



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. 2016-4164-BZ  
 CEQR NO. 16-BSA-103K

**Section A**

Applicant/  
 Owner

<u>Law Office of Lyra J. Altman</u> NAME OF APPLICANT	<u>Mark M. Papa and Chana S. Papa</u> OWNER OF RECORD
<u>23 Morningside Drive</u> ADDRESS	<u>1749 East 32nd Street</u> ADDRESS
<u>Greenwich</u> <u>CT</u> <u>06830</u> CITY STATE ZIP	<u>Brooklyn</u> <u>NY</u> <u>11234</u> CITY STATE ZIP
<u>(212)</u> <u>452-4284</u> AREA CODE TELEPHONE	LESSEE / CONTRACT VENDEE
<u>lyra@lyraesq.com</u> EMAIL	ADDRESS
	CITY STATE ZIP

**Section B**

Site  
 Data

1744 East 29th Street 11229  
 STREET ADDRESS (INCLUDE ANY A/K/A) ZIP CODE

West side of East 29th Street between Quentin Road and Avenue R  
 DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

6811 22 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, 23-461, 23-48 and 23-47  
 DOB Decision (Objection/ Denial) date: March 8, 2016 Acting on Application No: 321307046

**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 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 Title

SWORN TO ME THIS 5th DAY OF Apr. 2016

Debbie A. Young  
 NOTARY PUBLIC OF THE STATE OF NEW YORK  
 MY COMMISSION EXPIRES 12/31/2017

BSA CALENDAR NO. \_\_\_\_\_

BLOCK 6811

LOT 22

SUBJECT SITE ADDRESS

1744 East 29th Street

APPLICANT \_\_\_\_\_

ZONING DISTRICT R3-2

PRIOR BSA # \_\_\_\_\_

COMPLIANT: "Y"

SPECIAL/HISTORIC DISTRICT N/A

IF NOT: "N" and

COMMUNITY BOARD 15

INDICATE AMT

LOT AREA

LOT WIDTH

USE GROUP (S)

FA RESIDENTIAL

FA COMMUNITY FACILITY

FA COMMERCIAL/INDUST.

FLOOR AREA TOTAL

FAR RESIDENTIAL

FAR COMMUNITY FACILITY

FAR COMMERCIAL/INDUST.

FAR TOTAL

OPEN SPACE

OPEN SPACE RATIO

LOT COVERAGE (%)

NO. DWELLING UNITS

WALL HEIGHT

TOTAL HEIGHT

NUMBER OF STORIES

FRONT YARD

SIDE YARD

SIDE YARD

REAR YARD

SETBACK (S)

SKY EXP. PLANE (SLOPE)

NO. PARKING SPACES

LOADING BERTH (S)

OTHER: \_\_\_\_\_

	* APPLICABLE ZR SECTION	MAXIMUM PERMITTED	MINIMUM REQUIRED	LEGAL PER C of O or BSA	EXISTING	PROPOSED	INDICATE AMT OVER/UNDER
LOT AREA	23-32		3,800	N/A	3,000	3,000	NO* 21 %
LOT WIDTH	23-32		40'-0"	N/A	30'-0"	30'-0"	NO* 25%
USE GROUP (S)	22-00	1,2,3 &4		N/A	1	1	YES
FA RESIDENTIAL	23-141(b)	1,500**		N/A	1,483	2,627	NO, 75%
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	23-141	1500**		N/A	1483	2,627	NO, 75%
FAR RESIDENTIAL	23-141(b)	0.5**		N/A	.49	.88	NO, 76%
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	23-141	0.5**		N/A	.49	.88	NO, 76%
OPEN SPACE	23-141(b)		65%	N/A	71%	56%	NO, 14%
OPEN SPACE RATIO	N/A		N/A	N/A	N/A	N/A	N/A
LOT COVERAGE (%)	23-141(b)	35%		N/A	29%	44%	NO, 26%
NO. DWELLING UNITS	23-22	2		N/A	1	1	YES
WALL HEIGHT	23-631(b)	21'-0"		N/A	20'-11"	20'-11"	YES
TOTAL HEIGHT	23-631(b)	35'-0"		N/A	29'-2"	29'-11"	YES
NUMBER OF STORIES				N/A	2	2	N/A
FRONT YARD	23-45(a)		15'-0"	N/A	14'-6"	14'-6"	NO 3%*
SIDE YARD	23-461(a)		5'-0"	N/A	3'-1"	3'-1"	NO 38%*
SIDE YARD	23-48		5'-0"	N/A	6'-7"	6'-7"	YES
REAR YARD	23-47		30'-0"	N/A	37'-2"	20'-0"	NO 33%
SETBACK (S)				N/A			
SKY EXP. PLANE (SLOPE)	23-631	80deg. Hor		N/A	25deg. Hor	25deg. Hor	YES
NO. PARKING SPACES	25-15 /25-22	3	1	N/A	1	1	YES
LOADING BERTH (S)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
OTHER:							

