

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, February 13, 2007

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	240-55-BZ	Joseph P. Morsellino, Esq. 207-22 Northern Boulevard, QUEENS Extension of time and waiver of the rules to complete construction of a second story (5,000 sq. ft.) to existing commercial building (auto repair shop, sales and exchange of vehicles and products), which expired on April 29, 2005. C2-2(R8B) and R4 zoning district. COMMUNITY BOARD #11Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 2/13/07
2.	104-02-BZ	Joseph P. Morsellino, Esq. 23-40 120th Street, QUEENS Extension of time to complete construction and waiver of the rules which expired on August 13, 2006 for the construction of a new car preparation building (Use Group 16B) at an existing automobile storage facility in a C-3 zoning district. COMMUNITY BOARD #7Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 2/13/07

<i>SOC – CONTINUED HEARINGS</i>		
3.	717-60-BZ 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: Adjourned Hearing – 3/13/07
4.	20-02-BZ	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
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 3/6/07

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<i>SOC – NEW CASES</i>		
5.	27-96-BZ	<p>Sheldon Lobel, P.C. 602-04 Coney Island Avenue, BROOKLYN Extension of term and amendment for an existing physical cultural establishment which expired on October 16, 2006. The site is located in a C2-3/R5 zoning district. COMMUNITY BOARD #12BK</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Closed, Decision – 2/27/07</p>

<i>APPEALS – DECISIONS</i>		
6.	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> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 2/13/07</p>
7.	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> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Denied – 2/13/07</p>
8.	166-06-BZY	<p>Eric Palatnik, P.C. 84-59 162nd Street, QUEENS Proposed extension of time (§11-331) to complete construction of a minor development for a multi-family building under the prior R4 zoning district. New zoning is R4-1. COMMUNITY BOARD #8Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 2/13/07</p>

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APPEALS – CONTINUED HEARINGS		
9.	77-06-A & 78-06-A	Stephen J. Rizzo, Esq. 96 Crabtree Avenue, STATEN ISLAND An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the zoning district regulations in effect as of March 1999. R3-2 Zoning District. COMMUNITY BOARD #3SI
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 3/6/07

APPEALS – NEW CASES		
10.	292-06-A	Sheldon Lobel, P.C. 128 Newtown 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/M1-1. Current zoning is M1-2/R6A/MX-8. COMMUNITY BOARD #1BK
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 3/20/07

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	178-06-BZ	<p>The Law Office of Fredrick A. Becker 609 Madison Avenue, MANHATTAN Special Permit (§73-36) to allow the operation of a physical culture establishment/spa in portions of the cellar, first and second floor of a multi-story, mixed-use building. COMMUNITY BOARD #5M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 2/13/07</p>
2.	181-06-BZ	<p>Greenberg Traurig, LLP 471 Washington Street, a/k/a 510-520 Canal Street, MANHATTAN Variance (§72-21) to allow a nine-story residential building containing seven dwelling units and ground floor retail use in an M1-5 district (Area B-2 of the Special Tribeca Mixed Use District). The proposal is contrary to use regulations (§42-10 and §111-104(d)). COMMUNITY BOARD #1M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 2/13/07</p>
3.	218-06-BZ	<p>The Law Office of Fredrick A. Becker 885 Second Avenue, MANHATTAN Special Permit (§73-36) to allow the operation of an existing physical culture establishment located on the sub-cellar and cellar levels with an entrance on the first floor in a 46-story commercial building. The premise is located in C1-9 (TA), R8B, and R10 zoning districts. COMMUNITY BOARD #6M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 2/13/07</p>
4.	236-06-BZ	<p>Moshe M. Friedman 1500 East 21st Street, BROOKLYN Special Permit (§73-622) for the enlargement of a one-family residence. This application seeks to vary open space, floor area (§23-141) and rear yard (§23-47) in an R-2 zoning district. COMMUNITY BOARD#14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 2/13/07</p>

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5.	274-06-BZ	Stadtmauer Bailkin, LLP 116-07 132nd Street, QUEENS Variance (§72-21) for the construction of a two-story, one-family residence, contrary to the required front yards (§23-45) and minimum lot width (§23-32) in an R3-2 zoning district. COMMUNITY BOARD #10Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 2/13/07
6.	275-06-BZ	Friedman & Gotbaum, LLP 408-414 West 13th Street and 13-15 West 12th Street, MANHATTAN Variance (§72-21) to allow a proposed commercial office building (UG6) to violate rear yard equivalent regulations for through lots (§43-28) in an M1-5 zoning district. COMMUNITY BOARD #2M
		Examiner: Jed Weiss (212) 788-8781
		Status: Deferred Decision – 2/27/07

