

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 19, 2007
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	198-66-BZ	<p>Eric Palatnik, P.C. 300 East 74th Street, MANHATTAN Extension of Time to complete construction of modifications to size, configuration and design of an existing plaza which expired on January 19, 2006; an Extension of Time to obtain a certificate of occupancy which expired on October 19, 2006, and a waiver of Rules. C1-9 zoning district. COMMUNITY BOARD #8M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 6/19/07</p>
2.	135-67-BZ	<p>Vassalotti Associates Architects, LLP 2063/91 Ralph Avenue, BROOKLYN Extension of Term for a gasoline service station with minor auto repairs (<i>Exxon</i>) for 10 years which will expire on October 11, 2007 in an R3-2 zoning district. COMMUNITY BOARD #18BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 6/19/07</p>
3.	215-78-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 1353-1367 York Avenue, MANHATTAN Extension of Term/Waiver of Rules for an additional 10 years for a variance pursuant to Section 60(3) of the Multiple Dwelling Law, allowing surplus transient parking spaces in an attended accessory located in R10, R8B and C2-8/R10A zoning districts. COMMUNITY BOARD #8M</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 6/19/07</p>
4.	520-89-BZ	<p>Law Office of Fredrick A. Becker 65 Audubon Avenue, MANHATTAN Extension of term of a variance to permit in an R7-2 zoning district a parking lot (UG 8) for more than 5 vehicles which expired on April 18, 2005; a waiver of rules; and an extension of time to obtain a certificate of occupancy which expired on November 21, 1996. COMMUNITY BOARD#12M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 6/19/07</p>

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5.	346-98-BZ	<p>Vito J. Fossella, P.E. 3701 Amboy Road, STATEN ISLAND To reinstate an expired amendment, granted on October 12, 1999, to permit the proposed conversion an existing building, which is accessory to a gasoline service station, to a convenience store. Proposal would also eliminate the use of the lubritorium, car wash, motor adjustments and minor repairs, and relocate and increase the number of pump islands from two to four, construct a metal canopy. Proposal also seeks an extension of Time to obtain a Certificate of Occupancy and a waiver of the rules. R3-2 (South Richmond) zoning district. COMMUNITY BOARD #3SI Examiner: Henry Segovia (212) 788-8757 Status: Granted – 6/19/07</p>
6.	305-01-BZ thru 320-01-BZ	<p>Sheldon Lobel, P.C. 65-77, 79, 81, 83 through 87, 89, 91, 93, 95, 97, 99, 101, 103 Terrace Court, QUEENS Extension of Time to complete construction of a residential development which was granted on March 25, 2003. M1-1/M1-2 zoning district. COMMUNITY BOARD #5Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 6/19/07</p>
7.	37-03-BZ thru 39-03-BZ	<p>Sheldon Lobel, P.C. 65-78, 80, 82 Terrace Court, QUEENS Extension of Time to complete construction of a residential development which was granted on March 25, 2003. M1-1/M1-2 zoning district. COMMUNITY BOARD #5Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 6/19/07</p>

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8.	135-05-BZ	<p>Judith Gallent, Esq./Bryan Cave, LLP 217 West 147th Street, MANHATTAN Amendment to a variance under that allowed the residential conversion of an existing non-complying building previously used as a school (former PS 90) located in an R7-2 district. The proposed amendment would permit a 5,987 sq. ft. enlargement to the existing sixth floor. COMMUNITY BOARD#10M</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Granted – 6/19/07</p>

<i>SOC – CONTINUED HEARINGS</i>		
9.	52-55-BZ	<p>Carl A. Sulfaro, Esq. 1255 East Gun Hill Road, BRONX Amendment (§11-412) to a previously approved automotive service station with accessory uses located in a C1-2/R5 zoning district. Application seeks to permit a one-story enlargement to an existing building to be used as an accessory convenience store. COMMUNITY BOARD #12BX</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Closed, Decision – 7/17/07</p>
10.	142-70-BZ	<p>Barbara Hair, Esq. 8 St. Marks Place, MANHATTAN Amendment to a variance which allowed commercial office space (UG 6) on the cellar level of a residential building located in a R7-2 zoning district. The application seeks a change of use from office to store (UG 6). COMMUNITY BOARD#3M</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Continued Hearing – 7/17/07</p>

