

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, August 8, 2006
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	499-29-BZ	<p>Eric Palatnik, P.C. 248-70 Horace Harding Expressway, QUEENS Reopening for an Extension of Term of an Automotive Service Station with an accessory automotive repair establishment located in a C1-2/R3-2 zoning district. The term expired on March 23, 2006. The application is seeking a 10 year extension. COMMUNITY BOARD #11Q Examiner: Carlo Costanza (212) 788-8739 Status: Granted – 8/8/06</p>
2.	286-79-BZ	<p>Walter T. Gorman, P.E. 219-28 to 219-38 Hillside Avenue, QUEENS Proposed waiver of the Board’s rules of practice and procedure to extend the term of a special permit for an automobile service station located in a C1-2/R2 zoning district which expired on June 19, 2004. Term would be extended to June 19, 2014. COMMUNITY BOARD #1Q Examiner: Carlo Costanza (212) 788-8739 Status: Granted – 8/8/06</p>
3.	173-95-BZ	<p>Stephen J. Rizzo, Esq. 30 East 85th Street, MANHATTAN Pursuant to Z.R. §73-11 and §73-36 for the Extension of Term/Waiver of a Physical Culture Establishment (David Barton Gym) in a portion of the first floor and the entire second floor of a 30 story residential building. The premise is located in an C5-1MP zoning district. COMMUNITY BOARD #8M Examiner: Henry Segovia (212) 788-8757 Status: Granted – 8/8/06</p>

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<i>SOC – DECISIONS</i>		
4.	83-00-BZ	<p>Eric Palatnik, P.C. 87-11/21 Northern Boulevard, QUEENS Reopening for a waiver of the Rules of Practice and Procedure and for an extension of the term of the special permit which expired September 26, 2003; to operate a drive thru window for an eating and drinking establishment, (K.F.C.), located in a C1-2 zoning district. COMMUNITY BOARD #3Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 8/8/06</p>
5.	182-04-BZ	<p>Stadtmauer Bailkin, LLP, 351/53 West 14th Street, MANHATTAN Reopening for an amendment to permit proposed eating and drinking establishment (comedy theater), Use Group 12, on a zoning lot, split between a C6-2A and R8B zoning district, of which a portion is located in the R8B district, is contrary to Z.R. §22-10. COMMUNITY BOARD #4M</p> <hr/> <p>Examiner: Roy Starrin (212) 788-8797</p> <hr/> <p>Status: Granted – 8/8/06</p>

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<i>SOC – CONTINUED HEARINGS</i>		
6.	197-00-BZ II	<p>Rothkrug Rothkrug Weinberg & Spector 420 Lexington Avenue, MANHATTAN Pursuant to Z.R. §73-11 and Z.R. §73-36: Amendment to a previously granted Physical Culture Establishment (Equinox Fitness) for the increase of 4,527 sq. ft. in additional floor area. COMMUNITY BOARD #5M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 8/22/06</p>
7.	112-01-BZ	<p>Sheldon Lobel, P.C. 1402 59th Street, BROOKLYN Pursuant to Z.R. §72-01 and Z.R. §72-21: Extension of Time to obtain a Certificate of Occupancy which expired on November 20, 2003 for a Community Use Facility/UG 4 (Congregation Noam Emimelech) and an Amendment to modify the previously approved plans for floor area (Z.R. §24-11), front wall height (Z.R. §24-521), front yard- (Z.R. §24-31), side yard (Z.R. §24-35), lot coverage (Z.R. §24-11 and Z.R. §23-141(b)) and off-street parking (Z.R. §25-22). COMMUNITY BOARD #12BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Adjourned Hearing – 9/26/06</p>

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<i>SOC – NEW CASES</i>		
8.	565-57-BZ	<p>Arcadius Kaszuba 5832 Broadway, THE BRONX Pursuant to Z.R. §11-411 and §11-412 - extension of term, amendment of approval for a convenience store under Section 11-412, and request a waiver of the Rules of Procedure for the expiration of the term on December 17, 2004. The premise is located in C2-5 in R7-1 district. COMMUNITY BOARD #8BX</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision – 8/22/06</p>
9.	1077-66-BZ	<p>Carl A. Sulfaro, Esq. 1320 Richmond Terrace, STATEN ISLAND Pursuant to Z.R. §§72-01 and 72-22 reopen and amend the BSA resolution for a change of use to an existing gasoline service station with minor auto repairs. The amendment seeks to convert the existing auto repair bays to a convenience store as accessory use to an existing gasoline service station. The premise is located in C2-2 in an R3-2 zoning district. COMMUNITY BOARD #1SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 9/12/06</p>
10.	301-85-BZ	<p>Francis R. Angelino, Esq. 58 East 86th Street, MANHATTAN Reopening for an extension of term for a previously approved use variance which allowed ground floor retail in a R10(P1) zoning district and request for a waiver of the Board’s Rules and Procedures for the expiration of the term on February 11, 2006. COMMUNITY BOARD #8M</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision – 8/22/06</p>

