

5106

2015-2016 Regular Sessions

I N   S E N A T E

May 1, 2015

---

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the New York city charter, in relation to notice of applications for variances and special permits for affected property owners

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 668 of the New York city charter is amended by  
2     adding a new subdivision a-1 to read as follows:  
3     A-1. FOR EVERY APPLICATION FILED WITH THE BOARD OF STANDARDS AND  
4     APPEALS PURSUANT TO THIS SECTION, AN APPLICANT SHALL FURNISH TO ALL  
5     AFFECTED PROPERTY OWNERS WITHIN THREE BUSINESS DAYS OF FILING SUCH  
6     APPLICATION A FORM TO BE PRESCRIBED BY THE BOARD OF STANDARDS AND  
7     APPEALS THAT SHALL INCLUDE:  
8     1. THE OPERATIVE SECTION OF THE ZONING RESOLUTION THE APPLICATION IS  
9     FILED UNDER;  
10    2. THE APPLICATION NUMBER ASSIGNED TO THE APPLICATION;  
11    3. THE NAME OF THE APPLICANT;  
12    4. THE NAME OF THE OWNER OF THE PROPERTY THAT IS THE SUBJECT OF THE  
13    APPLICATION;  
14    5. THE APPLICABLE STREET ADDRESS, BLOCK NUMBER, OR LOT THAT IS THE  
15    SUBJECT OF THE APPLICATION;  
16    6. A BRIEF SUMMARY OF THE VARIANCE OR SPECIAL PERMIT SOUGHT; AND  
17    7. THE COMMUNITY BOARD HAVING JURISDICTION OVER THE APPLICATION.  
18    THE APPLICANT MUST SUBMIT THE FORM TO AFFECTED PROPERTY OWNERS WITH  
19    INSTRUCTIONS THAT IF THE PROPERTY IS A COOPERATIVE OR CONDOMINIUM, ALL  
20    TENANTS SHOULD BE NOTIFIED IN THE MANNER CUSTOMARILY EMPLOYED BY THE  
21    COOPERATIVE OR CONDOMINIUM. IF THE SUBJECT PROPERTY IS OCCUPIED BY  
22    MULTIPLE TENANTS, THE APPLICANT MUST SUBMIT THE HEARING NOTICE TO THE  
23    OWNER OR MANAGEMENT OFFICE OF THE PROPERTY WITH INSTRUCTION TO EITHER  
24    POST THE HEARING NOTICE IN THE LOBBY OF THE PROPERTY, OR TO NOTIFY ALL

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD09034-01-5

1 TENANTS AND/OR OWNERS IN THE MANNER CUSTOMARILY EMPLOYED BY SUCH OWNER  
2 OR MANAGER FOR GIVING NOTICES TO TENANTS OR UNIT OWNERS IN THE BUILDING  
3 IN QUESTION.  
4 FOR THE PURPOSES OF THIS SUBDIVISION, AN "AFFECTED PROPERTY OWNER"  
5 SHALL MEAN AN OWNER OR TENANT OF RECORD OF THE SUBJECT PROPERTY OR AN  
6 OWNER OF REAL PROPERTY LOCATED WITHIN A FOUR HUNDRED FOOT LONG RADIUS  
7 PROVIDED, HOWEVER, THAT IF THE SUBJECT PROPERTY IS FORTY THOUSAND SQUARE  
8 FEET OR LARGER AND CONTAINS A FRONTAGE GREATER THAN THREE HUNDRED FEET  
9 ON ANY ONE STREET, THEN THE AFFECTED PROPERTY OWNER WILL INCLUDE AN  
10 OWNER OF REAL PROPERTY WITHIN TWO HUNDRED FEET OF A LINE RUNNING PARAL-  
11 LEL TO THE SUBJECT PROPERTY. A RADIUS OF TWO HUNDRED FEET WILL BE MEAS-  
12 URED FROM THE CORNERS OF A SUBJECT PROPERTY HAVING AN INTERIOR ANGLE OF  
13 LESS THAN ONE HUNDRED EIGHTY DEGREES. IF THE APPLICATION IS FOR A  
14 SPECIAL PERMIT OR INVOLVES A SINGLE ONE-, TWO-, OR THREE-FAMILY DWELL-  
15 ING, THEN THE AFFECTED PROPERTY OWNER WILL INCLUDE AN OWNER OF REAL  
16 PROPERTY WITHIN A TWO HUNDRED FOOT RADIUS FROM THE CENTER OF THE SUBJECT  
17 PROPERTY.  
18 S 2. This act shall take effect on the thirtieth day after it shall  
19 have become a law.