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<i>SOC – CONTINUED HEARINGS</i>		
11.	21-91-BZ	<p>Kenwyn A. Sandy, R.A. 2407-2417 Linden Boulevard, BROOKLYN 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. COMMUNITY BOARD #5BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 7/24/07</p>
12.	189-96-BZ	<p>John C. Chen 85-12 Roosevelt Avenue, QUEENS Extension of Term for a Special Permit (§73-244) for a UG12 eating and drinking establishment with entertainment and dancing (<i>Flamingos</i>) which will expire on May 19, 2007; and to increase the number of occupancy from 190 to 200. C2-3/R-6 zoning district. COMMUNITY BOARD #4Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 7/17/07</p>
13.	199-00-BZ	<p>John C. Chen 76-19 Roosevelt Avenue, QUEENS Extension of Term of a Special Permit (73-244) for a UG12 eating and drinking establishment (Club Atlantis) in a C2-3/R-6 zoning district which expired March 13, 2007. COMMUNITY BOARD #3Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 7/17/07</p>
14.	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: Continued Hearing – 7/24/07</p>

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<i>SOC – NEW CASES</i>		
15.	1236-27-BZ II	Eric Palatnik, P.C. 163-01 Cross Bay Boulevard, QUEENS 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. COMMUNITY BOARD #10Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 7/24/07
16.	704-59-BZ	Peter Hirshman 53 East 177th Street, BRONX 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. COMMUNITY BOARD #5BX
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 7/24/07
17.	558-71-BZ	Eric Palatnik, P.C. 1949 Richmond Avenue, STATEN ISLAND Amendment of a previous grant to permit 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
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 8/7/07
18.	81-93-BZ	Rothkrug Rothkrug & Spector, LLP 2255 Bedford Avenue, BROOKLYN Amendment of a previous grant to permit the re-establishment of residential use on the upper floors and a childcare center on the ground floor and portions of the cellar in a C8-2 district. Amendment would convert the cellar to artist studio space and portions of the first floor to residential use. COMMUNITY BOARD #17BK
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 7/17/07

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<i>APPEALS – DECISIONS</i>		
19.	28-05-A	<p>Alex Ng 7202 Ridge Boulevard, BROOKLYN Appeal seeking to challenge the Department of Building's determination that a fenced refuse area in a yard or open space does not violate the Building Code or Zoning Resolution. COMMUNITY BOARD #10BK</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Denied – 6/19/07</p>
20.	307-06-A	<p>Alec Shtromandel-FHSRI 86-18 58th Avenue, QUEENS Appeal challenging Department of Buildings determination that the subject premises does not qualify as a Community Facility under §22-13 of the Zoning Resolution. R5 Zoning District. COMMUNITY BOARD#4Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Denied – 6/19/07</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
21.	142-06-A thru 148-06-A	<p>Sheldon Lobel, P.C. 3225 & 3215 Tiemann Avenue, 1671, 1665, 1661, 1655 & 1651 Burke Avenue, THE BRONX Proposed construction of four, two-family homes and three, three-family homes located partially within the bed of an unnamed mapped street which is contrary to General City Law §35 . R5 Zoning District. COMMUNITY BOARD #12BX</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 6/19/07</p>
22.	232-06-A	<p>Rothkrug, Rothkrug & Spector, LLP 28 Sand Court, STATEN ISLAND 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. COMMUNITY BOARD #2SI</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 7/10/07</p>
23.	300-06-A	<p>Eric Palatnik, P.C. 43-17 104th Street, QUEENS Proposed construction of a four-story mixed use building which extends into the mapped street (44th Avenue), contrary to §35 of the General City Law. C2-5/R6-Bzoning district. COMMUNITY BOARD #4Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 6/19/07</p>

