
BULLETIN

OF THE NEW YORK CITY BOARD OF STANDARDS AND APPEALS

Published weekly by The Board of Standards and Appeals at its office at:
40 Rector Street, 9th Floor, New York, N.Y. 10006.

Volume 90, No. 37-38

September 22, 2005

DIRECTORY

MEENAKSHI SRINIVASAN, *Chair*

SATISH BABBAR, *Vice-Chair*

JOEL A. MIELE, SR.

JAMES CHIN

Commissioners

Pasquale Pacifico, *Executive Director*

Roy Starrin, *Deputy Director*

John E. Reisinger, *Counsel*

OFFICE -	40 Rector Street, 9th Floor, New York, N.Y. 10006
HEARINGS HELD -	40 Rector Street, 6th Floor, New York, N.Y. 10006
BSA WEBPAGE @	http://www.nyc.gov/html/bsa/home.html

TELEPHONE - (212) 788-8500
FAX - (212) 788-8769

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**MINUTES of Regular Meetings,
Tuesday, SEPTEMBER 13, 2005**

Morning Calendar 618

Affecting Calendar Numbers:

234-84-BZ	1976/82 Forest Avenue, Staten Island
162-93-BZ	270 West 17 th Street, Manhattan
130-39-A	2 Ploughman's Bush, a/k/a 665 West 246 th Street, Bronx
878-80-BZ	41 West 24 th Street, Manhattan
364-82-BZ	245-02/34 Horace Harding Expressway, Queens
62-83-BZ	696 Pacific Street, Brooklyn
983-83-BZ	34-42/60 Guy R. Brewerb Boulevard, Queens
886-87-BZ	11 East 36 th Street, a/k/a 10 East 37 th Street, Manhattan
364-89-BZ	30-75 21 st Street, Queens
110-95-BZ	1845 Cornaga Avenue, Queens
132-97-BZ	227 Mansion Avenue, Staten Island
44-99-BZ	194 Brighton Avenue, Staten Island
365-04-A thru 369-04-A	85-04/02 56 th Avenue and 85-01/03/03A 57 th Avenue, Queens
157-05-A	39 Kildare Walk, Queens
158-05-A	15 Atlantic Walk, Queens
235-04-A	3096 Dare Place, Bronx
236-04-A	3094 Dare Place, Bronx
291-04-A	90-19 Metropolitan Avenue, Queens
91-05-A	60-04 172 nd Street, Queens

Afternoon Calendar623

Affecting Calendar Numbers:

302-04-BZ	40 Woodhull Street, Brooklyn
332-04-BZ	1410/14 East 24 th Street, Brooklyn
389-04-BZ	150 East 34 th Street, Manhattan
394-04-BZ/30-05-A	44 Mercer Street, a/k/a 471 Broadway, Manhattan
402-04-BZ	2461 Knapp Street, Brooklyn
405-04-BZ	1734 East 27 th Street, Brooklyn
88-05-BZ	2015 East 22 nd Street, Brooklyn
397-03-BZ thru 405-03-BZ	1255/1257/1259/1261/1263/1265/1267/1269/1271 60 th Street, Brooklyn
3-04-BZ	147-08 46 th Avenue, Queens
290-04-BZ	341-349 Troy Avenue, a/k/a 1515 Carroll Street, Brooklyn
315-04-BZ & 318-04-BZ	1732/1734/1736/1738 81 st Street, Brooklyn
326-04-BZ	6208/16 Strickland Avenue, Brooklyn
338-04-BZ	806/14 Coney Island Avenue, Brooklyn
357-04-BZ	707 Cross Bay Boulevard, Queens
358-04-BZ	728 Cross Bay Boulevard, Queens
382-04-BZ	2026 Avenue "T", Brooklyn
399-04-BZ	425/27 Broome Street, Manhattan
19-05-BZ	151 West 28 th Street, Manhattan
44-05-BZ	49-01 Beach Channel Drive, Queens
60-05-BZ	1024 Lancaster Avenue, Brooklyn
97-05-BZ	1107 East 21 st Street, Brooklyn
126-05-BZ	1282 East 27 th Street, Brooklyn

DOCKETS

New Case Filed Up to September 13, 2005

202-05-BZ B. Q 11-11 131st Street,
between 11th and 14th Avenues, Block 4011, Lot 24,
Borough of Queens, Applic. #402179664. Special permit to
allow the proposed Physical Culture Establishment in a
Manufacturing (M1-1) zoning district not contrary to §73-
36.

COMMUNITY BOARD #7Q

203-05-A B. Q 39 Ocean Avenue,
East side 294.86 North of Rockaway Point Blvd., Block
16350, Lot 300, Borough of Queens, Applic. # 402166197.
Building not fronting mapped Street contrary to Art 3, Sec.
36 GCL & Sec. 27-291 Admin. Code.

204-05-BZ B. B 2211 Avenue T,
North side 57.-0" East of 22nd Street between East 22 and
East 23rd Streets, Block 7301, Lot 47, Borough of Brooklyn,
Applic. #301480966. To erect a two story rear enlargement
contrary to §73-622.

COMMUNITY BOARD #15BK

205-05-A B. Q 47 Graham Place,
North side of Graham Place 52.50' West of Beach 204th
Street, Block 16350, Lot 400, Borough of Queens, Applic.
#4021205757. Propose legalization of the rear extension.
The building is in the bed of a mapped Street contrary to
GCL 35.

206-05-A B. Q 9 Bayside Drive, in
the bed of Bayside Drive 109.72' North West of Rockaway
Point Blvd., Block 16340, Lot 50, Borough of Queens,
Applic. #402131260. Reconstruct and enlarge an existing
single family dwelling and upgrade existing private disposal
system both lying in the bed of a mapped Street contrary to
GCL 35.

207-05-BZ B. BK 407 Allen Avenue,
Between Knapp and Plumb 1st Streets, Block 8830, Lot 7,
Borough of Brooklyn, Applic. # 301990709. To legalize the
existing enlargement of the home. Said special permit seeks
to vary ZR Section 23-141 (floor area and lot coverage):
§23-461(side yard);§23-47 (rear yard)

COMMUNITY BOARD #15BK

208-05-A B. S.I. 24 Riverside Lane,

Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 102, Borough of Staten Island,
Applic. #500782138. To permit construction of a dwelling
that does not front on a legally mapped Street.

209-05-A B. S.I. 26 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 104, Borough of Staten Island,
Applic. #500774352. To permit construction of a dwelling
that does not front on a legally mapped Street.

210-05-A B. S.I. 28 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block
1116, Lot 106, Borough of Staten Island, Applic.
#50074254. To permit construction of a dwelling that does
not front on a legally mapped Street.

211-05-A B. S.I. 30 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 108, Borough of Staten Island,
Applic. #500773567. To permit construction of a dwelling
that does not front on a legally mapped Street.

212-05-A B. S.I. 32 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 114, Borough of Staten Island,
Applic. #500773852. To permit construction of a dwelling
that does not front on a legally mapped Street.

213-05-A B. S.I. 34 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 116, Borough of Staten Island,
Applic. #500773255. To permit construction of a dwelling
that does not front on a legally mapped Street.

214-05-A B. S.I. 36 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 118, Borough of Staten Island,
Applic. #500773264. To permit construction of a dwelling
that does not front on a legally mapped Street.

DOCKETS

215-05-A B. S.I. 38 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 120, Borough of Staten Island,
Applic. #500773246. To permit construction of a dwelling
that does not front on a legally mapped Street.

216-05-A B. S.I. 40 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 122, Borough of Staten Island,
Applic. #500773415. To permit construction of a dwelling
that does not front on a legally mapped Street.

217-05-A B. S.I. 42 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 124, Borough of Staten Island,
Applic. #500773424. To permit construction of a dwelling
that does not front on a legally mapped Street.

218-05-A B. S.I. 44 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 125, Borough of Staten Island,
Applic. #500773433. To permit construction of a dwelling
that does not front on a legally mapped Street.

219-05-A B. S.I. 46 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 126, Borough of Staten Island,
Applic. #500774290. To permit construction of a dwelling
that does not front on a legally mapped Street.

220-05-A B. S.I. 48 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 127, Borough of Staten Island,
Applic. #500774307. To permit construction of a dwelling
that does not front on a legally mapped Street.

221-05-A B. S.I. 50 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 144, Borough of Staten Island,
Applic. #500773834. To permit construction of a dwelling
that does not front on a legally mapped Street.

222-05-A B. S.I. 52 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 145, Borough of Staten Island,
Applic. #500773585. To permit construction of a dwelling
that does not front on a legally mapped Street.

223-05-A B. S.I. 54 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 146, Borough of Staten Island,
Applic. #500773843. To permit construction of a dwelling
that does not front on a legally mapped Street.

224-05-A B. S.I. 56 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 147, Borough of Staten Island,
Applic. #500773576. To permit construction of a dwelling
that does not front on a legally mapped Street.

225-05-A B. S.I. 58 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 148, Borough of Staten Island,
Applic. #500782147. To permit construction of a dwelling
that does not front on a legally mapped Street.

226-05-A B. S.I. 17 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 96, Borough of Staten Island,
Applic. #500776617. To permit construction of a dwelling
that does not front on a legally mapped Street.

227-05-A B. S.I. 19 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 97, Borough of Staten Island,
Applic. #500776608. To permit construction of a dwelling
that does not front on a legally mapped Street.

228-05-A B. S.I. 21 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 98, Borough of Staten Island,
Applic. #500776591. To permit construction of a dwelling
that does not front on a legally mapped Street.

229-05-A B. S.I. 23 Riverside Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 99, Borough of Staten Island,
Applic. #500776582. To permit construction of a dwelling
that does not front on a legally mapped Street.

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230-05-A B. S.I. 27 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 103, Borough of Staten Island, Applic. #500776092. To permit construction of a dwelling that does not front on a legally mapped Street.

231-05-A B. S.I. 29 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 107, Borough of Staten Island, Applic. #500776083. To permit construction of a dwelling that does not front on a legally mapped Street.

232-05-A B. S.I. 31 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 113, Borough of Staten Island, Applic. #500776029. To permit construction of a dwelling that does not front on a legally mapped Street.

233-05-A B. S.I. 33 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 115, Borough of Staten Island, Applic. #500776038. To permit construction of a dwelling that does not front on a legally mapped Street.

234-05-A B. S.I. 35 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 117, Borough of Staten Island, Applic. #500776047. To permit construction of a dwelling that does not front on a legally mapped Street.

235-05-A B. S.I. 37 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 119, Borough of Staten Island, Applic. #500776074. To permit construction of a dwelling that does not front on a legally mapped Street.

236-05-A B. S.I. 39 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 121, Borough of Staten Island, Applic. #500776065. To permit construction of a dwelling that does not front on a legally mapped Street.

237-05-A B. S.I. 41 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 123, Borough of Staten Island, Applic. #500776056. To permit construction of a dwelling that does not front on a legally mapped Street.

238-05-A B. S.I. 57 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 149, Borough of Staten Island, Applic. #500774218. To permit construction of a dwelling that does not front on a legally mapped Street.

239-05-A B. S.I. 59 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 150, Borough of Staten Island, Applic. #500774272. To permit construction of a dwelling that does not front on a legally mapped Street.

240-05-A B. S.I. 61 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 151, Borough of Staten Island, Applic. #500774281. To permit construction of a dwelling that does not front on a legally mapped Street.

241-05-A B. S.I. 63 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 152, Borough of Staten Island, Applic. #500774263. To permit construction of a dwelling that does not front on a legally mapped Street.

242-05-A B. S.I. 65 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 153, Borough of Staten Island, Applic. #500774245. To permit construction of a dwelling that does not front on a legally mapped Street.

243-05-A B. S.I. 67 Riverside Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 154, Borough of Staten Island, Applic. #500774325. To permit construction of a dwelling that does not front on a legally mapped Street.

244-05-A B. S.I. 18 Edgeview Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 86, Borough of Staten Island, Applic. #500776519. To permit construction of a dwelling that does not front on a legally mapped Street.

245-05-A B. S.I. 20 Edgeview Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 87, Borough of Staten Island, Applic. #500776528. To permit construction of a dwelling that does not front on a legally mapped Street.

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246-05-A B. S.I. 22 Edgeview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 88, Borough of Staten Island,
Applic. #500776537. To permit construction of a dwelling
that does not front on a legally mapped Street.

247-05-A B. S.I. 24 Edgeview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 89, Borough of Staten Island,
Applic. #500776546. To permit construction of a dwelling
that does not front on a legally mapped Street.

248-05-A B. S.I. 26 Edgeview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 91, Borough of Staten Island,
Applic. #500776555. To permit construction of a dwelling
that does not front on a legally mapped Street.

249-05-A B. S.I. 28 Edgeview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 92, Borough of Staten Island,
Applic. #500776564. To permit construction of a dwelling
that does not front on a legally mapped Street.

250-05-A B. S.I. 30 Edgeview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 93, Borough of Staten Island,
Applic. #500776573. To permit construction of a dwelling
that does not front on a legally mapped Street.

251-05-A B. S.I. 25 Edgeview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 77, Borough of Staten Island,
Applic. #500779936. To permit construction of a dwelling
that does not front on a legally mapped Street.

252-05-A B. S.I. 16 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 61, Borough of Staten Island,
Applic. #500776181. To permit construction of a dwelling
that does not front on a legally mapped Street.

253-05-A B. S.I. 18 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 62, Borough of Staten Island,
Applic. #500776190. To permit construction of a dwelling
that does not front on a legally mapped Street.

254-05-A B. S.I. 20 Openview Lane,

Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 63, Borough of Staten Island,
Applic. #500776172. To permit construction of a dwelling
that does not front on a legally mapped Street.

255-05-A B. S.I. 22 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 64, Borough of Staten Island,
Applic. #500776163. To permit construction of a dwelling
that does not front on a legally mapped Street.

