

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, September 23, 2008
10:00 A.M.

<i>SOC - DECISIONS</i>		
1.	709-55-BZ	<p>Walter T. Gorman, P.E. 2000 Rockaway Parkway, Brooklyn Extension of Time to obtain a Certificate of Occupancy for a gasoline service station (<i>Mobil</i>) which expired on January 9, 2003; waiver of the rules and an Amendment to legalize existing condition contrary to previous approved plans. C1-2/R4 zoning district Community Board #18BK</p>
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted - 9/23/08

<i>SOC - CONTINUED HEARINGS</i>		
2.	705-68-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 88-14/22 182nd Street, Queens Extension of Term/waiver for a (UG8) parking lot in an R4-1 zoning district which expired on April 27, 2007. Community Board #12Q</p>
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision - 10/28/08
3.	24-96-BZ	<p>Rothkrug, Rothkrug & Spector LLP 213 Madison Street, Manhattan Extension of Term (§§11-411 & 11-413) a variance, which expired on October 7, 2007, permitting commercial use in an R7-2 residential zoning district, and Amendment to a change the use from a retail store (UG 6) to an eating and drinking establishment (UG 6). Community Board #3M</p>
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing - 10/28/08
4.	340-03-BZ	<p>Davidoff Malito & Hatcher, LLP 408 Greenwich Street, a/k/a 22-24 Hubert Street, Manhattan Amendment to variance to allow in a mixed use building the change of the use on the fifth floor from commercial use (UG6) to residential use (UG2). M1-5 zoning district/Tribeca Mixed Use District. Community Board #1M</p>
		Examiner: Roy Starrin (212) 788-8797
		Status: Adjourned, Continued Hearing - 10/7/08

DISCLAIMER

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<i>SOC - NEW CASES</i>		
5.	681-68-BZ	<p>Gerald J. Caliendo, R.A. 137-42 Guy Brewer Boulevard, Queens Amendment to a previously granted Variance (§72-21) for the change of use in a one-story building from offices (UG6) and air-freight storage (UG16) to retail stores (UG6), in an R3-1 zoning district, with accessory storage in the cellar and accessory parking for patrons to remain. Community Board #12Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing - 10/28/08</p>
6.	389-85-BZ	<p>Walter T. Gorman, P.E. 2090 Bronxdale Avenue, Bronx 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. Community Board #11BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing - 10/28/08</p>
7.	222-90-BZ	<p>Cozen O'Connor 80-02 Kew Gardens Road, Queens Extension of Term/Waiver for the continued operation of a previously granted Physical Culture Establishment (<i>Bally Total Fitness</i>), in a C4-4 zoning district, which expired on August 13, 2006; Extension of Time to obtain a Certificate of Occupancy which expired on September 23, 1998. Community Board #9Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision - 10/7/08</p>

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8.	68-94-BZ	Cozen O'Connor 2100 Bartow Avenue, Bronx Extension of Time to obtain a Certificate of Occupancy for a previously granted special permit for the operation of a Physical Culture Establishment (<i>Bally Total Fitness</i>) on the first and second floors of the Co-Op City Bay Plaza shopping center, which expired on March 12, 2008, in a C4-3 zoning district. Community Board #10BX
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision - 10/7/08

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<i>APPEALS - CONTINUED HEARINGS</i>		
9.	168-07-A	<p>Law Office of Fredrick A. Becker 1479 Rosedale Avenue, Bronx</p> <p>Appeal seeking a determination that the owner of the premises has acquired a common law vested right to continue the development commenced under the prior R6 Zoning District. Community Board #9BX</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision - 11/18/08</p>

