

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, November 14, 2006

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	866-49-BZ	<p>Carl A. Sulfaro, Esq. 200-01/07 47th Avenue, QUEENS Extension of term for 10 years for a gasoline service station (Shell Station) which expired on October 7, 2006, waiver of the rules, and an amendment to legalize the change in signage, new storefront and replacement of the wrought iron fencing with white vinyl fencing. The premise is located in an R3-X zoning district. COMMUNITY BOARD #11Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 11/14/06</p>
2.	938-82-BZ	<p>Eric Palatnik, P.C. 2470 East 16th Street, BROOKLYN Extension of term and waiver of the rules for a one-story commercial office building (UG 6) in an R4 district; contrary to §22-10. COMMUNITY BOARD #15BK Examiner: Jed Weiss (212) 788-8781 Status: Deferred Decision – 12/5/06</p>
3.	131-93-BZ	<p>Eric Palatnik, P.C. 3743-3761 Nostrand Avenue, BROOKLYN Extension of term (§11-411) of an automotive service station which expired on November 22, 2004, and an amendment (§11-412) to authorize the enlargement of the existing one-story masonry building to include two additional service bays, and to expand the auto sales use to increase the display of motor vehicles from five to 20. C2-2/R5 zoning district. COMMUNITY BOARD #15BK Examiner: Carlo Costanza (212) 788-8739 Status: Granted – 11/14/06</p>

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<i>SOC – CONTINUED HEARINGS</i>		
4.	181-38-BZ	<p>Michael Cosentino 410-412 City Island Avenue, THE BRONX Extension of term (§11-411) and waiver of the rules for a gasoline service station (Sunoco) for a 10-year term which expired on June 3, 2005, and amendment to convert the existing service repair bays to a convenience store. R-3A (CD) zoning district. COMMUNITY BOARD #10BX Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 12/5/06</p>
5.	441-65-BZ	<p>Sheldon Lobel, P.C. 2488 Hylan Boulevard, STATEN ISLAND Amendment to a previously granted special permit (§73-211) for the redevelopment of a gasoline service station, to construct an accessory convenience store (Hess Express), a new canopy, six pump islands with MPD dispensers, and one diesel fuel dispenser. C2-1/R3-2 zoning district. COMMUNITY BOARD #2SI Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 12/12/06</p>
6.	23-04-BZ	<p>Moshe M. Friedman 1150 East 23rd Street, BROOKLYN Amendment to a previously granted Special Permit for the enlargement of a single family home for the proposed increase in floor area from .62 to 1.002 (+1,141.6 sq.ft.). The proposed plans are contrary to floor area, open space (§23-141(a)); minimum side yard (§23-48) and minimum rear yard (§23-47). R2 zoning district. COMMUNITY BOARD #14BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 12/5/06</p>

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<i>SOC – NEW CASES</i>		
7.	717-60-BZ, Vol. III	Eric Palatnik, P.C. 2052 Victory Boulevard, STATEN ISLAND Extension of term/waiver of the rules for a Variance (§72-21) for an existing gasoline service station ((UG 16-Sunoco) in an R3-2/C1-1 zoning district which expired on June 1, 2006. COMMUNITY BOARD#1SI Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 1/9/07
8.	574-85-BZ	Law Office of Fredrick A. Becker 125 East 39th Street, MANHATTAN Extension of term for a previously granted Variance (§72-21) to permit, in a C1-5(R-10) zoning district, an eating and drinking establishment (UG6) located in the cellar, basement and first floor of a five-story building. COMMUNITY BOARD #6M Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 11/21/06
9.	466-89-BZ	Eric Palatnik, P.C. 526, 528 and 536 Sterling Place, BROOKLYN Amendment to a previously granted Variance (§72-21) for the enlargement of an existing funeral home (UG7) to allow the increase of 1,250 square feet to the existing structure in an R6 zoning district. COMMUNITY BOARD #8BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 12/12/06
10.	70-97-BZ	Law Office of Fredrick A. Becker 576 Lexington Avenue, MANHATTAN Extension of Term of a Special Permit (§73-36) to allow a Physical Culture Establishment (New York Sports Club) in a C6-6 & C1-4.5(MID) zoning district which expired on November 1, 2006 and an amendment to legalize the increase of 1,500 square feet on the second floor. COMMUNITY BOARD #6M Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 12/5/06

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<i>SOC – NEW CASES</i>		
11.	330-98-BZ	<p>Sheldon Lobel, P.C. 242 East 14th Street, MANHATTAN Extension of term, waiver of the rules, and an amendment of a Physical Cultural Establishment located within a C1-6A zoning district in the Special Transit Land Use District, commencing on February 16, 1995 and expiring on February 16, 2005. COMMUNITY BOARD #2M</p>
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 12/5/06

