

**329-13-BZ**

APPLICANT – Alexander Levkovich, for Sam Ravit, owner.

SUBJECT – Application December 31, 2013 – Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (23-141). R3-1 zoning district.

PREMISES AFFECTED – 145 Girard Street, east side of Girard Street, appoximately 600’ south of intersection with Hampton Avenue, Block 8750, Lot 386, Borough of Brooklyn.

**COMMUNITY BOARD #15BK**

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

**THE VOTE TO GRANT** –

Affirmative: Chair Perlmutter; Vice-Chair Hinkson, Commissioner Ottley-Brown and Commissioner Montanez.....4  
Negative:.....0

**THE RESOLUTION** –

WHEREAS, the decision of the New York City Department of Buildings (“DOB”), dated January 28, 2015, acting on DOB Application No. 320808658, reads in pertinent part:

1. Proposed construction floor area exceeds maximum allowable permitted as per zoning regulation section ZR 23-141...
2. Proposed lot coverage exceeds maximum allowable permitted as per zoning regulation section ZR 23-141(b)...
3. Proposed rear yard exceeds maximum allowable permitted as per zoning regulation section ZR 23-47...

WHEREAS, this is an application under ZR § 73-622, to permit, on a site within an R3-1 zoning district, the proposed enlargement of a non-complying two-story, two-family home, which does not comply with the zoning requirements for floor area ratio (“FAR”), lot coverage and rear yards, contrary to ZR §§ 23-141 and 23-47; and

WHEREAS, a public hearing was held on this application on November 18, 2014, after due notice by publication in *The City Record*, with continued hearings on December 9, 2014 and February 10, 2015, and then to decision on March 3, 2015; and

WHEREAS, Vice-Chair Hinkson, Commissioner Montanez and Commissioner Ottley-Brown performed inspections of the subject site neighborhood; and

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

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

WHEREAS, the site has 60 feet of frontage along Girard Street, and a depth of approximately 100 feet, and 6,000 sq. ft. of lot area; and

WHEREAS, the site is occupied by a two-story, two-family home with 4,444 sq. ft. of floor area (0.74 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 to enlarge the building, resulting in an increase in the floor area from 4,444 sq. ft. (0.74 FAR) to 5,052 sq. ft. (.84 FAR); the maximum permitted floor area is 3,744 sq. ft. (0.5 FAR); and

WHEREAS, the applicant seeks to increase the lot coverage of the subject building from 28 percent to 36.3 percent; the maximum lot coverage is 35 percent; and

WHEREAS, the applicant seeks to vertically extend its non-complying rear yard, which has a depth of 27’-1””; the requirement is a minimum depth of 30’-0””; 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, 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, on a site within an R3-1 zoning district, the proposed enlargement of a two-story, two-family home, which does not comply with the zoning requirements for FAR, lot coverage and rear yards, 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 February 23, 2015”– thirteen (13) sheets; and *on further condition*:

THAT the following shall be the bulk parameters of the building: a maximum floor area of 5,052 sq. ft. (.84 FAR), a maximum lot coverage of 36.3 percent, and a rear yard with a minimum depth of 27’-1””, as illustrated on the BSA-approved plans;

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

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

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THAT all DOB and related agency application(s) filed in connection with the authorized use and/or bulk will be signed off by DOB and all other relevant agencies by March 3, 2019; 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, March 3, 2015.

**A true copy of resolution adopted by the Board of Standards and Appeals, March 3, 2015.**

**Printed in Bulletin No. 11, Vol. 100.**

**Copies Sent**

**To Applicant**

**Fire Com'r.**

**Borough Com'r.**

