



250 Broadway, 29<sup>th</sup> Floor  
 New York, NY 10007  
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BSA APPLICATION NO.: 727-86-BZ  
 COMMUNITY BOARD NO.: 6  
 BOROUGH: Manhattan

## Community Board Recommendation Report

### I. Identification (Information from the application)

<b>Applicant(s) Information:</b> Shuqeri Selimaj Family 2018 Trust	<b>Property Information:</b> Address: 240 East 58th Street Block: 1331 Lot(s): 30
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### II. Project Description

This is a variance application for the reestablishment of a variance to allow an eating and drinking establishment at the cellar, basement and first floor of a 3-story, cellar and basement building.

### III. Recommendation of Community Board

Date of Recommendation: 03/13/2019

Recommendation submitted by: Manhattan  Community Board 6

Recommendation	Vote
<input type="checkbox"/> Approve	<u>40</u> In Favor
<input checked="" type="checkbox"/> Approve with Modifications/Conditions	<u>0</u> Against
<input type="checkbox"/> Disapprove	<u>0</u> Abstaining
<input type="checkbox"/> Recommendation Waived	<u>40</u> Number of Community Board Members

### IV. Conditions/Comments

Summarize the reasons for the Community Board Recommendation or attach a copy of the full report, if necessary

**See attached resolution**

Is there a minority report?  NO  YES (If yes, summarize on attached copy)

Name of CB officer completing this form	Title	Date
Cody Osterman	Assistant District	03/14/2019

Return completed form to the Board of Standards and Appeals and any attachments by either:

E-mail (recommended) form along with attachments to: [submit@bsa.nyc.gov](mailto:submit@bsa.nyc.gov) or via mail to the Chairperson of the NYC Board of Standards and Appeals

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CHAIR

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THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD SIX  
211 EAST 43RD STREET, SUITE 1404  
NEW YORK, NY 10017

**VIA E-MAIL**

March 14, 2019

Margery Perlmutter, R.A., Esq.  
Chair  
New York City Board of Standards and Appeals  
250 Broadway, 29th Floor  
New York, NY 10007

**Resolution of No Objection to Board of Standards and Appeals application by Shuqeri Selimaj Family 2018 Trust to re-establish and extend a Zoning Variance to permit an eating and drinking establishment at 240 East 58th Street (BSA Calendar Number: 727-86-BZ)**

At the March 13, 2019 Full Board meeting of Manhattan Community Board Six, the Board adopted the following resolution:

**WHEREAS**, Shuqeri Selimaj Family 2018 Trust applied to the Board of Standards and Appeals to re-establish and extend a 10-year zoning variance to allow operation of an eating and drinking establishment in the basement, cellar, and 1<sup>st</sup> floors at 240 East 58th Street. The building is a 3-story plus basement and cellar building located in an R8B district where Use Group 6 uses are not allowed;

**WHEREAS**, a zoning variance was first granted on January 17, 1989 for an eating and drinking establishment that did not comply with permitted uses a R8 zoning district. That variance expired on January 17, 1999. On August 7, 2001 when the zoning district had become R8B, the resolution was reopened to extend the variance for an additional 10-year term which expired on January 17, 2009. On May 19, 2009 when the zoning district was still R8B, the resolution was reopened to extend the variance for an additional 10-year term which expired on January 17, 2019;

**WHEREAS**, Frederick A. Becker, Esq., representing the applicant, presented this application to the Land Use and Waterfront Committee of Manhattan Community Board Six (CB6) on Monday, February 25, 2019;

**WHEREAS**, no members of the community had any comments for or against;

**WHEREAS**, the Board has a standing policy of requesting similar Special Permits be issued for a term of 5 years to allow more frequent feedback from the surrounding community;

**THEREFORE, BE IT RESOLVED** that Manhattan Community Board Six has no objection to the Board of Standards and Appeals Application 727-86-BZ to re-establish and extend a zoning variance to allow operation of an eating and drinking establishment in the basement, cellar, and 1<sup>st</sup> floors at 240 East 58th Street for a term of 5 years.

**VOTE: 40 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

Best regards,



Jesús Pérez  
District Manager

Cc: Hon. Gale Brewer, Manhattan Borough President  
Hon. Keith Powers, Council Member  
Sandro Sherrod, Chair, CB6 Land Use & Waterfront Committee  
Applicant