

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, December 9, 2008

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	389-85-BZ	<p>Walter T. Gorman, P.E.  <b>2090 Bronxdale Avenue, Bronx</b>                      Extension of Time to Obtain a Certificate of Occupancy for a UG16 automotive service station (<i>Mobil</i>), in a C2-3/R7-1 zoning district, which expired on October 26, 2000 and an Amendment to legalize the conversion of the service bays to a convenience store.  <b>Community Board #11BX</b>  <b>Examiner: Henry Segovia (212) 788-8797</b>  <b>Status:     Granted – 12/9/08</b></p>
2.	117-97-BZ	<p>Vito J. Fossella, P.E. (LPEC)  <b>1112 Forest Avenue, Staten Island</b>                      Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a legal non-conforming (UG6) eating and drinking establishment (<i>Basille's</i>) in an R3-2 zoning district which expired on September 15, 2008.  <b>Community Board #1SI</b>  <b>Examiner: Henry Segovia (212) 788-8797</b>  <b>Status:     Granted – 12/9/08</b></p>
3.	297-99-BZ	<p>Walter T. Gorman, P.E.  <b>45-05 Bell Boulevard, Queens</b>                      Extension of Time to Obtain a Certificate of Occupancy for a (UG16) Gasoline Service Station (<i>Mobil</i>), in a C2-2/R6B zoning district, which will expire on February 12, 2009.  <b>Community Board #11Q</b>  <b>Examiner: Henry Segovia (212) 788-8797</b>  <b>Status:     Granted – 12/9/08</b></p>
4.	159-07-BZ	<p>Eric Palatnik, P.C.  <b>2402 86<sup>th</sup> Street, Brooklyn</b>                      Extension of Time to complete construction for the legalization of a physical culture establishment on the second floor of a two-story commercial building (<i>Stillwell Sports Center</i>) and an Extension of Time to Obtain a Certificate of Occupancy, in a C8-2 zoning district, which expired on May 27, 2008.  <b>Community Board #11BK</b>  <b>Examiner: Henry Segovia (212) 788-8797</b>  <b>Status:     Granted – 12/9/08</b></p>

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

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## ***SOC – CONTINUED HEARINGS***

5.	217-03-BZ	Sheldon Lobel, P.C. <b>142 Pennsylvania Avenue, Brooklyn</b> 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. <b>Community Board #5BK</b>
		<b>Examiner: Henry Segovia (212) 788-8797</b>
		<b>Status: Adjourned, Continued Hearing – 1/27/09</b>

## ***SOC – NEW CASES***

6.	26-02-BZ	Walter T. Gorman, P.E. <b>1680 Richmond Avenue, Staten Island</b> Extension of Time/waiver to obtain a Certificate of Occupancy which expired on December 10, 2006 for an existing gasoline service station ( <i>Mobil</i> ), in a C1-2/R3X zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8797</b>
		<b>Status: Closed, Decision – 1/13/09</b>
7.	242-03-BZ	Moshe M. Friedman, P.E. <b>1858 East 26<sup>th</sup> Street, Brooklyn</b> Extension of Time/waiver to obtain a Certificate of Occupancy which expired on January 13, 2008 and an Amendment to legalize the as-built condition of a previously granted Special Permit (§73-622) in an R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8797</b>
		<b>Status: Closed, Decision – 1/13/09</b>

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<b><i>APPEALS – DECISIONS</i></b>		
8.	39-07-A & 40-07-A	<p>Sheldon Lobel, P.C.  <b>3248, 3250 Wickham Avenue, Bronx</b>                      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.  <b>Community Board #12BX</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status:     Granted – 12/9/08</b></p>
9.	266-07-A	<p>Stuart A. Klein  <b>1610 Avenue S, Brooklyn</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 R6 district regulations. R4-1 Zoning District.  <b>Community Board #15BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status:     Granted – 12/9/08</b></p>
10.	191-08-BZY	<p>Stuart A. Klein  <b>1610 Avenue S, Brooklyn</b>                      Extension of time to complete construction (§11-331) of a minor development commenced prior to the amendment of the zoning district regulations. R4-1 Zoning District.  <b>Community Board #15BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status:     Granted – 12/9/08</b></p>
11.	34-08-A	<p>Kevin Christopher Shea  <b>144 North 8<sup>th</sup> Street, Brooklyn</b>                      Appeal seeking to revoke permit and approvals for construction of a 16-story building, under contention that the building is in violation of ZR §23-142 and ZR §12-10.  <b>Community Board #1BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status:     Denied – 12/9/08</b></p>

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<b><i>APPEALS – NEW CASES</i></b>		
12.	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: Closed, Decision – 12/16/08</b></p>
13.	211-08-A	<p>Gary D. Lenhart  <b>434 Oceanside Avenue, Queens</b>                      Proposed reconstruction and enlargement of existing single family dwelling located partially in the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law, and the proposed upgrade of an existing legal non conforming private disposal system located in the bed of the mapped street and Service road. R4 Zoning District.  <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 12/9/08</b></p>
14.	231-08-A	<p>Gerard E. Meyer  <b>118 Beach 221<sup>st</sup> Street, Queens</b>                      Reconstruction and enlargement of an existing single family home 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 – 12/9/08</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, December 9, 2008

