

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>737-86-BZ</b>	Rampulla Associates Architects <b>3304 Amboy Road, STATEN ISLAND</b> Extension of term of a variance for an existing one story retail store (UG 6) which will expire on June 2, 2007. R3-1 zoning district. <b>COMMUNITY BOARD #3SI</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 7/10/07</b>
<b>2.</b>	<b>133-94-BZ</b>	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> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 7/10/07</b>
<b>3.</b>	<b>149-95-BZ</b>	Rothkrug Rothkrug & Spector <b>35/75 West End Avenue, MANHATTAN</b> Extension of Term/Amendment for a physical culture establishment ( <i>Crunch Gym</i> ) in a C4-7 zoning district, including legalization of change in operating entity and amending the hours of operations. <b>COMMUNITY BOARD #7M</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Granted – 7/10/07</b>
<b>4.</b>	<b>214-00-BZ</b>	Sheldon Lobel, P.C. <b>2761 Plumb Second Street, BROOKLYN</b> Extension of term/extension of time to obtain a certificate of occupancy and amendment of a Special Permit granted pursuant to §73-242 to permit within a C3 zoning district an eating and drinking establishment. <b>COMMUNITY BOARD #15BK</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Granted – 7/10/07</b>

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<b><i>SOC – DECISIONS</i></b>		
<b>5.</b>	<b>196-02-BZ</b>	<p>Peter Hirshman <b>1826-32 Coney Island Avenue, BROOKLYN</b> Extension of Time to complete construction and to obtain a Certificate of Occupancy to a previously granted variance (§72-21) for the addition of sleeping accommodations of 16 beds to an existing community facility (<i>Dynamic Youth Community Inc.</i>) in C8-2 zoning district. <b>COMMUNITY BOARD # 2BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Granted – 7/10/07</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>6.</b>	<b>177-85-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector <b>2025 Richmond Avenue, STATEN ISLAND</b> Extension of Term and Waiver of the rules for a variance granted on August 12, 1986 to permit in an R3-2 zoning district a two-story building for use as a retail establishment and business offices (UG6). <b>COMMUNITY BOARD #2SI</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 7/24/07</b></p>

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<i><b>SOC – NEW CASES</b></i>		
<b>7.</b>	<b>196-58-BZ</b>	<p>Sheldon Lobel, P.C. <b>2590 Bailey Avenue, BRONX</b> Extension of Term (§11-411) and Time to obtain a Certificate of Occupancy, and waiver of the Rules for the operation of an automotive service station in an R6 zoning district. <b>COMMUNITY BOARD #7BX</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 8/14/07</b></p>
<b>8.</b>	<b>297-99-BZII</b>	<p>Walter T. Gorman, P.E. <b>45-05 Bell Boulevard, QUEENS</b> Extension of Time to obtain a Certificate of Occupancy/waiver of the Rules for a gasoline service station (Mobil Station) which expired on September 19, 2004 in a C2-2/R6B zoning district. <b>COMMUNITY BOARD #11Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 8/7/07</b></p>
<b>9.</b>	<b>242-02-BZ</b>	<p>Joseph Fullam <b>1 North Railroad Street, STATEN ISLAND</b> Extension of Time (expires July 27, 2007) to complete construction of a two family residence in an R3X/SR zoning district. <b>COMMUNITY BOARD #3SI</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 8/7/07</b></p>
<b>10.</b>	<b>41-05-A</b>	<p>NYC Board of Standards and Appeals <b>140 Beach 25<sup>th</sup> Street, QUEENS</b> To consider dismissal for lack of prosecution – an application to construct a residential building within the bed of a mapped street (Beach 25<sup>th</sup> Street). <b>COMMUNITY BOARD #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Dismissed – 7/10/07</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>11.</b>	<b>84-06-BZY</b>	<p>Eric Palatnik, P.C. <b>1472 East 19<sup>th</sup> Street, BROOKLYN</b> 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. <b>COMMUNITY BOARD #14BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Denied – 7/10/07</b></p>
<b>12.</b>	<b>45-07-A</b>	<p>Eric Palatnik, P.C. <b>1472 East 19<sup>th</sup> Street, BROOKLYN</b> 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. <b>COMMUNITY BOARD #14BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 7/10/07</b></p>
<b>13.</b>	<b>232-06-A</b>	<p>Rothkrug, Rothkrug &amp; Spector, LLP <b>28 Sand Court, STATEN ISLAND</b> Proposed two family dwelling that does not front on a legally mapped street contrary to Article 3, §36 of the General City Law. R3-1 Zoning District. <b>COMMUNITY BOARD #2SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 7/10/07</b></p>
<b>14.</b>	<b>37-07-A</b>	<p>Cozen O'Connor <b>56-50 through 56-56 Main Street, QUEENS</b> Proposed construction of a bank (<i>Commerce Bank</i>) located within the bed of a mapped street (Booth Memorial Avenue) contrary to General City Law §35. C1-3 /R5B zoning districts. <b>COMMUNITY BOARD #7Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 7/10/07</b></p>

