

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, October 30, 2007
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	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</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/30/07</p>
2.	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</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/30/07</p>

<i>SOC – CONTINUED HEARINGS</i>		
3.	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: Closed, Decision – 11/20/07</p>

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<i>SOC – CONTINUED HEARINGS</i>		
4.	16-92-BZ	<p>Stadtmauer Bailkin, LLP 115 King Street/78 Sullivan Street, Brooklyn Extension of term, amendment and waiver of the Board’s rules to permit the legalization of a change in use from auto repair and warehouse to a charity auto donation facility (UG16 automotive storage), container storage (UG 16), a woodworking and metal working company (UG 16) and a 2,420 square foot mezzanine addition. R5/C1-1 zoning district. Community Board #6BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 12/11/07</p>
5.	233-06-BZ	<p>NYC Board of Standards and Appeals Applicant: Kathleen Bradshaw 2342 Haviland Avenue, Bronx To consider dismissal for lack of prosecution – Variance (§72-21) for the legalization of an enlargement to a single family home, contrary to front yard (§23-47) and side yard (§23-461) regulations in an R5 zoning district. COMMUNITY BOARD # 9BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Withdrawn – 10/30/07, then Public Hearing 12/11/07</p>

<i>SOC – NEW CASES</i>		
6.	426-83-BZ	<p>Glen V. Cutrona, AIA 1880 Hylan Boulevard, Staten Island Extension of Term (expired November 27, 2004) for an additional 20 years for a variance for existing retail stores on first floor and offices on the second floor (UG6) in a R3-1 zoning district; amendment to legalize a reduction in parking from 27 to 20 vehicles, approve change in parking layout, and amend signage. Community Board #2SI</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 12/11/07</p>

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<i>APPEALS – DECISIONS</i>		
7.	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: Granted – 10/30/07</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
8.	2-07-A thru 5-07-A	<p>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</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 12/11/07</p>
9.	39-07-A & 40-07-A	<p>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</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 12/11/07</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
10.	138-07-A	<p>New York City Department of Buildings. 614 West 138th Street, Manhattan Appeal seeking to revoke Certificate of Occupancy that allowed the conversion of single room occupancy units to Class A apartments without obtaining a Certificate of No Harassment from NYC Dept of Housing Preservation and Development. R8 zoning district. Community Board #7M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 12/11/07</p>
11.	154-07-A	<p>Troutman Sander, LLP 441 East 57th Street, Manhattan Appeal seeking to revoke permits and approvals for a rooftop mechanical room. Applicant argues that it exceeds the maximum height permitted under §23-692(a) and is not listed as a permitted obstruction in §23-62. R10 Zoning district. Community Board #6M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 1/8/08</p>

<i>APPEALS – NEW CASES</i>		
12.	204-07-BZY	<p>Sheldon Lobel, P.C. 163-167 Washington Avenue, Brooklyn Proposed extension of time (§11-331) to complete construction of a 15-story mixed use building under the prior R6/C1-3 zoning district. Community Board #2BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 12/11/07</p>

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	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>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Withdrawn – 10/30/07</p>
2.	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>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Withdrawn – 10/30/07</p>
3.	39-06-BZ	<p>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</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Deferred Decision – 1/8/08</p>

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<i>BZ – DECISIONS</i>		
4.	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> <p style="text-align: center;">Examiner: Jed Weiss (212) 788-8781</p> <p style="text-align: center;">Status: Withdrawn – 10/30/07</p>
5.	103-06-BZ	<p>Eric Palatnik, P.C. 1324 East 23rd 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)) and rear yard (§23-47) in R-2 zoning district. Community Board #14BK</p> <p style="text-align: center;">Examiner: Henry Segovia (212) 788-8757</p> <p style="text-align: center;">Status: Withdrawn – 10/30/07</p>
6.	69-07-BZ	<p>Jay A. Segal, for Greenberg Traurig, LLP 240 West Broadway, Manhattan Variance (§72-21) to allow a nine-story residential building containing seven dwelling units; contrary to use regulations (§42-10). M1-5 district (Area B-1 of Special TriBeca Mixed Use District). Community Board #1M</p> <p style="text-align: center;">Examiner: Jed Weiss (212) 788-8781</p> <p style="text-align: center;">Status: Granted – 10/30/07</p>