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APPEALS – NEW CASES		
24.	37-07-A	<p>Cozen O’Connor 56-50 through 56-56 Main Street, QUEENS 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. COMMUNITY BOARD #7Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 7/10/07</p>
25.	55-07-A	<p>Gary Lenhart, R.A. 3 Devon Walk, QUEENS Proposed reconstruction and enlargement of a single-family dwelling and the upgrade of an existing private disposal system located within the bed of mapped street (Oceanside Avenue) contrary to General City Law §35. R4 zoning district. COMMUNITY BOARD #14Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 6/19/07</p>
26.	56-07-A	<p>Gary Lenhart, R.A. 13 Bayside Roxbury, QUEENS Proposed reconstruction and enlargement of an existing single-family home and the upgrade of an existing private disposal system located within the bed of a mapped street (Bayside Drive) is contrary to General City Law §35 and Buildings Dept. Policy. R4 zoning district. COMMUNITY BOARD #14Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 6/19/07</p>
27.	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: Continued Hearing – 7/24/07</p>

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<i>BZ – DECISIONS</i>		
1.	29-06-BZ	<p>Sheldon Lobel, P.C. 1803 Voorhies Avenue, BROOKLYN Variance (§72-21) to allow a proposed multiple-family dwelling containing 14 dwelling units to violate applicable floor area, open space, lot coverage, density, height and setback, and front and side yards requirements (§23-141, §23-22, §23-45, §23-461 and §23-633). R4 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Deferred Decision – 7/17/07</p>
2.	141-06-BZ	<p>Eric Palatnik, P.C. 2084 60th Street, BROOKLYN Variance (§72-21) to permit proposed three-story synagogue, located in an R5 zoning district. The proposal is contrary to floor area and lot coverage (§24-11); front yards (§24-34); side yard (§24-35); wall height and sky exposure plane (§24-521); and parking (§25-31). COMMUNITY BOARD #12BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 6/19/07</p>
3.	314-06-BZ	<p>Eric Palatnik, P.C. 2565 East 17th Street, BROOKLYN Special Permit (§73-36) to permit the proposed physical culture establishment at the cellar level of the proposed structure. COMMUNITY BOARD #15BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 6/19/07</p>
4.	15-07-BZ	<p>Law Office of Slater & Beckerman, LLP 199 Mt. Eden Parkway, BRONX Variance (§72-21) to allow a new nine-story hospital building (UG 4) for <i>Bronx Lebanon Hospital</i> that exceeds floor area ratio (§4-11), lot coverage (§24-11) and height and setback (§24-522) regulations. R8 district. COMMUNITY BOARD #4BX</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 6/19/07</p>

