

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, December 16, 2008

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>736-45-BZ</b>	<p>Walter T. Gorman, P.E.  <b>3740 Broadway, Manhattan</b>                      Extension of Term/waiver for a previously granted variance for the operation of a gasoline service station (<i>Mobil</i>), in a C2-4/R8 zoning district, which expired on March 17, 1999, and an Extension of Time to obtain a Certificate of Occupancy which expired on May 8, 2000.  <b>Community Board #12M</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Granted – 12/16/08</b>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>2.</b>	<b>863-48-BZ</b>	<p>Alfonso Duarte  <b>259-16 Union Turnpike, Queens</b>                      Extension of Term of a previously granted variance for a (UG16A) auto repair establishment, in an R-2 zoning district, which will expire on November 25, 2008.  <b>Community Board #13Q</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Closed, Hearing – 1/13/09</b>
<b>3.</b>	<b>719-56-BZ</b>	<p>Walter T. Gorman, P.E.  <b>2525 Victory Boulevard, Staten Island</b>                      Extension of Term/waiver for a gasoline service station (<i>Mobil</i>) in a C2-1/R3-2 zoning district which expired on April 27, 2007 and Extension of Time to obtain a Certificate of Occupancy which expired on October 26, 2000.  <b>Community Board #1SI</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Continued Hearing – 1/27/09</b>
<b>4.</b>	<b>239-97-BZ</b>	<p>Kenneth H. Koons  <b>1499 Bruckner Boulevard, Bronx</b>                      Extension of Term for a UG16 automotive service station and UG8 parking lot, in an R-6 zoning district, which expires on July 13, 2009.  <b>Community Board #9BX</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status:     Closed, Decision – 1/27/09</b>

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<b><i>SOC – NEW CASES</i></b>		
<b>5.</b>	<b>337-90-BZ</b>	Sheldon Lobel, P.C. <b>1415/17 East 92<sup>nd</sup> Street, Brooklyn</b> Extension of Term/waiver (expired on June 2, 2002) for the continued operation of a one-story (UG16) Automotive Repair Shop and a two-story (UG6) business and (UG2) dwelling unit in a C1-2/R4 zoning district, and an Extension of Time/waiver to obtain a Certificate of Occupancy (expired on March 29, 1987). <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 1/13/09</b>

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<b><i>APPEALS – DECISIONS</i></b>		
6.	115-07-A/ 116-07-A & 56-08-A/ 57-08-A	<p>Rampulla Associates Architects  <b>310, 316, 322 &amp; 328 Ramona Avenue, Staten Island</b>                      Proposed construction of four one-family homes located within the bed of a mapped street contrary to Section 35 of the General City Law. R3-X/SSRD Zoning District.  <b>Community Board #3SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/16/08</b></p>
7.	251-07-A thru 254-07-A	<p>Eric Palatnik, P.C.  <b>63 &amp; 65 Houston Street, 104 &amp; 106 Willowbrook Road, Staten Island</b>                      Appeal seeking a determination that the owner has acquired a common law vested right to continue development under the prior R3A zoning district. R3X zoning district.  <b>Community Board #1SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/16/08</b></p>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
8.	70-08-A thru 72-08-A	<p>Eric Palatnik, P.C.  <b>215C, 215B, 215A Van Name Avenue, Staten Island</b>                      An appeal seeking a determination that the property owner has acquired a common law vested right to continue construction commenced under the prior zoning district regulations. R3A Zoning District.  <b>Community Board #1SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 1/13/09</b></p>
9.	73-08-A thru 75-08-A	<p>Eric Palatnik, P.C.  <b>345A, 345B, 345C Van Name, Staten Island</b>                      An appeal seeking a determination that the property owner has acquired a common law vested right to continue construction under the prior zoning district regulations. R3A zoning district.  <b>Community Board #1SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 1/13/09</b></p>

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<b>APPEALS – CONTINUED HEARINGS</b>		
10.	103-08-BZY	Law Office of Fredrick A. Becker <b>208 Grand Street, Brooklyn</b> Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district. C2-4/R6B zoning. <b>Community Board #1BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 1/13/09</b>
11.	120-08-A	Law Office of Fredrick A. Becker <b>186 Grand Street, Brooklyn</b> Appeal seeking the determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. C2-4/R6B zoning. <b>Community Board #1BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/13/09</b>
12.	168-08-A	Cozen O’Connor <b>63 Brighton 2<sup>nd</sup> Place, Brooklyn</b> Legalization of an existing building not fronting on a legally mapped street contrary to General City Law Section 36. R6 (OP) zoning district. <b>Community Board #13BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/27/09</b>

