

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, October 24, 2006
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	933-28-BZ	<p>Michael M. Robbins, R.A., A.I.A., P.C. 125-24 Metropolitan Avenue, QUEENS Extension of term (§11-411) and waiver of the rules for an automotive service station with auto repairs which expired on October 29, 2004, and an amendment to legalize a portion of the building to an accessory convenience store. R-5 zoning district. COMMUNITY BOARD #9Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/24/06</p>
2.	1888-61-BZ	<p>Alfonso Duarte 93-10 23rd Avenue, QUEENS Amendment to an eating and drinking establishment and catering hall to legalize an increase in floor area, separate entrance to the catering hall, and drive-thru at the front entrance. The premise is located in an R3-2 zoning district. COMMUNITY BOARD #3Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/24/06</p>
3.	1289-80-BZ	<p>Cozen O’Connor 298 West 231st Street, THE BRONX Extension of Term of a variance allowing the operation of a Physical Culture establishment in a C1-3/R6 zoning district. COMMUNITY BOARD #8BX</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 10/24/06</p>
4.	331-98-BZ	<p>Sheldon Lobel, P.C. 1426-1428 Fulton Street, BROOKLYN Extension of term and waiver of the rules for a special permit (§73-244) which permitted the operation of an eating and drinking establishment with entertainment and dancing with a capacity of more than 200 persons at the premises. The site is located in a C2-3/R6 zoning district. COMMUNITY BOARD #3BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 10/24/06</p>

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<i>SOC – CONTINUED HEARINGS</i>		
5.	131-93-BZ	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: Closed, Decision – 11/14/06

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<i>SOC – NEW CASES</i>		
6.	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</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 11/14/06</p>
7.	558-71-BZ	<p>Eric Palatnik, P.C. 1949 Richmond Avenue, STATEN ISLAND To consider dismissal. COMMUNITY BOARD #2SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Dismissed – 10/24/06</p>
8.	60-82-BZ	<p>Eric Palatnik, P.C. 60-11 Queens Boulevard, QUEENS Extension of term (§11-411) for an automotive service station which expired on July 7, 2006. C2-3/R7X zoning district. COMMUNITY BOARD #2Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 1/9/07</p>
9.	31-06-BZ	<p>Sheldon Lobel 102-10 159th Road, QUEENS To consider dismissal. COMMUNITY BOARD #10Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 12/12/06</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
10.	286-05-A	<p>Kramer Levin Naftalis & Frankel, LLP 5260 Sycamore Avenue, BRONX Proposed reconstruction and alteration of an existing building located in the bed of a mapped street (Sycamore Avenue), contrary to General City Law, §35. R1-2 zoning district. COMMUNITY BOARD #8BX</p> <p style="margin-left: 20px;">Examiner: Toni Matias (212) 788-8752</p> <p style="margin-left: 20px;">Status: Closed, Decision – 10/31/06</p>
11.	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="margin-left: 20px;">Examiner: Toni Matias (212) 788-8752</p> <p style="margin-left: 20px;">Status: Continued Hearing – 11/14/06</p>
12.	164-06-A	<p>Cozen O’Connor 148 East 63rd Street, MANHATTAN Appeal to the Order of Closure issued by the Department of Buildings on June 30, 2006 pursuant to Administrative Code Section 26-127.2 regarding the use of the basement, first, second and third floors of the subject premises for commercial use in a residential zoning district. COMMUNITY BOARD #8M</p> <p style="margin-left: 20px;">Examiner: Toni Matias (212) 788-8752</p> <p style="margin-left: 20px;">Status: Closed, Decision – 12/12/06</p>

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<i>APPEALS – NEW CASES</i>		
13.	270-06-A	<p>NYC Department of Buildings 148 East 63rd Street, MANHATTAN Application to revoke Certificate of Occupancy on the grounds that the non-conforming Use Group 5 of the premises has been discontinued for a period of two or more years and therefore has lapsed pursuant to §52-61. COMMUNITY BOARD #8M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 12/12/06</p>
14.	337-05-A	<p>Adam W. Rothkurg, Esq. 1717 Hering Avenue, THE BRONX 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 R4 zoning district. Premises is located in a R4-A zoning district. COMMUNITY BOARD #11BX</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 12/5/06</p>
15.	102-06-A	<p>Gary Lenhart, R.A. 1 Arcadia Walk, QUEENS Proposed reconstruction and enlargement of an existing single family dwelling located in the bed of a mapped street (Oceanside Avenue) contrary to General City Law §35 and the upgrade of an existing private disposal system located in the bed of mapped street contrary to §35, Article 3 of General City Law. COMMUNITY BOARD #14Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 10/24/06</p>

