



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007
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ROBERT B. TIERNEY
Chair

January 14, 2004

ISSUED TO:

Shelly Mazor, President
105 72nd Street Corporation
105 West 72nd Street
New York, NY 10023

Re: **PERMIT DENIAL**
LPC - 04-2003
CD 04-4439
105 WEST 72ND STREET
HISTORIC DISTRICT
UPPER WEST SIDE-CPW
Borough of Manhattan
Block/Lot: 1144/7501

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of January 13, 2004, following the Public Hearing January 13, 2004, voted not to grant a Certificate of Appropriateness for work completed without Landmarks Preservation Commission permits at the subject premises, as put forth in your application completed December 30, 2003.

The proposal consists of legalizing the removal of a balcony on the 11th floor without Landmarks Preservation Commission permits, as shown in photographs of the existing conditions, and in historic photographs from Commission files, which were presented at the Public Hearing and the Public Meeting.

In reviewing this application, the Commission noted that the designation report describes 105 West 72nd Street as a neo-Renaissance style apartment building with Churrigueresque style elements designed by George and Edward Blum and built in 1913; and that the building's age, style, scale, materials, and details are among the features of the building which contribute to the special architectural and historic character of the Upper West Side/Central Park West Historic District. The Commission also noted that Landmarks Preservation Commission Certificate of No Effect 92-1279 was issued on March 23, 1992, for facade repairs; that this permit included repairs to but not the removal of the historic balcony; that Landmarks Preservation Commission Notice of Violation V-95-0121 was issued September 8, 1995, for the installation of white windows on east and rear side walls, 11th floor without permit(s); that Landmarks Preservation Commission Notice of Violation V-02-0417 was issued on February 22, 2002, for "alterations to balcony above 10th floor windows without permit(s)".

With regard to this application, the Commission found that the removal of the historic balcony has eliminated a significant historic and architectural feature of the building; that the design of this terra cotta and brick facade has been significantly diminished by the elimination of the balcony; that the presence of the metal capping over the remnants of the terra cotta balcony bears no relationship to the carefully developed details of the historic masonry and detracts from the significant architectural features of the building and the streetscape; and that for these reasons the work has diminished the special architectural and historic character of the building, the streetscape and the Upper West Side/Central Park West Historic District. Based on these findings, the

Commission determined the proposal to be inappropriate to the building, and voted not to approve this application.

Please note that Violations V-95-0121 and V-02-0417 remain in force against the property. Failure to address this violation immediately may result in the issuance of Notices of Violation originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02(c). These Notices of Violation would require court appearances and civil penalties may be imposed.

The staff of the Commission is available to assist you in the resolution of these matters. Please direct inquiries to John Graham.

Robert B. Tierney
Chair

cc: Robert James, Architect; Mark A. Silberman, Landmarks Preservation Commission Counsel; Lily Fan, Landmarks Preservation Commission Director of Enforcement; Bernadette Artus, Landmarks Preservation Commission Violations Officer