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	178-08-BZ	Eric Palatnik, P.C. <b>153 Norfolk Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area, lot coverage and open space (§23-141(b)) and less than the minimum side yards (§23-461) in an R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 12/9/08</b>
2.	199-08-BZ	Rizzo Group, LLP <b>400 East Fordham Road (a/k/a 2506-2526 Webster Avenue / 4747-4763 Park Avenue) Bronx</b> Special Permit (§73-36) to allow the operation of a physical culture establishment ( <i>24 Hour Fitness</i> ) on the third floor in an existing 14-story mixed-use building. The proposal is contrary to ZR §32-10. C4-4 district. <b>Community Board #6BX</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 12/9/08</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>119-07-BZ</b>	<p>Sheldon Lobel, P.C.  <b>443 39<sup>th</sup> Street, Brooklyn</b>                      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.  <b>Community Board #7BK</b></p> <hr/> <p><b>Examiner: Ron Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Closed, Decision – 1/27/09</b></p>
<b>4.</b>	<b>134-08-BZ</b>	<p>Eric Palatnik, P.C.  <b>34 Lawrence Avenue, Brooklyn</b>                      Variance (§72-21) to construct a third floor to an existing two-story, two-family semi-detached residence, located in an R-5 and M1-1 zoning districts.  <b>Community Board #12BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Adjourned, Continued Hearing – 1/13/09</b></p>
<b>5.</b>	<b>135-08-BZ</b>	<p>Sheldon Lobel, P.C.  <b>71-52 172<sup>nd</sup> Street, Queens</b>                      Variance (§72-21) to permit a one-story and mezzanine synagogue (<i>Fresh Meadows Bukharian Synagogue</i>), contrary to ZR §24-34 (minimum front yard) and §25-31 (minimum parking requirements). R2 district.  <b>Community Board #8Q</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Closed, Decision – 1/13/09</b></p>
<b>6.</b>	<b>170-08-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel, LLP  <b>411-431 East 69th Street, Manhattan</b>                      Variance (§72-21) to permit the construction of a research building (<i>Weill Cornell Medical College</i>) with 16 occupied stories and two mechanical floors. The proposal is contrary to ZR §24-11 (Floor area and lot coverage), §24-36 (Rear yard), §24-522 (Height and setback), and §24-552 (Rear yard setback). R8 zoning district.  <b>Community Board #8M</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Closed, Decision – 1/13/09</b></p>

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7.	224-08-BZ	<p>Omnipoint Communications  <b>47-10 Laurel Hill Boulevard, Queens</b>                      Special Permit (§73-30) to allow an extension to an existing non-accessory radio tower, to mount nine small panel antennas and related equipment cabinets on the rooftop. R4 district.  <b>Community Board #2Q</b></p>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Closed, Decision – 1/13/09</b>

<b><i>BZ – NEW CASES</i></b>		
8.	45-08-BZ	<p>Rampulla Associates  <b>55 Androvetta Street, Staten Island</b>                      Variance (§72-21) to construct a four-story, 108-unit age restricted residential building contrary to use regulations (§42-00, §107-49). M1-1 District/Special South Richmond Development District.  <b>Community Board #3SI</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 2/3/09</b>
9.	201-08-BZ	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>40-38 216<sup>th</sup> Street, Queens</b>                      Variance (§ 72-21) to allow a one-story warehouse/ commercial vehicle storage building (UG16); contrary to use regulations (§22-00). R3X district.  <b>Community Board #11Q</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 2/3/09</b>
10.	223-08-BZ	<p>Rothkrug Rothkrug &amp; Spector, LLP  <b>4553 Arthur Kill Road, Staten Island</b>                      Variance (§72-21) to permit a commercial development (UG 6) in an R3-2/SSRD zoning district.  <b>Community Board #3SI</b></p>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Continued Hearing – 1/27/09</b>

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<b><i>BZ – NEW CASES</i></b>		
11.	234-08-BZ	Eric Palatnik, P.C. <b>1702 Avenue Z, Brooklyn</b> Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 1/27/09</b>
12.	244-08-BZ	Rizzo Group <b>139-153 East 53<sup>rd</sup> Street; 140-16 East 54<sup>th</sup> Street; 601-635 Lexington Avenue; 884-892 3<sup>rd</sup> Avenue, Manhattan</b> Special Permit (§73-36) to allow the proposed Physical Culture Establishment ( <i>24Hour Fitness</i> ) at the cellar level and first floor of a 59-story building, contrary to ZR §32-10. C6-6 district. <b>Community Board #6M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 1/13/09</b>

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