

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>1236-27-BZ II</b>	<p>Eric Palatnik, P.C. <b>163-01 Cross Bay Boulevard, QUEENS</b> Extension of Term for a special permit for a UG 16 Automotive Service Station (<i>BP Products North America</i>) which expired on February 22, 2007 in a C2-2/R3-1 zoning district. <b>COMMUNITY BOARD #10Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/24/07</b></p>
<b>2.</b>	<b>704-59-BZ</b>	<p>Peter Hirshman <b>53 East 177<sup>th</sup> Street, BRONX</b> Extension of Term/waiver of the rules for a variance for a UG8 parking lot for more than five motor vehicles which expired on June 3, 2000 in an R8 zoning district. <b>COMMUNITY BOARD #5BX</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/24/07</b></p>
<b>3.</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> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/24/07</b></p>
<b>4.</b>	<b>21-91-BZ</b>	<p>Sheldon Lobel, P.C. <b>2407-2417 Linden Boulevard, BROOKLYN</b> Extension of Term/Waiver of the rules for an automobile glass and mirror establishment (UG7) with sales of used cars (UG16) and an extension of time to obtain a Certificate of Occupancy in an R-5 zoning district. <b>COMMUNITY BOARD #5BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/24/07</b></p>

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<b>5.</b>	<b>145-92-BZ</b>	<p>Deirdre Carson for Greenberg Traurig <b>403 East 91<sup>st</sup> Street, MANHATTAN</b> Extension of Term/Amendment/Waiver for a special permit (§73-36) for a physical culture establishment (<i>Edge Gym</i>) located on the third and fourth stories of a building located in a C2-8/C8-4 zoning district. <b>COMMUNITY BOARD #8M</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status:     Granted – 7/24/07</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>6.</b>	<b>200-00-BZ</b>	<p>Eric Palatnik, P.C. <b>107-24 37<sup>th</sup> Avenue, QUEENS</b> 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. <b>COMMUNITY BOARD #3Q</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status:     Closed, Decision – 8/21/07</b></p>
<b>7.</b>	<b>20-02-BZ</b>	<p>The Law Office of Fredrick A. Becker <b>303 Park Avenue South, MANHATTAN</b> 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. <b>COMMUNITY BOARD #5M</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status:     Continued Hearing – 8/21/07</b></p>

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<i><b>SOC – NEW CASES</b></i>		
<b>8.</b>	<b>1328-66-BZ</b>	Sheldon Lobel, P.C. <b>165 West End Avenue, MANHATTAN</b> Extension of Term for a variance, originally granted under Section 60(3) of the Multiple Dwelling Law. <b>COMMUNITY BOARD #7M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 8/21/07</b>
<b>9.</b>	<b>1330-66-BZ</b>	Sheldon Lobel, P.C. <b>205 West End Avenue, MANHATTAN</b> Extension of Time for a variance, originally granted under Section 60(3) of the Multiple Dwelling Law. <b>COMMUNITY BOARD #7M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 8/21/07</b>
<b>10.</b>	<b>1332-66-BZ</b>	Sheldon Lobel, P.C. <b>185 West End Avenue, MANHATTAN</b> Extension of Term for a variance, originally granted under Section 60(3) of the Multiple Dwelling Law. <b>COMMUNITY BOARD #7M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 8/21/07</b>
<b>11.</b>	<b>247-85-BZ</b>	Francis R. Angelino, Esq. <b>40/60 West 34<sup>th</sup> Street, aka 1282/130 Broadway, MANHATTAN</b> Extension of Term/Waiver-Reopening of a special permit for a physical culture establishment located in an C5-3, C6-6(MID) zoning district. <b>COMMUNITY BOARD #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 8/7/07</b>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>12.</b>	<b>287-05-A</b>	<p>Evie Hantzopoulos <b>32-42 33<sup>rd</sup> Street, QUEENS</b> Appeal seeking to revoke the Department of Buildings’ adoption of Technical Policy and Procedure Notice #5/98 and associated permit for the installation of cellular equipment on the roof of the subject site. <b>COMMUNITY BOARD #1Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Denied – 7/24/07</b></p>
<b>13.</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: Granted – 7/24/07</b></p>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>14.</b>	<b>320-06-A</b>	<p>Rothkrug, Rothkrug and Spector <b>4368 Furman Avenue, BRONX</b> An appeal challenging the Department of Buildings’ interpretation that the Special Provisions for Party or Side Lot Line Walls (§23-49 (a) &amp; (c)) are applicable to the subject site. R5 Zoning district. <b>COMMUNITY BOARD #12BX</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 8/21/07</b></p>
<b>15.</b>	<b>96-07-A</b>	<p>Sheldon Lobel, P.C. <b>41-30/34 75<sup>th</sup> Street, QUEENS</b> Appeal challenging Department of Buildings’ determination that side setbacks per §24-551 are required. R5 zoning district. <b>COMMUNITY BOARD #4Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 8/21/07</b></p>

