



**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. 331-14-BZ  
 CEQR NO. 15-BSA-134K

**Section A**

Applicant/  
Owner

Law Office of Lyra J. Altman  
 NAME OF APPLICANT  
23 Morningside Drive  
 ADDRESS  
Greenwich CT 06830  
 CITY STATE ZIP  
(212) 452-4284  
 AREA CODE TELEPHONE  
 AREA CODE FAX  
lyra@lyraesq.com  
 EMAIL

Nissim Gindi  
 OWNER OF RECORD  
1921 East 9th Street  
 ADDRESS  
Brooklyn NY 11223  
 CITY STATE ZIP  
 LESSEE / CONTRACT VENDEE  
 ADDRESS  
 CITY STATE ZIP

**Section B**

Site  
Data

2171 Ocean Parkway 11223  
 STREET ADDRESS (INCLUDE ANY A/K/A) ZIP CODE  
East side of Ocean Parkway between Avenue U and Avenue V  
 DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS  
7133 45 Brooklyn 15  
 BLOCK LOT(S) BOROUGH COMMUNITY DISTRICT LANDMARK/HISTORIC DISTRICT  
Mark Treyger R5 (OP) 28c  
 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 23-47 and 23-461  
 DOB Decision (Objection/ Denial) date: December 12, 2014 Acting on Application No: 320593256

**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 (R5) zoning district in the Special Ocean Parkway 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)? .....  YES  NO  
 PRIOR BSA APPLICATION NO(S): \_\_\_\_\_

2. Are there any applications concerning the premises pending before any other government agency?...  YES  NO

3. Is the property the subject of any court action?.....  YES  NO

**Section F**

Signature

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

Lyra J. Altman  
 Signature of Applicant, Corporate Officer or Other Authorized Representative

BEATA JANKOWSKA  
 NOTARY PUBLIC OF CONNECTICUT  
 COMMISSION EXPIRES 06/30/2015

SWORN TO ME THIS 29 DAY OF Dec. 2014

Lyra J. Altman Attorney  
 Print Name Title

Beata Jankowska  
 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: 2171 Ocean Parkway  
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 (R5) zoning district in the Special Ocean Parkway District. The subject premises has the address of 2171 Ocean Parkway, Brooklyn, New York and is known as Block 7133, Lot 45 on the New York City tax map. The site is located within Community District 15 and has a lot area of 3,445 square feet measuring one hundred thirty feet (130') in depth by twenty-six feet six inches (26' 6") in width. The entire premises is located in the Special Ocean Parkway District and the last five feet are also located in the sub-district.

Plans have been filed with the Department of Buildings in order to permit the desired enlargement. On December 12, 2014, the following objections were issued for the subject Premises:

- 1. Proposed rear yard condition is less than the minimum 30'-0" required; contrary to ZR 23-47.*

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- Two side yards are required for a total of 13'-0", with any side yard a minimum width of 5'-0". The proposed side yard condition is less than required; contrary to ZR 23-461 (a).*

**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 forty-three feet eight and three-eighths inches (43' 8 3/8"). 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."

Side Yard:

Section 23-461 of the Zoning Resolution requires a total width of side yards of thirteen feet (13')

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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 thirteen feet six inches (13' 6") 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 seven feet one and three-sixteenths inches (7' 1 3/16") and one side yard of two feet seven and three-sixteenths inches (2' 7 3/16"). The proposed enlargement reduces the larger side yard of seven feet one and three-sixteenths inches (7' 1 3/16") to five feet (5') and continues the existing side yard of two feet seven and three-sixteenths inches (2' 7 3/16"). 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, 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. \_\_\_\_\_ BLOCK 7133 LOT 45

