

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2011**

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**No. 46**

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Introduced by Council Member Recchia and Koo (by request of the Mayor)

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to fees for certain applications, appeals, filings and reviews processed and determined by the board of standards and appeals, to add certain new fees and to repeal paragraph b of subdivision 6 of section 25-202, relating to circumstances when provisions pertaining to minor amendments are inapplicable.**

*Be it enacted by the Council as follows:*

Section 1. Subdivisions 1 and 2 of section 25-202 of the administrative code of the city of New York, as added by local law number 40 for the year 2009, are amended to read as follows:

1. Zoning variances. Application for any variance under the zoning resolution with respect to:

a. (1) Individually owned one and two family dwellings: \$[550.00]1,100.00.

(2) Individually owned three family dwellings: \$[850.00]1,700.00.

b. Other buildings and structures (fee schedule applicable to square footage involved in application), and junk yards, parking lots, automotive service stations and other similar uses (fee schedule applicable to lot area involved in application).

(1) 10,000 square feet or less of floor area or lot area: \$[3,160.00]3,950.00.

(2) In excess of 10,000 but not more than 20,000 square feet of floor area or lot area: \$[4,380.00]5,480.00.

(3) In excess of 20,000 but not more than 40,000 square feet of floor area or lot area: \$[5,630.00]7,040.00.

(4) In excess of 40,000 but not more than 70,000 square feet of floor area or lot area: \$[6,850.00]8,560.00.

(5) In excess of 70,000 but not more than 100,000 square feet of floor area or lot area: \$[8,080.00]10,100.00.

(6) In excess of 100,000 square feet of floor area: *\$10,100.00 for the first 100,000 square feet of floor area plus 5.0% of square footage in units of 10,000 square feet above 100,000 square feet of floor area.*

(7) In excess of 100,000 square feet of lot area: \$[8,960.00]11,200.00.

c. All other applications for any zoning variance under the zoning resolution not subject to paragraph a or b of this subdivision: \$[3,160.00]5,480.00.

2. Zoning special permits. Application for any special permit under the zoning resolution with respect to:

a. (1) Individually owned one and two family dwellings: \$[410.00]1,000.00.

(2) Individually owned three family dwellings: \$[640.00]1,570.00.

b. Other buildings and structures (fee schedule applicable to square footage involved in application), and junk yards, parking lots, automotive service stations and other similar uses (fee schedule applicable to lot area involved in application):

(1) 10,000 square feet or less of floor area or lot area: \$[2,370.00]2,960.00.

(2) In excess of 10,000 but not more than 20,000 square feet of floor area or lot area: \$[3,300.00]4,130.00.

(3) In excess of 20,000 but not more than 40,000 square feet of floor area or lot

area: \$[4,220.00]5,280.00.

(4) In excess of 40,000 but not more than 70,000 square feet of floor area or lot

area: \$[5,140.00]6,430.00.

(5) In excess of 70,000 but not more than 100,000 square feet of floor area or lot

area: \$[6,060.00]7,580.00.

(6) In excess of 100,000 square feet of floor area: *\$7,580.00 for the first 100,000*

*square feet of floor area plus 5.0% of square footage in units of 10,000 square feet above 100,000 square feet of floor area.*

(7) In excess of 100,000 square feet of lot area: \$[6,720.00]8,400.00.

c. Application for any special permit under the zoning resolution not subject to

paragraph a or b of this subdivision: \$[2,370.00]4,130.00.

§ 2. Subparagraphs 7 and 9 of paragraph d of subdivision 3 of section 25-202 of the administrative code of the city of New York, as added by local law number 40 for the year 2009, are amended to read as follows:

(7) In excess of 100,000 square feet of floor area: *\$6,060.00 for the first*

*100,000 square feet of floor area plus 5.0% of square footage in units of 10,000 square feet above 100,000 square feet of floor area.*

(9) All other applications: \$[2,370.00]3,290.00.

§ 3. Paragraph e of subdivision 3 of section 25-202 of the administrative code of the city of New York is amended by adding a new subparagraph 6 to read as follows:

(6) *Application to extend the term of a previously issued variance, special permit*

*or appeal, is filed more than ten years after the permitted filing period: \$5,000.*

§ 4. Paragraph f of subdivision 3 of section 25-202 of the administrative code of

the city of New York is amended, as added by local law number 40 for the year 2009, to read as follows:

f. Application for minor amendment that is in substantial compliance with previous grant: \$[620.00]930.00.

§ 5. Paragraph d of subdivision 4 of section 25-202 of the administrative code of the city of New York, as added by local law number 40 for the year 2009, is amended to read as follows:

d. Application for amendment of prior approval of appeals from or application for review of any order, requirement or determination of the commissioner of buildings or of any borough superintendent of the department of buildings or of the fire commissioner or any rule or regulation or amendment or repeal thereof made by the fire commissioner or the commissioner of small business services with respect to:

(1) [one]One, two and three family residences[, all other residences and all other buildings and properties]: \$920.00.

(2) *All other developments: \$2,110.00*

§ 6. Subdivision 5 of section 25-202 of the administrative code of the city of New York, as added by local law number 40 for the year 2009, is amended to read as follows:

5. Application for extension of period to complete construction pursuant to section 11-33 of the zoning resolution:

a. One, two and three family residences, per building permit: \$940.00.

b. All other residences, per building permit: \$[2,460.00]3,690.00.

c. All other buildings and properties, per building permit: \$[3,160.00]4,740.00.

§ 7. Subdivision 6 of section 25-202 of the administrative code of the city of New

York, as added by local law number 40 for the year 2009, is amended, and paragraph b is REPEALED, to read as follows:

6. Exemptions. [a.] The provisions of this section shall not apply if a municipal department or agency of the city is the applicant or appellant before the board of standards and appeals.

§ 8. Section 25-202 of the administrative code of the city of New York is amended by adding a new subdivision 7 to read as follows:

7. *Other. Request to obtain off-site file of previous applications to the board of standards and appeals: \$50.00.*

§ 9. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on .....June 29, 2011..... and approved by the Mayor on .....July 11, 2011.....

MICHAEL M. McSWEENEY, City Clerk Clerk of the Council.

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 46 of 2011, Council Int. No. 571-A) contains the correct text and was passed by the New York City Council on June 29, 2011 approved by the Mayor on July 11, 2011 and returned to the City Clerk on July 11, 2011.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.