

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, March 18, 2008  
10:00 A.M.

<i>SOC - DECISIONS</i>		
1.	16-36-BZ	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: Granted - 3/18/08</b>
2.	57-95-A thru 59-95-A	Mitchell S. Ross, Esq. <b>473, 474/75 Central Park West, Manhattan</b> Extension of Term of a previously granted variance to permit the cellar occupancy in a multiple dwelling, which expired on November 14, 2005; Extension of Time to obtain a Certificate of Occupancy, which expired on November 21, 1996; an Amendment to the resolution to eliminate the condition of term limits and a waiver of the rules. R7-2 zoning district. <b>Community Board #7M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted - 3/18/08</b>
3.	119-01-BZ	Edward H. Odesser, Esq. <b>8818 Fourth Avenue, Brooklyn</b> Extension of Time to obtain a Certificate of Occupancy for a previously granted variance to permit automotive repairs in a C4-2A (SBRD) zoning district. <b>Community Board #10BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted - 3/18/08</b>
4.	211-03-BZ	Eric Palatnik P.C. <b>529-535 48<sup>th</sup> Avenue, Queens</b> Extension of Time to Complete Construction of a previously granted variance to permit the proposed expansion and the conversion of an existing warehouse to residential use in an M1-4/R7A (LIC) zoning district. <b>Community Board #2Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted - 3/18/08</b>

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5.	42-06-BZ	Akerman Senterfitt/Stadtmauer Bailkin LLP <b>56-45 Main Street, Queens</b> Amendment to previously granted variance to allow a two-story addition to previously approved five-story hospital building located on the campus of New York Hospital - Queens; contrary to regulations for height & setback (§ 24-522) and rear yard equivalent (§24-382). R6 district. <b>Community Board #7Q</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Granted - 3/18/08</b>
6.	67-06-BZ	Joseph P. Morsellino, Esq. <b>2270 Clove Road, Staten Island</b> Amendment to previously granted variance which allowed accessory commercial parking in a residential zoning district. Amendment seeks to reduce the required 48 parking spaces to 42 spaces. C2-1/R2 zoning districts. <b>Community Board #2SI</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted - 3/18/08</b>

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<i><b>SOC - CONTINUED HEARINGS</b></i>		
<b>7.</b>	<b>710-55-BZ</b>	<p>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></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision - 4/8/08</b></p>
<b>8.</b>	<b>841-76-BZ</b>	<p>Anthony M. Salvati <b>651 Fountain Avenue, Brooklyn</b> Extension of term and amendment for a variance which permitted auto wrecking and yard for auto parts (UG 18), sale of new and used cars and auto repair shop (UG 16), and sale of new and used parts (UG 6) not permitted in an R4 zoning district. The amendment seeks to legalize the change in use to open commercial storage bus parking, repairs and sales (UG 16 &amp; 6). <b>Community Board #5BK</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Adjourned, Continued Hearing - 5/13/08</b></p>
<b>9.</b>	<b>78-79-BZ</b>	<p>Anthony M. Salvati <b>671 Fountain Avenue, Brooklyn</b> Extension of term and amendment for a variance which permitted auto wrecking and yard for auto parts (UG 18), sale of new and used cars and auto repair shop (UG 16), and sale of new and used parts (UG 6) not permitted in an R4 zoning district. The amendment seeks to legalize the change in use to open commercial storage bus parking, repairs and sales (UG 16 &amp; 6). <b>Community Board #5BK</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Adjourned, Continued Hearing - 5/13/08</b></p>

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<i>SOC - NEW CASES</i>		
10.	617-80-BZ	Eric Palatnik, P.C. <b>770/780 McDonald Avenue, Brooklyn</b> Extension of Time to Complete Construction and to obtain a Certificate of Occupancy (expired on March 14, 2008) for an existing non-complying catering establishment (UG9) in an M1-1 zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision - 4/8/08</b>
11.	141-96-BZ	Sheldon Lobel, P.C. <b>638-40 Utica Avenue, Brooklyn</b> Extension of Term (expired May 20, 2007) permitting a motor vehicle repair shop (UG 16) in an R5/C2-2 zoning district; Amendment allowing minor changes to the layout and legalization of non-complying signage; and Waiver of the Rules. <b>Community Board #9BK</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing - 4/5/08</b>

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<i>APPEALS – DECISIONS</i>		
12.	261-07-A	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>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 3/18/08</b>
13.	264-07-A	Rampulla Associates Architects <b>76 Romer Road, Staten Island</b> Proposed legalization of an existing single family home not fronting a mapped street, contrary to General City Law Section 36. R1-1(SNAD/SGMD) zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 3/18/08</b>

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<i><b>APPEALS - CONTINUED HEARINGS</b></i>		
<b>14.</b>	<b>162-06-A &amp; 165-06-A</b>	<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 §35. R2 zoning district. <b>Community Board #14Q</b></p> <p style="margin-left: 20px;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="margin-left: 20px;"><b>Status: Continued Hearing - 5/6/08</b></p>
<b>15.</b>	<b>208-07-BZY</b>	<p>Law Office of Fredrick Becker <b>74 Grand Avenue (aka 72-96 Grand Avenue), Brooklyn</b> Extension of Time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on July 25, 2007. <b>Community Board #2BK</b></p> <p style="margin-left: 20px;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="margin-left: 20px;"><b>Status: Continued Hearing - 4/8/08</b></p>
<b>16.</b>	<b>231-07-BZY &amp; 232-07-BZY</b>	<p>Sheldon Lobel, P.C. <b>87-85 &amp; 87-87 144<sup>th</sup> Street, Queens</b> Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on September 10, 2007. R6 zoning district. <b>Community Board #12Q</b></p> <p style="margin-left: 20px;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="margin-left: 20px;"><b>Status: Closed, Decision - 4/1/08</b></p>
<b>17.</b>	<b>287-07-A</b>	<p>Greenberg Traurig by Jay A. Segal, Esq. <b>697 West 247<sup>th</sup> Street, Bronx</b> Proposed construction of an accessory tennis court located partially within the bed of a mapped street (West 248<sup>th</sup> Street) contrary to General City Law Section 35. R1-1 SNAD. <b>Community Board #8BX</b></p> <p style="margin-left: 20px;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="margin-left: 20px;"><b>Status: Closed, Decision - 4/8/08</b></p>