SUBJECT SITE ADDRESS 2171 Ocean Parkway, Brooklyn NY 11223

APPLICANT Law Office of Lyra J. Altman

ZONING DISTRICT R5 (OP)+ LAST 5' IN SUBDISTRICT PRIOR BSA # \_\_\_\_\_ COMPLIANT: "Y"  
IF NOT: "N" and

SPECIAL/HISTORIC DISTRICT OP  
COMMUNITY BOARD 15

* APPLICABLE ZR SECTION	MAXIMUM PERMITTED	MINIMUM REQUIRED	LEGAL PER C of O or BSA	EXISTING	PROPOSED	INDICATE AMT OVER/UNDER
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LOT AREA	23-32		3,800 sf	N/A	3,445 sf **	3,445 sf **	N (9.3%)**
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LOT WIDTH	23-32		40'-0"	N/A	26'-6" **	26'-6" **	N (33.8%)**
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USE GROUP (S)	22-00	1, 2, 3, 4		N/A	1	1	Y
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FA RESIDENTIAL	23-141b	4,306.25		N/A	1,681.51	3,773.53	Y
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FA COMMUNITY FACILITY	N/A	N/A		N/A	N/A	N/A	N/A
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FA COMMERCIAL/INDUST.	N/A	N/A		N/A	N/A	N/A	N/A
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FLOOR AREA TOTAL	23-141b	4,306.25		N/A	1,681.51	3,773.53	Y
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FAR RESIDENTIAL	23-141b	1.25		N/A	0.49	1.10	Y
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FAR COMMUNITY FACILITY	N/A	N/A		N/A	N/A	N/A	N/A
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FAR COMMERCIAL/INDUST.	N/A	N/A		N/A	N/A	N/A	N/A
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FAR TOTAL	23-141b	1.25		N/A	0.49	1.10	Y
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OPEN SPACE	23-141b		45%	N/A	74.3%	56.2%	Y
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OPEN SPACE RATIO	N/A		N/A	N/A	N/A	N/A	N/A
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LOT COVERAGE (%)	23-141b	55%		N/A	25.7%	43.8%	Y
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NO. DWELLING UNITS	23-22	5		N/A	1	1	Y
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WALL HEIGHT	23-631(h)(4)	32'-0"		N/A	20'-2 15/16"***	30'-4 11/16"***	Y
