

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, January 8, 2008  
10:00 A.M.

<i>SOC - DECISIONS</i>		
1.	651-60-BZ	<p>Kramer Levin Naftalis &amp; Frankel, LLP <b>600 West 246<sup>th</sup> Street, Bronx</b> Extension of Term for the use of cellar space in an existing multiple dwelling for valet service, office/stationary store and packaged goods store in an R4 zoning district and to waive the Board's Rules. The subject site is located, <b>Community Board #8BX</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p style="color: red;"><b>Status: Granted - 1/8/08</b></p>
2.	426-83-BZ	<p>Glen V. Cutrona, AIA <b>1880 Hylan Boulevard, Staten Island</b> Extension of Term (expired November 27, 2004) for an additional 20 years for a variance for existing retail stores on first floor and offices on the second floor (UG6) in a R3-1 zoning district; amendment to legalize a reduction in parking from 27 to 20 vehicles, approve change in parking layout, and amend signage. <b>Community Board #2SI</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p style="color: red;"><b>Status: Granted - 1/8/08</b></p>

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<i>SOC - CONTINUED HEARINGS</i>		
3.	170-47-BZ	<p>Kenneth H. Koons <b>1982 Crotona Parkway, Bronx</b> Extension of Term (expired on November 25, 2007) of a storage warehouse (UG 16) in the cellar, and a factory (UG 17) on the first floor, in an R7-1 zoning district. <b>Community Board #6BX</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision - 1/29/08</b></p>
4.	742-70-BZ	<p>Rothkrug, Rothkrug &amp; 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></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing - 2/12/08</b></p>
5.	1199-88-BZ	<p>Rothkrug, Rothkrug &amp; Spector, LLP <b>29 Nelson Avenue, Staten Island</b> Amendment pursuant to §§72-01 &amp; 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></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing - 2/12/08</b></p>
6.	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> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing - 1/29/08</b></p>

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<i>SOC - NEW CASES</i>		
7.	1038-80-BZ	<p>Davidoff Malito &amp; Hutcher, LLP 31-07/09/11 Downing Street, Queens</p> <p>Extension of Term (expires on January 6, 2008) of a Special Permit for the continued operation of a UG15 Amusement Arcade (<i>Smile Arcade</i>) in an M2-1 zoning district.</p> <p>Community Board #7Q</p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision - 2/5/08</b></p>
8.	222-03-BZ	<p>Alfonse Duarte 30-04 73<sup>rd</sup> Street, Queens</p> <p>Extension of Time to Complete Construction of a Variance for the enlargement of a single family home, in an R-4 zoning district, which expired on November 18, 2007.</p> <p>Community Board #3Q</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>APPEALS - DECISIONS</i>		
9.	155-07-A	<p>Jorge F. Canepa <b>55 Chipperfield Court, Staten Island</b> Proposed construction of a swimming pool, tennis court and changing room located within the bed of a mapped street (Tiber Place) contrary to General City Law Section 35. R1-2 Zoning District. <b>Community Board #2SI</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status:      Granted - 1/8/08</b></p>

<i>APPEALS - CONTINUED HEARINGS</i>		
10.	162-06-A & 165-06-A	<p>Adam Rothkrug, Esq. <b>2852 &amp; 2848 Faber Terrace, Queens</b> Proposed construction of a single-family home located partially within the bed of a mapped street (Edgewater Road) contrary to General City Law Section 35. R2 zoning district. <b>Community Board #14Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status:      Adjourned, Continued Hearing - 2/12/08</b></p>
11.	219-06-A thru 225-06-A	<p>Rothkrug, Rothkrug and Spector <b>241-10/16/22/28/15/21/25 128<sup>th</sup> Drive, Queens</b> 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. <b>Community Board #13Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status:      Adjourned, Continued Hearing - 2/12/08</b></p>
12.	154-07-A	<p>Troutman Sander, LLP <b>441 East 57<sup>th</sup> Street, Manhattan</b> Appeal seeking to revoke permits and approvals for a rooftop mechanical room. Applicant argues that it exceeds the maximum</p>

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	height permitted under §23-692(a) and is not listed as a permitted obstruction in §23-62. R10 Zoning district. <b>Community Board #6M</b>
	<b>Examiner: Toni Matias (212) 788-8752</b>
	<b>Status: Adjourned, Continued Hearing - 2/5/08</b>

**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

REGULAR MEETING

TUESDAY AFTERNOON, January 8, 2008

1:30 P.M.

<i><b>BZ - DECISIONS</b></i>		
1.	39-06-BZ	Moshe M. Friedman, P.E. <b>245 Varet Street, Brooklyn</b> Variance (§72-21) to allow the legalization of two dwelling units (UG 2) in an existing three-story industrial building. Ground floor would be retained as manufacturing space (UG17d). M1-2 district. <b>Community Board #1BK</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Deferred Decision - 2/26/08</b>
2.	227-06-BZ	Eric Palatnik, P.C. <b>2066 Richmond Avenue, Staten Island</b> Variance (§72-21) to allow a two-story commercial office building (UG6) contrary to use regulations (§22-00). R3-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Granted - 1/8/08</b>
3.	48-07-BZ	Alfonso Duarte <b>7-12 126<sup>th</sup> Street, Queens</b> Variance (§72-21) for the enlargement of an existing single-family residence, contrary to rear yard (§23-47) and lot coverage (§23-141(b)) regulations in an R2A zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted - 1/8/08</b>
4.	88-07-BZ	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.