\* In Applicable ZR Section column: For RESIDENTIAL developments in non-residential districts, indicate nearest R district, e.g., R3-23-141 and contrast compliance. For COMMERCIAL or MANUFACTURING developments in residential districts, contrast proposed bulk and area element requirements, except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY developments where not permitted, contrast to nearest district where permitted. For all applications, attach zoning map and highlight subject site. Be sure to note in the DOB Denial/Objection are included. NOTES: \* Pre-existing non-compliance

\*\* ZR23-141 Permits an FAR .5 with an increase of up to 20% provided that any such increase in floor area is located under a sloping roof which rises at least three & one half inches in vertical distance for every foot of horizontal distance and structural headroom of each floor area is between five & eight feet



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

April 5, 2016

**STATEMENT OF FACTS AND FINDINGS**

BSA Calendar No.:  
Premises: 1744 East 29<sup>th</sup> 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 1744 East 29<sup>th</sup> Street, Brooklyn, New York and is known as Block 6811, Lot 22 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 8, 2016, the following objections were issued for the subject Premises:

- 1. Proposed plans are contrary to Zoning Resolution Section 23-141 in that the proposed floor area ratio exceeds the maximum permitted.*
- 2. Proposed plans are contrary to Zoning Resolution Section 23-141 in that the proposed open space is less than the minimum required.*
- 3. Proposed plans are contrary to Zoning Resolution Section 23-141 in that the proposed lot coverage exceeds the maximum permitted.*
- 4. Proposed plans are contrary to Zoning Resolution Sections 23-461 and 23-48 in that the proposed side yard is less than the minimum required.*

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5. *Proposed plans are contrary to Zoning Resolution Section 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 floor area ratio of .49 (1,483 square feet). The instant proposal increases the floor area ratio to .88 (2,627 square feet). Said floor area ratio is permitted pursuant to Section 73-622 of the Zoning Resolution.

**Open Space:**

Section 23-141 of the Zoning Resolution requires a minimum open space of sixty-five percent (65%). The instant proposal calls for open space of fifty-six percent (56%), a decrease from the

## LAW OFFICE OF LYRA J. ALTMAN

existing open space of seventy-one percent (71%). 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 lot coverage of forty-four percent (44%), an increase from the existing lot coverage of twenty-nine percent (29%). Said lot coverage 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. Section 23-48 of the Zoning Resolution reduces the required total side yards by four inches (4") for each foot (1') the lot is narrower than the required width with a minimum of five feet (5') for each side yard. The premises is ten feet (10') narrower 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 three feet one inch (3' 1") and one side yard of six feet seven inches (6' 7"). 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 thirty-seven feet two inches (37' 2"). 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."

**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

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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.

