



250 Broadway, 29th Floor
 New York, NY 10007
 212-386-0009 - Phone
 646-500-6271 - Fax
 www.nyc.gov/bsa

ZONING (BZ) CALENDAR
 Application Form

BSA APPLICATION NO. _____
 CEQR NO. _____

Section A
 Applicant/
 Owner

Eric Palatnik, P.C. <small>NAME OF APPLICANT</small>	Ocean Services, Inc. <small>OWNER OF RECORD</small>
32 Broadway, Suite 114 <small>ADDRESS</small>	4180 Ocean Avenue <small>ADDRESS</small>
New York NY 10004 <small>CITY STATE ZIP</small>	Brooklyn NY 11235 <small>CITY STATE ZIP</small>
212 425-4343 <small>AREA CODE TELEPHONE</small>	 <small>LESSEE / CONTRACT VENDEE</small>
212 968-7129 <small>AREA CODE FAX</small>	 <small>ADDRESS</small>
eric@ericpalatnikpc.com <small>EMAIL</small>	 <small>CITY STATE ZIP</small>

Section B
 Site
 Data

4180 Ocean Avenue 11235
STREET ADDRESS (INCLUDE ANY A/K/A) ZIP CODE

Ocean Avenue between Hampton Avenue and Oriental Boulevard
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

8737	92	Brooklyn	15	N/A
<small>BLOCK</small>	<small>LOT(S)</small>	<small>BOROUGH</small>	<small>COMMUNITY DISTRICT</small>	<small>LANDMARK/HISTORIC DISTRICT</small>
Hon. Chaim M. Deutsch	R3-1		29b	
<small>CITY COUNCIL MEMBER</small>	<small>ZONING DISTRICT</small>		<small>ZONING MAP NUMBER</small>	

(include special district, if any)

Section C
 Dept of Building
 Decision

BSA AUTHORIZING SECTION(S) 73-622 for VARIANCE SPECIAL PERMIT (Including 11-41)
 Section(s) of the Zoning Resolution to be varied 23-141(b); 23-47
 DOB Decision (Objection/ Denial) date: 03/10/2016 Acting on Application No: 321286936

Section D
 Description

(LEGALIZATION YES NO IN PART)

This application is filed pursuant to § 73-622 of the Zoning Resolution of the City of New York, as amended. It requests a Special Permit to enlarge an existing two story dwelling in a residential zoning district (R3-1). The application seeks to vary the floor area, open space, lot coverage and rear yard requirements of the Zoning Resolution.

Section E
 BSA History
 and
 Related Actions

If "YES" to any of the below questions, please explain in the STATEMENT OF FACTS

	YES	NO
1. Has the premises been the subject of any previous BSA application(s)? PRIOR BSA APPLICATION NO(S): _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there any applications concerning the premises pending before any other government agency?....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Is the property the subject of any court action?.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Section F
 Signature

I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS ARE TRUE.

Signature of Applicant, Corporate Officer or Other Authorized Representative: Eric Palatnik
Post Name

Attorney
Title

ROBIN GONZALEZ
 Notary Public, State of New York
 SWORN TO ME THIS 13 DAY OF April 2016
 Qualified in Kings County
 My Commission Expires 08/18/2019

NOTARY PUBLIC

BSA CALENDAR NO

BLOCK 8737

LOT 92

SUBJECT SITE ADDRESS

1181 OCEAN AVENUE BROOKLYN NY 11235

APPLICANT

DEZHANG FANG, R.A.

ZONING DISTRICT R31

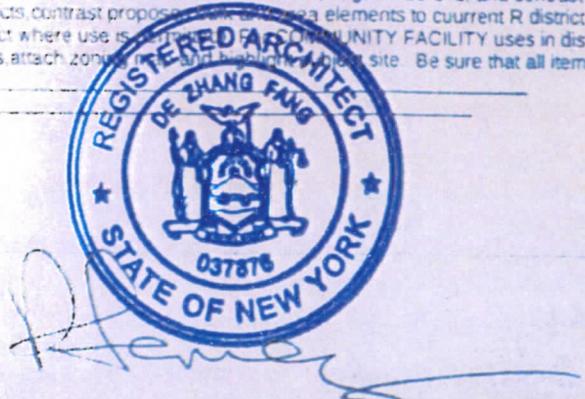
SPECIAL/HISTORIC DISTRICT NONE

COMPLIANT: 'Y'

