



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. 76-15-BZ
 CEQR NO. 15-BSA-189K

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>	Adi Weiss and Osher Douek <small>OWNER OF RECORD</small> 461 Foster Avenue <small>ADDRESS</small> Brooklyn NY 11230 <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

1825 East 22nd Street 11229
STREET ADDRESS (INCLUDE ANY AKA) ZIP CODE
 East side of East 22nd Street between Quentin Road and Avenue R
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS
6805 57 Brooklyn 15
BLOCK LOT(S) BOROUGH COMMUNITY DISTRICT LANDMARK/HISTORIC DISTRICT
Chaim Deutsch R3-2 23b
CITY COUNCIL MEMBER ZONING DISTRICT ZONING MAP NUMBER
(include special district, if any)

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, 23-631, 23-461 and 23-47
 DOB Decision (Objection/ Denial) date: March 24, 2015 Acting on Application No: 321059518

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 single 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)? <small>PRIOR BSA APPLICATION NO(S):</small>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Attorney
Signature of Applicant, Corporate Officer or Other Authorized Representative TITLE

BEATA JAWORSKI
 NOTARY PUBLIC OF CONNECTICUT
 MY COMMISSION EXPIRES 06/30/2015

SWORN TO ME THIS 6th DAY OF April 20 15
ROBERTA
 NOTARY PUBLIC

BSA CALENDAR NO. _____ BLOCK # 6805 LOT # 57
 SUBJECT SITE ADDRESS: 1825 EAST 22nd STREET, BROOKLYN, NY 11229
 APPLICANT: LYRA ALTMAN

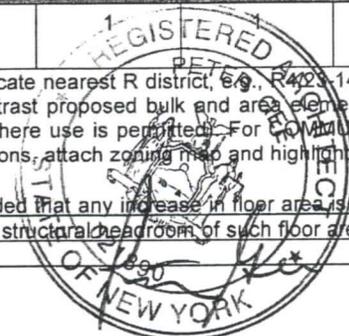
ZONING DISTRICT: R3-2

PRIOR BSA # NA

SPECIAL/HISTORY DISTRICT: NO COMMUNITY BOARD: 15	*APPLICABLE ZR SECTION	MAXIMUM PERMITTED	MINIMUM REQUIRED	LEGAL PER C OF O OR BSA	EXISTING	PROPOSED	COMPLIANT: "Y" IF NOT "N" AND INDICATE AMT OVER/UNDER
LOT AREA	23-32		3,800	NA	3,000	3,000	NO, 21.05% (1)
LOT WIDTH	23-32		40'-0"	NA	30'-0"	30'-0"	NO, 25% (1)
USE GROUP(S)	22-00	1 TO 4		NA	1	1	YES
FA RESIDENTIAL	23-141b	1,500		NA	1,756.63	2,356.55	NO, 57.10%
FA COMMUNITY FACILITY	NA	NA		NA	NA	NA	NA
FA COMMERCIAL	NA	NA		NA	NA	NA	NA
FLOOR AREA TOTAL	23-141b	1,500		NA	1,756.63	2,356.55	NO, 57.10%
FAR RESIDENTIAL**	23-141b	0.50		NA	0.5855	0.7855	NO, 57.20%
FAR COMMUNITY FACILITY**	NA	NA		NA	NA	NA	NA
FAR COMMERCIAL**	NA	NA		NA	NA	NA	NA
FAR TOTAL**	23-141b	0.50		NA	0.5855	0.7855	NO, 57.20%
OPEN SPACE	23-141b		65%	NA	68.01%	58.01%	NO, 10.75%
OPEN SPACE RATIO**	NA		NA	NA	NA	NA	NA
LOT COVERAGE (%)**	23-141b	35%		NA	31.99%	41.99%	NO, 19.97%
NO. DWELLING UNITS**	23-22	2		NA	1	1	YES
PERIMETER WALL HEIGHT**	23-631b	21'-0"		NA	22'-4"	22'-4"	NO, 6.35%
TOTAL HEIGHT	23-631b	35'-0"		NA	28'-0"	28'-0"	YES
NUMBER OF STORIES				NA	2	2	NA
FRONT YARD	23-45a		15'-0"	NA	4'-11 1/2"	4'-11 1/2"	NO, 67% (1)
SIDE YARD	23-461a		5'-0"	NA	3'-0"	3'-0"	NO, 40%
SIDE YARD	23-48		5'-0"	NA	8'-6"	8'-6"	YES
REAR YARD	23-47		30'-0"	NA	40'-3"	25'-3"	NO, 15.83%
SETBACK(S)	NA		NA	NA	NA	NA	NA
SKY EXP. PLANE (SLOPE)	23-631b	ANGLE OF PITCH MAY NOT EXCEED 80 DEGREE		NA	ANGLE OF PITCH NOT EXCEED 80 DEGREE	ANGLE OF PITCH NOT EXCEED 80 DEGREE	YES
NO. PARKING SPACES	25-15, 25-22	3	1	NA	1	1	YES