<i>APPEALS - NEW CASES</i>		
10.	151-08-BZY	<p>Law Office of Howard Goldman 5-15 West 125th Street, Manhattan</p> <p>Extension of time to complete construction (11-331) under the prior zoning district regulations C4-4. C4-4A zoning district. Community Board #10M (Applicant submitted a withdrawal letter on 9/8/08)</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Withdrawn - 9/23/08</p>
11.	152-08-A	<p>Quinn McCabe LLP 515 W 23rd Street, Manhattan</p> <p>Appeals seeking to vacate a Stop Work Order issued by the Department of Buildings for failure to obtain the authorization of adjacent property owner. C6-3A, Special West Chelsea District. Community Board #4M</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision - 10/8/08</p>
12.	177-08-A	<p>Quinn McCabe LLP 515 W 23rd Street, Manhattan</p> <p>Appeal seeking to vacate a Partial Stop Work Order issued by the Department of Buildings for failure to obtain the authorization of the adjacent property owner. C6-3A, Special West Chelsea District. Community Board #4M</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision - 10/8/08</p>

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<i>BZ – DECISIONS</i>		
1.	238-07-BZ	<p>Law Offices of Howard Goldman 5-11 47th Avenue, Queens Variance (§72-21) to allow a 13-story residential building (UG 2) contrary to regulations for FAR (§117-21 & §23-145), lot coverage (§117-21 & §23-145), minimum distance between windows (§117-21 & §23-711(b)) and height and setback (§117-21, §23-633 & §23-663). Student dormitory (UG 3) and faculty housing (UG 2) for CUNY Graduate Center is also proposed contrary to use regulations (§42-00). M1-4/R6A (LIC) and M1-4 districts. Community Board #2Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Granted – 9/23/08</p>
2.	245-07-BZ	<p>Law Offices of Howard Goldman, LLC 220 Water Street, Brooklyn Variance (§72-21) to allow the residential conversion of an existing five-story industrial building. Proposed project will contain 147 dwelling units, ground floor retail space and 59 accessory parking spaces. Proposal is contrary to use regulations (§42-00). M1-2 district. Community Board #2BK</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Granted – 9/23/08</p>
3.	257-07-BZ	<p>Gordon J. Davis c/o Dewey & LeBoeuf 3 East 101st Street, Manhattan Variance (§72-21) to permit the construction of an 11-story, 269,000 square foot Center for Science and Medicine at the <i>Mount Sinai Medical Center</i>. The proposal is contrary to height, setbacks, and sky exposure plane for community facility use (§24-522), community facility lot coverage (§24-11), and community facility tower coverage (§24-54). R9 zoning district. Community Board #11M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Deferred Decision – 10/7/08</p>

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<i>BZ - DECISIONS</i>		
4.	94-08-BZ	Law Offices of Howard Goldman 1501 Pitkin Avenue, Brooklyn Variance (§72-21) to waive all required accessory parking (23 spaces) for the residential portion of a mixed-use redevelopment of an existing theatre building; contrary to §25-00. C4-3 district. Community Board #16BK
		Examiner: Jed Weiss (212) 788-8781
		Status: Granted - 9/23/08
5.	145-08-BZ	Law Office of Fredrick A. Becker 1121 East 28th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141); less than the minimum side yards (§23-461) and less than the required rear yard (§23-47) in an R2 zoning district. Community Board #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted - 9/23/08
6.	148-08-BZ	Dennis D Dell'Angelo 1383 East 27th Street, Brooklyn Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary floor area and open space (§23-141); required side yards (§23-461) and rear yard (§23-47) in an R-2 zoning district. Community Board #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted - 9/23/08