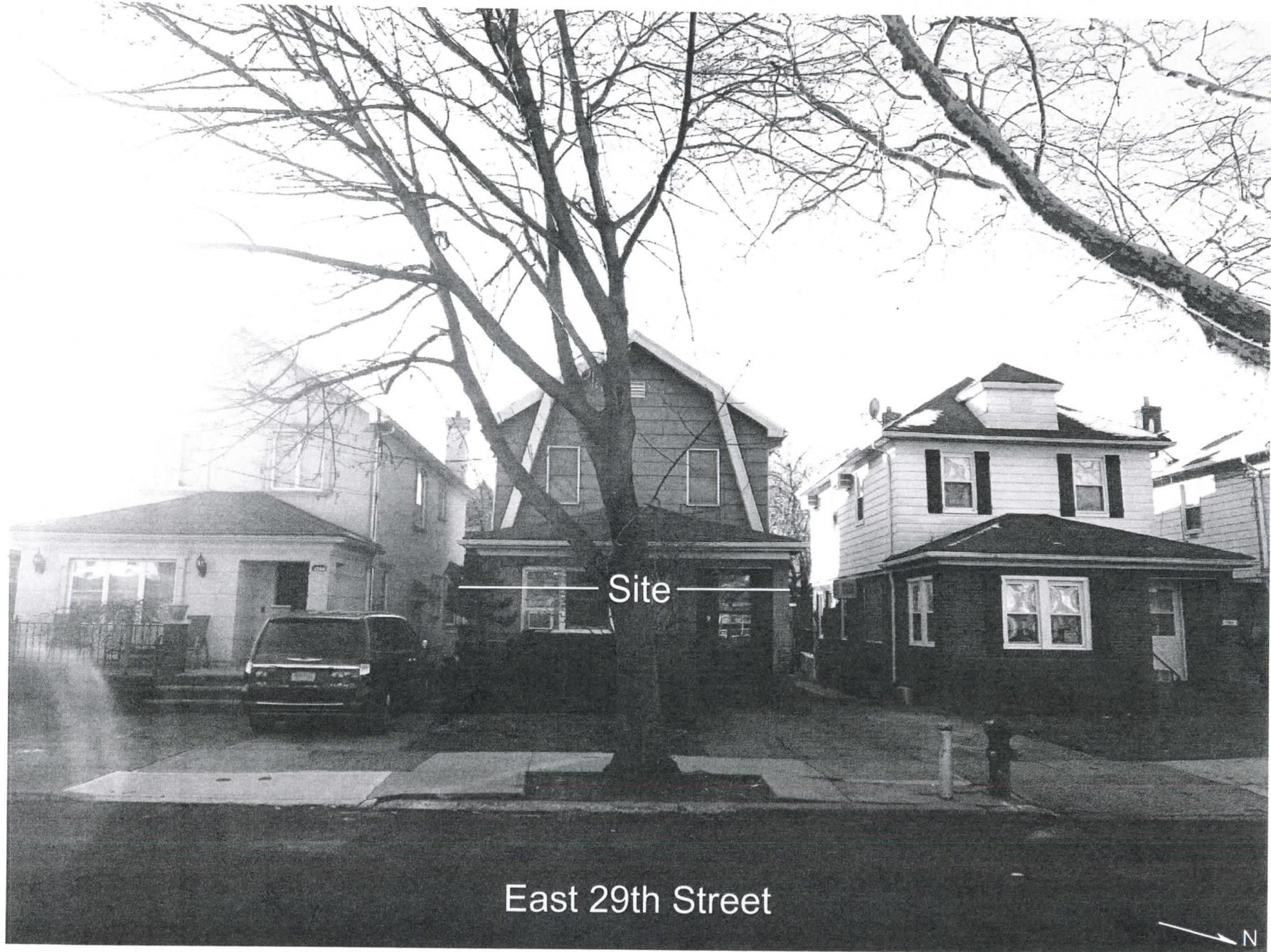
Respectfully submitted,

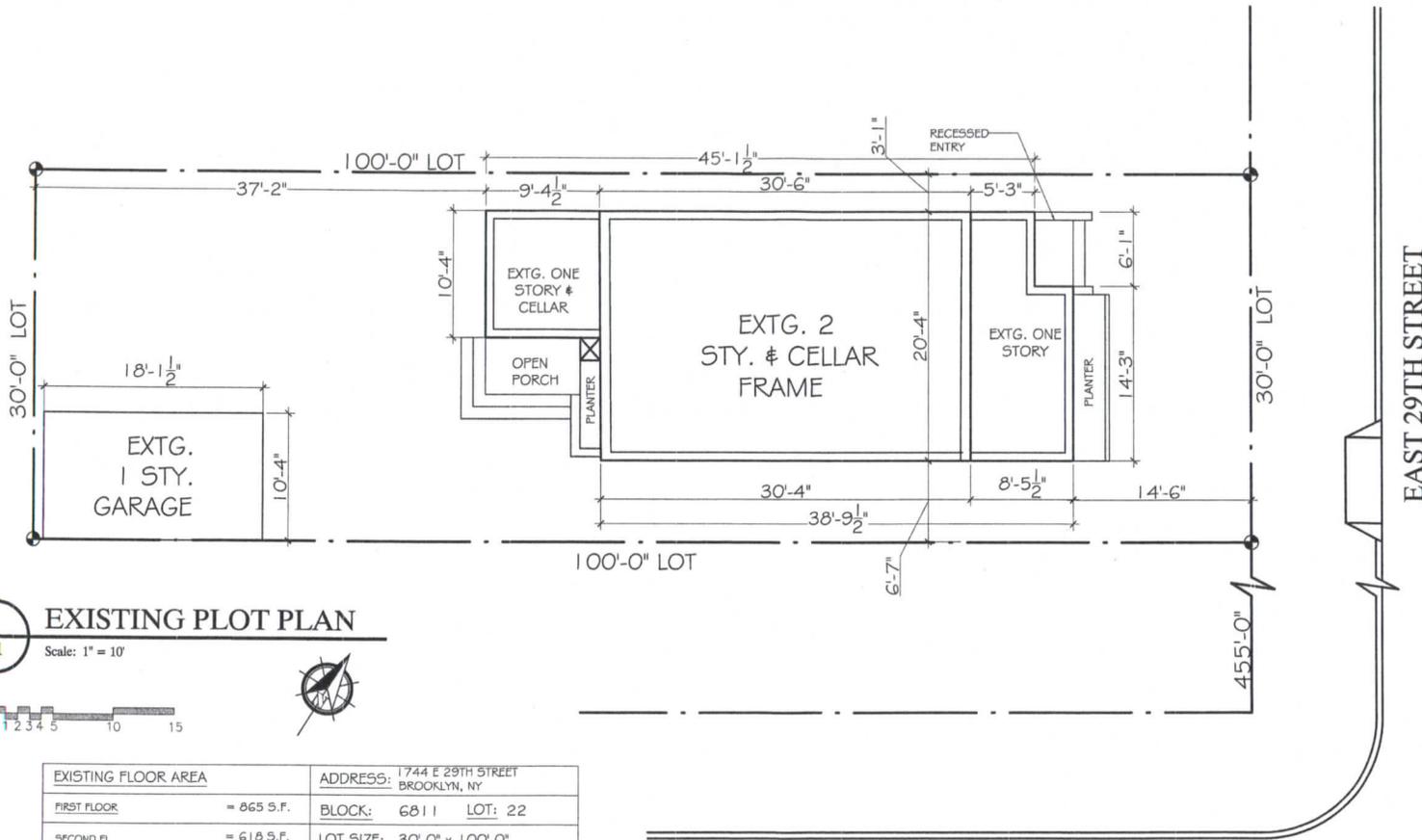
A handwritten signature in cursive script, appearing to read "Lyra J. Altman".

Lyra J. Altman



East 29th Street





1  
E-1 **EXISTING PLOT PLAN**  
Scale: 1" = 10'



<b>EXISTING FLOOR AREA</b>	<b>ADDRESS:</b> 1744 E 29TH STREET BROOKLYN, NY
<b>FIRST FLOOR</b> = 865 S.F.	<b>BLOCK:</b> 6811 <b>LOT:</b> 22
<b>SECOND FL.</b> = 618 S.F.	<b>LOT SIZE:</b> 30'-0" x 100'-0"
<b>TOTAL EXTG. FLOOR AREA:</b> = 1,483 S.F.	<b>ZONE:</b> R3-2
<b>TOTAL EXISTING F.A.R.:</b> .49	<b>MAP:</b> 23b