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<b><i>APPEALS – NEW CASES</i></b>		
13.	149-08-A	<p>Jack Lester  <b>808 Columbus Avenue, Manhattan</b>                      Appeal seeking to revoke permits and approvals for a 30-story mixed use building that allow violations of the zoning regulations on open space, parking, curb cuts and proper use group classification. R7-2/C1-5 zoning district.  <b>Community Board #7M</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 2/3/09</b></p>
14.	200-08-A	<p>Gary D. Lenhart  <b>171 Bayside Drive, Queens</b>                      Reconstruction and enlargement of an existing single family home located partially within the bed of a mapped street and the upgrade of an existing non conforming private disposal system located in the bed of a mapped street, contrary to General City Law Section 35.  <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/16/08</b></p>
15.	204-08-A	<p>Gary D. Lenhart  <b>26 Roosevelt Walk, Queens</b>                      Reconstruction and enlargement of an existing single family home located within the bed of mapped street, contrary to General City Law Section 35. R4 Zoning District.  <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/16/08</b></p>
16.	205-08-A	<p>Valentino Pompeo  <b>32 Tioga Walk, Queens</b>                      Reconstruction and enlargement of an existing single family home located partially within the bed of mapped street, contrary to General City Law Section 35 and not fronting on a legally mapped street, contrary to General City Law Section 36. R4 Zoning District.  <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/16/08</b></p>

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<b><i>APPEALS – NEW CASES</i></b>		
17.	232-08-A	<p>Gary D. Lenhart  <b>50 Tioga Walk, Queens</b>                      Reconstruction and enlargement of an existing single family home located partially in the bed of a mapped street, contrary to General City Law Section 35. R4 zoning district.  <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/16/08</b></p>
18.	233-08-A	<p>Gary D. Lenhart  <b>56 Hillside Avenue, Queens</b>                      Reconstruction and enlargement of an existing single family home located within the bed of a mapped street, contrary to General City Law Section 35 and the upgrade of an existing private disposal system located within the bed of a mapped street, contrary to General City Law 35 and the Department of Buildings policy. R4 Zoning District.  <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/16/08</b></p>
19.	240-08-A	<p>Gary D. Lenhart  <b>167 Bayside Drive, Queens</b>                      Reconstruction and enlargement of an existing single family home located within the bed of a mapped street and the upgrade of an existing private disposal system in the bed of the mapped street, contrary to General City Law Section 35 and the Department of Buildings Policy. R4 Zoning District.  <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/16/08</b></p>
20.	261-08-BZY	<p>Eric Palatnik, P.C.  <b>140-75 Ash Avenue, Queens</b>                      Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. R7B/C1-3 zoning districts.  <b>Community Board #7Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 1/13/09</b></p>

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<b><i>APPEALS – NEW CASES</i></b>		
21.	262-08-A	Eric Palatnik, P.C. <b>140-75 Ash Avenue, Queens</b> An appeal seeking a determination that the owner of the premises has acquired a common law vested right to continue the development commenced under the prior zoning district regulations. R7B/C1-3 zoning districts. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/13/09</b>
22.	263-08-BZY	Slater & Beckerman, LLP <b>29-23 40<sup>th</sup> Road and 30-02 40<sup>th</sup> Avenue, Queens</b> Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. M1-3 /R7X zoning districts. <b>Community Board #1Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/13/09</b>
23.	264-08-A	Slater & Beckerman, LLP <b>29-23 40<sup>th</sup> Road and 30-02 40<sup>th</sup> Avenue, Queens</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 prior zoning districts. M1-3/R7X zoning districts. <b>Community Board #1Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 1/13/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, December 16, 2008

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	205-07-BZ	<p>Omnipoint Communications Inc.  <b>53-20 72<sup>nd</sup> Place, Queens</b>                      Special Permit (§73-30) to allow a non-accessory radio tower on the rooftop of an existing building. R4-1 district.  <b>Community Board #5Q</b></p> <p><b>Examiner: Roy Starrin (212) 788-8797</b></p> <p><b>Status:     Granted – 12/16/08</b></p>
2.	51-08-BZ	<p>Francis R. Angelino, Esq.  <b>511 Avenue R, Brooklyn</b>                      Variance (§72-21) to permit the development of a new six-story &amp; mezzanine synagogue (<i>Sephardic Institute</i>), contrary to §24-11 (lot coverage, FAR, and open space), §24-382 (rear yard), §24-522 and §23-633 (building height and front setback). R6A/Ocean Parkway Special Zoning District.  <b>Community Board #15BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status:     Granted – 12/16/08</b></p>
3.	159-08-BZ	<p>Greenberg Traurig, LLP  <b>68-70 Spring Street, Manhattan</b>                      Variance (§72-21) to allow a new seven-story residential building (UG 2) containing 12 dwelling units and ground floor retail (UG 6); contrary to use regulations (§42-10 &amp; §42-14 D(2)(b)). M1-5B district.  <b>Community Board #2M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status:     Deferred Decision – 1/27/09</b></p>
4.	175-08-BZ	<p>Eric Palatnik, P.C.  <b>141 Allen Street, Manhattan</b>                      Special Permit (§73-36) to allow a Physical Culture Establishment (<i>Mama Spa</i>) at the cellar, first and second floors of an existing five-story building, contrary to §32-10. C6-1 district.  <b>Community Board #3M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status:     Granted – 12/16/08</b></p>