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<i>SOC – NEW CASES</i>		
11.	59-02-A II 160-02-A II 27-06-A	<p>Carlos Aguirre 23-81 89th Street, QUEENS Reopen and amend previously granted waivers under Section 35 of the General City Law that allowed the construction of two, two-family homes located in the bed of mapped street (24th Avenue). Proposal seeks to add an additional two family dwelling in the bed of mapped street thereby making three two-family dwellings. Premises is located within an R3-2 Zoning District. COMMUNITY BOARD #3Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 8/22/06</p>
12.	212-03-A II thru 213-03-A II	<p>Eric Palatnik, P.C. 129-32 & 129-36 Hook Creek Boulevard, QUEENS Reopen and amend a previously granted waiver under Section 35 of the General City Law that allowed the construction of a single family dwelling located partially within the bed of a mapped street (Hook Creek Boulevard). The application seeks to retain the current location of the dwelling which was built contrary to a BSA issued resolution and approved plans. COMMUNITY BOARD #13Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 9/12/06</p>

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<i>APPEALS – DECISIONS</i>		
13.	153-05-A	<p>Rothkrug Rothkrug Weinberg Spector, LLP 222-50 and 222-54 141st Avenue, QUEENS Proposed construction of two, two-family homes located in the bed of a mapped street (141st Avenue), contrary to §35 of the General City Law. Premises is located in R3-2 zoning district. COMMUNITY BOARD #13Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 8/8/06</p>
14.	299-05-A	<p>Sheldon Lobel, P.C. 369 Wilson Avenue, STATEN ISLAND Proposed construction of one, two-story, one-family home located in the bed of a mapped street (Getz Avenue), contrary to §35 of the General City Law. Premises is located in an R3A (SRD) zoning district. COMMUNITY BOARD #3SI</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 8/8/06</p>
15.	355-05-BZY	<p>Rothkrug Rothkrug Weinberg Spector, LLP 422 Prospect Avenue, BROOKLYN Proposed Extension of Time to complete construction of a minor development pursuant to Z.R. §11-331 for a multi-family, 3-story residential building under the prior R5 zoning. New zoning district is R5B. COMMUNITY BOARD #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 8/8/06</p>

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<i>APPEALS – NEW CASES</i>		
16.	21-06-A	Walter T. Gorman, P.E. 28 Rockaway Point Boulevard, QUEENS Proposed enlargement of an existing one-family dwelling located in the bed of a mapped street (Rockaway Point Boulevard), is contrary to Section 35 of the General City Law. Premises is located in a R4 zoning district. COMMUNITY BOARD #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 8/8/06

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	151-05-BZ	<p>The Law Office of Fredrick A. Becker 100 Varick Street, MANHATTAN Variance: Z.R. §72-21 to allow a proposed 10-story residential building containing 79 dwelling units located in an M1-6 district; contrary to district use regulations per Z.R. §42-00. COMMUNITY BOARD #2M</p> <p>Examiner: Jed Weiss (212) 8781</p> <p>Status: Granted – 8/8/06</p>
2.	182-05-BZ	<p>Eric Palatnik, P.C. 4 Park Avenue, MANHATTAN Special Permit: Z.R. §73-36 to allow the legalization of a physical culture establishment, located on first floor, mezzanine and second floor of a 21-story mixed use building in a C5-3 zoning district. COMMUNITY BOARD #5M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 8/8/06</p>
3.	303-05-BZ	<p>Eric Palatnik, P.C., 428 East 75th Street, MANHATTAN Variance: Z.R. §72-21 to permit the legalization of the second floor of an existing two-story commercial structure for use as a physical culture establishment. Premises is located within the R8-B zoning district. COMMUNITY BOARD #8M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 8/8/06</p>
4.	22-06-BZ	<p>Harold Weinberg, P.E. 8 Gotham Avenue, BROOKLYN Variance: Z.R. §72-21 to permit the enlargement of an existing single family dwelling on a pre-existing undersized lot. The proposed enlargement increases the degree of non-compliance at the front yard, rear yard and side yards (Z.R. §23-45, §23-47 and §23-48) and exceeds the allowable setback (Z.R. §23-631). The premise is located in an R4 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 8/8/06</p>

