

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, August 11, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	853-53-BZ	Walter T. Gorman, P.E. 2402/16 Knapp Street, Brooklyn Extension of Term to permit the continued operation of a gasoline service station (<i>Mobil</i>) which expires on October 23, 2009. R3-2/C2-2 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 8/11/09
2.	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: Granted – 8/11/09

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<i>SOC – CONTINUED HEARINGS</i>		
3.	395-60-BZ	<p>Sheldon Lobel, P.C. 2557-2577 Linden Boulevard, Brooklyn Extension of Term (§11-411, §11-413) for change of use from a gasoline service station (UG16) to automotive repair establishment (UG16), which expired on December 9, 2005; Amendment to reduce the size of the subject lot and to request a UG6 designation for the convenience store; and an Extension of Time to obtain a certificate of occupancy which expired on January 19, 2000. R5 zoning district Community Board #5BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 9/22/09</p>
4.	198-66-BZ	<p>Eric Palatnik, P.C. 300 East 74th Street, Manhattan Extension of Time to complete substantial construction of an existing plaza for a residential building which expires on July 28, 2009. C1-9 zoning district Community Board #8M</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 8/25/09</p>
5.	203-00-BZ	<p>Greenberg Traurig, LLP 603 Greenwich Street, aka 43 Clarkson Street, Manhattan Amendment of variance (§72-21) which allowed conversion of upper floors of building from commercial to residential. Amendment would permit the conversion of the second floor from commercial to residential use. M1-5 zoning district. Community Board #2M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Closed, Decision – 8/25/09</p>
6.	246-01-BZ	<p>Eric Palatnik, P.C. 35-11 Prince Street, Queens Extension of Term/Waiver for a previously granted special permit (§73-36) which expired on June 1, 2008 for the operation of Physical Culture Establishment (<i>Bodhi Fitness Center</i>). M1-1/C2-2 zoning district. Community Board #7Q</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Closed, Decision – 8/25/09</p>

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<i>SOC – NEW CASES</i>		
7.	719-56-BZ	Walter T. Gorman, P.E. 2525 Victory Boulevard, Staten Island Extension of Time to obtain a certificate of occupancy for a Gasoline Service Station (<i>Mobil</i>), which expires on November 10, 2009. C2-1/R3-2 zoning district. Community Board #1SI
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 9/15/09
8.	261-98-BZ	Sheldon Lobel, P.C. 193 20th Street, Brooklyn Extension of Term of a variance (§72-21) for a UG16A warehouse for HVAC related uses in a residential district which expired on April 20, 2009; Amendment for the addition of a mezzanine level within the existing building. R6B zoning district. Community Board #7BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 9/15/09
9.	269-98-BZ	Mothiur Rahman 70 East 184th Street, Bronx Extension of Time to complete construction of a variance (§72-21) for a two story building for commercial use (UG 6) in a residential district. R8 zoning district. Community Board #5BX
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 8/25/09

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APPEALS – DECISIONS

10.	179-09-A	Eric Palatnik, P.C. 252-02 Rockaway Boulevard, Queens Proposed construction of a one-story extension to an existing commercial building not fronting on a mapped street, contrary to General City Law, Section 36. M1-1 zoning district Community Board #13Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 8/11/09

APPEALS – CONTINUED HEARINGS

11.	62-08-A	Eric Palatnik, P.C. 398 Nugent Street, Staten Island Proposed construction not fronting on a legally mapped street, contrary to General City Law, Section 36. R1-2 zoning district. Community Board #2SI
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 9/22/09

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<i>APPEALS – NEW CASES</i>		
12.	45-09-A	<p>Eric Palatnik, P.C. 142-19 Cherry Avenue, Queens Appeal for a common law vested right to continue construction commenced under the prior R7-1/C1-2 zoning district. R7B/C1-3 zoning district. Community Board #7Q</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Continued Hearing – 8/25/09</p>
13.	167-09-A	<p>Harold Weinberg, P.E. 820 39th Street, Brooklyn Appeal challenging Department of Building’s determination that the reconstruction of non-complying building must be done in accordance with §54-41 and be required to provide a 30 foot rear yard. M1-2 zoning district. Community Board #12BK</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Continued Hearing – 9/22/09</p>
14.	196-09-BZY	<p>Ping C. Moy 174 and 176 Clermont Avenue, Brooklyn Application to complete construction of a minor development (§11-332) commenced under the prior R6 zoning district. R6B zoning district Community Board #2BK</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Closed, Decision – 8/25/09</p>

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TUESDAY AFTERNOON, August 11, 2009

