

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, May 2, 2006
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	360-49-BZ	<p>Sheldon Lobel, P.C. 69-05 Eliot Avenue, QUEENS <i>Leemilt's Petroleum</i></p> <p>Reopening for an extension of term of the previously granted variance permitting the use of the site as a gasoline service station with accessory uses which expired on February 25, 2005. The premise is located in an R4 zoning district. COMMUNITY BOARD #5Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/2/06</p>
2.	540-53-BZ	<p>Joseph P. Morsellino, Esq. 87-17 111th Street, QUEENS</p> <p>Reopening for an Extension of Term/Waiver for an existing parking lot accessory to a commercial building. The premise is located in a C2-4 and R3-1 zoning district. COMMUNITY BOARD #9Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/2/06</p>
3.	357-72-BZ	<p>Law Office of Fredrick A. Becker 355 West 255th Street, BRONX</p> <p>Reopening for amendment to a previously granted variance Z.R. §72-21 for a multiple dwelling and community facility complex to allow for the enclosure of an existing swimming pool and the enlargement of an accessory health and sports facility. The premise is located in an R-4 zoning district. COMMUNITY BOARD #8BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/2/06</p>

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<i>SOC – DECISIONS</i>		
4.	1180-80-BZ	<p>SFS Associates 1 Tiffany Place, BROOKLYN Reopening for an amendment to the resolution to include superintendents’ apartment in the cellar of the existing building. The premise is located in an R6 zoning district. COMMUNITY BOARD #6BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/2/06</p>
5.	705-81-BZ	<p>Agusta & Ross, Esqs. 1433-37 York Avenue, MANHATTAN Reopening for an Extension of Term/Amendment/Waiver for a Variance ZR 72-21 to continue the operation of a physical culture establishment and to permit the change in hours of operation. The premise is located in an R-10 zoning district. COMMUNITY BOARD #8M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/2/06</p>

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<i>SOC – CONTINUED HEARINGS</i>		
6.	636-54-BZ, Vol. II	<p>Walter T. Gorman, P.E., 9612/24 Seaview Avenue, BROOKLYN Extension of Time/Waiver to obtain a Certificate of Occupancy of a gasoline service station (Shell Station) for fifty-four (54) months from the expiration date of January 8, 2003. The premise is located in a C1-2/R-5 zoning district. COMMUNITY BOARD #18BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 5/16/06</p>
7.	39-66-BZ	<p>Sheldon Lobel, P.C., 43-70 Kissena Boulevard, QUEENS Extension of Time/Waiver to obtain a Certificate of Occupancy, which expired on January 6, 2006, for transient parking of the unused and surplus tenants spaces in the accessory garage of a multiple dwelling building. The premise is located in a R6 zoning district. COMMUNITY BOARD #7Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 5/16/06</p>
8.	337-79-BZ	<p>Moshe M. Friedman, P.E. 2107 Avenue N, BROOKLYN Reopening for an Extension of Term/Waiver for the conversion of the first story of an existing two (2) story residential building into medical offices, located in an R2 zoning district. COMMUNITY BOARD# 14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 5/16/06</p>

