



COMMUNITY BOARD 10 PUBLIC HEARING

**Topic: CB10 Application — Text Amendment
to remove CD10 from ZR 73-622**

June 15, 2016

➔ What is it?

A section in the Zoning Resolution that currently applies to only 4 Community Boards in NYC. It provides an ability for home owners to apply to the Board of Standards and Appeals (BSA) to make enlargements to certain 1 and 2 family detached and semi-attached homes. This zoning section generally allows enlargements to the perimeter wall height, and into existing front and rear yards.

➔ Why does CB10 want to be removed from this section?

- CB10 supported the inclusion of the Special Permit Section 73-622 in 1997, but over the years since its enactment found that the application did not reflect the reason for its inclusion in the zoning text.
- Supporters foresaw only modest expansions and an ability in the zoning text to enable growing families to remain in their homes by enlarging kitchens or building additional bed rooms. They also supported a provision that required community character to be considered regarding whether an application should be granted.
- Notably the BSA has approved all applications regardless of CB10 comment or opposition and apparently has discounted Community Board 10's concern regarding possible changes to community character caused by these applications.
- CB10 was partially rezoned in 2005 and completely in 2007. This zoning section allows non-compliant zoning changes without limitations which are inconsistent with stricter zoning requirements intended to preserve community character.
- Over the years, and after much deliberation CB10 is now pursuing an application to eliminate the Special Permit Section from our zoning regulations and has considered removing this Special Permit provision from its zoning regulations since 2003.

➔ Will I still be able to enlarge my home?

The majority of 1 and 2 family home enlargements are made "as-of-right" meaning the proposed construction is within existing zoning requirements. If a homeowner wants to make an enlargement beyond what the zoning requirements allow they can still do so by filing an application for a Special Permit under Section 73-621 or via Section 73-21 Variance. These applications for enlargements will remain applicable to CB10 as they exist throughout the City of NY.