

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, February 12, 2008  
10:00 A.M.

<i>SOC - DECISIONS</i>		
1.	673-81-BZ	<p>David L. Businelli <b>2075 Richmond Avenue, Staten Island</b> Extension of Term of variance granted pursuant to §72-21 permitting, in an R3-2 zoning district, the erection of a one story and cellar retail store and office building with accessory parking in the open area. The application was previously approved for a 15 year term which expired on January 5, 1997. <b>Community Board #2SI</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted - 2/12/08</b></p>
2.	83-97-BZ	<p>Sheldon Lobel, P.C. <b>214-18 24th Avenue, Queens</b> Proposed amendment to remove the term-limit from a previously approved health care facility (UG4) in an R1-2 zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted - 2/12/08</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/Waiver of the Rules for an existing gasoline service station (<i>Mobil</i>) which expired on September 19, 2004 in a C2-2/R6B zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted - 2/12/08</b></p>

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<i><b>SOC - CONTINUED HEARINGS</b></i>		
<b>4.</b>	<b>742-70-BZ</b>	Rothkrug, Rothkrug & Spector, LLP <b>830 Bay Street, Staten Island</b> Extension of Term (expired May 18, 2001) and Waiver of the Rules (§§72-01 and 72-22) for a previously approved variance which allowed an automotive service station with accessory uses in a C1-1(R3-2) zoning district. The application also seeks an Amendment to legalize the installation of two storage containers. <b>Community Board #1SI</b> <hr/> <b>Examiner: Carlo Costanza (212) 788-8739</b> <hr/> <b>Status: Closed, Decision - 2/26/08</b>
<b>5.</b>	<b>1199-88-BZ</b>	Rothkrug, Rothkrug & Spector, LLP <b>29 Nelson Avenue, Staten Island</b> Amendment pursuant to §§72-01 & 72-22 to permit within a C1-1/R3-1 (SRD) the enlargement of previously approved banquet hall (UG 9) and a change in use from offices (UG 6) to retail stores (UG 6). <b>Community Board #1SI</b> <hr/> <b>Examiner: Carlo Costanza (212) 788-8739</b> <hr/> <b>Status: Closed, Decision - 3/4/08</b>

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<i>SOC - NEW CASES</i>		
<b>6.</b>	<b>710-55-BZ</b>	Vincent L. Petraro, PLLC <b>246-02 South Conduit Avenue, Queens</b> Extension of Term for a gasoline service station ( <i>Emporium</i> ) which expired on January 10, 2008 in an R3-2 zoning district. <b>Community Board #13Q</b> <hr/> <b>Examiner: Henry Segovia (212) 788-8757</b> <hr/> <b>Status: Continued Hearing - 3/18/08</b>
<b>7.</b>	<b>824-61-BZ</b>	Vincent L. Petraro, PLLC <b>200-266 East 66<sup>th</sup> Street, Manhattan</b> Extension of Term allowing the use of surplus parking spaces for transient parking within a multiple dwelling pursuant to Section 60(1d) of the Multiple Dwelling Law. C1-9/R8B zoning district. <b>Community Board #</b> <hr/> <b>Examiner: Carlo Costanza (212) 788-8739</b> <hr/> <b>Status: Closed, Decision - 3/11/08</b>
<b>8.</b>	<b>50-92-BZ</b>	Walter T. Gorman, P.E. <b>1282 Shakespeare Avenue, Bronx</b> Extension of Term (§72-01 and §72-22) for a variance (§72-21) for a public parking lot (UG8) for a period of five years. <b>Community Board #4BX</b> <hr/> <b>Examiner: Carlo Costanza (212) 788-8739</b> <hr/> <b>Status: Closed, Decision - 3/11/08</b>
<b>9.</b>	<b>120-01-BZ</b>	Sheldon Lobel, P.C. <b>134-02 Cross Bay Boulevard, Queens</b> Extension of Time (expired on May 14, 2006) and Waiver to obtain a Certificate of Occupancy for a variance (§72-21) to permit the commercial use (UG6) in an existing two-story building, R4 zoning district. <b>Community Board #10Q</b> <hr/> <b>Examiner: Henry Segovia (212) 788-8757</b> <hr/> <b>Status: Continued Hearing - 3/11/08</b>

