



Legislation Details (With Text)

**File #:** Res 1628-2000    **Version:** \*    **Name:** LU 909 - ULURP, CD# 39, 43, 44, Brooklyn (20000286ZRK)

**Type:** Resolution    **Status:** Adopted

**In control:** Committee on Land Use

**On agenda:** 11/15/2000

**Enactment date:**    **Enactment #:**

**Title:** Resolution approving the decision of the City Planning Commission on Application No. N 000286 ZRK, an amendment to the text of the Zoning Resolution regarding Section 23-146 and Section 73-622, to allow as-of-right for certain detached and semi-detached one and two-family homes in Community District 12 to encroach ten feet into the required rear yard (L.U. No. 909).

**Sponsors:** June M. Eisland, Walter L. McCaffrey

**Indexes:**

**Attachments:** 1. Committee Report

Date	Ver.	Action By	Action	Result
11/14/2000	*	Committee on Land Use	Approved by Committee	
11/15/2000	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1628

Resolution approving the decision of the City Planning Commission on Application No. N 000286 ZRK, an amendment to the text of the Zoning Resolution regarding Section 23-146 and Section 73-622, to allow as-of-right for certain detached and semi-detached one and two-family homes in Community District 12 to encroach ten feet into the required rear yard (L.U. No. 909).

By Council Members Eisland and McCaffrey

WHEREAS, the City Planning Commission filed with the Council on October 20, 2000 its decision dated October 18, 2000 (the "Decision"), on the application submitted by the South Brooklyn Community Organization, pursuant to Section 201 of the New York City Charter, for an amendment to the text of the Zoning Resolution (Application No. N 000286 ZRK) (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 November 14, 2000;

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 and the Negative Declaration, issued on June 12, 2000 (CEQR No. 00DCP039K);

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment;

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application the Council approves the Decision; and

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in Graytone is new, to be added  
Matter in Strikeout is old, to be deleted;  
Matter within # # is defined in Section 12-10;  
\*\*\* indicate where unchanged text appears in the Zoning Resolution.

ARTICLE II - RESIDENCE DISTRICT REGULATIONS

\* \* \*

Chapter 3  
Bulk Regulations for Residential Buildings in Residence Districts

\* \* \*

23-10  
OPEN SPACE AND FLOOR AREA REGULATIONS

\* \* \*

23-14  
Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio

\* \* \*

23-146  
Optional provisions for certain R5 and R6 Districts in Brooklyn

R5 R6

Within the area bounded by 39th Street, Dahill Road, Ditmas Avenue, McDonald Avenue, Bay Parkway, 61st Street and Fort Hamilton Parkway in Community Board 12, in the Borough of Brooklyn, special optional regulations as set forth in this Section are applicable for a #development# or #enlargement# involving a #building# used exclusively as a one-, #two-# or three #family residence#, provided such #development# or #enlargement# complies with all of the provisions of this Section. Except as modified by the provisions of this Section, the regulations of R5 and R6 Districts remain in effect.

(a) Floor area, lot coverage, open space, lot area per dwelling unit or room, and height factor regulations

\* \* \*

b. Building height

\* \* \*

c. Front yards

\* \* \*

d. Side yards

\* \* \*

Rear yards

#Single# or two-family residences# consisting of #detached, semi-detached or #zero lot line buildings# may project up to ten feet into a required #rear yard# or #rear yard equivalent#, provided that there is a #side yard# of at least 8 feet for such #semi-detached# or #zero lot line buildings# and that the total width of #side yards# for a #detached building# is at least eight feet. In addition, such #rear yard# projection shall not be permitted for #semi-detached buildings# that constitute the end #buildings# of a row of #attached buildings#.

(e)(f) Outer court and minimum distance between legally required windows and walls or lot lines

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(g) Off-street parking in R5 and R6 Districts

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ARTICLE VII - ADMINISTRATION

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Chapter 3  
Special Permits by the Board of Standards and Appeals

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73-60  
MODIFICATION OF BULK REGULATIONS

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

The Board of Standards and Appeals may permit an #enlargement# of a #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) R5 and R6 Districts within the area bounded by 39th Street, Dahill Road, Ditmas Avenue, McDonald Avenue, Bay Parkway, 61st Street and Fort Hamilton Parkway in Community District 12, in the Borough of Brooklyn; and
- (e) (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.

Such #enlargement# may create a new #non-compliance#, or increase the amount or degree of any existing #non-compliance#, with the applicable #bulk# regulations for #lot coverage#, #open space#, #floor area#, #side yard#, #rear yard# or perimeter wall height regulations, provided that:

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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 November 15, 2000,

on file in this office.

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City Clerk, Clerk of Council