**AVENUE R**

DATE: 07/17/15 SCALE: AS NOTED



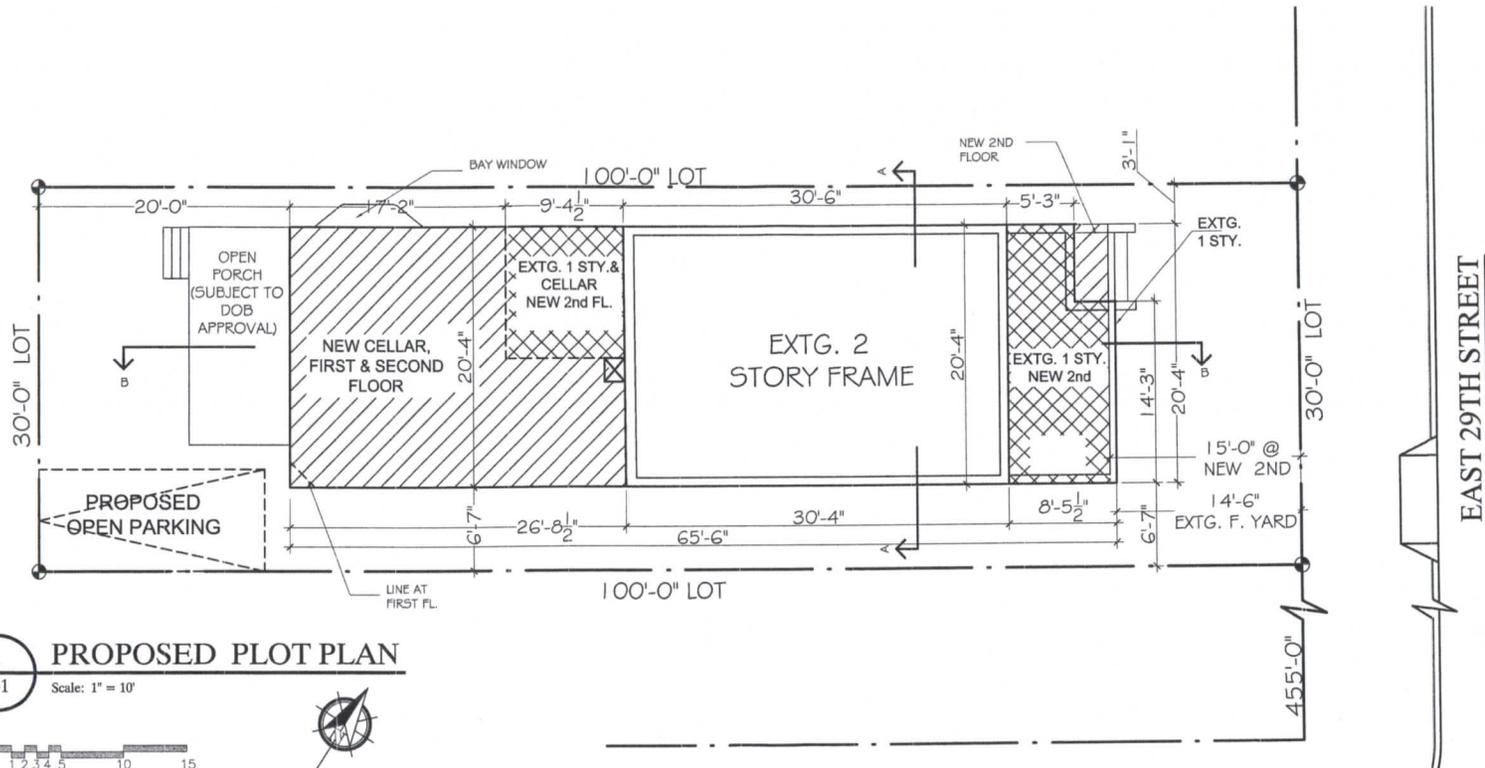
**PAPA RESIDENCE**  
1744 E 29TH STREET  
BROOKLYN N.Y.

