



250 Broadway, 29th Floor
 New York, NY 10007
 212-386-0009 - Phone
 646-500-6271 - Fax
 www.nyc.gov/bsa

ZONING (BZ) CALENDAR
 Application Form

**Board of Standards
 and Appeals**

BSA APPLICATION NO. 330-14-BZ
 CEQR NO. 15-BSA-133K

Section A

**Applicant/
 Owner**

Law Office of Lyra J. Altman <small>NAME OF APPLICANT</small> 23 Morningside Drive <small>ADDRESS</small> Greenwich CT 06830 <small>CITY STATE ZIP</small> (212) 452-4284 <small>AREA CODE TELEPHONE</small> lyra@lyraesq.com <small>EMAIL</small>	Jack Guindi <small>OWNER OF RECORD</small> 1746 East 21st Street <small>ADDRESS</small> Brooklyn NY 11229 <small>CITY STATE ZIP</small> <small>LESSEE / CONTRACT VENDEE</small> <small>ADDRESS</small> <small>CITY STATE ZIP</small>
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Section B

**Site
 Data**

1746 East 21st Street 11229
STREET ADDRESS (INCLUDE ANY A/K/A) ZIP CODE

West side of East 21st Street between Kings Highway and Quentin Road
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

<u>6783</u> <small>BLOCK</small>	<u>18</u> <small>LOT(S)</small>	<u>Brooklyn</u> <small>BOROUGH</small>	<u>15</u> <small>COMMUNITY DISTRICT</small>	<small>LANDMARK/HISTORIC DISTRICT</small>
<u>Chaim Deutsch</u> <small>CITY COUNCIL MEMBER</small>	<u>R3-2</u> <small>ZONING DISTRICT (include special district, if any)</small>	<u>23b</u> <small>ZONING MAP NUMBER</small>		

Section C

**Dept of Building
 Decision**

BSA AUTHORIZING SECTION(S) Z.R. 73-622 for VARIANCE SPECIAL PERMIT (Including 11-41)
 Section(s) of the Zoning Resolution to be varied 23-141, 23-461, 23-47 and 23-631
 DOB Decision (Objection/ Denial) date: December 13, 2014 Acting on Application No: 320914702

Section D

Description

(LEGALIZATION YES NO IN PART)
 This application is filed pursuant to Section 73-622 of the Zoning Resolution of the City of New York, as amended, to request a special permit to allow the enlargement of an existing two family residence located in a residential (R3-2) zoning district.

Section E

**BSA History
 and
 Related Actions**

If "YES" to any of the below questions, please explain in the STATEMENT OF FACTS YES NO

1. Has the premises been the subject of any previous BSA application(s)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PRIOR BSA APPLICATION NO(S): <u>298-04-BZ - Expired and not built</u>		
2. Are there any applications concerning the premises pending before any other government agency?...	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the property the subject of any court action?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Section F

Signature

I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS ARE TRUE.

Lyra J. Altman BEATA JANIBAWSKI KOWSKI
Signature of Applicant, Corporate Officer or Notary Public (NOTARY PUBLIC) SWORN TO ME THIS 29 DAY OF Dec. 2014

Lyra J. Altman Attorney
Print Name Title

[Signature]
NOTARY PUBLIC

LAW OFFICE OF LYRA J. ALTMAN
23 MORNINGSIDE DRIVE
GREENWICH, CONNECTICUT 06830
(212) 452-4284

December 2014

STATEMENT OF FACTS AND FINDINGS

BSA Calendar No.:
Premises: 1746 East 21st Street
Brooklyn, New York

This application is filed pursuant to Section 73-622 of the Zoning Resolution of the City of New York, as amended (hereinafter "Zoning Resolution"), to request a special permit to allow the enlargement of an existing two family residence located in a residential (R3-2) zoning. The subject premises has the address of 1746 East 21st Street, Brooklyn, New York and is known as Block 6783, Lot 18 on the New York City tax map. The site is located within Community District 15 and has a lot area of 4,000 square feet measuring one hundred feet (100') in depth by forty feet (40') in width.