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<b><i>APPEALS – NEW CASES</i></b>		
<b>16.</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> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Granted – 7/24/07</b></p>
<b>17.</b>	<b>84-07-A &amp; 85-07-A</b>	<p>Law Office of Anthony J. Tucci <b>12 &amp; 14 Brook Avenue, STATEN ISLAND</b> Proposal to build two, semi- attached, one-family homes which do not front on a mapped street, contrary to Article 3, Section 36 of the General City Law and NYC Building Code Section 27-291 . R3-1 zoning district. <b>COMMUNITY BOARD #3SI</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Closed, Decision – 8/7/07</b></p>
<b>18.</b>	<b>149-07-A</b>	<p>Gary Lenhart, R.A. <b>17 Roosevelt Walk, QUEENS</b> Proposed reconstruction and enlargement of an existing single family dwelling not fronting on a mapped street, contrary to Article 3, Section 36 of the General City Law, and the proposed upgrade on an existing legal non-conforming private disposal system located partially in the bed of the service road, contrary to Building Department policy. R4 Zoning District. <b>COMMUNITY BOARD #14Q</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Granted – 7/24/07</b></p>

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TUESDAY AFTERNOON, July 24, 2007  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</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> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status:     Granted – 7/24/07</b></p>
<b>2.</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 (§23-22) 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> <b>Examiner: Jed Weiss (212) 788-8781</b> <b>Status:     Granted – 7/24/07</b></p>
<b>3.</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> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status:     Granted – 7/24/07</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>4.</b>	<b>25-06-BZ</b>	<p>Dominick Salvati and Son Architects  <b>2908 Nostrand Avenue, BROOKLYN</b>                      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 &amp; § 24-521), maximum building height (§ 23-631), front yard (§ 24-34), side yards (§ 24-35 &amp; §24-551), FAR (§ 24-11, 24-162 &amp; 23-141) and lot coverage (§ 23-141 &amp; § 24-11). R3-2 district.  <b>COMMUNITY BOARD #15BK</b>  <b>Examiner: Jed Weiss (212) 788-8781</b>  <b>Status: Continued Hearing – 9/11/07</b></p>
<b>5.</b>	<b>114-06-BZ</b>	<p>Sheldon Lobel, P.C.  <b>124 Norfolk Street, BROOKLYN</b>                      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.  <b>COMMUNITY BOARD #15BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 8/21/07</b></p>
<b>6.</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>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 10/2/07</b></p>

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<b>BZ – CONTINUED HEARINGS</b>		
<b>7.</b>	<b>319-06-BZ</b>	<p>Sheldon Lobel, P.C. <b>211/283 63<sup>rd</sup> Street, BROOKLYN</b> 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. <b>COMMUNITY BOARD #7BK</b> <b>Examiner: Jed Weiss (212) 788-8781</b> <b>Status: Continued Hearing – 8/21/07</b></p>
<b>8.</b>	<b>52-07-BZ</b>	<p>Lewis Garfinkel, R.A. <b>1576 East 27<sup>th</sup> Street, BROOKLYN</b> Special Permit (§73-622) for the enlargement of an existing one-family detached residence. This application seeks to vary open space and floor area (§23-141); perimeter wall height (§23-361) and rear yard (§23-47) in an R3-2 zoning district. <b>COMMUNITY BOARD #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 9/11/07</b></p>
<b>9.</b>	<b>71-07-BZ</b>	<p>Walter T. Gorman, P.E. <b>32-05 21<sup>st</sup> Street, QUEENS</b> Re-instatement (ZR §11-411 &amp; §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. <b>COMMUNITY BOARD #1Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 8/21/07</b></p>
<b>10.</b>	<b>99-07-BZ</b>	<p>Eric Palatnik, P.C. <b>170 Girard Street, BROOKLYN</b> 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. <b>COMMUNITY BOARD #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 8/21/07</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>11.</b>	<b>325-06-BZ</b>	<p>Eric Palatnik, P.C.  <b>100 Delancey Street, MANHATTAN</b>                      Special Permit (§73-36) to allow a proposed physical culture establishment, contrary to §32-00. C6-1 district.  <b>COMMUNITY BOARD #1M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 8/21/07</b></p>
<b>12.</b>	<b>327-06-BZ</b>	<p>Eric Palatnik, P.C.  <b>133 East 58<sup>th</sup> Street, MANHATTAN</b>                      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.  <b>COMMUNITY BOARD #5M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 8/21/07</b></p>
<b>13.</b>	<b>53-07-BZ</b>	<p>Wolf Block, Schorr &amp; Solis-Cohen, LLP  <b>1901 Eighth Avenue, BROOKLYN</b>                      Variance (§72-21) to permit the redevelopment and conversion to residential use of an existing three-story factory/warehouse. The proposal is contrary to §42-00. M1-1 district.  <b>COMMUNITY BOARD #7BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 9/11/07</b></p>
<b>14.</b>	<b>66-07-BZ</b>	<p>Eric Palatnik, P.C.  <b>3038 Atlantic Avenue, BROOKLYN</b>                      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.  <b>COMMUNITY BOARD #5BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 8/21/07</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>15.</b>	<b>98-07-BZ</b>	Eric Palatnik, P.C. <b>67 Amherst Street, BROOKLYN</b> 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. <b>COMMUNITY BOARD #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
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