**Eyal Levitt**  
**Architect P. C.**  
1530 Coleman Street  
BROOKLYN, N.Y. 11234  
office: 718-951-0501 fax: 347-702-4060

**EXISTING PLOT PLAN**

**E-1**

1 OF 9



**1 PROPOSED PLOT PLAN**  
 P-1 Scale: 1" = 10'

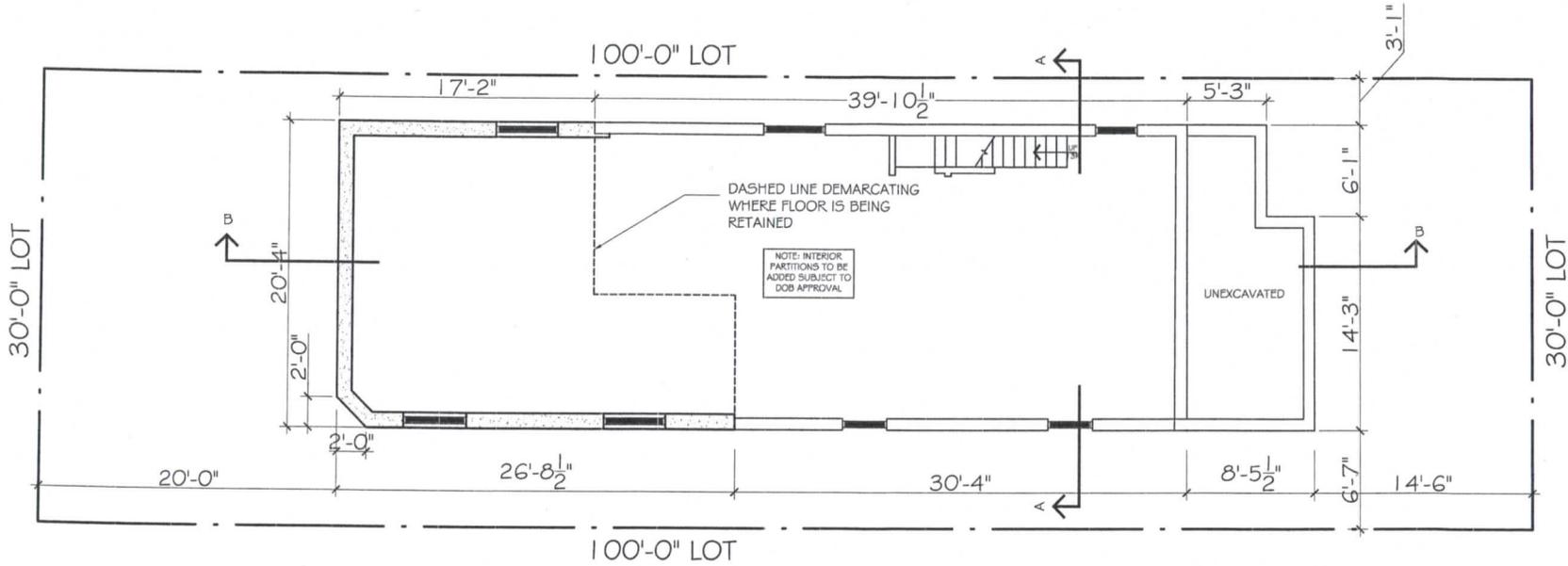


<b>PROPOSED FLOOR AREA</b>		<b>ADDRESS:</b> 1744 E 29TH STREET BROOKLYN, NY	
<b>FIRST FLOOR</b>	EXISTING = 665 S.F. + PROPOSED = 442 TOTAL = 1,307 S.F.	<b>BLOCK:</b> 6811	<b>LOT:</b> 22
<b>SECOND FL.</b>	EXISTING = 618.00 S.F. + PROPOSED = 702 TOTAL = 1,320 S.F.	<b>LOT SIZE:</b> 30'-0" x 100'-0"	
<b>TOTAL FLOOR AREA:</b>	EXTG. = 1,483 S.F. + PROPOSED = 1,144 TOTAL = 2,627 S.F.	<b>ZONE:</b> R3-2	
<b>TOTAL PROPOSED F.A.R.:</b>	.88	<b>MAP:</b> 23b	

