

***SOC – DECISIONS***

<b>1.</b>	<b>765-50-BZ</b>	<p>Kenneth H. Koons  <b>1430-36 Unionport Road, BRONX</b>                      Reopening: Extension of Term of a variance for an existing Funeral Establishment granted by the Board, filed pursuant to Section 11-411 of the zoning resolution, located in a C1-2/R6 zoning district.  <b>COMMUNITY BOARD #9X</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 6/14/05</b></p>
<b>2.</b>	<b>45-65-BZ</b>	<p>Jesse Masyr, Esq.  <b>1526 Grand Concourse, THE BRONX</b>                      Reopening for an amendment pursuant to Z.R. §§72-01 and 72-22 to enclose an open area formerly used for an accessory off-street loading berth, located in an R-8 zoning district.  <b>COMMUNITY BOARD #4BX</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 6/14/05</b></p>
<b>3.</b>	<b>348-82-BZ</b>	<p>Salvati Architects  <b>204 Avenue “S”, BROOKLYN</b>                      Reopening: Extension of Term/Waiver/Amendment, application seeks to legalize the change from three (3) storefronts (U.G. 6) to two (2) storefronts (U.G. 6 &amp; 16D) located in an R5 zoning district. The application was approved under section 72-21 of the zoning resolution to permit in an R5 zoning district, the establishment of three (U.G. 6) storefronts for a term of 20 years which expired on April 12, 2003.  <b>COMMUNITY BOARD #11BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 6/14/05</b></p>
<b>4.</b>	<b>189-03-BZ</b>	<p>Sheldon Lobel, P.C.  <b>836 East 233<sup>rd</sup> Street, BRONX</b>                      Reopening for an amendment to the resolution to permit the enlargement and conversion of the existing accessory service bays to an accessory convenience store, located in an R-5 zoning district.  <b>COMMUNITY BOARD #12BX</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 6/14/05</b></p>

***SOC – NEW CASES***

<b>5.</b>	<b>364-87-BZ</b>	Sheldon Lobel, P.C. <b>1710-1720 Flatbush Avenue, BROOKLYN</b> Reopening for Extension of Term/Waiver for an Automotive Repair Shop, located in a C2-2 within an R5 zoning district. <b>COMMUNITY BOARD #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/19/05</b>
<b>6.</b>	<b>793-88-BZ</b>	Eric Palatnik, P.C. <b>164/76 Willis Avenue, THE BRONX</b> Reopening for an Amendment to a previously approved variance to a gasoline services station to construct a new convenience store located in an R6 zoning district. <b>COMMUNITY BOARD #1BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/19/05</b>
<b>7.</b>	<b>162-93-BZ</b>	Fredrick A. Becker, Esq. <b>270 West 17<sup>th</sup> Street, a/k/a 124-128 Eighth Avenue, MANHATTAN</b> Reopening for Extension of Term and to legalize an Amendment to expand the floor area of previously granted special permit for a physical culture establishment, and a waiver of the rules of procedure for a late filing. The premises is located in a C1-6A, C6-2A and R8B zoning district. <b>COMMUNITY BOARD #4M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned – 8/23/05</b>
<b>8.</b>	<b>12-00-BZ</b>	Eric Palatnik, P.C. <b>1045 East 24<sup>th</sup> Street, BROOKLYN</b> Reopening for Extension of Time to complete construction and obtain a C of O permitting the enlargement of a one-family dwelling which was granted on October 17, 2000. <b>COMMUNITY BOARD #14BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 7/19/05</b>

## ***APPEALS – DECISIONS***

<b>9.</b>	<b>397-04-A</b>	<p>Petraro &amp; Jones, LLP  <b>151 West 76<sup>th</sup> Street, MANHATTAN</b>                      An appeal to request the Board to determine that the apartment house at subject premises, is not a “single room occupancy multiple dwelling” and (2) nullify the Department of Buildings’ plan review “objection” that resulted in this appeal application.  <b>COMMUNITY BOARD #7M</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 8/9/05</b>