Plans have been filed with the Department of Buildings in order to permit the desired enlargement. On December 13, 2014, the following objections were issued for the subject Premises:

- 1. The proposed floor area exceeds the maximum .50 FAR permitted; contrary to ZR 23-141(b).*
- 2. The proposed lot coverage exceeds the maximum permitted lot coverage of 35 percent; contrary to ZR 23-141(b).*

LAW OFFICE OF LYRA J. ALTMAN

3. *The proposed open space is less than the minimum required 65 percent; contrary to ZR 23-141(b).*
4. *The proposed side yards are less than the minimum required width of (5) feet and minimum combined width of (13) feet; contrary to ZR 23-461(a).*
5. *The proposed rear yard depth is less than the minimum required (30) feet; contrary to ZR 23-47.*
6. *The proposed perimeter wall exceeds the maximum permitted height of (21) feet; contrary to ZR 23-632(b).*

SECTION 73-622

Pursuant to Section 73-622 of the Zoning Resolution, the Board of Standards and Appeals has the authority to permit the enlargement of one and two family residences creating new non-compliances within designated areas provided that several conditions and findings of the said section can be satisfied. I submit that those conditions have been met and that the findings can be made in the instant matter as set forth below.

LOCATION

The Premises is located within Community District 15 in the Borough of Brooklyn which is the area described under subsection (a) of Section 73-622 of the Zoning Resolution.

NON-COMPLIANCES

Floor Area Ratio:

Section 23-141 of the Zoning Resolution provides a maximum permitted floor area ratio of .50 (2,000 square feet). The existing home has a floor area ratio of .63 (2,534.17 square feet). The instant proposal increases the floor area ratio to 1.09 (4,342.8 square feet). Said floor area ratio is permitted pursuant to Section 73-622 of the Zoning Resolution.

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Lot Coverage:

Section 23-141 of the Zoning Resolution provides a maximum permitted lot coverage of thirty-five percent (35%). The instant proposal calls for a lot coverage of forty-nine and four tenths percent (49.4%), an increase from the existing lot coverage of twenty-five and four tenths percent (25.4%). Said lot coverage is permitted pursuant to Section 73-622 of the Zoning Resolution.

Open Space:

Section 23-141 of the Zoning Resolution provides a minimum required open space of sixty-five percent (65%). The instant proposal calls for an open space of fifty and six tenths percent (50.6%), a decrease from the existing open space of seventy-four and six tenths percent (74.6%). Said open space is permitted pursuant to Section 73-622 of the Zoning Resolution.

Side Yard:

Section 23-461 of the Zoning Resolution requires a total width of side yards of thirteen feet (13') with a minimum required width of five feet (5') for any side yard. The existing home has one side yard of four feet nine and one-half inches (4' 9 1/2") and one side yard of four feet three inches (4' 3"). The proposed enlargement continues the existing side yards. Said side yards are permitted pursuant to Section 73-622 (1) of the Zoning Resolution which states that "any enlargement within a side yard shall be limited to an enlargement within an existing non-complying side yard and such enlargement shall not result in a decrease in the existing minimum width of open area between the building that is being enlarged and the side lot line."

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Rear Yard:

Section 23-47 of the Zoning Resolution requires a rear yard of thirty feet (30'). The existing home has a rear yard of forty-nine feet ten inches (49' 10"). The instant proposal reduces this rear yard to twenty feet (20'). Said rear yard is permitted pursuant to Section 73-622 (2) of the Zoning Resolution, which states "any enlargement that is located in a rear yard [shall not be located] within 20 feet of the rear lot line."