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<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>15.</b>	<b>70-06-A</b>	<p>Eric Palatnik, P.C. <b>4 Rockwell Avenue, STATEN ISLAND</b> Proposed construction of a two-story, three-family dwelling located within the bed of mapped street (Zev Place), contrary to General City Law §35. R3-2 Zoning District. <b>COMMUNITY BOARD #1SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 8/7/07</b></p>
<b>16.</b>	<b>170-06-A &amp; 171-06-A</b>	<p>Adam Rothkrug, Esq. <b>3546 and 3548 Ely Avenue, BRONX</b> 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. <b>COMMUNITY BOARD #12BX</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 8/7/07</b></p>
<b>17.</b>	<b>219-06-A thru 225-06-A</b>	<p>Rothkrug, Rothkrug and Spector <b>241-10/16/22/28/15/21/25 128<sup>th</sup> Drive, QUEENS</b> 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. <b>COMMUNITY BOARD #13Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 8/7/07</b></p>
<b>18.</b>	<b>326-06-A</b>	<p>David L. Businelli, R.A. <b>1523 Richmond Road, STATEN ISLAND</b> An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the R1-2 district regulations in effect prior to the zoning text change on September 9, 2004. <b>COMMUNITY BOARD #2SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 8/7/07</b></p>

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<b><i>APPEALS – NEW CASES</i></b>		
<b>19.</b>	<b>87-06-A &amp; 88-06-A</b>	<p>Patrick W. Jones, P.C. <b>131-04 &amp; 131-06 40<sup>th</sup> Road, QUEENS</b> Proposed construction of two, four-story mixed use buildings within the bed of the mapped, unimproved street (DeLong Street), contrary to General City Law Section 35. C4-2 Zoning District. <b>COMMUNITY BOARD #7Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 7/24/07</b></p>
<b>20.</b>	<b>50-07-A</b>	<p>Gerarld J. Caliendo, R.A. <b>100-21 39<sup>th</sup> Avenue, QUEENS</b> Proposed construction of a five-story, three-family dwelling with ground floor community facility use located within the bed of a mapped street (101st Street), contrary to General City Law Section 35. R6B Zoning District. <b>COMMUNITY BOARD #3Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Postponed – 7/24/07</b></p>
<b>21.</b>	<b>86-07-A</b>	<p>Sheldon Lobel, P.C. <b>64 Chatham Street, STATEN ISLAND</b> Proposed construction of a two story, one family residence not fronting on a mapped street contrary to General City Law §36. R3-1 (SRD) Zoning District. <b>COMMUNITY BOARD #3SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 7/10/07</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, July 10, 2007  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>43-06-BZ</b>	<p>Law Office of Fredrick A. Becker <b>31-09 35<sup>th</sup> Avenue, QUEENS</b> Variance (§72-21) to allow a proposed house of worship, contrary to lot coverage (§24-11), front wall height (§24-521), front yard (§24-34), side yards (§24-35(a)), and accessory parking (§25-31). R5 district. <b>COMMUNITY BOARD #1Q</b> <b>Examiner: Jed Weiss (212) 788-8781</b> <b>Status: Granted – 7/10/07</b></p>
<b>2.</b>	<b>98-06-BZ &amp; 284-06-A</b>	<p>Eric Palatnik, P.C. <b>1045 Beach 9<sup>th</sup> Street, QUEENS</b> 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 9<sup>th</sup> Street), contrary to §35 of General City Law. R4A zoning district. <b>COMMUNITY BOARD #14Q</b> <b>Examiner: Rory Levy 212-788-8749 / Toni Matias 212-788-8752</b> <b>Status: Granted – 7/10/07</b></p>
<b>3.</b>	<b>131-06-BZ</b>	<p>Papa Architects <b>146 New Dorp Lane, STATEN ISLAND</b> Special Permit (§73-36) to permit the legalization of an existing physical culture establishment (<i>New Dorp Fitness</i>) in a one-story portion of the existing building, contrary to Z.R. §32-10. C2-2 zoning district. <b>COMMUNITY BOARD #2SI</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Granted – 7/10/07</b></p>

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<b><i>BZ – DECISIONS</i></b>		
<b>4.</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> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted – 7/10/07</b></p>
<b>5.</b>	<b>322-06-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector <b>117-57 142<sup>nd</sup> Place, QUEENS</b> Variance (§72-21) to permit the construction of a two-family dwelling with less than the required side yards (§ 23-48) in an R3-2 zoning district. <b>COMMUNITY BOARD#12Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/10/07</b></p>
<b>6.</b>	<b>32-07-BZ</b>	<p>Synder &amp; Synder <b>146-10/16 Guy R. Brewer Boulevard, QUEENS</b> Special Permit (§73-30) in an R3-2 zoning district for a non-accessory radio tower for a public utility wireless communications facility. <b>COMMUNITY BOARD #13Q</b></p> <p><b>Examiner: Roy Starrin (212) 788-8797</b></p> <p><b>Status: Granted – 7/10/07</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>7.</b>	<b>23-06-BZ</b>	Sheldon Lobel, P.C. <b>150-62 78<sup>th</sup> Road, QUEENS</b> 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). <b>COMMUNITY BOARD #8Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 8/21/07</b>
<b>8.</b>	<b>31-06-BZ</b>	Sheldon Lobel, P.C. <b>102-10 159<sup>th</sup> Road, QUEENS</b> Variance (§72-21) to allow the legalization of an automotive collision repair shop (Use Group 16) in an R3-1/C1-2 zoning district; proposed use is contrary to §22-00 and §32-00. <b>COMMUNITY BOARD #10Q</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Continued Hearing – 8/14/07</b>
<b>9.</b>	<b>103-06-BZ</b>	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 – 8/21/07</b>
<b>10.</b>	<b>156-06-BZ</b>	Alfonso Duarte <b>267-04 83<sup>rd</sup> Avenue, QUEENS</b> 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. <b>COMMUNITY BOARD #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/21/07</b>