256-05-A B. S.I. 24 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 65, Borough of Staten Island,
Applic. #500776154. To permit construction of a dwelling
that does not front on a legally mapped Street.

257-05-A B. S.I. 26 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 66, Borough of Staten Island,
Applic. #500776145. To permit construction of a dwelling
that does not front on a legally mapped Street.

258-05-A B. S.I. 28 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 67, Borough of Staten Island,
Applic. #500776136. To permit construction of a dwelling
that does not front on a legally mapped Street.

259-05-A B. S.I. 30 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 68, Borough of Staten Island,
Applic. #500776127. To permit construction of a dwelling
that does not front on a legally mapped Street.

260-05-A B. S.I. 32 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 69, Borough of Staten Island,
Applic. #500776118. To permit construction of a dwelling
that does not front on a legally mapped Street.

261-05-A B. S.I. 34 Openview Lane,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 70, Borough of Staten Island,
Applic. #500776109. To permit construction of a dwelling
that does not front on a legally mapped Street.

DOCKETS

262-05-A B. S.I. 17 Openview Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 72, Borough of Staten Island, Applic. # 500779623. To permit construction of a dwelling that does not front on a legally mapped Street.

263-05-A B. S.I. 19 Openview Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 73, Borough of Staten Island, Applic. #500779632. To permit construction of a dwelling that does not front on a legally mapped Street.

264-05-A B. S.I. 21 Openview Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 74, Borough of Staten Island, Applic. #500779467. To permit construction of a dwelling that does not front on a legally mapped Street.

265-05-A B. S.I. 23 Openview Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 75, Borough of Staten Island, Applic. #500779776. To permit construction of a dwelling that does not front on a legally mapped Street.

266-05-A B. S.I. 25 Openview Lane, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 76, Borough of Staten Island, Applic. #500779749. To permit construction of a dwelling that does not front on a legally mapped Street.

267-05-A B. S.I. 15 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 137, Borough of Staten Island, Applic. #500779687. To permit construction of a dwelling that does not front on a legally mapped Street.

268-05-A B. S.I. 17 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 136, Borough of Staten Island, Applic. #500779730. To permit construction of a dwelling that does not front on a legally mapped Street.

269-05-A B. S.I. 19 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 135, Borough of Staten Island, Applic. #500779758. To permit construction of a dwelling that does not front on a legally mapped Street.

270-05-A B. S.I. 21 Bayonne Court,

Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 134, Borough of Staten Island, Applic. #500779650. To permit construction of a dwelling that does not front on a legally mapped Street.

271-05-A B. S.I. 23 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 133, Borough of Staten Island, Applic. #500779669. To permit construction of a dwelling that does not front on a legally mapped Street.

272-05-A B. S.I. 25 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 132, Borough of Staten Island, Applic. #500779678. To permit construction of a dwelling that does not front on a legally mapped Street.

273-05-A B. S.I. 27 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 131, Borough of Staten Island, Applic. #500779696. To permit construction of a dwelling that does not front on a legally mapped Street.

274-05-A B. S.I. 29 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 130, Borough of Staten Island, Applic. #500779721. To permit construction of a dwelling that does not front on a legally mapped Street.

275-05-A B. S.I. 31 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 129, Borough of Staten Island, Applic. #500779712. To permit construction of a dwelling that does not front on a legally mapped Street.

276-05-A B. S.I. 33 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 128, Borough of Staten Island, Applic. #500779703. To permit construction of a dwelling that does not front on a legally mapped Street.

277-05-A B. S.I. 18 Bayonne Court, Southwest corner of Nicholas Avenue and Richmond Terrace, Block 1116, Lot 138, Borough of Staten Island, Applic. #500774316. To permit construction of a dwelling that does not front on a legally mapped Street.

DOCKETS

278-05-A B. S.I. 22 Bayonne Court,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 139, Borough of Staten Island,
Applic. #500774361. To permit construction of a dwelling
that does not front on a legally mapped Street.

279-05-A B. S.I. 26 Bayonne Court,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 140, Borough of Staten Island,
Applic. #500774334. To permit construction of a dwelling
that does not front on a legally mapped Street.

280-05-A B. S.I. 28 Bayonne Court,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 141, Borough of Staten Island,
Applic. #500774343. To permit construction of a dwelling
that does not front on a legally mapped Street.

281-05-A B. S.I. 30 Bayonne Court,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 142, Borough of Staten Island,
Applic. #500774236. To permit construction of a dwelling
that does not front on a legally mapped Street.

282-05-A B. S.I. 32 Bayonne Court,
Southwest corner of Nicholas Avenue and Richmond
Terrace, Block 1116, Lot 143, Borough of Staten Island,
Applic. #500774227. To permit construction of a dwelling
that does not front on a legally mapped Street.

283-05-A B. Q 22 Pelham Walk, West
of Pelham Walk 244.78' North of Breezy Point Blvd., Block
16350, Lot 400, Borough of Queens, Applic. #402143355.
The Street giving access to the existing building to be
replaced is not duly placed on the map of the City of NY.
The existing building to be replaced doesn't have at least
8% of the total perimeter of the building fronting directly
upon a legally mapped Street or frontage space is contrary to
§27-291 of the Administrative Code. The proposed upgrade
disposal system is contrary to the DOB policy.

284-05-BZ B. Q 34-29 37th Street, East
side 290.28' South of 37th Avenue, Block 645, Lot 15,
Borough of Queens, Applic. #402034776. Propose to erect
an additional three stories with parking on the roof and
loading berths on each floor with freight elevator.
COMMUNITY BOARD #1Q

285-05-BZ B. S.I 34 Duncan Road, West
side of Duncan Road 163' North of intersection with
Theresa Place, Block 591, Lot 52, Borough of Staten Island,
Applic. #500793331. Proposed enlargement of an existing
one-family dwelling in an R1-2 (HS) district that does not
provide the require front or rear yards.

COMMUNITY BOARD #1SI

**DESIGNATIONS: D-Department of Buildings; B.BK.-
Department of Buildings, Brooklyn; B.M.-Department of
Buildings, Manhattan; B.Q.-Department of Buildings,
Queens; B.S.I.-Department of Buildings, Staten Island;
B.BX.-Department of Building, The Bronx; H.D.-Health
Department; F.D.-Fire Department.**

OCTOBER 18, 2005, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing,
Tuesday morning, October 18, 2005, 10:00 A.M., at 40

CALENDAR

Rector Street, 6th Floor, New York, NY 10006, on the following matters:

SPECIAL ORDER CALENDAR

436-53-BZ

APPLICANT – Vassalotti Associates Architects, LLP, for 141-50 Union Turnpike, owner.

SUBJECT – Application September 7, 2005 - Pursuant to ZR 11-411 for the Extension of Term/Waiver for the operation of a gasoline service station which expired in February 24, 2004. The premise is located in an R3-2 zoning district.

PREMISES AFFECTED – 141-50 Union Turnpike, south side of Union Turnpike, 44.96' west of the corner of Union Turnpike and Main Street, Block 6634, Lot 34, Borough of Queens.

COMMUNITY BOARD #8Q

952-66-BZ

APPLICANT – Gerald J. Caliendo, RA, for Rajnikant Gandhi, owner.

SUBJECT – Application April 4, 2005 - Reopening for an Amendment/Extension of Time/Waiver to a gasoline service station with minor auto repair. The amendment is to convert the auto repair building to a convenience store accessory to the gasoline service station; and the extension of time to obtain a certificate of occupancy which expired in October 31, 2002. The premise is located in a C2-2 in R-5 zoning district.

PREMISES AFFECTED – 88-14 101st Street, northwest corner of 89th Street, Block 9090, Lot 21, Borough of Queens.

COMMUNITY BOARD #9Q

248-78-BZ

APPLICANT – Eric Palatnik, P.C., for BP Products North America, owner.

SUBJECT – Application March 29, 2005 -Extension of Time to obtain a C of O/Amendment to install a new retaining wall, replace underground tanks, pump islands and fuel dispensers. The premise is located in C2-2 in a R-6 zoning district.

PREMISES AFFECTED – 60-50 Woodhaven Boulevard, southwest corner of 60th Road, Block 2885, Lot 12, Borough of Queens

COMMUNITY BOARD #6Q

289-79-BZ

APPLICANT – David L. Businelli, for Patsy Serra, owner.

SUBJECT – Application April 26, 2005 - Extension of Term/Waiver for the continued use of a commercial vehicle and storage establishment (UG 16). The premise is located

in an R3-2 zoning district.

PREMISES AFFECTED – 547 Midland Avenue, north side of Midland Avenue, Block 3799, Lot 1, Staten Island

COMMUNITY BOARD #2SI

165-02-BZ thru 190-02-BZ

APPLICANT – Stuart A. Klein, Esq./Steve Sinacori, Esq., for Park Side Estates, LLC., owner.

SUBJECT – Application March 31, 2005- Reopening for an amendment to BSA resolution granted under calendar numbers 167-02-BZ, 169-02-BZ, 171-02-BZ, 173-02-BZ and 175-02-BZ. The application seeks to add 5 residential units to the overall development (encompassing lots 21 & 28) for a total of 37, increase the maximum wall height by 2'-0", and increase the number of underground parking spaces from 11 to 20, while remaining compliant with the FAR granted under the original variance, located in an M1-1 zoning district.

PREMISES AFFECTED – 143-147 Classon Avenue, aka 380-388 Park Avenue and 149-159 Classon Avenue, southeast corner of Park and Classon Avenues, Block 1896, Lot 21, Borough of Brooklyn

COMMUNITY BOARD #2BK

1-05-A

APPLICANT – Kathleen R. Bradshaw, Esq. for Anthony Ciaramella, owner

SUBJECT – Application filed January 4, 2005 - to construct two one family homes in the bed of a mapped street (Shore Drive) which is contrary Section 35, Article 3 of the General City Law . Premises is located in a C3 within a R4 Zoning District .

PREMISES AFFECTED – 1426 & 1428 Shore Drive, Bronx, located at 643. 08 ft south of the intersection of Layton Avenue and Shore Drive, Block 5467, Lots 37 & 38 (tentative Lot #138 & 139)

COMMUNITY BOARD #10BX

103-05-A

APPLICANT – Rothkrug, Rothkrug, Weinberg & Spector, LLP. for Main Street Makeover 2, Inc., owner.

SUBJECT – Application filed on May 4, 2005 - for an appeal of the Department of Buildings decision dated April 22, 2005 refusing to lift the "Hold " on Application #500584799, and renew a building permit on approved plans for alteration to an existing one -family dwelling, based on a determination by the Department of City Planning dated February 2, 2005 that CPC approval of a restoration plan is required pursuant to Section 105-45 of the Zoning

CALENDAR

Resolution.

PREMISES AFFECTED – 366 Nugent Street, Staten Island, located at the S/W/C of intersection of Nugent Street and Spruce Street (not final mapped), Block 2284, Lot 44.

COMMUNITY BOARD # 2SI

186-05-A

APPLICANT – Zygmunt Staszewski, P.E., for The Breezy Point Cooperative, Inc., owner; Irene Whalen, lessee.

SUBJECT – Application filed on August 8, 2005 - Appeal to Department of Buildings to reconstruct and enlarge an existing single family frame dwelling not fronting on a mapped street contrary to General City Law Article 3, Section 36 and upgrading an existing private disposal system which is contrary to Department of Building's policy. Premises is located within an R4 Zoning district.

PREMISES AFFECTED – 13 Beach 221 Street, east of Beach 221 Street, Breezy Point, 247,46ft South of Rockaway Point Boulevard. Block 16350, part of Lot 400, Borough of Queens.

COMMUNITY BOARD # 14Q

BZY CALENDAR

116-05-BZY

APPLICANT – Frederick A. Becker for John Shik Im, owner.

SUBJECT – Application May 12, 2005 – Proposed extension of time to complete construction for a two family home for a period of six months pursuant to Z.R. 11-331 of the Zoning Resolution under prior R3-2 Zoning District. As of April 12, 2005, the new Zoning District is R3-X.

PREMISES AFFECTED – 22-08 43rd Avenue, corner of 222nd Street and 43rd Avenue, Block 6328, Lot 17, Borough of Queens.

COMMUNITY BOARD #11Q

117-05-BZY

APPLICANT – Fredrick Becker, Esq., for Yohn Shik Im, owner.

SUBJECT – Application May 12, 2005 – Proposed extension of time to complete construction for a period of six months pursuant to Z.R. §11-331 on a two family home under prior R3-2 Zoning District. As of April 12, 2005 the new zoning district is R3-X.

PREMISES AFFECTED – 43-05 222ND Street, south of 43rd Avenue and East 222nd Street, 6328, Lot 16 Borough of Queens.

COMMUNITY BOARD #11Q

OCTOBER 18, 2005, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, October 18, 2005, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, NY 10006, on the following matters:

ZONING CALENDAR

360-04-BZ

APPLICANT – Marcus Marino Architects, for Walter Stojanowski, owner.

SUBJECT – Application November 16, 2004 - under Z.R. §72-21 to permit the proposed enlargement of an existing one family dwelling, located in an R3X zoning district, which does not comply with the zoning requirements for side yards and lot width, is contrary to Z.R. ' 107-42 and 107-462.

PREMISES AFFECTED - 38 Zephyr Avenue, south side, 75.18= north of Bertram Avenue, Block 6452, Lot 4, Borough of Staten Island.

COMMUNITY BOARD #3S.I.

396-04-BZ

APPLICANT – Stroock & Stroock & Lavan, LLP, by Ross Moskowitz, Esq., for S. Squared, LLC, owner.

SUBJECT – Application December 21, 2004 - under Z.R. §72-21 to permit the Proposed construction of a thirteen story, mixed use building, located in a C6-2A, TMU zoning district, which does not comply with the zoning requirements for floor area, lot coverage, street walls, building height and tree planting, is contrary to Z.R. §111-104, §23-145, §35-24(c)(d) and §28-12.

