

197-08-BZ

APPLICANT – Stuart Klein, Esq., for Carroll Gardens Realty, LLC, owner.

SUBJECT – Application April 27, 2012 – Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment. R4 zoning district.

PREMISES AFFECTED – 341-349 Troy Avenue, aka 1515 Carroll Street, north east corner of Troy Avenue and Carroll Street, Block 1407, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #9BK

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Otley-Brown, Commissioner Hinkson and Commissioner Montanez5

Negative:.....0

THE RESOLUTION –

WHEREAS, this is an application for an amendment to a prior grant for the construction of a five-story residential building; and

WHEREAS, a public hearing was held on this application on October 23, 2012, after due notice by publication in *The City Record*, with a continued hearing on June 4, 2013, and then to decision on June 18, 2013; and

WHEREAS, the site and surrounding area had site and neighborhood examinations by Chair Srinivasan, Vice-Chair Collins, Commissioner Hinkson, Commissioner Montanez, and Commissioner Otley-Brown; and

WHEREAS, Community Board 9, Brooklyn, recommends approval of this application; and

WHEREAS, the subject site is located on the northeast corner of Troy Avenue and Carroll Street, within an R4 zoning district; and

WHEREAS, on March 16, 2010, the Board granted a variance under the subject calendar number to permit, on a site within an R4 zoning district, a proposed five-story (including penthouse) residential building with 34 dwelling units and 35 accessory parking spaces, which exceeds the maximum permitted FAR, lot coverage, wall height, total height, and number of dwelling units and, does not provide the minimum required front or side yards, contrary to ZR §§ 23-141, 23-462(a), 23-631(b),

A true copy of resolution adopted by the Board of Standards and Appeals, June 18, 2013.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

23-22, and 23-45; and

WHEREAS, the applicant initially sought to amend the plans to allow for rooftop mechanical space which is not a permitted obstruction in an R4-infill district; to decrease the number of dwelling units by creating larger apartments to meet the neighborhood demand; and to reduce the number of parking spaces accordingly; and

WHEREAS, the applicant represents that the proposed changes will not increase the approved amount of floor area; and

WHEREAS, at hearing, the Board raised concerns about the scale of the rooftop mechanicals and questioned whether it would count as floor area; and

WHEREAS, accordingly, the Board directed the applicant to consider alternative locations for the mechanicals including the potential for it to be within the individual units; and

WHEREAS, in response, the applicant determined that it could provide mechanicals within the individual units and modified its original request; and

WHEREAS, the applicant now seeks only to reduce the number of dwelling units from 34 to 26 by creating duplex apartments throughout the building and to reduce the number of parking spaces from 35 to 32; and

WHEREAS, based on its review of the record, the Board finds the amendments are appropriate, with the conditions set forth below.

Therefore it is Resolved that the Board of Standards and Appeals reopens and amends the resolution, dated March 16, 2010, so that as amended this portion of the resolution shall read: “to allow for the reduction in the number of dwelling units from 34 to 26 and the number of parking spaces from 35 to 32 and the associated redesign; *on condition* that all work and site conditions will comply with drawings marked “Received May 22, 2013”– Thirteen (13) sheets; and *on further condition*:

THAT all conditions from prior resolutions not specifically waived by the Board remain in effect;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code, and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.”

(DOB Application No. 301575472)

Adopted by the Board of Standards and Appeals, June 18, 2013.

