

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, September 18, 2007

10:00 A.M.

## *SOC – DECISIONS*

1.	139-92-BZ	Samuel H. Valencia
		<b>52-15 Roosevelt Avenue, QUEENS</b>
		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.
		<b>COMMUNITY BOARD #2Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 10/16/07</b>

## *SOC – CONTINUED HEARINGS*

2.	515-89-BZ	Sheldon Lobel, P.C.
		<b>50 East 78<sup>th</sup> Street, MANHATTAN</b>
		Extension of Term of a Special Permit which expires on October 16, 2007 for a (UG6) commercial art gallery in the basement portion of a residential building in an R8B (LH-1A) zoning district.
		<b>COMMUNITY BOARD #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 10/16/07</b>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

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<i><b>SOC – NEW CASES</b></i>		
<b>3.</b>	<b>323-06-A</b>	<p>Vito J. Fossella, P.A. <b>389 College Avenue, STATEN ISLAND</b> Proposed enlargement of an existing one family dwelling located within the bed of mapped street (North Avenue) which is contrary to §35 of the General City Law. R3X zoning. <b>COMMUNITY BOARD #1SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Deferred Decision – 9/25/07</b></p>
<b>4.</b>	<b>153-07-BZY</b>	<p>Mitchell A. Korbey, Esq. <b>20 Bayard Street, BROOKLYN</b> Extension of time (§11-332) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on May 11, 2005. M1-2/R6B/R6A zoning districts. <b>COMMUNITY BOARD #1BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 9/18/07</b></p>

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## APPEALS – CONTINUED HEARINGS

5.	326-06-A	David L. Businelli, R.A. <b>1523 Richmond Road, STATEN ISLAND</b>
		An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the R1-2 district regulations in effect prior to the zoning text change on September 9, 2004.
		<b>COMMUNITY BOARD #2SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 10/23/07</b>

## APPEALS – NEW CASES

6.	63-07-A	Moshe M. Friedman, P.E. <b>49-23 28<sup>th</sup> Avenue, QUEENS</b>
		Proposed construction of a three-family dwelling located within the bed of a mapped street (50th Street) which is contrary to General City Law §35. R5 zoning district.
		<b>COMMUNITY BOARD #1Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 9/18/07</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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TUESDAY AFTERNOON, September 18, 2007

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>378-04-BZ</b>	<p>Sheldon Lobel, P.C.  <b>94 Kingsland Avenue, BROOKLYN</b>                      Variance (§72-21) to permit the construction of a four-story residential building and a four-car garage located on a vacant lot in an M1-1 zoning district. The proposal is contrary to §42-00.  <b>COMMUNITY BOARD #1BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Deferred Decision – 10/23/07</b></p>
<b>2.</b>	<b>23-06-BZ</b>	<p>Sheldon Lobel, P.C.  <b>150-62 78<sup>th</sup> Road, QUEENS</b>                      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).  <b>COMMUNITY BOARD #8Q</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 10/2/07</b></p>
<b>3.</b>	<b>39-06-BZ</b>	<p>Moshe M. Friedman, P.E.  <b>245 Varet Street, BROOKLYN</b>                      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.  <b>COMMUNITY BOARD #1BK</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Deferred Decision – 10/30/07</b></p>
<b>4.</b>	<b>319-06-BZ</b>	<p>Sheldon Lobel, P.C.  <b>211/283 63<sup>rd</sup> Street, BROOKLYN</b>                      Special Permit (§73-49) to allow 75 accessory parking spaces for an automotive service establishment (UG 16) on the rooftop of an existing building. M1-1 district.  <b>COMMUNITY BOARD #7BK</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Granted – 9/18/07</b></p>

