

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, May 8, 2007  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>72-96-BZ</b>	<p>Law Office of Fredrick A. Becker <b>30 Wall Street, MANHATTAN</b> Extension of Term and amendment re. hours of operation for a physical culture establishment located on portions of the cellar, first floor, mezzanine, second and third floors of a 12-story commercial building located in a C5-5 (LM) zoning district. <b>COMMUNITY BOARD #1M</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 5/8/07</b></p>
<b>2.</b>	<b>10-01-BZ</b>	<p>Sheldon Lobel, P.C. <b>85-28/34 Rockaway Boulevard, QUEENS</b> Extension of time to complete construction and a waiver of the rules for a proposed one story building to be used as four retail stores (Use Group 6) in an R5 district, which expired July 10, 2005. <b>COMMUNITY BOARD #9Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 5/8/07</b></p>
<b>3.</b>	<b>44-06-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector <b>150-24 18<sup>th</sup> Avenue, QUEENS</b> Rehearing of a previously granted variance (§72-21) for the vertical enlargement of an existing single family home. Rehearing will permit proper notification of affected property owners and public officials. R3A zoning district. <b>COMMUNITY BOARD #7Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 5/8/07</b></p>

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>4.</b>	<b>258-90-BZ, III</b>	<p>Sheldon Lobel, P.C. <b>2337 Coney Island Avenue, BROOKLYN</b> Extension of time to obtain a certificate of occupancy for the operation of a restaurant and banquet hall (UG9) in an R5 zoning district which expired on December 7, 2006. <b>COMMUNITY BOARD #15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 5/22/07</b></p>
<b>5.</b>	<b>8-01-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector <b>352 Clifton Avenue, STATEN ISLAND</b> 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. <b>COMMUNITY BOARD #1SI</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 5/22/07</b></p>

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<i><b>SOC – NEW CASES</b></i>		
<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: Continued Hearing – 5/22/07</b></p>
<b>7.</b>	<b>118-95-BZ</b>	<p>Windels Marx Lane &amp; Mittendorf, LLP <b>89-03 57<sup>th</sup> Avenue, QUEENS</b> Extension of Term of a Special Permit for an accessory drive-through facility, located in an C1-2/R7B zoning district, in conjunction with an eating and drinking establishment (UG6/<i>White Castle</i>) which expired on July 25, 2006; Extension of Time to obtain a Certificate of Occupancy which expired on June 11, 2002, and a waiver of the rules. <b>COMMUNITY BOARD #4Q</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 5/22/07</b></p>
<b>8.</b>	<b>201-02-BZ</b>	<p>Eric Palatnik, P.C. <b>6778 Hylan Boulevard, STATEN ISLAND</b> Extension of Time to complete construction and to obtain a Certificate of Occupancy for previously granted variance to permit construction of a new automotive service station with an accessory convenience store (UG16B) in an R3X/C1-1 zoning district, and a waiver of the rules. <b>COMMUNITY BOARD #3SI</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 5/22/07</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>9.</b>	<b>217-06-A</b>	<p>Eric Palatnik, P.C. <b>40-54 Francis Lewis Boulevard, QUEENS</b> Proposed construction of a daycare center which extends into the bed of a mapped street (Francis Lewis Blvd) contrary to General City Law, Section 35. R3-2 zoning district. <b>COMMUNITY BOARD#11Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 5/8/07</b></p>
<b>10.</b>	<b>17-07-BZY thru 19-07-BZY</b>	<p>Sheldon Lobel, P.C. <b>421 West 250<sup>th</sup> Street and 5000/5020 Iselin Avenue, BRONX</b> Extension of Time (§11-332) to complete construction of a minor development commenced under the zoning district regulations in effect as of October, 2004. R1-2 /NA-2 zoning district. <b>COMMUNITY BOARD #8BX</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 5/8/07</b></p>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>11.</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: Continued Hearing – 6/19/07</b></p>
<b>12.</b>	<b>300-06-A</b>	<p>Eric Palatnik, P.C. <b>43-17 104<sup>th</sup> Street, QUEENS</b> 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. <b>COMMUNITY BOARD #4Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 6/19/07</b></p>