In Applicable ZR Section column: For RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g., R423-141, and contrast compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area elements to current R district requirements, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY uses in districts where not permitted, contrast to nearest district where permitted. For all applications, attach zoning map and highlight subject site. Be sure that all items noted in the DOB Denial/Objection are included.

NOTES: (1) Existing non-compliance. (2) The floor area ratio maybe increased by up to 20% provided that any increase in floor area is located under a sloping roof which rises at least 3.5" in vertical distance for each foot of horizontal distance and the structural headroom of such floor area is between 5' and 8'. (12/17/2014).



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

April 6, 2015

STATEMENT OF FACTS AND FINDINGS

BSA Calendar No.:
Premises: 1825 East 22nd 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 single family residence located in a residential (R3-2) zoning district. The subject premises has the address of 1825 East 22nd Street, Brooklyn, New York and is known as Block 6805, Lot 57 on the New York City tax map. The site is located within Community District 15 and has a lot area of 3,000 square feet measuring one hundred feet (100') in depth by thirty feet (30') in width.

Plans have been filed with the Department of Buildings in order to permit the desired enlargement. On March 24, 2015, the following objections were issued for the subject Premises:

- 1. Proposed plans are contrary to Z.R. 23-141 in that the proposed floor area ratio exceeds the maximum permitted.*
- 2. Proposed plans are contrary to Z.R. 23-141 in that the proposed open space is less than the minimum required.*
- 3. Proposed plans are contrary to Z.R. 23-141 in that the proposed lot coverage exceeds the maximum permitted.*

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4. *Proposed plans are contrary to Z.R. 23-631 in that the perimeter wall height exceeds the maximum permitted.*
5. *Proposed plans are contrary to Z.R. 23-461 in that the proposed side yard is less than the minimum required.*
6. *Proposed plans are contrary to Z.R. 23-47 in that the proposed rear yard is less than the minimum required.*

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 (1,500 square feet). The existing home has a pre-existing non-complying floor area ratio of .5855 (1,756.63 square feet). The instant proposal increases the floor area ratio to .7855 (2,356.55 square feet). Said floor area ratio is permitted pursuant to Section 73-622 of the Zoning Resolution.

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Open Space:

Section 23-141 of the Zoning Resolution requires a minimum open space of sixty-five percent (65%). The instant proposal calls for an open space of fifty-eight and one hundredths percent (58.01%), a decrease from the existing open space of sixty-eight and one hundredths percent (68.01%). Said open space is permitted pursuant to Section 73-622 of the Zoning Resolution.

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-one and ninety-nine hundredths percent (41.99%), an increase from the existing lot coverage of thirty-one and ninety-nine hundredths percent (31.99%). Said lot coverage is permitted pursuant to Section 73-622 of the Zoning Resolution.

Perimeter Wall Height:

Section 23-631 of the Zoning Resolution permits a maximum perimeter wall height of twenty-one feet (21'). The existing perimeter wall height is twenty-two feet four inches (22' 4"). The instant proposal continues the perimeter wall height of twenty-two feet four inches (22' 4"). 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

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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.

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. Section 23-48 of the Zoning Resolution reduces the required total side yards by four inches (4") for each foot (1') the lot is less than the required width with a minimum of five feet (5') for each side yard. The premises is ten feet (10') less than the required width, resulting in a minimum required width of five feet (5') for each side yard. The existing home has one side yard of two feet eleven and three-quarter inches (2' 11 3/4") and one side yard of eight feet six inches (8' 6"). 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.”

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 feet three inches (40' 3"). The instant proposal reduces this rear yard to twenty-five feet three inches (25' 3"). Said rear yard is permitted pursuant to Section 73-

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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.”

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; 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

