

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, DECEMBER 15, 2009
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	389-85-BZ	Walter T. Gorman, P.E., P.C. 2090 Bronxdale Avenue, Bronx Extension of Time to obtain a Certificate of Occupancy for a UG16 Automotive Service Station (<i>Mobil</i>) which expires on December 9, 2009. C2-3/R7-1 zoning district. Community Board #11BX
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 12/15/09
2.	68-03-BZ	Stuart A. Klein, Esq. 649 39th Street, Brooklyn Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the conversion of an existing manufacturing building to a (UG3) day care center and (UG6) office use which expired on August 10, 2008 and a Waiver of the Rules. M1-2 zoning district. Community Board#7BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 12/15/09
3.	326-04-BZ	Law Office of Fredrick A. Becker 6208-6216 Strickland Avenue, Brooklyn Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a new Synagogue (<i>Sephardic Center of Mill Basin</i>) which expired on October 18, 2009. R-2 zoning district. Community Board #18BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 12/15/09

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<i>SOC – CONTINUED HEARINGS</i>		
4.	140-92-BZ	The Law Office of Fredrick A. Becker 39-21 Crescent Street, Queens Amendment of variance (§72-21) which allowed an enlargement of an existing school (UG 3). The amendment would further enlarge the school, contrary to height and setback (§43-43). M1-2/R5D & M1-2/R5B (Special Long Island City Mixed Use District). Community Board #1Q
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 1/26/10
5.	195-99-BZ	Eric Palatnik, P.C. 112 Atlantic Avenue, Brooklyn Extension of Term (§11-411) for the continued use of a Gasoline Service Station (<i>Shell</i>) which expires on November 10, 2009. R-6 zoning district. Community Board #6BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 1/12/10
6.	311-04-BZ	Rothkrug Rothkrug & Spector 380 Lighthouse Avenue, Staten Island Amendment to a previously granted Variance (§72-21) for a proposed one family dwelling which is contrary to lot coverage (§105-33) and maximum height (§23-631) regulations. R1-2(NA-1) zoning district. Community Board #2SI
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 1/26/10

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<i>SOC – NEW CASES</i>		
7.	615-57-BZ	<p>Sheldon Lobel, P.C. 154-11 Horace Harding Expressway, Queens Extension of Time to obtain a Certificate of Occupancy and waiver of the rules for a Gasoline Service Station (<i>Exxon</i>) which expired on January 22, 2009. C1-3/R5B zoning district. Community Board #7Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 1/12/10</p>
8.	75-00-BZ	<p>The Law Office of Fredrick A. Becker 60-69 Woodhaven Boulevard, Queens Extension of Term of a previously granted Variance (§72-21) to permit a real estate office (UG6) in a residential district which expires on July 25, 2010; amendment to change use (within the same UG6 office use). R5 zoning district. Community Board #6Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 1/26/10</p>
9.	156-03-BZ	<p>Steven M. Sinacori, Esq. 135-35 Northern Boulevard, Queens Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a seventeen story mixed-use commercial/community facility/residential condominium building which expired on December 13, 2009. C2-2/R6 zoning district. Community Board #7Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 1/12/10</p>
10.	208-03-BZ	<p>Stuart A. Klein, Esq. 255 Shell Road, Brooklyn Extension of Term of a previously granted Variance (§72-21) for a UG9 catering hall which expired on October 19, 2009. R4/C1-2/M1-1 OP zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 1/26/10</p>

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<i>SOC – NEW CASES</i>		
11.	291-03-BZ	Stuart A. Klein, Esq. 1380 62nd Street, Brooklyn Extension of term of a variance (§72-21) for construction of a new residential building; amendment to add increase the number of dwelling units, FAR, height and parking spaces. M1-1/R5B zoning districts. Community Board #10BK
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 1/26/10
12.	196-08-BZ	Gage Parking Consultants 792 Tenth Avenue/455 West 53rd Street, Manhattan Amendment of a previous grant for public parking garage; amendment would enclose rooftop parking. C6-2 (Special Clinton District) zoning district. Community Board#4M
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 1/26/10

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APPEALS – DECISIONS

13.	170-09-A	NYC Department of Buildings 24-03 Queens Plaza North, Queens
		An appeal filed by the Department of Buildings seeking to amend Certificate of Occupancy to remove the reference to "Adult" Establishment "use on the second floor. M1-5/R-9 Special Mixed Use District.
		Community Board #1Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 12/15/09

APPEALS – CONTINUED HEARINGS

14.	313-08-A	Law Office of Howard Goldman, LLC 363-371 Lafayette Street, Manhattan
		Appeal to Department of Building's refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district.
		Community Board #2M
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 3/9/10
15.	217-09-A	Marvin B. Mitzner, Esq. 514-516 East 6th Street, Manhattan
		An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non- fireproof tenement buildings. R7-2 zoning district.
		Community Board #3M
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 2/9/10
16.	244-09-BZY	Sheldon Lobel, P.C. 175 Vanderbilt Avenue, Brooklyn
		Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6/C1-3 zoning district. R6B/C2-4 Zoning District.
		Community Board #2BK
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 12/15/09