Perimeter Wall Height:

Section 23-631 of the Zoning Resolution provides a maximum permitted perimeter wall height of twenty-one feet (21'). The existing perimeter wall height is twenty-three feet and one-sixteenth of an inch (23' 1/16"). The instant proposal calls to continue the perimeter wall height of twenty-three feet and one-sixteenth of an inch (23' 1/16"). The proposed perimeter wall height is permitted pursuant to Section 73-622 (3) of the Zoning Resolution which states that "any enlargement resulting in a non-complying perimeter wall height shall only be permitted in R2X, R3, R4, R4A and R4-1 Districts, and only where the enlarged building is adjacent to a single or two-family detached or semi-detached residence with an existing non-complying perimeter wall facing the street. The increased height of the perimeter wall of the enlarged building shall be equal to or less than the height of the adjacent building's noncomplying perimeter wall facing the street, measured at the lowest point before a setback or pitched roof begins. Above such height, the setback regulations of Section 23-631, paragraph (b), shall continue to apply." The proposed enlargement will not increase the perimeter wall height, but will continue the existing perimeter wall height for the new enlargement.

FINDINGS

In order to permit the proposed enlargement, the Board of Standards and Appeals must find that the proposal “will not alter the essential character of the neighborhood or district in which the building is located, nor impair the future use or development of the surrounding area.” This proposal is in keeping with the development of the area. The overall design of the home is similar to the neighborhood conditions and the proposed use is a single-family residence. The Zoning Resolution permits single-family residential use, and therefore the essential character of the area will not be altered, nor will this proposal impair the future use or development of the surrounding area.

CONCLUSION

As set forth above, the proposed enlargement is located within a designated area and meets the conditions of Zoning Resolution Section 73-622. The proposal also conforms to the character of the neighborhood and will not impair the future use or development of the area. I therefore submit that the conditions and findings of Zoning Resolution Section 73-622 have been satisfied in the instant matter, and respectfully request that the Board grant the special permit as it is both appropriate and fully supported by the facts.

Respectfully submitted,



Lyra J. Altman

BSA CALENDAR NO.
SUBJECT SITE ADDRESS
APPLICANT

BLOCK 6783 LOT 18
1746 E.21st Street, Brooklyn NY 11229
Law Office of Lyra J. Altman