<i>APPEALS – DECISIONS</i>		
12.	63-06-A	<p>Jay Segal, Greenberg Traurig LLP 160 East 83rd Street, MANHATTAN Appeal seeking to revoke permits and approvals for the enlargement of an existing dwelling on grounds that enlargement fails to provide the required yards (§23-47) and adequate building frontage pursuant to the Administrative Code §27-291. COMMUNITY BOARD #8M</p>
		Examiner: Toni Matias (212) 788-8752
		Status: Deferred Decision – 12/5/06
13.	81-06-A	<p>Whitney Schmidt, Esq. 160 East 83rd Street, MANHATTAN Appeal seeking to revoke permits and approvals for the enlargement of an existing dwelling on grounds that enlargement fails to provide the required yards (§23-47) and adequate building frontage pursuant to the Administrative Code §27-291. COMMUNITY BOARD #8M</p>
		Examiner: Toni Matias (212) 788-8752
		Status: Deferred Decision – 12/5/06

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<i>APPEALS – CONTINUED HEARINGS</i>		
12.	85-06-BZY	<p>Eric Palatnik, P.C. 1623 Avenue “P”, BROOKLYN Proposed extension of time (§11-331) to complete construction of a minor development for a mixed-use building under the prior R6 zoning district. New zoning district is R4-1. COMMUNITY BOARD #14BK</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Closed, Decision – 12/12/06</p>
13.	154-06-A & 155-06-A	<p>Cozen O’Connor 357 & 359 15th Street, BROOKLYN An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the prior R6 zoning district. R6B zoning district. COMMUNITY BOARD #6BK</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Adjourned Hearing – 12/5/06</p>

<i>APPEALS – NEW CASES</i>		
14.	331-05-A	<p>Rothkrug Rothkrug Weinberg Spector 15-59 Clintonville Street, a/k/a 15-45 153rd Place, QUEENS Application to permit the construction of a one-family dwelling within the bed of mapped street, 153rd Place, contrary to General City Law §35. R3-1 zoning district. COMMUNITY BOARD #7Q</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Closed, Decision – 12/5/06</p>
15.	182-06-A thru 211-06-A	<p>Stadtmauer Bailkin, LLP Beach 5th Street, Beach 6th Street and Seagirt Avenue, QUEENS An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the prior R5 zoning district. R4-A zoning district. COMMUNITY BOARD #14Q</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Continued Hearing – 12/12/06</p>

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<i>BZ – DECISIONS</i>		
1.	47-05-BZ	<p>Cozen O’Connor 90-15 Corona Avenue, QUEENS Variance (§72-21) to permit the proposed construction of a mixed-use six-story building with ground floor commercial, 138 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 floor area (§23-145) and setback (§23-633). COMMUNITY BOARD #4Q</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 11/14/06</p>
2.	288-05-BZ	<p>Harold Weinberg, P.E. 1060 82nd Street, BROOKLYN Special permit (§73-622) for an in-part legalization to a single family home which exceeds the allowable FAR, is less than the allowable open space (§23-141) and exceeds the maximum allowable perimeter wall height (§23-631). R3-1 zoning district. COMMUNITY BOARD #10BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 11/14/06</p>
3.	41-06-BZ	<p>Stadtmauer Bailkin, LLP 139-24 Booth Memorial Avenue, QUEENS Variance (§72-21) to allow a predominantly below-grade group parking facility, accessory to New York Hospital Queens, contrary to front and side yard regulations (§24-33, §24-34 and §24-35). R4 and R4/C1-2 zoning districts (proposed as part of a Large Scale Community Facility Plan). COMMUNITY BOARD #7Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Granted – 11/14/06</p>

