

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, January 24, 2006

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	77-99-BZ	<p>The Agusta Group 255-39 Jamaica Avenue, QUEENS Extension of Term of the Special Permit for the operation of an existing auto laundry which expired on February 8, 2005 and an extension of time to obtain a Certificate of Occupancy which expired on July 22, 2005. The premise is located in C8-1 & R-2 zoning district. COMMUNITY BOARD #13Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted 1/24/06</p>
2.	337-03-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 340 Madison Avenue, a/k/a 16 East 44th Street, MANHATTAN Reopening for an amendment to a previously approved variance which permitted the enlargement of the 21-story office, retail and church building. The applicant is requesting a proposed modification of plans. The site is located in a C5-3 zoning district. COMMUNITY BOARD #5M</p> <hr/> <p>Examiner: Roy Starrin (212) 788-8797</p> <hr/> <p>Status: Granted 1/24/06</p>

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<i>SOC – CONTINUED HEARINGS</i>		
3.	364-36-BZ	Joseph P. Morsellino 31-70 31st Street, QUEENS Extension of Term/Waiver of a variance which expired on February 11, 2005 for an additional 15 year term of an automotive service station. The premise is located in a C1-4 and R6B zoning district. COMMUNITY BOARD #1Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Adjourned Hearing – 3/14/06
4.	203-92-BZ	Sullivan, Chester & Gardner, P.C. 70-20 Austin Street, QUEENS Reopening for Extension of Term/Amendment/Waiver for a physical culture establishment. The premise is located in an C8-2 zoning district. COMMUNITY BOARD #6Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Adjourned Hearing – 5/9/06

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<i>SOC – NEW CASES</i>		
5.	469-64-BZ	<p>Charles Washington 630-634 St. Ann’s Avenue, BRONX Amendment to a Variance Z.R. §72-21 to propose a second floor office addition in conjunction with existing first floor of food processing plant operation. The premise is located in a C2-4 in an R6 zoning district. The second floor enlargement is fully within the C2-4 portion of the lot. COMMUNITY BOARD #8BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 2/14/06</p>
6.	855-87-BZ	<p>Glen V. Cutrona, AIA 15 Irving Place, STATEN ISLAND Reopening for Extension of Term of a Variance for an existing (UG 16) warehouse with (UG6) office space on the mezzanine level. The term of variance expired on November 23, 2003. The premise is located in an R3A zoning district. COMMUNITY BOARD #1SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 2/14/06</p>
7.	4-95-BZ	<p>Harry Meltzer, R.A. 21/23 Hillside Avenue, MANHATTAN Pursuant to Z.R. §11-411 for the extension of term of a Use Group 8 public parking lot for 48 cars. The premise is located in an R7-2 zoning district. COMMUNITY BOARD #12M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 2/14/06</p>

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<i>APPEALS – DECISIONS</i>		
8.	231-04-A	<p>Joseph P. Morsellino, Esq. 240-79 Depew Avenue, QUEENS Proposed one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law. COMMUNITY BOARD #11Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 2/14/06</p>
9.	376-04-A & 377-04-A	<p>Robert A. Caneco, R.A. 238 and 240 Billiou Street, STATEN ISLAND To construct two one family homes not fronting a legally mapped street is contrary Section 36, Article 3 of the General City Law. COMMUNITY BOARD #3SI</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 1/24/06</p>
10.	319-05-A	<p>Gary Lenhart 5 Kildare Walk, QUEENS Proposed reconstruction and enlargement of an existing one family dwelling, not fronting on mapped street, is contrary to Section 36, Article 3 of the General City Law and the upgrade of an existing private disposal system located in the bed of a service lane is contrary to the Buildings Department Policy. COMMUNITY BOARD #14Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 1/24/06</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
11.	200-05-A & 201-05-A	<p>Joseph P. Morsellino 20-17 and 20-21 Clintonville Street, QUEENS Proposed construction of two –two family dwellings in the bed of mapped 157th Street is contrary to GCL §35, Article 3, located in an R3-1 zoning district. COMMUNITY BOARD #7Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 2/28/06</p>
12.	145-05-BZY	<p>Krzysztof Rostek 135 North 9th Street, BROOKLYN Proposed extension of time to complete construction pursuant to Z.R. §11-331 for a six family house. COMMUNITY BOARD #3BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 2/14/06</p>