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<i>APPEALS – NEW CASES</i>		
16.	125-06-A	<p>Gary Lenhart, R.A. 43 Kildare Walk, QUEENS Proposed reconstruction and enlargement of an existing single family dwelling located partially in the bed of mapped street (Breezy Point Blvd.) contrary to General City Law §35 and the upgrade of an existing private disposal system located in the bed of mapped street and service road is contrary to Department of Buildings Policy. Premises is located within an R4 Zoning District. COMMUNITY BOARD #14Q</p> <p style="margin-left: 20px;">Examiner: Toni Matias (212) 788-8752</p> <p style="margin-left: 20px;">Status: Granted – 10/24/06</p>
17.	230-06-A	<p>Gary Lenhart, R.A. 107 Beach 220th Street, QUEENS Reconstruction and enlargement of an existing single family dwelling not fronting on a mapped street, contrary to Article 3, §36 of the General City Law. Premises is located within the R-4 zoning district. COMMUNITY BOARD #14Q</p> <p style="margin-left: 20px;">Examiner: Toni Matias (212) 788-8752</p> <p style="margin-left: 20px;">Status: Granted – 10/24/06</p>

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TUESDAY AFTERNOON, October 24, 2006

1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	165-05-BZ	<p>Jeffrey A. Chester, Esq. 799-805 Bergen Street, BROOKLYN Variance (§72-21) to permit proposed four-story residential building with 31 dwelling units and 16 parking spaces, located in an M1-1 zoning district. The proposal is contrary to the district use regulations (§42-00). COMMUNITY BOARD #8BK Examiner: Rory Levy (212) 788-8749 Status: Deferred Decision – 12/5/06</p>
2.	199-05-BZ	<p>Joseph Morsellino, Esq 299 Seventh Avenue, MANHATTAN Variance (§72-21) to allow a proposed 12-story residential building with ground floor retail containing 11 dwelling units in an M1-6 Zoning District; contrary to ZR §42-00. COMMUNITY BOARD #5M Examiner: Jed Weiss (212) 788-8781 Status: Granted – 10/24/06</p>
3.	290-05-BZ & 60-06-A	<p>Stuart A. Klein 1824 53rd Street, BROOKLYN 290-05-BZ: Variance (§72-21) to permit a catering hall (UG 9) accessory to a synagogue and yeshiva (UG 4 & 3) located in an R5 zoning district. The proposed accessory catering use is contrary to Z.R. §22-00 and 22-10. 60-06-A: Request for a reversal of Department of Building's denial of a reconsideration request to allow catering as an accessory use to a synagogue and yeshiva in an R5 zoning district. COMMUNITY BOARD #12BK Examiner: Rory Levy 212-788-8749/Toni Matias 212-788-8752 Status: Continued Hearing – 11/21/06</p>

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<i>BZ – DECISIONS</i>		
4.	58-06-BZ	<p>Sheldon Lobel, P.C. 499 Broadway, MANHATTAN Variance (§72-21) to allow retail use (UG 6) to be located on the first floor and cellar level of an existing building in an M1-5B district, contrary to Z.R. §42-10. COMMUNITY BOARD #2M Examiner: Jed Weiss (212) 788-8781 Status: Granted – 10/24/06</p>
5.	176-06-BZ	<p>Lewis E. Garfinkel, R.A. 1253 East 28th Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family home which proposes less than the minimum rear yard (§23-47), side yards (§23-461), open space (§23-141) and exceeds the permitted FAR (§23-141). The premise is located in an R2 zoning district. COMMUNITY BOARD #14BK Examiner: Henry Segovia (212) 788-8757 Status: Granted – 10/24/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
6.	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> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 11/14/06</p>
7.	29-06-BZ	<p>Sheldon Lobel, P.C. 1803 Voorhies Avenue, BROOKLYN Variance (§72-21) to allow a proposed multiple-family dwelling containing 14 dwelling units to violate applicable floor area, open space, lot coverage, density, height and setback, and front and side yards requirements (§23-141, §23-22, §23-45, §23-461 and §23-633). R4 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 1/9/07</p>
8.	106-06-BZ	<p>Sheldon Lobel, P.C. 1436 East 28th Street, BROOKLYN Special Permit (§73-622) to allow the enlargement of a two-family residence which exceeds the allowable floor area ratio (§23-141), side yards (§23-461) and rear yard (§23-47). R-2 zoning district. COMMUNITY BOARD #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 10/31/06</p>

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<i>BZ – NEW CASES</i>		
9.	36-06-BZ	<p>Sheldon Lobel, P.C. 2125 Utica Avenue, BROOKLYN Special Permit (§73-53) to permit the enlargement of an existing non-conforming manufacturing building located within an R3-2 zoning district. COMMUNITY BOARD #18BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 12/5/06</p>
10.	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> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Closed, Decision – 11/14/06</p>
11.	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: Closed, Decision – 11/14/06</p>
12.	64-06-BZ	<p>Jay A. Segal, Greenberg Traurig, LLP 363-371 Lafayette Street, MANHATTAN Variance (§72-21) to allow an eight-story residential building with ground floor retail containing 14 dwelling units, contrary to use regulations (§42-10). M1-5B zoning district. COMMUNITY BOARD #2M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Adjourned Hearing – 11/21/06</p>

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<i>BZ – NEW CASES</i>		
13.	121-06-BZ	<p>Sheldon Lobel, P.C. 495 East 180th Street, THE BRONX Application to request the re-establishment (§11-411 and §11-12) of previously granted variance permitting the operation of an automotive service station in a R7-1 zoning district and to legalize certain minor amendments made to the previously approved plans. COMMUNITY BOARD #6BX</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 11/21/06</p>
14.	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: Closed, Decision – 11/14/06</p>

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