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5.	44-06-BZ	<p>Rothkrug Rothkrug Weinberg Spector, LLP 150-24 18th Avenue, QUEENS Variance: Z.R. §72-21 to permit the vertical enlargement of an existing single-family residence which exceeds the maximum permitted floor area (Z.R. §23-141) and does not provide the required side yard (Z.R. §23-461). The premise is located in an R3A zoning district. COMMUNITY BOARD #7Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 8/8/06</p>
6.	74-06-BZ	<p>Sheldon Lobel, P.C. 1416 80th Street, BROOKLYN Special Permit: Z.R. §73-622 to permit the enlargement of two-family residence which exceeds the allowable floor area ratio, lot coverage and open space (Z.R. §32-141), less than the minimum side yards (Z.R. §23-461) and rear yard (Z.R. §34-47). The premise is located in an R4 zoning district. COMMUNITY BOARD #11BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 8/8/06</p>
7.	76-06-BZ	<p>Friedman & Gotbaum, LLP 150 East 58th Street, MANHATTAN Special Permit: Z.R. §73-36 to permit a physical cultural establishment (Sitaras Fitness) on a portion of the 11th and 12th floor of a thirty-nine story commercial building. Premises is located within an C5-2 Zoning District. COMMUNITY BOARD #6M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 8/8/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	334-04-BZ	<p>Sheldon Lobel, P.C. 135-28 Roosevelt Avenue, QUEENS Variance: Z.R. §72-21 to permit the proposed construction of a seven-story mixed-use building containing retail, general office and community facility space. The site is located in a C4-2 zoning district. The proposal is contrary to floor area, density, height, per Z.R. §23-141, §23-22, §23-631, §25-622, §25-632. COMMUNITY BOARD#7Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Adjourned Hearing – 9/26/06</p>
9.	338-05-BZ	<p>Eric Palatnik, P.C. 2224 East 14th Street, BROOKLYN Special Permit: Z.R. §73-622 to permit the proposed enlargement of an existing single family home which creates non-compliance with respect to open space and floor area (Z.R. §23-141), side yards (Z.R. §23-461) and rear yard (Z.R. §23-47). The premise is located in a R-4 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 9/19/06</p>
10.	16-06-BZ	<p>Eric Palatnik, P.C. 2253 East 14th Street, BROOKLYN Special Permit: Z.R. §73-622 to permit the proposed enlargement of an existing single family home which creates non-compliances with respect to open space and floor area (Z.R. §23-141), side yards (Z.R. §23-461) and rear yard (Z.R. §23-47). The premise is located in a R-4 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 9/19/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
11.	369-05-BZ	Eric Palatnik, P.C. 908 Clove Road, STATEN ISLAND Variance: Z.R. §72-21 to allow a proposed four-story multiple dwelling containing 30 dwelling units in an R3-2 (HS) zoning district; contrary to Z.R. §§23-141, 23-22, 23-631, 25-622, 25-632. COMMUNITY BOARD #1SI
		Examiner: Jed Weiss (212) 788-8781
		Status: Continued Hearing – 9/12/06

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<i>BZ – NEW CASES</i>		
12.	175-05-BZ	<p>Eric Palatnik, P.C. 18-24 Luquer Street, BROOKLYN Variance: Z.R. §72-21 to allow the construction of a proposed four story multi-family dwelling containing 16 dwelling units and eight accessory parking spaces. Project site is located in an M1-1 zoning district and is contrary to Z.R. §42-00. COMMUNITY BOARD #6BK Examiner: Jed Weiss (212) 788-8781 Status: Continued Hearing – 10/17/06</p>
13.	427-05-BZ	<p>Eric Palatnik, P.C. 133-47 39th Avenue, QUEENS Special Permit: Z.R. §73-44 to permit proposed retail, community facility and office development (UG 6, parking requirement category B1) which provides less than the required parking and is contrary to Z.R. §36-21. COMMUNITY BOARD #7Q Examiner: Jed Weiss (212) 788-8781 Status: Continued Hearing – 10/17/06</p>
14.	40-06-BZ	<p>The Law Office of Fredrick A. Becker 10 Hanover Square, MANHATTAN Special Permit: Z.R. §73-36 to allow the operation of a physical culture establishment (PCE) on the cellar and sub-cellar levels in a 21-story mixed-use building. The premise is located in a C5-5 (LM) zoning district. The proposal requests a waiver of Z.R. Section 32-00 (Use Regulations). COMMUNITY BOARD #1M Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision – 8/22/06</p>
15.	66-06-BZ	<p>Slater & Beckerman, LLP 22-40 90th Street, QUEENS <i>Vaughn College of Aeronautics and Technology</i> Variance: Z.R. §72-21 to permit the construction of a new three-story college dormitory that does not conform to the use regulations of the M1-1 zoning district. COMMUNITY BOARD #3Q Examiner: Jed Weiss (212) 788-8781 Status: Closed, Decision – 8/22/06</p>

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