

Thank you to QCC Executive Vice President and Land Use and Planning Chair Patricia Dolan for submitting this *New York Times* article as “required reading”.

<http://cityroom.blogs.nytimes.com/2008/04/25/the-politics-of-curb-cuts-and-driveways/?ex=1209873600&en=dac24248baf52ce3&ei=5070&emc=eta1>



New York Times City Room:
The Politics of Curb Cuts and Driveways

By Jake Mooney

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The house on 70th Street in Dyker Heights, Brooklyn, where the owner Gus Englezos says he spent \$60,000 fighting for permission to build a driveway. (Photo: Chester Higgins Jr./The New York Times)

The houses on the block of 70th Street between Eighth Avenue and Fort Hamilton Parkway in Dyker Heights, Brooklyn, are narrow ones, especially the stretch of attached brick row houses in the middle of the block that have porches and small yards and gardens, not much more than a dozen feet wide, in front.

Looking at one of the yards, your first thought might not be “parking space.” But then again, if you live in Dyker Heights, a short hop from the Gowanus Expressway and a not-very-convenient subway ride into Manhattan, maybe that would be your thought after all. It was for Gus Englezos, a former restaurateur who lives on the block and who recently got city permission for a parking space — and an accompanying curb cut — in front of his house there, at the end of a long struggle with his neighbors.

The problem, one of a wave of similar curb-cut disputes citywide, is the subject of [Dispatches in the City section this week](#). As construction has boomed in recent years, many property owners have sought — legally, with a permit from the Department of Buildings, and illegally — to make curb cuts, which are, literally, cuts into the curb that create the entrance to a driveway.

Many of their neighbors — like those on Mr. Englezos’s street — are unhappy, arguing that the cuts reduce the amount of on-street parking, effectively converting public sidewalk space into the entrance for private driveways. Then there is the aesthetic issue: a paved-over front-yard driveway may be convenient for its owner, they say, but it is not much to look at for everyone else.

Besides Dyker Heights and nearby [Bay Ridge](#), curb cut disputes have popped up in neighborhoods like [Carroll Gardens](#) and [Boerum Hill](#) in Brooklyn, and [Throgs Neck](#) in the Bronx.

Solutions are tricky. City Councilman Vincent J. Gentile, who represents Dyker Heights and Bay

Ridge, is sponsoring a series of bills to crack down on illegal cuts, but it isn't only the illegal cuts that get under some people's skin; Mr. Englezos's curb cut, for example, has full city approval.

The city's Planning Commission, meanwhile, has proposed changes to city zoning, known as the [Yards Text Amendment](#), which would require a certain percentage of front-yard space in certain zoning districts to have grass or other greenery planted on it, thereby preventing homeowners from paving their entire front yards. A planning department spokeswoman said the agency expects the City Council to approve the amendment on April 30.

As for 70th Street, the case is even more complex. There, local officials last year persuaded the city to downzone the area to an R4-1 designation that would limit the height of new buildings. Mr. Gentile and Josephine Beckmann, a neighbor of Mr. Englezos who is also district manager of the local community board, said they were told by planning department officials, at the time, that the new zoning would also prohibit front-yard parking at attached houses, like those on 70th Street.

Curb cut permits, though, are issued by a different agency — the Buildings Department — and that agency interpreted the new zoning differently, ruling that a driveway is allowed in an eight-to-10-foot strip along the edge of the property known as a “side lot ribbon.” The department's position is laid out in [this letter](#) [pdf].

This all may seem arcane, but curb cut opponents [argue](#) that the ruling, which they dispute, opens the door for hundreds more curb cuts citywide. The concept of side lot ribbons came about in the first place, they argue, in an effort to reduce curb cuts and front-yard parking. (See [this](#) story, five paragraphs from the end.) Furthermore, they say, a side lot ribbon cannot exist when there is an attached house, and no side lot.

“All of a sudden, the restriction becomes a permission, under a crazy flip of interpretation by the departments of buildings and city planning,” Mr. Gentile said.

In the zoning code and supporting documents, he added: “There is no indication, no discussion, about the ability to have a side lot ribbon when you have a fully attached house on both sides. It doesn't make sense.”

I spoke with Gus Englezos this week, too, and he said he was worn out by the whole matter. Though his curb cut was approved and concrete was being poured, he said the disagreement had delayed his renovation of the house by months and cost him an estimated \$60,000.

“If the law allows you to do something and your neighbors dictate that they don't want it, what does that come down to?” he said. “Is this a free country that we're living in?”

He said, however, that he has some sympathy for city regulators. “Now I now why Patricia Lancaster resigned,” Mr. Englezos said of the former buildings commissioner, adding: “Ever since 311 was created, it's like the Buildings Department has no time to focus on the real issues. They have to run around to everybody's complaints about what my neighbor should be allowed to do and not do.”