COMMUNITY BOARD 315

	* APPLICABLE ZR SECTION	MAXIMUM PERMITTED	MINIMUM REQUIRED	LEGAL PER C OF O or BSA	EXISTING	PROPOSED	IF NOT: "N" and INDICATE AMT OVER/UNDER
LOT AREA	23-32		3000 SF	N/A	6000 SF	6000 SF	Y
LOT WIDTH	23-32		40'-0"	N/A	60'-0"	60'-0"	Y
USE GROUP (S)	22-11	1,2,3,4		N/A	1	1	Y
FA RESIDENTIAL	23-14 (b) (1)	3600 SF		N/A	2991 SF	5716 SF	N+2116
FA COMMUNITY FACILITY	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FA COMMERCIAL / INDUST.	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FLOOR AREA TOTAL	23-14 (b) (1)	3600 SF		N/A	2991 SF	5716 SF	N+2116
FAR RESIDENTIAL	23-14 (b) (1)	0.60		N/A	0.60	0.95	N+0.35
FAR COMMUNITY FACILITY	N/A	N/A		N/A	N/A	N/A	N/A
FAR COMMERCIAL / INDUST.	N/A	N/A		N/A	N/A	N/A	N/A
FAR TOTAL	23-14 (b) (1)	0.60		N/A	0.49	0.95	N+0.35
OPEN SPACE	23-14 (b) (1)		3900 SF	N/A	3954 SF	3448 SF	N-452
OPEN SPACE RATIO	N/A		N/A	N/A	N/A	N/A	N/A
LOT COVERAGE (%)	23-141 (b)	35%		N/A	34.0%	42.5%	N+7.5
NO. DWELLING UNITS	22-12 (a) (2)	2		N/A	1	1	Y
PERIMETER WALL HEIGHT	23-631 (b)	21'		N/A	9'-3"	19'-10"	Y
TOTAL HEIGHT	23-631 (b) (1)	35'		N/A	19'-3"	32'	Y
NUMBER OF STORIES				N/A	2.0	3.0	Y
FRONT YARD	23-45		15'-0"	N/A	18'-4"	15'-0"	Y
SIDE YARD	23-46		8'-0"	N/A	9'-6"	9'-6"	Y
SIDE YARD	23-46		5'-0"	N/A	5'-5"	5'-5"	Y
REAR YARD	23-47		30'-0"	N/A	27'-11"	25'-0"	N-10
SETBACK (S)	23-631 (b)		N/A	N/A	N/A	N/A	N/A
SKY EXP. PLANE (SLOPE)	23-631 (b)	N/A	N/A	N/A	N/A	N/A	N/A
NO. PARKING SPACES	25-15	2	1	N/A	1	1	Y
LOADING BERTH (S)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
OTHER							

*In Applicable ZR Section column. For RESIDENTIAL developments in non-residential districts indicate nearest R district, e.g. R4/23-141, and contrast compliance for commercial or MANUFACTURING developments in residential districts contrast proposed use to nearest R district. Requirements except for parking and loading requirements (contrast to nearest district where use is permitted). For COMMUNITY FACILITY uses in district where not permitted, contrast to nearest district where permitted. For all applications attach zoning map and building plot site. Be sure that all items noted in the DOB Documentation are included. NOTES:



ERIC PALATNIK, P.C.

ATTORNEY AT LAW
32 BROADWAY, SUITE 114
NEW YORK, NEW YORK 10004

(212) 425-4343
FAX (212) 968-7129
E-MAIL ERIC@ERICPALATNIKPC.COM

April 6, 2016

STATEMENT OF FACTS AND FINDINGS

**Premises: 4180 Ocean Avenue
Brooklyn, New York
Block 8737, Lot 92**

This application is filed pursuant to § 73-622 of the Zoning Resolution of the City of New York, as amended (hereinafter "ZR"). It requests a Special Permit to enlarge an existing two story dwelling in a residential zoning district (R3-1). The application seeks to vary the floor area, open space, lot coverage and rear yard requirements of the Zoning Resolution.

The Premises is located in Brooklyn Community Board 15, between Hampton Avenue and Oriental Boulevard. It is situated on a six thousand (6,000) square foot lot, further identified on the New York City Tax Map as Block 8737, Lot 92. It has 60 feet of frontage on Ocean Avenue and a depth of 100 feet.

The Premises is improved with an existing residential structure (single family home), which is a two story dwelling with a cellar. The home has a floor area of 2,991 square feet (0.49 FAR), a lot coverage of 34% and a 27'10" rear yard. The home has an 18'4" front yard which will be decreased to a compliant 15'0". The home has two side yards, 9'6" and 5'5", that will be maintained at their current dimensions as part of this application.

