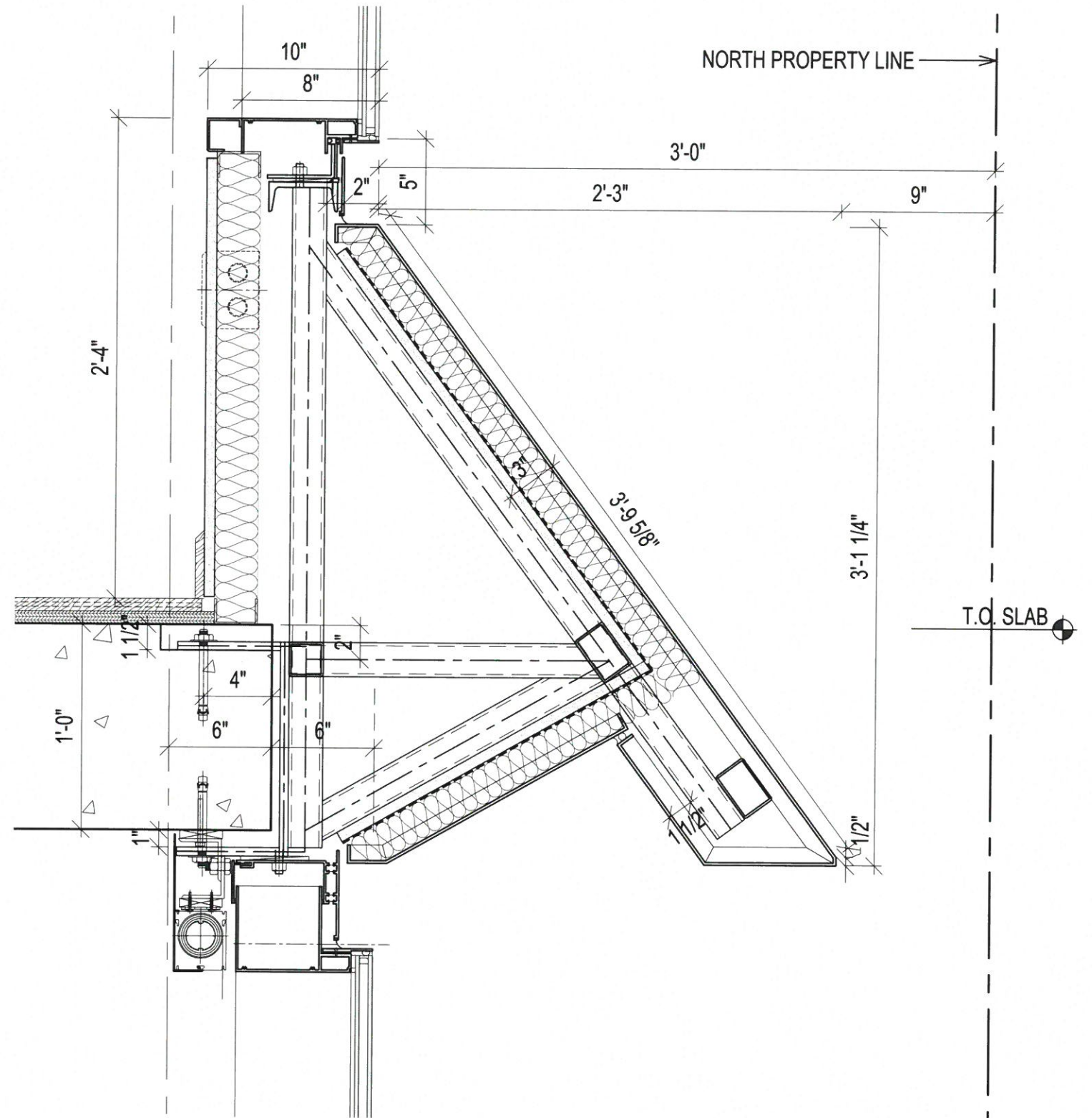
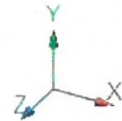