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<i><b>APPEALS - DECISIONS</b></i>		
<b>10.</b>	<b>64-07-A</b>	<p>Stuart A. Klein, Esq. <b>1704 Avenue N, a/k/a 1702-04 - 1411-1421 East 17<sup>th</sup> Street, Brooklyn</b></p> <p>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 zoning district. R4-1 zoning district.</p> <p><b>Community Board #14BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted - 2/12/08</b></p>

<i><b>APPEALS - CONTINUED HEARINGS</b></i>		
<b>11.</b>	<b>162-06-A &amp; 165-06-A</b>	<p>Adam Rothkrug, Esq. <b>2852 &amp; 2848 Faber Terrace, Queens</b></p> <p>Proposed construction of a single-family home located partially within the bed of a mapped street (Edgewater Road) contrary to General City Law §35. R2 zoning district.</p> <p><b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Adjourned, Continued Hearing - 3/18/08</b></p>
<b>12.</b>	<b>219-06-A thru 225-06-A</b>	<p>Rothkrug, Rothkrug and Spector LLP <b>241-10/16/22/28/15/21/25 128<sup>th</sup> Drive, Queens</b></p> <p>Proposed construction of seven two-story, one-family dwellings within the bed of a mapped street (128<sup>th</sup> Drive), contrary to General City Law §35, and not fronting on a legally mapped street, contrary to Article 3, §36 of the General City Law. R-2 zoning district.</p> <p><b>Community Board #13Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted - 2/12/08</b></p>

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<i>APPEALS - NEW CASES</i>		
<b>13.</b>	<b>261-07-A</b>	<p>Krygztof Rostek  <b>135 North 9<sup>th</sup> Street, Brooklyn</b>                      An appeal seeking a determination that property owner has acquired a common law vested right to continue development commenced under the prior R6/M1-2 zoning district. R6B Zoning District.  <b>Community Board #1BK</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Closed, Decision - 3/18/08</b></p>

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TUESDAY MORNING, February 12, 2008  
1:30 P.M.

<i><b>BZ - DECISIONS</b></i>		
1.	121-07-BZ	<p>Juan D. Reyes, III <b>400 Victory Boulevard, Staten Island</b> Variance (§72-21) to permit the legalization of a physical culture establishment (Dolphin Fitness) on the first and second floors of an existing nonconforming warehouse building. The proposal is contrary to §22-00. R3-2 zoning district/Special Hillside Preservation District. <b>Community Board #1SI</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted - 2/12/08</b></p>
2.	124-07-BZ	<p>Sheldon Lobel, P.C. <b>521 Broome Street, Manhattan</b> 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. <b>Community Board #2M</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Granted - 2/12/08</b></p>
3.	233-07-BZ	<p>Rothkrug, Rothkrug &amp; Spector LLP <b>203 East 86<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment on the first floor, cellar, and sub-cellar levels in an existing 35-story mixed-use building. C2-8A zoning district. <b>Community Board #8M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted - 2/12/08</b></p>
4.	236-07-BZ	<p>Jay A. Segal, Esq. <b>53-65 Hope Street, Brooklyn</b> Special Permit (§73-46) to allow a waiver of parking requirements for a residential conversion of an existing building. 46 spaces are required; 11 spaces are proposed. M1-2/R6A (MX-8) district. <b>Community Board #1BK</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Granted - 2/12/08</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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<i><b>BZ - CONTINUED HEARINGS</b></i>		
5.	48-06-BZ	<p>Jack A. Adesso, PLLC <b>420 Morris Park Avenue, Bronx</b> Variance (§72-21) to allow an eight-story residential building containing 70 dwelling units and 17 accessory parking spaces in an M1-1 district. Proposal is contrary to use regulations (§42-00). <b>Community Board #6BX</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Closed, Decision - 3/11/08</b></p>
6.	74-07-BZ	<p>Friedman &amp; Gotbaum, LLP <b>6-10 West 70<sup>th</sup> Street, Manhattan</b> <i>Congregation Shearith Israel</i> Variance (§72-21) to allow a nine-story residential/community facility building, contrary to regulations for lot coverage (§24-11), rear yard (§24-36), base height, building height and setback (§23-633) and rear setback (§23-663). R8B and R10A zoning districts. <b>Community Board #7M</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Continued Hearing - 4/15/08</b></p>
7.	78-07-BZ & 730-72-BZ	<p>Sheldon Lobel, P.C. <b>2515 McDonald Avenue, Brooklyn</b> Special Permit (§73-36) and SOC Amendment 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. <b>Community Board #15BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision - 3/11/08</b></p>
8.	158-07-BZ	<p>Rothkrug, Rothkrug &amp; Spector, LLP <b>184-20 Union Turnpike, Queens</b> Variance (§72-21) to allow a one-story commercial retail building (UG6), contrary to use regulations (§22-10). R1-2 district. <b>Community Board #8Q</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Continued Hearing - 3/4/08</b></p>