The applicant seeks to enlarge the dwelling horizontally by expanding the east and west walls and vertically by adding a third floor as shown on the proposed plans. The proposed height will be a compliant 32 feet. The proposed home will have a floor area of 5,716 square feet (0.95 FAR), a lot coverage of 42.5% and a rear yard which will be 25 feet at the first and second levels.

ERIC PALATNIK, P.C.

The home is located in an "AE" flood zone as shown on the attached Flood Insurance Rate Map. The proposed building will comply with all requirements of Appendix G and Article 6 Chapter 4 Special Regulations Applying in Flood Hazard Areas.

In the flood hazard areas, the lowest occupiable floor needs to be elevated by two feet above the BFE. As shown on the revised proposed plans, the proposal satisfies this requirement as the elevation of the existing first floor is 13.22' which is more than two feet above the BFE of 11'. The proposed enlargement will maintain this elevation. The proposed enlargement will also maintain its existing cellar. As shown on the "Substantial Improvement Analysis" attachment, the proposed enlargement does not constitute a substantial improvement since the cost of the enlargement is less than half of the market value of the home. As such, the existing cellar is not required to be filled in.

Additionally, pursuant to ZR § 64-41 when the level of the lowest occupiable floor is five feet (5') or more above curb level but less than nine feet (9') above curb level, one visual mitigation element is required to be provided. As shown on Drawing A-001 of the revised proposed plans, the instant proposal provides a raised front yard and as such satisfies this requirement.

Accordingly, plans were filed with the Department of Buildings ("DOB") in order to permit the enlargement. On March 10, 2016, under Job # 321289636, the following objections were issued:

"PROPOSED VERTICAL AND HORIZONTAL ENLARGEMENT TO AN EXISTING SINGLE FAMILY HOME IN AN R3-1 DISTRICT IS NON-COMPLIANT IN REGARD TO:

- 1) PROPOSED FLOOR AREA RATIO IS CONTRARY TO ZR 23-141 (B);
- 2) PROPOSED LOT COVERAGE IS CONTRARY TO ZR 23-141 (B);
- 3) PROPOSED OPEN SPACE IS CONTRARY TO ZR 23-141 (B);
- 4) PROPOSED REAR YARD IS CONTRARY TO ZR 23-47.

AND MUST BE REFERRED TO THE BOARD OF STANDARDS AND APPEALS FOR A SPECIAL PERMIT PURSUANT TO ZR 73-622."

ERIC PALATNIK, P.C.

Authority of Section 73-622

Zoning Resolution § 73-622(a) lists “*Community Districts 10, 11 and 15, in the Borough of Brooklyn*” as a designated Special Permit area. As evidenced by the enclosed application materials, the Premises, which is located in Community District 15, qualifies as the subject of a Special Permit application.

Description of Objections

PROPOSED FLOOR AREA RATIO IS CONTRARY TO ZR 23-141 (B);

The proposal will increase the floor area ratio from 0.49 to 0.95. This will create a new non-compliance. Under Zoning Resolution § 23-141(b), the maximum permitted floor area ratio is 0.50.

Zoning Resolution § 73-622 allows the creation of such non-compliances, provided that the enlargement does not alter the existing character of the neighborhood or impair the future use or development of the surrounding area.

PROPOSED LOT COVERAGE IS CONTRARY TO ZR 23-141 (B);

The proposal will create a non-compliance with respect to lot coverage. Under Zoning Resolution § 23-141(b), the maximum permitted lot coverage is 35%. The existing lot coverage is 34% and the proposed lot coverage is 42.5%.

Zoning Resolution § 73-622 allows the creation of such non-compliances, provided that the enlargement does not alter the existing character of the neighborhood or impair the future use or development of the surrounding area.

ERIC PALATNIK, P.C.

PROPOSED OPEN SPACE IS CONTRARY TO ZR 23-141 (B);

The proposal will create a non-compliance with respect to open space. Under Zoning Resolution § 23-141(b), the minimum required open space is 65%. The existing open space is 66% and the proposed open space is 57.5%.

Zoning Resolution § 73-622 allows the creation of such non-compliances, provided that the enlargement does not alter the existing character of the neighborhood or impair the future use or development of the surrounding area.

PROPOSED REAR YARD IS CONTRARY TO ZR 23-47.

The proposal will increase the degree of non-compliance with respect to lot rear yard. Under Zoning Resolution § 23-141(b), a rear yard of thirty (30) feet is required. The existing rear yard is 27'10" the proposed rear yard is 25'0".

