



Legislation Text

File #: Int 0566-2003, **Version:** *

Int. No. 566

By Council Member Avella, Quinn, Liu, Reyna, Oddo, Brewer, Gennaro, Gentile, Gerson, Jennings, Martinez, McMahon, Monserrate, Reed, Sears, Stewart, Vann, Yassky and Gonzalez

A Local Law to amend the charter of the city of the city of New York in relation to appealing decisions of the Board of Standards and Appeals granting or denying variances or special permits pursuant to the zoning resolution of the city of New York.

Be it enacted by the Council as follows:

Section 1. Subsections c. and d. of Section 668 of the Charter of the City of New York are amended to read as follows:

c. Copies of a decision of the board of standards and appeals and copies of any recommendation of the affected community board or borough board shall be filed with the city planning commission. Copies of the decision shall also be filed with the affected community or borough boards [.] and with the Speaker of the City Council within thirty (30) days of rendering such decision.

d. Any decision of the board of standards and appeals pursuant to this section may be reviewed as provided herein and as otherwise provided by law.

Within twenty (20) days of receipt of such decision by the Speaker of the City Council, the Council may, by majority vote at a meeting of the full Council, assert jurisdiction over any such decision.

In the event the Council asserts jurisdiction over such decision as set forth above, it, or a committee thereof, shall conduct a public hearing on such decision. After such hearing the Council shall approve, approve with modifications or disapprove the decision of the board of standards and appeals. The scope of the Council's review of such decisions of the board of standards and appeals shall be limited to determining the sufficiency of the evidence used by the board to establish the findings required to be made to support the grant or denial of the variance or special permit as set forth in the zoning resolution.

Section 2. This local law shall take effect thirty (30) days after its ratification by the voters at the next general election.