

**1180-80-BZ**

APPLICANT – SFS Associates, for One Tiffany Place Condominium, owner.

SUBJECT – Application September 21, 2005 – Reopening for an amendment to the resolution to include superintendents’ apartment in the cellar of the existing building.

PREMISES AFFECTED – 1 Tiffany Place, Block 320, Lot 20, Borough of Brooklyn.

**COMMUNITY BOARD #6BK**

APPEARANCES – None.

**ACTION OF THE BOARD** – Application granted on condition.

**THE VOTE TO GRANT** –

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Chin and Commissioner Collins.....4  
Negative:.....0

**THE RESOLUTION** –

WHEREAS, this application is a request for a re-opening and an amendment to a previously granted variance, to permit the construction of a superintendent’s apartment in the cellar of the existing building; and

WHEREAS, a public hearing was held on this application on February 14, 2006 after due notice by publication in *The City Record*, laid over to continued hearings on April 11, 2006 and then to decision on May 2, 2006; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board; and

WHEREAS, Community Board 6, Brooklyn recommended approval of this application; and

WHEREAS, the subject site is a 25,045 sq. ft. lot, with frontage on Tiffany Place, Kane Street, and Hicks Street; and

WHEREAS, on July 13, 1982, the Board granted an application under ZR § 72-21, to permit, in an M1-1 zoning district, the development of residential units in an existing manufacturing building at the site, plus the addition of one floor; and

WHEREAS, subsequently, the Board approved two amendments which allowed for an extension of time to complete construction and several design changes which resulted in a reduction of the total floor area; and

WHEREAS, the site has since been re-zoned to R6; and

WHEREAS, the applicant proposes to convert a recreation room in the cellar into a 1,324 sq. ft. superintendent’s apartment, while relocating the recreation room to an adjacent space; and

WHEREAS, at hearing, the Board, asked the applicant if the apartment would comply with Multiple Dwelling Law § 34 concerning light and air; and

WHEREAS, the applicant represents that Multiple Dwelling Law § 34 does not apply to this building as it is classified under Article 7-B which provides for general

residential occupancy of loft, commercial, or manufacturing buildings; and

WHEREAS, in order to meet applicable light and air requirements, the applicant proposes to excavate and lower a portion of the open area in the rear of the building; and

WHEREAS, the applicant acknowledges that said excavation will eliminate one parking space that can be relocated to the south side of the building; and

WHEREAS, the applicant represents that the proposal would increase the residential FAR from 3.33 to 3.39; and

WHEREAS, the applicant further represents that the proposal would result in a minor increase in the non-complying open space ratio and room count; and

WHEREAS, the applicant submits that with this request, the total floor area and number of apartments is still within the parameters originally approved by the Board; and

WHEREAS, specifically, the Board notes that it approved, by amendment, two sets of design changes since the initial Board grant and that the earlier versions included either a full sixth floor or a fifth-floor mezzanine; and

WHEREAS, additionally, the Board notes that the plans subsequently approved by letter resulted in approximately 20,000 fewer square feet, and 5 fewer apartments, than what was originally approved; and

WHEREAS, because of the scope of the original grant, the Board observes that the proposed minor increase in floor area does not affect the prior findings that the building was compatible with the neighborhood character and that the relief granted was the minimum necessary; and

WHEREAS, additionally, the Board observes that a superintendent’s apartment is required by law for this building; and

WHEREAS, based upon the above, the Board finds it appropriate to approve the proposed amendment.

*Therefore it is Resolved* that the Board of Standards and Appeals reopens and amends the resolution, said resolution having been adopted on July 13, 1982, so that as amended this portion of the resolution shall read: “to permit the construction of a superintendent’s apartment in the basement of the existing building; *on condition* that all work shall substantially conform to drawings filed with this application and marked ‘Received February 7, 2006’-(1) sheet and ‘May 1, 2006’-(2) sheets; and *on further condition*:

THAT the superintendent’s apartment can only be occupied by the building’s superintendent;

THAT this condition shall be listed on the certificate of occupancy;

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

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THAT the Department of Buildings shall review compliance with all applicable light and air requirements;

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 Alt. No. 947-80)

Adopted by the Board of Standards and Appeals,  
May 2, 2006.

**A true copy of resolution adopted by the Board of Standards and Appeals, May 2, 2006.  
Printed in Bulletin No. 19, Vol. 91.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**