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<b><i>APPEALS – NEW CASES</i></b>		
<b>13.</b>	<b>28-05-A</b>	<p>Alex Ng <b>7202 Ridge Boulevard, BROOKLYN</b> 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. <b>COMMUNITY BOARD #10BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 6/19/07</b></p>
<b>14.</b>	<b>317-06-A</b>	<p>John Dydland <b>180<sup>th</sup> Street and 106<sup>th</sup> Road, QUEENS</b> Proposed construction of a Groundwater Remediation System (Station 24) for the NYC Department of Environmental Protection which is located in the bed of mapped street (109th Avenue), contrary to General City Law, Section 35. R3X Zoning District. <b>COMMUNITY BOARD #12Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 5/22/07</b></p>
<b>15.</b>	<b>320-06-A</b>	<p>Rothkrug, Rothkrug and Spector <b>4368 Furman Avenue, BRONX</b> An appeal challenging Department of Building's determination that the proposal must comply with the Special Provisions for Party or Side Lot Line Walls (Section 23-49 (a) &amp; (c)). R5 Zoning district. <b>COMMUNITY BOARD #12BX</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Adjourned Hearing – 6/5/07</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, May 8, 2007  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>49-06-BZ</b>	<p>Sheldon Lobel, P.C. <b>2041 Flatbush Avenue, BROOKLYN</b> 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. <b>COMMUNITY BOARD # 18BK</b></p> <p><b>Examiner: Roy Starrin (212) 788-8797</b></p> <p><b>Status: Granted – 5/8/07</b></p>
<b>2.</b>	<b>79-06-BZ</b>	<p>Patrick W. Jones, P.C. <b>887 Bergen Street, BROOKLYN</b> Variance (§72-21) to permit the construction of a five-story residential building on a vacant site located in an M1-1 zoning district. The proposal is contrary to §42-00. <b>COMMUNITY BOARD #8BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted – 5/8/07</b></p>
<b>3.</b>	<b>136-06-BZ</b>	<p>Kenneth Fisher, Wolf Block, LLP <b>11-15 Old Fulton Street, BROOKLYN</b> Variance (§72-21) to allow the residential conversion and one-story enlargement of existing three- and four-story buildings. The project would include ground floor retail space and 23 dwelling units and is contrary to use (§42-00), FAR (§43-12), and rear yard (§43-26 and §43-27) regulations. M2-1 zoning district. <b>COMMUNITY BOARD #2BK</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Granted – 5/8/07</b></p>
<b>4.</b>	<b>278-06-BZ</b>	<p>Law Offices of Howard Goldman, LLC <b>871 Bergen Street, BROOKLYN</b> Variance (§72-21) to permit a four-story residential building on a vacant lot in an M1-1/R6 zoning district. The proposal is contrary to Section 42-00. <b>COMMUNITY BOARD#8BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Deferred Decision – 5/15/07</b></p>