**AVENUE R**

**EAST 29TH STREET**

Eyal Levitt Architect P. C. 1530 Coleman Street BROOKLYN, N.Y. 11234 office: 718-951-0501 fax: 347-702-4060	P-1	1 OF 9
	<b>PAPA RESIDENCE</b> <b>1744 E 29TH STREET</b> <b>BROOKLYN N.Y.</b>	
DATE: 07/17/15 SCALE: AS NOTED	<b>PROPOSED PLOT PLAN</b>	



DASHED LINE DEMARCATING WHERE FLOOR IS BEING RETAINED

NOTE: INTERIOR PARTITIONS TO BE ADDED SUBJECT TO DOB APPROVAL

UNEXCAVATED

LEGEND :

- EXISTING EXTERIOR & INTERIOR WALL TO REMAIN
- NEW EXTERIOR & INTERIOR FRAME WALL
- NEW FOUNDATION WALL



**PROPOSED CELLAR PLAN**  
SCALE: 1/8" = 1'-0"



**Eyal Levitt**  
Architect P. C.  
1530 Coleman Street  
BROOKLYN, N. Y. 11234  
office: 718-951-0501  
fax: 347-702-4060

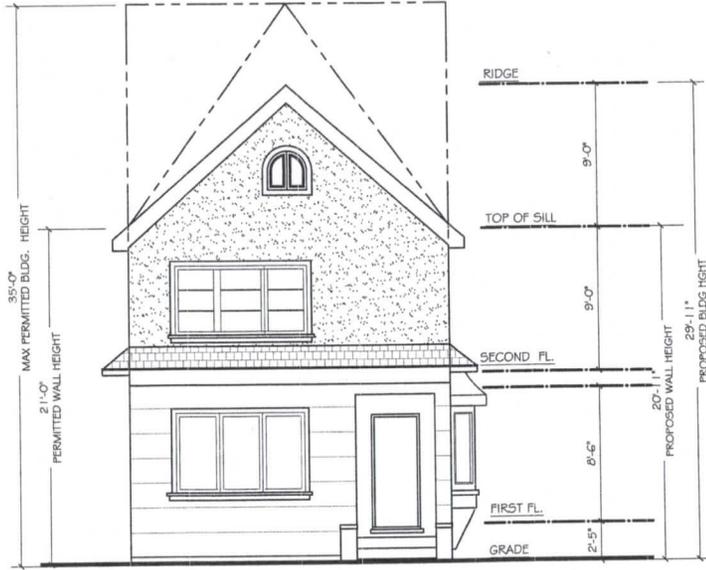
**PAPA**  
**RESIDENCE**  
1744 E 29TH STREET  
BROOKLYN N.Y.



DATE: 07/17/15 | SCALE: AS NOTED

**PROPOSED CELLAR FLOOR PLAN**





PROPOSED EAST(FRONT) ELEVATION  
SCALE: 1/8" = 1'-0"



PROPOSED WEST (REAR) ELEVATION  
SCALE: 1/8" = 1'-0"



DATE: 07/17/15

SCALE: AS NOTED

SEAL:

**PROPOSED ELEVATIONS**



**PAPA RESIDENCE**  
1744 E 29TH STREET  
BROOKLYN N.Y.

Eyal Levitt  
Architect P. C.

1530 Coleman Street  
BROOKLYN, N.Y. 11234  
office: 718-951-0501 fax: 347-702-4060



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



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

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office: 718-951-0501 fax: 347-702-4060

PAPA  
RESIDENCE  
1744 E 29TH STREET  
BROOKLYN N. Y.



DATE: 07/17/15 SCALE: AS NOTED SEAL:

PROPOSED  
ELEVATIONS



30'-0"  
21'-3"

HOUSE # 1748



29'-11"  
20'-11"

HOUSE # 1744



27'-6"  
20'-5"

HOUSE # 1740



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

DATE: 07/17/15 | SCALE: AS NOTED | SEAL:

**PROPOSED  
STREETSCAPE  
ELEVATION**



**PAPA  
RESIDENCE**  
1744 E 29TH STREET  
BROOKLYN N.Y.

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