

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, August 19, 2008

10:00 A.M.

<i>SOC - DECISIONS</i>		
1.	467-58-BZ	Walter T. Gorman, P.E., 172-11 Northern Boulevard, Queens Extension of Term/Waiver for the continued use of a gasoline service station (<i>Exxon Mobil</i>) which expired on May 21, 1999 in an R3-2 zoning district. Community Board #7Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted - 8/19/08
2.	200-00-BZ	Eric Palatnik, P.C. 107-24 37th Avenue, a/k/a 37-16 108th Street, Queens Extension of Time to Obtain a Certificate of Occupancy for a Physical Culture Establishment (Squash Total Fitness), which expired on May 21, 2008, in a C1-4 (R6B) zoning district. Community Board #3Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted - 8/19/08
3.	7-04-BZ	Lawrence Whiteside 2208 Boller Avenue, Bronx Extension of Time to Complete Construction of a UG4 Church/Community Outreach Center (<i>Co-Op City Baptist Church</i>), in an R3A zoning district, which expired on June 8, 2008. Community Board #10BX
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted - 8/19/08
4.	33-06-BZ	Rampulla Associates Architects 1457 Richmond Road, Staten Island Amendment to a previously approved variance to allow the relocation of the approved commercial building to a different location on the zoning lot. R1-2 district. Community Board #2SI
		Examiner: Jed Weiss (212) 788-8781
		Status: Granted - 8/19/08

DISCLAIMER

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<i>SOC - DECISIONS</i>		
5.	180-07-BZ	<p>Sheldon Lobel, P.C. 47 West 13th Street, Manhattan Extension of Time to obtain a Certificate of Occupancy for a previously granted physical culture establishment (<i>Silk Day Spa</i>), in a C6-2/C6-2M zoning district, which expired on May 20, 2008. Community Board #2M</p>
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted - 8/19/08

<i>SOC - CONTINUED HEARINGS</i>		
6.	826-86-BZII thru 828-86-BZII	<p>Eric Palatnik, P.C. 269-10, 270-10, 271-10 Grand Central Parkway, Queens Extension of Term for a Special Permit (§73-11) to permit non-accessory radio towers and transmitting equipment on the roof of an existing 23-story multiple dwelling; Extension of Time to obtain a Certificate of Occupancy; waiver of the rules and an Amendment to legalize additional transmitting equipment on the roof and to eliminate the condition that a new Certificate of Occupancy be obtained. R3-2 zoning district. Community Board #13Q</p>
		Examiner: Henry Segovia (212) 788-8757
		Status: Dismissed - 8/19/08

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<i>SOC - NEW CASES</i>		
7.	360-01-BZ	<p>Carl A. Sulfaro, Esq. 2228 Gerritsen Avenue, Brooklyn Extension of Time to obtain a Certificate of Occupancy/waiver for an existing gasoline service station (<i>Mobil</i>), in a C2-2/R-4 zoning district, which expired on December 17, 2004. Community Board #15BK</p>
		<p>Examiner: Henry Segovia (212) 788-8757</p>
		<p>Status: Continued Hearing - 10/7/08</p>
8.	217-03-BZ	<p>Sheldon Lobel, P.C. 142 Pennsylvania Avenue, Brooklyn Extension of Time to Complete Construction of a previously granted variance for the proposed expansion of a one story and cellar building in an R-5 zoning district. Community Board #5BK</p>
		<p>Examiner: Henry Segovia (212) 788-8757</p>
		<p>Status: Continued Hearing - 9/16/08</p>
9.	257-04-BZ	<p>Cozen O'Connor 252/260 Atlantic Avenue, Brooklyn Amendment to previously granted variance to modify streetwall and elevator bulkhead. R6, R6A, C2-3 & C2-4 districts. Community Board #2BK</p>
		<p>Examiner: Rory Levy (212) 788-8749</p>
		<p>Status: Continued Hearing - 10/7/08</p>

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<i>APPEALS - DECISIONS</i>		
10.	265-07-A	Stuart A. Klein 57 West 70th Street, Manhattan An appeal challenging the Department of Building's interpretation that the rear yard structure (porch) is a permitted obstruction that complies with §23-44. R8B zoning district. Community Board #7M
		Examiner: Toni Matias (212) 788-8752
		Status: Granted - 8/19/08
11.	68-08-A	Sheldon Lobel, P.C. 135-23 82nd Avenue, Queens An appeal seeking a determination that the property owner has acquired a common law vested right to continue construction commenced under the prior R6A zoning. R5D Zoning District. Community Board #8Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted - 8/19/08