## ***APPEALS – CONTINUED HEARINGS***

<b>10.</b>	<b>25-04-A &amp; 26-04-A</b>	<p>Rothkrug Rothkrug Weinberg &amp; Spector  <b>506/510 Bradford Avenue, STATEN ISLAND</b>                      Proposed construction of a 2 - one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.  <b>COMMUNITY BOARD #3SI</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/27/05</b>
<b>11.</b>	<b>309-04-BZY &amp; 310-04-BZY</b>	<p>Rothkrug Rothkrug Weinberg &amp; Spector  <b>65 &amp; 67 North Burgher Avenue, STATEN ISLAND</b>                      Application to extend time to complete construction for a major development as per Z.R. §11-331.  <b>COMMUNITY BOARD #1SI</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 6/14/05</b>
<b>12.</b>	<b>325-04-A</b>	<p>Rothkrug Rothkrug Weinberg Spector  <b>91 Wakefield Road, STATEN ISLAND</b>                      Proposed construction of a one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.  <b>COMMUNITY BOARD #3SI</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 7/19/05</b>
<b>13.</b>	<b>347-04-BZY &amp; 348-04-BZY</b>	<p>Rothkrug Rothkrug Weinberg &amp; Spector  <b>3056 &amp; 3058 Cross Bronx Expressway, THE BRONX</b>                      Application to extend time to complete construction for a major development as per Z.R. §11-331.  <b>COMMUNITY BOARD #10BX</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 7/19/05</b>

***APPEALS – CONTINUED HEARINGS***

<b>14.</b>	<b>22-05-A</b>	<p>Dennis Dell' Angelo <b>5728 Amboy Road and 3 Haynes Street, STATEN ISLAND</b> An appeal challenging the Department of Buildings decision that approved and permitted the building of two houses on a lot, located in the R-3X zoning district containing less than the required square footage in the Special South Richmond District, also this appeal is seeking to reverse the DOB's decision not to enforce §107-42 of the SSRD within NYC Zoning Resolution. <b>COMMUNITY BOARD #3SI</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Closed, Decision – 8/9/05</b></p>
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***BZ – DECISIONS***

1.	138-04-BZ	Sheldon Lobel, P.C. <b>6101-6123 16<sup>th</sup> Avenue, BROOKLYN</b> Special Permit: Under Z.R. §73-19 – To request a special permit for a school, Use Group 3, within an M1-1 Zoning District to vary Z.R. §42-00 so as to permit the school on the Premises.
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 6/14/05</b>
2.	174-04-BZ	Law Offices of Howard Goldman, PLLC <b>124 West 24<sup>th</sup> Street, MANHATTAN</b> Variance: Under Z.R. §72-21 – Proposed conversion of floors two through six, to residential use, Use Group 2, in an existing six-story commercial building, located in an M1-6 zoning district, is contrary to Z.R. §42-00. <b>COMMUNITY BOARD #4M</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 6/14/05</b>
3.	178-04-BZ thru 181-04-BZ	Joseph P. Morsellino <b>7-04/06/12/14 130<sup>th</sup> Street, QUEENS</b> Variance: Under Z.R. §72-21 – Proposed erection of four two-family dwelling, Use Group 2, which does not comply with the zoning requirements for floor area, floor area ratio, lot coverage and minimum required open space is contrary to Z.R. §23-141. <b>COMMUNITY BOARD #7Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Withdrawn - 6/14/04</b>
4.	190-04-BZ	Agusta & Ross, Esqs. <b>2184 Mill Avenue, a/k/a 6001 Strickland Avenue, BROOKLYN</b> Variance: Under Z.R. §72-21 – To permit the proposed conversion of a former lead factory, into a multiple dwelling (45 DUs) with doctor's office, located in an R3-1 zoning district. <b>COMMUNITY BOARD #18BK</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 6/14/05</b>