PREMISES AFFECTED -180 West Broadway, northwest corner, between Leonard and Worth Streets, Block 179, Lots 28 and 32, Borough of Manhattan.

COMMUNITY BOARD #1M

26-05-BZ

APPLICANT – Cozen O'Connor, for Tikvah Realty, LLC, owner.

SUBJECT – Application February 11, 2005 - under Z.R. §72-21 to permit the proposed bulk variance, to facilitate the new construction of an 89 room hotel on floors 4-6, catering facility on floors 1-3, ground floor retail and three levels of underground parking, which creates non-compliance with regards to floor area, rear yard, interior lot, permitted obstructions in the rear yard, setback, sky exposure plane, loading berths and accessory off-street parking spaces, is contrary to Z.R. §33-122, §33-26, §33-432, §36-21, §33-23 and §36-62.

PREMISES AFFECTED -1702/28 East 9th Street, aka 815 Kings Highway, west side, between Kings Highway and Quentin Road, Block 6665, Lots 7, 12 and 15, Borough of Brooklyn.

CALENDAR

COMMUNITY BOARD #15BK

47-05-BZ

APPLICANT – Fischbein Badillo Wagner Harding, LLP, for AMF Machine, owner.

SUBJECT – Application March 1, 2005 - under Z.R. §72-21 to permit the proposed eight story and penthouse mixed-use building, located in an R6B zoning district, with a C2-3 overlay, which exceeds the permitted floor area, wall and building height requirements, is contrary to Z.R. §23-145 and §23-633.

PREMISES AFFECTED - 90-15 Corona Avenue, northeast corner of 90th Street, Block 1586, Lot 10, Borough of Queens.

COMMUNITY BOARD #4Q

80-05-BZ

APPLICANT – The Law Office Frederick A. Becker, Esq. for H & M Holdings, LLC, owner; Nikko Spa & Health Corp. lessee.

SUBJECT – Application April 4, 2005 - under Z.R. §73-36 - approval sought for a proposed physical cultural establishment to be located on a portion of the cellar, first floor, and second floor of a 4 story commercial building. The proposed PCE use will contain 12, 955 gross square feet. The site is located in a C6-6 Special Midtown District. **PREMISES AFFECTED** - 49 West 33rd Street, northerly side of West 33rd Street 148'6 " west of Broadway, Block 835, Lot # 9, Manhattan

COMMUNITY BOARD #5M

owner.

SUBJECT – Application April 22, 2005 - under Z.R. §72-21 to permit the proposed enlargement of an existing restaurant, which is a legal non-conforming use, located on the first floor of a six-story mixed-use building, situated in an R6 zoning district, is contrary to Z.R. §22-10.

PREMISES AFFECTED - 39 Downing Street, aka 31 Bedford Street, northwest corner, Block 528, Lot 77, Borough of Manhattan.

COMMUNITY BOARD #2M

Pasquale Pacifico, Executive Director

99-05-BZ

APPLICANT – Sheldon Lobel, P.C., for 500 Turtles, LLC,

10:00 A.M.

**REGULAR MEETING
TUESDAY MORNING, SEPTEMBER 13, 2005**

Present: Chair Srinivasan, Vice Chair Babbar,
Commissioner Miele and Commissioner Chin.

MINUTES

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, June 14, 2005, were approved as printed in the Bulletin of June 23, 2005, Volume 90, No. 27.

SPECIAL ORDER CALENDAR

234-84-BZ

APPLICANT – Vito J. Fossella, P.E., for Forest Realty Management, LLC, owner.

SUBJECT - Application May 19, 2005 - Reopening for Extension of Term for commercial UG6 establishment partially located in a R3-2 residential zoning district.

PREMISES AFFECTED - 1976/82 Forest Avenue, Block 1696, Lot 26, Borough of Staten Island.

COMMUNITY BOARD #1SI

APPEARANCES –

For Applicant: Sam El-Meniawy.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, this is an application for a re-opening, an amendment, and an extension of the term of the variance; and

WHEREAS, a public hearing was held on this application on July 12, 2005 after due notice by publication in *The City Record*, with continued hearings for August 23, 2005 and then to decision on September 13, 2005; and

WHEREAS, Community Board No. 1, Staten Island, recommends approval of this application; and

WHEREAS, the premises is located on the south side of Forest Avenue, southwest of the corner formed by the intersection formed by Van Name Street and Forest Avenue; and

WHEREAS, on February 13, 1985, the Board granted a variance, under the subject calendar number, to permit, in what was then a site split by a district boundary between M1-1 and R3-2 zoning districts, the development of a one-story plus mezzanine retail store with 13 accessory parking spaces, for a term of 20 years; and

WHEREAS, the M1-1 portion of the site has since been rezoned to C8-1; however, all of the retail store building is located within the R3-2 zoning district; thus, the variance is still necessary; and

WHEREAS, the most recent term of the variance expired on February 12, 2005; and

WHEREAS, the applicant now seeks an extension of the term of the variance; and

WHEREAS, the applicant states that the manner of use of the site has not changed since its original approval in 1985,

except for the following: (1) two of the retail stores were combined into one store; and (2) one Use Group 6 retail store, formerly used by a florist, was converted to UG 6 Eating and Drinking Establishment; and

WHEREAS, currently, a restaurant occupies the portion of the building previously occupied by the florist, and a delicatessen occupies the single store converted from the two prior stores; and

WHEREAS, the applicant seeks the Board's approval for these changes and has submitted plans reflecting them; and

WHEREAS, during the course of the public hearing process, the Board observed that signage at the site did not comply with C1 zoning district regulations, contrary to a condition imposed by the Board when making the original grant; and

WHEREAS, at the request of the Board, the applicant removed all signage on the site that did not comply with C1 zoning district regulations, and submitted photos showing that such signage had been removed; and

WHEREAS, the Board finds that the requested extension of term and amendment is appropriate, with certain conditions as set forth below.

Therefore it is Resolved that the Board of Standards and Appeals reopens and amends the resolution adopted on February 12, 1985, so that as amended this portion of the resolution shall read "to extend the term for ten years from February 12, 2005, and to allow both the conversion of two stores into one store and the change of use of one store from UG 6 retail to UG 6 Eating and Drinking Establishment; *on condition* that the expansion shall substantially conform to drawings as filed with this application, marked 'February 7, 2005'-(1) sheet, 'June 14, 2005'-(1) sheet, 'August 9, 2005'-(4) sheet and 'August 18, 2005'-(1) sheet; and *on further condition*:

THAT the term of this grant shall be for ten years, to expire on February 12, 2015;

THAT the above condition shall be listed on the certificate of occupancy;

THAT all conditions from prior resolutions not specifically waived by the Board remain in effect;

THAT all signage on the site shall comply with regulations applicable to C1 zoning districts, as reviewed and approved by DOB;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s)/configuration(s) not related to the relief granted."

(DOB Application No. 500752278)

Adopted by the Board of Standards and Appeals, September 13, 2005.

MINUTES

162-93-BZ

APPLICANT - Fredrick A. Becker, Esq., for Chelsea Eighth L. P., owner; TSI West 16th Street d/b/a New York Sports Club, lessee.

SUBJECT - Application December 22, 2004 and updated May 9, 2005 - 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 C2-5, R8 and C6-2M zoning district. PREMISES AFFECTED - 270 West 17th Street, aka 124-128 Eighth Avenue, easterly side of Eighth Avenue between West 17th Street and West 16th Street, Block 766, Lots 36-41, Borough of Manhattan.

COMMUNITY BOARD #4M

APPEARANCES - None.

ACTION OF THE BOARD - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4
Negative:.....0

Adopted by the Board of Standards and Appeals, September 13, 2005.

130-39-A

APPLICANT - Greenberg & Traurig, for Ann Rauch, owner. SUBJECT - Application December 7, 2004 - reopening for an amendment to permit an existing building constructed in the bed of a mapped street, pursuant to Board resolution, and subsequently expanded pursuant to approval from the Department of Buildings, to be further enlarged and that such enlargement include second and third stories that continue a non-complying side yard condition, located in R1-2 zoning district.

PREMISES AFFECTED - 2 Ploughman's Bush (aka 665 W. 246th Street). Block 5924, Lot 523, Borough of The Bronx.

COMMUNITY BOARD #8BX

APPEARANCES -

For Applicant: Jay Segal.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4
Negative:.....0

ACTION OF THE BOARD - Laid over to October 18, 2005, at 10 A.M., for decision, hearing closed.

878-80-BZ

APPLICANT - Kim Lee Vauss, for Nexus Property Management, LLC, owner.

SUBJECT - Application April 19, 2005 - reopening for an amendment to previous granted variance to convert the existing commercial UG6 on the second and fourth floors to residential/studio UG 2 and 9. The premise is located in an M1-6 zoning district.

PREMISES AFFECTED - 41 West 24th Street, Block 800, Lot 16, Borough of Manhattan

COMMUNITY BOARD #4M

APPEARANCES -

For Applicant: Kim Vauss and Robert Pauls.

ACTION OF THE BOARD - Laid over to October 18, 2005, at 10 A.M., for continued hearing.

364-82-BZ

APPLICANT - Cozen O'Connor Attorneys, for Little Neck Commons, LLC, owners; Jack Lalanne Fitness Centers, Inc., lessee.

SUBJECT - Application January 14, 2005 - Extension of Term/Waiver for a physical culture establishment located in a C1-2(R3-2) zoning district.

PREMISES AFFECTED - 245-02/34 Horace Harding Expressway, Block 8276, Lot 100, Douglaston, Borough of Queens.

COMMUNITY BOARD #11Q

APPEARANCES -

For Applicant: Barbara Hair.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4
Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

62-83-BZ

APPLICANT - Law Offices of Howard Goldman, LLC, for Shaya B. Pacific, LLC, owner.

SUBJECT - Application June 1, 2004 and updated 3/15/05 - reopening for an amendment to the resolution to allow the redesign of landscaped areas and the elimination of loading docks.

PREMISES AFFECTED - 696 Pacific Street, between Carlton and 6th Avenues, Block 1128, Lot 1002, Borough of Brooklyn.

COMMUNITY BOARD #8BK

APPEARANCES -

For Applicant: Chris Wright, Regina Cahill and Paul Sheridan.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4
Negative:.....0

ACTION OF THE BOARD - Laid over to October 18, 2005, at 10 A.M., for decision, hearing closed.

983-83-BZ

APPLICANT - Sullivan, Chester & Gardner P.C., for Sutphin Rochdale Realty, LLC, owner.

SUBJECT - Application January 14, 2005 - Proposed Amendment to a Variance to enlarge a portion of the existing building by 700 sq. ft. and to eliminate the single use on site to house four (4) commercial tenants. The subject premise is located in an R3-2 zoning district.

MINUTES

PREMISES AFFECTED - 34-42/60 Guy R. Brewer Boulevard, northwest corner of 137th Avenue, Block 12300, Lot 30, Borough of Queens

COMMUNITY BOARD #12Q

APPEARANCES –

For Applicant: Jeffrey Chester.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to October 18, 2005, at 10 A.M., for decision, hearing closed.

886-87-BZ

APPLICANT - Stuart Allen Klein, for Rockford R. Chun, owner.

SUBJECT - Application March 22, 2005 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of the special permit.

PREMISES AFFECTED - 11 East 36th Street, aka 10 East 37th Street, 200' east of 5th Avenue, Block 866, Lot 11, Borough of Manhattan.

COMMUNITY BOARD #5M

APPEARANCES –

For Applicant: Stuart Klein.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

364-89-BZ

APPLICANT - Carl A. Sulfaro, Esq., for Kellarakos Realty, Inc., owner; Balvinder Bains, lessee.

SUBJECT - Application April 4, 2005 - Extension of Term of a Variance for an automotive service station (UG16). The premise is located in an R-6 zoning district.

PREMISES AFFECTED - 30-75 21st Street, southeast corner of 30th Drive, Block 551, Lot 15, Borough of Queens.

COMMUNITY BOARD# 1Q

APPEARANCES –

For Applicant: Stuart Klein.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

110-95-BZ

APPLICANT - John W. Russell, Esq., for 1845 Realty, Inc., owner; 1845 Cornaga Avenue, lessee.

SUBJECT - Application March 15, 2004 - Extension of Term of a variance, which permitted, within a C2/R5 zoning

district, the operation of a auto repair facility (UG16), with accessory uses, including parking and minor repairs using handtools.

PREMISES AFFECTED - 1845 Cornaga Avenue, southwest corner of Cornaga Avenue and B19th Street, Block 15563, Lot 1, Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES –

For Applicant: John W. Russell.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

132-97-BZ

APPLICANT - Alan R. Gaines, Esq., for Deti Land, LLC, owner; Fiore Di Mare LLC, lessee.

SUBJECT - Application June 7, 2005 - Extension of Term/Amendment/Waiver for an eating and drinking establishment with no entertainment or dancing and occupancy of less than 200 patrons, UG 6 located in a C-3 (SRD) zoning district.

PREMISES AFFECTED - 227 Mansion Avenue, Block 5206, Lot 26, Borough of Staten Island

COMMUNITY BOARD# 3SI

APPEARANCES – None.

ACTION OF THE BOARD – Laid over to October 18, 2005, at 10 A.M., for adjourned hearing.

44-99-BZ

APPLICANT - Vito J. Fossella, P.E., for Michael Bottalico, owner.

SUBJECT - Application January 24, 2005 – Extension of Term of a variance for an automotive repair shop, located in an R3A zoning district.

PREMISES AFFECTED – 194 Brighton Avenue, south side of Brighton Avenue, southwest of the corner formed by the intersection of Summers Place and Brighton Avenue, Block 117, Lot 20, Borough of Staten Island.

COMMUNITY BOARD #1SI

APPEARANCES –

For Applicant: Sameh El-Meniawy.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

365-04-A thru 369-04-A

APPLICANT – Petraro & Jones, LLP, for Sunrise Hospitality, LLC, owner.