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<i>APPEALS – NEW CASES</i>		
17.	205-05-A	<p>Gary D Lenhart, 47 Graham Place, Queens Amendment of a previously granted General City Law Section 35 waiver to permit the construction of a single family home within the bed of a mapped street. R4 zoning district. Community Board #14Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 1/12/10</p>
18.	83-08-A	<p>NYC Department of Buildings 3218 Emmons Avenue, Brooklyn An appeal seeking to revoke Certificate of Occupancy as it was issued in error due to failure to comply with ZR §62-711 requiring waterfront certification and the failure to comply with ZR Section 12-10(d) in the formation of the zoning lot. R5/Sheepshead Bay zoning district. Community Board #15BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Withdrawn – 12/15/09</p>
19.	291-09-A	<p>Gary D Lenhart 33 Queens Walk, Queens Reconstruction and enlargement of an existing single family home not fronting on a mapped street, contrary to General City law Section 36, and proposed upgrade of existing legal nonconforming private disposal system located partially in the bed of the service road, contrary to Department of Buildings Policy. R4 zoning district. Community Board #14Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 12/15/09</p>

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<i>BZ – DECISIONS</i>		
1.	195-07-BZ	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
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Deferred Decision – 1/12/10
2.	299-08-BZ	Sheldon Lobel, P.C. 3857-3861 Third Avenue, Bronx Variance (§72-21) to allow for a nine-story, 104 unit community facility building (non profit institution with sleeping accommodations), contrary to floor area and use regulations (ZR24-111, 42-00). R6/C1-4, R6/C2-4 and M1-4 zoning districts. Community Board #3BX
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Granted – 12/15/09
3.	250-09-BZ	Kramer Levin Naftalis & Frankel, LLP. 532 Madison Avenue, Manhattan Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Ultimate Training Center</i>) on the sixth and seventh floors in an existing seven-story commercial building. C5-3 (MiD) zoning district. Community Board #6M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 12/15/09

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<i>BZ – CONTINUED HEARINGS</i>		
4.	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 Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 1/26/10</p>
5.	197-08-BZ	<p>Stuart A. Klein 341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn Variance (§72-21) to permit a four-story and penthouse residential building, contrary to §23-141 (FAR, open space ratio), §23-22 (number of dwelling units), §23-45 (front yard), §23-462 (side yard), and §23-631 (wall height). R4 district. Community Board #9BK Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 1/26/10</p>
6.	220-08-BZ	<p>Moshe M. Friedman 95 Taaffe Place, Brooklyn Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district. Community Board #3BK Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 2/9/10</p>
7.	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 Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 2/9/10</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	43-09-BZ	<p>Harold Weinberg, P.E. 198 Varet Street, Brooklyn Special Permit (§73-19) to allow a school (<i>Southside Charter High School</i>) in a recently constructed building, contrary to use regulations. M1-2 district. Community Board #1BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 1/26/10</p>
9.	53-09-BZ	<p>Harold Weinberg, P.E. 540 Schenck Avenue, Brooklyn Variance (§72-21) for the construction of a three-family home on a vacant undersized lot. This application seeks to vary floor area (§23-141); front yard (§23-45) side yard (§23-461) and parking (§25-161) in an R5 zoning district. Community Board #5BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 1/12/10</p>
10.	180-09-BZ	<p>Rothkrug Rothkrug & Spector 1735 Richmond Avenue, Staten Island Variance (§72-21) to allow for a commercial building (UG6) contrary to use regulations (§22-00). R3-1 zoning district. Community Board #2SI</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 1/26/10</p>
11.	182-09-BZ	<p>Eric Palatnik, P.C. 612 West 180th Street, Manhattan Variance (§72-21) to legalize the existing UG 3 novitiate and UG 4 house of worship (<i>Congregation Mita</i>), contrary to §§ 24-35 (side yard) and 24-36 (rear yard). R7-2 zoning district. Community Board #12M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 2/2/10</p>

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12.	218-09-BZ	Jeffrey A. Chester 57 Empire Boulevard, Brooklyn Special Permit (§73-243) to allow an accessory drive-through facility to an eating and drinking establishment (<i>McDonald's</i>). C1-3/C8-2 zoning district. Community Board #1BK Examiner: Carlo Costanza (212) 788-8739 Status: Closed, Decision – 1/12/10
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<i>BZ – NEW CASES</i>		
13.	302-08-BZ	<p>Rothkrug, Rothkrug & Spector LLP 4368 Furman Avenue, The Bronx Variance (§72-21) to permit an existing semi-detached residential building, contrary to side yard regulations (§23-462) R5 district. Community Board #12BX</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 2/9/10</p>
14.	309-08-BZ	<p>Rothkrug, Rothkrug & Spector LLP 1717 Pitman Avenue, The Bronx Variance (§72-21) for the construction of a three story, two-family home, contrary to front yards (§23-45) and floor area (§23-141). R4-1 zoning district. Community Board #12BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 2/2/10</p>
15.	239-09-BZ	<p>Kramer Levin Naftalis & Frankel LLP 238 Thompson Street/56 Washington Square South, Manhattan Variance (§72-21) to allow for the development of a six-story community facility building (<i>NYU Center for Academic and Spiritual Life</i>), contrary to lot coverage (§24-11) and height and setback regulations (§§24-522, 33-431). R7-2/C1-5 and R7-2 Districts. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Postponed, Public Hearing – 1/12/10</p>
16.	253-09-BZ	<p>MetroPCS New York, LLC 53-00 65th Place, Queens Special Permit (§73-30) to install public utility wireless telecommunications facility on roof of existing building. R4 zoning district. Community Board # 5Q</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Continued Hearing – 2/2/10</p>

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