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**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>11.</b>	<b>161-06-BZ</b>	<p>Eric Palatnik, P.C.  <b>3349 and 3365 Webster Avenue, BRONX</b>                      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.  <b>COMMUNITY BOARD #7BX</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 8/14/07</b>
<b>12.</b>	<b>212-06-BZ</b>	<p>Jeffrey A. Chester  <b>242-02 61<sup>st</sup> Avenue, QUEENS</b>                      Variance (§72-21) to convert an existing supermarket (UG 6) into an electronics store with no limitation in floor area (UG 10), contrary to §22-10. R4 zoning district.  <b>COMMUNITY BOARD #11Q</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 9/11/07</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>13.</b>	<b>254-06-BZ</b>	<p>Eric Palatnik, P.C. <b>1327 East 21<sup>st</sup> Street, BROOKLYN</b> Special Permit (§73-622) for the enlargement of an existing single-family residence. This application seeks to vary open space and floor area (§23-141(a)) and side yard (§23-461) regulations 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: Off Calendar Without Date</b></p>
<b>14.</b>	<b>264-06-BZ</b>	<p>Law Office of Fredrick A. Becker <b>1632 East 28<sup>th</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)); lot coverage (§23-141(b)); side yard (§23-461) and rear yard (§23-47) in an R3-2 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 – 8/7/07</b></p>
<b>15.</b>	<b>43-07-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel, LLP <b>346-360 West 17<sup>th</sup> Street, MANHATTAN</b> Variance (§72-21) to allow the conversion and enlargement of an existing thru-block community facility building to contain 74 apartment hotel rooms (UG 2), 270 transient hotel rooms (UG 5), and retail use (UG 6) and/or a physical culture establishment use, contrary to use regulations (§22-00), maximum number of dwelling units (§3-22) recreation requirements of the Quality Housing Program (§28-32), floor area (§23-145), lot coverage (§23-145), rear yard (§23-47) and (§23-533), and height and setback (§23-633). R8B zoning district. <b>COMMUNITY BOARD #4M</b></p> <hr/> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <hr/> <p><b>Status: Closed, Decision – 7/24/07</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>16.</b>	<b>48-06-BZ</b>	<p>Jack A. Adesso, PLLC, owner. <b>420 Morris Park Avenue, BRONX</b> Variance (§72-21) to allow an eight-story residential building containing 70 dwelling units and 17 accessory parking spaces in an M1-1 district, contrary to use regulations (§42-00). <b>COMMUNITY BOARD #6BX</b></p>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Postponed Hearing – 9/11/07</b>
<b>17.</b>	<b>116-06-BZ</b>	<p>Harold Weinberg, P.E. <b>172 Norfolk Street, BROOKLYN</b> 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. <b>COMMUNITY BOARD #15BK</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/7/07</b>
<b>18.</b>	<b>333-06-BZ</b>	<p>Joseph P. Morsellino, Esq. <b>29-26 Bell Boulevard, QUEENS</b> Variance (§72-21) to permit the enlargement of an existing two-family dwelling in an R2A zoning district, contrary to use regulations. <b>COMMUNITY BOARD #11Q</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 7/24/07</b>
<b>19.</b>	<b>117-07-BZ</b>	<p>Wachtel &amp; Masyr, LLP <b>222 East 34<sup>th</sup> Street, MANHATTAN</b> Special Permit (§73-36) to allow the operation of a physical culture establishment on a portion of the first floor and second floor in a 21-story mixed-use building. The Premises is located in a C1-9A "TA" zoning district. <b>COMMUNITY BOARD #6M</b></p>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 7/24/07</b>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, July 10, 2007  
1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>20.</b>	<b>120-07-BZ</b>	<p>Bryan Cave, LLP <b>24 West 30<sup>th</sup> Street, MANHATTAN</b> Variance (§72-21) to allow the partial conversion to residential use of an existing 12-story mixed-use building, contrary to use regulations (§42-00). M1-6 district. <b>COMMUNITY BOARD #5M</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 8/14/07</b></p>
<b>21.</b>	<b>128-07-BZ</b>	<p>Law Office of Fredrick A. Becker <b>1328 East 26<sup>th</sup> Street, BROOKLYN</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary open space and floor area (§23-141); less than the minimum side yards (§23-461 and §23-48) and rear yard (§23-47) in an R-2 zoning district. <b>COMMUNITY BOARD #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 8/7/07</b></p>

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