

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 5, 2007
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	592-71-BZ	<p>Vito J. Fossella, P.E. 1010 Forest Avenue, STATEN ISLAND Extension of term of a previously granted variance for the operation of (UG6) professional office building in an R3-2 & R-2 zoning district which expired on February 15, 2007; and extension of time to obtain a certificate of occupancy. COMMUNITY BOARD #3SI</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 6/5/07</p>
2.	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</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Granted – 6/5/07</p>
3.	90-95-BZ	<p>Barbara Hair, Esq., Cozen O’Connor 641 6th Avenue, MANHATTAN Extension of Term and Waiver of the rules for a Special Permit (ZR 73-36) to allow a Physical Cultural Establishment (<i>Bally's</i>) in a C6-3A/C6-2A zoning district which expired on December 5, 2005. COMMUNITY BOARD #4M</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 6/5/07</p>
4.	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 sf. ft. enlargement to the existing sixth floor. COMMUNITY BOARD#10M</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Deferred Decision – 6/19/07</p>

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SOC – CONTINUED HEARINGS		
5.	741-49-BZ	<p>Carl A. Sulfaro, Esq. 241-15 Hillside Avenue, QUEENS Z.R. §11-411 and §11-412 to extend the term of a variance for a gasoline service station with accessory uses for 10 year period from September 23, 2005 and an amendment to permit a portion of the building to be used as an accessory convenience store and to permit a metal canopy and new fuel pump. R-2 zoning district. COMMUNITY BOARD #13Q</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Closed, Decision – 7/17/07</p>
6.	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> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 6/19/07</p>
7.	133-94-BZ	<p>Alfonso Duarte 166-11 Northern Boulevard, QUEENS 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. COMMUNITY BOARD #7Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 7/10/07</p>

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8.	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</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 6/19/07</p>

<i>SOC – NEW CASES</i>		
9.	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 style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 6/19/07</p>
10.	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 style="color: green;">Examiner: Carlo Costanza (212) 788-8739</p> <p style="color: red;">Status: Closed, Decision – 6/19/07</p>

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<i>SOC – NEW CASES</i>		
11.	139-92-BZ	<p>Samuel H. Valencia 52-15 Roosevelt Avenue, QUEENS Extension of Term for a UG12 eating and drinking establishment with dancing located on the first floor of a three story, mixed use building with residences on the upper floors in a C2-2/R-6 zoning district. COMMUNITY BOARD #2Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 7/17/07</p>
12.	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</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 6/19/07</p>
13.	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</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 6/19/07</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
14.	287-05-A	<p>Evie Hantzopoulos, Astoria Neighborhood Coalition 32-42 33rd Street, QUEENS 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. COMMUNITY BOARD #1Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 7/17/07</p>

<i>APPEALS – NEW CASES</i>		
15.	170-06-A & 171-06-A	<p>Adam Rothkrug, Esq. 3546 and 3548 Ely Avenue, BRONX 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. COMMUNITY BOARD #12BX</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 7/10/07</p>
16.	173-06-A	<p>Adam Rothkrug, Esq. 240-28 128th Avenue, QUEENS Proposed construction of a single family home to be located within the bed of mapped street (Hook Creek Boulevard) contrary to §35 of the General City Law. R2 Zoning District. COMMUNITY BOARD #13Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 6/5/07</p>
17.	320-06-A	<p>Rothkrug, Rothkrug and Spector 4368 Furman Avenue, BRONX An appeal challenging the Department of Buildings’ interpretation that the Special Provisions for Party or Side Lot Line Walls (§23-49 (a) & (c)) are applicable to the subject site. R5 Zoning district. COMMUNITY BOARD #12BX</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 7/24/07</p>

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<i>BZ – DECISIONS</i>		
1.	100-06-BZ	<p>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</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 6/5/07</p>
2.	119-06-BZ	<p>Harold Weinberg, P.E. 444 Avenue W, BROOKLYN Special Permit (§73-622) for the enlargement of an existing two-family home. This application seeks to vary open space, lot coverage and floor area (§23-141) and side yard (§23-461) in an R4 (Ocean Parkway) zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 6/5/07</p>
3.	216-06-BZ	<p>Sheldon Lobel, P.C. 35-17 Junction Boulevard, QUEENS Special Permit (§11-411 & §11-412) for the re-establishment and extension of term for an existing automotive service station, which has been in continuous operation since 1961 and legalization of certain minor amendments to previously approved plans. C1-4/R6-A zoning district. COMMUNITY BOARD #4Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 6/5/07</p>

