Zoning Resolution

THE CITY OF NEW YORK
Zohran K. Mamdani, Mayor

CITY PLANNING COMMISSION
Sideya Sherman, Chair

72-01 - General Provisions

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LAST AMENDED
2/2/2011

The Board of Standards and Appeals (referred to hereinafter as the Board) shall have the power, pursuant to the provisions of the New York City Charter and of this Resolution, after public notice and hearing:

(a) to hear and decide appeals from and to review interpretations of this Resolution;

(b) to hear, decide, and determine, in a specific case of practical difficulties or unnecessary hardship, whether to vary the application of the provisions of this Resolution;

(c) to hear and decide applications for such special permits as are set forth in this Resolution and are more specifically enumerated in Section 73-01 (General Provisions);

(d) to adopt, amend, or repeal such rules or regulations as may be necessary to carry into effect the provisions of this Resolution;

(e) to hear and decide applications for such authorizations as are set forth in this Resolution and enumerated in Section 72-30; and

(f) to make such administrative determinations and findings as may be set forth in this Resolution or pursuant to Section 72-40 (AMORTIZATION OF CERTAIN ADULT ESTABLISHMENTS AND SIGNS FOR ADULT ESTABLISHMENTS) or to Section 72-41 (Continuation of Certain Adult Establishments).

(g) to waive #bulk# regulations affected by unimproved #streets# where a #development#, #enlargement# or alteration consists in part of construction within such #streets# and where such #development#, #enlargement# or alteration would be #non-complying# absent such

waiver, provided the Board has granted a permit pursuant to Section 35 of the General City Law and has prescribed conditions which require the portion of the #development# or #enlargement# to be located within the unimproved #streets# to be compliant and conforming to the provisions of this Resolution. Such bulk waivers shall only be as necessary to address #non-compliance# resulting from the location of the #development# or #enlargement# within and outside the unimproved #streets#, and the #zoning lot# shall comply to the maximum extent feasible with all applicable zoning regulations as if such unimproved #streets# were not mapped. Where such #zoning lots# with #private roads# access fewer than 20 #dwelling units#, such #bulk# waivers may be granted by the Board only where the #zoning lots# are fully compliant with the regulations for #private roads# set forth in Article II, Chapter 6. However, for #zoning lots# with #private roads# that access at least 20 #dwelling units#, or for #zoning lots# with #private roads# that access fewer than 20 #dwelling units# for which a modification or waiver of the requirements for #private roads#, pursuant to Section 26-26, is necessary, such #bulk# waivers shall be permitted only by authorization of the City Planning Commission, pursuant to Section 26-27 (Waiver of Bulk Regulations Within Unimproved Streets).