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<i>BZ – DECISIONS</i>		
4.	42-06-BZ	<p>Stadtmauer Bailkin, LLP 56-45 Main Street, QUEENS Variance (§72-21) to allow a new five-story hospital building, to be constructed on the existing campus of New York Hospital Queens, contrary to height, setback and rear yard equivalent regulations (§24-522 and §24-382). R4 zoning district (proposed as R6 within Large Scale Community Facility Plan). COMMUNITY BOARD #7Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 11/14/06</p>
5.	158-06-BZ	<p>Lewis E. Garfinkel, R.A. 1410 East 22nd Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family residence which is contrary to open space and floor area (§23-141), less than the minimum side yards (§23-461) and less than the required rear yard (§23-47). R-2 zoning district. COMMUNITY BOARD #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 11/14/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
6.	290-04-BZ	<p>Stuart A. Klein, Esq. 341-349 Troy Avenue, BROOKLYN Variance (§72-21) to permit a six-story and penthouse mixed-use residential/commercial building with 34 dwelling units and 34 accessory parking spaces. The site is located in a R4 zoning district. The proposal is contrary to use (§22-00), residential FAR, lot coverage and open space (§23-141(b)); residential perimeter and wall heights and sky exposure plane (§23-631(b)); residential parking (§23-222); residential lot area (§25-23), front yard (§23-45); and residential side yard (§23-462(a)). COMMUNITY BOARD#9BK</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Closed, Decision – 12/5/06</p>
7.	363-05-BZ	<p>Dominick Salvati and Son 5717 108th Street, QUEENS Variance (§72-21) to allow a three-story residential building containing six dwelling units and three accessory parking spaces in an R5 district; contrary to §§23-141, 23-45(a), 23-462(a), 23-861, and 25-23. COMMUNITY BOARD #4Q</p> <p style="color: green;">Examiner: Jed Weiss (212) 788-8781</p> <p style="color: red;">Status: Closed, Decision – 12/5/06</p>
8.	54-06-BZ	<p>Eric Palatnik, P.C. 401 and 403 Elmwood Avenue, BROOKLYN Variance (§72-21) to permit a three-story and cellar Yeshiva (UG 3) and an accessory dormitory use (UG 4) for college-age students. The proposal seeks to vary Floor Area (§113-51); Sky Exposure Plane (§113-55); Perimeter Wall Height and Total Height (§23-631); Front Yard (§113-542); Setback (§23-45); Side Yard (§113-543 and §23-461(a)); Rear Yard (§113-544) and Parking (§113-561 and §23-51); and Loading Berth (§113-22). The site is located within a R3-1 zoning district. COMMUNITY BOARD#12BK</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Continued Hearing – 1/9/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
9.	132-06-BZ	<p>Fried Frank Harris Shriver & Jacobson, LLP 122-136 Greenwich Avenue, MANHATTAN Variance (§72-21) to allow an 11-story, 36-unit residential building with ground floor retail and community facility uses on a site zoned C6-2A and C1-6, contrary to floor area, lot coverage, rear yard, height and setback, inner court, and elevator bulkhead requirements (§§ 23-145, 35-31, 23-47, 35-24, 23-633, 23-851 and 33-42). COMMUNITY BOARD #2M</p>
		Examiner: Jed Weiss (212) 788-8781
		Status: Closed, Decision – 12/12/06

<i>BZ – NEW CASES</i>		
10.	159-05-BZ	<p>Vito J. Fossella, P.E. 880 Anadale Road, STATEN ISLAND Variance (§72-21) to allow a three story mixed-use building containing residential use on the upper floors and retail use (UG 6) on the ground and cellar levels on a site zoned R3X/C2-1; contrary to §22-00. COMMUNITY BOARD #3SI</p>
		Examiner: Jed Weiss (212) 788-8781
		Status: Continued Hearing – 1/23/07
11.	359-05-BZ	<p>Sheldon Lobel, P.C. 1927-1933 Flatbush Avenue, BROOKLYN Special Permit (§73-211) to allow an existing gasoline station with accessory convenience store in an R5/C2-2 zoning district. COMMUNITY BOARD #18BK</p>
		Examiner: Jed Weiss (212) 788-8781
		Status: Closed, Decision – 12/12/06

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12.	130-06-BZ	<p>Anderson Kill & Olick, P.C. 1060 Amsterdam Avenue, MANHATTAN Variance (§72-21) to permit a one-story addition to an existing nursing home, contrary to rear yard regulations (§24-33(B)(3)), located in R8 and R8/C1-4 zoning districts. COMMUNITY BOARD #9M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 12/5/06</p>
13.	252-06-BZ	<p>Randolph Croxton 55 East 175th Street, BRONX Variance (§72-21) to permit the construction of a four-story (UG 4) community center facility, contrary to rear yard regulations (§24-36 and §24-393), in an R8 zoning district. COMMUNITY BOARD #5BX</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 12/12/06</p>
14.	258-06-BZ	<p>Anderson Kill & Olick, P.C. 79-48 259th Street, 258-15 80th Avenue, 79-33 258th Street, QUEENS Variance (§72-21) to permit proposed one-story church sanctuary, contrary to floor area regulations (§23-141), located in an R2 zoning district. COMMUNITY BOARD #13Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 12/5/06</p>

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