Zoning Resolution §73-622 allows the Board to create a new non-compliance or increase the amount or degree of such an existing non-compliance where there is a minimum 20'0" rear yard measurement (ZR §73-622(b)(2)), provided that the enlargement does not alter the existing character of the neighborhood or impair the future use or development of the surrounding area.

Satisfaction of Findings

The proposed development will not alter the character of the neighborhood nor impair the future use or development of the surrounding area. The home has been specifically designed to fit into neighborhood in terms of architectural design and bulk dimensions.

As shown on the Radius Diagram by Urban Cartographics, the property is surrounded by seventy five (75) lots within four hundred (400) feet of the site. Out of these, seventy (70) are improved upon with one or two family homes.

ERIC PALATNIK, P.C.

The proposed FAR of 0.95 will not alter the character of the neighborhood nor impair the use and development of adjoining properties. As shown on the Floor Area Ratio Survey by Urban Cartographics, of the seventy (70) one and two family homes surrounding the Premises, seven (7) have an FAR that is greater than 0.9 and is thereby comparable to that proposed.

The proposed lot coverage of 42.5% will not alter the character of the neighborhood nor impair the use and development of adjoining properties. As shown on the Lot Coverage Diagram by Urban Cartographics, of the seventy (70) one and two family homes surrounding the Premises, fourteen (14) have a lot coverage that is 40% or greater and is thereby comparable to that proposed.

The home will provide a twenty five (25) foot rear yard and the home's architectural design has been created in order to not alter the character of the neighborhood. Please find enclosed a study of open space at the interior of the block by Urban Cartographics. As shown thereon, there are several homes on the subject block that have a rear yard that is smaller than or equal to the rear yard of 25' at the first and second levels that is proposed as part of the instant application.

- Lot 32 – 22' rear yard;
- Lot 29 – 25' rear yard;
- Lot 23 – 18' rear yard;
- Lot 89 – 22' rear yard;
- Lot 87 – 19' rear yard;
- Lot 84 – 21' rear yard;
- Lot 81 – 22' rear yard;
- Lot 78 – 6' rear yard;
- Lot 75 – 25' rear yard;

Therefore, the proposed rear yard will not alter the character of the neighborhood or impair the use and development of adjoining properties.

Additionally, your Board has granted similar applications in the area surrounding the site. Please find enclosed resolutions that the Board has granted similar Special Permit applications pursuant to ZR § 73-622.

ERIC PALATNIK, P.C.

The BSA grants are located within two blocks of the Premises and they demonstrate that your Board has granted similar proposals within the surrounding area. Please note that a more detailed land use study will be submitted with the formal application.

BSA Calendar Number 99-07-BZ (170 Girard Street)

- Floor area of 7,579.77 square feet (0.92 FAR);
- Lot coverage of 47.69 percent;
- A 20'-0" rear yard.

BSA Calendar Number 48-14-BZ (174 Falmouth Street)

- Floor area of 6,229 square feet (0.99 FAR);
- Lot coverage of 37 percent.

BSA Calendar Number 193-11-BZ (215 Exeter Street)

- Floor area of 7,530 square feet (0.94 FAR);
- Lot coverage of 39 percent;
- Rear yard of 19'10"

As shown by the resolutions (included as an attachment), your Board has granted similar enlargements in the surrounding area. As such, the instant application will not alter the character of the neighborhood nor impair the development of surrounding areas.

Conclusion

The enlargement is located within a designated area and meets the requirements of ZR §73-622. It conforms to the character of the neighborhood and will not impair the use or development of the area.

