

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, November 20, 2007
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	196-58-BZ	<p>Sheldon Lobel, P.C. 2590 Bailey Avenue, Bronx 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. Community Board #7BX</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 11/20/07</p>
2.	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> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 11/20/07</p>
3.	189-99-BZ	<p>Kenneth H. Koons 460 Quincy Avenue, Bronx Extension of Term for a variance (expired on November 14, 2005) which permitted a UG6 grocery store (Nana Food Center) in an R3-A zoning district; Extension of Time to obtain a Certificate of Occupancy which expired on February 3, 2004; and an amendment to legalize the increase in signage and a waiver of the rules. Community Board #10BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 11/20/07</p>
4.	8-05-BZ	<p>NYC Board of Standards and Appeals Applicant: Sheldon Lobel, P.C. 85-15 Queens Boulevard, Queens To consider dismissal for lack of prosecution – proposed use, bulk and parking variance to allow a 17-story mixed-use building in R6/C1-2 and R5 zoning districts. Community Board #4Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Withdrawn – 11/20/07</p>

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<i>SOC – CONTINUED HEARINGS</i>		
5.	997-84-BZ	<p>Stadtmauer Bailkin, LLP 800 Union Street, Brooklyn Extension of Term/Amendment/Waiver for a special permit which expired on September 10, 2005, to legalize an increase in the number of parking spaces from 149 to 288 in an R6A district. Community Board #6BK</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Closed, Decision – 12/4/07</p>
6.	223-90-A	<p>Rothkrug, Rothkrug & Spector, LLP 114 Kreischer Street, Staten Island Amendment of a previous grant under General City Law Section 36 to remove a condition requiring a Corporation Counsel opinion of dedication for Kresicher Street and approval for the enlargement of the site and building prior to issuance of permanent Certificate of Occupancy. M1-1 Zoning district. Community Board #2SI</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 12/4/07</p>
7.	175-95-BZ	<p>H. Irving Sigman 205-35 Linden Boulevard, Queens Extension of Term/Amendment/Waiver to permit at the first floor level the extension of an existing banquet hall/catering establishment (UG9) located in a C1-2/R3-2 zoning district. Community Board #12Q</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Closed, Decision – 12/11/07</p>
8.	293-06-BZ	<p>NYC Board of Standards and Appeals Applicant: Rothkrug, Rothkrug & Spector, LLP 54-07 254th Street, Queens To consider dismissal for lack of prosecution – Variance (§72-21) for the enlargement of an existing one-family dwelling, contrary to floor area (§23-145) and open space (§23-141) regulations in an R1-2 zoning district. Community Board #11Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Withdrawn – 11/20/07, then Public Hearing – 1/8/08</p>

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SOC – CONTINUED HEARINGS

9.	299-06-BZ	NYC Board of Standards and Appeals Applicant: Marvin Mitzner, Blank & Rome 1976 Crotona Parkway, Bronx To consider dismissal for lack of prosecution – Variance (§72-21) to legalize a public parking facility, contrary to use regulations (§22-10). R7-1 district. Community Board #6BX
		Examiner: Jed Weiss (212) 788-8781
		Status: Closed, Decision – 12/11/07

SOC – NEW CASES

10.	146-59-BZ	Larry Dean Merritt 686-88 Gerard Avenue, Bronx Extension of Term (§11-411) of a previously granted variance for the operation of a parking lot (UG8) which expired on May 6, 2007 in an R8 zoning district. Community Board #
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 1/15/08

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APPEALS – CONTINUED HEARINGS

11.	147-07-BZY	Cozen O'Connor Attorneys 144 North 8th Street, Brooklyn
		Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 (M1-2) district regulations. R6B Zoning District. Community Board #1BK
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 12/11/07

APPEALS – NEW CASES

12.	64-07-A	Stuart A. Klein, Esq. 1704 Avenue N, a/k/a 1702-04 – 1411-1421 East 17th Street, Brooklyn
		An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the prior R6 zoning district. R4-1 zoning district. Community Board #14BK
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 1/15/08
13.	140-07-A	Rothkrug Rothkrug & Spector, LLP 607 Bayside Drive, Queens
		Appeal seeking to reverse the Department of Building's decision to revoke permits and approvals for a one-family home. R4 Zoning district. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Adjourned, Public Hearing – 1/15/08

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	59-06-BZ	<p>Carl A. Sulfaro, Esq. 1006 East 233rd Street, Bronx Variance (§72-21) to allow a one-store retail building (UG 6) with 13 unenclosed accessory parking spaces contrary to use regulations (§22-00); R4 district. Community Board #12BX</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Withdrawn – 11/20/07</p>
2.	16-07-BZ	<p>Juan D. Reyes, III 2614 Halperin Avenue, Bronx Special Permit (§73-44) to permit a reduction in required parking for a Use Group 4A ambulatory and diagnostic treatment center located in M1-1 and C1-2 (R2) zoning districts. Community Board #10BX</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Hearing – 12/11/07</p>
3.	53-07-BZ	<p>Wolf Block, Schorr & Solis-Cohen, LLP 1901 Eighth Avenue, Brooklyn 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. Community Board #7BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Deferred Decision – 1/15/08</p>
4.	110-07-BZ	<p>Sheldon Lobel, P.C. 53 Crosby Street, Manhattan Special Permit (§73-63) to allow the enlargement of a non-residential building (Joint living-work quarters for artists). M1-5B district. Community Board #2M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Closed, Decision – 12/4/07</p>

