

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, August 25, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	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 Examiner: Henry Segovia (212) 788-8757 Status: Granted – 8/25/09</p>
2.	269-98-BZ	<p>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: Granted – 8/25/09</p>
3.	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 Examiner: Rory Levy (212) 788-8749 Status: Granted – 8/25/09</p>
4.	246-01-BZ	<p>Eric Palatnik, P.C. 35-11 Prince Street, Queens Extension of Term for a special permit (§73-36) which expired on June 1, 2008 for the operation of a Physical Culture Establishment (<i>Bodhi Fitness Center</i>); Waiver of the Rules. M1-1/C2-2 zoning district. Community Board #7Q Examiner: Carlo Costanza (212) 788-8739 Status: Granted – 8/25/09</p>

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5.	271-81-BZ	Mitchell S. Ross, Esq. 110/112 West 56th Street, Manhattan Extension of Term for a special permit (§73-36) which expired on October 6, 2006 for the operation of a Physical Culture Establishment (<i>New York Health and Racquet Club</i>); Amendment to legalize incidental alterations made to the interior layout; Extension of Time to obtain a Certificate of Occupancy which expired on October 31, 2001 and Waiver of the Rules. C6-6 zoning district. Community Board #5M
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 9/15/09
6.	8-96-BZ	Walter T. Gorman, P.E. 175-22 Horace Harding Expressway, Queens Extension of Term for the continued use of a gasoline service station (<i>Shell</i>) which expired on July 16, 2006; Extension of Time to obtain a Certificate of Occupancy which expired on July 16, 2000; Amendment to legalize modification to the building; Waiver of the Rules. C2-2/R3-2 zoning district. Community Board #8Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 9/15/09

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<i>SOC – CONTINUED HEARINGS</i>		
7.	197-05-BZ	Marvin Mitzner, Esq. 813/815 Broadway, Manhattan Amendment to a variance (§72-21) to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. Zoning District C6-1. Community Board #2M
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Adjourned, Continued Hearing – 9/15/09
8.	416-87-BZ	Slater & Beckerman 547-551 West 133rd Street, Manhattan Extension of Term of a Variance (§72-21) for a automobile repair shop (UG16) which expired on June 27, 2009 and an Extension of Time to obtain a Certificate of Occupancy which expired on February 26, 2009. R7-2/C6-1 zoning district. Community Board #9M
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 9/22/09
9.	194-97-BZ	Sheldon Lobel 84-12 164th Street, Queens Extension of Term for a Variance (§72-21) for an automotive repair facility (UG 16B), which expired on November 29, 2007; Extension of Time to obtain a certificate of occupancy which expired on December 22, 1999; Waiver of the Rules. R4B zoning district. Community Board #8Q
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 9/22/09

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<i>APPEALS – DECISIONS</i>		
10.	196-09-BZY	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 Examiner: Toni Matias (212) 788-8752 Status: Granted – 8/25/09

<i>APPEALS – CONTINUED HEARINGS</i>		
11.	140-08-BZY	Eric Palatnik, P.C. 1016 East 13th Street, Brooklyn Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R5 zoning district. Community Board #14BK Examiner: Toni Matias (212) 788-8752 Status: Adjourned, Continued Hearing – 10/20/09
12.	147-08-BZY	Hui-Li Xu 95-04 Allendale Street, Queens Extension of time (§11-331) to complete construction of a minor development commenced under the prior zoning district. R5 zoning district Community Board #12Q Examiner: Toni Matias (212) 788-8752 Status: Adjourned, Continued Hearing – 11/24/09
13.	45-09-A	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 Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 9/22/09

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<i>APPEALS – NEW CASES</i>		
14.	317-08-A	<p>Margaret R. Garcia, AIA 124 Montgomery Avenue, Staten Island Proposed construction of a four-story dwelling located within the bed of a mapped street, contrary to General City Law Section 35. R5 zoning district Community Board #1SI</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 9/15/09</p>
15.	159-09-A	<p>Rothkrug, Rothkrug & Spector 85 Woodland Avenue, Staten Island Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue), contrary to General City Law Section 35. R2 zoning district. Community Board #3SI</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 9/22/09</p>
16.	178-09-A	<p>Marvin B. Mitzner, Esq. 120 St. Marks Place (East 8th street), Manhattan Appeal contesting an Order of Closure issued by the Department of Buildings that the use of the cellar at the subject premises as a Veterinarian's Office (UG6) constitutes an illegal use in a residential district pursuant to Administrative Code Section 28-212.1. R8B zoning district. Community Board #3M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 10/20/09</p>