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7.	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: Granted – 10/30/07</p>
8.	78-07-BZ & 730-72-BZ	<p>Sheldon Lobel, P.C. 2515 McDonald Avenue, Brooklyn Special Permit (§73-36) and SOC Amendment to allow the operation of a physical culture establishment on the first floor of a two-story commercial building, contrary to § 42-00. M1-1 district. Community Board #15BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Reopened, Continued Hearing – 12/4/07</p>
9.	148-07-BZ	<p>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</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 10/30/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
10.	134-06-BZ	<p>Sheldon Lobel, P.C. 241-15 Northern Boulevard, Queens Variance (§ 72-21) to allow a five-story residential building containing 40 dwelling units and 63 accessory parking spaces. Proposal is contrary to regulations for use (§22-12), FAR (§23-141), open space (§23-141), front yard (§23-45), height and setback (§23-631) and maximum number of dwelling units (§23-22). R1-2 district. Community Board # 11Q Examiner: Jed Weiss (212) 788-8781 Status: Adjourned, Continued Hearing – 12/11/07</p>
11.	212-06-BZ	<p>Jeffrey A. Chester 242-02 61st Avenue, Queens Variance (§72-21) to convert an existing supermarket (UG 6) into an electronics store with no limitation in floor area (UG 10), contrary to §22-10. R4 zoning district. Community Board #11Q Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 12/11/07</p>
12.	227-06-BZ	<p>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 – 11/27/07</p>
13.	65-07-BZ	<p>Sheldon Lobel, P.C. 146-93 Guy R. Brewer Boulevard, Queens Variance (§72-21) to allow a one-story retail (UG 6) building to violate use regulations (§ 22-00). R3-2 district. Community Board #13Q Examiner: Jed Weiss (212) 788-8781 Status: Adjourned, Continued Hearing – 12/4/07</p>

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14.	79-07-BZ	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
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 1/8/08
15.	124-07-BZ	Sheldon Lobel, P.C. 521 Broome Street, Manhattan Variance (§72-21) to allow UG 6 (eating and drinking establishment) on the first floor and cellar of an existing seven-story building, contrary to use regulations (§42-14(d)(2)(b)). M1-5B district. Community Board #2M
		Examiner: Jed Weiss (212) 788-8781
		Status: Adjourned, Continued Hearing – 12/4/07

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<i>BZ – NEW CASES</i>		
16.	48-06-BZ	<p>Jack A. Adesso, PLLC 420 Morris Park Avenue, Bronx Variance (§72-21) to allow an eight-story residential building containing 70 dwelling units and 17 accessory parking spaces in an M1-1 district. Proposal is contrary to use regulations (§42-00). Community Board #6BX</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 12/11/07</p>
17.	158-07-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 184-20 Union Turnpike, Queens Variance (§72-21) to allow a one-story commercial retail building (UG6), contrary to use regulations (§22-10). R1-2 district. Community Board #8Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 12/4/07</p>
18.	167-07-BZ	<p>Harold Weinberg, P.E. 220 Amherst Street, Brooklyn Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary open space, lot coverage, floor area (§23-141) and rear yard (§23-47) regulations in an R3-1 zoning district. This application also seeks to convert from a two-family residence to a one-family residence. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 11/27/07</p>
19.	202-07-BZ	<p>Cozen O’Connor Attorneys Magen David 2160-2170 McDonald Avenue, Brooklyn Special Permit (§73-19) to allow a religious pre-school (UG3), contrary to section §42-00. M1-1 district. Community Board #11BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 12/4/07</p>

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<i>BZ – NEW CASES</i>		
20.	213-07-BZ	<p>Law Office of Fredrick A. Becker 1217 East 26th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary open space and floor area (§23-141); side yard (§23-48) and rear yard (§23-47) regulations in an R-2 zoning district. Community Board #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 12/4/07</p>
21.	215-07-BZ	<p>Sheldon Lobel, P.C. 69-02 64th Street, Queens Variance (§72-21) to permit an enlargement of the existing community facility building, contrary to lot coverage (§24-11), and sky exposure plane (§24-521) regulations. R5B district. Community Board #5Q</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Closed, Decision – 12/4/07</p>

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