

Contact:

Robert Holden, President, Juniper Park Civic Association: (718) 651-5865

Tony Nunziato, Chair, Maspeth-Middle Village Task Force: (718) 865-2767

Councilman Tony Avella, Chair of the Zoning Subcommittee of the NYC Council: (917) 723-3289

Manny Caruana, JPCA Executive Board and CB5 member (917) 868-4912

Corey Bearak, President, Queens Civic Congress: (718) 343-6779

Paul Graziano, urban planner & President, Historic Districts Council: (718) 309-7522

JUNIPER CIVIC CLAIMS VICTORY OVER HUANG

Developer Alters Building to Comply with Zoning Codes

Civic and Councilman Avella Had Pushed for DOB Action

FOR IMMEDIATE RELEASE

(July 28, 2008) The Juniper Park Civic Association (JPCA) is today claiming victory over notorious developer, Tommy Huang, (destroyer of the officially landmarked RKO Keith's Theater of Flushing) who illegally constructed a house at 57-39 Mazeau Street in Maspeth in 2006. The house was built contrary to plans presented to and approved by the NYC Department of Buildings and in violation of the R4-1 zoning for the area. Huang had demolished the garage on the premises without a permit and then constructed a 4-story, 3-family house on the site. He has now removed the top story and a section on the side of the house that encroached on the lot next door.

“This is a big victory for Maspeth because it shows unscrupulous developers that the community is watching and they won't be able to get away with this type of action,” said Robert Holden, JPCA President.

“This is like a cancer in the community. Once the first illegal building is constructed, others are sure to follow,” said Tony Nunziato, Chair of the Maspeth-Middle Village Task Force. “I am glad that the Department of Buildings has kept on top of this situation and has forced the developer's hand.”

The permit for the property was revoked by Department of Buildings Queens Borough Commissioner Derek Lee (attached) after a November 15, 2006 audit (4 attachments) which found 23 objections, including non-compliance with the R4-1 zoning code and misuse of the Community Facilities Provision of the zoning code. The Juniper Park Civic Association held rallies at the site in [December 2006](#) and [December 2007](#) with Councilman Tony Avella, Chair of the City Council's Zoning Subcommittee, who has also been keeping a watchful eye on the property. Together, he and JPCA pushed for an audit of the property and called for the house to either be legalized to conform with current zoning codes or be forcibly demolished by the City.

The NYC Department of Buildings again audited the site on [July 6, 2007](#). They still found objections at that time requiring correction.

“Right off the bat, you can tell this house is in non-compliance because R4-1 is a contextual zone that allows for no more than 2-family houses,” explained Paul Graziano, urban planner and President of the Historic Districts Council.

Manny Caruana, JPCA Board Member and Community Board 5 Member, lives in the vicinity and was the first person to take notice and report the problems at the site to the Department of Buildings. “It took a long time to get results, and we only got this far because neither we, Tony Avella nor DOB caved in. None of us stopped watching what was going on here,” he said. “The fact that Huang has been forced to comply and not just pay a fine restores a little bit of my faith in DOB.”

The Queens Civic Congress (QCC) has also been following this story from the beginning. “Queens Civic Congress calls on all would-be violators of the City's Zoning laws and its Building code to be on notice,” stated Corey Bearak, President of QCC. “No excuses. Either comply with the law and the code or any illegal structure you build will need to be cut down to its rightful and legal size. This simple message should resonate throughout the industry and we welcome this intervention by the Department of Buildings and thank Commissioner Robert LiMandri for following through on this and many other matters brought to his attention. Special recognition and thank you goes to Juniper Park Civic Association for fighting for the community and never letting up.”

“It’s about time that DOB listened to the community and forced notorious developers like Tommy Huang to conform to the building and zoning codes,” said Councilman Tony Avella. “It still is a shame that the community has to be the ones to force the DOB to enforce its own regulations.”

The house currently has a full stop-work order on it – with today’s date (attached). It was briefly lifted to allow for the correction of violating conditions. Huang must prove that the house is in compliance with all DOB directives before being issued a permit to finish the structure. JPCA and Councilman Avella will continue to monitor the progress of work at the site.