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<i>BZ – DECISIONS</i>		
1.	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: Granted – 8/25/09</p>
2.	173-08-BZ	<p>Rothkrug Rothkrug & Spector, LLP 42-59 Crescent Street, Queens Variance (§72-21) to allow a 12-story hotel building containing 99 hotel rooms; contrary to floor area regulations (§117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C. Community Board #2Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 8/25/09</p>
3.	9-09-BZ	<p>Gerald J. Caliendo, R.A. 63-03 Fresh Pond Road, Queens Special Permit (§73-36) to allow a physical culture establishment in an existing one-story building. M1-1 zoning district. Community Board #5Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 8/25/09</p>
4.	49-09-BZ	<p>Law Office of Fredrick A. Becker 1323 East 32nd Street, Brooklyn Variance (§72-21) to permit the enlargement of a synagogue contrary to side yard regulations (§24-35(a)). R4 district. Community Board #18BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 9/22/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
5.	73-06-BZ	<p>Eric Palatnik, P.C. 111 Union Street, Brooklyn Special Permit (§73-36) to allow the legalization of a physical culture establishment in a portion of cellar and first floor in a three-story building. C2-3 zoning district. Community Board #6BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 10/6/09</p>
6.	97-08-BZ	<p>Eric Palatnik, P.C. 84 Sanford Street, Brooklyn Special Permit (§73-19) to allow the legalization of an existing school (<i>Central UTA</i>) (UG 3). M1-1 district. Community Board #3BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 9/22/09</p>
7	169-08-BZ	<p>James Chin & Associates, LLC 46 Laight Street, Manhattan Variance (§72-21) to allow the redevelopment of a 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: Closed, Decision – 10/6/09</p>
8.	210-08-BZ	<p>Sheldon Lobel, P.C. 130-15 89th Road, Queens Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations (<i>Samaritan Village</i>), contrary to use regulations (ZR §43-00). M1-1 district. Community Board #9Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 9/15/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
9.	254-08-BZ	<p>Eric Palatnik, P.C. 1214 East 15th Street, Brooklyn Variance (§72-21) to legalize and enlarge a Yeshiva (<i>Yeshiva Ohr Yitzchok</i>) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane). §43-301 (required open area). M1-1D zoning district. Community Board # 14BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 10/20/09</p>
10.	260-08-BZ	<p>Eric Palatnik, P.C. 148 Oxford Street, Brooklyn Special Permit (§73-622) to legalize and enlarge a single family home, contrary to floor area (§23-141) regulations. R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 10/6/09</p>
11.	297-08-BZ	<p>Lewis E. Garfinkel 3496 Bedford Avenue, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)) and rear yard (§23-47) regulations. R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 10/6/09</p>
12.	23-09-BZ	<p>Eric Palatnik, P.C. 114 Amherst Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing two family home to be converted to a single family home, contrary to open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) regulations. R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 10/6/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
13.	164-09-BZ	Eric Palatnik, P.C. 124 Irwin Street, Brooklyn Special Permit (§73-622) for enlargement of an existing two-family home, contrary to floor area, lot coverage and open space (§23-141) and rear yard (ZR §23-47) regulations. R3-1 zoning district. Community Board#15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 10/6/09
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
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<i>BZ – NEW CASES</i>		
15.	37-09-BZ	<p>Law Office of Fredrick A. Becker 3950 Bedford Avenue, Brooklyn Special Permit (§73-622) for the in-part legalization and enlargement of an existing single family home, contrary to floor area, open space and lot coverage (ZR §23-141(b)); side yard (ZR §23-461(a) & (ZR §23-48); rear yard (ZR §23 -47), and perimeter wall height (§23-631) regulations. R3-2 zoning district. Community Board #15BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 9/22/09</p>
16.	54-09-BZ	<p>Riker Danzig 150 Mercer Street (aka 579 Broadway), Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Haven Day Spa</i>) on the cellar level of a four-story mixed-use building. M1-5B district. Community Board #2M</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Continued Hearing – 9/22/09</p>
17.	166-09-BZ	<p>Slater & Beckerman 360-366 McGuinness Boulevard and 237 Freeman Street, Brooklyn Special Permit (§75-53) to permit the enlargement of a manufacturing building contrary to floor area, height and setback and permitted obstruction in rear yard regulations (§43-12, §43-43, §43-23(b)). M1-1 District. Community Board #1BK</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Continued Hearing – 9/22/09</p>

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