<i>APPEALS - CONTINUED HEARINGS</i>		
12.	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 - 10/7/08
13.	230-07-BZY	Rothkrug, Rothkrug & Spector, LLP 90-22 176th Street, Queens Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on September 10, 2007. R4-1 zoning district. Community Board #12Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision - 10/7/08

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<i>APPEALS - NEW CASES</i>		
14.	168-08-A	Cozen O'Connor 63 Brighton 2nd Place, Brooklyn Legalization of an existing building not fronting on a legally mapped street, contrary to General City Law Section 36. R6(OP) zoning district. Community Board #13BK
		Examiner: Toni Matias (212) 788-8752
		Status: Adjourned - 10/7/08

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<i>BZ - DECISIONS</i>		
1.	189-07-BZ	<p>Eric Palatnik, P.C. 40-55 College Point Boulevard, Queens Variance (§72-21) to allow ground floor retail use (UG 6) in a six-story residential building; contrary to use regulations (§22-00). R6 zoning district. Community Board #7Q Examiner: Jed Weiss (212) 788-8781 Status: Granted - 8/19/08</p>
2.	257-07-BZ	<p>Gordon J. Davis c/o Dewey & LeBoeuf 3 East 101st Street, Manhattan Variance (§72-21) to permit the construction of an 11-story, 269,000 square foot Center for Science and Medicine at the <i>Mount Sinai Medical Center</i>. The proposal is contrary to height, setbacks, and sky exposure plane for community facility use (§24-522), community facility lot coverage (§24-11), and community facility tower coverage (§24-54). R9 zoning district. Community Board #11M Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision - 9/9/08</p>
3.	12-08-BZ	<p>Sheldon Lobel, P.C. 317 Lenox Avenue, a/k/a 105 W. 125th Street, Manhattan Special Permit (§73-36) to allow the operation of a Physical Culture Establishment (<i>Planet Fitness</i>) on a portion of the cellar and ground floor of a ten-story commercial building. The proposal is contrary to §32-10. C4-7 zoning district. Community Board #10M Examiner: Rory Levy (212) 788-8749 Status: Granted - 8/19/08</p>
4.	78-08-BZ	<p>Flora Edwards, Esq. 611-617 East 133rd Street, Bronx Variance (§72-21) to permit a new community facility building (<i>South Bronx Charter School</i>). The proposal is contrary to §123-62 (Maximum floor area ratio for community facilities), §24-11 (Maximum floor area ratio and percentage of lot coverage) and §123-662 (b)(4) (street wall height in Special Mixed-Use Districts). MX-1 (M1-2/R6A). Community Board #1BX Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing - 8/26/08</p>

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<i>BZ - DECISIONS</i>		
5.	156-08-BZ	<p>Friedman & Gotbaum, LLP 102 West 57th Street, Manhattan Special Permit (§73-36) to allow the proposed Physical Culture Establishment (<i>Spa Chakra</i>) on a portion of the ground floor of a new hotel. C5-3 zoning district. Community Board #5M</p>
		Examiner: Rory Levy (212) 788-8749
		Status: Granted - 8/19/08

<i>BZ - CONTINUED HEARINGS</i>		
6.	281-06-BZ & 282-06-A	<p>Eric Palatnik, P.C. 232 Beaumont Street, Brooklyn BZ: Special Permit (§73-622) for the legalization of existing floor area which exceeds the district requirement (§23-141) in an R3-1 zoning district. A: Appeal of Department of Buildings determination that portions of the building exceed permitted obstruction regulations under §27-335(A)(2). Community Board #15BK</p>
		Examiner: Henry Segovia (212) 788-8757
		Status: Withdrawn - 8/19/08
7.	51-07-BZ	<p>Gerald J. Caliendo, R.A. 70-44 to 58 Kissena Boulevard, Queens Variance (§72-21) to allow a one-story retail building (UG 6); contrary to use regulations (§22-00). R4 zoning district. Community Board #8Q</p>
		Examiner: Jed Weiss (212) 788-8781
		Status: Continued Hearing - 10/07/08