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TOTAL HEIGHT	23-631(h)(4)	40'-0"		N/A	27'-3 15/16"	37'-7 7/8"	Y
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NUMBER OF STORIES				N/A	2	3	N/A
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FRONT YARD	113-12		30'-0"	N/A	33'-0"	30'-0"	Y
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SIDE YARD	23-461a;23-48		5'-0"	N/A	7'-1 3/16"	5'-0"	Y
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SIDE YARD	23-461a;23-48		5'-0"	N/A	2'-7 3/16"	2'-7 3/16"	N (48%)
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REAR YARD	23-47		30'-0"	N/A	43'-8 3/8"	20'-0"	N (33.3%)
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SETBACK (S)	23-631(h)(4)		15'-0"	N/A	Complies	Complies	Y
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SKY EXP. PLANE (SLOPE)	23-631(h)(4)	20° to the horizontal		N/A	Complies	Complies	Y
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NO. PARKING SPACES	25-15;25-22	3	1	N/A	1	1	Y
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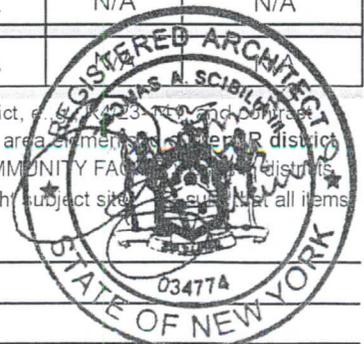
LOADING BERTH (S)	N/A						
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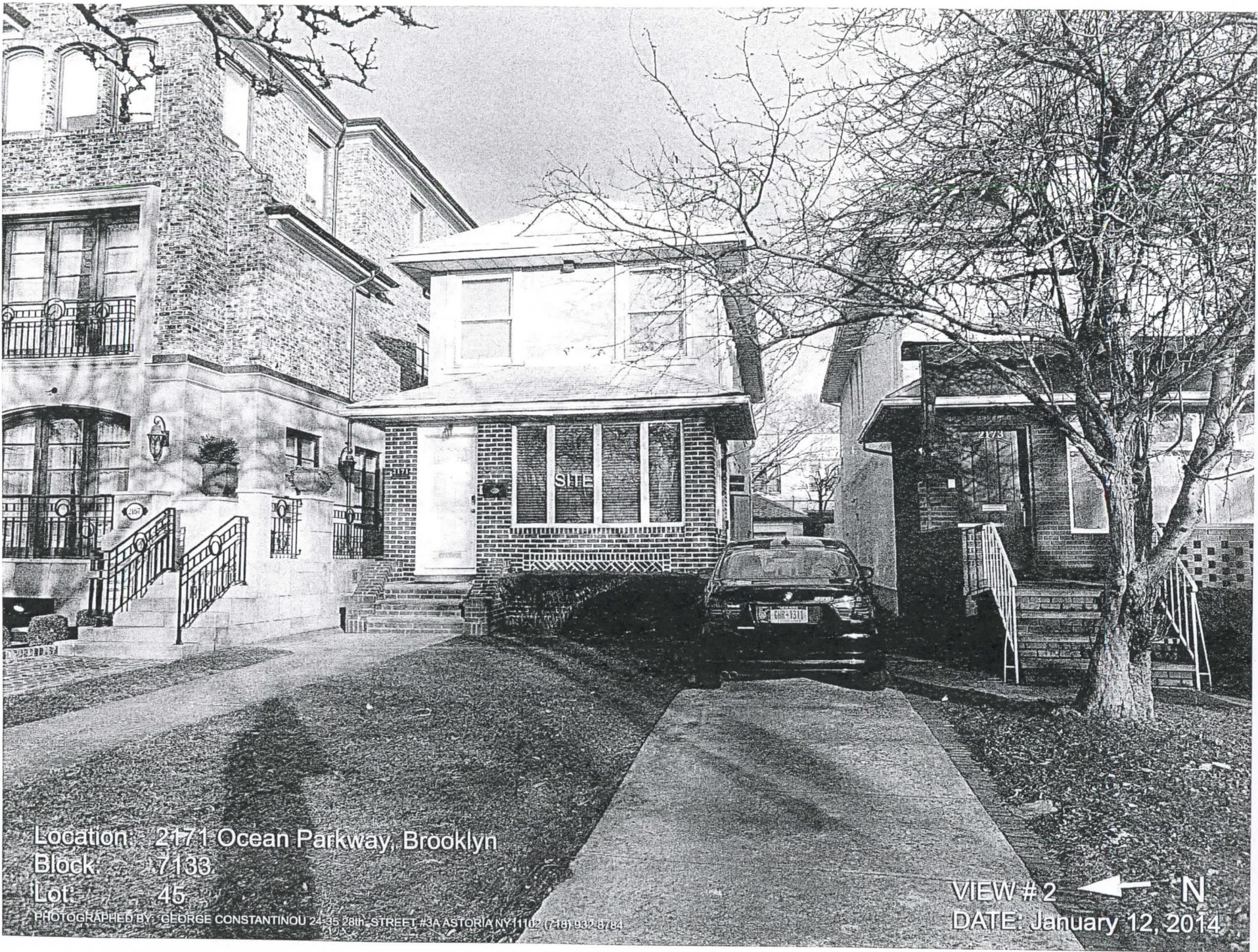
OTHER:	N/A						
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\* In Applicable ZR Section column : For RESIDENTIAL developments in non-residential districts, indicate nearest R district, for COMMUNITY FACILITY developments in residential districts, contrast proposed bulk and area requirements to nearest R district compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area requirements to nearest R district compliance, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY developments in residential districts, where not permitted, contrast to nearest district where permitted. For all applications, attach zoning map and highlight subject site. Not all items noted in the DOB Denial/Objection are included.