ZONING DISTRICT R3-2
SPECIAL/HISTORIC DISTRICT
COMMUNITY BOARD 15

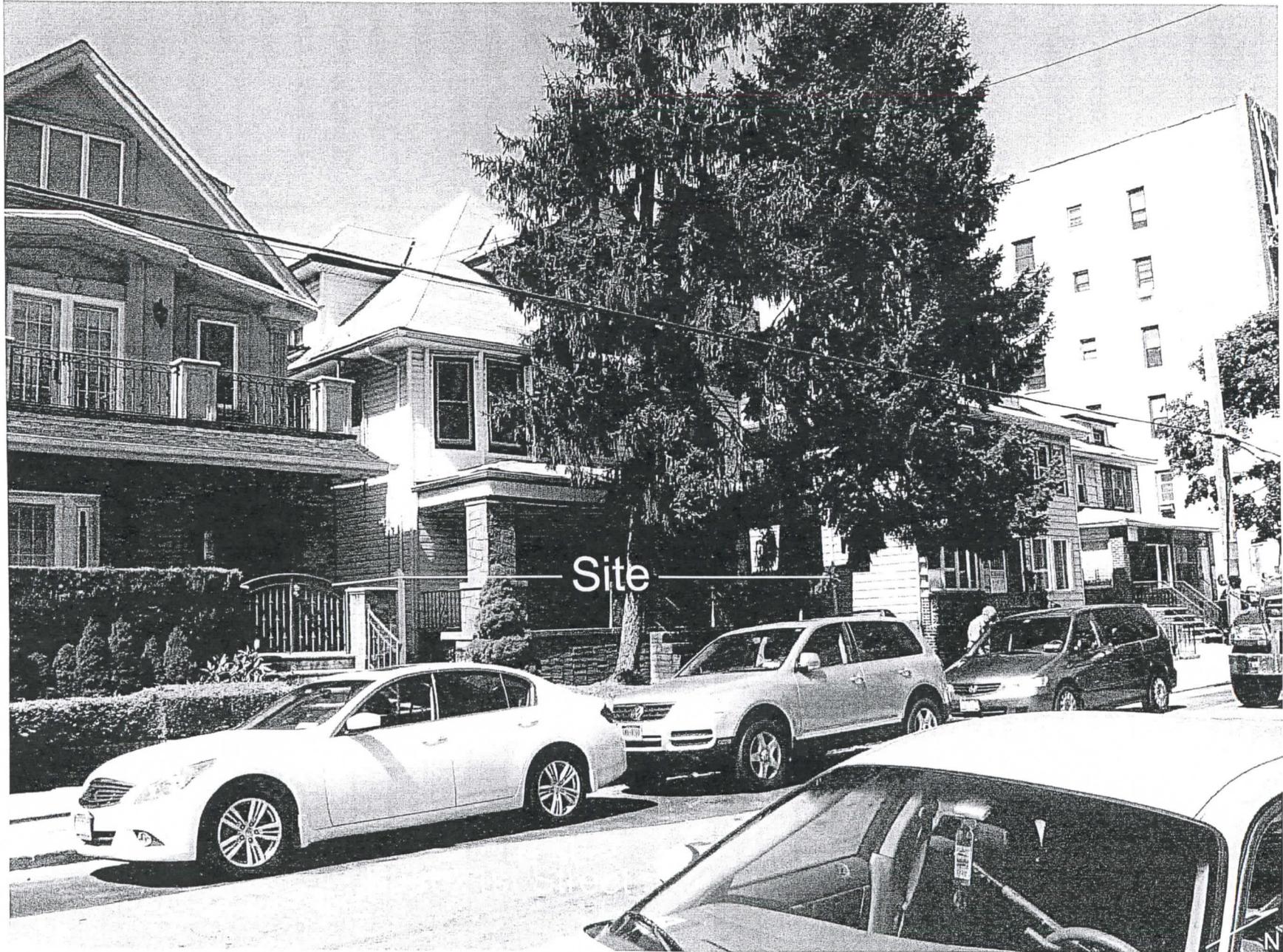
PRIOR BSA #

COMPLIANT: "Y"
IF NOT: "N" and
INDICATE AMT
OVER/UNDER

	* APPLICABLE ZR SECTION	MAXIMUM PERMITTED	MINIMUM REQUIRED	LEGAL PER C of O or BSA	EXISTING	PROPOSED	
LOT AREA	23-32		3,800 sf	N/A	4,000 sf	4,000 sf	Y
LOT WIDTH	23-32		40'-0"	N/A	40'-0"	40'-0"	Y
USE GROUP (S)	22-00	1, 2, 3, 4		N/A	2	1	Y
FA RESIDENTIAL	23-141b	2,000		N/A	2534.17*	4342.8	N (117%)
FA COMMUNITY FACILITY	N/A	N/A		N/A	N/A	N/A	N/A
FA COMMERCIAL/INDUST.	N/A	N/A		N/A	N/A	N/A	N/A
FLOOR AREA TOTAL	23-141b	2,000		N/A	2534.17**	4342.8	N (117%)
FAR RESIDENTIAL	23-141b	0.5		N/A	0.63	1.09	N (118%)
FAR COMMUNITY FACILITY	N/A	N/A		N/A	N/A	N/A	N/A
FAR COMMERCIAL/INDUST.	N/A	N/A		N/A	N/A	N/A	N/A
FAR TOTAL	23-141b	0.5		N/A	0.63	1.09	N (118%)