1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	139-07-BZ	Mitchell S. Ross, Esq. 328 Jackson Avenue, Bronx Variance (§72-21) to permit the development of a two-story and cellar, two-family residence on a vacant lot, contrary to use regulations (§42-10). M1-2 zoning district. Community Board #1BX
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 8/11/09
2.	63-08-BZ	Eric Palatnik, P.C. 116-33 Queens Boulevard, Queens Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing. C4-2 zoning district. Community Board #6Q
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 9/15/09
3.	229-08-BZ	Sheldon Lobel, P.C. 866 East 8th Street, Brooklyn Variance (§72-21) for the construction of a new single family home, contrary to floor area (§23-141), side yards (§23-461) and off street parking (§25-62) regulations. R2X zoning district. Community Board #12BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 8/11/09
4.	266-08-BZ	Lewis E. Garfinkel R.A. 2007 New York Avenue, Brooklyn Special Permit (§73-621) for the enlargement of an existing single family home, contrary to FAR (§23-141(b)). R-4 zoning district. Community Board #18BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 8/11/09

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BZ – DECISIONS		
5.	42-09-BZ	Francis R. Angelino, Esq. 441-477 Prospect Avenue, Brooklyn Special Permit (§11-411 & §11-412) for re-instatement of a variance (expired July 12, 1992) which allowed the extension of a legal non conforming commercial laundry use (<i>Arrow Linen Supply</i>) within a residential zoning district. The application seeks an amendment to allow for a one-story enlargement. R5B zoning district. Community Board #7BK
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 8/11/09
6.	50-09-BZ	Eric Palatnik, P.C. 29 West 35th Street, Manhattan Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Warrior Fitness Boot Camp</i>) on the third floor in a twelve-story building. M1-6 zoning district. Community Board #5M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 8/11/09
7.	177-09-BZ	Wachtel & Masyr LLP 40-22 College Point Boulevard, Queens Special Permit (§73-66) to allow six-story residential building, contrary to height regulations around airports (ZR §61-21). R6/C4-2 zoning district. Community Board #7Q
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Granted – 8/11/09

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<i>BZ – CONTINUED HEARINGS</i>		
8.	256-07-BZ	<p>Rothkrug, Rothkrug & Spector 1978 Atlantic Avenue, Brooklyn Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district. Community Board # 8BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 9/15/09</p>
9.	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. C4-2 zoning district. Community Board #15BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Withdrawn – 8/11/09</p>
10.	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 (office and UG10 retail), contrary to FAR, height and setback and rear yard regulations (§43-12, §43-43, §43-26) and use regulations (§42-12). M1-5 zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 9/22/09</p>
11.	7-09-BZ	<p>Law Office of Fredrick A. Becker 1082 East 26th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141), side yards (§23-461) and rear yard (§23-47) regulations. R-2 zoning district. Community Board #14Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 9/15/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
12.	46-09-BZ	Eric Palatnik, P.C. 122 Oxford Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23-141(b)), side yards (§23-461) and rear yard (§23-47) regulations. R3-1 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 9/15/09
13.	168-09-BZ	Lewis E. Garfinkel R.A. 1435 & 1437 East 26th Street, Brooklyn Special Permit (§73-622) to combine two semi-attached homes to create one single family home, contrary to floor area and open space (ZR §23-141(a)), and rear yard (ZR §23-47) regulations. R2 zoning district. Community Board #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Hearing – 9/15/09
14.	184-09-BZ	Law Office of Fredrick A. Becker 4072 Bedford Avenue, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space, lot coverage and floor area (23-141); side yards (23-461) and rear yard (23-47) regulations. R3-2 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 8/25/09

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<i>BZ – NEW CASES</i>		
15.	195-07-BZ	<p>Greenberg Traurig 8-12 Bond Street, Manhattan Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 10/6/09</p>
16.	51-09-BZ	<p>Eric Palatnik, P.C., 2032 East 17th Street, Brooklyn Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to side yard requirements (§461). R-5 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 9/22/09</p>
17.	183-09-BZ	<p>The Law Office of Fredrick A. Becker 1400 5th Avenue, Manhattan Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>NY Sports Club</i>) on a portion of the ground floor and cellar in an eight-story mixed-use building. C4-5X zoning district. Community Board #10M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 9/15/09</p>
18.	195-09-BZ	<p>Herrick, Feinstein LLP 321 Ashland Place, Brooklyn Variance (§72-21) for a community facility building (<i>Brooklyn Academy of Music</i>), contrary to required rear yard (§33-26). C6-1 zoning district. Community Board #2BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 9/15/09</p>

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