



The Zonin' Lobels

Richard Lobel follows in the footsteps of his father, Sheldon, who followed in the footsteps of his father-in-law BY MARISA BOWE

Roughly a decade ago, Richard Lobel, currently the managing partner at land use and zoning firm Sheldon Lobel, P.C., was looking up some old Board of Standards and Appeals rulings for a case he was working on. "When you look at old BSA resolutions, you don't just see resolutions relating to your property—there were typically several determinations listed on the same sheet," he says. "As my eyes scanned the page, I noticed May 7, 1970, and then saw that my grandfather was sitting on the board, deciding on a matter at that time."

It was also the day Lobel was born.

The topic of zoning tends to make most people zone out, and it may be worse in New York City, where the zoning code—a set of abstract, arcane, maddeningly detailed regulations—runs a few thousand pages. Few people get it, and few have the patience to try.

But for Lobel, it's a family affair. In 1962, his father, Sheldon, founded a storefront law firm in Brooklyn, and took on, Sheldon says, "whatever walked in the door."

Then, at the Bronx home of his future in-laws, he saw his future: a photograph of his soon-to-be-wife's father, Samuel L. Becker, being sworn in as commissioner of the BSA by Mayor Robert Wagner in 1959. "Zoning?" Sheldon remembers thinking. "What was that? It was not taught in law school." Becker, who began working at the Bronx Parkway Commission in 1921, subsequently became his mentor.

Richard hadn't planned on becoming a third-generation zoning expert. "After law school," he says, "I wanted to make my own way, and didn't want it to look like I was given any favors. I practiced corporate law and enjoyed it." At the same time, he began longing for the interpersonal nature of land use law. "Like my dad, I've always enjoyed being in front of people—I was an amateur standup comedian after college. Land use attorneys are always out in front of agencies, community boards and others. There are few other jobs which would allow you to regularly interact with communities and get a real flavor for what a neighborhood is about. It's one of the best parts about my job."

His father was not above occasionally needling his son about an associate's tough work life at a big firm, either. "I also knew that he would be well suited for zoning and land use," says Sheldon. "Eventually [in 2003], I convinced him to join me. It has been a blessing. I enjoy being less focused on day-to-day management of the firm."

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Higher authority at the BSA

"When my grandfather was promoted to the director position at BSA, the chair at the time was a hard-nosed bureaucratic type who refused to give him an office. That night he goes home to my Grandma Mae and conveys the bad news. The next day my grandma, who didn't take anything from anybody, marches to the BSA offices and demands to see the chair, and tells him he'd better not treat my grandfather like that. Shortly thereafter, the chair died. I don't think Grandma Mae had anything to do with that, but Grandpa Sam did get his office."

—RICHARD LOBEL


PERSONAL ACCOUNT

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"There really are just a handful of firms that have significant experience in this area," Richard says. "You build up a critical mass in filing, learning about the character of different NYC neighborhoods and what types of applications are a better fit than others." He cites a few examples: Parking reductions in Flushing are challenging; ditto approvals for restaurants in SoHo and Tribeca. "There are certain neighborhoods in Brooklyn where a special permit is available that allows homeowners to double their available square footage," he adds.

Over the years, he says, "We've been involved with well over 700 applications at the BSA. The overwhelming majority have been successful."

Father and son generally see eye-to-eye on legal matters, Richard says. "What's harder about working so closely with a family member is to maintain your appropriate roles. ... I address my dad as Sheldon during the workday, but when I do that in front of my mom, she is none too happy."

There's also the moment when roles change. "My dad set my salary when I started at the firm," Richard says. "Later I took over management of the firm and, in 2013, I set his salary. I liked that better." 

Jonesing on Zoning

The first U.S. zoning law was passed in New York City on July 25, 1916. Concern over skyscrapers led to its creation by the New York City Board of Estimate and Apportionment. Concern over its constitutionality led to safety valves, including a board of appeals, being added. The law itself divided the city into three use districts (residential, business and unrestricted), and subjected every inch of real estate to three types of regulation: use, height, and area limitations.

This year, New York passed one of its most significant updates in decades. "The current administration has passed some of the most significant amendments to the zoning regulations ever approved—particularly in terms of requiring affordable housing for new residential rezonings," says Richard Lobel. "Such programs have been elective in the past. I don't think anyone saw this coming in this manner and with this scope."