

**173-09-BZ**

APPLICANT – Goldman Harris LLC, for 839-45 Realty LLC, owner; Ranco Capital LLC, lessee.

SUBJECT – Application March 25, 2014 – Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a four-story mixed use building, which expires on December 14, 2014. C8-2/M1-1 zoning district.

PREMISES AFFECTED – 839-845 Broadway aka 12-14 Park Street, southeast corner of Broadway and Park Street, Block 3134, Lots 5, 6, 10, 11, Borough of Brooklyn.

**COMMUNITY BOARD #4BK**

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

**THE VOTE TO GRANT** –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez .....5  
Negative:.....0

**THE RESOLUTION** –

WHEREAS, this is an application for a reopening and an extension of time to complete construction on a conversion of an existing three-story building to a four-story mixed residential and commercial building with 33 affordable housing units, which will expire on December 14, 2014; and

WHEREAS, a public hearing was held on this application on May 6, 2014, after due notice by publication in *The City Record*, and then to decision on June 10, 2014; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan, Commissioner Hinkson, Commissioner Montanez, and Commissioner Ottley-Brown; and

WHEREAS, the subject site is located on the northeast corner of the intersection of Park Street and Broadway, partially within a C8-2 zoning district and partially within an M1-1 zoning district; and; and

WHEREAS, the Board has exercised jurisdiction over the subject site since December 10, 2010, when, under the subject calendar number, the Board granted a variance to permit the conversion of an existing three-story building to a four-story mixed residential and commercial building, contrary to ZR §§ 32-00 and 42-00; and

WHEREAS, pursuant to ZR § 72-23, substantial construction was to be completed by December 14, 2014;

**A true copy of resolution adopted by the Board of Standards and Appeals, June 10, 2014.**

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**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**

however, the applicant states that construction has yet commence due to difficulties obtaining financing and a change in control of the site; and

WHEREAS, therefore, the applicant requests an extension of time to complete construction; and

WHEREAS, at hearing, the Board inquired as to whether, consistent with the original grant, the development will include affordable housing units; and

WHEREAS, in response, the applicant confirmed that the development will include affordable housing units; and

WHEREAS, based upon its review of the record, the Board finds that the requested extension of time to complete construction 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, dated December 10, 2010, so that as amended the resolution reads: “to grant an extension of the time to complete construction for a term of four years from the expiration of the previous grant, to expire on December 10, 2018; *on condition*:

THAT substantial construction will be completed by December 10, 2018;

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

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. 320003474)

Adopted by the Board of Standards and Appeals, June 10, 2014.