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		Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Deferred Decision - 1/15/08

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<i><b>BZ - DECISIONS</b></i>		
<b>5.</b>	<b>152-07-BZ</b>	<p>Eric Palatnik, P.C. <b>8701 Fourth Avenue, Brooklyn</b> Special Permit (§73-36) to allow the legalization of a Physical Culture Establishment on the second floor of a two-story commercial building. C4-2A zoning district. <b>Community Board #10BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Deferred Decision - 2/5/08</b></p>
<b>6.</b>	<b>202-07-BZ</b>	<p>Cozen O'Connor Attorneys <b>2160-2170 McDonald Avenue, Brooklyn</b> Special Permit (§73-19) to allow a religious pre-school (Magen David/UG3), contrary to section §42-00. M1-1 district. <b>Community Board #11BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted - 1/8/08</b></p>
<b>7.</b>	<b>216-07-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector <b>255 East 74<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment on all five levels of a mixed-use building under construction. The proposal is contrary to §32-10. C1-9 district. <b>Community Board #8M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted - 1/8/08</b></p>
<b>8.</b>	<b>223-07-BZ</b>	<p>Jay A. Segal, Greenberg Traurig, LLP <b>12 West 57<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to legalize a physical culture establishment on the third floor in an existing commercial building. The proposal is contrary to §32-10. C5-3 Special Midtown District. <b>Community Board #5M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted - 1/8/08</b></p>

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<i>BZ - CONTINUED HEARINGS</i>		
9.	212-06-BZ	<p>Jeffrey A. Chester <b>242-02 61<sup>st</sup> Avenue, Queens</b> Variance (§72-21) to convert an existing supermarket (UG 6) into an electronics store with no limitation in floor area (UG 10), contrary to §22-10. R4 zoning district. <b>Community Board #11Q</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Closed, Decision - 1/29/08</b></p>
10.	306-06-BZ	<p>Sheldon Lobel, P.C. <b>50 Lawrence Avenue, Brooklyn</b> Variance (§72-21) to permit the construction of a one- and six-story religious school building, located in a split M1-1/R5 zoning district (Ocean Parkway Special Zoning District). The proposal is contrary to the use regulations (§42-00), floor area and lot coverage (§24-11), front yard (§24-34), side yards (§24-35), and front wall (§24-52). <b>Community Board #14BK</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Closed, Decision - 2/5/08</b></p>
11.	68-07-BZ	<p>Jeffrey A. Chester <b>102-48 65<sup>th</sup> Road, Queens</b> Variance (§72-21) to permit a community facility (synagogue), contrary to front (§24-34) and side yard (§24-35) requirements. R5 zoning district. <b>Community Board #6Q</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Adjourned, Continued Hearing - 1/29/08</b></p>
12.	79-07-BZ	<p>Sheldon Lobel, P.C. <b>114-05 Farmers Boulevard, Queens</b> Re-establish (§11-411) variance permitting the operation of an automotive service station with accessory uses in a C2/2R3-2 zoning district. The prior grant (711-53-BZ) expired on July 24, 2001. <b>Community Board #12Q</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p>

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<b>13.</b>	<b>158-07-BZ</b>	Rothkrug, Rothkrug & 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> <b>Examiner: Jed Weiss (212) 788-8781</b> <b>Status: Continued Hearing - 2/12/08</b>
<b>14.</b>	<b>173-07-BZ</b>	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> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing - 2/12/08</b>
<b>15.</b>	<b>176-07-BZ</b>	Rothkrug, Rothkrug & Spector, LLP <b>50-34 69<sup>th</sup> Street, Queens</b> Variance (§72-21) to permit the alteration and enlargement of an existing one-story single family home for commercial use. The proposal is contrary to §22-12 (use), §23-45(a) (front yard), and §23-461(a) (side yard). R4 zoning district. <b>Community Board #2Q</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision - 2/5/08</b>

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<i><b>BZ - NEW CASES</b></i>		
<b>16.</b>	<b>160-06-BZ</b>	Rothkrug Rothkrug & Spector, LLP <b>2199 (a/k/a 2175) Richmond Avenue, Staten Island</b> Variance (§72-21) to permit proposed one-story and cellar drug store ( <i>Walgreens</i> ) with accessory parking for 24 cars. The proposal is contrary to §22-00. R3-1 district. <b>Community Board #2SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing - 2/5/08</b>
<b>17.</b>	<b>293-06-BZ</b>	Rothkrug Rothkrug & Spector, LLP <b>54-07 254<sup>th</sup> Street, Queens</b> Variance (§72-21) for the proposed enlargement of an existing one-family dwelling which exceeds the permitted floor area and does not provide the required open space (§23-141) in an R1-2 zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing - 1/29/08</b>
<b>18.</b>	<b>209-07-BZ</b>	Raymond J. Irrera <b>187-30 Grand Parkway, Queens</b> Variance (§72-21) to enlarge and maintain the use of existing school. The proposal is contrary to floor area (§24-11) and front yard regulations (§24-34 and §24-33). R1-2 district. <b>Community Board #8Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing - 2/5/08</b>
<b>19.</b>	<b>235-07-BZ</b>	Law Office of Fredrick A. Becker <b>1148 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 ratio 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>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
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