

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, August 21, 2007
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	558-71-BZ	<p>Eric Palatnik, P.C. 1949 Richmond Avenue, STATEN ISLAND Amendment of a previous grant which permitted greenhouse and nursery establishment with accessory uses (UG6) in an R3-1 district. Amendment would legalize the change in use to an eating and drinking establishment (UG6). COMMUNITY BOARD #2SI</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Granted 8/21/07</p>
2.	200-00-BZ	<p>Eric Palatnik, P.C. 107-24 37th Avenue, QUEENS Extension of Term/Waiver of a previously approved variance, which expired on July 17, 2006, for an existing physical culture establishment at the second floor of the premises located in a R6B (C1-4) zoning district. COMMUNITY BOARD #3Q</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Granted 8/21/07</p>

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<i>SOC – CONTINUED HEARINGS</i>		
3.	1328-66-BZ	Sheldon Lobel, P.C. 165 West End Avenue, MANHATTAN Extension of Term for a variance, originally granted under Section 60(3) of the Multiple Dwelling Law. COMMUNITY BOARD #7M Examiner: Carlo Costanza (212) 788-8739 Status: Closed, Decision – 9/11/07
4.	1330-66-BZ	Sheldon Lobel, P.C. 205 West End Avenue, MANHATTAN Extension of Time for a variance, originally granted under Section 60(3) of the Multiple Dwelling Law. COMMUNITY BOARD #7M Examiner: Carlo Costanza (212) 788-8739 Status: Closed, Decision – 9/11/07
5.	1332-66-BZ	Sheldon Lobel, P.C. 185 West End Avenue, MANHATTAN Extension of Term for a variance, originally granted under Section 60(3) of the Multiple Dwelling Law. COMMUNITY BOARD #7M Examiner: Carlo Costanza (212) 788-8739 Status: Closed, Decision – 9/11/07
6.	844-86-BZ	Rothkrug, Rothkrug & Spector, LLC 1828/1836 McDonald Avenue, BROOKLYN Extension of Term of a Special Permit (§73-50) which expired on April 28, 1997 for the enlargement of a one-story building that encroaches into the open area required along a district boundary; an Amendment to legalize the change in use from an auto repair shop (UG16) and custom clothing manufacturer (UG11) to a billiard parlor (UG12) and eating and drinking establishment (UG6) and to permit the addition of a 979 sf mezzanine in the UG6 portion of the building; Extension of Time to obtain a Certificate of Occupancy which expired on May 4, 1999 and a Waiver of the Rules. C8-2 zoning district. COMMUNITY BOARD #11BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 9/25/07

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<i>SOC – CONTINUED HEARINGS</i>		
7.	139-92-BZ	<p>Samuel H. Valencia 52-15 Roosevelt Avenue, QUEENS Extension of Term for a UG12 eating and drinking establishment with dancing located on the first floor of a three story, mixed use building with residences on the upper floors in a C2-2/R-6 zoning district. COMMUNITY BOARD #2Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Adjourned, Continued Hearing – 9/18/07</p>
8.	20-02-BZ	<p>The Law Office of Fredrick A. Becker 303 Park Avenue South, MANHATTAN Extension of Term and Amendment for a physical culture establishment and change in hours of operation, on portions of the cellar, first floor and second floor of existing five-story mixed use loft building. COMMUNITY BOARD #5M</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Granted 8/21/07</p>

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<i>SOC – NEW CASES</i>		
9.	214-96-BZ	<p>Rampulla Associates Architects 2819 Hylan Boulevard, STATEN ISLAND Extension of Term of a previously granted variance (expires on April 7, 2008) to permit in an R3-1 zoning district a UG7 (<i>Colonial Funeral Home</i>) and accessory parking on adjacent lot which houses a conforming UG1 single family home. COMMUNITY BOARD #2SI</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 10/2/07</p>
10.	7-00-BZ III	<p>Friedman & Gotbaum, LLP 90 Lafayette Street, MANHATTAN Extension of Time to Complete Construction for a variance which permits within an M1-5 zoning district an enlargement to a UG3 non-profit homeless shelter for men (<i>New York City Rescue Mission</i>) which expired on February 10, 2005. COMMUNITY BOARD #1M</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 9/11/07</p>

