

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, October 2, 2007

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	671-56-BZ II	<p>Walter T. Gorman, P.E. 1249-1265 Sutter Avenue, BROOKLYN Amendment to a previously granted variance to convert the existing service bays to an accessory convenience store, an area previously approved for a new bay to a mechanical room and to legalize (§11-412) a UG6 eating and drinking establishment (<i>Texas Chicken</i>); Extension of Time to complete construction and obtain a Certificate of Occupancy, and a Waiver of the Rules. C1-2/R-5 zoning district. COMMUNITY BOARD #5BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 10/2/07</p>

<i>SOC – CONTINUED HEARINGS</i>		
2.	214-96-BZ	<p>Rampulla Associates Architects 2819 Hylan Boulevard, STATEN ISLAND Extension of Term of a previously granted variance (expires on April 7, 2008) to permit in an R3-1 zoning district a UG7 (<i>Colonial Funeral Home</i>) and accessory parking on adjacent lot which houses a conforming UG1 single family home. COMMUNITY BOARD #2SI</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 10/23/07</p>

*****DISCLAIMER*****

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<i>SOC – NEW CASES</i>		
3.	919-57-BZ	<p>Cullen and Dykman LLP 4912 Avenue K, BROOKLYN Extension of Term (§11-411) of a variance, which expired on March 25, 2003, for the continued operation of a UG6 take-out restaurant in an R3-2 zoning district. COMMUNITY BOARD #18BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/30/07</p>
4.	382-80-BZ	<p>The Law Office of Fredrick A. Becker 316 East 91st Street, MANHATTAN Extension of Term of a previously granted variance, which expired on July 1, 2005, to allow the operation of a theater (Playhouse 91) on the mezzanine and second floors located in an R8B zoning district. COMMUNITY BOARD #8M Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/30/07</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
5.	219-06-A thru 225-06-A	<p>Rothkrug, Rothkrug and Spector 241-10/16/22/28/15/21/25 128th Drive, QUEENS Proposed construction of seven two-story, one-family dwellings within the bed of a mapped street (128th Drive), contrary to General City Law §35, and not fronting on a legally mapped street, contrary to Article 3, §36 of the General City Law. R-2 Zoning District. COMMUNITY BOARD #13Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 11/30/07</p>
6.	73-07-A	<p>Fire Department of The City of New York 2169-2171 86th Street, BROOKLYN Application to modify Certificate of Occupancy to permit the Fire Department to require additional fire protection (automatic sprinkler system) for the occupied cellar of the commercial structure under the authority of Section 27-4265 of the Administrative Code. COMMUNITY BOARD#11BK</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 10/30/07</p>

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<i>APPEALS – NEW CASES</i>		
7.	2-07-A thru 5-07-A	Sheldon Lobel, P.C. 3212, 3214, 3216, 3218 Tiemann Avenue, BRONX Proposed construction of four, three-story, two-family homes located within the bed of a mapped street, contrary to General City Law Section 35. R5 zoning district. COMMUNITY BOARD #12BX
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 10/30/07
8.	39-07-A & 40-07-A	Sheldon Lobel, P.C. 3248, 3250 Wickham Avenue, BRONX Proposed construction of two, three-story, three-family homes located within the bed of a mapped street, contrary to General City Law Section 35. R5 zoning district. COMMUNITY BOARD #12BX
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 10/30/07
9.	156-07-A	Jorge F. Canepa 60 Chipperfield Court, STATEN ISLAND Proposed construction a swimming pool and equipment room, located within the bed of a mapped street, contrary to General City Law Section 35. R5 zoning district. COMMUNITY BOARD #2SI
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 10/16/07

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<i>BZ – DECISIONS</i>		
1.	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> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 10/2/07</p>
2.	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: Granted – 10/2/07</p>
3.	164-07-BZ	<p>Rothkrug, Rothkrug & Spector, LLP (280 Marsh Avenue) The Crossings @ Staten Island Mall, STATEN ISLAND Special Permit (§73-36) to allow a Physical Culture Establishment that will occupy one storefront within a multiple-store mall containing retail stores and eating and drinking establishments (UG 6). The proposal is contrary to §32-10. C4-1 district. COMMUNITY BOARD # 2SI</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 10/2/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
4.	10-05-BZ	<p>Sheldon Lobel, P.C. 443 39th Street, a/k/a 459 39th Street, BROOKLYN Variance (§72-21) to allow a five-story residential building containing 27 dwelling units and 15 parking spaces contrary to use regulations (§42-00); M1-2 district. COMMUNITY BOARD #7BK</p> <p style="margin-left: 20px;">Examiner: Jed Weiss (212) 788-8781</p> <p style="margin-left: 20px;">Status: Closed, Decision – 10/30/07</p>
5.	315-05-BZ	<p>David L. Businelli, AIA 862 Huguenot Avenue, STATEN ISLAND Variance (§72-21) to allow an extension of an existing three-story mixed commercial retail (UG 6) and residential building containing one dwelling unit. Twenty open accessory parking spaces are proposed. Proposed commercial use is contrary to use regulations (ZR 22-10). R3X district (Special South Richmond District). COMMUNITY BOARD # 3SI</p> <p style="margin-left: 20px;">Examiner: Jed Weiss (212) 788-8781</p> <p style="margin-left: 20px;">Status: Closed, Decision – 10/30/07</p>
6.	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 style="margin-left: 20px;">Examiner: Jed Weiss (212) 788-8781</p> <p style="margin-left: 20px;">Status: Closed, Decision – 11/20/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
7.	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: Closed, Decision – 10/30/07</p>
8.	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 – 11/20/07</p>
9.	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> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 11/20/07</p>

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10.	71-07-BZ	<p>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</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 10/30/07</p>

<i>BZ – NEW CASES</i>		
11.	79-07-BZ	<p>Sheldon Lobel, P.C. 114-05 Farmers Boulevard, QUEENS Re-establish (§11-411) variance permitting the operation of an automotive service station with accessory uses in a C2/2R3-2 zoning district. The prior grant (711-53-BZ) expired on July 24, 2001. COMMUNITY BOARD #12Q</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Continued Hearing – 10/30/07</p>
12.	114-07-BZ	<p>Joseph P. Morsellino, Esq. 7-05 152nd Street, QUEENS Special Permit (§73-19) to allow a day-care center (UG3) in an M1-1 district. COMMUNITY BOARD # 7Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 11/27/07</p>

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13.	122-07-BZ	Law Office of Fredrick A. Becker 1630 East 15th Street, BROOKLYN Special Permit (§73-36) to legalize the operation of a Physical Culture Establishment on portions of the first and second floors of a three-story commercial building. The proposal is contrary to section 32-00. C4-4A zoning district. COMMUNITY BOARD # 15BK
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 11/27/07
14.	148-07-BZ	Ivan Khoury 462 Greenwich Street, MANHATTAN Special Permit (§73-36) to allow the legalization of a Physical Culture Establishment. The proposal is contrary to section 42-10. M1-5 zoning district/Tribeca Mixed-Use Special District. COMMUNITY BOARD #1M
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 10/30/07
15.	176-07-BZ	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
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 11/20/07

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