

253-00-BZ

CEQR #01-BSA-049M

APPLICANT - Sheldon Lobel, P.C., for Ruth Schweky, owner.

SUBJECT - Application October 23, 2000 - under Z.R. §73-622, to permit, in an R3-2 zoning district, the legalization of an enlargement to an existing single-family residence which creates non-compliance with regard to Floor Area Ratio Lot Coverage, Side and Rear Yard contrary to Z.R. § 23-461, § 23-141, and §23-47.

PREMISES AFFECTED - 1922 East 21st Street, 180' south of Avenue R, Block 6826, Lot 17, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES -

For Applicant: Lyra Attman.

ACTION OF THE BOARD -Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo....4

Negative: .....0

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated September 22, 2000, acting on Application No. 301084350 reads, in pertinent part:

1. "PROPOSED PLANS ARE CONTRARY TO Z.R. § 23-461 IN THAT THE PROPOSED SIDE YARD IS LESS THAN THE MINIMUM 5'-0" REQUIRED ON ONE SIDE."
2. PROPOSED PLANS ARE CONTRARY TO Z.R. §23-141 IN THAT IT EXCEEDS THE MAX. PERMITTED FLOOR AREA RATIO OF 50%.
3. PROPOSED PLANS ARE CONTRARY TO Z.R. §23-141 IN THAT IT EXCEEDS THE MAX. PERMITTED LOT COVERAGE.
4. PROPOSED PLANS ARE CONTRARY TO Z.R. 23-47 IN THAT THE PROPOSED REAR YARD IS LESS THAN THE 30'-0" THAT IS REQUIRED.; and

WHEREAS, a public hearing was held on this application on December 5, 2000 after due notice by publication in The City Record, and laid over to December 19, 2000 for decision; and

WHEREAS, the premises and surrounding area had site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Paul Bonfilio, R.A., Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, a special permit is sought under Z.R. §73-622 to permit, in an R3-2 zoning district, the legalization of an enlargement to an existing single-family residence which creates non-compliance with regard to Floor Area Ratio Lot Coverage, Side and Rear Yard contrary to Z.R. § 23-461, § 23-141, and §23-47; and

WHEREAS, the proposed enlargement will increase the floor area ratio to .71, increase the lot coverage to .37, decrease one side yard by .47 and decrease the rear yard to 20'; and

WHEREAS, the perimeter wall height will comply with the applicable zoning regulations; and

WHEREAS, the proposed enlargement will not further encroach on any legally required side yard; and

WHEREAS, the Board finds that the proposed enlargement will not alter the essential character of the surrounding neighborhood nor will it impair the future use and development of the surrounding area; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§73-622 and 73-03.

Resolved that the Board of Standards and Appeals issues a Type II determination under 6 NYCRR Part 617 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. §§73-03 and 73-622 and grants a special permit, to permit, in an R3-2 zoning district, the legalization of an enlargement to an existing single-family residence which creates non-compliance with regard to Floor Area Ratio Lot Coverage, Side and Rear Yard contrary to Z.R. § 23-461, § 23-141, and §23-47, on condition that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked "Received October 23, 2000"-(7) sheets, "November 13, 2000"-(3) sheets and "December 12, 2000"-(1) sheet; and on further condition;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

THAT a buffer of two feet be provided and maintained between the house and the existing garage;

THAT substantial construction be completed and a new certificate of occupancy be obtained within four years of this grant.

Adopted by the Board of Standards and Appeals, December 19, 2000.

A true copy of resolution adopted by the Board of Standards and Appeals, December 19, 2000.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

