

***CORRECTION**

The resolution adopted on May 13, 2014, under Calendar No. 177-07-BZ and printed in Volume 99, Bulletin No. 20, is hereby corrected to read as follows:

177-07-BZ

APPLICANT – Sheldon Lobel, P.C., for Dankov Corporation, owner.

SUBJECT – Application January 2, 2014 – Amendment of an approved Variance (§72-21) which permitted construction of a two-story and mezzanine, two-family residential building, contrary to front yard regulations (§23-45(a)); the amendment seeks to permit construction of a three-story, three-family residential building. R5 zoning district.

PREMISES AFFECTED – 886 Glenmore Avenue, southeast corner of the intersection of Glenmore Avenue and Milford Street. Block 4208, Lot 17. Borough of Brooklyn.

COMMUNITY BOARD #5BK

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown and Commissioner Hinkson.....4

Negative:.....0

Absent: Commissioner Montanez1

THE RESOLUTION –

WHEREAS, this is an application for a reopening and an amendment to an existing variance, to allow certain modifications to a residential building that does not comply with the front yard requirements; and

WHEREAS, a public hearing was held on this application on April 1, 2014, after due notice by publication in The City Record, with a continued hearing on April 29, 2014, and then to decision on May 13, 2014; and

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

WHEREAS, Community Board 5, Brooklyn, recommends approval of this application; and

WHEREAS, the subject site is located on the southeast corner of the intersection of Glenmore Avenue and Milford Street, within an R5 zoning district; and

WHEREAS, the site has approximately 20 feet of frontage along Glenmore Avenue, 90 feet of frontage along Milford Street, and 1,800 sq. ft. of lot area; and

WHEREAS, the site is vacant; and

WHEREAS, on June 23, 2009, under the subject calendar number, the Board granted a variance to permit

the construction of a two-story, two-family residential building at the site that did not comply with the front yard requirements of ZR § 23-45(a) (the “Original Building”); and

WHEREAS, the Original Building was proposed to have two stories and a mezzanine, 2,241 sq. ft. of floor area (1.24 FAR), a wall height of 30’-0”, a building height of 32’-9”, two dwelling units, two parking spaces in the side yard, a front yard with a depth of 10’-0” along Glenmore Avenue, no front yard along Milford Street, and a side yard with a width of 30’-6”; and

WHEREAS, pursuant to the grant, substantial construction was to be completed by June 23, 2013; however, as of that date, substantial construction had not been completed; accordingly, on October 29, 2013, the Board granted an extension of time to complete construction for two years, to expire on October 29, 2015; and

WHEREAS, the applicant now seeks to amend the grant to allow three stories, 2,660.61 sq. ft. of floor area (1.48 FAR), a wall height of 28’-4”, a building height of 31’-10”, three dwelling units, two parking spaces in the side yard, no front yards along Milford Street and Glenmore Avenue frontages, and a side yard along the southern lot line with a width of 45’-0” (the “Proposed Building”); and the proposed building will be built up to the lot line on Glenmore Avenue; and

WHEREAS, the applicant notes that the Proposed Building deviates from the Original Building as follows: (1) an increase in floor area of 419.61 sq. ft.; (2) an FAR increase of 0.24; (3) a 1’-8” decrease in wall height; (4) a 1’-1” decrease in building height; and (5) a 14’-6” increase in the proposed side yard; and

WHEREAS, the applicant notes that, as with the Original Building, the Proposed Building complies in all respects with the R5 bulk regulations, except that, like the Original Building, it does not provide a front yard with a depth of 10’-0” along Milford Street; thus, the scope of the waiver requested has not changed; and

WHEREAS, further, the applicant states that although the Proposed Building includes a modest increase in floor area, its wall and building height are decreased, and the width of its side yard is increased by nearly 50 percent; and

WHEREAS, in addition, the applicant contends that the Proposed Building is consistent with the character of the surrounding community, which, in the original grant, the Board recognized as including mostly two- and three-story homes and multiple dwellings; and

WHEREAS, the applicant also notes that, in response the Board’s comments at hearing, it revised the Proposed Building to provide a wider side yard and to align with the street wall location and height of the adjacent building along Glenmore Avenue; and

WHEREAS, based upon its review of the record, the Board finds that the proposed modification is appropriate, with certain conditions, as noted below.

177-07-BZ

Therefore it is Resolved, that the Board of Standards and Appeals *reopens* and *amends* the resolution, dated June 23, 2009, to permit the noted modifications, *on condition* that any and all work shall substantially conform to drawings as they apply to the objection above noted, filed with this application marked 'Received April 11, 2014'- (11) sheets; and *on further condition*:

THAT bulk parameters of the building will be as follows: a maximum of three stories, a maximum of 2,660.61 sq. ft. of floor area (1.48 FAR), a maximum wall height of 28'-4", a maximum building height of 31'-10", three dwelling units, two parking spaces in the side yard, and a minimum side yard width of 45'-0";

THAT substantial construction will be completed by October 29, 2015;

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

THAT DOB must ensure compliance with all 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. 302233189)

Adopted by the Board of Standards and Appeals, May 13, 2014.

The resolution has been amended. Corrected in Bulletin No. 26, Vo. 99, dated July 2, 2014.

A true copy of resolution adopted by the Board of Standards and Appeals, May 13, 2014.

Printed in Bulletin No. 20, Vol. 99.

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