OPEN SPACE	23-141b		65%	N/A	74.6%	50.6%	N (22.15%)
OPEN SPACE RATIO	N/A		N/A	N/A	N/A	N/A	N/A
LOT COVERAGE (%)	23-141b	35%		N/A	25.4%	49.4%	N (41.12%)
NO. DWELLING UNITS	23-22	2		N/A	2	1	Y
WALL HEIGHT	23-631(b)	21'-0"		N/A	23'-0 1/16***	23'-0 1/16***	N (9.76%)
TOTAL HEIGHT	23-631(b)	35'-0"		N/A	34'-7 3/8"	35'-0"	Y
NUMBER OF STORIES				N/A	2 + ATT	2 + ATT	N/A
FRONT YARD	23-45a		15'-0"	N/A	15'-3 1/2"	15'-0"	Y
SIDE YARD	23-461a		5'-0"	N/A	4'-9 1/2"	4'-9 1/2"	N (4.2%)
SIDE YARD	23-461a		8'-0"	N/A	4'-3"	4'-3"	N (46.9%)
REAR YARD	23-47		30'-0"	N/A	49'-10"	20'-0"	N (33.3%)
SETBACK (S)	N/A		N/A	N/A	N/A	N/A	N/A
SKY EXP. PLANE (SLOPE)	N/A	N/A		N/A	N/A	N/A	N/A
NO. PARKING SPACES	25-22 & 25-15	3	1	N/A	1	1	Y
LOADING BERTH (S)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
OTHER:	N/A	N/A	N/A	N/A	N/A	N/A	N/A