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<b><i>BZ – DECISIONS</i></b>		
5.	195-08-BZ	Sheldon Lobel, P.C. <b>1350 East 27<sup>th</sup> Street, Brooklyn</b> 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); rear yard (§23-47) and side yard (§23-461) regulations in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/16/08</b>
6.	225-08-BZ	Lewis E. Garfinkel, R.A. <b>1155 East 24<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family home to be converted to a single family residence. This application seeks to vary open space and floor area (§23-141(a)); side yards (§23-461) and less than the required rear yard (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/16/08</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
7.	203-07-BZ	<p>Sheldon Lobel, P.C.  <b>137-35 Elder Avenue, Queens</b>                      Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 &amp; §36-21). R6/C2-2 zoning district.  <b>Community Board #7Q</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Adjoined, Continued Hearing – 1/27/09</b></p>
8.	20-08-BZ	<p>Law Office of Fredrick A. Becker  <b>53-55 Beach Street, Manhattan</b>                      Special Permit (§75-53) to permit a 2,900 square foot vertical enlargement to an existing warehouse (UG 17); M1-5 District/Special Tribeca Mixed Use District.  <b>Community Board #1M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Closed, Decision – 1/13/09</b></p>
9.	46-08-BZ	<p>Law Office of Fredrick A. Becker  <b>491 Bedford Avenue, 142 Clymer Street, Brooklyn</b>                      Variance (§72-21) to permit the construction of a community facility building (<i>Congregation Adas Yereim</i>), contrary to §24-11 (Floor area ratio and lot coverage) and §24-522 (front wall height, setback, sky exposure plane and number of stories). R6 district.  <b>Community Board #1BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 1/13/09</b></p>
10.	155-08-BZ	<p>Eric Palatnik, P.C.  <b>282 Beaumont Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing two family home to be converted to a one family home. This application seeks to vary floor area, open space and lot coverage (§23-141(a)); and required rear yard (§23-47) in an R3-1 district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 1/13/09</b></p>

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## ***BZ – CONTINUED HEARINGS***

11.	230-08-BZ	Law Office of Fredrick A. Becker <b>1019 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); and less than minimum rear yard requirement (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 1/27/09</b>

## ***BZ – NEW CASES***

12.	162-08-BZ	The Law Office of Fredrick A. Becker <b>150 East 93<sup>rd</sup> Street, Manhattan</b> Special Permit (§73-621) to allow for the enlargement of an existing building contrary to floor area and lot coverage regulations §23-145 and §35-31; C1-8X District. <b>Community Board #8M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 1/27/09</b>
13.	198-08-BZ	Mitchell S. Ross, Esq. <b>268 Park Avenue South, Manhattan</b> Special Permit (§73-36) to allow the proposed physical culture establishment ( <i>New York Health &amp; Racquet Club</i> ) in a 12-story and penthouse mixed-use building, contrary to ZR §32-10. C6-4A district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 1/13/09</b>

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<b><i>BZ – NEW CASES</i></b>		
14.	206-08-BZ	<p>Eric Palatnik, P.C.  <b>737 Elvira Avenue, Queens</b>                      Variance (§72-21) to permit the expansion of an existing three-story UG 3 yeshiva (<i>Yeshiva B'nei Torah</i>) which includes sleeping accommodations, contrary to ZR §§24-111 (maximum floor area), 24-35 (side yard), 24-551 (side yard setback), and parking (25-31). R2X zoning district.  <b>Community Board #14Q</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 1/27/09</b></p>
15.	226-08-BZ	<p>Law Office of Fredrick A. Becker  <b>172 Empire Boulevard, Brooklyn</b>                      Special Permit (§73-50) to legalize the vertical enlargement of an existing commercial building within the 30-foot rear yard required along a residential district boundary line that is coincident with a rear lot line. C8-2 zoning district.  <b>Community Board #9BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 1/27/09</b></p>
16.	250-08-BZ	<p>Law Office of Fredrick A. Becker  <b>1925 East 5<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 (§23-141) and less than the required rear yard (§23-47) in an R2X/Special Ocean Parkway District.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 1/27/09</b></p>
17.	251-08-BZ	<p>Law Office of Fredrick A. Becker  <b>2153 Ocean Parkway, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing one family residence. This application seeks to vary side yards (§23-48) and less than the required rear yard (§23-47) in an R5 (OP) Special Ocean Parkway District.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 1/27/09</b></p>

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