NYC Department of Buildings
 180 Broadway, New York, NY 10007
 Patricia Lancaster, FAIA, Commissioner
 (212) 506-3000, TTY: (212) 506-4799

Derek Lee, R.A.
 Borough Commissioner
 120-55 Queens Blvd
 Kew Gardens, NY 11424
 Phone: (718) 286-0801
 Fax: (718) 286-0774

December 1, 2006

OWNER: HENRY HUANG
 36-09 MAIN ST 3A
 FLUSHING NY 11354

APPLICANT: KWONG T. SEUNG
 401 BROADWAY, SUITE 213
 NEW YORK, NY 10013

CONTRACTOR: HENRY HUANG
 36-09 MAIN ST 3A
 FLUSHING NY 11354

RE: REVOCATION OF APPROVAL AND PERMIT
 57-39 MAZEAU STREET
 BLOCK: 2809 LOT: 75
 APPLICATION NO # 402410912

Dear Sir/Madam:

By letter dated November 15, 2006 the Department of Buildings notified you of its intent to revoke the approval and permit issued for work at the premises in connection with the application referenced above. As of this date, the Department has not received sufficient information to demonstrate that the permit should not be revoked.

Therefore, pursuant to Section 27-197 of the Administrative Code of the City of New York ("AC"), the **PERMIT IS HEREBY REVOKED.**

In the event an order to stop work is not currently in effect, you are hereby ordered to **STOP ALL WORK IMMEDIATELY.**

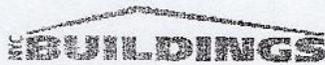
Sincerely,


Derek Lee, R.A.
 Borough Commissioner

DL/jc
 cc: F. Amor Technical Affairs
 D. Lee Borough Commissioner
 D. O'Connor Borough Chief Inspector
 Premise File

NYC.gov/buildings

safety service integrity

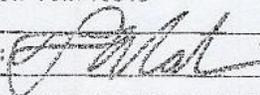


THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS
 www.nyc.gov/buildings

MANHATTAN (5) 230 BROADWAY 1ST FLOOR NEW YORK, NY 10007
 BRONX (2) 1332 ARTHUR AVENUE BRONX, NY 10457
 BROOKLYN (3) 210 JORDELMON STREET BROOKLYN, NY 11201
 QUEENS (4) 120-55 QUEENS BLVD. QUEENS, NY 11424
 STATEN ISLAND (6) BORO HALL - ST. GEORGE STATEN ISLAND, NY 10301

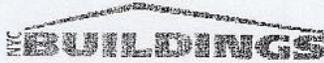
DOB Application #	Examiner: Frank Marchiano	Dated: 11/15/06	Application Type: NB
402410912	Address / Location: 57-39 Mazeau Street		SPECIAL AUDIT
	Description: 4 story building with community facility @ 1 st floor and 3 dwelling units on the upper floors	Block: 2809	Lot: 75
		District: R4-1	Map: 3c

K.T. SEUNG, P.E.
 401 Broadway
 New York, New York 10013

Examiners Signature:  **FRANK MARCHIANO** NOV 15 2006

To discuss and resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the plan examiner's and your time, please make sure you are prepared to discuss and resolve these objections before arriving for your scheduled plan exam appointment.

