

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, April 28, 2009
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	853-53-BZ	<p>Walter T. Gorman, P.E. 2402/16 Knapp Street, Brooklyn Extension of Time/waiver to obtain a Certificate of Occupancy for a Gasoline Service Station (<i>Mobil</i>). In a C-2/R3-2 which expired on January 22, 2009. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 4/28/09</p>
2.	240-55-BZ	<p>Joseph P. Morsellino, Esq. 207-22 Northern Boulevard, Queens Extension of Time to complete construction of a second story addition to an existing commercial building in a C2-2 (R6B) & R4 zoning district which expired on February 13, 2009. Community Board #11Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 4/28/09</p>
3.	111-71-BZ	<p>Walter T. Gorman, P.E. 185-25 North Conduit Avenue, Queens Extension of Time/waiver to obtain a Certificate of Occupancy for a UG16 Gasoline Service Station (<i>Shell</i>) with accessory convenience store, in a C2-2/R3-2 zoning district, which expired on October 16, 1997. Community Board #12Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 4/28/09</p>
4.	209-04-BZ	<p>Joseph P. Morsellino 109-09 15th Avenue, Queens Extension of Time to Complete Construction of a previously granted variance (§72-21) to permit the conversion and enlargement of an existing industrial building to residential use in an M2-1 zoning district which expires on July 19, 2009. Community Board #7Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 4/28/09</p>

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5.	237-04-BZ	Sheldon Lobel, P.C. 5722 Faraday Avenue, Bronx Extension of Time to Complete Construction for a previously granted variance (§72-21) to permit the proposed construction of a two family detached home on a vacant lot, which expired on February 8, 2009, in an R3-1 zoning district. Community Board #8BX
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 4/28/09

SOC – CONTINUED HEARINGS

6.	336-98-BZ & 337-98-BZ	Rothkrug, Rothkrug & Spector LLP 312/18 & 324/34 Flatbush Avenue, Brooklyn Extension of term of a special permit (§73-36) authorizing a physical culture establishment (<i>Crunch Fitness</i>), Amendment to include additional area in the cellar and on the first floor and a change in operator; and extension of time to obtain a certificate of occupancy. C2-4 zoning district. Community Board #6BK
		Examiner: Carlo Costanza (212) 788-8739
		Status: Adjourned, Continued Hearing – 5/19/09
7.	301-03-BZ	Law Office of Fredrick A. Becker 1103 East 22nd Street, Brooklyn Extension of Time/waiver to Complete Construction and obtain a Certificate of Occupancy of previously granted Special Permit (§73-622) for the enlargement of single family home and an Amendment to modify the previously approved plans, in an R2 zoning district, which expired on January 13, 2008. Community Board #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 5/12/09

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<i>SOC – NEW CASES</i>		
8.	727-86-BZ	The Law Office of Fredrick A. Becker 240 East 58th Street, Manhattan Extension of Term of a previously granted Variance (§72-21) to allow an eating and drinking establishment (UG6) at the cellar, basement and first floor of a three-story building in an R8B zoning district which expired on January 17, 2009. Community Board #6M
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 5/19/09
9.	185-04-BZ	Sheldon Lobel, P.C. 2275 East 2nd Street, Brooklyn Extension of Time/waiver to complete construction of a previously granted Special Permit (§73-622) for the enlargement of an existing home in an R4 (Special Ocean Parkway) district which expired on January 11, 2009. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 5/19/09

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<i>APPEALS – DECISIONS</i>		
10.	180-08-A thru 184-08-A	Tobias Guggenheimer Architect, P.C. 3236, 3238, 3240, 3242 and 3244 Schley Avenue, Bronx Proposed construction of four three-family homes and parking lot located within the bed of mapped street (Shore Drive) contrary to General City Law Section 35. C3A zoning district. Community Board #10BX
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 4/28/09

<i>APPEALS – CONTINUED HEARINGS</i>		
11.	277-08-BZY thru 287-08-BZY	Eric Palatnik, P.C. 23, 26, 27, 35, 39, 43, 47, 55, 59, and 63 Opal Lane, Staten Island Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a minor development commenced prior to the text amendment of the zoning district regulations. R3-X SSRRD (Area LL). Community Board #3SI
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 5/19/09
12.	292-08-A	Robert Cunningham 123 87th Street, Brooklyn An Appeal challenging Department of Buildings interpretation that §23-49-(a) Special Provisions for Party or Side Lot line Walls is not applicable to this site. R3-1 zoning district. Community Board #10BK
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 5/12/09

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<i>APPEALS – NEW CASES</i>		
13.	267-08-A	Joseph A. Sherry 2 Devon Walk, Queens Proposed reconstruction and enlargement of an existing single family home located within the bed of a mapped street, contrary to General City Law Section 35, and without frontage on a mapped street, contrary to General City Law Section 36. R4 zoning district. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 5/19/09
14.	5-09-A	Joseph A. Sherry 7 Manville Lane, Queens Proposed reconstruction and enlargement of an existing single family not fronting a mapped street, contrary to General City Law Section 36, and the upgrade of a private disposal system is in the bed of a private service road, contrary to Department of Buildings Policy. R4 Zoning District. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 4/28/09

