

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, April 24, 2007  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>81-74-BZ</b>	<p>Martyn &amp; Don Weston <b>97-27 57<sup>th</sup> Avenue, QUEENS</b> Extension of Term of a previously granted variance, which expired on February 27, 2007, for the operation of a UG 6 (Food Bazaar Supermarket) in a C1-2/R6A &amp; R6B zoning district. <b>COMMUNITY BOARD #4Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 4/24/07</b></p>
<b>2.</b>	<b>163-04-BZ II</b>	<p>Rothkrug Rothkrug &amp; Spector <b>671/99 Fulton Street, BROOKLYN</b> Amendment of a special permit (§73-36) to allow the enlargement and expansion of an existing physical culture establishment into an adjoining building, and to reflect a change in the name of the operator. C2-4/R6 zoning district. <b>COMMUNITY BOARD #2BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 4/24/07</b></p>

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>133-94-BZ</b>	<p>Alfonso Duarte <b>166-11 Northern Boulevard, QUEENS</b> Z.R. §11-411 and §11-413 for the legalization in the change of use from automobile repair, truck rental and used car sales facility (UG16) to automobile sales (UG8) and to extend the term of use, which expired on September 27, 2005, for 10 years. The premise is located in a C1-2/R2 zoning district. <b>COMMUNITY BOARD #7Q</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 6/5/07</b></p>
<b>4.</b>	<b>346-98-BZ</b>	<p>Vito J. Fossella, P.E. <b>3701 Amboy Road, STATEN ISLAND</b> To reinstate an expired amendment, granted on October 12, 1999, to permit the proposed conversion an existing building, which is accessory to a gasoline service station, to a convenience store. Proposal would also eliminate the use of the lubritorium, car wash, motor adjustments and minor repairs, and relocate and increase the number of pump islands from two to four, construct a metal canopy. Proposal also seeks an extension of Time to obtain a Certificate of Occupancy and a waiver of the rules. R3-2 (South Richmond) zoning district. <b>COMMUNITY BOARD #3SI</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 6/5/07</b></p>

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<i><b>SOC – NEW CASES</b></i>		
<b>5.</b>	<b>592-71-BZ</b>	<p>Vito J. Fossella, P.E. <b>1010 Forest Avenue, STATEN ISLAND</b> Extension of term of a previously granted variance for the operation of (UG6) professional office building in an R3-2 &amp; R-2 zoning district which expired on February 15, 2007; and extension of time to obtain a certificate of occupancy. <b>COMMUNITY BOARD #3SI</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 5/15/07</b></p>
<b>6.</b>	<b>72-96-BZ</b>	<p>Law Office of Fredrick A. Becker <b>30 Wall Street, MANHATTAN</b> Extension of Term and amendment re. hours of operation for a physical culture establishment located on portions of the cellar, first floor, mezzanine, second and third floors of a 12-story commercial building located in a C5-5 (LM) zoning district. <b>COMMUNITY BOARD #1M</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Closed, Decision – 5/8/07</b></p>
<b>7.</b>	<b>10-01-BZ</b>	<p>Sheldon Lobel, P.C. <b>85-28/34 Rockaway Boulevard, QUEENS</b> Extension of time to complete construction and a waiver of the rules for a proposed one story building to be used as four retail stores (Use Group 6) in an R5 district, which expired July 10, 2005. <b>COMMUNITY BOARD #9Q</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 5/8/07</b></p>
<b>8.</b>	<b>83-02-BZ II</b>	<p>Law Offices of Howard Goldman <b>925 Bergen Street, BROOKLYN</b> Extension of time to complete construction for a conversion of a four-story industrial building into a residential building with 34 units in an M1-1 zoning district, which expired on February 25, 2007. <b>COMMUNITY BOARD #8BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 5/15/07</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>9.</b>	<b>54-05-A</b>	<p>NYC Department of Buildings <b>1824 53<sup>rd</sup> Street, BROOKLYN</b> Application to amend Certificate of Occupancy No. 300131122, on the basis that the Certificate of Occupancy allows conditions at the subject premises that are contrary to the Zoning Resolution and the Administrative Code. <b>COMMUNITY BOARD #12BK</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Granted – 4/24/07</b></p>
<b>10.</b>	<b>20-07-BZY thru 31-07-BZY</b>	<p>Sheldon Lobel, P.C. <b>Grosvenor Avenue and Goodridge Avenue, BRONX</b> Extension of Time (§11-332) to complete construction of a major development commenced under the zoning district regulations in effect as of October, 2004. R1-2 /NA-2 zoning district. <b>COMMUNITY BOARD #8BX</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Granted – 4/24/07</b></p>