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<i>SOC – NEW CASES</i>		
9.	111-01-BZ	<p>Eric Palatnik, P.C. 9001 Ditmas Avenue, BROOKLYN <i>Wendy's Restaurant</i></p> <p>Reopening for an extension of term for ten years for an accessory drive thru facility at an eating and drinking establishment which one-year term expired February 1, 2006. An amendment is also proposed to extend the hours of operation of the accessory drive-thru facility to operate until 4 a.m. daily. The premise is located in a C1-2 / R-5 zoning district. COMMUNITY BOARD #17BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 6/6/06</p>
10.	359-02-BZ	<p>Law Office of Fredrick A. Becker 53-55 Beach Street, MANHATTAN</p> <p>Reopening for an Amendment to a previous variance ZR 72-21, that allowed the operation of a school on the first floor and cellar in a six story building; a subsequent amendment in 2005 was to relocate the operation of the school from the cellar to the second floor and to maintain partial first floor operation. The current proposed amendment is to allow for the additional expansion of the school to the third floor of the building. The premise is located in an M1-5(TMU) zoning district. COMMUNITY BOARD #1M</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 5/9/06</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
11.	355-05-BZY	<p>Rohtkrug 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 as of November 16, 2005. COMMUNITY BOARD #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 6/6/06</p>
12.	360-05-BZY & 368-05-A	<p>Greenberg & Traurig, LLP 400 15th Street, BROOKLYN Proposed Extension of Time to complete construction of a minor development pursuant to Z.R. §11-331 for a five-story residential building. An appeal seeking a determination that the owner of said premises has acquired a common law vested rights to continue development commenced under the prior R6 zoning. New zoning district is R6B as of November 16, 2005. COMMUNITY BOARD #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Adjourned Hearing – 5/16/06</p>
13.	362-05-BZY & 367-05-A	<p>Greenberg & Traurig, LLP 639 Sixth Avenue, BROOKLYN Proposed Extension of Time to complete construction of a minor development pursuant to Z.R. §11-331 for a six-story residential building. An appeal seeking a determination that the owner of said premises has acquired a common law vested rights to continue development commenced under the prior R6 zoning. New zoning district is R6B as of November 16, 2005. COMMUNITY BOARD #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Adjourned Hearing – 5/16/06</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
14.	428-05-BZY thru 431-05-BZY	Sheldon Lobel, P.C. 469, 471, 473, 475 Father Capodanno Boulevard, STATEN ISLAND Proposed extension of time to complete construction and renew building permits of a minor development pursuant to Z.R. §11-332. The site is located in an R3-X zoning district. COMMUNITY BOARD #2SI
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 5/2/06

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<i>APPEALS – NEW CASES</i>		
15.	400-05-BZY/ 401-05-BZY	John Patrick Curran 3202 & 3204 Morley Avenue, STATEN ISLAND Proposed extension of time to renew building permits and complete construction of a development pursuant to Z.R. 11-332. Current R3-1 Zoning District. COMMUNITY BOARD #2SI
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 5/16/06

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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<i>BZ – DECISIONS</i>		
1.	72-05-BZ	<p>Harold Weinberg, P.E. 245 Hooper Street, BROOKLYN <i>Congregation Shomlou</i> Variance: Z.R. §72-21 – to permit the proposed erection of a synagogue and yeshiva, with accessory residences, Use Groups 2 and 4, located in an R6 zoning district, which does not comply with the zoning requirements for floor area ratio, lot coverage, rear yard and open space ratio (Z.R. §24-11, §23-142, §24-36 and §24-12). COMMUNITY BOARD #1BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 5/2/06</p>
2.	163-05-BZ	<p>Harold Weinberg, P.E. 1134 East 28th Street, BROOKLYN Special Permit: Z.R. §73-622 – for the enlargement of single family home which seeks to vary Z.R. §23-141 for increase in floor space ratio, Z.R. §23-47 for less than the required side yard. The premise is located in an R2 zoning district. COMMUNITY BOARD #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/2/06</p>
3.	289-05-BZ	<p>Eric Palatnik, P.C. 1106-1108 Utica Avenue, BROOKLYN <i>Tabernacle of Praise</i> Special Permits: Z.R. §73-50 – to waive Z.R. §33-292 for the required 30 foot open area at the rear of the community facility. The second Special Permit pursuant to Z.R. §73-431 request a waiver of Z.R. §36-21 relating to the parking requirement. The premise is located in a C8-1 zoning district. COMMUNITY BOARD #17BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 5/2/06</p>

