



Board of Standards and Appeals

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

BSA APPLICATION NO. 88-15-BZ
CEQR NO. 15-BSA-195K

Section A

Applicant/
Owner

<p>Law Office of Lyra J. Altman <small>NAME OF APPLICANT</small></p> <p>23 Morningside Drive <small>ADDRESS</small></p> <p>Greenwich CT 06830 <small>CITY STATE ZIP</small></p> <p>(212) 452-4284 <small>AREA CODE TELEPHONE</small></p> <p>lyra@lyraesq.com <small>EMAIL</small></p>	<p>Lisa Wortman and Bruce Wortman <small>OWNER OF RECORD</small></p> <p>1834 East 21st Street <small>ADDRESS</small></p> <p>Brooklyn NY 11229 <small>CITY STATE ZIP</small></p> <p><small>LESSOR/CONTRACT VENDOR</small></p> <p><small>ADDRESS</small></p> <p><small>CITY STATE ZIP</small></p>
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Section B

Site
Data

1834 East 21st Street 11229
STREET ADDRESS (INCLUDE ANY AVA) ZIP CODE

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

6803 21 Brooklyn 15
BLOCK LOT(S) BOROUGH COMMUNITY DISTRICT LANDMARK/HISTORIC DISTRICT

Chaim Deutsch R3-2 23b
CITY COUNCIL MEMBER ZONING DISTRICT (include special district if any) ZONING MAP NUMBER

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 23-47, 23-141 and 23-461
DOB Decision (Objection/ Denial) date: March 20, 2015 Acting on Application No: 320915159

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)? PRIOR BSA APPLICATION NO(S): _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Are there any applications concerning the premises pending before any other government agency?....	<input type="checkbox"/>	<input type="checkbox"/>
3. Is the property the subject of any court action?.....	<input type="checkbox"/>	<input 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 SWORN TO ME THIS 17th DAY OF April 20 15

Lucy A. Stuart
Notary Public
Connecticut
NOTARY PUBLIC My Commission Expires Apr 30, 2020

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

April 17, 2015

STATEMENT OF FACTS AND FINDINGS

BSA Calendar No.:
Premises: 1834 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 single family residence located in a residential (R3-2) zoning district. The subject premises has the address of 1834 East 21st Street, Brooklyn, New York and is known as Block 6803, Lot 21 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 March 20, 2015, the following objections were issued for the subject Premises:

1. *The proposed rear yard depth is contrary to ZR 23-47.*
2. *The proposed floor area is contrary to ZR 23-141 (b).*
3. *The proposed side yard is contrary to ZR 23-461 (a).*

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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

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 thirty-six feet eleven inches (36' 11"). The instant proposal requests an enlargement in the rear yard that reduces this rear yard to twenty-two feet three inches (22' 3"). 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."

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 .40 (1,583.96 square feet). The

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instant proposal increases the floor area ratio to .67 (2,684.22 square feet). Said floor area ratio 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 three feet ten and one-half inches (3' 10 ½") and one side yard of twelve feet eleven inches (12' 11"). The proposed enlargement continues the existing three foot ten and one-half inch (3' 10 ½") side yard and reduces the other side yard to ten feet (10'). 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."

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.

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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,

A handwritten signature in cursive script, appearing to read "Lyra J. Altman".

Lyra J. Altman

BSA CALENDAR NO. _____

BLOCK 6803

LOT 21

SUBJECT SITE ADDRESS

1834 East 21st Street, Brooklyn, NY 11229

APPLICANT

The Law Office of Lyra Altman

ZONING DISTRICT R3-2

PRIOR BSA # NO

COMPLIANT: "Y"

SPECIAL/HISTORIC DISTRICT _____

COMMUNITY BOARD 15

IF NOT: "N" and

INDICATE AMT

	* APPLICABLE	MAXIMUM	MINIMUM	LEGAL PER			
	ZR SECTION	PERMITTED	REQUIRED	C of O or BSA	EXISTING	PROPOSED	OVER/UNDER
LOT AREA	23-32		3,800	N/A	4,000 sf	4,000 sf	Y
LOT WIDTH	23-32		40'	N/A	40'	40'	Y
USE GROUP (S)	22-00	1, 2, 3, 4		N/A	1	1	Y
FA RESIDENTIAL	23-141b	2,000.00		N/A	1,583.96	2,684.22	N (34%)
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	2,000.00		N/A	1,583.96	2,684.22	N (34%)
FAR RESIDENTIAL	23-141b	0.5*		N/A	0.40	0.67	N (34%)
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	0.40	0.67	N (34%)
OPEN SPACE	23-141b		65%	N/A	77.4%	65.3%	Y
OPEN SPACE RATIO	N/A		N/A	N/A	N/A	N/A	N/A
LOT COVERAGE (%)	23-141b	35%		N/A	22.6%	34.7%	Y
NO. DWELLING UNITS	23-22	2		N/A	1	1	Y
WALL HEIGHT	23-631b	21'-0"		N/A	20'-8 5/16"	20'-8 5/16"	Y
TOTAL HEIGHT	23-631b	35'-0"		N/A	25'-7 1/16"	27'-2 1/16"	Y
NUMBER OF STORIES				N/A	2	2	N/A
FRONT YARD	23-45a		5'-0"	N/A	13'-2"	13'-2"	N (12%)
SIDE YARD	23-461a		5'-0"	N/A	3'-10 1/2" ⁺⁺	3'-10 1/2" ⁺⁺	N (23%)
SIDE YARD	23-461a		8'-0"	N/A	12'-11"	10'-0"	Y
REAR YARD	23-47		30'-0"	N/A	36'-11"	22'-3"	N (26%)
SETBACK (S)	N/A		N/A	N/A	N/A	N/A	N/A
SKY EXP. PLANE (SLOPE)	23-631b	80D to hor.		N/A	N/A	N/A	N/A
NO. PARKING SPACES	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., R4/23-141, 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: * FAR may be increased by up to 20% provided that such increase in floor

area is located directly under a sloping roof which rises at least 3 1/2" in vertical distance for each foot of horizontal distance & the structural headroom of such floor area is between 5' & 8'.

**pre-existing non compliance