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<i><b>APPEALS – NEW CASES</b></i>		
<b>11.</b>	<b>217-06-A</b>	<p>Eric Palatnik, P.C. <b>40-54 Francis Lewis Boulevard, QUEENS</b> Proposed construction of a daycare center which extends into the bed of a mapped street (Francis Lewis Blvd) contrary to General City Law, Section 35. R3-2 zoning district. <b>COMMUNITY BOARD#11Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Closed, Decision – 5/8/07</b></p>
<b>12.</b>	<b>276-06-A</b>	<p>Rothkrug Rothkrug and Spector <b>8 and 12 Reynolds Street, STATEN ISLAND</b> Appeal challenging the Department of Buildings determination that development fails to comply with §23-711 (Minimum Distance between buildings) and §23-88 (Minimum Distance between Lot lines and Building Walls within in Lower Density Growth Management Areas). R3A zoning district. <b>COMMUNITY BOARD#1SI</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Closed, Decision – 5/22/07</b></p>
<b>13.</b>	<b>307-06-A</b>	<p>Alec Shtromandel-FHSRI <b>86-18 58<sup>th</sup> Avenue, QUEENS</b> Appeal challenging Department of Buildings determination that the subject premises does not qualify as a Community Facility under §22-13 of the Zoning Resolution. R5 Zoning District. <b>COMMUNITY BOARD#4Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Closed, Decision – 6/19/07</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	111-06-BZ	Sheldon Lobel, P.C. <b>136 Norfolk Street, BROOKLYN</b> Special Permit (§73-622) for the in-part legalization of an enlargement to a single family residence. This application seeks to vary open space and floor area (§23-141); side yard (§23-48) and perimeter wall height (§23-631) regulations. R3-1 zoning district. <b>COMMUNITY BOARD #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Denied – 4/24/07</b>
2.	136-06-BZ	Kenneth Fisher, Wolf Block, LLP <b>11-15 Old Fulton Street, BROOKLYN</b> Variance (§72-21) to allow the residential conversion and one-story enlargement of existing three- and four-story buildings. The project would include ground floor retail space and 23 dwelling units and is contrary to use (§42-00), FAR (§43-12), and rear yard (§43-26 and §43-27) regulations. M2-1 zoning district. <b>COMMUNITY BOARD #2BK</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Deferred Decision – 5/8/07</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>87-05-BZ</b>	<p>Eric Palatnik, P.C.  <b>216 26<sup>th</sup> Street, BROOKLYN</b>                      Variance (§72-21) to allow a four-story residential building containing 17 dwelling units in an M1-1D district. Proposal is contrary to use regulations (§42-10).  <b>COMMUNITY BOARD #7BK</b></p> <hr/> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <hr/> <p><b>Status: Closed, Decision – 5/22/07</b></p>
<b>4.</b>	<b>425-05-BZ</b>	<p>Stadtmauer &amp; Bailkin  <b>2409 Avenue Z, BROOKLYN</b>                      Variance (§72-21) to allow a proposed three-story, five-unit residential building with ground floor community facility and three parking spaces in an R4 zoning district. Proposal is contrary to requirements for floor area and FAR (§23-141c and §24-162), front yard (§24-34), side yards (§24-35), lot coverage (§23-141 and §24-111) and minimum distance between legally required windows and lot lines (§23-86(a)).  <b>COMMUNITY BOARD # 15BK</b></p> <hr/> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <hr/> <p><b>Status: Closed, Decision – 5/15/07</b></p>
<b>5.</b>	<b>73-06-BZ</b>	<p>Eric Palatnik, P.C.  <b>111 Union Street, BROOKLYN</b>                      Special Permit (§73-36) to allow the legalization of a physical culture establishment in a portion of the cellar and first floor of a three-story building in a C2-3/R6 zoning district.  <b>COMMUNITY BOARD #6BK</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Continued Hearing – 6/12/07</b></p>

