

**245-13-BZ**

APPLICANT – Eric Palatnik, P.C., for Dmitriy Gorelik, owner.

SUBJECT – Application August 21, 2013 – Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47). R4 zoning district.

PREMISES AFFECTED – 2660 East 27th Street, between Voorhies Avenue and Avenue Z, Block 7471, Lot 30, Borough of Brooklyn.

**COMMUNITY BOARD #15BK**

**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, the decision of the Brooklyn Borough Commissioner of the New York City Department of Buildings (“DOB”), dated July 22, 2013, acting on DOB Application No. 320784790, reads in pertinent part:

1. Proposed floor area is contrary to ZR 23-141(a)
2. Proposed open space is contrary to ZR 23-141(a)
3. Proposed lot coverage is contrary to ZR 23-141
4. Proposed rear yard is contrary to ZR 23-47; and

WHEREAS, this is an application under ZR § 73-622, to permit, within an R4 zoning district, the proposed enlargement of a single-family home, which does not comply with the zoning requirements for floor area ratio (“FAR”), open space, lot coverage, and rear yard, contrary to ZR §§ 23-141 and 23-47; and

WHEREAS, a public hearing was held on this application on January 14, 2014, after due notice by publication in *The City Record*, and then to decision on February 11, 2014; and

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

WHEREAS, Community Board 15, Brooklyn, recommends approval of this application; and

WHEREAS, the subject site is located on the west side of East 27th Street, between Avenue Z and Voorhies Avenue, within an R4 zoning district; and

WHEREAS, the site has a total lot area of 4,000 sq. ft. and is occupied by a single-family home with a floor area of 2,791 sq. ft. (0.7 FAR); and

WHEREAS, the site is within the boundaries of a designated area in which the subject special permit is available; and

WHEREAS, the applicant now seeks an increase in the floor area from of 2,791 sq. ft. (0.7 FAR) to 3,401.5 sq. ft. (0.85 FAR); the maximum permitted floor area is 3,000 sq. ft. (0.75 FAR); and

WHEREAS, the applicant seeks to reduce the open space from 63 percent to 54.5 percent; the minimum required open space is 55 percent; and

WHEREAS, the applicant seeks to increase the lot coverage from 37 percent to 45.5 percent; the maximum permitted lot coverage is 45 percent; and

WHEREAS, the applicant also seeks to decrease its rear yard depth from 29’-2” to 20’-0”; a minimum rear yard depth of 30’-0” is required; and

WHEREAS, the applicant represents that the proposed building will not alter the essential character of the neighborhood and will not impair the future use or development of the surrounding area; and

WHEREAS, in particular, the applicant represents that the proposed 0.85 FAR is consistent with the bulk in the surrounding area and submitted an analysis indicating that there are 38 homes within a 400-foot radius of the site with an FAR of 1.0 or greater; and

WHEREAS, at hearing, the Board directed the applicant to demonstrate the proposal’s compliance with the landscaping requirements of the Zoning Resolution; and

WHEREAS, in response, the applicant submitted amended plans showing the required landscaping; and

WHEREAS, accordingly, the Board agrees with the applicant that the proposed bulk is compatible with the character of the neighborhood; and

WHEREAS, based upon its review of the record, the Board finds that the proposed enlargement will neither alter the essential character of the surrounding neighborhood, nor impair the future use and development of the surrounding area; and

WHEREAS, therefore, the Board has determined that the evidence in the record supports the findings required to be made under ZR § 73-622.

*Therefore it is resolved*, that the Board of Standards and Appeals issues a Type II determination under 6 N.Y.C.R.R. Part 617.5 and 617.3 and §§ 5-02(a), 5-02(b)(2) and 6-15 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under ZR § 73-622, to permit, within an R4 zoning district, the proposed enlargement of a single-family home, which does not comply with the zoning requirements for FAR, open space, lot coverage, and rear yard, contrary to ZR §§ 23-141 and 23-47; *on condition* that all work will substantially conform to drawings as they apply to the objections above-noted, filed with this application and marked “Received January 28, 2014”- eight (8) sheets; and *on further condition*:

**245-13-BZ**

THAT the following will be the bulk parameters of the building: a maximum floor area of 3,401.5 sq. ft. (0.85 FAR), a minimum open space of 54.5 percent, a maximum lot coverage of 45.5, a minimum rear yard depth of 20'-0", and side yards with minimum widths of 5'-0" and 9'-0", as illustrated on the BSA-approved plans;

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

THAT the approved plans will be considered approved only for the portions related to the specific relief granted;

THAT substantial construction be completed in accordance with ZR § 73-70; and

THAT DOB 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 the plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, February 11, 2014.

**A true copy of resolution adopted by the Board of Standards and Appeals, February 11, 2014.  
Printed in Bulletin No. 7, Vol. 99.**

**Copies Sent  
To Applicant  
Fire Com'r.  
Borough Com'r.**