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<i>BZ – DECISIONS</i>		
5.	144-07-BZ	Sheldon Lobel, P.C. 3810 Bedford Avenue, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area, open space and lot coverage, (§23-141) and side yards (§23-461) in an R3-2 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 11/20/07
6.	146-07-BZ	Slater & Beckerman, LLP 439 East 77th Street, Manhattan Application filed pursuant to §§11-411 & 11-412 for the structural alteration and enlargement of a pre-existing nonconforming two-story public parking garage (UG 8), which would increase the capacity from 96 cars to 147 cars. R8B zoning district. Community Board #8M
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 11/20/07
7.	175-07-BZ	Stadtmauer Bailkin, LLP 90 West 225th Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment in a two-story and cellar retail building. The proposal is contrary to §42-00. M1-1 district. Community Board #7M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 11/20/07
8.	180-07-BZ	Sheldon Lobel, P.C. 47 West 13th Street, Manhattan Special Permit (§73-36) to allow the legalization of a physical culture establishment on a portion of the first floor and cellar of a nine-story mixed-use building. The proposal is contrary to section 32-10. C6-2/C6-2M districts. Community Board #2M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 11/20/07

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<i>BZ – CONTINUED HEARINGS</i>		
9.	342-05-BZ & 343-05-BZ	<p>Gerald J. Caliendo, R.A., AIA 1 – 6 Maya Drive, Bronx Zoning variance (§72-21) to allow six three-family buildings (18 units) and six accessory parking spaces; contrary to regulations for use (§22-12), FAR (§23-141), lot coverage (§23-141), number of dwelling units (§23-22), building height (§23-631), side yards (§23-461), minimum number of accessory parking spaces (§25-23), and special requirements for developments with private roads (§26-21). R4A district. Community Board #8BX</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Closed, Decision – 1/29/08</p>
10.	426-05-BZ	<p>Sheldon Lobel, P.C. 57-02/08 39th Avenue and 39-02 58th Street, Queens Variance (§72-21) to allow a two-level enlargement of an existing one-story commercial building contrary to FAR regulations (§43-12). M1-1 district. Community Board #2Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Closed, Decision – 12/11/07</p>
11.	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> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 1/8/08</p>

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12.	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> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 12/11/07</p>
13.	33-07-BZ	<p>Rothkrug Rothkrug & Spector, LLP 25 Carroll Street, Brooklyn Variance (§72-21) to permit the conversion of the upper four floors of an existing five-story manufacturing building for residential use in a M1-1 zoning district. The proposal is contrary to Section 42-00. Community Board #6BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 12/11/07</p>
14.	58-07-BZ	<p>Rex Carner c/o Carner Associates 18-02 Clintonville Street, Queens Variance (§72-21) to permit a new two-family dwelling on a vacant lot. The Premises is located in an R3A zoning district and is contrary to lot area (§23-32), residential FAR (§23-141), and parking (§25-21). Community Board #7Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 12/4/07</p>
15.	135-07-BZ	<p>Lewis E. Garfinkel, R.A. 920 East 24th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area and open space (§23-141(a)); required side yards (§23-461) and required rear yard (§23-47). R-2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 12/11/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
16.	136-07-BZ	<p>Lewis E. Garfinkel, R.A. 1275 East 23rd Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area and open space (§23-141(a)); side yards (§23-461) and rear yard (§23-47). R-2 zoning district. Community Board #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 12/11/07</p>
17.	151-07-BZ	<p>Harold Weinberg, P.E. 1133 83rd Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area, lot coverage, open space (§23-141) and rear yard (§23-47) in an R3-1 zoning district. Community Board #10BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 12/11/07</p>
18.	176-07-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 50-34 69th Street, Queens Variance (§72-21) to permit the alteration and enlargement of an existing one-story single family home for commercial use. The proposal is contrary to §22-12 (use), §23-45(a) (front yard), and §23-461(a) (side yard). R4 zoning district. Community Board #2Q</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Adjourned, Continued Hearing – 1/8/08</p>

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<i>BZ – NEW CASES</i>		
19.	68-07-BZ	Jeffrey A. Chester 102-48 65th Road, Queens Variance (§72-21) to permit a community facility (synagogue), contrary to front (§24-34) and side yard (§24-35) requirements. R5 zoning district. Community Board #6Q
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 1/8/08
20.	111-07-BZ	Harold Weinberg, P.E. 155 Norfolk Street, Brooklyn Special Permit (§73-622) for the enlargement (including legalization) to a single family home. This application seeks to vary lot coverage, open space and floor area (§23-141) and side yard (§23-461) regulations in an R3-1 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 1/15/08
21.	173-07-BZ	Sheldon Lobel, P.C. 1061 East 21st Street, Brooklyn Special Permit (§73-622) for the enlargement to a single family residence. This application seeks to vary floor area and open space ratio (§23-141(a)); side yard (§23-461(a)) and rear yard (§23-47) regulations in an R-2 zoning district. Community Board #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 1/8/08
22.	181-07-BZ	Omnipoint Communications Inc. 72-18 Amstel Boulevard, Queens Special Permit (§73-30) for a proposed 20-foot extension to an existing 50-foot non-accessory radio tower and related equipment. Community Board #14Q
		Examiner: Roy Starrin (212) 788-8797
		Status: Closed, Decision – 12/11/07

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