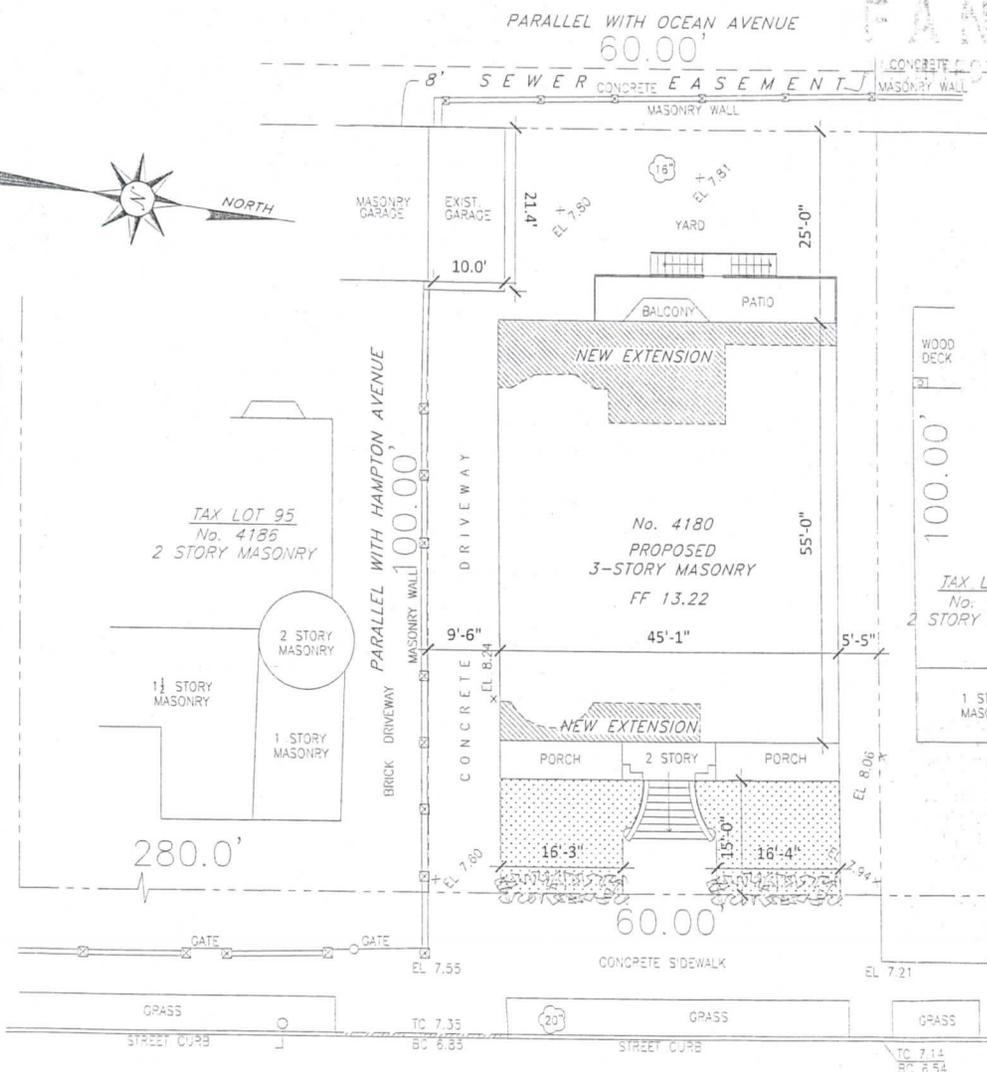
We are confident that the conditions and findings of ZR § 73-622 are satisfied in the instant matter and, therefore, respectfully submit that the granting of the Special Permit in this matter is both appropriate and fully supported by the facts.

Respectfully Submitted,

Eric Palatnik, Esq.



ORIENTAL (60' WIDE) BLVD.



ZONING ANALYSIS - INTERIOR LOT

JOB LOCATION: 4180 OCEAN AVE BROOKLYN, NY
 FLOOR: 3RD FLOOR - ZONING DISTRICT MAP: Z99
 NOTE: (1) ONE ZONING LOT (1) ONE FALLOT

SCOPE OF WORK: HORIZONTAL AND VERTICAL ADDITION TO EXIST. 1 FAMILY HOUSE. TO OBTAIN NEW C. OF D.
 CONSTRUCTION TYPE: I-E (1998 SC)