MINUTES

SUBJECT – Application November 22, 2004 – Proposed construction, 3 and 4 story multiple dwellings, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law. The premise is located in a C2-2/R6B zoning district.

PREMISES AFFECTED –

85-04 56th Avenue, south side, 44.16’ east of Long Island Railroad right-of-way, Block 2881, Tentative Lot 9, Borough of Queens.

85-02 56th Avenue, south side, east of and adjacent to Long Island Railroad right-of-way, Block 2881, Tentative Lot 54, Borough of Queens.

85-01 57th Avenue, north side, east of and adjacent to Long Island Railroad right-of-way, Block 2881, Tentative Lot 53, Borough of Queens.

85-03 57th Avenue, north side, 10.62’ east of Long Island Railroad right-of-way, Block 2881, Tentative Lot 52, Borough of Queens.

85-03-A 57th Avenue, north side, 30.62’ east of Long Island Railroad right-of-way, Block 2881, Tentative Lot 51, Borough of Queens.

COMMUNITY BOARD #4Q

APPEARANCES –

For Applicant: Pat Jones.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Queens Borough Commissioner, dated November 19, 2004, acting on Department of Buildings Application Nos. 401971906, 401992929, 401970523, 401970532, and 4019700541, reads, in pertinent part:

“Respectfully request to waive objection #6 – proposed building is within a bed of a mapped street contrary to General City Law 35.”; and

WHEREAS, a public hearing was held on this application on August 9, 2005 after due notice by publication in the *City Record*, and then to decision on September 13, 2005; and

WHEREAS, by letter dated June 27, 2005, the Fire Department states that it has reviewed the above project and has no objections; and

WHEREAS, by letter dated March 16, 2005, the Department of Environmental Protection states that it has reviewed the above project and has no objections; and

WHEREAS, by letter dated March 21, 2005, the Department of Transportation states that it has reviewed the above project and has indicated that although it feels that better circulation would result if Haspel Street were improved, such action is not presently included in DOT’s Capital Improvement Program; and

WHEREAS, the applicant has submitted adequate

evidence to warrant this approval under certain conditions.

Therefore it is Resolved that the decision of the Queens Borough Commissioner, dated November 19, 2004 acting on Department of Buildings Application Nos. 401971906, 401992929, 401970523, 401970532, and 4019700541 is modified under the power vested in the Board by Section 35 of the General City Law, and that this appeal is granted, limited to the decision noted above; *on condition* that construction shall substantially conform to the drawing filed with the application marked “Received August 26, 2005” - (1) sheet; that the proposal shall comply with all applicable zoning district requirements; and that all other applicable laws, rules, and regulations shall be complied with; and *on further condition*:

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT any subdivision of the premises shall be as reviewed and approved by DOB;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

157-05-A

APPLICANT - Walter T. Gorman, P.E., for Breezy Point Cooperative, Inc., owner; David & Joan Demm, lessees.

SUBJECT - Application filed on July 6, 2005 - Proposal to allow construction of a two story frame dwelling on a site lying within an R4 district is contrary to Article 3, Section 36 of the General City Law, in that the site does not front on a mapped Street (Kildare Walk) and contrary to Sec. 27-291 of the Building Code.

PREMISES AFFECTED - 39 Kildare Walk, E/S 70’ North of Breezy Point Boulevard, Queens, Block 16350, Lot 400, Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES –

For Applicant: John Ronan.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Queens Borough Commissioner, dated June 13, 2005, acting on Department of Buildings Application No. 402152772, reads:

MINUTES

“Proposal to construct a two-story frame dwelling on a site which lies within an R4 district is contrary to Article 3, Section 36 (2) of the General City Law (GCL) in that the site does not front on a mapped street (Kildare Walk) and contrary to Section 27-291 of the NYC Building Code and must, therefore, be referred back to the Board of Standards and Appeals for approval.”; and

WHEREAS, a public hearing was held on this application on September 13, 2005, after due notice by publication in the *City Record*, with closure and decision on this same date; and

WHEREAS, by letter dated July 28, 2005, the Fire Department states that it has reviewed the above project and has no objections; and

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions.

Therefore it is Resolved that the decision of the Queens Borough Commissioner, dated June 13, 2005, acting on Department of Buildings Application No. 402152772, is modified by the power vested in the Board by Section 36 of the General City Law, and that this appeal is granted, limited to the decision noted above; *on condition* that construction shall substantially conform to the drawing filed with the application marked “Received July 6, 2005” - (1) sheet; that the proposal shall comply with all applicable zoning district requirements; and that all other applicable laws, rules, and regulations shall be complied with; and *on further condition*:

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

158-05-A

APPLICANT - Gary Lenhart, R.A., The Breezy Point Cooperative, Inc., owner; Elizabeth & Richard Graham, lessees.

SUBJECT - Application filed on July 7, 2005 - Proposal to reconstruct and enlarge an existing single family frame dwelling not fronting on a mapped street contrary to General City Law Article 3, Section 36 and upgrading an existing private disposal system located in the bed of the service lane contrary to Building Department Policy. Premises is located within an R4 zoning district.

PREMISES AFFECTED - 15 Atlantic Walk, E/S Atlantic Walk 100.17' N/O Breezy Point Boulevard, Block 16350, Lot 400, Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES –

For Applicant: Gary Lenhart.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Queens Borough Commissioner, dated June 13, 2005, acting on Department of Buildings Application No. 402100917, reads:

“For Board of Standards & Appeals Only:

A-1 The street giving access to the existing building to be altered is not duly placed on the official map of the City of New York, therefore:

A) A Certificate of Occupancy may not be issued as per Article 3, Section 36 of the General City Law

B) Existing dwelling to be altered does not have at least 8% of total perimeter of the building fronting directly upon a legally mapped street or frontage space is contrary to Section 27-291 of the Administrative Code

A-2 The proposed upgraded private disposal system is in the bed of the service lane and contrary to the Department of Buildings policy”; and

WHEREAS, a public hearing was held on this application on September 13, 2005 after due notice by publication in the *City Record*, and then to closure and decision on this same date; and

WHEREAS, by letter dated July 25, 2005, the Fire Department states that it has reviewed the above project and has no objections; and

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions.

Therefore it is Resolved that the decision of the Queens Borough Commissioner, dated June 13, 2005, acting on Department of Buildings Application No. 402100917, is modified under the power vested in the Board by Section 36 of the General City Law, and that this appeal is granted, limited to the decision noted above; *on condition* that construction shall substantially conform to the drawing filed with the application marked “Received July 7, 2005”-(1) one sheet; that the proposal shall comply with all applicable zoning district requirements; and that all other applicable laws, rules, and regulations shall be complied with; and *on further condition*:

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure

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compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

235-04-A

APPLICANT - Rothkrug, Rothkrug, Weinberg & Spector, LLP for Thomas & Susan Acquafredda, owner.

SUBJECT - Application filed on June 22, 2005 - Proposed construction in the bed of a privately-owned, final mapped street, is contrary to Article 3, Section 35 of the General City Law.

PREMISES AFFECTED - 3096 Dare Place, north side of Casler Place, 199.6' east of Pennyfield Avenue, Block 5529, Lot 488, Borough of The Bronx.

COMMUNITY BOARD #10BX

APPEARANCES -

For Applicant: Adam Rothkrug.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

236-04-A

APPLICANT - Rothkrug, Rothkrug, Wenig & Spector, LLP for Thomas & Susan Acquafredda, owner.

SUBJECT - Application filed on June 22, 2005 - Proposed construction in the bed of a privately-owned, final mapped street, is contrary to Article 3, Section 35 of the General City Law.

PREMISES AFFECTED - 3094 Dare Place, north side of Casler Place, 192.48' east of Pennyfield Avenue, Block 5529, Lot 487, Borough of The Bronx.

COMMUNITY BOARD #10BX

APPEARANCES -

For Applicant: Adam Rothkrug.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

291-04-A

APPLICANT - Eric Palatnik, P.C., acting of Counsel to Charles Foy, Esq., for H & L Miller, A New York Partnership, owner.

SUBJECT - Application December 21, 2004 - Proposed enlargement of a zoning lot, on which an existing eating and drinking establishment rests, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the

General City Law.

PREMISES AFFECTED - 90-19 Metropolitan Avenue, northwest corner of Trotting Course Lane, Block 3177, Lot 34, Borough of Queens.

APPEARANCES -

For Applicant: Eric Palatnik.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

91-05-A

APPLICANT - The Agusta Group, for Colin Shaughnessy, owner.

SUBJECT - Application filed on April 14, 2005 - Proposed construction of a two family dwelling, which lies partially within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

PREMISES AFFECTED - 60-04 172nd Street, west side, 105.5' from Horace Harding Expressway, Block 6880, Lot 23, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Sol Korman.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 10 A.M., for decision, hearing closed.

Pasquale Pacifico, Executive Director.

Adjourned: 12:00 P.M.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 13, 2005

1:30 P.M.

Present: Chair Srinivasan, Vice Chair Babbar, Commissioner Miele and Commissioner Chin.

ZONING CALENDAR

302-04-BZ

CEQR #05-BSA-041K

APPLICANT - Martyn & Don Weston for Regina

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Formisano, owner.

SUBJECT – Application September 10, 2004 – under Z.R. §72-21 – To permit the proposed construction of a residential building on a vacant lot, located in an M1-1 zoning district, is contrary to Z.R. §42-00.

PREMISES AFFECTED – 40 Woodhull Street, south side, 85’ west of Hicks Street, Block 363, Lot 20, Borough of Brooklyn.

COMMUNITY BOARD #6BK

APPEARANCES –

For Applicant: Don Weston.

THE VOTE TO CLOSE HEARING –

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Brooklyn Borough Commissioner, dated August 26, 2004, acting on Department of Buildings Application No. 301683998, reads:

“A residential use in a M1-1 zoning district is contrary to Section 42-00 Z.R.”; and

WHEREAS, a public hearing was held on this application on July 19, 2005, after due notice by publication in the *City Record*, with a continued hearing on August 16, 2005, and then to decision on September 13, 2005; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board, consisting of Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele and Commissioner Chin; and

WHEREAS, this is an application under Z.R. § 72-21, to permit, within an M1-1 zoning district, the proposed construction of a new three-family, four-story residential building on a vacant lot, contrary to Z.R. § 42-00; and

WHEREAS, Community Board 6, Brooklyn, recommends conditional approval of this application; and

WHEREAS, this application contemplates a four-story residential building plus cellar and garage, with floor area of 5,200 sq. ft., a floor area ratio (“F.A.R.”) of 2.6, and a total building height of 39’-2”; and

WHEREAS, the subject premises is a 20’-0” by 100’-0” vacant lot, with 2,000 sq. ft. of lot area, located on the south side of Woodhull Street, west of Hicks Street; and

WHEREAS, the applicant represents that the site was developed prior to 1915 with four row-houses that were subsequently demolished in 1944, along with thirteen other row-houses; and

WHEREAS, the applicant states that since 1962, the site has been used as a parking lot; and

WHEREAS, the applicant represents that the entire block on the south side of Woodhull Street is developed with residential buildings, with the exception of one building; and

WHEREAS, the applicant represents that the north side of Woodhull Street is in an R6 zoning district, and is characterized

by residential buildings of three to four stories or three stories plus basement; and

WHEREAS, the applicant represents that the following are unique physical conditions, which create practical difficulties and unnecessary hardship in developing the subject lot in conformance with underlying district regulations: the site is small and narrow, vacant, and surrounded by residential uses on both the south and north sides of Woodhull Street; and

WHEREAS, the applicant further represents that the narrow size of the lot would not be conducive to a floor plate for a commercial or industrial building; and

WHEREAS, the Board finds that the narrow width and small size of this pre-existing and vacant lot, which was previously developed with residential uses and abuts a residential district, and, create practical difficulties and unnecessary hardship in developing the site in strict conformity with current applicable zoning regulations; and

WHEREAS, the applicant initially submitted a feasibility analysis that showed that a 1,900 sq. ft. manufacturing building would not result in a reasonable return, but that the four-story proposal would; and

WHEREAS, the Board questioned the applicant’s site valuation, because the applicant included adjusted comparables from the nearby R6 zoning district rather than considering comparables in other manufacturing zones; and

WHEREAS, the applicant subsequently submitted comparables from locations within an M1-1 zoning district; the Board found these comparables to be more acceptable than the comparables included by the applicant in the initial feasibility study; and

WHEREAS, based upon the above, the Board has determined that because of the subject lot’s unique physical condition, there is no reasonable possibility that development in strict conformance with the provisions applicable in the subject zoning district will provide a reasonable return; and

WHEREAS, the site is located on a block with many pre-existing non-conforming residential uses, including five row-houses on one side of the site and three row-houses on the other; and

WHEREAS, the north side of the block, where the site is located, is within an R6 zoning district; and

WHEREAS, the applicant has submitted a land use map showing numerous residential uses in the immediate area of the site; and

WHEREAS, therefore, the Board finds that the use change proposed by the applicant is appropriate; and

WHEREAS, the Board notes that although many of the surrounding buildings are only three stories, they have first floors with significant floor to ceiling heights; thus, the proposed overall building height is comparable to the heights of other buildings in the neighborhood; and

WHEREAS, the Board notes further that the proposed 2.6 FAR is consistent with R6 Quality Housing regulations that apply to sites within 100 ft. of a wide street, and that the site is located within 100 ft. of Hicks Street, a wide street; and

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WHEREAS, the initial application contemplated balconies on the front façade of the building;

WHEREAS, at the request of the Board, the applicant has removed the balconies from its proposal; and

WHEREAS, the Board questioned whether it was necessary for the applicant to retain the proposed garage on the ground floor given that the curb cut would result in a removal of a parking space and was not in character with the rest of the block; and

WHEREAS, the applicant responded that the curb cut on Woodhull Street leading to the garage has been in existence for 44 years, and only takes up the space of half the curb length that a parked car would require to park on the street; therefore, restoring the curb cut would not improve on-street parking in the neighborhood; and

WHEREAS, in addition, the applicant submitted pictures of newer buildings in the area that have garages; and

WHEREAS, based upon the above, the Board finds that this action will not alter the essential character of the surrounding neighborhood nor impair the use or development of adjacent properties, nor will it be detrimental to the public welfare; and

WHEREAS, the Board finds that the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, the Board finds that this proposal is the minimum necessary to afford the owner relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. § 72-21; and

WHEREAS, the project is classified as an Unlisted Action pursuant to 6 NYCRR, Part 617; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has documented relevant information about the project in the Final Environmental Assessment Statement (EAS) CEQR No. 05-BSA-041K dated June 1, 2005; and

WHEREAS, the EAS documents that the project as proposed would not have significant adverse impacts on Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Neighborhood Character; Natural Resources; Waterfront Revitalization Program; Infrastructure; Hazardous Materials; Solid Waste and Sanitation Services; Energy; Traffic and Parking; Transit and Pedestrians; Air Quality; Noise; and Public Health; and

WHEREAS, no other significant effects upon the environment that would require an Environmental Impact Statement are foreseeable; and

WHEREAS, the Board has determined that the proposed action will not have a significant adverse impact on the environment.