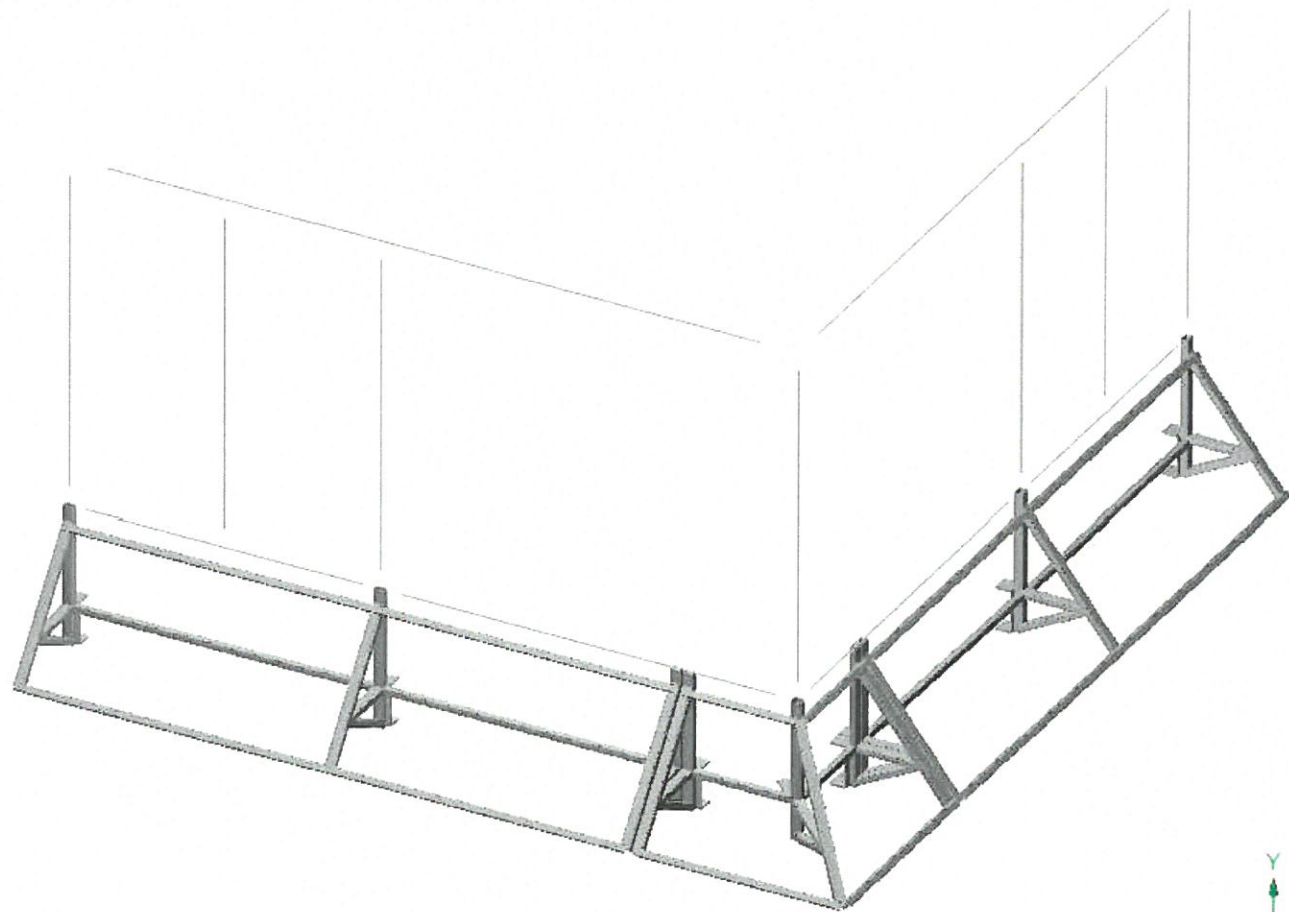
© RAFAEL VIÑOLY ARCHITECTS PC