NOTES: \*\* Pre-existing and non-compliant

\*\*\* wall ht is measured to bottom of eave





Location: 2171 Ocean Parkway, Brooklyn  
Block: 7133  
Lot: 45

PHOTOGRAPHED BY: GEORGE CONSTANTINOU 24-35 28th STREET #3A ASTORIA NY 11102 (718) 932-8784

VIEW # 2 ← N  
DATE: January 12, 2014

PROPERTY:  
 2171 OCEAN PKWY  
 BROOKLYN, NEW YORK  
 CLIENT:  
 GINDI  
 2171 OCEAN PARKWAY  
 BROOKLYN, NY 11223



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

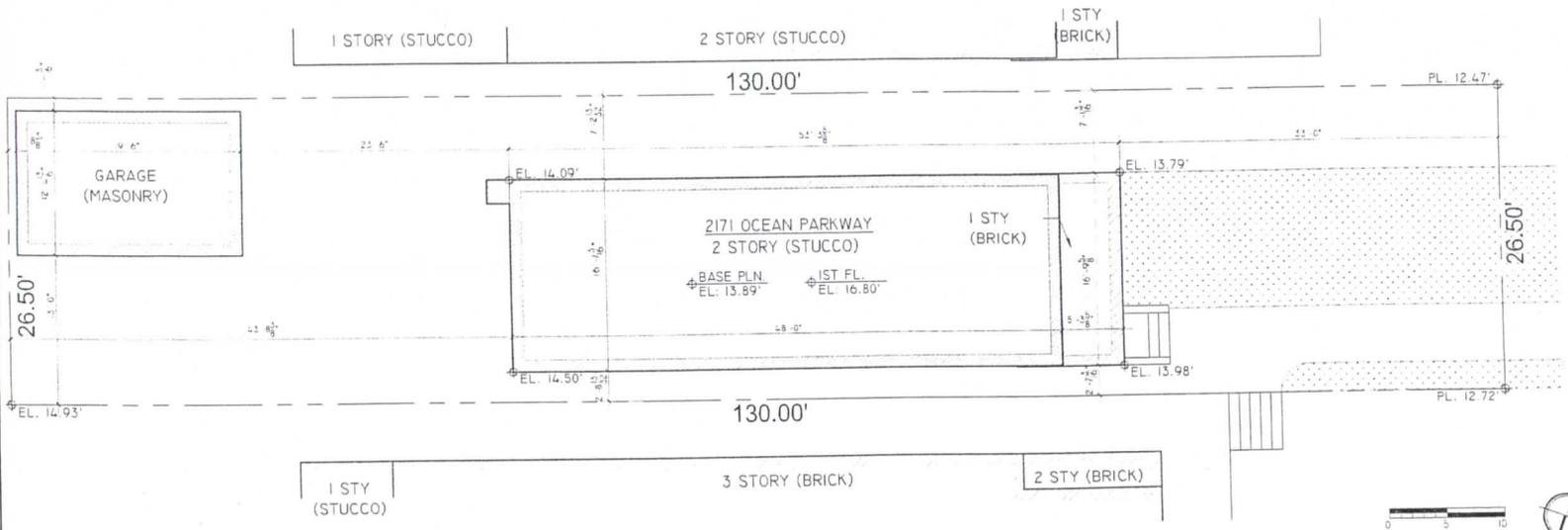


PRINTED: 12/2/2014  
 SCALE: NOTED  
 DWG BY: ES  
 CHK BY: AN  
 JOB No.: 13-105

DRAWING TITLE:  
**EXISTING  
 PLOT PLAN**

DRAWING NUMBER:  
**E-100**

01 OF 07



**AVG BASE PLANE CALCULATION:**  
 ELEVATIONS TAKEN AT FRONT  
 BLDG WALL  
 1.  $\frac{(A + B)}{2}$   
 2.  $\frac{(13.79' + 13.98')}{2}$   
 3. **BASE PLANE = 13.89'**

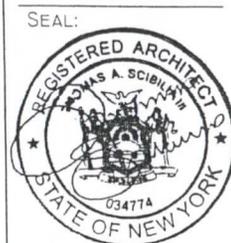
**EXISTING F.A.**  
 FIRST FLOOR 884.76 SF  
 SECOND FLOOR 796.75 SF  
 ATTIC FLOOR 0.0 SF  
 TOTAL F.A. 1,681.51 SF  
 EXISTING F.A.R. 0.49

I EXISTING PLOT PLAN - SCALE: 3/32" = 1'-0"

PROPERTY:  
 2171 OCEAN PKWY.  
 BROOKLYN, NEW YORK  
 CLIENT:  
 GINDI  
 2171 OCEAN PARKWAY  
 BROOKLYN, NY 11223



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 FILING@NADESIGNSTUDIO.COM  
 7 BAY 17TH STREET,  
 BROOKLYN, NY



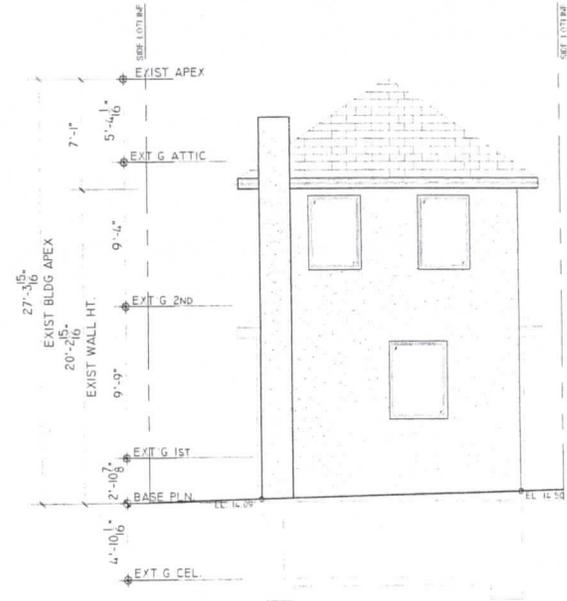
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 DWG BY: ES  
 CHK BY: AN  
 JOB No.: 13-105