	EXISTING/REQUIRED	PROPOSED	CODE SEC.
LOT AREA	8,000 SF	NO CHANGE	
LOT WIDTH	60 FEET	NO CHANGE	
USE GROUP	1	NO CHANGE	
OCCUPANCY	R-3	R-3	
FAR	MAX. PERMITTED FAR = 0.5 + 20% SPRAY AREA = 0.5 MAX. PERMITTED F.A. = 3,200 + 800 (SPRAY) = 3,900 S.F.	CELLAR = 2,248.1 S.F. (NOT INCLUDED) 1ST FLOOR = 2,441.58 S.F. 2ND FLOOR = 2,323.88 S.F. ATTIC = 744.75 S.F. TOTAL FLOOR AREA = 5,716.21 S.F. PROPOSED FAR = 5716.21/8000=0.715 > 0.5 NON-COMPLYING	ZR 23-141(5)
LOT COVERAGE	MAX. LC = 35% MIN. O.S. = 85%	PROPD = 2,351.88/8,000 = 29.5% > 35% NON-COMPLYING PROPD = 3,448.12/8,000 = 43.1% < 85% NON-COMPLYING	ZR 23-141(5)
YARD	FRONT YARD: 15' SIDE YARD: TOTAL=13', MIN = 5' REAR YARD: 30'	15' OKAY! EXIST: (1)4'-5", (1)4'-8", TOTAL = 14'-11" x 15' OKAY! 25' NON-COMPLYING	ZR 23-142(a) ZR 23-143(a) ZR 23-147
HEIGHT AND SETBACK	MAX PERIMETER WALL HGT. = 21' MAX RIDGE HGT. = 33'	PROPD PERIMETER WALL HGT = 19'-10" < 21' OK! PROPD RIDGE HGT. = 32'-0" < 33' OK!	ZR 23-147 ZR 23-151(a)
PARKING	100% OF TOTAL G.U.	PROVIDED (1) ENCLOSED ACCESSORY SPACE	ZR 25-23
FRONT YARD PLANTING	MIN. 50% OF FRONT YARD 0.5 X 15' X 60' = 340 S.F.	20'-0" X (4'-0" + 5'-3" + 24'-9") = 870.7 S.F. > 340 S.F. OKAY!	ZR 23-151 ZR 64-51

FLOOR ZONE DESIGN REQUIREMENTS AS PER ZR 64-61
 ONE MITIGATION ELEMENTS PROVIDED:
 RAISED FRONT YARD:
 REQUIRED PLANTING AREA = 0.5 X 60' X 20' = 600 S.F.
 REQUIRED HEIGHT >= 18" ABOVE CURB LEVEL
 PROVIDED PLANTING AREA = (16'-3" + 16'-4") X 20' = 651.7 S.F. > 600 S.F. OK!
 *SEE ELEVATIONS FOR HEIGHT DETAILS

CONSTRUCTION COST ESTIMATE

	RENOVATION	EXTENSION
CEL	2048.1 SF X \$10 = \$20,481.0	
1F	2021.13 SF X \$50 = \$101,056.5	420.45 SF X \$130 = \$54,658.5
2F	2005.75 SF X \$50 = \$100,287.5	548.13 SF X \$130 = \$71,256.9
ATT		744.75 SF X \$130 = \$96,817.5
PLUMBING	18 FIXTURES X \$1500 = \$27,000	
TOTAL	\$471,277.9	

MARKET VALUE

6/20% LIMITATION (TOTAL) - 6/20% LIMITATION (LAND) X EST. MARKET VALUE
 6/20% LIMITATION (TOTAL)
 $= \frac{73,489}{73,489} \times 2,062,000 = \$1,358,008.4$
 $= \$1,358,008.4 \times 50\% = \$679,004.2$
 $\$471,277.9 < \$679,004.2$ OKAY!

- NOTE:
1. ALL POOL ARE SUBJECT TO DOB APPROVAL.
 2. ALL BALCONY AND PORCH ARE SUBJECT TO DOB APPROVAL.
 3. ALL INTERIOR PARTITIONS ARE SUBJECT TO DOB APPROVAL.
 4. THE BUILDING SHALL COMPLY WITH APPENDIX D OF THE BUILDING CODE.

FANG
 ARCHITECT, PC

ARCHITECTURE
 CONSULTING

35-18 LINDEN PLACE 2FL
 FLUSHING, NY 11354
 TEL: (646) 838-4880
 INFO@FANGPC.COM

PROJECT

YEUNG
 RESIDENCE

PROPOSED 3-STORY
 1 FAMILY
 4180 OCEAN AVENUE,
 BROOKLYN, NY, 11235

SHEET TITLE

PROPOSED SITE PLAN
 & ZONING ANALYSIS

SEAL AND SIGNATURE



SHEET NO.