No.	Section of Code	Objection	Date Resolved
1	BC 27-138	a. Correct and add all applicable zoning calculations b. Provide a TR1 for all required controlled inspections and list on drawings - see plan c. Submit architectural survey and Certificate of Occupancy to verify existing conditions. d. Provide legend to indicate demo, existing and new partition construction as to verify construction class e. Provide an ACPB f. File Separate Application for underpinning of adjoining property g. Submit endorsed SD-1 & SD-2 application as per BC 27-301 / OPPN 22/03 h. Submit schedule A to comply with TAPP #3/39 and appendix A i. File an Alteration type 1 for new metes and bounds for existing building as per subdivision if permitted	
2	ZR 22-42	Uses permitted as-of-right. - A. Residential uses. - Residences of all kinds, including apartment hotels and non-profit residences for the elderly, except that: (2) in R3-1 and R4-1 Districts, residential uses shall be limited to single- or two-family residences detached or semi-detached except that in R4-1 Districts single- or two-family care lot line buildings are also permitted Therefore, since application was approved on 7/7/06 and permitted 9/7/06 after downzoning to an R4-1 on 8/23/06, the proposed building is not permitted	
3	ZR 23-48(b)	Special Provisions for Party or Side Lot Line Walls - In R3-1 R3-2 R4 R5 districts a residence may be constructed so as to: (c) share a party wall or party walls with other residences being erected at the same time on an adjoining zoning lot or zoning lots. Confirm such requirement - Provide NB application for adjoining lot	
4	ZR 24-111	Maximum floor area ratio for certain community facility uses (b) In R3 R4 R5 R6 R7 R8 R9 districts, for any zoning lot containing health-related facilities which have secured certification by the appropriate governmental agency, the allowable floor area ratio shall not exceed the maximum floor area ratio of .75 as set forth in the table. Revise as required to comply	
5	ZR 24-38(a)	Minimum Required Side Yards - If a building used for community facility use has an aggregate width of street walls equal to 30 feet or less, two side yards shall be provided, each with a minimum required width of eight feet. Therefore, a Community facility is not permitted.	



THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS
 www.nyc.gov/buildings

MANHATTAN (1) 230 BROADWAY 9th FLOOR New York, NY 10007
 BRONX (2) 1932 ARTHUR AVENUE BRONX, NY 10467
 BROOKLYN (3) 213 JORULOMON STREET BROOKLYN, NY 11201
 QUEENS (4) 120-35 QUEENS BLVD. QUEENS, NY 11424
 STATEN ISLAND (5) 60 RO HALL ST. GEORGE STATEN ISLAND, NY 10301

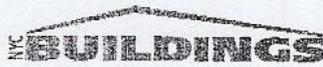
DOB Application # 402410912	Examiner: Frank Marchiano	Dated: 11/15/06	Application Type: NB
	Address / Location: 57-39 Mazeau Street		SPECIAL AUDIT
	Description: 4 story building with community facility @ 1 st floor and 3 dwelling units on the upper floors		Block: 2809 Lot: 75 District: R4-1 Map: 3c

K.T. SEUNG, P.E.
 401 Broadway
 New York, New York 10013

Examiners Signature:

To discuss any resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the plan examiner's and your time, please make sure you are prepared to discuss and resolve these objections before arriving for your scheduled plan exam appointment.

No.	Section of Code	Objection	Date Resolved
6	ZR 24-382	Required rear yard equivalents. - In R1-R10 districts, on any #through lot# 110 feet or more in maximum depth from street to street, one of the following rear yard equivalents shall be provided: (b) two open areas, each adjoining and extending along the full length of a #street line#, and each with a minimum depth of 30 feet measured from such street line. Comply with such requirement.	
7	ZR 25-22(a)	Requirements Where Individual Parking Facilities Are Provided - one accessory off-street parking space, open or enclosed, shall be provided for each dwelling unit. Provide adequate parking as required for a 2 family. Note that 4 parking spaces in tandem are not permitted as per Department policy.	
8	ZR 26-31	Required accessory off-street parking spaces for permitted non-residential uses. Ambulatory diagnostic or treatment health care facilities listed in Use Group 4: 1 per 500 square feet of floor area and cellar space, except cellar space used for storage. Clarify and confirm compliance.	
9	P110.2(a)	Comply with LL 103/58 - Disposal of storm sewer - (20) required for a "substantial horizontal enlargement". (b) an increase in the area of a lot covered by impervious surface which exceeds two hundred square feet. Provide calculations and details.	
10		Comply with Departmental memo dated Dec. 5, 1985 in regards to Protection of adjoining property Foundation	
11	BC27-157	Plans required. - All such applications shall be accompanied by architectural, structural, and mechanical plans, which shall be complete and of sufficient clarity to indicate the entire nature and extent of the proposed construction work and its compliance with the NYC BC and other applicable laws and regulations. (1) Lot diagram indicating the size, height and location of the proposed construction and all existing structures on the site and their distances from lot and street lines, the established grade and existing curb elevations. (2) Floor and roof plans showing compliance with exit requirements, and with sufficient elevations and cross-sections to indicate all means of egress, and including the number of stories in all parts of the building. (3) Detailed drawings necessary to show adequately all architectural elements of the building, including those doors, windows, and interior finish schedules, and other details necessary to substantiate all required fire-protection characteristics. Submit cross section, revised plot plan and include all information as per markup plans.	



THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS
 www.nyc.gov/buildings

MANHATTAN (1) 200 BROADWAY 3RD FLOOR New York, NY 10007
 BRONX (2) 1522 ARTHUR AVENUE BRONX, NY 10457
 BROOKLYN (3) 210 JORDELMON STREET BROOKLYN, NY 11201
 QUEENS (4) 120-55 QUEENS BLVD. QUEENS, NY 11424
 STATEN ISLAND (5) 3000 HALL ST. GEORGE STATEN ISLAND, NY 10301

DOB Application # 402410912	Examiner: Frank Marchiano	Dated: 11/15/06	Application Type: NB
	Address / Location: 57-39 Mazeau Street		SPECIAL AUDIT
	Description: 4 story building with community facility @ 1 st floor and 3 dwelling units on the upper floors		Block: 2809 Lot: 7
			District: R4-1 Map: 3c

K.T. SEUNG, P.E.
 401 Broadway
 New York, New York 10013

Examiners Signature:

To discuss and resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the plan examiner's and your time, please make sure you are prepared to discuss and resolve these objections before arriving for your scheduled plan exam appointment.

No.	Section of Code	Objection	Date Resolved
12	BC 27-368	Occupant load. Provide total number of persons on each floor as per Table 6-2. In addition, correct schedule A to read number of persons on the first floor as required	
13	BC 27-366	Exits from floors. - 1. There shall be at least two independent exits, remote from each other, from every floor of a building. Comply with such requirement @ basement.	
14	BC 27-371	Doors. -Exit doors and doors providing access to exits shall comply with all requirements applicable. Clarify and confirm compliance	
15	BC 27-373 (b)	Horizontal exits. - (b) Door requirements. -Each swinging door shall swing in the direction of exit travel. Revise plan to comply.	
16	BC 27-381	Exit Lighting Requirements. - Corridors and exits shall be provided with artificial lighting facilities. Provide exit lighting as required	
17	BC 27-734	Area of natural light sources. - Required sources of natural light shall have an aggregate transmitting area of at least ten percent of the floor area of the Each required source shall have a minimum transmitting area of twelve square feet and only that area of the light source above thirty inches from the finished floor may be considered as providing the natural light required in any space. Confirm that all habitable rooms have the required area of natural light as required	
18	BC 27-730	Area of ventilating openings. -Ventilating openings in all habitable rooms or spaces shall have a free openable area of at least five percent of the floor area of the room. Each required ventilating opening shall have a minimum openable area of six square feet. Confirm that all habitable rooms have the required area of ventilating openings as required	
19	BC 27-761	27-751 Minimum dimensions of habitable rooms. -Habitable rooms shall have a minimum clear width of eight feet in any part; a minimum clear area of eighty square feet and a minimum clear ceiling height of eight feet for the minimum area, except: (a) A room which complies with the requirements for natural light and ventilation and in addition has an opening of not less than sixty square feet into an immediately adjoining room may have a minimum floor area of seventy square feet and a least horizontal dimension of seven feet; (c) One-half the number of bedrooms in a dwelling unit containing three or more bedrooms may have at least minimum dimension of seven feet. Clarify and Confirm compliance with such requirements	



Huang House, July 28, 2008



Huang House April, 2008