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<i>BZ – DECISIONS</i>		
4.	265-06-BZ	<p>Sheldon Lobel, P.C. 141-48 33rd Avenue, QUEENS Variance (§72-21) to allow accessory use to UG 2 multiple dwellings on an R2 portion of a zoning lot split by district boundaries (R2 and R6); R6 portion of the lot will be developed with an as-of-right multiple dwelling and house of worship; contrary to use regulations (§22-00 and §22-12). COMMUNITY BOARD #7Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 6/5/07</p>
5.	321-06-BZ	<p>The Law Office of Fredrick A. Becker 315 West 57th Street, MANHATTAN Special Permit (§73-36) to allow the operation of a physical culture establishment in a portion of the first floor of a multi-story mixed use building. COMMUNITY BOARD #4M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 6/5/07</p>
6.	13-07-BZ	<p>Jesse Masyr, Wachtel & Masyr, LLP 1120 East New York Avenue, BROOKLYN Application (§11-413) to change the use on the project site from parking and storage of motor vehicles and auto rental (UG 8) to accessory off-street parking (UG 6) for an adjacent drug store. R6 zoning district. COMMUNITY BOARD # 17BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 6/5/07</p>

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<i>BZ – DECISIONS</i>		
7.	42-07-BZ	<p>Moshe M. Friedman, P.E 203 Avenue F, BROOKLYN Variance (§72-21) to permit the proposed conversion and extension of an existing synagogue. The proposal is requesting waivers of open space and lot coverage (§113-11 and §23-141c) and side yards (§113-11 and §23-462a). The Premises is located in an R5 zoning district (Ocean Parkway Special District). COMMUNITY BOARD #12BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 6/5/07</p>

<i>BZ – CONTINUED HEARINGS</i>		
8.	23-06-BZ	<p>Sheldon Lobel, P.C. 150-62 78th Road, QUEENS 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). COMMUNITY BOARD #8Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/10/07</p>
9.	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>Examiner: Rory Levy 212-788-8749/Toni Matias 212-788-8752</p> <p>Status: Closed, Decision – 7/10/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
10.	262-06-BZ & 59-07-A	<p>Law Offices of Howard Goldman, LLC 71-13 60th Lane, QUEENS Variance (§72-21) to allow the residential conversion of an existing four-story industrial building. The proposed project would include 55 dwelling units and 27 accessory parking spaces and is contrary to requirements for minimum distance between legally required windows and walls or lot lines (§23-861). R6B zoning district. COMMUNITY BOARD #5Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 7/17/07</p>
11.	264-06-BZ	<p>Law Office of Fredrick A. Becker 1632 East 28th 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)); lot coverage (§23-141(b)); 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: Continued Hearing – 7/10/07</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> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 6/19/07</p>
13.	306-06-BZ	<p>Sheldon Lobel, P.C. 50 Lawrence Avenue, BROOKLYN 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). COMMUNITY BOARD #14BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/24/07</p>

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<i>BZ – NEW CASES</i>		
14.	39-06-BZ	Moshe M. Friedman, P.E. 245 Varet Street, BROOKLYN Variance (§72-21) to allow the legalization of two dwelling units (UG 2) in an existing three-story industrial building. Ground floor would be retained as manufacturing space (UG17d). M1-2 district. COMMUNITY BOARD #1BK
		Examiner: Jed Weiss (212) 788-8781
		Status: Continued Hearing – 7/17/07
15.	227-06-BZ	Eric Palatnik, P.C. 2066 Richmond Avenue, STATEN ISLAND Variance (§72-21) to allow a two-story commercial office building (UG6) contrary to use regulations (§ 22-00). R3-2 district. COMMUNITY BOARD #2SI
		Examiner: Jed Weiss (212) 788-8781
		Status: Continued Hearing – 8/7/07
16.	15-07-BZ	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
		Examiner: Jed Weiss (212) 788-8781
		Status: Closed, Decision – 6/19/07
17.	52-07-BZ	Lewis Garfinkel, R.A. 1576 East 27th Street, BROOKLYN 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. COMMUNITY BOARD #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 7/24/07

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<i>BZ – NEW CASES</i>		
18.	75-07-BZ	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
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 6/19/07

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