



**CITY OF NEW YORK  
BOARD OF STANDARDS AND APPEALS**  
40 Rector Street, 9<sup>th</sup> Floor  
New York, New York 10006-1705  
*Phone: (212) 788-8500 Fax: (212) 788-8769*  
*www.nyc.gov/bsa*

### **DETAILED INSTRUCTIONS FOR COMPLETING SOC APPLICATION**

Applications filed on the Board's Special Order Calendar (SOC) involve previous Board approvals and include the following:

- Amendment to approval
- Extension of term specified in approval
- Extension of time to complete construction, as specified in approval
- Extension of time to obtain certificate of occupancy, as specified in approval
- Waiver of the Board's Rules (Sec 1-05 (d) and (g)) to extend term or time

Information regarding the filing of an SOC application may be obtained by contacting the Application Desk at (212) 788-8500 or by calling the SOC examiner at (212) 788-8757.

### **Filing Instructions**

Submit eight (8) legible, typewritten copies of the completed SOC Application Form and all attachments (Items 1 through 19) to the Board office. One original and seven photocopies are acceptable. Requests for multiple actions for one property should all be made on one complete application.

Once the entire application has been reviewed by the SOC examiner, a Notice of Comments will be issued. After the application has been revised in response to the Notice of Comments, submit eight (8) copies of the revised application to the Board.

Per Section 1-02(a) of the Board's Rules of Practice and Procedure ("Rules"), all filings shall be made in person at the Board office, and incomplete applications shall not be accepted. The applicant, and not Board staff, is responsible for stamping and clocking all copies of the application at the Board office. The first page of each individual document, and all plans, must be stamped and clocked.

### **SOC APPLICATION FORM**

[http://www.nyc.gov/html/bsa/downloads/pdf/forms/soc\\_form.pdf](http://www.nyc.gov/html/bsa/downloads/pdf/forms/soc_form.pdf)

#### **Section A: Applicant/Owner**

- Provide the applicant's name, address, phone number and email address;
- Provide the name and address of the owner of record;
- If applicable, provide the name and address of the lessee / contract vendee of the property.

#### **Section B: Site Data**

- Provide the address (street and house number);
- Provide the exact location of the subject property. For example: "Property is situated on the west side of Fifth Avenue, 100 feet north of the corner formed by the intersection of X street and Fifth Avenue."

- Provide the block number and lot number(s), the borough and the community board district within which the property is located. If the property is located in the borough of Queens, identify the borough as follows: “Woodside, Queens”. If the site is located within the boundaries of two Community Boards, both should be listed. In addition, the applicant should note if the premises are identified by another address (A/K/A);
- Provide the number of the Certificate of Occupancy, if issued, and attach a copy to the application;
- Identify the Zoning District that the property is located within, and Special District, if applicable, with the map section as it appears in the New York City Zoning Resolution;
- Provide the City Councilmember whose district the property is located within.
- Identify if site is a NYC-designated landmark or located within a NYC Historic District

### **Section C: Project Description**

- Provide a brief description of the previous Board approval and the current request.

### **Section D: Actions**

- Check off the appropriate box(es) relating to the action. For extensions of term or time, identify the expiration date.

### **Section E: Department of Buildings Information**

- Answer questions 1-5. If you answer “no” to any of these questions, please explain this in your attached statement.

### **Section F: BSA History and Related Actions**

- Identify previous Board cases, other pending applications before any other government agency or any court action regarding the premises. Attach copies of all previous Board Resolutions.

### **Section G: Inspection and Compliance**

- Respond to all questions regarding inspection and compliance with previous Board approvals.

### **Section H: Signature**

- SOC Application Form must be signed by the Applicant, Corporate Officer or Other Authorized Representative affirming that all statements contained within the Application Form and attached materials are true. The Application Form must also be notarized by a notary public, pursuant to all applicable notary laws.

## **ATTACHMENTS FOR SOC APPLICATIONS**

All of the items listed below must be submitted at the time of filing or the application will not be accepted.

### **Item 1: Statement of Facts**

Attach a typewritten Statement of Facts which discusses the application’s principal points. This statement should include, but is not limited to, the following items:

- Property’s address, neighborhood and zoning designation
- Action requested – i.e., amendment, extension of time or term
- Description of previous Board approval

- For amendments, describe the proposed changes and how the proposal differs from the approval
- For extensions of term, discuss the site's compliance with the Board approval. If the extension has expired by more than two years, explain how substantial prejudice would result if forced to file a new BZ application rather than seeking an SOC term extension.
- For extensions of time to complete construction or obtain certificate of occupancy, explain the reasons for the delay
- Discuss any pending violations and summonses; and all pending court actions.

**Item 2: Affidavit of Owner**

Per Section 1-03(g) of the Board's Rules, the owner of record or other entity or person legally authorized to act for such owner must consent to the filing of the application. The Board's Affidavit of Ownership form must be completed, signed and notarized. If the property is part of a larger zoning lot, the declaration of zoning lot restrictions and certification of parties-in-interest must be attached.

