

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, February 27, 2007

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	166-75-BZ	Rothkrug Rothkrug & Spector 164-17 Union Turnpike, QUEENS Extension of term and waiver of the rules for variance to permit an eating and drinking establishment (<i>Burger King & Popeye's</i>) which expired in January 6, 2006 in a C1-2(R3-2) and R3-2 zoning district; and an extension of time to obtain a certificate of occupancy which expired on March 18, 1998. COMMUNITY BOARD #8Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 2/27/07
2.	27-96-BZ	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
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 2/27/07
3.	30-00-BZ	Sheldon Lobel, P.C. 458 West 166th Street, MANHATTAN Extension of term and waiver of the rules to a previously granted variance which permitted an open parking lot (Use Group 8) within an R7-2 zoning district. COMMUNITY BOARD #12M
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 2/27/07

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<i>SOC – CONTINUED HEARINGS</i>		
4.	60-82-BZ, IV	<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 Examiner: Carlo Costanza (212) 788-8739 Status: Closed, Decision – 3/13/07</p>
5.	619-83-BZ	<p>Harold Weinberg, P.E. 552-568 McDonald Avenue, BROOKLYN Extension of term and waiver of the rules for an automotive repair facility (UG 16) with parking for more than five vehicles. R5 zoning district. COMMUNITY BOARD #12BK Examiner: Carlo Costanza (212) 788-8739 Status: Continued Hearing – 3/20/07</p>
6.	383-04-BZ	<p>Anthony Cucich, RA 46-21 Greenpoint Avenue, QUEENS To consider dismissal of application to legalize a physical culture establishment for lack of prosecution. COMMUNITY BOARD #1Q Examiner: Toni Matias (212) 788-8752 Status: Dismissed – 2/27/07</p>

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<i>SOC – NEW CASES</i>		
7.	1038-80-BZ	Davidoff Malito & Hatcher 31-07/09/11 Downing Street, QUEENS Extension of Term of a Special Permit for an amusement arcade (UG15) in an M2-1 zoning district. COMMUNITY BOARD #7Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 3/20/07
8.	8-01-BZ	Rothkrug Rothkrug & Spector 352 Clifton Avenue, STATEN ISLAND Extension of Time to complete construction of a single family home pursuant to a previously granted variance (§72-21) on a lot with less than the required lot width; and an amendment to the off-street parking requirement to comply with provisions in an R32 (LDGM) zoning district. COMMUNITY BOARD #1SI
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 4/10/07
9.	200-01-BZ	Davidoff Malito & Hatcher 182-15 Hillside Avenue, QUEENS Extension of Time to complete construction and to obtain a Certificate of Occupancy for the enlargement of a community use facility (Hillside Manor) in a C2-2/R-5 zoning district which expired on January 11, 2007. COMMUNITY BOARD #8Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 3/13/07
10.	124-02-BZ	Law Office of Howard Goldman 8000 Utopia Parkway, QUEENS Reopening of a previously approved variance to grant an extension of time to complete substantial construction of two parking facilities for St. John’s University. R4 zoning district. COMMUNITY BOARD #8Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 3/13/07

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<i>APPEALS – DECISIONS</i>		
11.	213-06-A	<p>Fredrick A. Becker, Esq. 72-19 Grand Avenue, QUEENS Construction of three story mixed use commercial/residential structure within the bed of a mapped street (72nd Place), contrary to General City Law §35. C1-2 (R6B) Zoning District. COMMUNITY BOARD #5Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 2/27/07</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
12.	84-06-BZY	<p>Eric Palatnik, P.C. 1472 East 19th Street, BROOKLYN Proposed extension of time to complete construction of a minor development (§11-331) for a four-story, mixed use building. Prior zoning was R6 and new zoning district is R4-1 as of April 5, 2006. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – Off-Calendar</p>

<i>APPEALS – NEW CASES</i>		
13.	45-07-A	<p>Eric Palatnik, P.C. 1472 East 19th Street, BROOKLYN For a determination that the owner of the premises has acquired a common-law vested right to continue development commenced under the prior R6 zoning district. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 4/17/07</p>

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<i>BZ – DECISIONS</i>		
1.	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> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Granted – 2/27/07</p>
2.	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> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 2/27/07</p>
3.	107-06-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 140 East 63rd Street, MANHATTAN Special Permit (§ 73-36) to allow a physical culture establishment use (<i>Equinox</i>) in the cellar, subcellar, first floor and second floor of a 22-story mixed use building. C1-8X/R8B zoning district. COMMUNITY BOARD#8M</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 2/27/07</p>

