

**212-13-BZ**

APPLICANT – Eric Palatnik,P.C., for Andrey Novikov, owner.

SUBJECT – Application July 12, 2013 – Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, open space and lot coverage (ZR 23-141) and less than the required rear yard (ZR 23-47). R3-1 zoning district.

PREMISES AFFECTED – 151 Coleridge Street, Coleridge Street between Oriental Boulevard and Hampton Avenue, Block 4819, Lot 39, 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 Executive Zoning Specialist of the New York City Department of Buildings (“DOB”), dated June 17, 2013, acting on DOB Application No. 320513495, reads in pertinent part:

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

WHEREAS, this is an application under ZR § 73-622, to permit, within an R3-1 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 December 10, 2013, after due notice by publication in *The City Record*, with a continued hearing on January 28, 2014, and then to decision on February 11, 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, Community Board 15, Brooklyn, recommends approval of this application; and

WHEREAS, the subject site is located on the east side of Coleridge Street, between Oriental Boulevard and Hampton Avenue, within an R3-1 zoning district; and

WHEREAS, the site has a total lot area of 6,000 sq. ft. and is occupied by a single-family home with a floor area of 3,890.9 sq. ft. (0.65 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 3,890.9 sq. ft. (0.65 FAR) to 5,905 sq. ft. (0.98 FAR); the maximum permitted floor area is 3,000 sq. ft. (0.5 FAR), however, a 20 percent increase in FAR pursuant to ZR § 23-141(b)(1) is available, resulting in a maximum permitted floor area of 3,600 sq. ft. (0.6 FAR); and

WHEREAS, the applicant seeks to reduce the open space from 78.8 percent to 59.3 percent; the minimum required open space is 65 percent; and

WHEREAS, the applicant seeks to increase the lot coverage from 21.2 percent to 40.7 percent; the maximum permitted lot coverage is 35 percent; and

WHEREAS, the applicant also seeks to increase its rear yard depth from 11’-2” to 23’-0”; thus, although the proposal reflects a decrease in the degree of non-compliance, because a minimum rear yard depth of 30’-0” is required, a waiver is necessary; 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 0.98 FAR is consistent with the bulk in the surrounding area and submitted an analysis showing that there are 12 homes within a 400-foot radius of the site with an FAR of 0.8 or greater; 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 R3-1 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

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October 25, 2013 – six (6) sheets and “January 14, 2014”-(5) sheets; and *on further condition:*

THAT the following will be the bulk parameters of the building: a maximum floor area of 5,905 sq. ft. (0.98 FAR), a minimum open space of 59.3 percent, a maximum lot coverage of 40.7, a minimum rear yard depth of 23’-0”, and side yards with minimum widths of 8’-5” and 11’-7”, 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.**