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<i>APPEALS – NEW CASES</i>		
<b>18.</b>	<b>163-07-A</b>	Rothkrug, Rothkrug and Spector, LLP <b>11 Cliff Street, Staten Island</b> Proposed accessory parking lot located within the bed of a mapped street (Cliff Street) contrary to General City Law Section 35. R3-2 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 5/6/08</b>
<b>19.</b>	<b>192-07-A</b>	Rothkrug Rothkrug & Spector, LLP <b>3546 Decatur Avenue, Bronx</b> Proposed four-story multiple dwelling located within the bed of mapped street (East 211 <sup>th</sup> Street), contrary to General City Law Section 35. R7-1 zoning district. <b>Community Board #7BX</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 4/15/08</b>
<b>20.</b>	<b>246-07-A</b>	Rothkrug Rothkrug & Spector, LLP <b>97 Victory Boulevard, Staten Island</b> Proposed mixed-use building located within the bed of a mapped street, contrary to General City Law Section 35. C2-1 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 5/6/08</b>

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 1:30 P.M.

<i><b>BZ – DECISIONS</b></i>		
<b>1.</b>	<b>31-06-BZ</b>	Sheldon Lobel, P.C. <b>102-10 159<sup>th</sup> Road, Queens</b> Variance (§72-21) to allow the legalization of an automotive collision repair shop (Use Group 16) in an R3-1/C1-2 zoning district; proposed use is contrary to §22-00 and §32-00. <b>Community Board #10Q</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Granted – 3/18/08</b>
<b>2.</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: Granted – 3/18/08</b>
<b>3.</b>	<b>311-06-BZ thru 313-06-BZ</b>	Rothkrug, Rothkrug, & Spector, LLP <b>300/302/304 Columbia Street, Brooklyn</b> Variance (§72-21) to allow three, four-story residential buildings containing a total of six dwelling units, contrary to use regulations (§42-10); M1-1 district. <b>Community Board #6BK</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Deferred Decision – 4/8/08</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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TUESDAY AFTERNOON, March 18, 2008  
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<b><i>BZ - CONTINUED HEARINGS</i></b>		
4.	299-06-BZ	Marvin Mitzner, Blank & Rome <b>1976 Crotona Parkway, Bronx</b> Variance (§72-21) to legalize a public parking facility, contrary to use regulations (§22-10). R7-1 zoning district. <b>Community Board #6BX</b>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing - 5/6/08</b>
5.	119-07-BZ	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>
		<b>Examiner: Jed Weiss (212) 788-8781</b>
		<b>Status: Continued Hearing - 5/6/08</b>
6.	143-07-BZ	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>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing - 5/20/08</b>

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<i>BZ - CONTINUED HEARINGS</i>		
7.	173-07-BZ	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 - 5/6/08</b>
8.	10-08-BZ	Law Office of Fredrick A. Becker <b>66-68 Bradhurst Avenue, Manhattan</b> Special Permit (§73-36) to allow the legalization of the existing Physical Culture Establishment on a portion of the cellar level and first floor in a nine-story mixed-use building, contrary to §32-10. C4-4D zoning district. <b>Community Board #10M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision - 4/8/08</b>

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<i><b>BZ - NEW CASES</b></i>		
9.	100-07-BZ	<p>David L. Businelli <b>642 Barclay Avenue, Staten Island</b> Variance (§72-21) to allow a one-story and cellar community facility building (medical offices/UG4), contrary to front yard (§24-34) and side yard (§107-464) requirements. R3X district (Special South Richmond District). <b>Community Board #3SI</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Continued Hearing - 5/13/08</b></p>
10.	219-07-BZ	<p>Sheldon Lobel, P.C. <b>11 West 36<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to legalize the operation of a Physical Culture Establishment on the second floor of an existing building, contrary to §42-13. M1-6 zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing - 5/13/08</b></p>
11.	248-07-BZ	<p>Akeeb Shekoni <b>32-15 60<sup>th</sup> Street, Queens</b> Variance (§72-21) for legalization of three-story, two-family home, in an R5 zoning district, contrary to minimum lot width (§23-33). <b>Community Board #1Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Postponed Hearing - 5/6/08</b></p>
12.	250-07-BZ	<p>Rothkrug, Rothkrug &amp; Spector, LLP <b>837 Belmont Avenue, Brooklyn</b> Variance (§72-21) to allow a two-story, two-family home, contrary to front yard (§23-45) and side yard (§23-461(a)) requirements. R5 district. <b>Community Board #5BK</b></p> <p><b>Examiner: Jed Weiss (212) 788-8781</b></p> <p><b>Status: Continued Hearing - 4/15/08</b></p>

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<i>BZ - NEW CASES</i>		
13.	258-07-BZ	Carl A. Sulfaro, Esq. <b>105-55 Horace Harding Expressway, Queens</b> Special Permit (§73-211) to permit in a C2-2/R6 zoning district, the reconstruction of an existing automotive service station with accessory uses. <b>Community Board #4Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing - 5/6/08</b>

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