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<i>BZ – DECISIONS</i>		
4.	157-06-BZ	<p>The Law Office of Fredrick A. Becker 28-56 Steinway Street, QUEENS Special Permit (§73-36) to legalize the enlargement of a previously approved physical culture establishment (<i>NY Sports Club</i>) on the first and second floor of a three story commercial building. C4-2A, C2-2(R6) zoning district. COMMUNITY BOARD #1Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 2/27/07</p>
5.	266-06-BZ	<p>Friedman & Gotbaum, LLP 4 East 3rd Street, MANHATTAN Special Permit (§73-52) to allow transient hotel use (UG5) in a building located on a split zoning lot (C6-1 and R7-2). The special permit would allow the C6-1 use and bulk regulations to extend by 25 feet into the R7-2 portion of the zoning lot. COMMUNITY BOARD #3M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 2/27/07</p>
6.	268-06-BZ	<p>Omnipoint Communications Inc. 80-35 Pitkin Avenue, QUEENS Special Permit (§73-30) for non-accessory radio tower for public utility wireless communications located in an R-4 zoning district. COMMUNITY BOARD #10Q</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Granted – 2/27/07</p>
7.	275-06-BZ	<p>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</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 2/27/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	427-05-BZ	<p>Eric Palatnik, P.C. 133-47 39th Avenue, QUEENS Special Permit (§73-44) to permit proposed retail, community facility and office development (UG 6, parking requirement category B1) which provides less than the required parking and is contrary to §36-21. COMMUNITY BOARD #7Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Closed, Decision – 3/20/07</p>
9.	25-06-BZ	<p>Dominick Salvati and Son Architects 2908 Nostrand Avenue, BROOKLYN Variance (§72-21) to allow an eight-story, 29-unit residential building with ground floor community facility use and 31 parking spaces, contrary to regulations for dwelling unit density (§ 23-22), street wall height (§ 23-631 & § 24-521), maximum building height (§ 23-631), front yard (§ 24-34), side yards (§ 24-35 & §24-551), FAR (§ 24-11, 24-162 & 23-141) and lot coverage (§ 23-141 & § 24-11). R3-2 district. COMMUNITY BOARD #15BK</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 4/17/07</p>
10.	49-06-BZ	<p>Sheldon Lobel, P.C. 2041 Flatbush Avenue, BROOKLYN Variance (§72-21) to allow a three-story commercial building, with ground floor retail and office space, on the second and third floors, contrary to FAR, height and setback, and minimum parking in a C1-2/R3-2 district. Parking for 12 vehicles in the cellar is proposed. COMMUNITY BOARD # 18BK</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Continued Hearing – 4/10/07</p>
11.	64-06-BZ	<p>Greenberg Traurig LLP, Jay A. Segal 363-371 Lafayette Street, MANHATTAN Variance (§72-21) to allow a seven story multi-family residential building with ground floor retail containing fourteen dwelling units. The site is located within an M1-5B district; contrary to §42-10. COMMUNITY BOARD #2M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Closed, Decision – 3/13/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
12.	115-06-BZ	<p>Harold Weinberg 1820 East 28th Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family detached residence. This application seeks to vary open space, floor area and lot coverage (§23-141); side yard (§23-461) and rear yard (§23-47) in an R3-2 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/20/07</p>
13.	138-06-BZ	<p>Law Office of Fredrick A. Becker 3447 Bedford Avenue, 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 an R-2 zoning district. COMMUNITY BOARD #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/13/07</p>
14.	237-06-BZ	<p>Moshe M. Friedman 1462 East 26th Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family semi-detached residence. This application seeks to vary open space and floor area (23-141(a)), side yard (23-461) and rear yard (23-47) regulations in an R-2 zoning district. COMMUNITY BOARD #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/13/07</p>

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15.	100-06-BZ	Francis R. Angelino 638-640 President Street, BROOKLYN Variance (§72-21) to allow a proposed residential building with five units and three parking spaces, contrary to regulations for maximum height (§23-633), minimum dimensions of inner court (§23-851) and permitted obstructions in courts (§23-87). R6B zoning district. COMMUNITY BOARD #6BK
		Examiner: Jed Weiss (212) 788-8781
		Status: Continued Hearing – 4/10/07
16.	110-06-BZ	Moshe M. Friedman 1473 East 21st Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family residence, contrary to open space and floor area (§23-141), side yard (§23-461) and rear yard (§23-47) in an R-2 zoning district. COMMUNITY BOARD #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 3/13/07
17.	123-06-BZ	Rampulla Associates 21 Cheshire Place, STATEN ISLAND Variance (§72-21) to permit the legalization of one room, one-story addition which encroaches upon the required 30 foot rear yard (§23-47) of a single-family detached house. R3X SHPD/LOGMA zoning district. COMMUNITY BOARD #1SI
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 3/20/07
18.	152-06-BZ	Rothkrug Rothkrug & Spector, LLP 82 Lamberts Lane, STATEN ISLAND Special Permit (§73-125) to allow a proposed two-story ambulatory diagnostic/treatment care facility with 14 parking spaces. The proposal is contrary to Section 22-14. R3X zoning district COMMUNITY BOARD #2SI
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 4/17/07

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<i>BZ – NEW CASES</i>		
19.	272-06-BZ	Joseph P. Morsellino, Esq. 37-11 35th Avenue, QUEENS Special permit (§73-36) to legalize a physical culture establishment on the second floor in a three-story building. The proposal is contrary to Section 42-31. M1-5 zoning district COMMUNITY BOARD #1Q Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision – 3/13/07
20.	285-06-BZ	Sheldon Lobel, P.C. 23 West 45th Street, MANHATTAN Special Permit (§73-36) to permit the operation of a physical culture establishment (<i>Serenity Wellbeing Spa</i>) on the third floor of an existing commercial building located in a C6-4.5 zoning district. COMMUNITY BOARD #5M Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 3/20/07
21.	318-06-BZ	Eric Palatnik, P.C. 49-05 Astoria Boulevard, QUEENS Special Permit (§11-411) seeking to re-instate a previous BSA approval issued to the premises permitting the continued use as an automotive service station (use group 16) located in a R-4 zoning district. COMMUNITY BOARD #1Q Examiner: Carlo Costanza (212) 788-8739 Status: Continued Hearing – 4/17/07

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