

886-82-BZ

APPLICANT – Blaise Parascondala, Esq., for Lenox Road Baptist Church, owner.

SUBJECT – Application May 13, 2005 – Reopening for an amendment to a variance ZR §72-21 to increase the floor area for a community use facility which increases the degree of non-compliance into the required rear yard. The premise is located in a C1-3 (R7-1) zoning district.

PREMISES AFFECTED – 1356 Nostrand Avenue, corner of Nostrand Avenue and Lenox Road, Block 5085, Lot 51, Borough of Brooklyn.

COMMUNITY BOARD #8BK

APPEARANCES – None.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice-Chair Babbar and Commissioner Chin.....3

Negative:.....0

THE RESOLUTION –

WHEREAS, this is an application for a re-opening and an amendment to a previously granted variance; and

WHEREAS, a public hearing was held on this application on November 15, 2005 after due notice by publication in *The City Record*, and then to decision on December 6, 2005; and

WHEREAS, Community Board No. 17, Brooklyn, recommends approval of this application; and

WHEREAS, the premises is located on the corner of Nostrand Avenue and Lenox Road; and

WHEREAS, on April 26, 1983, the Board granted a variance under the subject calendar number to permit, in a C1-3 (R7-1) zoning district, the reconstruction of a two-story and basement church that encroaches into the required rear yard above the first story, contrary to Z.R. § 33-26; and

WHEREAS, the applicant proposes an enlargement to the existing church; and

WHEREAS, the enlargement will result in an increase in floor area from 19,293 s.f. to 26,511 s.f., and will extend the building out slightly on its frontages on Lenox Road and Nostrand Avenue; and

WHEREAS, the applicant represents that the enlargement is necessary to meet the programmatic needs of the growing numbers of parishioners served by the church; and

WHEREAS, the Board observes that this enlargement is as of right in terms of floor area and other

A true copy of resolution adopted by the Board of Standards and Appeals, December 6, 2005.

Printed in Bulletin No. 51, Vol. 90.

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bulk parameters, but leads to a small increase in the degree of non-compliance as to the rear yard equivalent; and

WHEREAS, the Board notes further that the small increase in the rear yard equivalent non-compliance is due to a reconfiguration of the pitched roof of the church; and

WHEREAS, the Board finds that the requested amendment is appropriate, with certain conditions as set forth below.

Therefore it is Resolved that the Board of Standards and Appeals reopens and amends the resolution adopted on April 26, 1983, so that as amended this portion of the resolution shall read “to permit an increase in the degree of a non-complying encroachment into the rear yard above the first story of the building; *on condition* that the expansion shall substantially conform to drawings as filed with this application, marked ‘November 22, 2005’ – (8) sheets; and *on further condition*:

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

THAT all interior partitions and exits shall be as approved by the Department of Buildings;

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)/configuration(s) not related to the relief granted.” (DOB Alt. Application No. 765/1982)

Adopted by the Board of Standards and Appeals, December 6, 2005.