

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, September 25, 2007

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	517-68-BZ	<p>Alfonso Duarte 1667 East Gun Hill Road, BRONX Extension of Term/Amendment/Waiver of a variance permitting in an R3-2 district automobile sales and repair (UG 16A) with accessory office. The application seeks to legalize the rental of automobiles and trucks (UG 8C). The term of the variance expired on October 7, 2005. COMMUNITY BOARD #12BX</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Granted – 9/25/07</p>
2.	244-97-BZ	<p>Ellen Hay, Wachtel & Masyr, LLP 162 West 83rd Street, MANHATTAN Extension of Term/Time/Amendment/Waiver for a Physical Cultural Establishment (<i>Crunch Fitness</i>) for an extension of term which expires November 4, 2008; extension of time to obtain the Certificate of Occupancy; and an amendment for an enlargement of the total floor area within an existing two story commercial building, located in a C2-5/R-8B zoning district. COMMUNITY BOARD#7M</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Granted – 9/25/07</p>

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<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 Examiner: Carlo Costanza (212) 788-8739 Status: Adjourned, Continued Hearing – 10/30/07</p>
4.	844-86-BZ	<p>Rothkrug, Rothkrug & Spector, LLC 1828/1836 McDonald Avenue, BROOKLYN Extension of Term of a Special Permit (§73-50) which expired on April 28, 1997 for the enlargement of a one-story building that encroaches into the open area required along a district boundary; an Amendment to legalize the change in use from an auto repair shop (UG16) and custom clothing manufacturer (UG11) to a billiard parlor (UG12) and eating and drinking establishment (UG6) and to permit the addition of a 979 sf mezzanine in the UG6 portion of the building; Extension of Time to obtain a Certificate of Occupancy which expired on May 4, 1999 and a Waiver of the Rules. C8-2 zoning district. COMMUNITY BOARD #11BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/23/07</p>
5.	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 Examiner: Jed Weiss (212) 788-8781 Status: Continued Hearing – 10/16/07</p>

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<i>SOC – NEW CASES</i>		
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: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 10/16/07</p>
7.	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> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Continued Hearing – 10/30/07</p>

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<i>APPEALS – DECISIONS</i>		
8.	320-06-A	<p>Rothkrug, Rothkrug and Spector, LLP 4368 Furman Avenue, BRONX An appeal challenging the Department of Buildings' interpretation that the Special Provisions for Party or Side Lot Line Walls (§23-49 (a) & (c)) are applicable to the subject site. R5 Zoning district. COMMUNITY BOARD #12BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Deferred Decision – 10/16/07</p>
9.	323-06-A	<p>Vito J. Fossella, P.A. 389 College Avenue, STATEN ISLAND 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. COMMUNITY BOARD #1SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 9/25/07</p>

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<i>APPEALS – NEW CASES</i>		
10.	105-06-A	Rothkrug Rothkrug and Spector, LLP 240-23 128th Avenue, QUEENS Proposed single family home to be built partially in the bed of a mapped street (Hook Creek Boulevard), contrary to General City Law Section 35. R2 zoning district. COMMUNITY BOARD #13Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 10/23/07
11.	162-06-A	Adam Rothkrug, Esq. 2852 Faber Terrace, QUEENS Proposed construction of a single-family home located partially within the bed of a mapped street (Edgewater Road) contrary to General City Law Section 35. R2 zoning district. COMMUNITY BOARD #14Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 10/23/07
12.	165-06-A	Adam Rothkrug, Esq. 2848 Faber Terrace, QUEENS Proposed construction of a single-family home located partially within the bed of a mapped street (Edgewater Road) contrary to General City Law Section 35. R2 Zoning district. COMMUNITY BOARD #14Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 10/23/07
13.	157-07-BZY	Sheldon Lobel, P.C. 55 Eckford Street, BROOKLYN 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/R6A, M1-2/R6B, & MX-8 zoning districts. COMMUNITY BOARD#1BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 10/23/07

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14.	190-07-A	Gary Lenhart, R.A. 1 Chester Walk, QUEENS Reconstruction and enlargement of an existing one-family house not fronting on a mapped street, contrary to General City Law Section 36. R4 zoning District. COMMUNITY BOARD #14Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 9/25/07

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TUESDAY AFTERNOON, September 25, 2007

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<i>BZ – DECISIONS</i>		
1.	154-05-BZ	<p>Kenneth K. Lowenstein 520-528 Broome Street and 530-532 Broome Street/55 Sullivan Street, MANHATTAN Variance (§72-21) to permit the construction of a nine-story mixed-use building which will contain 51 residential units, ground retail uses and a 280-space public parking garage, located in an M1-5B zoning district. The proposal is contrary to use (§42-10), bulk (§42-13), and parking (§13-12). COMMUNITY BOARD #2M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 9/25/07</p>
2.	156-06-BZ	<p>Alfonso Duarte 267-04 83rd Avenue, QUEENS 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. COMMUNITY BOARD #13Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 9/25/07</p>
3.	328-06-BZ	<p>Francis R. Angelino, Esq. 50-52 Laight Street, MANHATTAN 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). COMMUNITY BOARD # 1M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 9/25/07</p>
4.	126-07-BZ	<p>Ellen Hay, Wachtel & Masyr, LLP 555 West 42nd Street, MANHATTAN Special Permit (§73-36) to legalize the operation of a physical culture establishment on a portion of the ground floor, second floor mezzanine, and second floor in a 43-story residential building. The proposal is contrary to §32-00. C6-4 zoning district. COMMUNITY BOARD #4M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 9/25/07</p>

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<i>BZ – DECISIONS</i>		
5.	166-07-BZ	Wolf Block, Schorr & Solis-Cohen LLP 213 Court Street, BROOKLYN Special Permit (§73-36) to legalize the operation of a Physical Culture establishment on the ground floor of a five-story mixed-use building. The proposal is contrary to §32-00. C2-3 zoning district. COMMUNITY BOARD # 2BK
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 9/25/07

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<i>BZ – CONTINUED HEARINGS</i>		
6.	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> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Adjourned, Continued Hearing – 11/20/07</p>
7.	103-06-BZ	<p>Eric Palatnik, P.C. 1324 East 23rd Street, BROOKLYN0 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>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 10/30/07</p>
8.	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</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 10/30/07</p>
9.	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 – 11/20/07</p>

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10.	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> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Closed, Decision – 10/30/07</p>
11.	80-07-BZ	<p>Sheldon Lobel, P.C. 319 West 94th Street, MANHATTAN Variance (§72-21) to permit a nine-story and cellar not-for-profit institution with sleeping accommodations and accessory supportive social service space. The proposal is contrary to floor area (§24-111), wall height, setback, and sky exposure plane (§24-522), rear yard (§24-36), and permitted reconstruction (§54-41). R8 zoning district. COMMUNITY BOARD # 7M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Closed, Decision – 10/23/07</p>

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12.	65-07-BZ	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: Continued Hearing – 10/30/07
13.	78-07-BZ	Sheldon Lobel, P.C. 2515 McDonald Avenue, BROOKLYN Special Permit (§73-36) 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 Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 10/23/07
14.	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: Continued Hearing – 10/30/07
15.	188-07-BZ	Friedman & Gotbaum, LLP Spa Chakra/Waldorf-Astoria, 301 Park Avenue, MANHATTAN Special Permit (§§73-03 & 73-36) to allow a physical culture establishment in portion of an existing building (19th floor and lobby level) in a C5-2.5/C5-3/C6-6 ZD. COMMUNITY BOARD #5M Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision – 10/23/07

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