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<b>5.</b>	<b>328-06-BZ</b>	<p>Francis R. Angelino, Esq.  <b>50-52 Laight Street, MANHATTAN</b>                      Variance (§72-21) to allow an eight-story residential building containing six dwelling units and ground floor retail use; contrary to regulations for use (§ 42-00, § 111-104(e), and § 111-102(b)). M1-5 district (Area B-2 of Special TriBeca Mixed Use District).  <b>COMMUNITY BOARD # 1M</b></p> <hr/> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <hr/> <p><b>Status: Deferred Decision – 9/25/07</b></p>
<b>6.</b>	<b>118-07-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP  <b>49 Cedar Grove Avenue, STATEN ISLAND</b>                      Special Permit (§73-44) to allow two-story, Use Group 6B office development which has less than the required parking. The proposal is contrary to §36-21. C1-1/R3-2 district.  <b>COMMUNITY BOARD #2SI</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Granted – 9/18/07</b></p>
<b>7.</b>	<b>142-07-BZ</b>	<p>Moshe M. Friedman  <b>2216 Avenue R, BROOKLYN</b>                      Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area (§23-141) and side yards (§23-461) &amp; (§23-48) in an R3-2 zoning district.  <b>COMMUNITY BOARD # 15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Granted – 9/18/07</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>8.</b>	<b>342-05-BZ &amp; 343-05-BZ</b>	<p>Gerald J. Caliendo, R.A., AIA  <b>1 – 6 Maya Drive, BRONX</b>                      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.  <b>COMMUNITY BOARD #8BX</b>  <b>Examiner: Jed Weiss (212) 788-8781</b>  <b>Status: Continued Hearing – 11/20/07</b></p>
<b>9.</b>	<b>114-06-BZ</b>	<p>Sheldon Lobel, P.C.  <b>124 Norfolk Street, BROOKLYN</b>                      Special Permit (§73-622) to allow the legalization of an enlargement to a single-family home, contrary to FAR, open space and lot coverage (§23-141), and side yards (§23-48), in an R3-1 zoning district.  <b>COMMUNITY BOARD #15BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 10/16/07</b></p>
<b>10.</b>	<b>286-06-BZ</b>	<p>Eric Palatnik, P.C.  <b>1847 60<sup>th</sup> Street, BROOKLYN</b>                      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.  <b>COMMUNITY BOARD #12BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Closed, Decision – 10/2/07</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>11.</b>	<b>311-06-BZ thru 313-06-BZ</b>	<p>Rothkrug, Rothkrug, &amp; Spector, LLP  <b>300/302/304 Columbia Street, BROOKLYN</b>                      Variance (§72-21) to allow three, four-story residential buildings containing a total of six dwelling units, contrary to use regulations (§42-10); M1-1 district.  <b>COMMUNITY BOARD #6BK</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Closed, Decision – 10/16/07</b></p>
<b>12.</b>	<b>16-07-BZ</b>	<p>Juan D. Reyes, III  <b>2614 Halperin Avenue, BRONX</b>                      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.  <b>COMMUNITY BOARD #10BX</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 10/23/07</b></p>
<b>13.</b>	<b>146-07-BZ</b>	<p>Slater &amp; Beckerman, LLP  <b>439 East 77th Street, MANHATTAN</b>                      Application filed pursuant to §§11-411 &amp; 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.  <b>COMMUNITY BOARD # 8M</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 10/16/07</b></p>

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<b>14.</b>	<b>134-06-BZ</b>	<p>Sheldon Lobel, P.C.  <b>241-15 Northern Boulevard, QUEENS</b>                      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.  <b>COMMUNITY BOARD # 11Q</b>  <b>Examiner: Jed Weiss (212) 788-8781</b>  <b>Status: Continued Hearing – 10/30/07</b></p>
<b>15.</b>	<b>297-06-BZ &amp; 298-06-A</b>	<p>Glen V. Cutrona, AIA  <b>130 Montgomery Avenue, STATEN ISLAND</b>                      Variance (§72-21) to allow a proposed four-story residential building with ground and cellar level retail use. Proposal is contrary to lot coverage (§23-145) and rear yard requirements (§23-47). Proposed building is also located within the bed of a mapped street, contrary to GCL §35. C4-2 district (Special Hillside Preservation District).  <b>COMMUNITY BOARD #1SI</b>  <b>Examiner: Jed Weiss 212-788-8781/Toni Matias 212-788-8752</b>  <b>Status: Closed, Decision – 10/16/07</b></p>
<b>16.</b>	<b>135-07-BZ</b>	<p>Lewis E. Garfinkel, R.A.  <b>920 East 24<sup>th</sup> Street, BROOKLYN</b>                      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.  <b>COMMUNITY BOARD #14BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 10/16/07</b></p>

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<b>17.</b>	<b>136-07-BZ</b>	<p>Lewis E. Garfinkel, R.A.  <b>1275 East 23<sup>rd</sup> Street, BROOKLYN</b>                      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.  <b>COMMUNITY BOARD #14BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 10/16/07</b></p>
<b>18.</b>	<b>164-07-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>(280 Marsh Avenue) The Crossings @ Staten Island Mall, STATEN ISLAND</b>                      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.  <b>COMMUNITY BOARD # 2SI</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Closed, Decision – 10/2/07</b></p>

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