

BOARD OF ZONING APPEALS

MARCH 24, 2008

9:30

Calendar No. 08-30:

603 Herschel Court

Ward 13

Joe Cimperman

8 Notices

Brian Devine, owner, appeals to construct a two-story room addition to an existing single family dwelling, proposed to be located on a consolidated corner parcel in a B1 Two-Family district at the southwest corner of Herschel Court and West 6th Street; contrary to Section 355.04 and area regulations for residence buildings, a maximum gross floor area of 1,925 square feet exceeds one-half of the lot size or 1,622 square feet; and a rear yard of 5 feet and not 20 feet is provided, contrary to Section 357.08(2)(b)(1); and interior side yards of 6 inches and 15 feet, are provided, contrary to a minimum requirement of 3 feet and an aggregate of 10 feet, according to Section 357.09(b)(2) of the Codified Ordinances. (Filed 2-20-08)

9:30

Calendar No. 08-31:

3364 East 118th Street

Ward 3

Zachary Reed

8 Notices

Scott Everett, owner, appeals to establish use for a group home in an existing two-story, single family dwelling, located on a 40' x 130' parcel in a B1 Two-Family District on the west side of West 118th Street at 3364 East 118th Street; the proposed use being first permitted in a Multi-Family District and not permitted in a Two-Family District, according to Section 337.03 of the Codified Ordinances.

(Filed 2-20-08)

9:30

Calendar No. 08-32:

905 Fruit Avenue

Ward 13

Joe Cimperman

6 Notices

West 11th Street Properties LLC appeal to construct a single family dwelling unit, proposed to be on a 30' x 150' parcel located in a Two-Family District on the south side of Fruit Avenue at 905 Fruit Avenue; subject to the regulations in Section 357.09(b)(1), no main building shall be erected less than 10 feet from another main building on an adjoining lot; and contrary to the Regulations for Yards and Courts, the aggregate width of the east and west side yards equals 6 feet and all main buildings shall have an aggregate width of 10 feet, according to the provisions of Section 357.09(2)(B) of the Codified Ordinances. (Filed 2-20-08)

9:30

Calendar No. 08-33:

1880 West 45th Street

Ward 13

Joe Cimperman

15 Notices

West 11th Street Properties LLC appeal to construct a single family dwelling unit, proposed to be on a 36.25' x 132' parcel located in a Two-Family District on the west side of West 45th Street at 1880 West 45th Street; contrary to Section 355.04(a) a lot size of 4,791 square feet is provided and 4,800 square feet is required; and interior side yards of 2 foot 3 inches and 9 feet are provided, where an aggregate of 10 feet with a 3 foot minimum is required, according to the provisions of Section 357.09(2)(b) of the Codified Ordinances. (Filed 2-20-08)

9:30

Calendar No. 08-34:

1894 West 45th Street

Ward 13

Joe Cimperman

15 Notices

West 11th Street Properties LLC appeal to construct a single family dwelling unit, proposed to be on a 35' x 132' parcel located in a Two-Family District on the west side of West 45th Street at 1894 West 45th Street; contrary to Section 355.04(a) a lot size of 4,620 square feet is provided and 4,800 square feet is required; and interior side yards of 1 foot and 9 feet are provided, where an aggregate of 10 feet with a 3 foot minimum is required, according to the provisions of Section 357.09(2)(b) of the Codified Ordinances. (Filed 2-20-08)

9:30

Calendar No. 08-35:

1884 West 45th Street

Ward 13

West 11th Street Properties LLC appeal to construct a single family dwelling unit, proposed to be on a 36.25' x 132' parcel located in a Two-Family District on the west side of West 45th Street at 1884 West 45th Street; contrary to Section 355.04(a) a lot size of 4,785 square feet is provided where 4,800 square feet is required; and interior side yards of 2 foot 3 inches and 9 feet are provided, where an aggregate of 10 feet with a 3 foot minimum is required, according to the provisions of Section 357.09(2)(b) of the Codified Ordinances. (Filed 2-20-08)

9:30

Calendar No. 08-36:

1888 West 45th Street

Ward 13

West 11th Street Properties LLC appeal to construct a single family dwelling unit, proposed to be on a 36.25' x 132' parcel located in a Two-Family District on the west side of West 45th Street at 1888 West 45th Street; contrary to Section 355.04(a) a lot size of 4,785 square feet is provided where 4,800 square feet is required; and interior side yards of 2 feet 3 inches and 9 feet are provided, where an aggregate of 10 feet with a 3 foot minimum is required, according to the provisions of Section 357.09(2)(b) of the Codified Ordinances.

9:30

Calendar No. 08-37:

1892 West 45th Street

Ward 13

West 11th Street Properties LLC appeal to construct a single family dwelling unit, proposed to be on a 36.25' x 132' parcel located in a Two-Family District on the west side of West 45th Street at 1892 West 45th Street; contrary to Section 355.04(a) a lot size of 4,785 square feet is provided and 4,800 square feet is required; and interior side yards of 2 feet 3 inches and 9 feet are provided, where an aggregate of 10 feet with a 3 foot minimum is required, according to the provisions of Section 357.09(2)(b) of the Codified Ordinances.

**BOARD OF ZONING APPEALS
MARCH 24, 2008**

POSTPONED FROM FEBRUARY 11, 2008

10:30

Calendar No. 07-241:

4450 Broadview Road

Ward 16

Kevin Kelley

17+ Notices

Anthony Vanadia, owner, and Teresa Elkins, lessee, appeal to change use of a tavern in a mixed use building that includes a tavern, two storefronts and one dwelling unit, to include live entertainment/nightclub use in the tavern, located on a 40' x 139.97' parcel in a Local Retail Business District on the west side of Broadview Road at 4450 Broadview Road; subject to the limitations of Section 343.01(b)(2)(F), taverns providing entertainment or dancing are not permitted but first permitted in a General Retail Business District, and the proposed use abuts a Residence District, contrary to Section 347.12(a) that requires a nightclub use to be a 500 foot distance from a Residence District; and an approximate size of the provided parking area is equal to one times the gross floor area, contrary to Section 349.04(e) and the requirement of a total parking area in the amount of three times the gross floor area of a nightclub use; with no transition strip provided at the rear of the premises that abuts a Residence District, where a 10 foot wide landscaped strip is required in the provisions of Sections 352.08 through Section 352.11 of the Codified Ordinances. (Filed 11-20-07; dismissed 12-17-07; reinstated 12-31-07; testimony taken.)

First postponement requested by Councilman Kelley to allow for a joint meeting to be arranged by Councilman Kelley and Councilman Cummins between the constituency of Wards 16 and 15, the applicants, the neighboring business and residential property owners, a representative from the Second District and the Old Brooklyn Community Development Corporation to clarify the facts regarding the location, the proposed plan, the concerns raised by the neighboring community and a remedy if any, and details of a plan to accommodate parking and the provisions to buffer the proposed use from the Residence District.