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<i>APPEALS – DECISIONS</i>		
11.	170-06-A 171-06-A	<p>Adam Rothkrug, Esq. 3546 and 3548 Ely Avenue, BRONX Proposed construction of two, three-family homes located within the bed of a mapped street (Needham Avenue) contrary to §35 of General City Law. R5 Zoning District. COMMUNITY BOARD #12BX</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted 8/21/07</p>
12.	219-06-A thru 225-06-A	<p>Rothkrug, Rothkrug and Spector 241-10/16/22/28/15/21/25 128th Drive, QUEENS Proposed construction of seven two-story, one-family dwellings within the bed of a mapped street (128th Drive), contrary to General City Law §35, and not fronting on a legally mapped street, contrary to Article 3, §36 of the General City Law. R-2 Zoning District. COMMUNITY BOARD #13Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 9/11/07</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
13.	320-06-A	<p>Rothkrug, Rothkrug and Spector 4368 Furman Avenue, BRONX An appeal challenging the Department of Buildings’ interpretation that the Special Provisions for Party or Side Lot Line Walls (§23-49 (a) & (c)) are applicable to the subject site. R5 Zoning district. COMMUNITY BOARD #12BX</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 9/25/07</p>
14.	96-07-A	<p>Sheldon Lobel, P.C. 41-30/34 75th Street, QUEENS Appeal challenging Department of Buildings’ determination that side setbacks per §24-551 are required. R5 zoning district. COMMUNITY BOARD #4Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 9/11/07</p>

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<i>APPEALS – NEW CASES</i>		
15.	323-06-A	Vito J. Fossella, P.A. 389 College Avenue, STATEN ISLAND Proposed enlargement of an existing one family dwelling located within the bed of mapped street (North Avenue) which is contrary to Section 35 of the General City Law. R3X zoning. COMMUNITY BOARD #1SI
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 9/18/07

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<i>BZ – DECISIONS</i>		
1.	108-06-BZ	<p>Eric Palatnik, P.C. 143 West 30th Street, MANHATTAN Variance (§72-21) to allow a proposed 15-story, 26-unit residential building containing ground floor retail use in an M1-6 district; contrary to use regulations (§42-00). COMMUNITY BOARD #5M</p> <p style="color: green;">Examiner: Jed Weiss (212) 788-8781</p> <p style="color: red;">Status: Granted 8/21/07</p>
2.	116-06-BZ	<p>Harold Weinberg, P.E. 172 Norfolk Street, BROOKLYN Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§34-47) in an R3-1 zoning district. COMMUNITY BOARD #15BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Granted 8/21/07</p>
3.	325-06-BZ	<p>Eric Palatnik, P.C. 100 Delancey Street, MANHATTAN Special Permit (§73-36) to allow a proposed physical culture establishment, contrary to §32-00. C6-1 district. COMMUNITY BOARD #1M</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Deferred Hearing – 9/11/07</p>
4.	327-06-BZ	<p>Eric Palatnik, P.C. 133 East 58th Street, MANHATTAN Special Permit (§73-36) to legalize an existing physical culture establishment located at the sixth floor in a fourteen-story plus penthouse commercial building, contrary to §32-10. C5-2 district. COMMUNITY BOARD #5M</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Granted 8/21/07</p>

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<i>BZ – DECISIONS</i>		
5.	66-07-BZ	Eric Palatnik, P.C. 3038 Atlantic Avenue, BROOKLYN Special Permit (§73-36) to allow a physical culture establishment on the third floor of a three-story building. The proposal is contrary to §42-31. M1-1 district. COMMUNITY BOARD #5BK
		Examiner: Rory Levy (212) 788-8749
		Status: Granted 8/21/07

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<i>BZ – CONTINUED HEARINGS</i>		
6.	23-06-BZ	<p>Sheldon Lobel, P.C. 150-62 78th Road, QUEENS Variance (§72-21) to legalize, in an R4 zoning district, the expansion of an existing three-story building currently housing a synagogue and accessory Rabbi’s apartment. The proposal is requesting waivers for side yards (§24-35) and front yards (§24-34). COMMUNITY BOARD #8Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 9/18/07</p>
7.	103-06-BZ	<p>Eric Palatnik, P.C. 1324 East 23rd Street, BROOKLYN 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. COMMUNITY BOARD #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 9/25/07</p>
8.	114-06-BZ	<p>Sheldon Lobel, P.C. 124 Norfolk Street, BROOKLYN Special Permit (§73-622) to allow the legalization of an enlargement to a single-family home, contrary to FAR, open space and lot coverage (§23-141), and side yards (§23-48), in an R3-1 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 9/18/07</p>
9.	156-06-BZ	<p>Alfonso Duarte 267-04 83rd Avenue, QUEENS Variance (§72-21) to legalize a second floor of a single family home which does not comply with front yard (§23-45) requirements in an R-2 zoning district. COMMUNITY BOARD #13Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 9/25/07</p>