<i>APPEALS – NEW CASES</i>		
13.	155-05-A	<p>Richard Kusack 81 East 3rd Street, MANHATTAN Appeal of the Department of Buildings decision dated May 27, 2005 rescinding its Notice of Intent to revoke the approvals and permit for Application No. 102579354 for a Community Facility (New York Law School) in that it allows violations of the Zoning Resolution and Building Code regarding bulk, light, air, and permitted obstructions in rear yards. COMMUNITY BOARD #8M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 3/14/06</p>

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	202-04-BZ	<p>Einbinder & Dunn, LLP 100 Jewel Street, BROOKLYN Variance: under Z.R. §72-21 to permit the proposed conversion of a vacant industrial building, into a 17 unit multiple dwelling, Use Group 2, located in an M1-1 zoning district, is contrary to Z.R. §42-10. COMMUNITY BOARD #1BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 3/7/06</p>
2.	245-04-BZ	<p>Mitchell S. Ross, Esq. 102/04 Franklin Avenue, BROOKLYN Pursuant to Z.R. §72-21 a variance application to permit the proposed five-story, seven unit multiple dwelling (Use Group 2). One parking space is proposed. The site is located in an M1-1 zoning district. The proposal is contrary to Z.R. §§42-10 and 23-145. COMMUNITY BOARD #3BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 3/14/06</p>
3.	135-05-BZ	<p>Bryan Cave, LLP/Judith M. Gallent, Esq. 217 West 147th Street, MANHATTAN Variance: under Z.R. §72-21 – to allow the residential conversion of an existing non-complying building previously used as a school (former PS 90) located in an R7-2 district. The proposed conversion is contrary to Z.R. §23-142, §23-533 and §23-633. COMMUNITY BOARD #10M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 1/24/06</p>

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<i>BZ – DECISIONS</i>		
4.	138-05-BZ	Lewis Garfinkel 1227 East 27th Street, BROOKLYN Special Permit: Under Z.R.§73-22 to allow the enlargement of a single family residence which exceeds the allowable floor area and open space per ZR23-141(a), the side yard ZR23-461(a) and the rear yard ZR 23-47 is less than the minimum required. The premise is located in an R-2 zoning district. COMMUNITY BOARD #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 1/24/06

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<i>C O N T I N U E D H E A R I N G S</i>		
5.	289-04-BZ	<p>Lewis Garfinkel 1227 East 27th Street, BROOKLYN Special Permit: Under Z.R.§73-22 to allow the enlargement of a single family residence which exceeds the allowable floor area and open space per ZR23-141(a), the side yard ZR23-461(a) and the rear yard ZR 23-47 is less than the minimum required. The premise is located in an R-2 zoning district. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 3/14/06</p>
6.	38-05-BZ	<p>Eric Palatnik, P.C. 80-01 Eliot Avenue, QUEENS Variance: Under Z.R. §72-21 – to reduce the number of required accessory parking spaces pursuant to Z.R. §36-21 (38 required, 25 proposed) and to eliminate the required loading berth pursuant to Z.R. §36-62 for a new Use Group 6 drug store (Walgreen’s) located within an R4/C1-2 district. COMMUNITY BOARD #5Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Withdrawn – 1/24/06</p>
7.	40-05-BZ	<p>Petraro & Jones 1095 Second Avenue, MANHATTAN Special Permit: Under Z.R. §73-36 to permit a legalization of a physical cultural establishment to be located on the second floor of four story mixed use building. The PCE use will contain 285 sq. ft. to be used in conjunction with an existing physical cultural establishment on the second floor (988sq.ft.) located at 1097 Second Avenue, the premises is located in an C2-8 (TA) zoning district. COMMUNITY BOARD #6M</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 2/7/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	52-05-BZ	<p>Sheldon Lobel, P.C. 6209 11th Avenue, BROOKLYN Variance: under Z. R. §72-21 – to permit the proposed development of a six-story and cellar building, with community use on floors one through three, residential use on floors three through six, and with parking in the cellar, located in a C1-2 within an R5 zoning district, which is contrary to Z.R. §35-31, §35-33, §35-40, §35-62, §33-472, §35-53 and §35-61. COMMUNITY BOARD #10K Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 3/14/06</p>
9.	77-05-BZ	<p>Greenberg Traurig, LLP 132 West 26th Street, MANHATTAN Variance: Under Z.R. §72-21 – to permit the proposed construction of a twelve-story mixed building, containing residential and retail uses, located within an M1-6 zoning district, in which residential use is not permitted as of right, is contrary to Z.R. §42-00. COMMUNITY BOARD #4M Examiner: Jed Weiss (212) 788-8781 Status: Closed, Decision – 2/28/06</p>
10.	94-05-BZ	<p>Eric Palatnik, P.C. 1283 East 29th Street, BROOKLYN Special Permit: Under Z.R. §73-622 to permit the enlargement of a single family residence to vary ZR Sections 23-141 for the increase in floor area and open space, 23-461 for less than the required side yards and 23-47 for less than the required rear yard. The premise is located in an R-2 zoning district. COMMUNITY BOARD#14BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 2/14/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
11.	127-05-BZ	<p>Sheldon Lobel, P.C. 9216 Church Avenue, BROOKLYN Special Permit: under Z.R. §73-243 to permit approval for a special permit to legalize an existing accessory drive through window for an eating and drinking establishment. The site is located in a C1-3/R5 zoning district. COMMUNITY BOARD #17BK Examiner: Toni Matias (212) 788-8752 Status: Granted – 1/24/06</p>
12.	130-05-BZ	<p>Elise Wagner, Esq. c/o Kramer Levin 74-88 Avenue of the Americas, a/k/a 11-15 Thompson Street and 27-31 Grand Street, MANHATTAN Variance: under Z.R. §72-21 to permit the development of a mixed-use, nine-story building with ground level retail, and a small amount of community facility space, and approximately 25 residential units on the upper floors within an M1-5B zoning district. COMMUNITY BOARD #2M Examiner: Roy Starrin (212) 788-8797 Status: Adjourned Hearing – 3/7/06</p>
13.	187-05-BZ	<p>Law Office of Fredrick A. Becker 78-20 67th Road, QUEENS Variance: Under Z.R. §72-21 – Propose to build a two family dwelling that will comply with all zoning requirements with the exception of two non-complying side yards and undersized lot area due to a pre-existing condition. COMMUNITY BOARD#5Q Examiner: Jed Weiss (212) 788-8781 Status: Continued Hearing – 2/28/06</p>