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<b><i>BZ – DECISIONS</i></b>		
<b>5.</b>	<b>14-07-BZ</b>	<p>Ivan Khoury, Esq. <b>152 Franklin Street, MANHATTAN</b> Special Permit (§73-36) to legalize a physical culture establishment located in an M1-5 zoning district (Tribeca West Historic District). <b>COMMUNITY BOARD #1M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status:     Granted – 5/8/07</b></p>
<b>6.</b>	<b>41-07-BZ</b>	<p>Ellen Hay, Wachtel &amp; Masyr, LLP <b>450 West 17<sup>th</sup> Street, MANHATTAN</b> Special Permit (§73-36) for a physical culture establishment (<i>Equinox</i>) on the cellar, ground, and mezzanine levels of a 24-story residential building currently under construction. C6-3 zoning district/ Special West Chelsea District. <b>COMMUNITY BOARD #4M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status:     Granted – 5/8/07</b></p>
<b>7.</b>	<b>44-07-BZ</b>	<p>Francis R. Angelino, Esq. <b>171-173 East 83<sup>rd</sup> Street, MANHATTAN</b> Special Permit (§73-36) to legalize a physical culture establishment on a portion of the second floor in a six-story mixed-use building. C1-9 zoning district. <b>COMMUNITY BOARD #8M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status:     Granted – 5/8/07</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>8.</b>	<b>302-05-BZ</b>	<p>Sheldon Lobel, P.C. <b>262-276 Atlantic Avenue, BROOKLYN</b> Variance (§72-21) to allow a transient hotel (UG 5) in an R6A/C2-4 (DB) zoning district. Proposal is contrary to §§32-14 (use), 33-121 (FAR), 101-721 and 101-41(b) (street wall height), 101-351 (curb cut), and 35-24 (setback). <b>COMMUNITY BOARD #2BK</b></p> <hr/> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <hr/> <p><b>Status: Withdrawn – 5/8/07</b></p>
<b>9.</b>	<b>65-06-BZ</b>	<p>Eric Palatnik, P.C. <b>72-45 43<sup>rd</sup> Avenue, QUEENS</b> Variance (§72-21) to allow a proposed three-unit residential building, contrary to front yard (§23-45(a)) and side yard requirements (§23-462(a)). R5 district. <b>COMMUNITY BOARD #4Q</b></p> <hr/> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <hr/> <p><b>Status: Continued Hearing – 5/22/07</b></p>
<b>10.</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></p> <hr/> <p><b>Examiner: Rory Levy 212-788-8749 / Toni Matias 212-788-8752</b></p> <hr/> <p><b>Status: Continued Hearing – 6/5/07</b></p>

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<b>11.</b>	<b>156-06-BZ</b>	<p>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></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 7/10/07</b></p>
<b>12.</b>	<b>163-06-BZ</b>	<p>Sheldon Lobel, P.C. <b>72-36 and 72-38 43<sup>rd</sup> Avenue, QUEENS</b> 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. <b>COMMUNITY BOARD#4Q</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 6/19/07</b></p>
<b>13.</b>	<b>253-06-BZ</b>	<p>Law Office of Fredrick A. Becker <b>2243 Homecrest Avenue, BROOKLYN</b> Special Permit (§73-622) for the enlargement of a single family residence, contrary to side yard (§23-461) and rear yard (§23-47) regulations, in an R4 zoning district. <b>COMMUNITY BOARD #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 5/22/07</b></p>
<b>14.</b>	<b>301-06-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP <b>148 Fountain Avenue, BROOKLYN</b> Variance (§72-21) for the construction of a two-family dwelling, contrary to the regulations for side yards (§23-49) in an R5 zoning district. <b>COMMUNITY BOARD #5BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/12/07</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>15.</b>	<b>302-06-BZ</b>	<p>Harold Weinberg, P.E. <b>1791 Ocean Parkway, BROOKLYN</b> Variance (§72-21) to permit the enlargement of the existing community facility, contrary to FAR, yard and height and setback regulations. The premise is located in a R6 zoning district (Ocean Parkway Special District). <b>COMMUNITY BOARD #15BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 6/12/07</b></p>
<b>16.</b>	<b>13-07-BZ</b>	<p>Jesse Masyr, Wachtel &amp; Masyr, LLP <b>1120 East New York Avenue, BROOKLYN</b> 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. <b>COMMUNITY BOARD # 17BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Closed, Decision – 6/5/07</b></p>
<b>17.</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: Continued Hearing – 6/12/07</b></p>
<b>18.</b>	<b>42-07-BZ</b>	<p>Moshe M. Friedman, P.E <b>203 Avenue F, BROOKLYN</b> 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). <b>COMMUNITY BOARD #12BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 6/5/07</b></p>

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

**REGULAR MEETING**

**TUESDAY AFTERNOON, May 8, 2007**

**1:30 P.M.**

<b><i>BZ – NEW CASES</i></b>		
<b>19.</b>	<b>54-07-BZ</b>	Robert Akerman, Esq. <b>1776 East 26<sup>th</sup> Street, BROOKLYN</b> Special Permit (§73-622) for the enlargement of an existing single-family home, contrary to floor area, lot coverage and open space (§23-141), side yard (§23-461), 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 – 6/12/07</b>

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