



Legislation Details (With Text)

File #: Res 1272-2016 **Version:** * **Name:** LU 489 - Zoning, BROOKLYN COMMUNITY BOARD 10, Brooklyn (N160377 ZRK)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 10/27/2016

Enactment date: **Enactment #:**

Title: Resolution approving with modifications the decision of the City Planning Commission on Application No. N 160377 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences), in Community District 10, Borough of Brooklyn (L.U. No. 489).

Sponsors: David G. Greenfield, Donovan J. Richards

Indexes:

Attachments: 1. September 28, 2016 - Stated Meeting Agenda with Links to Files, 2. Land Use Calendar - Week of October 3, 2016 - October 7, 2016, 3. Land Use Calendar - October 6, 4. Hearing Testimony - Zoning 10-5-16, 5. City Planning Commission Modification Letter, 6. Committee Report, 7. Hearing Transcript - Stated Meeting 10-27-16, 8. Minutes of the Stated Meeting - October 27, 2016

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|--|--------|
| 10/6/2016 | * | Committee on Land Use | Approved by Committee with Modifications and Referred to CPC | |
| 10/27/2016 | * | City Council | Approved, by Council | Pass |

**THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1272**

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 160377 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences), in Community District 10, Borough of Brooklyn (L.U. No. 489).

By Council Members Greenfield and Richards

WHEREAS, the City Planning Commission filed with the Council on September 23, 2016 its decision dated September 21, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Community Board 10, Brooklyn, for an amendment of the text of the Zoning Resolution of the City of New York, for the removal of Community Board 10, Brooklyn, from being applicable under Section 73-622 (Enlargements of single- and two-family detached and semi-detached residences). This action would require that enlargements to single- and two-family homes in Community District 10 adhere to the as-of-right residential zoning regulations or rely on other pre-established discretionary remedies to afford relief, (Application No. N 160377 ZRK), Community District 10, Borough of Brooklyn (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on

October 5, 2016;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 16DCP178K) issued on June 20, 2016 (the “Negative Declaration”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 160377 ZRK, incorporated by reference herein, the Council approves the Decision with the following modifications as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Matter in double ~~strikeout~~ is deleted by the City Council

Matter in double-underline is added by the City Council

* * *

Article VII ADMINISTRATION

Chapter 3 Special Permits by the Board of Standards and Appeals

* * *

73-622 Enlargements of single- and two-family detached and semi-detached residences

The Board of Standards and Appeals may permit an #enlargement# of an existing #single-# or #two-family detached# or #semi-detached residence# within the following areas:

- (a) Community Districts ~~10~~, 11 and 15, in the Borough of Brooklyn; and
- (b) R2 Districts within the area bounded by Avenue I, Nostrand Avenue, Kings Highway, Avenue O and Ocean Avenue, Community District 14, in the Borough of Brooklyn.; and
- (c) within Community District 10 in the Borough of Brooklyn, after (effective date of amendment), only the following applications, Board of Standards and Appeals Calendar numbers 2016-4218-BZ, 234-15-BZ, and 2016-4163-BZ, may be granted a special permit pursuant to this Section. In addition, the provisions

of Section 73-70 (Lapse of Permit) and paragraph (f) of Section 73-03 (General Findings Required for All Special Permit Uses and Modifications), shall not apply to such applications and such special permit shall automatically lapse and shall not be renewed if substantial construction, in compliance with the approved plans for which the special permit was granted, has not been completed within two years from the effective date of issuance of such special permit.

* * *

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on October 27, 2016, on file in this office.

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City Clerk, Clerk of The Council