64-92 - Special Permit for Modification of Certain Zoning Regulations

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LAST AMENDED
10/10/2013

In order to allow for the alteration of existing buildings in compliance with flood-resistant construction standards and for developments and enlargements in compliance with flood-resistant construction standards, the Board of Standards and Appeals may permit modification of Section 64-60 (DESIGN REQUIREMENTS), the bulk regulations of Sections 64-30, 64-40 (SPECIAL BULK REGULATIONS FOR BUILDINGS EXISTING ON OCTOBER 28, 2012) and 64-70 (SPECIAL REGULATIONS FOR NON-CONFORMING USES AND NON-COMPLYING BUILDINGS), as well as all other applicable bulk regulations of the Zoning Resolution, except floor area ratio regulations, provided the following findings are made:

(a) that there would be a practical difficulty in complying with flood-resistant construction standards without such modifications, and that such modifications are the minimum necessary to allow for an appropriate building in compliance with flood-resistant construction standards;

(b) that any modification of bulk regulations related to height is limited to no more than 10 feet in height or 10 percent of permitted height as measured from flood-resistant construction elevation, whichever is less; and

(c) the proposed modifications will not alter the essential character of the neighborhood in which the building is located, nor impair the future use or development of the surrounding area in consideration of the neighborhood’s potential development in accordance with flood-resistant construction standards.

The Board may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.