Therefore it is Resolved that the Board of Standards and Appeals issues a Negative Declaration, with conditions as stipulated below, prepared in accordance with Article 8 of the New York State Environmental Conservation Law and 6

NYCRR Part 617, the Rules of Procedure for City Environmental Quality Review and Executive Order No. 91 of 1977, as amended, and makes the required findings under Z.R. § 72-21, to permit, within an M1-1 zoning district, the proposed construction of a new three-family, four-story plus cellar, residential building on a vacant lot, contrary to Z.R. § 42-00; *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked “Received June 1, 2005”–1 sheet and “August 22, 2005”–8 sheets; and *on further condition*:

THAT the bulk parameters of the proposed buildings shall be as follows: total maximum F.A.R. of 2.6; maximum floor area of 5,200 sq. ft.; and maximum total height of 39'-2";

THAT the streetwall of the building shall match the adjacent streetwalls;

THAT a minimum rear yard of 30'-0" shall be retained; THAT all interior layouts and exits shall be as approved by the Department of Buildings;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

332-04-BZ

APPLICANT - Eric Palatnik, P.C., for Chava Lobel, owner.
SUBJECT – Application April 6, 2005 – under Z.R. §73-622 – To permit the proposed to combine two lots and enlarge one residence which is contrary to Z.R. §23-141(a) floor area, Z.R. §23-131(a) open space and Z.R. §23-47 rear yard, located in an R-2 zoning district.

PREMISES AFFECTED – 1410/14 East 24th Street, between Avenues “N and O”, Block 7677, Lots 33 and 34 (tentative 33), Borough of Brooklyn.

COMMUNITY BOARD #14BK

APPEARANCES –

For Applicant: Eric Palatnik.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Brooklyn Borough Commissioner, dated March 24, 2005, acting on Department of Buildings Application No. 301920802, reads:

“Proposed enlargement to existing home is contrary to ZR sections 23-141(A) (Floor Area),

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23-141(A) (Open Space) and 23-47 (Rear Yard) and therefore requires a special permit from the BSA pursuant to ZR Section 73-622.”; and

WHEREAS, a public hearing was held on this application on July 12, 2005 after due notice by publication in *The City Record*, with a continued hearing on August 9, 2005, and then to decision on September 13, 2005; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board; and

WHEREAS, Community Board 14, Brooklyn, recommends approval of this application; and

WHEREAS, this is an application under Z.R. §§ 73-622 and 73-03, to permit, in an R2 zoning district, the proposed enlargement of an existing two story single-family dwelling, which does not comply with the zoning requirements for floor area, open space ratio, and rear yard, contrary to Z.R. §§23-141 and 23-47; and

WHEREAS, the subject lot is located on East 24th Street, between Avenues N and O; and

WHEREAS, the subject lot comprises two tax lots and has a total lot area of approximately 7,500 sq. ft.; and

WHEREAS, the premises is within the boundaries of a designated area in which the subject special permit is available; and

WHEREAS, the applicant states that the subject premises is improved upon with two single-family homes; the owner seeks to demolish the single-family home at 1414 East 24th Street and expand the structure at 1410 East 24th Street to cover both tax lots; and

WHEREAS, the applicant has submitted a plan that indicates the walls and floors of the subject structure that are to remain as part of the new residence; and

WHEREAS, the applicant seeks an increase in the floor area from 2,548.47 sq. ft. (0.34 Floor Area Ratio or “FAR”) to 6,817.78 sq. ft. (0.91 FAR); the maximum floor area permitted is 3,750 sq. ft. (0.50 FAR); and

WHEREAS, the proposed enlargement will reduce the open space ratio (“OSR”) from 239% to 66.6%; the minimum OSR required is 150%; and

WHEREAS, the proposed enlargement will increase the rear yard from the current non-conforming depth of 25’-11 7/8” to 26’-1””; the minimum rear yard required is 30’-0””; and

WHEREAS, the enlargement of the building into the rear yard is not located within 20 feet of the rear lot line; and

WHEREAS, the Board raised concerns related to the size and height of the building and its compatibility with the surrounding neighborhood; and

WHEREAS, in response, the applicant has submitted photographs of homes in the surrounding area that are approximately the same size as the proposed structure; four of these homes are contiguous to, or immediately across the street from, the premises; and

WHEREAS, the applicant has also submitted streetscapes of the subject block and surrounding blocks that purport to show that the subject home will fit within the character of the neighborhood; and

WHEREAS, at the request of the Board, the applicant

reduced the size of the building from its initial proposal; specifically, the applicant lowered the height of the house from 40’-6” to 39’-6 ½”, achieved compliance with the sky exposure plane requirements, and reduced the FAR from 0.92 to 0.91; and

WHEREAS, the Board finds that the proposed enlargement will neither alter the essential character of the surrounding neighborhood, nor impair the future use and development of the surrounding area; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board finds that, under the conditions and safeguards imposed, any hazard or disadvantage to the community at large due to the proposed special permit use is outweighed by the advantages to be derived by the community; and

WHEREAS, therefore, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§ 73-622 and 73-03.

Therefore it is resolved, that the Board of Standards and Appeals issues a Type II determination under 6 N.Y.C.R.R. Part 617.5 and 617.3 and §§ 5-02(a), 5-02(b)(2) and 6-15 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. §§73-622 and 73-03, to permit, in an R2 zoning district, the proposed enlargement of an existing single-family dwelling, which does not comply with the zoning requirements for floor area, open space ratio, and side and rear yards, contrary to Z.R. §§23-141 and 23-47; *on condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application and marked “Received August 22, 2005”(-12) sheets; and *on further condition*:

THAT there shall be no habitable room in the cellar;

THAT the above condition shall be set forth in the certificate of occupancy;

THAT the total FAR on the premises, including the attic, shall not exceed 0.91;

THAT the total attic floor area shall not exceed 980.02 sq. ft., as confirmed by the Department of Buildings; THAT certain portions of the walls and floors shall be retained as highlighted on BSA-approved drawing Nos. 11, 12 and 13;

THAT the use and layout of the cellar and attic shall be as approved by the Department of Buildings;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objections(s) only; no approval has been given by the Board as to the use and layout of the cellar;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of the plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

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389-04-BZ

CEQR #05-BSA-072M

APPLICANT – Francis Angelino, Esq., for 150 East 34th Street, Co., LLC, owner; Oasis Day Spa, Lessee.

SUBJECT – Application December 13, 2004 – under Z.R. §73-36 – To permit the proposed legalization of an existing Physical Cultural Establishment, located on the second floor of the thirty seven story, Affina Hotel. The premise is located in a C1-9 zoning district.

PREMISES AFFECTED – 150 East 34th Street, Manhattan, between Lexington and Third Avenue, Block 889, Lot 55, Borough of Manhattan.

COMMUNITY BOARD#6M

APPEARANCES –

For Applicant: Francis R. Angelino.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Manhattan Borough Commissioner, dated November 15, 2004, acting on Department of Buildings Application No. 103932167, reads:

“Proposed physical culture establishment is not permitted as of right in a C1-9 Zoning District. This is contrary to section 32-10 ZR.”; and

WHEREAS, a public hearing was held on this application on August 9, 2005 after due notice by publication in *The City Record*, and then to decision on September 13, 2005; and

WHEREAS, Community Board 6, Manhattan, recommends approval of this application; and

WHEREAS, the New York City Fire Department has submitted a letter stating that is has no objection to this application; and

WHEREAS, this is an application under Z.R. §§ 73-36 and 73-03, to permit, within a C1-9 zoning district, the legalization of a physical culture establishment (“PCE”) located on the second floor of a 37-story hotel (the Affinia Dumont), contrary to Z.R. § 32-00; and

WHEREAS, the subject site is approximately midway between Lexington and Third Avenues on 34th Street; and

WHEREAS, the subject PCE opened on May 14, 2004, and occupies 3,564 sq. ft. of floor area; and

WHEREAS, the applicant represents that the PCE contains both a spa portion, offering massage and other spa treatments, and a fitness/gym portion, offering strength and fitness training, as well as yoga; and

WHEREAS, the applicant represents that all masseurs and masseuses employed by the facility will be New York State licensed; and

WHEREAS, the applicant asserts that the entire facility will be equipped with an automatic wet sprinkler system and a fire alarm system that is connected to a Fire Department-

approved central monitor system; and

WHEREAS, the PCE will have the following hours of operation: Spa - 10 AM to 10 PM Monday through Friday, and 9 AM to 9 PM Saturday and Sunday; Fitness Area – 6 AM to 10 PM Monday through Friday, and 8 AM to 9 PM Saturday and Sunday; and

WHEREAS, the Board finds that this action will neither: 1) alter the essential character of the surrounding neighborhood; 2) impair the use or development of adjacent properties; nor 3) be detrimental to the public welfare; and

WHEREAS, the Department of Investigation has performed a background check on the corporate owner and operator of the establishment and the principals thereof, and issued a report which the Board has determined to be satisfactory; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board finds that, under the conditions and safeguards imposed, any hazard or disadvantage to the community at large due to the proposed special permit use is outweighed by the advantages to be derived by the community; and

WHEREAS, therefore, the Board has determined that the evidence in the record supports the requisite findings pursuant to Z.R. §§ 73-36 and 73-03; and

WHEREAS, the project is classified as an Unlisted action pursuant to 6 NYCRR Part 617; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has documented relevant information about the project in the Final Environmental Assessment Statement 05-BSA-72M, dated May 2, 2005 ; and

WHEREAS, the EAS documents that the project as proposed would not have significant adverse impacts on Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Neighborhood Character; Natural Resources; Hazardous Materials; Waterfront Revitalization Program; Infrastructure; Solid Waste and Sanitation Services; Energy; Traffic and Parking; Transit and Pedestrians; Air Quality; Noise; Construction Impacts; and Public Health; and

WHEREAS, the Board has determined that the proposed action will not have a significant adverse impact on the environment.

Therefore it is Resolved that the Board of Standards and Appeals issues a Negative Declaration prepared in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and Executive Order No. 91 of 1977, as amended, and makes each and every one of the required findings under Z.R. §§ 73-36 and 73-03, to permit, within a C1-9 zoning district, the legalization of a physical culture establishment (“PCE”) with 3,564 sq. ft. of floor area, located on the second floor of a 37 story hotel, contrary to Z.R. §32-00; *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted filed with this application marked

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“Received August 18, 2005 ”-(1) sheet and *on further condition*;

THAT this grant shall be limited to a term of ten years from May 14, 2004, expiring May 14, 2014;

THAT all massages will be performed only by New York State licensed massage therapists;

THAT there shall be no change in ownership or operating control of the physical culture establishment without prior application to and approval from the Board;

THAT the hours of operation shall be limited to: Spa - 10 AM to 10PM Monday through Friday, and 9AM to 9PM Saturday and Sunday; Fitness Area – 6 AM to 10 PM Monday through Friday, and 8 AM to 9 PM Saturday and Sunday;

THAT the above conditions shall appear on the Certificate of Occupancy;

THAT Local Law 58/87 compliance shall be as reviewed and approved by DOB;

THAT fire safety measures shall be as installed and maintained on the Board-approved plans;

THAT an interior fire alarm system shall be provided as set forth on the BSA-approved plans and approved by DOB;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all of applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

394-04-BZ/30-05-A

CEQR #05-BSA-074M

APPLICANT - Deirdre A. Carson/Greenberg Traurig, LLP, for 33 Mercer Street, LLC, owner.

SUBJECT - Application December 20, 2004 - under Z.R. §72-21 – 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).