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<i>BZ – CONTINUED HEARINGS</i>		
7.	239-04-BZ	<p>Agusta & Ross 225 Starr Street, BROOKLYN Variance (§72-21) to permit the proposed residential occupancy (UG 2) within an existing loft building, contrary to Z.R. §42-10. M1-1 zoning district. COMMUNITY BOARD #4BK Examiner: Roy Starrin (212) 788-8797 Status: Continued Hearing – 4/17/07</p>
8.	87-05-BZ	<p>Eric Palatnik, P.C. 216 26th Street, BROOKLYN 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). COMMUNITY BOARD #7BK Examiner: Jed Weiss (212) 788-8781 Status: Continued Hearing – 4/24/07</p>
9.	79-06-BZ	<p>Patrick W. Jones, P.C. 887 Bergen Street, BROOKLYN Variance (§72-21) to permit the construction of a five-story residential building on a vacant site located in an M1-1 zoning district. The proposal is contrary to §42-00. COMMUNITY BOARD #8BK Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 3/13/07</p>
10.	137-06-BZ	<p>Rothkrug Rothkrug & Spector, LLP 1717 Hering Avenue, BRONX Variance (§72-21) for the proposed construction of a two-family dwelling that does not provide a required side yard (§23-461) and does not line up with front yard line of adjacent lot (§23-45 (b)). R4A zoning district. COMMUNITY BOARD #11BX Examiner: Henry Segovia (212) 788-8757 Status: Off-Calendar</p>

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<i>BZ – NEW CASES</i>		
11.	318-05-BZ	<p>Marc A. Chiffert, P.E. 2040 Dr. MLK Jr. Boulevard, f/k/a 2040 University Avenue, BRONX Variance (§72-21) to allow an enlargement of an existing one-story, non-conforming commercial building in an R7-1 district, contrary to §52-22. COMMUNITY BOARD #5BX</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 4/10/07</p>
12.	73-06-BZ	<p>Eric Palatnik, P.C. 111 Union Street, BROOKLYN 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. COMMUNITY BOARD #6BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 3/13/07</p>
13.	96-06-BZ	<p>Stuart A. Klein, Esq. 39 West 56th Street, MANHATTAN Special Permit (§73-36) to permit in a C5-P zoning district located within the Midtown Special District/Preservation Subdistrict a spa within the cellar, first and second floors of an existing six-story commercial building. The proposal is contrary to §32-10. COMMUNITY BOARD #5M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 3/6/07</p>
14.	97-06-BZ	<p>Stuart A. Klein, Esq. 153-155 Spring Street, a/k/a 411 West Broadway, MANHATTAN Special Permit (§73-36) to permit in an M1-5A zoning district and Soho Cast Iron District a physical culture establishment within a portion of an existing six-story commercial building. COMMUNITY BOARD #2M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 3/6/07</p>

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15.	98-06-BZ & 284-06-A	<p>Eric Palatnik, P.C. 1045 Beach 9th Street, QUEENS 98-06-BZ: Variance (§72-21) to permit in a R4A zoning district, a four-story yeshiva which is contrary to floor area (§24-11), total height (§24-521), front yard (§23-34), side yard (§24-35), sky exposure plane (§24-521), setback requirements (§24-521), and yards (§24-531). 284-06-A: Proposed yeshiva lies within the bed of a mapped street (Beach 9th Street), contrary to §35 of General City Law. R4A zoning district. COMMUNITY BOARD #14Q</p> <p style="text-align: center;">Examiner: Rory Levy 212-788-8749/Toni Matias 212-788-8752</p> <p style="text-align: center;">Status: Continued Hearing – 3/20/07</p>
16.	136-06-BZ	<p>Kenneth Fisher, Wolf Block, LLP 11-15 Old Fulton Street, BROOKLYN 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. COMMUNITY BOARD #2BK</p> <p style="text-align: center;">Examiner: Jed Weiss (212) 788-8781</p> <p style="text-align: center;">Status: Continued Hearing – 3/20/07</p>
17.	290-06-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 372 Lafayette Street, MANHATTAN Variance (§72-21) to allow a six-story residential building containing ground floor retail and eight dwelling units, contrary to use regulations (§§42-00 and 42-14(d)(2)(b)). M1-5B zoning district. COMMUNITY BOARD #2M</p> <p style="text-align: center;">Examiner: Jed Weiss (212) 788-8781</p> <p style="text-align: center;">Status: Closed, Decision – 3/20/07</p>

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