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<i>BZ – DECISIONS</i>		
5.	57-07-BZ	<p>Omnipoint Communications, Inc. 636 Howard Avenue, STATEN ISLAND Special Permit (§73-30) for a non-accessory radio tower, which is a public utility wireless communications facility and will consist of a 80-foot tower, together with antennas (and stadium flood-lights), in an R3-1 zoning district. COMMUNITY BOARD # 1SI</p> <hr/> <p>Examiner: Roy Starrin (212) 788-8797</p> <hr/> <p>Status: Granted – 6/19/07</p>
6.	75-07-BZ	<p>Law Office of Slater & Beckerman, LLP 174 Hudson Street, MANHATTAN Special Permit (§73-36) for a physical culture establishment (<i>Cadence New York</i>) on the cellar and first floor of a six-story building, located within an M1-5 zoning district within the Special Tribeca Mixed Use District (Area B1), and the Tribeca North Historic District. COMMUNITY BOARD #1M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 6/19/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
7.	154-05-BZ	<p>Kenneth K. Lowenstein 520-528 Broome Street and 530-532 Broome Street/55 Sullivan Street, MANHATTAN Variance (§72-21) to permit the construction of a nine-story mixed-use building which will contain 51 residential units, ground retail uses and a 280-space public parking garage, located in an M1-5B zoning district. The proposal is contrary to use (§42-10), bulk (§42-13), and parking (§13-12). COMMUNITY BOARD #2M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 8/14/07</p>
8.	183-05-BZ	<p>Joseph Morsellino, Esq. 25-09 38th Avenue, QUEENS Variance (§72-21) to allow the residential redevelopment and enlargement of an existing two-story commercial building. The proposed multiple dwelling building will contain six floors, ground floor commercial space, 20 dwelling units and 10 accessory parking spaces are proposed. The proposal is contrary to use regulations (§42-00). M1-3D district. COMMUNITY BOARD #1Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Withdrawn – 6/19/07</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> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 7/24/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
10.	83-06-BZ	<p>Eric Palatnik, P.C. 47-33 Fifth Street, QUEENS Variance (§72-21) to allow the conversion and two-story enlargement of an existing four-story industrial building. The proposed building will contain ground floor retail use, and 14 dwelling units and would exceed the maximum FAR (§123-64(a)) and applicable height and setback requirements (§123-662). The project site is located within the Hunters Point Subdistrict of the Special Long Island City Mixed Use District and is zoned M1-4/R6A(LIC). COMMUNITY BOARD #2Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 10/2/07</p>
11.	163-06-BZ	<p>Sheldon Lobel, P.C. 72-36 and 72-38 43rd Avenue, QUEENS Variance (§72-21) to permit the proposed construction of two, three-story, three-family buildings, contrary to open space ratio (§23-141c), front yard (§23-45), side yards (§23-462), and off-street parking (§25-22). R5 zoning district. COMMUNITY BOARD#4Q</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Closed, Decision – 7/17/07</p>
12.	286-06-BZ	<p>Eric Palatnik, P.C. 1847 60th Street, BROOKLYN Variance (§72-21) to permit a two-story addition to the rear of a three-story structure for a UG 4, contrary to floor area (§24-162a), side yards (§24-35), and number of stories (§24-33). R5 (Borough Park) zoning district. COMMUNITY BOARD #12BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 8/7/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
13.	308-06-BZ	<p>Eric Palatnik, P.C. 1458-1460 East 26th Street, BROOKLYN Special Permit (§73-622) for the enlargement of two semi-attached single family homes to be converted to a detached single family-home, contrary to open space and floor area (§23-141(a)) and rear yard (§23-47) in an R2 zoning district. COMMUNITY BOARD#14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 7/17/07</p>
14.	315-06-BZ	<p>Eric Palatnik, P.C. 1739 Ocean Avenue, BROOKLYN Variance (§72-21) to permit a three-story pre-school and accessory synagogue, contrary to Lot Coverage (§24-11), Front Yard (§24-34), Side Yard (§24-35), Rear Yard (§24-36), and Height & Setback (§24-521). R5B and R2 zoning districts. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 8/7/07</p>

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<i>BZ – NEW CASES</i>		
15.	215-06-BZ	Vassalotti Associates Architects, LLP 202-06 Hillside Avenue, QUEENS Special Permit (§11-411) for the re-establishment and extension of term for an existing gasoline service station, which has been in continuous operation since 1955. C1-2/R2 zoning district. COMMUNITY BOARD #12Q
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 7/17/07
16.	319-06-BZ	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: Continued Hearing – 7/24/07
17.	71-07-BZ	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 – 7/24/07
18.	97-07-BZ	The Law Office of Fredrick A. Becker 80-16 Cooper Avenue, QUEENS Special Permit (§73-36) to legalize the operation of a physical culture establishment on the second floor of a two-story commercial building, contrary to the use regulations of §32-00. M1-1 zoning district. COMMUNITY BOARD #5Q
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 7/17/07

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, June 19, 2007

1:30 P.M.

<i>BZ – NEW CASES</i>		
19.	101-07-BZ	<p>Harold Weinberg, P.E. 2306 Avenue M, BROOKLYN Special Permit (§73-622) for the enlargement of an existing single-family detached residence. This application seeks to vary open space and floor area (§23-141) and side yard (§23-461) in an R-2 zoning district. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 7/17/07</p>
20.	104-07-BZ	<p>Lewis E. Garfinkel, R.A. 1243 East 29th 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)); side yard (§23-461) and rear yard (§23-47) in an R-2 zoning district. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 7/17/07</p>

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