PREMISES AFFECTED - 44 Mercer Street, a/k/a 471 Broadway, east side, 107.1/2" north of the intersection of Grand and Mercer Streets, Block 474, Lot 49, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES –

For Applicant: Meloney McMurry.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan, Vice-Chair Babbar,

Commissioner Miele and Commissioner Chin.....4
Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Manhattan Borough Commissioner, dated July 22, 2005, acting on Department of Buildings Application No. 103576024, reads, in pertinent part:

- “1. 42-10 Z.R. Proposed residential use (Use Group 2) is not permitted as of right in an M1-5B district and is contrary to Z.R. Section 42-10. M1-5B Zoning District does not provide bulk regulations for residential use;
2. Proposed retail use (Use Group 6) is not permitted as of right below the level of the 2nd story in an M1-5B as per 42-14(D)(2)(B) Z.R.”; and

WHEREAS, a public hearing was held on this application on June 14, 2005 after due notice by publication in the *City Record*; with a continued hearing on June 26, 2005, and then to decision on September 13, 2005; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chair Srinivasan, Vice Chair Babbar, Commissioner Miele and Commissioner Chin; and

WHEREAS, Community Board 2, Manhattan, recommends approval of this application with certain conditions discussed below; and

WHEREAS, this is an application under Z.R. §72-21, to permit, within an M1-5B zoning district, the proposed development of a seven-story mixed-use building with residential uses and retail uses below the level of the second story, which does not comply with the zoning requirements for use, contrary to Z.R. §§42-00 and 42-14(D)(2)(B); and

WHEREAS, the initial application included a request for waivers of §27-366 of the New York City Administrative Code and §102 of the Multiple Dwelling Law, to permit a building in excess of 85’-0” and six stories without two independently enclosed stairs; the applicant has modified the application and no longer seeks such waivers; and

WHEREAS, the proposed building will have the following bulk parameters: a residential floor area ratio (“FAR”) of 3.97; 10,226 sq. ft. of residential use on floors two through seven; five residential units; a commercial FAR of 0.97; 2,323 sq. ft. of retail use on the cellar and ground floor; a total FAR of 4.94; a total floor area of 12,549 sq. ft.; and a total height of 102’-6”; and

WHEREAS, the proposed building will have a 24’-1 ½” rear yard separating it from the abutting building at the second floor, and a 31’-0” rear yard above the second floor; and

WHEREAS, the premises is located on Mercer Street, and is north of Grand Street; and

WHEREAS, the subject tax lot has a width of 26’-8” and a length of 93’-0”; and

WHEREAS, the existing building on the subject lot is connected with the abutting building fronting on Broadway at the lower floors; the building situated on Broadway is a five-story mixed use building that extends in length 106’-0” from

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Broadway, and the subject building is a two-story, vacant building; and

WHEREAS, the applicant proposes to re-develop the subject building, damaged in a fire in the 1950s, to accommodate residential and commercial uses; and

WHEREAS, the applicant also proposes to separate building services shared between the two buildings; and

WHEREAS, the site is located within the SoHo Cast Iron Historic District; accordingly, the applicant has received a Certificate of Appropriateness ("COA") for the proposed development from the Landmarks Preservation Commission ("LPC") dated April 5, 2004, and intends to incorporate the existing cast iron pilasters and granite piers into the new building to preserve certain architectural features of the building and align the proposed building with the current streetscape; and

WHEREAS, the applicant represents that the subject site is located in a district that has a special permit pursuant to Z.R. §74-712, that would allow the applicant to build the proposed building, except that it does not meet one of the requirements for the special permit; namely, the site is not vacant or substantially undeveloped as of the date of enactment of that section; and

WHEREAS, the applicant states that the following are unique physical conditions, which create practical difficulties and unnecessary hardship in developing the subject lot in conformance with underlying district regulations: (1) the lot is narrow; (2) there is a 5'-0" change in elevation through the lot; and (3) the abutting building on Broadway extends to a depth of 106'-0"; and

WHEREAS, the applicant states that the presence of the Broadway building and its deep extension makes it difficult for the applicant to provide the required 40'-0" rear yard equivalent for a conforming development; and

WHEREAS, the applicant also states that even if it attempted to provide the required rear yard, the narrowness of the site and the topography of the site, together with the required rear yard, contribute to an inefficient floor plate for a conforming manufacturing building; and

WHEREAS, accordingly, the Board finds that the unique conditions mentioned above, when considered in the aggregate, create practical difficulties and unnecessary hardship in developing the site in strict conformance with applicable zoning regulations; and

WHEREAS, the applicant initially submitted a feasibility study analyzing the following scenarios: a conforming office use above the level of the ground floor; and a residential building with a 30'-0" rear yard separating it from the Broadway building; and

WHEREAS, the applicant concluded that neither scenario resulted in a reasonable rate of return; and

WHEREAS, based upon the above, the Board has determined that because of the subject lot's unique physical conditions, there is no reasonable possibility that development in strict conformance with the use provisions applicable in the subject zoning district will provide a reasonable return; and

WHEREAS, the applicant notes that the nearest Quality Housing district is R7X, and that it has designed its proposal

to fit within that envelope, which has a maximum FAR of 5.0; and

WHEREAS, the applicant notes that the SoHo Cast Iron District is characterized by loft residences, joint living-work quarters for artists in formerly industrial buildings, galleries and retail spaces, and light industrial activity; and

WHEREAS, the applicant states that the building has been approved by LPC and will be compatible with surrounding buildings in terms of height and form, including similar floor to floor heights as the neighboring buildings; and

WHEREAS, as discussed above, the Board asked the applicant to consider a scenario in which the rear yard would be increased to 30'-0"; and

WHEREAS, the applicant states that currently there is no rear yard existing between the buildings at the first and second floors, so the applicant's proposal would improve the existing condition by providing a rear yard at the second floor; and

WHEREAS, the Board also recognizes that Broadway building extends 106'-0" in length, thereby constraining the ability of the applicant to provide a 30'-0" rear yard without compromising the floor plate of the subject building; and

WHEREAS, the Board noted further that the distance between the rear of the Broadway building and the subject building will increase to 31'-0" above the second floor because the Broadway building is set back in the rear; and

WHEREAS, the Board questioned the appropriateness of including balconies in the rear of the building; and

WHEREAS, the applicant represents that the balconies are small and are designed to look like industrial fire escapes found throughout the neighborhood; in addition, the balconies are intended to contribute to the rear façade of the building, which is a visible façade; and

WHEREAS, although the Community Board supports the proposal, they requested that an eating and drinking establishment not be allowed on the cellar and first floor; and

WHEREAS, the Board agrees that, in keeping with the character of the neighborhood, the cellar and first floor should only be used for U.G. 6 retail uses, and has included a condition in this grant to that effect; and

WHEREAS, opposition to the application raised additional concerns at hearing, including failure by the applicant to properly notify neighbors of the hearing, blockage of lot line windows, questions about the separation of services between the Broadway and Mercer Street buildings, and general construction concerns; and

WHEREAS, the Board notes that the applicant has responded to opposition's concerns by letter or at hearing; and with respect to the notice issue, the applicant admitted to a clerical error by which certain addresses were omitted, but the applicant corrected this before the subsequent hearing; and

WHEREAS, based upon the above, the Board finds that this action will not alter the essential character of the surrounding neighborhood nor impair the use or development of adjacent properties, nor will it be detrimental to the public

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welfare; and

WHEREAS, the Board finds that the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, the Board finds that this proposal is the minimum necessary to afford the owner relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. § 72-21; and

WHEREAS, the project is classified as a Type I action pursuant to Sections 617.6(h) and 617.2(h) of 6NYCRR; and

WHEREAS, the subject site is located within the SoHo Cast Iron Historic District and as previously noted in this resolution, a COA has been issued for this proposal by the LPC on April 5, 2004; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has documented relevant information about the project in the Final Environmental Assessment Statement (EAS) CEQR No. 05-BSA-074M, dated December 20, 2004; and

WHEREAS, the EAS documents that the project as proposed would not have significant adverse impacts on Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Neighborhood Character; Natural Resources; Waterfront Revitalization Program; Infrastructure; Hazardous Materials; Solid Waste and Sanitation Services; Energy; Traffic and Parking; Transit and Pedestrians; Air Quality; Noise; and Public Health; and

WHEREAS, no other significant effects upon the environment that would require an Environmental Impact Statement are foreseeable; and

WHEREAS, the Board has determined that the proposed action will not have a significant adverse impact on the environment.

Therefore it is Resolved that the Board of Standards and Appeals issues a Negative Declaration, with conditions as stipulated below, prepared in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617, the Rules of Procedure for City Environmental Quality Review and Executive Order No. 91 of 1977, as amended, and makes the required findings under Z.R. §72-21, to permit, within an M1-5B zoning district, the proposed development of a seven-story mixed-use building with residential uses and retail uses below the level of the second story, which does not comply with the zoning requirements for use, which does not comply with the zoning requirements for use, contrary to Z.R. §§42-00 and 42-14(D)(2)(B); *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received August 10, 2005"--(7) sheets and "September 12, 2005"--2 sheets; and *on further condition*:

THAT the cellar and first floor shall only be used for U.G. 6 retail uses and shall not be used for any U.G. 6 or U.G.12 eating and drinking establishment of any size;

THAT the above condition shall appear on the

Certificate of Occupancy;

THAT the bulk parameters of the proposed building shall be as follows: a maximum total FAR of 4.94; maximum total floor area of 12,549 sq. ft.; maximum residential FAR of 3.97; maximum residential floor area of 10,226 sq. ft.; maximum commercial FAR of 0.97; maximum commercial floor area of 2,323 sq. ft.; and a maximum building height of 102'-6";

THAT there shall be a maximum of five residential units, and each unit shall have a minimum size of 1200 sq. ft.;

THAT the interior layout, parking layout and all exiting requirements shall be as reviewed and approved by the Department of Buildings;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

402-04-BZ
CEQR #05-BSA-079K

APPLICANT – Steven Sinacori/Stadtmauer Bailkin LLP for Knapp Street Entertainment Center Inc., owner; Public Storage Inc., lessee.

SUBJECT – Application December 28, 2004 – under Z.R. §72-21 – to permit the change of use from an enclosed amusement arcade, Use Group 15, to self-storage facility, Use Group 16, located within C3 and C7 districts and to vary Sections 32-00 (Use Regulations) and 33-122 (Floor Area Ratio).

PREMISES AFFECTED – 2461 Knapp Street, east side, between Avenue "X and Y", Block 8833, Lot 200, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES –

For Applicant: Steven Sinacori.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Brooklyn Borough Commissioner, dated November 30, 2004, acting on Department of Buildings Application No. 301858112, reads, in pertinent part:

"Proposed change of use from enclosed

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amusement establishment (Use Group 15) to storage facility (Use Group 16) in a C7 and C3 zoning district is contrary to NYC Zoning Resolution Section 32-00.

Proposed F.A.R. and floor area in a C7 zoning district is contrary to NYC Zoning Resolution Section 33-122.”; and

WHEREAS, a public hearing was held on this application on June 7, 2005, after due notice by publication in *The City Record*, with continued hearings on July 19, 2005 and August 16, 2005, and then to decision on September 13, 2005; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board, consisting of Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele and Commissioner Chin; and

WHEREAS, Community Board 15, Brooklyn, recommends approval of this application; and

WHEREAS, State Assembly Member Seddio and State Senator Golden also expressed their approval of this application; and

WHEREAS, this is an application made pursuant to Z.R. §72-21, to permit, on a site partially within a C3 zoning district and partially within a C7 zoning district, the proposed conversion and enlargement of a three-story building from Use Group 15 amusement arcade to Use Group 16 self-storage facility, contrary to Z.R. §§ 32-00 and 33-122; and

WHEREAS, the subject premises is located on the east side of Knapp Street between Avenues X and Y, and has a total lot area of 33,774.30 sq. ft.; and

WHEREAS, approximately 97% of the lot is within the C7 zoning district, and the remaining 3% is within the C3 zoning district; and

WHEREAS, the site is currently improved upon with an approximately 51,743 sq. ft., three-story commercial building, with a wall height of 49.33 ft., currently occupied by an amusement arcade and entertainment center, which is about to cease operations due to a decline in business; and

WHEREAS, the existing building has atriums at the second and third floor level; and

WHEREAS, in addition to the change in use to self-storage (UG16), the applicant proposes to enlarge the building to 87,583 sq. ft., through a gut renovation of the existing three floors, and their replacement with four full floors; no change will be made to the height or the exterior of the building, except for signage; and

WHEREAS, nine parking spaces are proposed to be provided for the facility’s anticipated three employees and its patrons; and

WHEREAS, the applicable C7 zoning district permits a Floor Area Ratio (“FAR”) of 2.0; the proposed building will have an FAR of 2.59; and

WHEREAS, when completed, the proposed building will be operated as a retail-type self-storage facility, with limited hours as follows: 7 AM to 7:30 PM Monday through Saturday, and 7 AM to 6 PM on Sundays; and

WHEREAS, the applicant states that the following are

unique physical conditions inherent to the site, which creates practical difficulties and/or unnecessary hardship in developing the subject site in conformance with underlying district regulations: (1) the existing building was specially designed and constructed as an amusement arcade, resulting in high ceilings and an open space/atrium; (2) because the existing building’s footprint occupies a significant portion of the site, there is only space for nine off-street parking spaces, which is insufficient to accommodate the parking generated by any permitted use that could occupy the existing building; and (3) no below-grade parking facility can be feasibly constructed due to costs associated with mitigating high ground water conditions; and

WHEREAS, the applicant states the high ceilings of the building are not conducive to the very limited amount of retail/commercial uses permitted in C7 districts; and

WHEREAS, the applicant further states that in order to utilize the building for alternative conforming uses, significant renovation and upgrading would be required, the costs of which would render such development infeasible; and

WHEREAS, however, at hearing the Board expressed doubts as to whether the high ceilings really constituted a unique hardship compromising the return for C7 uses, since such spaces could be in-filled, and suggested that the claim of hardship be based primarily upon the need to reutilize the existing building coupled with the ground water conditions and the resulting lack of a feasible location to accommodate the amount of parking that would likely be generated by a conforming use; and

WHEREAS, as to the ground water conditions, the applicant has submitted an engineering study which addresses the feasibility of underground parking at the site, and observes that the provision of such parking would require the removal of the existing building and foundation system in order for the water conditions to be addressed; the study concludes that the construction of underground parking would be impractical and cost-prohibitive, since the existing building’s foundation system and envelope could not be re-used; and

WHEREAS, accordingly, the Board finds that certain of the aforementioned unique conditions, when viewed in the aggregate, - namely, the footprint of the building over the entire site, the need to reuse the building, and the ground water conditions, all of which combine to render location of sufficient parking on the site impractical - create a practical difficulty and unnecessary hardship in developing the site in conformance and compliance with the applicable use and bulk provisions; and

WHEREAS, the applicant submitted an initial feasibility study that analyzed a conforming and complying retail and commercial building, which concluded that such a building did not realize a reasonable return; and