DRAWING TITLE:  
**EXISTING  
 ELEVATIONS**

DRAWING NUMBER:  
**E-103**



1 | EXISTING WEST ELEVATION - SCALE: 1/8" = 1'-0"



2 | EXISTING EAST ELEVATION - SCALE: 1/8" = 1'-0"

PROPERTY:  
 2171 OCEAN PKWY  
 BROOKLYN, NEW YORK  
 CLIENT:  
 GINDI  
 2171 OCEAN PARKWAY  
 BROOKLYN, NY 11223



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

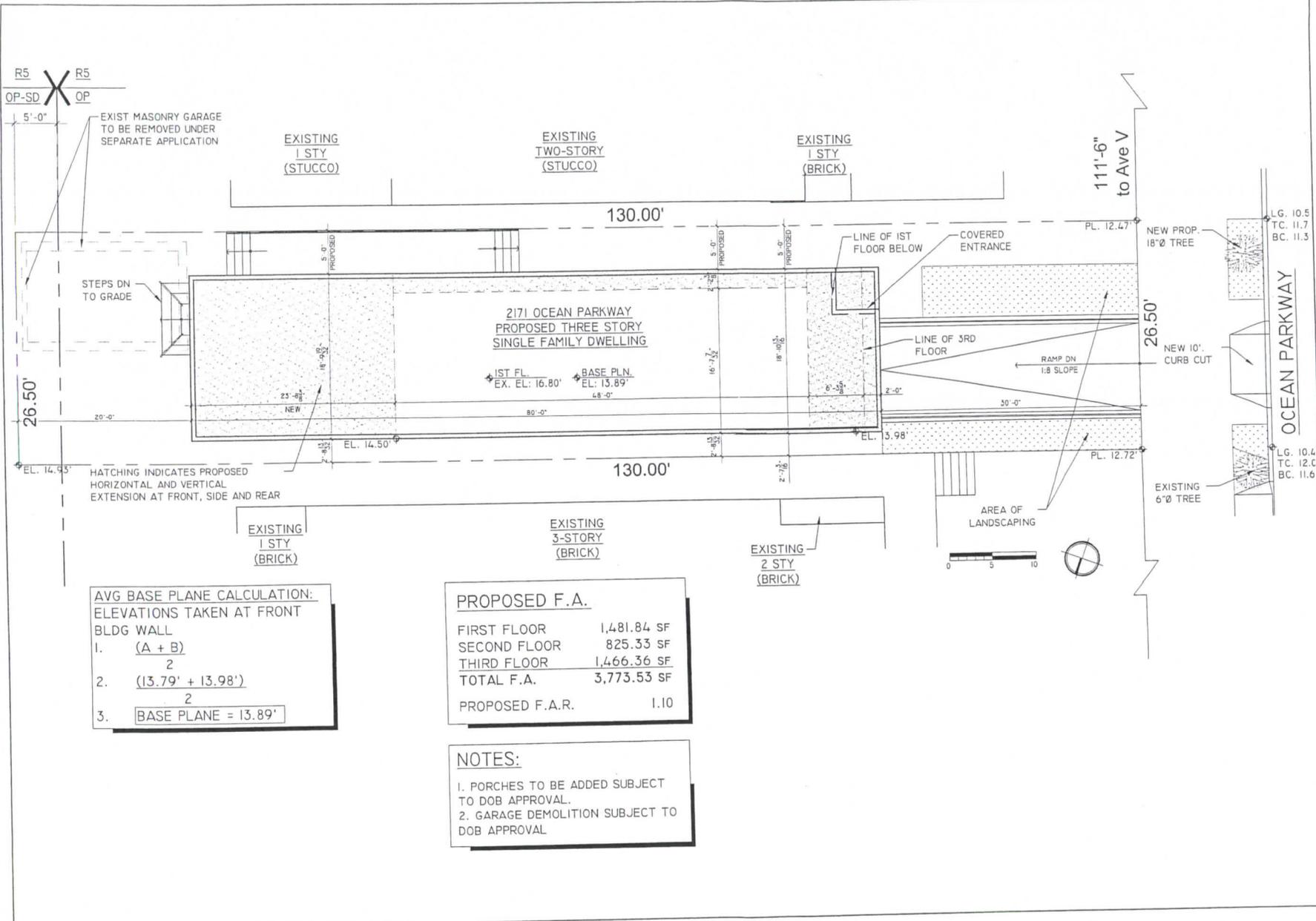


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 SCALE: NOTED  
 DWG BY: ES  
 CHK BY: OJ  
 JOB No.: 13-105  
 DRAWING TITLE:

**PROPOSED  
 PLOT PLAN**

DRAWING NUMBER:  
**A-100**

01 OF 10



1 PROPOSED PLOT PLAN - SCALE: 3/32" = 1'-0"

PROPERTY:  
 2171 OCEAN PKWY  
 BROOKLYN, NEW YORK  
 CLIENT:  
 GINDI  
 2171 OCEAN PARKWAY  
 BROOKLYN, NY 11223



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



PRINTED: 12/4/2014

SCALE: NOTED

DWG BY: ES

CHK BY: OJ

JOB No.: 13-105

DRAWING TITLE:

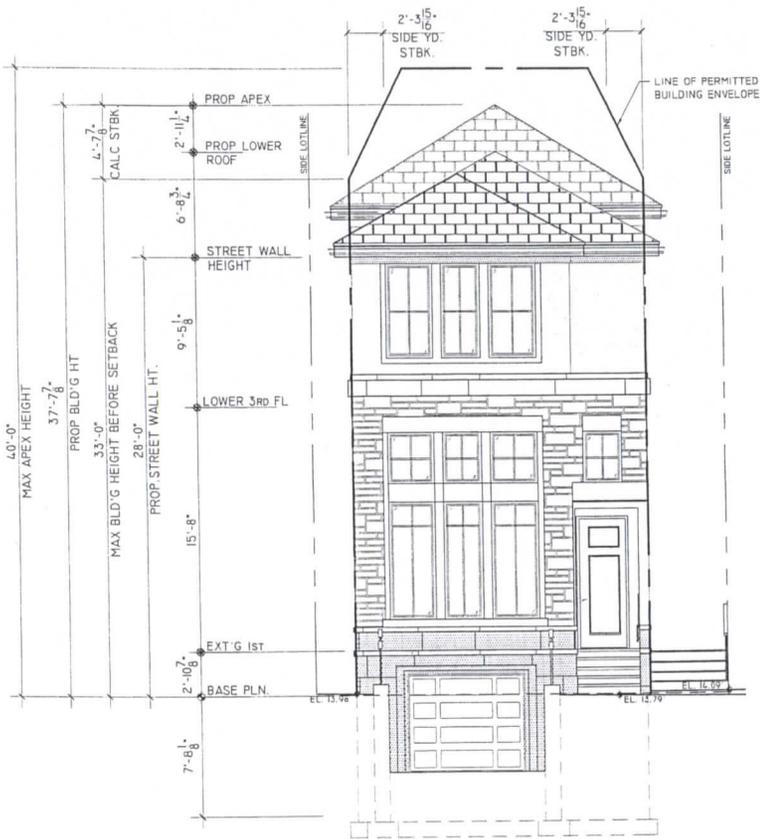
PROPOSED  
 ELEVATIONS

DRAWING NUMBER:

A-104

05 OF 10

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1 | PROPOSED WEST ELEVATION - SCALE: 1/8" = 1'-0"



2 | PROPOSED EAST ELEVATION - SCALE: 1/8" = 1'-0"

PROPERTY:  
 2171 OCEAN PKWY  
 BROOKLYN, NEW YORK  
 CLIENT:  
 GINDI  
 2171 OCEAN PARKWAY  
 BROOKLYN, NY 11223



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

SEAL:



PRINTED: 12/4/2014

SCALE: NOTED

DWG BY: ES

CHK BY: OJ

JOB No.: 13-105

DRAWING TITLE:

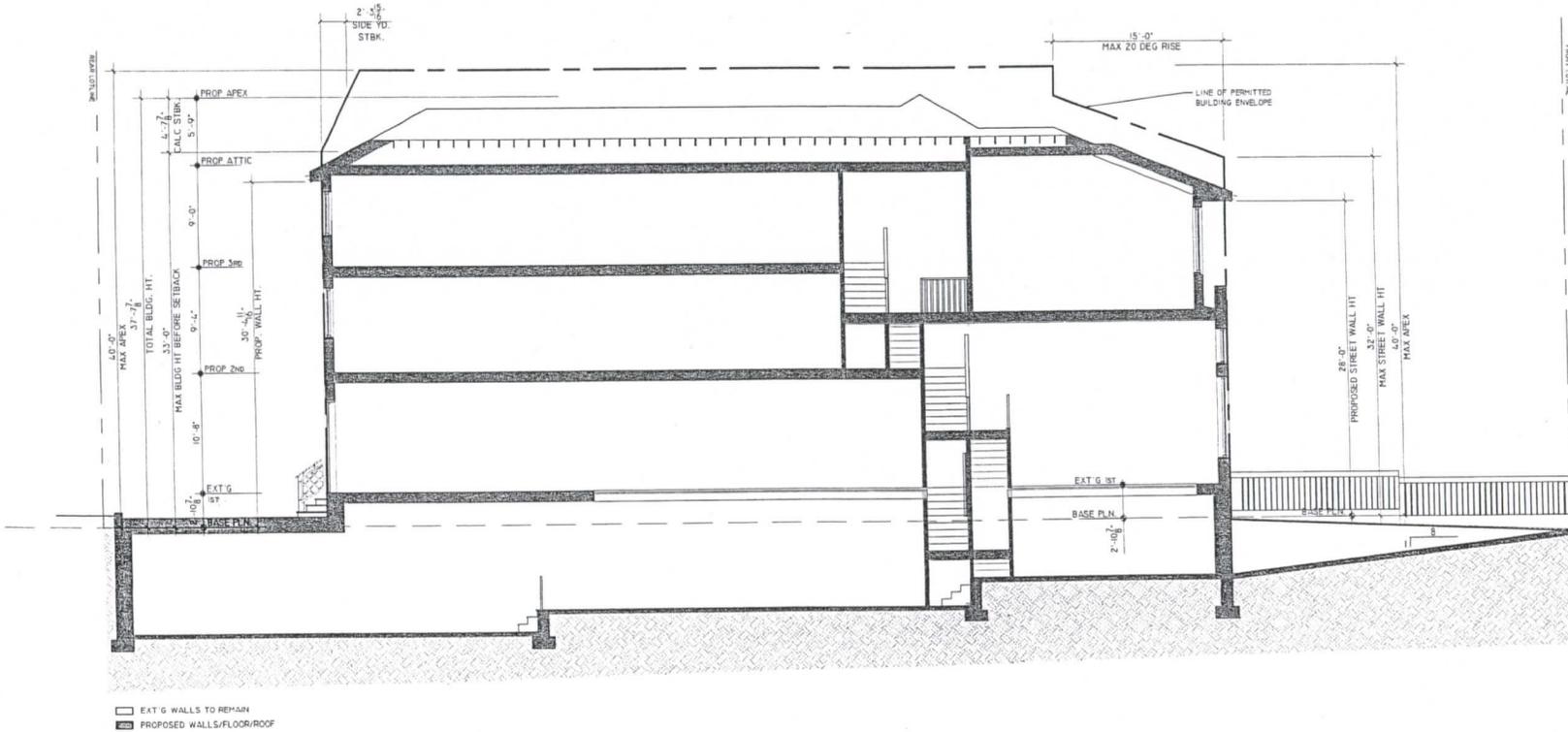
PROPOSED  
 SECTIONS

DRAWING NUMBER:

A-108

09 OF 10

12/4/2014 12:08:44 PM: ojacker



I SECTION B-B - SCALE: 3/32" = 1'-0"

PROPERTY:  
 2171 OCEAN PKWY  
 BROOKLYN, NEW YORK  
 CLIENT:  
 GINDI  
 2171 OCEAN PARKWAY  
 BROOKLYN, NY 11223



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

SEAL:



PRINTED: 12/4/2014

SCALE: NOTED

DWG BY: ES

CHK BY: OJ

JOB No.: 13-105

DRAWING TITLE:

PROPOSED  
 STREET-  
 SCAPE

DRAWING NUMBER:

A-109

10 OF 10

12/4/2014 12:08:48 PM ojackson



I | PROPOSED STREETScape - SCALE: 1/8" = 1'-0"