



OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS
Hearings Division

DECISION

Frank Tamberino, Esq. - Nacmias Law Firm 592 Pacific Street 1st Floor Brooklyn, NY 11217	Summons No: 039112384H et al. (1 Summons) DEPT OF BUILDINGS, -against- ROLNIK, CHANANYA Hearing Date: 07/24/2025 Hearing Location: Remote Type of Hearing: By Telephone
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Total Penalty Amount: \$500.00
Community Service(Hr): Not Applicable

SUMMONS #	SUMMARY DISPOSITION	DATE OF OCCURRENCE	PLACE OF OCCURRENCE
039112384H	Sustained	04/23/2024	6920 AVENUE T Brooklyn

LINE ITEM	OATH CODE	CODE SECTION/RULE	RESULT	PENALTY
1	B307	27-509, BC 3111.1 (2008 code) & BC 3112.1 (2014 code)	Sustained	\$500.00

Findings of Fact & Conclusions of Law

The summons was issued on April 23, 2024, with a return date of July 3, 2024.

Attorney Deanna Bulbridge appeared for Petitioner, Department of Buildings. Attorney Frank Tamberino appeared for Respondent, Rolink, Chananya, appeared for a hearing July 24, 2025.

Respondent is charged with 27-509, BC 3111.1, BC 3112.1. The allegation is designated as a Class 3 lesser condition.

Summons alleges that ...fence exceeds permitted height: ATOI 168'linear ft of lot fence exceeds permitted height for

residential properties located in R3-1 ZD at all exposures. Actual measurements taken on site are indicative of a height measurement of 6'ft in height...

Petitioner relied on the sworn statement of the Issuing Officer.

Respondent moved to dismiss. Respondent argued that the fence can be 4 feet or 6feet depending on the location.

Petitioner argued that the front yard is higher than 4 feet.

Respondent argued that there is no confirmation that the fence height was in the front yard.

Petitioner stated that they have nothing further.

Respondent argued that the location is important to make out the charge.

BC 3112.1 provides, in relevant parts, that in residence districts, as established by the New York City Zoning Resolution, fences are permitted to be erected to a maximum height of 4 or 6 feet (1829 mm) above the ground, depending upon its location on the zoning lot...

I credit the allegations. I find that summons indicate that at all exposures the fence measured at 6 feet height. I find that R3-1 residential zone can only have the front yard at 4 feet therefore the fence exceeded the maximum feet allowed in the front yard. I find that the fact the officer failed to indicate the front yard does not warrant the summons defective.

Accordingly, the summons is sustained and the standard penalty of \$500 is imposed.

Iyayi Uwa

08/01/2025

08/01/2025

Iyayi Uwa, Hearing Officer

Date