WHEREAS, the Board agrees that this scenario is not viable; and

WHEREAS, additionally, the applicant has submitted evidence that the existing building had been unsuccessfully marketed directly to other amusement and entertainment type

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operators of facilities permitted in the C7 zoning district; and

WHEREAS, based upon the above, the Board has determined that because of the subject lot's unique physical conditions, there is no reasonable possibility that development in strict conformance with the use provisions applicable in the subject zoning district will provide a reasonable return; and

WHEREAS, the applicant represents that the current development proposal will not negatively impact the character of the community, adjacent conforming uses, or the public welfare; and

WHEREAS, the applicant represents that the immediate area surrounding the site is characterized by commercial and manufacturing uses; specifically, the site is between a fast food restaurant to the south and a vacant building formerly used as a nightclub to the north; and

WHEREAS, the applicant also represents that a large sewage treatment plant is located on Knapp Street on the next block; and

WHEREAS, the applicant states that the although the building is being enlarged, the enlargement is within the existing envelope; and

WHEREAS, the applicant further states that the proposed storage use will draw less traffic into the area than the amusement use currently occupying the building, and that the proposed amount of spaces would be sufficient to accommodate anticipated parking needs; and

WHEREAS, in support of this statement, the applicant has submitted a traffic engineering memorandum; and

WHEREAS, this memorandum is based upon a trip generation study analyzing AM, PM and Saturday peak hour conditions, which revealed modest trips per hour during these peak times (13, 22 and 25 trips, respectively); and

WHEREAS, the memorandum concludes that the proposed conversion and enlargement will improve access to the site and will provide ample on-site parking for both employees and patrons, and will have no perceptible impact on the surrounding roadway network; and

WHEREAS, based upon the above, the Board finds that this action will not alter the essential character of the surrounding neighborhood nor impair the use or development of adjacent properties, nor will it be detrimental to the public welfare; and

WHEREAS, the Board finds that the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, at the request of the Board, the applicant analyzed the following two lesser-variance scenarios: (1) a three-story, non-conforming commercial use, with retail use on the first floor and commercial use on the above floors; and (2) a three-story, self-storage facility with significantly less floor area than the proposal; both of these scenarios assume infill of the existing second and third floor atrium areas (not their total replacement); and

WHEREAS, based upon the applicant's analysis, neither of these alternatives would represent a feasible real estate investment opportunity due to their poor rates of return; and

WHEREAS, the Board observes that the applicant considered the diminished construction costs that would

result from the lesser-variance scenarios, as both scenarios contemplated the construction of one less floor than the proposal; and

WHEREAS, the applicant explained that although the construction costs for the lesser-variance scenarios are less than the proposal, many of the costs exists for both; for instance, the existing building's atrium areas would have to be reinforced, and new elevators, fire protection measures and HVAC equipment would need to be installed; and

WHEREAS, the applicant concludes that only through the addition of a fourth floor of storage space can these costs be offset by potential income; and

WHEREAS, accordingly, the Board finds that this proposal is the minimum necessary to afford the owner relief; and

WHEREAS, accordingly, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. § 72-21; and

WHEREAS, the project is classified as an Unlisted action pursuant to 6 NYCRR, Part 617.4; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has documented relevant information about the project in the Final Environmental Assessment Statement (EAS) CEQR No. 05-BSA-079K, dated May 5, 2005; and

WHEREAS, the EAS documents that the project as proposed would not have significant adverse impacts on Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Neighborhood Character; Natural Resources; Waterfront Revitalization Program; Infrastructure; Hazardous Materials; Solid Waste and Sanitation Services; Energy; Traffic and Parking; Transit and Pedestrians; Air Quality; Noise; Construction Impacts and Public Health; and

WHEREAS, no other significant effects upon the environment that would require an Environmental Impact Statement are foreseeable; and

WHEREAS, the Board has determined that the proposed action will not have a significant adverse impact on the environment.

Therefore it is Resolved that the Board of Standards and Appeals issues a Negative Declaration, prepared in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617.4, the Rules of Procedure for City Environmental Quality Review and Executive Order No. 91 of 1977, as amended, and makes the required findings under Z.R. § 72-21, to permit, on a site partially within a C3 zoning district and partially within a C7 zoning district, the proposed conversion and enlargement of a three-story building from Use Group 15 amusement arcade to Use Group 16 self-storage facility, contrary to Z.R. §§ 32-00 and 33-122; *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "September 12, 2005"-(8) sheets; and *on further condition*;

THAT that the building will comply with the following

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bulk parameter: a maximum FAR of 2.59;

THAT the internal floor layouts and exiting on each floor of the proposed building shall be as reviewed and approved by DOB;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

405-04-BZ

APPLICANT – Sheldon Lobel, P.C., for Kim Stavrach, owner.

SUBJECT – Application December 30, 2004 – under Z.R. §73-622 – For an enlargement of a single family residence to vary Z.R. §23-141 for open space and floor area, Z.R. §23-461 for side yards and Z.R. §23-47 for rear yard, located in an R3-2 zoning district.

PREMISES AFFECTED – 1734 East 27th Street, west side, between Quentin Road and, Avenue “R”, Block 6809, Lot 24, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES –

For Applicant: Ron Mandel.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Brooklyn Borough Commissioner, dated March 25, 2005, acting on Department of Buildings Application No. 301865747, reads:

“The proposed enlargement of the existing one family residence in an R3-2 zoning district:

1. Causes an increase in the Floor Area exceeding the allowable Floor Area Ratio and is contrary to the allowable Floor Area Ratio allowed by Section 23-141 of the Zoning Resolution.
2. Causes an increase in the lot coverage exceeding the allowable lot coverage allowed by Section 23-141 of the Zoning Resolution.
3. Proposed side yard is contrary to ZR 23-461A.
4. Proposed plans are contrary to ZR 23-47 in that the proposed rear yard is less than the 30’-0” that is required.”; and

WHEREAS, a public hearing was held on this application on June 7, 2005 after due notice by publication in

The City Record, with continued hearings on August 16, 2005, and then to decision on September 13, 2005; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board; and

WHEREAS, Community Board 15, Brooklyn, recommends approval of this application; and

WHEREAS, this is an application under Z.R. §§ 73-622 and 73-03, to permit, in an R3-2 zoning district, the proposed enlargement of an existing single-family dwelling, which does not comply with the zoning requirements for floor area ratio, lot coverage, and side and rear yards, contrary to Z.R. §§ 23-141, 23-461, and 23-47; and

WHEREAS, the subject lot is located on the west side of East 27th Street between Quentin road and Avenue R; and

WHEREAS, the subject lot has a total lot area of 3,000 sq. ft.; and

WHEREAS, the premises is within the boundaries of a designated area in which the subject special permit is available; and

WHEREAS, the applicant seeks an increase in the floor area from 1,915 sq. ft. (0.64 Floor Area Ratio or “FAR”) to 3,132 sq. ft. (1.04 FAR); the maximum floor area permitted is 1,500 sq. ft. (0.50 FAR); and

WHEREAS, at the request of the Board, the FAR was reduced to 1.04 from 1.06; and

WHEREAS, the proposed enlargement will increase the lot coverage from 41% to 43%; the maximum lot coverage permitted is 35%; and

WHEREAS, the proposed enlargement will maintain one existing non-complying side yard of 2’-8”, which does not comply with the 5’ minimum side yard requirement; and

WHEREAS, the enlargement into the side yard does not result in a decrease in the existing minimum width of open area between the building and the side lot line; and

WHEREAS, the proposed enlargement will reduce the rear yard from 28’-9” to 24’-9”; the minimum rear yard required is 30’-0”; and

WHEREAS, the enlargement of the building into the rear yard is not located within 20’-0” of the rear lot line; and

WHEREAS, the Board finds that the proposed enlargement will neither alter the essential character of the surrounding neighborhood, nor impair the future use and development of the surrounding area; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board finds that, under the conditions and safeguards imposed, any hazard or disadvantage to the community at large due to the proposed special permit use is outweighed by the advantages to be derived by the community; and

WHEREAS, therefore, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§ 73-622 and 73-03.

Therefore it is Resolved, that the Board of Standards and Appeals issues a Type II determination under 6 N.Y.C.R.R. Part 617.5 and 617.3 and §§ 5-02(a), 5-02(b)(2) and 6-15 of the Rules of Procedure for City Environmental

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Quality Review and makes the required findings under Z.R. §§ 73-622 and 73-03, to permit, in an R3-2 zoning district, the proposed enlargement of an existing single-family dwelling, which does not comply with the zoning requirements for floor area ratio, lot coverage, and side and rear yards, contrary to Z.R. §§ 23-141, 23-461, and 23-47; *on condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application and marked "Received April 13, 2005"- (2) sheets, "August 2, 2005"- (4) sheets and "August 29, 2005"- (4) sheets; and *on further condition*:

THAT there shall be no habitable room in the cellar;

THAT the above condition shall be set forth in the certificate of occupancy;

THAT the total FAR on the premises, including the attic, shall not exceed 1.04;

THAT the total attic floor area shall not exceed 668 sq. ft., as confirmed by the Department of Buildings;

THAT no approval of any shed in the rear yard is being granted; approval of any shed at the rear of the site shall be as per DOB;

THAT the use and layout of the cellar shall be as approved by the Department of Buildings;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objections(s) only; no approval has been given by the Board as to the use and layout of the cellar;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of the plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, September 13, 2005.

88-05-BZ

APPLICANT – Sheldon Lobel, P.C., for David and Margaret Hamm, owners.

SUBJECT – Application April 8, 2005 – under Z.R. §73-622 – To permit the enlargement of a single family residence which exceeds allowable floor area ratio, lot coverage and open space ratio pursuant to Z.R. §23-141 and less than the minimum side yards pursuant to Z.R. §23-461. The premise is located in an R3-2 zoning district.

PREMISES AFFECTED – 2015 East 22nd Street, east side, between Avenue "S and T", Block 7301, Lot 53, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES –

For Applicant: Ron Mandel.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chair Srinivasan Vice-Chair Babbar, Commissioner Miele and Commissioner Chin.....4

Negative:.....0

THE RESOLUTION -

WHEREAS, the decision of the Brooklyn Borough Commissioner, dated March 14, 2005, acting on Department of Buildings Application No. 301687422, reads:

1. Floor Area Ratio is contrary to section 23-141b.
2. Lot coverage is contrary to section 23-141b.
3. Open Space Ratio is contrary section 23-141b.
4. Side yard required is contrary to section 23-461a.
5. Height and/or setback requirement is contrary to section 23-631b."; and

WHEREAS, a public hearing was held on this application on August 16, 2005 after due notice by publication in *The City Record*, and then to decision on September 23, 2005; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board; and

WHEREAS, Community Board 15, Brooklyn, recommends approval of this application; and

WHEREAS, this is an application under Z.R. §§ 73-622 and 73-03, to permit, in an R3-2 zoning district, the proposed enlargement of an existing single-family dwelling, which does not comply with the zoning requirements for floor area ratio, lot coverage, open space, perimeter wall height, and side yards, contrary to Z.R. §§ 23-141(b), 23-461(a), and 23-631(b); and

WHEREAS, the subject lot is located on the east side of East 22nd Street, between Avenues S and T; and

WHEREAS, the subject lot has a total lot area of 2,076 sq. ft.; and

WHEREAS, the premises is within the boundaries of a designated area in which the subject special permit is available; and

WHEREAS, the applicant seeks an increase in the floor area from 1,396 sq. ft. (0.67 Floor Area Ratio or "FAR") to 1,809.4 sq. ft. (0.87 FAR); the maximum floor area permitted is 1,038 sq. ft. (0.50 FAR); and

WHEREAS, there is no usable floor area in the attic; and

WHEREAS, the proposed enlargement will increase the lot coverage from 37% to 45.4%; the maximum lot coverage permitted is 35%; and

WHEREAS, the proposed enlargement will decrease the open space from 1,309 sq. ft. to 1,139.9 sq. ft.; the minimum required is 1,349 sq. ft.; and

WHEREAS, the proposed enlargement will maintain one existing non-complying side yard of 1'-2 ¼", which does not comply with the 5' minimum side yard requirement; and

WHEREAS, the other non-complying side yard of 5'-10½" will also be maintained; when this side yard is aggregated with the other non-complying side yard, the total is 6'-6", which is less than the required 13'-0" minimum required; and

WHEREAS, both the perimeter wall height of 22'-10" and the total height of 29'-0" will be maintained; and

WHEREAS, the enlargement into the side yard does not

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result in a decrease in the existing minimum width of open area between the building and the side lot line; and

WHEREAS, the proposed enlargement will reduce the rear yard from 37'-10 3/4" to 25'-10 3/4"; the minimum rear yard required is 30'-0"; and

WHEREAS, the enlargement of the building into the rear yard is not located within 20'-0" of the rear lot line; and

WHEREAS, accordingly, the Board finds that the proposed enlargement will neither alter the essential character of the surrounding neighborhood, nor impair the future use and development of the surrounding area; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board finds that, under the conditions and safeguards imposed, any hazard or disadvantage to the community at large due to the proposed special permit use is outweighed by the advantages to be derived by the community; and

WHEREAS, therefore, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§ 73-622 and 73-03.

Therefore it is resolved, that the Board of Standards and Appeals issues a Type II determination under 6 N.Y.C.R.R. Part 617.5 and 617.3 and §§ 5-02(a), 5-02(b)(2) and 6-15 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. §§73-622 and 73-03, to permit, in an R3-2 zoning district, the proposed enlargement of an existing single-family dwelling, which does not comply with the zoning requirements for floor area ratio, lot coverage, open space, perimeter wall height, and side yards, contrary to Z.R. §§ 23-141(b), 23-461(a), and 23-631(b); *on condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application and marked "Received June 28, 2005"- (1) sheet and "August 30, 2005"-(6) sheets, and *on further condition*:

THAT there shall be no habitable room in the cellar;

THAT the above condition shall be set forth in the certificate of occupancy;

THAT the total FAR on the premises shall not exceed 0.87;

THAT no approval of the garage is being granted; approval of any garage at the rear of the site shall be as per DOB;

THAT the use and layout of the cellar shall be as approved by the Department of Buildings;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objections(s) only; no approval has been given by the Board as to the use and layout of the cellar;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of the plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals,

September 23, 2005.