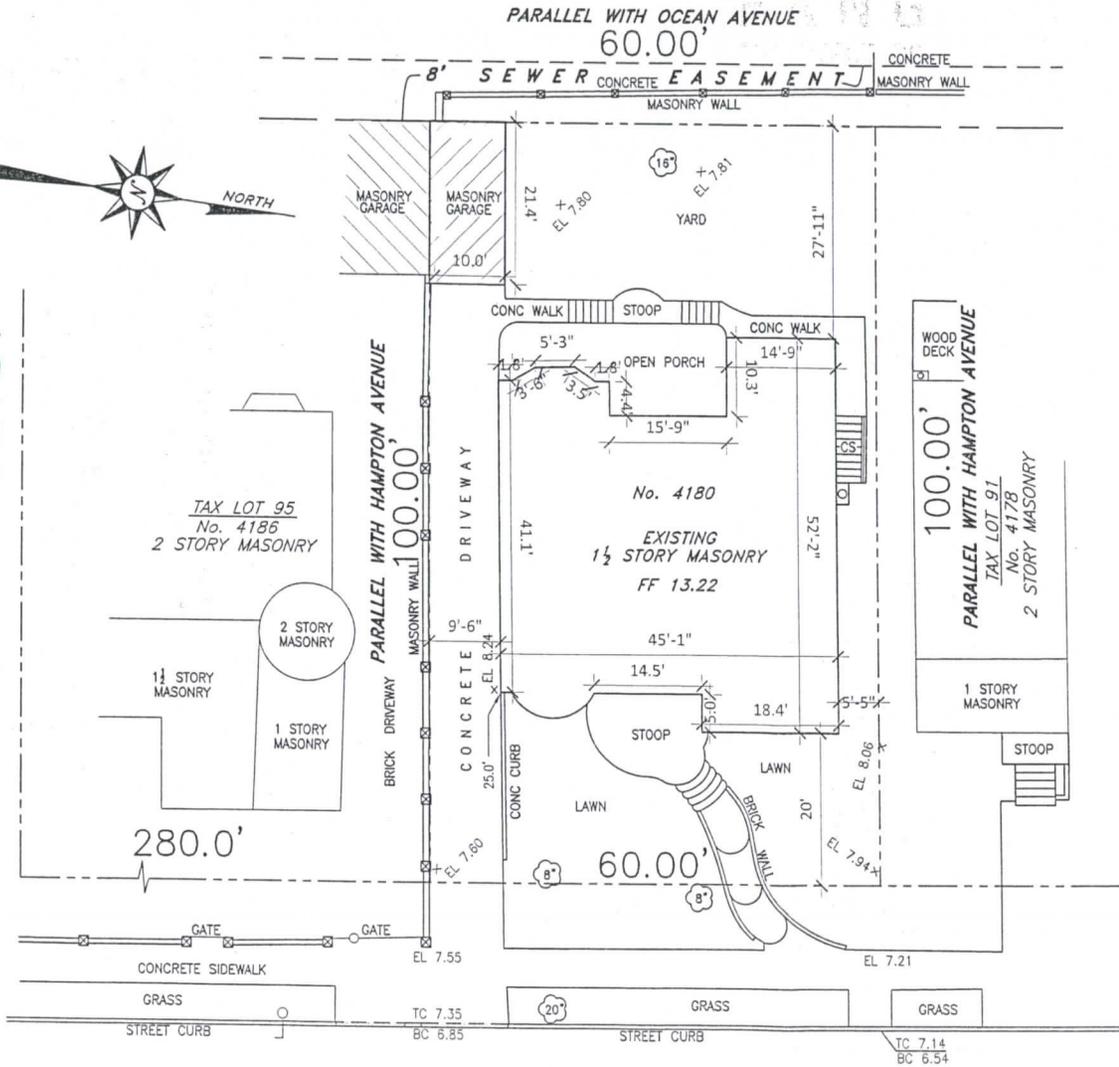
BSA-001.00

DATE: 03-24-16
 PROJECT NO.: 1509

1 PROPOSED SITE PLAN
 SCALE: N.T.S.

OCEAN (80' WIDE) AVENUE

ORIENTAL (60' WIDE) BLVD.



1 EXISTING SITE PLAN
SCALE: N.T.S.

OCEAN (80' WIDE) AVENUE

FANG ARCHITECT, PC

ARCHITECTURE CONSULTING

35-18 LINDEN PLACE, 2FL
FLUSHING, NY 11354
TEL: (646) 838-4880
INFO@FANGPC.COM

PROJECT

YEUNG RESIDENCE

PROPOSED 3-STORY
1 FAMILY
4180 OCEAN AVENUE,
BROOKLYN, NY, 11235

SHEET TITLE

EXISTING SITE PLAN

SEAL AND SIGNATURE



SHEET NO.