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4.	340-05-BZ	<p>The Law Office of Fredrick A. Becker 270 West 17th Street, a/k/a 124-128 Eighth Avenue, MANHATTAN</p> <p>Variance: Z.R. §72-21 – in C1-6A, C6-2A, R8B districts, permission sought to legalize a physical culture establishment (PCE), located in the portions of the cellar and first floor of an existing 22-story mixed-use building. The proposed use is contrary to district use regulations.</p> <p>COMMUNITY BOARD #4M</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Granted – 5/2/06</p>
5.	19-06-BZ	<p>Sheldon Lobel, P.C. 745 Fox Street, THE BRONX <i>Cedars/MiCasa</i></p> <p>Variance: Z.R. §72-21 – to permit the construction of a proposed eight-story and basement community facility/residential building which requires waivers of Z.R. §§23-145 (residential floor area), 23-633 (wall height, total height, and setbacks) 25-25c (parking), 23-851(court regulations) and 23-861 (legal windows). The premise is located in an R7-1 zoning district.</p> <p>COMMUNITY BOARD #2BX</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 5/2/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
6.	47-05-BZ	<p>Cozen O’Connor 90-15 Corona Avenue, QUEENS Variance: Z.R. §72-21 – to permit the proposed construction of a mixed-use nine-story building with ground floor commercial, 174 residential units, and 160 accessory self-parking spaces in the cellar and partial sub-cellar. The site is located in an R6B zoning district, with a C2-3 overlay. The proposal is contrary to Z.R. §23-145 and §23-633. COMMUNITY BOARD #4Q Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision – 6/13/06</p>
7.	52-05-BZ	<p>Sheldon Lobel, P.C. 6209 11th Avenue, BROOKLYN Variance: 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 parking in the cellar, located in a C1-2/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: Closed, Decision – 6/20/06</p>
8.	132-05-BZ	<p>Sheldon Lobel, P.C. 220 West End Avenue, BROOKLYN Special Permit: Z.R. §73-622 –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 Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 6/6/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
9.	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: Adjourned Hearing – 7/11/06</p>
10.	293-05-BZ	<p>Sheldon Lobel, P.C. 8751 18th Avenue, BROOKLYN Special Permit: Z.R. §73-44 – to request a reduction of the required parking spaces for an as-of-right office use (Use Group 6) to provide 18 accessory spaces (rather than required 36 spaces). The Special Permit allows the modification of Z.R. Section 36-21 in C8-1 zoning districts. COMMUNITY BOARD #11BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 5/2/06</p>
11.	339-05-BZ	<p>Eric Palatnik, P.C. 3574 Nostrand Avenue, BROOKLYN <i>Congregation Lev Bais Yaakov</i> Variance: Z.R. §72-21 – to permit the proposed construction of a Yeshiva that is contrary to Z.R. §§33-121 (floor area) and 33-431 (a) (front wall height and sky exposure plane). The premise is located in an R4/C1-2 zoning district. COMMUNITY BOARD #14BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 5/16/06</p>

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<i>BZ – NEW CASES</i>		
12.	297-05-BZ	<p>Law Office of Fredrick A. Becker, Esq. 33 Vestry Street, MANHATTAN Variance: ZR §72-21 to allow a proposed nine (9) story residential building containing seven (7) dwelling units and eight (8) accessory parking spaces located in an M1-5 district (Area B2) of the Special Tribeca Mixed Use District; contrary to ZR § 42-00, § 111-104(d) and §13-12. COMMUNITY BOARD #1M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 6/6/06</p>
13.	314-05-BZ	<p>Law Office of Fredrick A. Becker, Esq. 1670 East 23rd Street, BROOKLYN Special Permit Z.R. §73-622 for an enlargement to a single family residence that increases the degree of non-compliance with respect to floor area ratio and open space/lot coverage as per ZR23-141b, less than the total required side yards as per ZR23-361a and a rear yard less than the required rear yard as per ZR 23-47. The premise is located in an R3-2 zoning district. COMMUNITY BOARD#15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 6/6/06</p>
14.	4-06-BZ	<p>Law Office of Fredrick A. Becker, Esq. 1435 East 21st Street, BROOKLYN Special Permit Z.R. §73-622 for an enlargement of an existing single family residence to vary ZR§23-141 for open space and floor area and ZR§23-47 for less than the minimum rear yard. The premise is located in an R-2 zoning district. COMMUNITY BOARD #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 6/13/06</p>

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<i>BZ – NEW CASES</i>		
15.	28-06-BZ	Harold Weinberg, P.E. 158 Beaumont Street, BROOKLYN Special Permit ZR 73-622 for the enlargement of an existing single family home which seeks to vary ZR 23-141 for increase in floor area, lot coverage and open space ratio, ZR 23-461 for side yards and ZR 23-47 for less than the required rear yard. The premise is located in an R3-1 zoning district. COMMUNITY BOARD #15BK
		Examiner: Henry Segovia (212) 788-8757
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