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10.	161-06-BZ	<p>Eric Palatnik, P.C 3349 and 3365 Webster Avenue, BRONX Variance (§72-21) on behalf of the Doe Fund to permit the creation of two (2), eight (8)-story structures at the Premises located in a C8-2 zoning district. The proposal is contrary to §32-10. COMMUNITY BOARD #7BX</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 9/11/07</p>
11.	262-06-BZ	<p>Law Offices of Howard Goldman, LLC 71-13 60th Lane, QUEENS 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. COMMUNITY BOARD #5Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Closed, Decision – 9/11/07</p>
12.	291-06-BZ	<p>Paul Bonfilio, AIA 68-60 Austin Street, QUEENS Special Permit (§73-44) to allow the reduction in the number of required parking spaces for an enlargement to an existing community facility building (Ambulatory Diagnostic/Treatment Facility). The Premises is located in a C8-2 zoning district. The proposal is contrary to §36-21. COMMUNITY BOARD #6Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 9/11/07</p>

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13.	319-06-BZ	<p>Sheldon Lobel, P.C. 211/283 63rd Street, BROOKLYN Special Permit (§73-49) to allow 75 accessory parking spaces for an automotive service establishment (UG 16) on the rooftop of an existing building. M1-1 district. COMMUNITY BOARD #7BK Examiner: Jed Weiss (212) 788-8781 Status: Closed, Decision – 9/18/07</p>
14.	71-07-BZ	<p>Walter T. Gorman, P.E. 32-05 21st Street, QUEENS Re-instatement (ZR §11-411 & §73-01(d)) for the continued use of a Variance which expired June 27, 2001 for the operation of a UG16 Gasoline Service Station (<i>Exxon Mobil</i>) in C1-4/R-6 and R-5 zoning districts. COMMUNITY BOARD #1Q Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/2/07</p>
15.	98-07-BZ	<p>Eric Palatnik, P.C. 67 Amherst Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary open space, lot coverage and floor area (§23-141); rear yard (§23-47) and side yard (§23-461) in an R3-1 zoning district. COMMUNITY BOARD #15BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 9/11/07</p>
16.	99-07-BZ	<p>Eric Palatnik, P.C. 170 Girard Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary floor area, open space and lot coverage (§23-141) and rear yard (§23-47) in an R3-1 zoning district. COMMUNITY BOARD #15BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 9/11/07</p>

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<i>BZ – NEW CASES</i>		
17.	315-05-BZ	<p>David L. Businelli, AIA 862 Huguenot Avenue, STATEN ISLAND Variance (§72-21) to allow an extension of an existing three-story mixed commercial retail (UG 6) and residential building containing one dwelling unit. Twenty open accessory parking spaces are proposed. Proposed commercial use is contrary to use regulations (ZR 22-10). R3X district (Special South Richmond District). COMMUNITY BOARD # 3SI</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 10/2/07</p>
18.	328-06-BZ	<p>Francis R. Angelino, Esq. 50-52 Laight Street, MANHATTAN Variance (§72-21) to allow an eight-story residential building containing six dwelling units and ground floor retail use; contrary to regulations for use (§ 42-00, § 111-104(e), and § 111-102(b)). M1-5 district (Area B-2 of Special TriBeca Mixed Use District). COMMUNITY BOARD # 1M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Closed, Decision – 9/18/07</p>
19.	80-07-BZ	<p>Sheldon Lobel, P.C. 319 West 94th Street, MANHATTAN Variance (§72-21) to permit a nine-story and cellar not-for-profit institution with sleeping accommodations and accessory supportive social service space. The proposal is contrary to floor area (§24-111), wall height, setback, and sky exposure plane (§24-522), rear yard (§24-36), and permitted reconstruction (§54-41). R8 zoning district. COMMUNITY BOARD # 7M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 9/25/07</p>

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<i>BZ – NEW CASES</i>		
20.	118-07-BZ	<p>Rothkrug Rothkurg & Spector LLP 49 Cedar Grove Avenue, STATEN ISLAND Special Permit (§73-44) to allow two-story, Use Group 6B office development which has less than the required parking. The proposal is contrary to section §36-21. C1-1/R3-2 district. COMMUNITY BOARD #2SI</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 9/18/07</p>
21.	142-07-BZ	<p>Moshe M. Friedman 2216 Avenue R, BROOKLYN Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and side yards (§23-461) & (§23-48) in an R3-2 zoning district. COMMUNITY BOARD # 15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 9/18/07</p>
22.	146-07-BZ	<p>Slater & Beckerman, LLP 439 East 77th Street, MANHATTAN Application filed pursuant to §§ 11-411 & 11-412 for the structural alteration and enlargement of a pre-existing nonconforming two-story public parking garage (UG 8), which would increase the capacity from 96 cars to 147 cars. R8B zoning district. COMMUNITY BOARD # 8M</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 9/18/07</p>
23.	166-07-BZ	<p>Wolf Block, Schorr & Solis-Cohen LLP 213 Court Street, BROOKLYN Special Permit (§73-36) to legalize the operation of a Physical Culture establishment on the ground floor of a five-story mixed-use building. The proposal is contrary to §32-00. C2-3 zoning district. COMMUNITY BOARD # 2BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 9/25/07</p>

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