BSA-002.00

DATE: 03-24-18
PROJECT NO: 1509

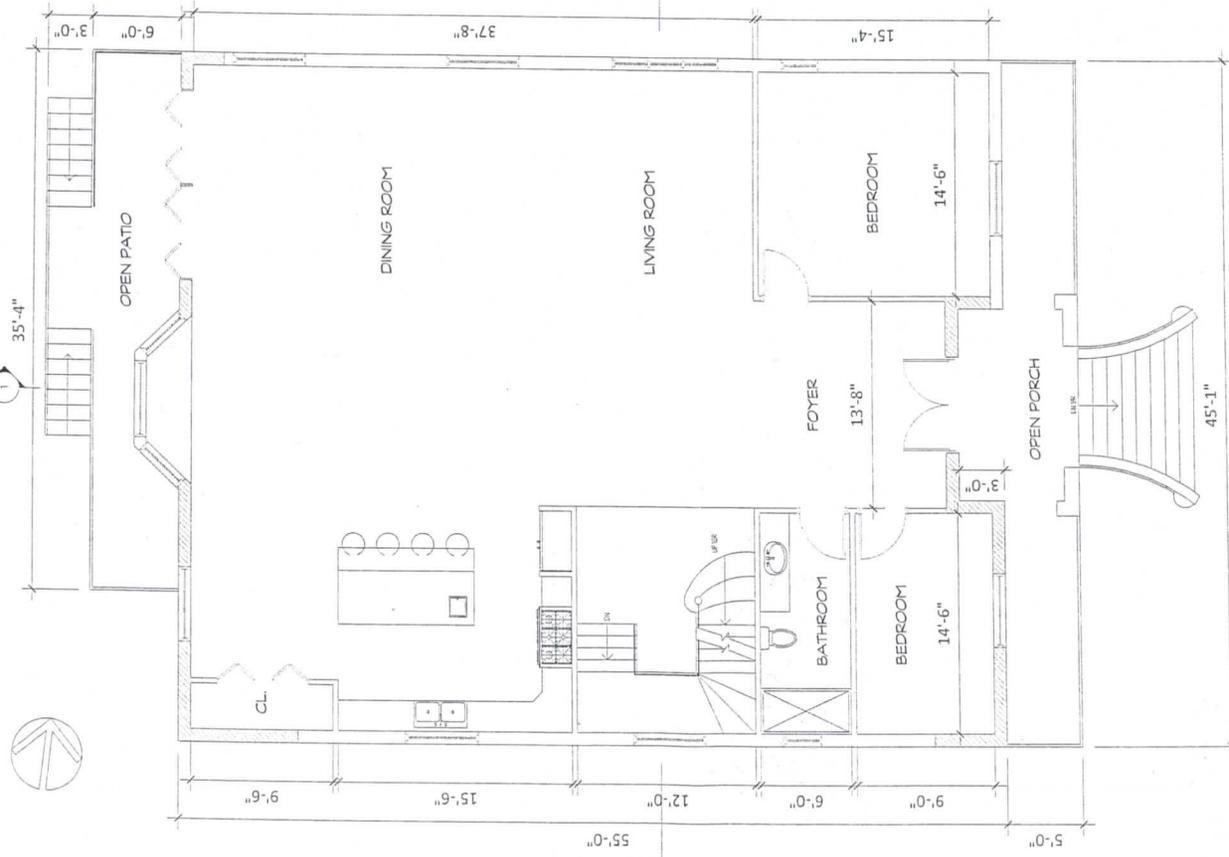
LEGEND

NEW PROPOSED WALL

EXISTING STRUCTURE TO REMAIN



- NOTE:
1. ALL POOL ARE SUBJECT TO DOB APPROVAL.
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 3. ALL INTERIOR PARTITIONS ARE SUBJECT TO DOB APPROVAL.
 4. THE BUILDING SHALL COMPLY WITH APPENDIX G OF THE BUILDING CODE.



1 (BSA) PROPOSED FIRST FLR PLAN

SCALE: 1/8" = 1'-0"

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ARCHITECT, PC

ARCHITECTURE
CONSULTING

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FLUSHING, NY 11354
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PROJECT

**YEUNG
RESIDENCE**

PROPOSED 3-STORY
1 FAMILY
4180 OCEAN AVENUE,
BROOKLYN, NY, 11235

SHEET TITLE

**PROPOSED
FIRST FLOOR PLAN**

SEAL AND SIGNATURE



SHEET NO.

BSA-008.00

DATE: 03-24-16
PROJECT NO: 1509

FANG
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1 PROPOSED EAST ELEVATION (FRONT)
SCALE: 1/8" = 1'-0"

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ARCHITECT, PC

ARCHITECTURE
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PROJECT

**YEUNG
RESIDENCE**

PROPOSED 3-STORY
1 FAMILY
4180 OCEAN AVENUE,
BROOKLYN, NY, 11235

SHEET TITLE

**PROPOSED
EAST ELEVATION**

SEAL AND SIGNATURE



SHEET NO.

BSA-011.00

DATE: 03-24-16
PROJECT NO: 1509