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<i>BZ - CONTINUED HEARINGS</i>		
8.	119-07-BZ	Sheldon Lobel, P.C. 443 39th Street, Brooklyn Variance (§72-21) to allow a four-story community facility building contrary to regulations for use (§42-10), rear yard (§43-26) and parking (§44-21). M1-2 zoning district. Community Board #7BK
		Examiner: Jed Weiss (212) 788-8781
		Status: Continued Hearing - 10/28/08
9.	171-07-BZ	Sheldon Lobel, P.C. 167 Norfolk Street, Brooklyn Special Permit (§73-622) to allow legalization of an enlargement to a single-family residence which exceeds allowable floor area, lot coverage and less than the minimum open space (§23-141); less than the minimum required rear yard (§23-47) and side yards (§23-461) in an R3-1 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing - 10/28/08
10.	205-07-BZ	Omnipoint Communications Inc. 53-20 72nd Place, Queens Special Permit (§73-30) to allow a non-accessory radio tower on the rooftop of an existing building. R4-1 zoning district. Community Board #5Q
		Examiner: Roy Starrin (212) 788-8797
		Status: Continued Hearing - 11/18/08
11.	238-07-BZ	Law Offices of Howard Goldman 5-11 47th Avenue, Queens Variance (§72-21) to allow a 13-story residential building (UG 2) contrary to regulations for FAR (§117-21 & §23-145), lot coverage (§117-21 & §23-145), minimum distance between windows (§117-21 & §23-711(b)) and height and setback (§117-21, §23-633 & §23-663). Student dormitory (UG 3) and faculty housing (UG 2) for CUNY Graduate Center is also proposed contrary to use regulations (§42-00). M1-4/R6A (LIC) and M1-4 districts. Community Board #2Q
		Examiner: Jed Weiss (212) 788-8781
		Status: Closed, Decision - 9/23/08

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<i>BZ - CONTINUED HEARINGS</i>		
12.	291-07-BZ	Eric Palatnik, P.C. 1912 New York Avenue, Brooklyn Variance (§72-21) to permit the alteration of existing residential structure for a UG 4 synagogue (<i>Congregation Tifereth Toma Eliezer</i>) with accessory rabbi's quarters. The proposal is contrary to sections §24-35 (side yards), §24-391 (rear yard), §24-34 (front yard), and §24-521 (front wall height). R4 district. Community Board #18BK
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing - 9/23/08
13.	37-08-BZ	Slater & Beckerman, LLP 100 Merrill Avenue, Staten Island Special Permit (§73-30) to allow an extension to an existing non-accessory radio tower as part of the NYC Department of Information Technology and Telecommunications/Wireless Network. R3X zoning district. Community Board #2SI
		Examiner: Roy Starrin (212) 788-8797
		Status: Withdrawn - 8/19/08
14.	102-08-BZ	Rothkrug, Rothkrug & Spector, LLP 103 Beachview Avenue, Staten Island Variance (§72-21) for the construction of a one-family residence on a vacant undersized lot that does not provide sufficient side yards (§23-461) and required parking spaces (§25-22) within a R3-1/Low Density Growth Management district. Community Board #2SI
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision - 9/16/08

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<i>BZ - NEW CASES</i>		
15.	41-08-BZ	Omnipoint Communications Inc. 64-35 223rd Place, Queens Special Permit (§73-30) to permit a proposed 65 foot non-accessory radio tower and related equipment at grade. Re-2 district. Community Board #11Q
		Examiner: Roy Starrin (212) 788-8797
		Status: Closed, Decision - 9/16/08
16.	76-08-BZ	Eric Palatnik, P.C. 621 Beach 9th Street, Queens Variance (§72-21) to permit the legalization of a UG4 not-for-profit ambulance/emergency garage (<i>Hatzolah</i>), dispatch and training facility, contrary to rear yard §24-36 regulations. R5 district. Community Board #14Q
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing - 9/23/08
17.	79-08-BZ	Law Office of Fredrick A. Becker 117-23 132nd Street, Queens Variance (§72-21) for the construction of a single family residence, contrary to lot width and lot area (§23-32); and side yards (§23-461, §21-15). R3-2 zoning district. Community Board #12Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing - 9/23/08

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