397-03-BZ thru 405-03-BZ

APPLICANT – Sheldon Lobel, P.C., for G & G Associates, owner.

SUBJECT – Application December 29, 2003 – under Z.R. §72-21 – to permit the proposed three story (3) plus attic building, to contain three residential units, located in an M1-1 zoning district, is contrary to Z.R. §42-00.

PREMISES AFFECTED –

1255 60th Street, between 12th and 13th Avenues, Block 5711, Lot 155, Borough of Brooklyn.

1257 60th Street, between 12th and 13th Avenues, Block 5711, Lot 154, Borough of Brooklyn.

1259 60th Street, between 12th and 13th Avenues, Block 5711, Lot 153, Borough of Brooklyn.

1261 60th Street, between 12th and 13th Avenues, Block 5711, Lot 152, Borough of Brooklyn.

1263 60th Street, between 12th and 13th Avenues, Block 5711, Lot 151, Borough of Brooklyn.

1265 60th Street, between 12th and 13th Avenues, Block 5711, Lot 150, Borough of Brooklyn.

1267 60th Street, between 12th and 13th Avenues, Block 5711, Lot 149, Borough of Brooklyn.

1269 60th Street, between 12th and 13th Avenues, Block 5711, Lot 148, Borough of Brooklyn.

1271 60th Street, between 12th and 13th Avenues, Block 5711, Lot 147, Borough of Brooklyn.

COMMUNITY BOARD #12BK

APPEARANCES -

For Applicant: Ron Mandel.

ACTION OF THE BOARD – Laid over to October 18, 2005, at 1:30 P.M., for adjourned hearing.

3-04-BZ

APPLICANT - Eric Palatnik, P.C., for Rushikesh Trivedi, owner.

SUBJECT - Application January 6, 2004 - under Z.R. §72-21 to permit the proposed dental office, Use Group 6, located in an R-2 zoning district, which does not comply with the zoning requirements for floor area, open space, front and side yards and use, which is contrary to Z.R. §24-111, §22-14, §24-34 and §24-35.

PREMISES AFFECTED - 147-08 46th Avenue, between Parsons Boulevard and 149th Street, Block 5452, Lot 3, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES –

For Applicant: Eric Palatnik.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4
Negative:.....0

ACTION OF THE BOARD - Laid over to November 22, 2005, at 1:30 P.M., for decision, hearing closed.

290-04-BZ

APPLICANT - Stuart A. Klein, Esq., for Alex Lokshin –

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Carroll Gardens, LLC, owner.

SUBJECT - Application August 20, 2004 - under Z.R. §72-21 to permit, in an R4 zoning district, the conversion of an existing one-story warehouse building into a six-story and penthouse mixed-use residential/commercial building, which is contrary to Z.R. §§22-00, 23-141(b), 23-631(b), 23-222, 25-23, 23-45, and 23-462(a).

PREMISES AFFECTED - 341-349 Troy Avenue (a/k/a 1515 Carroll Street), Northeast corner of intersection of Troy Avenue and Carroll Street, Block 1407, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #9BK

APPEARANCES -

For Applicant: Hiram A. Rothkrug and Gregory Chillino.

ACTION OF THE BOARD – Laid over to November 15, 2005, at 1:30 P.M., for adjourned hearing.

315-04-BZ and 318-04-BZ

APPLICANT – Steven Sinacori/Stadmauer Bailkin, for Frank Mignone, owner.

SUBJECT – Application September 20, 2004 - under Z.R. §72-21 to permit the proposed development which will contain four three-family homes (Use Group 2), within an M1-1 Zoning District which is contrary to Section 42-00 of the Resolution.

PREMISES AFFECTED –

1732 81st Street, east side of New Utrecht Avenue, Block 6314, Lots 26 and 29, (Tentative Lot 127), Borough of Brooklyn.

1734 81st Street, east side of New Utrecht Avenue, Block 6314, Lots 26 and 29, (Tentative Lot 128), Borough of Brooklyn.

1736 81st Street, east side of New Utrecht Avenue, Block 6314, Lots 26 and 29, (Tentative Lot 129), Borough of Brooklyn.

1738 81st Street, east side of New Utrecht Avenue, Block 6314, Lots 26 and 29, (Tentative Lot 130), Borough of Brooklyn.

COMMUNITY BOARD #11BK

APPEARANCES –

For Applicant: Steven Sinacori.

ACTION OF THE BOARD – Laid over to October 18, 2005, at 1:30 P.M., for deferred hearing.

326-04-BZ

APPLICANT - The Law Office of Fredrick A. Becker, for Sephardic Center of Mill Basin, owner.

SUBJECT - Application- under Z.R. §72-21 – to request a bulk variance to allow the construction of a new synagogue in place of an existing synagogue. The application seeks waivers regarding Floor area ratio (sections 24-111 and 23-141), perimeter wall height (section 24-521), sky exposure plane (section 24-521) and parking (sections 25-18 and 25-31), located in a R2 zoning district.

PREMISES AFFECTED - 6208/16 Strickland Avenue, northeast corner of Mill Avenue, Block 8656, Lot 19, Borough of Brooklyn.

COMMUNITY BOARD #18BK

APPEARANCES –

For Applicant: Lyra J. Altman, Chaim Ben Simon, Gary Blond.

For Opposition: Doris Usero.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to October 18, 2005, at 1:30P.M., for decision, hearing closed.

338-04-BZ

APPLICANT – Martyn & Don Weston, for Hi-Tech Equipment Rental Inc., owner.

SUBJECT – Application October 12, 2004 - under Z.R. §72-21 to permit the proposed construction of a one story and cellar extension to an as-of-right six story hotel, and to permit on grade accessory parking and below grade showroom/retail use, in an R5 zoning district, is contrary to Z.R. §22-00.

PREMISES AFFECTED - 806/14 Coney Island Avenue, west side, 300.75’ north of Ditmas Avenue, Block 5393, Tentative Lot 27, Borough of Brooklyn.

COMMUNITY BOARD #12BK

APPEARANCES –

For Applicant: Don Weston, Jack Freeman and Abdul Sageer.

For Opposition: Peter Levin, Tatyana Rotblat, Serena Breban, A. Smith, S. Pancer, M. Sommers and Lisa L. Gokhulsingh.

ACTION OF THE BOARD – Laid over to November 15, 2005, at 1:30 P.M., for continued hearing.

357-04-BZ

APPLICANT – Alfonso Duarte, for Charles Howard, owner.

SUBJECT – Application November 12, 2004 - under Z.R. §72-21 to permit the proposed erection of a two story medical facility, located in an R3-2 zoning district, which does not comply with the zoning requirements for second floor occupancy, lot coverage, front yards, side yard, off-street parking spaces and penetration of the exposure plane, is contrary to Z.R. §22-14, §24-11, §24-33, §24-34, §24-35, §25-31 and §24-521; and the proposed use of the site, for off-site accessory parking, for a proposed medical facility across the street, is contrary to §25-51.

PREMISES AFFECTED - 707 Cross Bay Boulevard, southwest corner of 98th Street, Block 15311, Lot 11, Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES –

For Applicant: Alfonso Duarte, P.E. and Louis R. Colalillo.

ACTION OF THE BOARD – Laid over to October

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25, 2005, at 1:30 P.M., for continued hearing.

358-04-BZ

APPLICANT – Alfonso Duarte, for Charles Howard, owner.
SUBJECT – Application November 12, 2004 – under Z.R. §72-21 to permit the proposed use of the site, for off-site accessory parking, for a proposed medical facility across the street, is contrary to §25-31.

PREMISES AFFECTED - 728 Cross Bay Boulevard, southeast corner of 194th Avenue, Block 15453, Lot 8, Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES –

For Applicant: Alfonso Duarte, P.E. and Louis R. Colalillo.

ACTION OF THE BOARD – Laid over to October 25, 2005, at 1:30 P.M., for continued hearing.

382-04-BZ

APPLICANT – Eric Palatnik, P.C., for Billy Ades, (Contract Vendee).

SUBJECT – Application December 6, 2004 – under Z.R. §73-622 – to permit the proposed enlargement of an existing single family dwelling, located in an R4 zoning district, which does not comply with the zoning requirements for floor area, lot coverage, open space and side yards, is contrary to Z.R. §23-141(b) and §23-461(a).

PREMISES AFFECTED – 2026 Avenue “T”, corner of Avenue “T” and East 21st Street, Block 7325, Lot 8, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES –

For Applicant: Eric Palatnik.

ACTION OF THE BOARD – Laid over to November 22, 2005, at 1:30 P.M., for continued hearing.

399-04-BZ

APPLICANT – Greenberg Traug LLP, by Jay A. Segal, for Hip-Hin Realty Corp., owner.

SUBJECT – Application December 23, 2004 – under Z.R. §§72-21 and 73-36 – Proposed use of the subcellar for accessory parking, first floor and cellar for retail, and the construction of partial sixth and seventh stories for residential use, also a special permit to allow a physical culture establishment on the cellar level, of the subject premises, located in an M1-5B zoning district, is contrary to Z.R. §42-14(D), §13-12(a) and §73-36.

PREMISES AFFECTED – 425/27 Broome Street, southeast corner of Crosby Street, Block 473, Lot 33, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES –

For Applicant: Jay Segal and Peter Fabre.

ACTION OF THE BOARD – Laid over to October 18, 2005, at 1:30 P.M., for continued hearing.

19-05-BZ

APPLICANT – Slater & Beckerman, LLP, for Groff Studios Corporation, owner.

SUBJECT – Application January 31, 2005 – under Z.R. §72-211, to permit, in an M1-6 zoning district, the change of use of portions of a nine-story, mixed-use building to Use Group 2 residential use which is contrary to ZR Section 42-00.

PREMISES AFFECTED – 151 West 28th Street, north side, 101’ east of Seventh Avenue, Block 804, Lot 8, Borough of Manhattan.

COMMUNITY BOARD #5M

APPEARANCES –

For Applicant: Stuart Beckerman, Daniel Lane and David Hottenroth.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4
Negative:.....0

ACTION OF THE BOARD - Laid over to October 18, 2005, at 1:30 P.M., for decision, hearing closed.

44-05-BZ

APPLICANT - Rothkrug Rothkrug Weinberg & Spector, for David Murray & Adrienne Berman, owners.

SUBJECT - Application February 25, 2005 - under Z.R. §73-243, to permit an Accessory Drive Through Facility, contrary to Section 32-15, accessory to a proposed as-of-right Eating and Drinking Establishment (Use Group 6) located in a C1-2/R5 zoning district.

PREMISES AFFECTED - 49-01 Beach Channel Drive, between Beach 49th and Beach 50th Streets, Block 15841, Lot 19 (Tentative 50), Borough of Queens.

COMMUNITY BOARD #14Q

APPEARANCES –

For Applicant: Adam Rothkrug.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4
Negative:.....0

ACTION OF THE BOARD - Laid over to October 18, 2005, at 1:30 P.M., for decision, hearing closed.

60-05-BZ

APPLICANT – The Law Office of Fredrick A. Becker, for Aslan Azrak, owner.

SUBJECT – Application March 10, 2005 - under Z.R. §73-622 Special Permit - the enlargement of a semi detached single family home. The proposed enlargement to vary ZR sections 23-141(b) for FAR, open space and lot coverage, 23-47 for less than the required rear yard. The premise is located in an R4 zoning district. This proposed enlargement is also seeking to separate from the attached residence thereby

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creating two detached residences.

PREMISES AFFECTED – 1024 Lancaster Avenue, Lancaster Avenue between East 12th Street and Coney Island Avenue, Block 7394, Lot 50, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES –

For Applicant: Lyra J. Altman.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Miele, and Commissioner Chin.....4

Negative:.....0

ACTION OF THE BOARD - Laid over to September 27, 2005, at 1:30 P.M., for decision, hearing closed.

97-05-BZ

APPLICANT – Dennis D. Dell’ Angelo, R.A., for Abraham Y. Gelb, owner.

SUBJECT – Application April 22, 2005 - under Z.R.§73-622 Special Permit - the enlargement of a single family residence to vary zoning section ZR 23-141 for open space and floor area, ZR 23-46 for less than the minimum required side yard and ZR 23-47 for less than the required rear yard. The premise is located in an R-2 zoning district.

PREMISES AFFECTED – 1107 East 21st Street, east side 153’ north of Avenue J, Block 78585, Lot 13, Borough of Brooklyn.

COMMUNITY BOARD #14BK

APPEARANCES –

For Applicant: Dennis Dell’ Angello.

ACTION OF THE BOARD - Laid over to October 18, 2005, at 1:30 P.M., for continued hearing.

126-05-BZ

APPLICANT – Eric Palatnik, P.C., for Moshe Hirsch, owner. SUBJECT – Application May 20, 2005 - under Z.R.§73-622 Special Permit - The enlargement of a single family residence to vary ZR sections 23-141 (open space and floor area), 23-46 (side yard) and 23-47 (rear yard). The premise is located in an R-2 zoning district.

PREMISES AFFECTED – 1282 East 27th Street, West side of East 27th Street, north of the intersection of E. 27th Street and Avenue M, Block 7644, Lot 79, Borough of Brooklyn.

COMMUNITY BOARD #14BK

APPEARANCES –

For Applicant: Eric Palatnik and Elliot Berman.

ACTION OF THE BOARD - Laid over to October 18, 2005, at 1:30 P.M., for continued hearing.

Pasquale Pacifico, Executive Director.

Adjourned: 5:00 P.M.