**BZ – DECISIONS**

5.	390-04-BZ	Walter T. Gorman, P.E. <b>2290 Boston Road, THE BRONX</b> Variance: Under Z.R. §72-21 – To reestablishment a gasoline service station, Use Group 16, with accessory auto repairs, accessory parking and the storage of motor vehicles, located in a C1-3 within an R6 zoning district. <b>COMMUNITY BOARD #11BX</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 6/14/05</b>
6.	401-04-BZ	Eric Palatnik, P.C. <b>1395 Ocean Avenue, BROOKLYN</b> Variance: Under Z.R. §72-21 – To permit the proposed enlargement of an existing yeshiva, Use Group 3, located in a portion of R4 and R6 zoning district, which does not comply with the zoning requirements for floor area, lot coverage, wall height and the sky exposure, is contrary to Z.R. §24-11 and §24-522. <b>COMMUNITY BOARD #14BK</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Granted – 6/14/05</b>
7.	4-05-BZ	Sheldon Lobel, P.C. <b>69-02 Garfield Avenue, QUEENS</b> Special Permit: Under Z.R. §73-49 – To permit parking on the roof of an as-of-right commercial building located in an M1-1 zoning district. The application seeks to create 114 rooftop parking spaces. <b>COMMUNITY BOARD #2Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 6/14/05</b>
8.	32-05-BZ	Law Office of Howard Goldman <b>288 7<sup>th</sup> Street, BROOKLYN</b> Variance: under Z.R. §72-21 – To permit the proposed relocation and expansion of an existing not-for-profit school, located in an R6B zoning district, which does not comply with the zoning requirements for lot coverage, is contrary to Z.R. §24-11 and §52-31. <b>COMMUNITY BOARD #6BK</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Granted – 6/14/05</b>

***BZ – DECISIONS***

<b>9.</b>	<b>63-05-BZ</b>	Carole S. Slater, Esq. <b>2324 West 13<sup>th</sup> Street, BROOKLYN</b> Variance: Under Z.R. §72-21 – To permit the proposed two-story addition to a not for profit educational institution for developmentally disabled children, within R5 and R5/C1-2 Zoning Districts to vary Z.R. §§24-11, 24-34 and 77-28. <b>COMMUNITY BOARD #6BK</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Granted – 6/14/05</b>
<b>10.</b>	<b>82-05-BZ</b>	Adrienne W. Bernard, Esq. <b>1841 Park Avenue (a/k/a 101 East 126<sup>th</sup> Street), MANHATTAN</b> Special Permit: Under Z.R. §73-19 – To allow an existing child care facility accessory to a not-for-profit community service organization to operate as a Use Group 3A school, within an M1-2 and R7-2 Zoning District and to vary Z.R. §42-12. <b>COMMUNITY BOARD #11M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Granted – 6/14/05</b>

***BZ – CONTINUED HEARINGS***

11.	36-04-BZ & 37-04-BZ	Petraro & Jones, LLP <b>30 &amp; 32 Carlton Avenue, BROOKLYN</b> Variance: Under Z.R. §72-21 – To permit the proposed construction of two eight family dwellings, on two currently vacant lots, located in an M1-2 zoning district. <b>COMMUNITY BOARD #2BK</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Continued Hearing – 7/26/05</b>
12.	175-04-BZ thru 177-04-BZ	Joseph P. Morsellino <b>7-05/09/13 130<sup>th</sup> Street, QUEENS</b> Variance: Under Z.R. §72-21 – Proposed erection of three two-family dwelling, Use Group 2, which does not comply with the zoning requirements for floor area, floor area ratio, lot coverage, open space, perimeter wall height and rear yard, is contrary to Z.R. §23-141, §23-631 and §23-47. <b>COMMUNITY BOARD #7Q</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Continued Hearing – 8/23/05</b>
13.	209-04-BZ & 210-04-A	Joseph P. Morsellino, Esq. <b>109-09 15<sup>th</sup> Avenue, QUEENS</b> Variance: Under Z.R. §72-21 – To permit the proposed six story residential building, with 134 dwelling units, Use Group 2, located in an M2-1 zoning district, which is contrary to Z.R. §42-00 and is also located within the bed of mapped street, contrary to Section 35, Article 3 of the General City Law. <b>COMMUNITY BOARD #7Q</b>
		<b>Examiner: Jed Weiss 212-788-8781/Toni Matias 212-788-8752</b>
		<b>Status: Closed, Decision – 7/19/05</b>
14.	257-04-BZ	Patrick W. Jones, Esq. <b>252/60 Atlantic Avenue (a/k/a - 83/87 Boerum Place, 239/47 Pacific Street), BROOKLYN</b> Variance: Under Z.R. §72-21 – To permit the proposed construction of a seven-story mixed-use, retail-residential building, located in R6A, R6, C2-4 and C2-3 zoning districts which does not comply with FAR, lot coverage and required loading berth. <b>COMMUNITY BOARD #2BK</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Continued Hearing – 7/19/05</b>