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<i><b>BZ - CONTINUED HEARINGS</b></i>		
<b>9.</b>	<b>173-07-BZ</b>	<p>Sheldon Lobel, P.C. <b>1061 East 21<sup>st</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement to a single family residence. This application seeks to vary floor area and open space ratio (§23-141(a)); side yard (§23-461(a)) and rear yard (§23-47) regulations in an R-2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing - 3/18/08</b></p>
<b>10.</b>	<b>193-07-BZ</b>	<p>Sheldon Lobel, P.C. <b>3591 Bedford Avenue, 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); side yard (§23-461) and rear yard (§23-47) in an R-2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision - 3/11/08</b></p>
<b>11.</b>	<b>217-07-BZ</b>	<p>Eric Palatnik, P.C. <b>25 Beaumont Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single-family home. This application seeks to vary floor area, open space and lot coverage (§23-141(a)); rear yard (§23-47) and side yards (§23-461) in an R3-1 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision - 3/4/08</b></p>

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<i><b>BZ - NEW CASES</b></i>		
12.	218-07-BZ	Sheldon Lobel, P.C. <b>110-11 Astoria Boulevard, Queens</b> Variance (§72-21) to allow the conversion and enlargement of an existing building to office use, contrary to use regulations (§22-00). R3-2 district. <b>Community Board #3Q</b> <b>Examiner: Jed Weiss (212) 788-8781</b> <b>Status: Continued Hearing - 4/1/08</b>
13.	221-07-BZ	Kramer Levin Naftalis & Frankel, LLP <b>165 Lenox Avenue, Manhattan</b> Variance (§72-21) to permit a music rehearsal studio in an existing two-story building, contrary to use regulations (§32-10). C1-4/R7-2 zoning districts. <b>Community Board #10M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Continued Hearing - 3/11/08</b>
14.	281-07-BZ	Law Office of Fredrick A. Becker <b>1960 East 4<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family dwelling. This application seeks to vary floor area (§23-141); side yard (§23-461) and rear yard (§23-47) in an R2X (OP) zoning district. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing - 3/11/08</b>
15.	286-07-BZ	Sheldon Lobel, P.C. <b>129-01 Merrick Boulevard, Queens</b> Special Permit (§73-36) to allow the legalization of a Physical Culture Establishment in a one-story building. The proposal is contrary to §32-10. C8-1 district. <b>Community Board #12Q</b> <b>E Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision - 3/11/08</b>

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