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<b>6.</b>	<b>86-06-BZ</b>	<p>Sheldon Lobel, P.C.  <b>145-70 Guy R. Brewer Boulevard, QUEENS</b>                      Variance (§72-21) to allow Use Group 7 (tire sales with installation services) and Use Group 16 (automotive repair) in an R3-2/C1-2 district, contrary to use regulations (§32-10). An as-of-right eating and drinking establishment (UG 6) is also proposed. A Special Permit (§73-44) is requested to allow the reduction of required off-street parking spaces.  <b>COMMUNITY BOARD #13Q</b>  <b>Examiner: Jed Weiss (212) 788-8781</b>  <b>Status: Continued Hearing – 6/12/07</b></p>
<b>7.</b>	<b>103-06-BZ</b>	<p>Eric Palatnik, P.C.  <b>1324 East 23<sup>rd</sup> Street, BROOKLYN</b>                      Special Permit (73-622) for the enlargement of a single family residence. This application seeks to vary open space and floor area (23-141(a)) and rear yard (23-47) in R-2 zoning district.  <b>COMMUNITY BOARD #14BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 5/22/07</b></p>
<b>8.</b>	<b>262-06-BZ/ 59-07-A</b>	<p>Law Offices of Howard Goldman, LLC  <b>71-13 60<sup>th</sup> Lane, QUEENS</b>                      Variance (§72-21) to allow the residential conversion of an existing four-story industrial building. The proposed project would include 55 dwelling units and 27 accessory parking spaces and is contrary to requirements for minimum distance between legally required windows and walls or lot lines (§23-861). R6B zoning district.  <b>COMMUNITY BOARD #5Q</b>  <b>Examiner: Jed Weiss (212) 788-8781</b>  <b>Status: Continued Hearing – 6/5/07</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>9.</b>	<b>154-05-BZ</b>	<p>Kenneth K. Lowenstein <b>520-528 Broome Street and 530-532 Broome Street/55 Sullivan Street, MANHATTAN</b> Variance (§72-21) to permit the construction of a nine-story mixed-use building which will contain 51 residential units, ground retail uses and a 280-space public parking garage, located in an M1-5B zoning district. The proposal is contrary to use (§42-10), bulk (§42-13), and parking (§13-12).. <b>COMMUNITY BOARD #2M</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Continued Hearing – 6/19/07</b></p>
<b>10.</b>	<b>119-06-BZ</b>	<p>Harold Weinberg, P.E. <b>444 Avenue W, BROOKLYN</b> Special Permit (§73-622) for the enlargement of an existing two-family home. This application seeks to vary open space, lot coverage and floor area (§23-141) and side yard (§23-461) in an R4(Ocean Parkway) zoning district. <b>COMMUNITY BOARD #15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 5/22/07</b></p>
<b>11.</b>	<b>261-06-BZ</b>	<p>Sheldon Lobel, P.C. <b>87-99 Union Avenue, BROOKLYN</b> Variance (§72-21) to permit the construction and operation of a Yeshiva (UG 3A) and accessory synagogue (UG 4A) in a M1-2 zoning district. The proposal is contrary to §42-10. <b>COMMUNITY BOARD #1BK</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Continued Hearing – 6/12/07</b></p>

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<b>12.</b>	<b>306-06-BZ</b>	<p>Sheldon Lobel, P.C.  <b>50 Lawrence Avenue, BROOKLYN</b>                      Variance (§72-21) to permit the construction of a one- and six-story religious school building, located in a split M1-1/R5 zoning district (Ocean Parkway Special Zoning District). The proposal is contrary to the use regulations (§42-00), floor area and lot coverage (§24-11), front yard (§24-34), side yards (§24-35), and front wall (§24-52).  <b>COMMUNITY BOARD #14BK</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Continued Hearing – 6/5/07</b></p>
<b>13.</b>	<b>309-06-BZ</b>	<p>Law Office of Fredrick A. Becker  <b>2817 Avenue M, BROOKLYN</b>                      Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141(a)) and side yard requirements (§23-461) in an R-2 zoning district.  <b>COMMUNITY BOARD #14BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 5/15/07</b></p>

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