<http://www.nyc.gov/html/bsa/downloads/pdf/forms/affidavit-of-ownership2.pdf>

**Item 3: Department of Buildings Objection (Amendment only)**

Attach a copy of the DOB objection, stamped with the Borough Commissioner's denial. The date of the denial stamped on the face of the objection must be no more than 30 days prior to the date the application is filed with the Board; otherwise, the application will not be accepted. If the application is an appeal from the Department of Business Services, the same submissions are required.

**Item 4: BSA History**

Provide a chronology and description of all actions before the Board, including date of approval, conditions, and any amendments.

**Item 5: Current Certificate of Occupancy**

Provide a copy of the current Certificate of Occupancy and, if relevant, any previous Certificates of Occupancy

<http://www.nyc.gov/html/dob/html/certificates/certificates.shtml>

**Item 6: Violation History**

Provide a copy of current violations from the Department of Building's web site (BIS) and provide explanation of status of violations.

<http://www.nyc.gov/html/dob/html/violations/violations.shtml>

**Item 7: Certificate of Inspection and Compliance**

The Board's Certificate of Inspection and Compliance must be signed and sealed by a certified architect or engineer. The Certificate must attest to the site's compliance with the Board's approval, plans, and conditions, including hours of operation, identify any non-compliances and provide recommendation on how to bring site into compliance.

[http://www.nyc.gov/html/bsa/downloads/pdf/forms/inspection\\_and\\_compliance\\_amended.pdf](http://www.nyc.gov/html/bsa/downloads/pdf/forms/inspection_and_compliance_amended.pdf)

**Item 8: CEQR Protocol Affidavit (Amendment only)**

For automotive service stations where the proposed action involves potential soil disturbance, complete the CEQR Protocol Affidavit

[http://www.nyc.gov/html/bsa/downloads/pdf/forms/ceqr\\_protocol\\_affidavit.pdf](http://www.nyc.gov/html/bsa/downloads/pdf/forms/ceqr_protocol_affidavit.pdf)

**Item 9: Other Agency Permit/License (e.g., Consumer Affairs, Public Assembly, etc.)**

If applicable, provide a copy of permits and licenses issued by other agencies for the property

**Item 10: Zoning Map**

Clearly identify the subject site on a copy of the NYC zoning map

[http://nyc.gov/html/dcp/html/zone/zh\\_zmactable.shtml](http://nyc.gov/html/dcp/html/zone/zh_zmactable.shtml)

**Item 11: Tax Map**

Provide a copy of the subject tax map from the NYC Department of Finance

[http://nyc.gov/html/dof/html/property/property\\_info\\_taxmaps.shtml](http://nyc.gov/html/dof/html/property/property_info_taxmaps.shtml)

**Item 12: Radius Diagram/Land Use Map**

Provide a radius diagram (drawn to a scale of 100 feet to 1 inch on sheets not to exceed 11" by 17" in size) which clearly shows the following:

- Provide a color land use map for all properties located within a 400 foot radius measured from the center of the subject lot. If the site is greater than 40,000 square feet or has greater than a 300 foot frontage, a 200 foot radius from each corner of the site must be used, or if the application is for separately owned one, two or three family dwellings.
- Use the following colors for land use:
  - Yellow for one and two-family homes
  - Orange for multiple dwelling
  - Red for commercial
  - Brown for mixed residential/commercial
  - Purple for manufacturing
  - Green for open space/park land
  - Blue for institutional/community facility
  - Dark grey for parking/automobile/utility
  - Light grey for vacant/open lot
- Further identify the number of building stories and land use of all properties as follows:

III	Story Height
MD	Multiple Dwelling
D	Dwelling
R	Retail
G	Garage
C	Commercial
I	Industrial
M	Manufacturing
W	Warehouse
A	Auto

- All block numbers must be printed within a rectangle: 4624
- All lot numbers must be printed within a circled: 61
- Identify the frontage, depth and width of all lots, rounded to the nearest foot, within the building line;
- Identify all house numbers outside of the building line, street names, and street widths (property line to property line);
- Identify the zoning districts and boundaries;
- Provide compass points;
- Identify the location at which each photograph submitted as part of this application was taken with a circle with an arrow (↻) showing the direction in which the camera faced.

### **Item 13: BSA Zoning and Sign Analyses**

Complete the Zoning Analysis Form of applicable zoning computations for the existing, permitted/legal, and proposed conditions. All Zoning Analyses must be signed and sealed by a registered architect or a professional engineer. Depending on the nature of each application, a Signage Analysis may also be required;

[http://www.nyc.gov/html/bsa/downloads/pdf/forms/zoning\\_analysis\\_revised\\_march\\_2005.pdf](http://www.nyc.gov/html/bsa/downloads/pdf/forms/zoning_analysis_revised_march_2005.pdf)

<http://www.nyc.gov/html/bsa/downloads/pdf/forms/sign-calc-form.pdf>

### **Item 14: Photographs**

A set of 8 ½" x 11", color photographs must be submitted with the application, as follows:

- Photographs must show both the direct view of the full frontage of the property, context views of the site taken along the subject street, and adjoining conditions on each side of subject property;
- If relevant to the action, provide on-site photographs, including yards and building interiors;
- Photographs must show the site's compliance with conditions in the Board's resolution and the approved drawings. Especially for gasoline stations and parking lots, the following must be shown clearly: surfacing of the lot, fences, screening, gates, landscaped areas, signs, sidewalks, curbs and curb cuts.
- The front of each photograph must be properly labeled to include the street, the actual site in question and compass points;
- The back of the photograph must indicate the name and address of the photographer and the date the photograph was taken. The address of the subject site should be included.
- Attach an 8" x 10" sketch to each set of photographs and identify the point at which each photograph was taken. Show compass points, print street names and outline the premises. Indicate the point at which each photograph was taken by means of a number within a circle and an arrow showing the direction in which the camera faced when each photograph was taken.

### **Item 15: BSA Resolutions**

Provide copies of all previous Board resolutions relating to the subject property.

### **Item 16: Previously-Approved BSA Plans**

Provide copies of the most recently-approved plans with BSA-dated "approved" stamp. If necessary, contact (212) 788-8500 to request copies of approved plans.

### **Item 17: Existing Plans (Extension of Term and Amendment only)**

#### Plan Requirements:

- All drawings submitted shall be properly titled, numbered, dimensioned, dated, drawn to scale and comply with the following directions and must bear a legible seal and signature of a registered architect or licensed professional engineer.
- All drawings and other exhibits shall be either 8½x14 inches or 11x17 inches in size, and folded to 8½x11 inches.
- All drawings shall comply with the Board's standard notes instructions (<http://www.nyc.gov/html/bsa/downloads/pdf/forms/memostandardnotesv6.pdf>)

#### A complete set of plans must include the following:

- Plot Plan/Site Plan
  - Fully dimensioned and to scale (with a graphic scale)
  - Identify landscaping, including street trees
  - Indicate size and location of all curb cuts and bus stops
  - Identify the dimension of sidewalks
  - Identify the location, height, and type of all fences
  - Indicate all topographical features
  - Indicate legal, existing and finished grades
  - Identify any parking layouts, including the number of spaces and all loading areas
  - Show locations and direction of outdoor lighting
  - Indicate the location of any trash dumpster or trash enclosure.
  - Provide compass points
  - Identify address and lot numbers
  - Provide zoning floor area schedule
- Floor Plans
  - Provide plans for all floors, including cellar and roof
  - Identify all exterior dimensions
  - Identify approximate size of all interior spaces, including room sizes
  - If an enlargement, identify new and proposed construction
  - Provide compass points
  - Identify on the floor plans where the sections are taken from
- Section
  - Identify each section and coordinate labeling with location of section on floor plan
  - Dimension floor to floor heights, streetwall/setback heights, and total building height (all measured from curb level)
- Elevations
  - Identify facing materials and show all signs
  - Identify what side of the building is being shown (e.g., east elevation, etc.)
  - Dimension floor to floor heights, setback heights, and total building height
  - Streetscape, if submitted, should include heights of adjoining buildings.

**Item 18: Proposed Conditions Plans (Amendment only)**

Proposed conditions plans must follow instructions of Existing Conditions Plans, above. If the application is a legalization and the proposed conditions are identical to the existing conditions, label “existing/proposed conditions”.

**Item 19: SOC Checklist**

At the time of filing at the Board office, complete the SOC checklist with Board staff to ensure that all items are included in your application.

[http://www.nyc.gov/html/bsa/downloads/pdf/forms/soc\\_checklist\\_august\\_2010.pdf](http://www.nyc.gov/html/bsa/downloads/pdf/forms/soc_checklist_august_2010.pdf)

**Item 20: Notification of Filing (Extension of Term and Amendment only)**

Sec 1-05(j) of the Board’s Rules of Practice and Procedure require the applicant to forward a copy of each SOC application, with all supporting documentation, to:

- The affected Community Board(s) or Borough Board
- The affected City Councilmember;
- The affected Borough President;
- Administrative official from whose order or determination the application is made; and
- The City Planning Commission.

The applicant may forward the application to the above listed entities prior to filing at the Board or within three business days after filing the application. If, at the time of filing, the applicant has already forwarded the application to the above listed entities, a copy of the required proof may be submitted to the Board with the SOC application. If the applicant notifies the above listed entities after filing, the required proof, per Sec 1-03(f) of the Board’s Rules, must be forwarded to the Board within ten (10) days of filing with the Board.

[http://www.nyc.gov/html/bsa/downloads/pdf/2006/rules\\_and\\_banner/rules.pdf](http://www.nyc.gov/html/bsa/downloads/pdf/2006/rules_and_banner/rules.pdf)

Disclaimer: While applicants should follow the above instructions, the Board recognizes that some applications may result in deviations from the instructions; for example, some of the attachment items may not be applicable and therefore not required for certain applications, while additional attachment items not identified in the instructions may be required upon the Board’s request.

September 23, 2010