***BZ – CONTINUED HEARINGS***

<b>15.</b>	<b>372-04-BZ</b>	Rothkrug Rothkrug Weinberg Spector <b>8 Lawn Avenue, STATEN ISLAND</b> Variance: Under Z.R. §72-21 – To permit in a R1-2(NA-1) zoning district the construction of a single family home on a lot with less than the required lot area and lot width to vary Z.R. §23-32. <b>COMMUNITY BOARD #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/12/05</b>

***BZ – NEW CASES***

<b>16.</b>	<b>160-04-BZ &amp; 161-04-A</b>	Mitchell S. Ross, Esq. <b>73 Washington Avenue, BROOKLYN</b> Variance: Under Z.R. §72-21 – To permit, in an M1-2 zoning district, the residential conversion of an existing four-story commercial loft building into eight dwelling units, contrary to Z.R. §42-10 and modification of the Building Code Section 27 MDL regarding light and air. <b>COMMUNITY BOARD #2BK</b>
		<b>Examiner: Rory Levy 212-788-8749/Toni Matias 212-788-8752</b>
		<b>Status: Continued Hearing – 8/9/05</b>
<b>17.</b>	<b>189-04-BZ</b>	D.E.C. Designs, for City of Faith Church of God, owner. <b>3445 White Plains Road, THE BRONX</b> Special Permit: Under Z.R. §73-19 – To allow a school (UG 3), in a C8-1 zoning district which is not permitted as per section 32-00 of the Zoning Resolution. <b>COMMUNITY BOARD #12BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 7/19/05</b>
<b>18.</b>	<b>245-04-BZ</b>	Mitchell S. Ross, Esq. <b>102/04 Franklin Avenue, BROOKLYN</b> Variance: Under Z.R. §72-21 – To permit the proposed five-story, nine unit multiple dwelling, Use Group 2, located in an M1-1 zoning district, is contrary to Z.R. §42-10. <b>COMMUNITY BOARD #3BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 7/26/05</b>

**BZ – NEW CASES**

19.	394-04-BZ 30-05-A	<p>Deirdre A. Carson/Greenberg Traurig, LLP  <b>44 Mercer Street, a/k/a 471 Broadway, MANHATTAN</b>            Variance: Under Z.R. §72-12 – To permit the proposed construction of a seven-story mixed-use building, containing residential and retail uses, whereas such uses are not permitted as right, located within an M1-5B zoning district, is contrary to Z.R. §42-10 and §42-14(D)(2)(B) and seeking a modification of the Building Code Section 27-366 and MDL Art 3 Section 102 - in that the proposed new building does not provide two independent stairs for means of egress.  <b>COMMUNITY BOARD #2M</b></p> <p><b>Examiner: Jed Weiss 212-788-8781/Toni Matias 212-788-8752</b></p> <p><b>Status: Continued Hearing – 7/26/05</b></p>
20.	5-05-BZ	<p>Sheldon Lobel, P.C.  <b>59-25 Fresh Meadow Lane, QUEENS</b>            Special Permit: Under Z.R. §73-53 – To permit the enlargement of an existing non-conforming manufacturing building located within a district designated for residential use (R3-2). The application seeks to enlarge the subject contractor’s establishment (Use Group 16) by 2,499.2 square feet.  <b>COMMUNITY BOARD #11Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 7/26/05</b></p>
21.	6-05-BZ	<p>Eric Palatnik, P.C.  <b>3046 Bedford Avenue, BROOKLYN</b>            Special Permit: Under Z.R. §73-622 – An enlargement to a single family home to vary sections Z.R. §23-141 for open space and floor area, Z.R. §23-46 for side yards and Z.R. §23-47 for rear yard. The premises is located in an R-2 zoning district.  <b>COMMUNITY BOARD #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 7/26/05</b></p>
22.	12-05-BZ	<p>Eric Palatnik, P.C.  <b>1662 East 28<sup>th</sup> Street, BROOKLYN</b>            Special Permit: Under Z.R. §73-622 – For an enlargement to a single family home to vary sections Z.R. §23-141 for floor area, Z.R. §23-461 for side yards and Z.R. §23-47 for rear yard. The premises is located in an R3-2 zoning district.  <b>COMMUNITY BOARD #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 7/26/05</b></p>