

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, January 15, 2008  
10:00 A.M.

<i><b>SOC - DECISIONS</b></i>		
<b>1.</b>	<b>67-95-BZ</b>	Francis R. Angelino, Esq. <b>1591/1611 Broadway, Manhattan</b> Extension of Term of a previously approved Special Permit granted pursuant to §73-36 allowing the operation of a physical culture establishment on the 14 & 15 floors of the Crowne Plaza Hotel located in a C6-7T (MID) zoning district. <b>Community Board #5M</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status:     Granted - 1/15/08</b>

<i><b>SOC - CONTINUED HEARINGS</b></i>		
<b>2.</b>	<b>16-36-BZ</b>	Vassalotti Associates, Architects <b>1885 Westchester Avenue, Bronx</b> Extension of Term of a previously granted variance for the operation of a gasoline service station (Exxon) which expired November 1, 2007 in a C2-2/R-5 zoning district. <b>Community Board #9BX</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status:     Continued Hearing - 2/26/08</b>
<b>3.</b>	<b>146-59-BZ</b>	Larry Dean Merritt <b>686-88 Gerard Avenue, Bronx</b> Extension of Term (§11-411) of a previously granted variance for the operation of a parking lot (UG8) which expired on May 6, 2007 in an R8 zoning district. <b>Community Board #4BX</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status:     Closed, Decision - 1/29/08</b>

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4.	390-61-BZ	Peter Hirshman <b>148-150 East 33<sup>rd</sup> Street, Manhattan</b> Extension of Term (§11-411) of a previously granted variance which will expire on March 3, 2008 for a UG8 parking garage (Rapid Park Industries) in an R8B zoning district. <b>Community Board #6M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision - 1/29/08</b>
5.	673-81-BZ	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>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Postponed, Continued Hearing - 1/29/08</b>
6.	16-92-BZ	Stadtmauer Bailkin, LLP <b>115 King Street/78 Sullivan Street, Brooklyn</b> 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. <b>Community Board #6BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision - 2/26/08</b>
7.	297-99-BZ	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>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision - 2/12/08</b>

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<i>SOC – NEW CASES</i>		
<b>8.</b>	<b>121-95-BZ</b>	<p>Francis R. Angelino, Esq. <b>37 West 46<sup>th</sup> Street, Manhattan</b> Extension of Term /Waiver (expired February 6, 2006) for a special permit (§73-36) for a physical culture establishment (<i>Osaka Health Spa</i>) in a C6-4.5 zoning district. <b>Community Board #5M</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 2/5/08</b></p>
<b>9.</b>	<b>6-04-BZ</b>	<p>The Law Office of Fredrick A. Becker <b>7118-7124 Third Avenue, Brooklyn</b> Extension of Term of a variance to allow the operation of a physical culture establishment located in a C1-3/R6 zoning district. <b>Community Board #12BK</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing – 2/5/08</b></p>

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<i>APPEALS - DECISIONS</i>		
10.	240-07-A	<p>Sheldon Lobel, P.C. <b>1270 Bay Ridge Parkway, Brooklyn</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior R4/C1-2 zoning district. R4-1 zoning district. <b>Community Board #10BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status:     Granted - 1/15/08</b></p>

<i>APPEALS - CONTINUED HEARINGS</i>		
11.	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:     Continued Hearing - 2/26/08</b></p>
12.	64-07-A	<p>Stuart A. Klein, Esq. <b>1704 Avenue N, a/k/a 1702-04 - 1411-1421 East 17<sup>th</sup> Street, 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 zoning district. R4-1 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status:     Closed, Decision - 2/12/08</b></p>
13.	196-07-A thru 199-07-A	<p>Willy C. Yuin, R.A. <b>9, 11, 15, 17 Federal Place, Staten Island</b> Proposed construction of one and two family homes not fronting on a legally mapped street, contrary to the General City Law Article 3 Section 36. R-5 Zoning district. <b>Community Board #1SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status:     Granted - 1/15/08</b></p>

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<i>APPEALS - NEW CASES</i>		
<b>14.</b>	<b>204-07-BZY</b>	<p>Sheldon Lobel, P.C. <b>163-167 Washington Avenue, Brooklyn</b> Proposed extension of time (§11-331) to complete construction of a 15-story mixed use building under the prior R6/C1-3 zoning district. <b>Community Board #2BK</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Closed, Decision - 3/4/08</b></p>
<b>15.</b>	<b>270-07-A</b>	<p>Sheldon Lobel, P.C. <b>163-167 Washington Avenue, Brooklyn</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development under the prior R6/C1-3 zoning district. <b>Community Board #2BK</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Closed, Decision - 3/4/08</b></p>
<b>16.</b>	<b>140-07-A</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP <b>607 Bayside Drive, Queens</b> Appeal seeking to reverse the Department of Building's decision to revoke permits and approvals for a one-family home. R4 Zoning district. <b>Community Board #14Q</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Off Calendar Without Date</b></p>