* In Applicable ZR Section column: For RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g. R3-2, R3-1, R4-1, etc. For COMMUNITY FACILITY developments in residential districts, contrast proposed bulk and area requirements to current district requirements, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY developments in non-residential districts where not permitted, contrast to nearest district where permitted. For all applications, attach zoning map and highlight subject site. Zoning map items noted in the DOB Denial/Objection are included. NOTES: ** Pre-existing and non-compliant





PROPERTY:
 1746 E. 21ST STREET
 BROOKLYN, NEW YORK

CLIENT:
 MR. & MRS. GUINDI
 1746 E. 21ST STREET
 BROOKLYN, NY 11229



N.A. DESIGN STUDIO
 FILING@NADESIGNSTUDIO.COM
 7 BAY 17TH STREET,
 BROOKLYN, NY



PRINTED: 12/22/2014
 SCALE: NOTED
 DWG BY: ES
 CHK BY: AN
 JOB No.: 14-103
 DRAWING TITLE:

EXISTING
 PLOT PLAN

DRAWING NUMBER:

E-100

01 OF 07

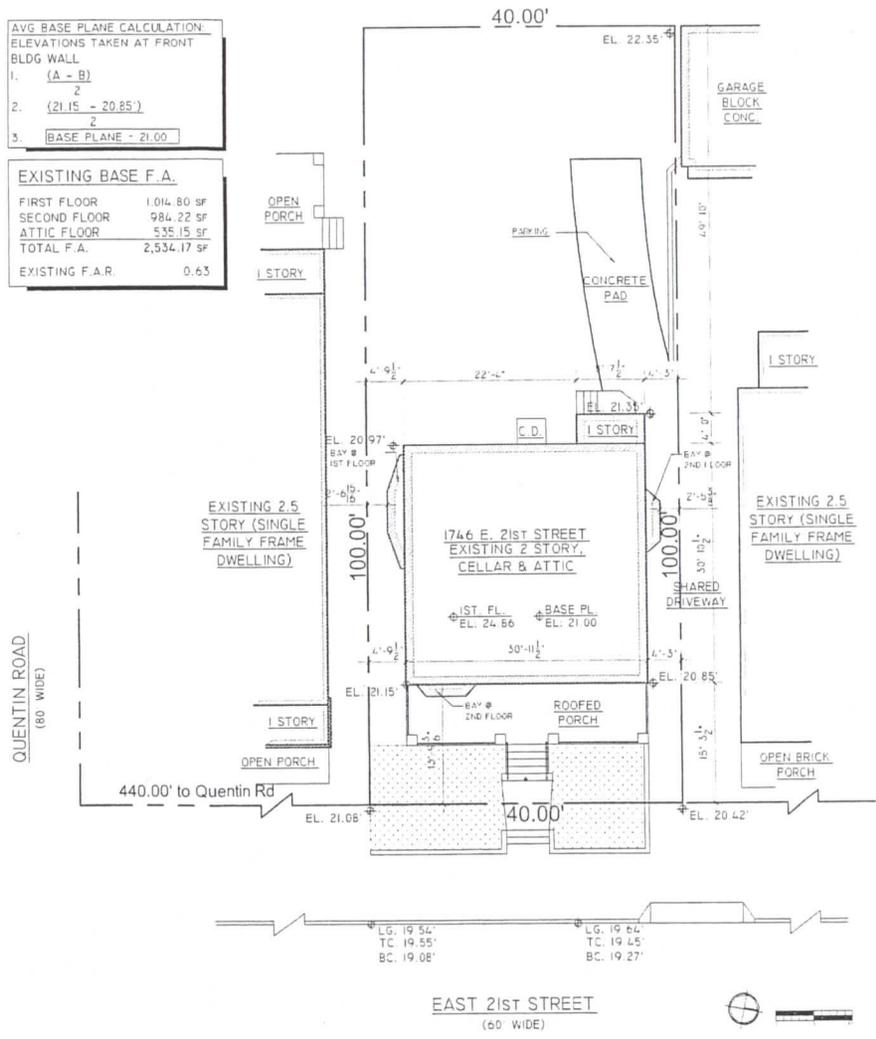
12/22/2014 3:05:09 PM, ojackett

AVG BASE PLANE CALCULATION
 ELEVATIONS TAKEN AT FRONT
 BLDG WALL

- $\frac{(A - B)}{2}$
 $\frac{(21.15 - 20.85)}{2}$
- $\frac{(21.15 - 20.85)}{2}$
- BASE PLANE = 21.00

EXISTING BASE F.A.

FIRST FLOOR	1,014.80 SF
SECOND FLOOR	984.22 SF
ATTIC FLOOR	535.15 SF
TOTAL F.A.	2,534.17 SF
EXISTING F.A.R.	0.63



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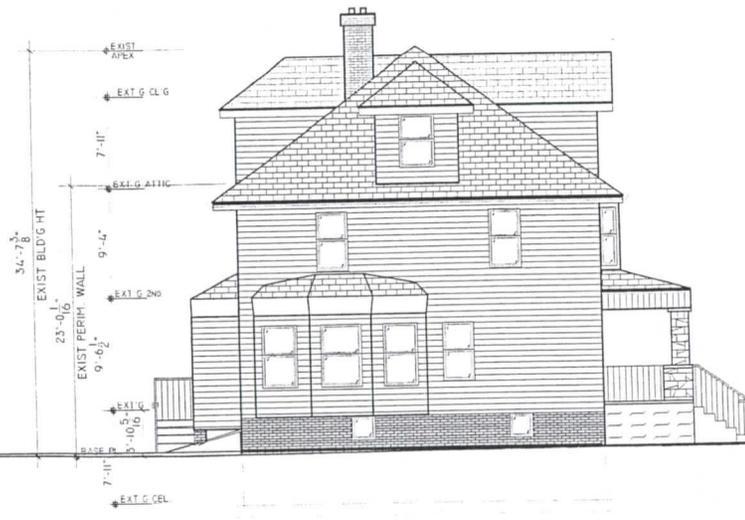


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 DRAWING TITLE:

EXISTING
 ELEVATIONS

DRAWING NUMBER:
E-103

04 OF 07



1 EXISTING EAST ELEVATION - SCALE: 3/32" = 1'-0"

2 EXISTING SOUTH ELEVATION - SCALE: 3/32" = 1'-0"

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