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<i>BZ – DECISIONS</i>		
1.	40-08-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 3957 Laconia Avenue, Bronx Special Permit (§11-411 & §11-413) to allow the re-instatement and extension of term, and amend to change the use from Automotive Service Station (UG 16) to a Automotive Repair Facility (UG 16), and subdivision the zoning lot. C1-2/R5 zoning district. Community Board #12BX</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 4/28/09</p>
2.	161-08-BZ	<p>Eric Palatnik, P.C. 136 Dover Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area, open space and lot coverage (§23-141) and less than the required rear yard (§23-47) in an R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 4/28/09</p>
3.	275-08-BZ	<p>Eric Palatnik, P.C. 98 South 4th Street, Brooklyn Special Permit (§73-36) to allow a physical culture establishment on the ground floor of an existing building. The proposal is contrary to ZR §42-10. M1-2/R6 (MX8) district. Community Board #1BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Deferred Decision – 5/19/09</p>
4.	298-08-BZ	<p>Lewis E. Garfinkel 1156 East 22nd 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(a)) and less than the required rear yard (§23-47) in an R-2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 4/28/09</p>

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5.	303-08-BZ	Carl A. Sulfaro, Esq. 34-67 Francis Lewis Boulevard, Queens Special Permit (§11-411) to re-establish an expired variance which permitted the erection and maintenance of a gasoline service station with accessory uses (UG 16) C2-2/R5-B zoning district. Community Board #11Q
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 4/28/09

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<i>BZ – CONTINUED HEARINGS</i>		
6.	203-07-BZ	<p>Sheldon Lobel, P.C. 137-35 Elder Avenue, Queens Variance (§72-21) to allow a new 13-story mixed-use building containing 20 dwelling units, ground floor retail and community facility (medical) uses; contrary to bulk and parking regulations (§35-311 & §36-21). R6/C2-2 zoning district. Community Board #7Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 5/19/09</p>
7.	222-07-BZ	<p>Stuart A. Klein, Esq. 110 West 26th Street, Manhattan Variance (§72-21) to legalize residential uses on the second and third floor of an existing building. M1-6 District. Community Board #4M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 6/9/09</p>
8.	169-08-BZ	<p>James Chin & Associates, LLC 46 Laight Street, Manhattan Variance (§72-21) to allow the redevelopment of an commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 & §111-104 (e)). M1-5 (TMU- Area B-2) district. Community Board #1M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 6/16/09</p>
9.	228-08-BZ	<p>Law Office of Fredrick A. Becker 2802 Avenue R, Brooklyn Variance (§72-21) to permit the construction of a one-story mikvah (ritual bath). The proposal is contrary to ZR §24-34 (front yards) and §24-35 (side yards). R3-2 zoning district. Community Board #15BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 6/9/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
10.	229-08-BZ	<p>Sheldon Lobel, P.C. 866 East 8th Street, Brooklyn Variance (§72-21) for the construction of a new single family home. This applications seeks to vary floor area (§23-141), less than the minimum side yards (§23-461) and the location of the required off street parking to the front yard (§25-62) in an R2X zoning district. Community Board #12BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 5/19/09</p>
11.	234-08-BZ	<p>Eric Palatnik, P.C. 1702 Avenue Z, Brooklyn Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district. Community Board #15BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 6/9/09</p>
12.	235-08-BZ	<p>Eric Palatnik, P.C. 1508 Union Street, Brooklyn Variance (§72-21) to permit the expansion of a Mikvah (UG 3). The proposal is contrary to ZR §33-12 (floor area ratio) and §33-431 (wall height and required setbacks). C2-3/R4 district. Community Board #9BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 5/19/09</p>
13.	246-08-BZ	<p>Slater & Beckerman, LLP 4400 Third Avenue, Bronx Special Permits (§73-481 and §73-49) to allow for the construction of a five story parking garage and rooftop parking and Variance (§72-21) to allow for an accessory sign contrary to §22-331 and §22-342. R7-1 District. Community Board #6BX</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 5/19/09</p>

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BZ – CONTINUED HEARINGS

14.	266-08-BZ	<p>Lewis E. Garfinkel R.A. 2007 New York Avenue, Brooklyn Special Permit (§73-621) for the enlargement of an existing single family home. This application seeks to vary §34-141(b) as the proposed floor area ratio (FAR) exceeds what is permitted in an R-4 zoning district. Community Board #18BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 5/19/09</p>
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<i>BZ – NEW CASES</i>		
15.	259-08-BZ	<p>Jeffrey A. Chester, Esq. 242-02 61st Avenue, Queens Variance (§72-21) to permit the proposed expansion of a supermarket use. The proposal is contrary to ZR §52-41. R4 district. Community Board #11Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 5/19/09</p>
16.	314-08-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 437-447 West 13th Street, Manhattan Variance (§72-21) to allow for the construction of a 12-story commercial building contrary to bulk regulations §43-12, §43-43, §43-26 and use regulations §42-12. M1-5 District. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 6/16/09</p>
17.	8-09-BZ	<p>Sheldon Lobel, P.C. 125 Fulton Street, Manhattan Special Permit (§73-36) to allow the operation of a physical culture establishment on the second floor of an existing two-story commercial building. The proposal is contrary to ZR §32-10. C6-4 district. Community Board #1M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 6/9/09</p>
18.	20-09-BZ	<p>MetroPCS New York, LLC 54-44 Little Neck Parkway, Queens Special Permit (§§73-03, 73-30), to permit a non-accessory radio tower in an R3-2 within a C1-2 district. Community Board #11Q</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Closed, Decision – 6/9/09</p>

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