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<i>BZ – NEW CASES</i>		
14.	351-04-BZ	<p>The Agusta Group 210-08/12 Northern Boulevard, QUEENS Special Permit: under Z.R. §73-44 – to allow parking reduction for proposed enlargement of existing office building located in an R6B/C2-2. COMMUNITY BOARD #11Q Examiner: Jed Weiss (212) 788-8781 Status: Continued Hearing – 3/14/06</p>
15.	108-05-BZ & 109-05-BZ	<p>Rothkrug Rothkrug, Weinberg & Spector 224-22 Prospect Court, QUEENS Variance: under Z.R. §72-21 – to permit the construction of a one-family semi attached dwelling that does not provide the required front yard, contrary to section 23-462 of the zoning resolution. The site is located in an R3-2 zoning district. The subject site is Tax Lot #74, the companion case, 109-05-BZ is Tax Lot #76 on the same zoning lot. COMMUNITY BOARD #13Q Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 3/7/06</p>
16.	124-05-BZ	<p>Greenberg Traurig LLP/Deirdre A. Carson, Esq. 482 Greenwich Street, MANHATTAN Variance: under Z.R. §72-21 – to allow proposed 11-story residential building with ground floor retail located in a C6-2A district: contrary to Z.R. §35-00, 23-145, 35-52, 23-82, 13-143, and 13-142(a). COMMUNITY BOARD #2M Examiner: Jed Weiss (212) 788-8781 Status: Continued Hearing – 3/7/06</p>

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<i>BZ – NEW CASES</i>		
17.	132-05-BZ	<p>Sheldon Lobel, P.C. 220 West End Avenue, BROOKLYN Special Permit: under Z.R. §73-622 – to request a special permit to allow the enlargement of a single family residence which exceeds the allowable floor area and lot coverage per Z.R. §23-141, a rear yard less than the maximum per Z.R. §23-31. The premise is located in an R3-1 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 3/14/06</p>
18.	164-05-BZ	<p>Eric Palatnik, P.C. 1925 East 21st Street, BROOKLYN Special Permit: under Z.R. §73-622 – for the enlargement of a single family home which varies Z.R. §23-141(b) for open space and floor area, Z.R. §23-461(a) for less than the total required side yards and Z.R. §23-47 for less than the required rear yard. The premise is located in an R3-2 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 2/28/06</p>

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