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BZ - CONTINUED HEARINGS		
7.	243-07-BZ & 244-07-A	<p>Rothkrug, Rothkrug & Spector LLP 120 John Street, Staten Island Variance (§72-21) to construct a three-story, one-family residence, contrary to floor area and open space (§23-141), minimum front yards (§23-45) and parking (§23-622). R3-2/LDGM zoning district. Proposed construction is located within the bed of mapped street, contrary to General City Law Section 35. Community Board #1SI</p> <p style="color: green;">Examiner: H. Segovia 212-788-8757/T. Matias 212-788-8752</p> <p style="color: red;">Status: Closed, Decision - 10/28/08</p>
8.	291-07-BZ	<p>Eric Palatnik, P.C. 1912 New York Avenue, Brooklyn Variance (§72-21) to permit the alteration of existing residential structure for a UG 4 synagogue (<i>Congregation Tifereth Toma Eliezer</i>) with accessory rabbi's quarters. The proposal is contrary to sections §24-35 (side yards), §24-391 (rear yard), §24-34 (front yard), and §24-521 (front wall height). R4 district. Community Board #18BK</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Closed, Decision - 10/7/08</p>
9.	59-08-BZ	<p>Sheldon Lobel, P.C. 591 Forest Avenue, Staten Island Special Permit (§73-36) to allow the operation of a Physical Culture Establishment (<i>Planet Fitness</i>) on the first and second floors of an existing building. The proposal is contrary to §32-10. C2-1 within R3X district. Community Board #1SI</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Closed, Decision - 10/28/08</p>
10.	76-08-BZ	<p>Eric Palatnik, P.C. 621 Beach 9th Street, Queens Variance (§72-21) to permit the legalization of a UG4 not-for-profit ambulance/emergency garage (<i>Hatzolah</i>), dispatch and training facility, contrary to rear yard §24-36 regulations. R5 district. Community Board #14Q</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Closed, Decision - 10/28/08</p>

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11.	79-08-BZ	<p>Law Office of Fredrick A. Becker 117-23 132nd Street, Queens Variance (§72-21) for the construction of a single family residence, contrary to lot width and lot area (§23-32); and side yards (§23-461, §21-15). R3-2 zoning district. Community Board #12Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision - 10/28/08</p>
12.	84-08-BZ	<p>Walter T. Gorman, P.E. 67-24 Main Street, a/k/a 68-12 Main Street, Queens Special Permit filed pursuant to §§11-411, 11-412 & 73-01 (d) to reinstate and amend the variance granted under Cal. #410-48-BZ for an automotive service station with accessory uses located in a C1-2/R4 zoning district. Community Board # 8Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision - 10/28/08</p>
13.	89-08-BZ	<p>Eric Palatnik, P.C. 1101 Victory Boulevard, Staten Island Special Permit (§73-125) to allow a medical office (UG 4) in an existing one-story commercial office building, allowed by prior variance. R3X (HS) district. Community Board #1SI</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Closed, Decision - 10/28/08</p>
14.	93-08-BZ	<p>Rothkrug Rothkrug & Spector, LLP 112-12, 112-18, 112-24 Astoria Boulevard, Queens Variance (§72-21) to allow a six-story transient hotel (UG 5), contrary to use regulations (§22-00). R6 district. Community Board #3Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing - 10/28/08</p>

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<i>BZ - NEW CASES</i>		
15.	159-08-BZ	<p>Greenberg Traurig, LLP 68-70 Spring Street, Manhattan Variance (§72-21) to allow a new seven-story residential building (UG 2) containing 12 dwelling units and ground floor retail (UG 6); contrary to use regulations (§42-10 & §42-14 D(2)(b)). M1-5B district. Community Board #2M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing - 10/28/08</p>
16.	165-08-BZ	<p>Wachtel & Masyr, LLP Penn Plaza, a/k/a 166 West 32nd Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment on four levels in an existing 26-story building. The proposal is contrary to ZR §32-10. C6-6 & C6-4.5 MiD districts. Community Board #5M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Withdrawn - 9/23/08</p>
17.	178-08-BZ	<p>Eric Palatnik, P.C. 153 Norfolk Street, Brooklyn 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. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing - 10/28/08</p>
18.	185-08-BZ	<p>Slater & Beckerman, LLP 170 Claremont Avenue, Manhattan Variance (§72-21) to allow the enlargement of a six-story building and installation of an elevator, contrary to bulk regulations. Community Board #9M</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Continued Hearing - 11/18/08</p>

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<i>BZ - NEW CASES</i>		
19.	194-08-BZ	<p>The Law Office of Fredrick A. Becker 432 Lafayette Street, Manhattan Special Permit (§73-19) to allow a school (UG3) on the first floor of an existing four-story mixed-use building. The proposal is contrary to ZR §42-10. M1-5B district. Community Board #2M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Closed, Decision - 10/7/08</p>

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