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<i><b>BZ - DECISIONS</b></i>		
1.	<b>315-06-BZ</b>	<p>Eric Palatnik, P.C. <b>1739 Ocean Avenue, Brooklyn</b> 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 &amp; Setback (§24-521). R5B and R2 zoning districts. <b>Community Board #14BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted - 1/15/08</b></p>
2.	<b>53-07-BZ</b>	<p>Wolf Block, Schorr &amp; Solis-Cohen, LLP <b>1901 Eighth Avenue, Brooklyn</b> Variance (§72-21) to permit the redevelopment and conversion to residential use of an existing three-story factory/warehouse. The proposal is contrary to §42-00. M1-1 district. <b>Community Board #7BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Deferred Decision - 2/26/08</b></p>
3.	<b>88-07-BZ</b>	<p>Eric Palatnik, P.C. <b>1633 East 29<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary floor area and lot coverage (§23-141(b)); side yard (§23-461(a)) and rear yard (§23-47) in an R3-2 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted - 1/15/08</b></p>
4.	<b>182-07-BZ</b>	<p>Harold Weinberg, P.E., <b>229 Exeter Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary lot coverage, open space and floor area (§23-141) 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: Granted - 1/15/08</b></p>

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<i><b>BZ - CONTINUED HEARINGS</b></i>		
5.	65-07-BZ	<p>Sheldon Lobel, P.C. <b>146-93 Guy R. Brewer Boulevard, Queens</b> Variance (§72-21) to allow a one-story retail (UG 6) building to violate use regulations (§22-00). R3-2 district. <b>Community Board #13Q</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Closed, Decision - 2/5/08</b></p>
6.	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: Adjourned, Continued Hearing - 2/12/08</b></p>
7.	111-07-BZ	<p>Harold Weinberg, P.E. <b>155 Norfolk Street, Brooklyn</b> Special Permit (§73-622) for the enlargement (including legalization) to a single family home. This application seeks to vary lot coverage, open space and floor area (§23-141) and side yard (§23-461) regulations 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: Adjourned, Continued Hearing - 2/26/08</b></p>
8.	114-07-BZ	<p>Joseph P. Morsellino, Esq. <b>7-05 152<sup>nd</sup> Street, Queens</b> Special Permit (§73-19) to allow a day-care center (UG3) in an M1-1 zoning district. <b>Community Board #7Q</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Continued Hearing - 2/26/08</b></p>

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<i><b>BZ - CONTINUED HEARINGS</b></i>		
<b>9.</b>	<b>121-07-BZ</b>	<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> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Closed, Decision - 2/12/08</b></p>
<b>10.</b>	<b>122-07-BZ</b>	<p>Law Office of Fredrick A. Becker <b>1630 East 15<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-36) to legalize the operation of a Physical Culture Establishment on portions of the first and second floors of a three-story commercial building. The proposal is contrary to §32-00. C4-4A zoning district. <b>Community Board #15BK</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Closed, Decision - 2/5/08</b></p>
<b>11.</b>	<b>124-07-BZ</b>	<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> <hr/> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <hr/> <p><b>Status: Closed, Decision - 2/12/08</b></p>
<b>12.</b>	<b>151-07-BZ</b>	<p>Harold Weinberg, P.E. <b>1133 83<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, lot coverage, open space (§23-141) and rear yard (§23-47) in an R3-1 zoning district. <b>Community Board #10BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision - 1/29/08</b></p>

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<i>BZ - CONTINUED HEARINGS</i>		
13.	201-07-BZ	<p>Cozen O'Connor <b>2317 Ralph Avenue, Brooklyn</b> Variance (§72-21) to permit a new one-story bank. The proposal is contrary to §22-00. R3-2 district. <b>Community Board #18BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Adjourned, Continued Hearing - 2/26/08</b></p>
14.	211-07-BZ	<p>Eric Palatnik, P.C. <b>1149 East 22<sup>nd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141), side yard (§23-461) 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: Closed, Decision - 1/29/08</b></p>

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<i><b>BZ - NEW CASES</b></i>		
<b>15.</b>	<b>143-07-BZ</b>	<p>Moshe M. Friedman <b>6404 Strickland Avenue, Brooklyn</b> Variance (§72-21) to permit the construction of a three-story and cellar synagogue and religious pre-school. The proposal is contrary to §24-111 (a) and §23-141 (a) (floor area), §24-11 (open space and lot coverage), §24-521 (front wall and sky exposure plane), §24-34 (front yard), §24-35 (side yard), §25-31 (parking). R2 zoning district. <b>Community Board #18BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing - 3/18/08</b></p>
<b>16.</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: Continued Hearing - 2/12/08</b></p>
<b>17.</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: Continued Hearing - 2/12/08</b></p>

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<b>18.</b>	<b>236-07-BZ</b>	<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> <hr/> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <hr/> <p><b>Status: Closed, Decision - 2/12/08</b></p>
<b>19.</b>	<b>249-07-BZ</b>	<p>Harold Weinberg, P.E. <b>1865 East 28<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single-family residence. This application seeks to vary side yard requirement (§23-461) in an R3-2 zoning district. <b>Community Board #15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision - 2/5/08</b></p>

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