SHEET TITLE: EWS-01 WINDOW WALL W/ SUNSHADE

PROJECT NO. 714.000

SCALE:
3/8" = 1'-0"

SHEET NUMBER:
SK-004A



STRUCTURAL FRAMING DIAGRAM
N.T.S.

2 REVIEWED BY
Scott D. Pavan, RA
Borough Commissioner

TYPICAL SECTION DETAIL
1-1/2" = 1'-0"

1

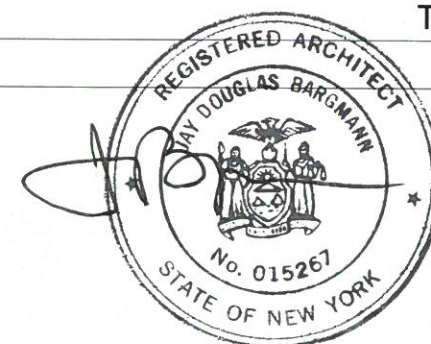
249 E 62ND STREET
NEW YORK, NY 10065

06/23/17
© RAFAEL VIÑOLY ARCHITECTS PC

SHEET TITLE : EWS-01 WINDOW WALL W/ SUNSHADE (51136) Page 8 of 8

APPROVED
WITH CONDITIONS

Date: 09/05/2017



SCALE :
AS NOTED
SHEET NUMBER :
SK-004B

BUILDINGS BULLETIN 2016-011

Technical

Supersedes: None

Related Bulletin: Technical Policy and Procedure Notice #2/96 (TPPN 2/96)

Issuer: Gus Sirakis, P.E.
Assistant Commissioner for Technical Affairs and Code Development

Issuance Date: May 13, 2016

Purpose: This document clarifies side yard regulations and compliance with structural separations required in BC 1613.7 of the 2014 Building Code

Related	BC 1613.7	ZR Art. II, Ch. 3
Code/Zoning	BC 1613.7.2	ZR Art. III, Ch. 3
Section(s):	BC 1613.7.3	ZR 43-25

Subject(s): Earthquake, structural separations; Earthquake loads, structural separation; Zoning Resolution, side yard regulations; Zoning Resolution, floor area; Zoning Resolution, open space

Background

The Building Code requires structures to be separated from adjacent buildings to limit the structural and nonstructural damage caused by pounding from adjacent buildings during an earthquake. The Zoning Resolution requires buildings in certain districts to be built either on the side lot line or, if any opening is provided, to be built after providing a required open area. Thus, required structural separations for earthquake loads would create an open area along the side lot line and thereby a minimum required open area width could be triggered.

Specifics

In certain zoning districts, as delineated by the Zoning Resolution, no side yards or open areas along a side lot line are necessary. However, if an open area extending along the side lot line is provided, it must be of a minimum width. BC 1613.7 of the 2014 Building Code calls for a minimum one (1) inch of separation for each 50 feet of total building height from a property line not common to a public way (such as a side or rear lot line), and this structural separation may be applied incrementally over the height of the building.

When a structural separation not exceeding the minimum width required by the Building Code is provided, the building shall be considered built on the side lot line and would not set off the Zoning Resolution minimum required width. This structural separation would neither be considered floor area nor would it qualify as required open space for the purpose of the Zoning Resolution.

Furthermore, the structural separation shall be closed on all open sides to prevent unauthorized access and covered as required in BC 1613.7.2 and, for spaces wider than five (5) inches, in BC 1613.7.3. This space shall not be used for any ducts, duct terminations, conduits, or other equipment. If the space is fully enclosed, ventilation should be provided, as determined by the applicant. If the space is only partially enclosed, adequate storm drainage shall be provided in compliance with Chapter 11 of the Plumbing Code.