

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, February 10, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	889-55-BZ	<p>J & H Management Corporation, owner. 69-15 164th Street, Queens Application (§11-411) to extend the term of Automotive Repair Facility for 10 years which expired on May 1, 2008. The application seeks a Waiver of the Rules and Extension of Time to obtain a Certificate of Occupancy. C1-2/R3-2 zoning district. Community Board #8Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 2/10/09</p>
2.	719-56-BZ	<p>Walter T. Gorman, P.E. 2525 Victory Boulevard, Staten Island Extension of Term/waiver for a gasoline service station (<i>Mobil</i>) in a C2-1/R3-2 zoning district which expired on April 27, 2007 and Extension of Time to obtain a Certificate of Occupancy which expired on October 26, 2000. Community Board #1SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 2/10/09</p>
3.	1228-79-BZ	<p>Harold Weinberg, P.E., 2436 McDonald Avenue, Brooklyn Extension of Term/waiver for the operation of a (UG6) retail store, in an R5 zoning district, which expired on July 21, 2005 and for an Extension of Time to obtain a Certificate of Occupancy which expired on May 21, 1997. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 2/10/09</p>
4.	245-03-BZ	<p>Joseph P. Morsellino, Esq. 160-11 Willets Point Boulevard, Queens Extension of Term for an accessory drive-thru to an existing eating and drinking establishment (<i>McDonald's</i>), in an R3-2/C1-2 zoning district, which expired on December 9, 2008. Community Board #7Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 2/10/09</p>

DISCLAIMER

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5.	51-06-BZ	Sheldon Lobel, P.C. 188-02/22 Union Turnpike, Queens
		Extension of Time to obtain a Certificate of Occupancy for a previously granted Variance to permit the operation of a Physical Culture Establishment in a portion of the cellar and the legalization of a dance studio in the cellar and first floor of an existing commercial building, in a C1-2/R2 zoning district, which expired on December 12, 2008.
		Community Board #8Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 2/10/09

SOC – CONTINUED HEARINGS

6.	617-56-BZ	Kenneth H. Koons, R.A. 3120 Albany Crescent, Bronx
		Extension of Term/waiver for the continued use of a (UG8) parking lot which expired on September 27, 2007 in an R6 (C1-3, C2-3) zoning district.
		Community Board #15BX
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 2/24/09
7.	395-60-BZ	Sheldon Lobel, P.C. 2557-2577 Linden Boulevard, Brooklyn
		Pursuant to ZR §11-411 and §11-413, Extension of Term (expired on December 9, 2005), waiver and Amendment for change of use from a (UG16) gasoline service station to (UG16) automotive repair establishment; 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. R-5 zoning district
		Community Board #5BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Adjourned, Continued Hearing – 4/21/09

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SOC – CONTINUED HEARINGS

8.	337-90-BZ	Sheldon Lobel, P.C. 1415/17 East 92nd Street, Brooklyn Extension of Term/waiver (expired on June 2, 2002) for the continued operation of a one-story (UG16) Automotive Repair Shop and a two-story (UG6) business and (UG2) dwelling unit in a C1-2/R4 zoning district, and an Extension of Time/waiver to obtain a Certificate of Occupancy (expired on March 29, 1987). Community Board #18BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 3/17/09

SOC – NEW CASES

9.	218-96-BZ	Mitchell S. Ross, Esq. 138 East 39th Street, Manhattan Extension of Time to complete construction/waiver for a one-story rear enlargement above the basement of an existing community use facility (<i>The Armenian Prelacy</i>), which expired on January 11, 2007, located in an R8B zoning district. Community Board #6M
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 2/24/09

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APPEALS – CONTINUED HEARINGS

10.	141-07-A	Hakime Altine 129-48 Hookcreek Boulevard, Queens Proposed construction of a two-story, one-family residential building in the bed of mapped street (Hook Creek Boulevard) contrary to General City Law Section 35. R2 Zoning. Community Board #13Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 2/10/09

APPEALS – NEW CASES

11.	270-08-A	NYC Department of Buildings 221 Betts Avenue, Bronx An appeal seeking to revoke Certificate of Occupancy due to non-compliance with Special Flood Hazard Area requirements as set forth in the Building Code and Department of Buildings TPPN#1/04. R3A Zoning District. Community Board #9BX
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 2/24/09
12.	271-08-A	NYC Department of Buildings 221A Betts Avenue, Bronx An appeal seeking to revoke Certificate of Occupancy due to non-compliance with Special Flood Hazard Area requirements as set forth in the Building Code and Department of Buildings TPPN#1/04. R3A Zoning District. Community Board #9BX
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 2/24/09

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	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 style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Granted – 2/10/09</p>
2.	163-08-BZ	<p>Sheldon Lobel, P.C. 2022 Avenue M, Brooklyn Variance (§72-21) to permit the construction of a two-story and attic community facility building (<i>Congregation Kol Torah</i>). The proposal is contrary to ZR §24-11 (floor area, FAR ad lot coverage), §24-34 (front yard), §24-35 (side yards), and §25-30 (minimum parking requirements. R2 district. Community Board #14BK</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Granted – 2/10/09</p>
3.	198-08-BZ	<p>Mitchell S. Ross, Esq. 268 Park Avenue South, Manhattan Special Permit (§73-36) to allow the proposed physical culture establishment (<i>New York Health & Racquet Club</i>) in a 12-story and penthouse mixed-use building, contrary to ZR §32-10. C6-4A district. Community Board #5M</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Granted – 2/10/09</p>
4.	226-08-BZ	<p>Law Office of Fredrick A. Becker 172 Empire Boulevard, Brooklyn Special Permit (§73-50) to legalize the vertical enlargement of an existing commercial building within the 30-foot rear yard required along a residential district boundary line that is coincident with a rear lot line. C8-2 zoning district. Community Board #9BK</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Granted – 2/10/09</p>

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<i>BZ – DECISIONS</i>		
5.	227-08-BZ	Slater & Beckerman, LLP 1650 Grand Concourse, Bronx Variance (§72-21) to allow a 39,922 square foot enlargement to an existing non-profit hospital (UG 4); contrary to bulk regulations (§24-11, §23-633, §122-30). R8 District/Special Grand Concourse Preservation District. Community Board #4BX
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Granted – 2/10/09
6.	289-08-BZ	Dennis D. Dell'Angelo 966 East 23rd 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); side yards (§23-461); and less than the required rear yard (§23-47) in an R-2 zoning district. Community Board #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 2/10/09

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<i>BZ – CONTINUED HEARINGS</i>		
7.	63-08-BZ	Eric Palatnik 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 within a C4-2 zoning district. Community Board #6Q
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 3/31/09
8.	216-08-BZ	Eric Palatnik, P.C. 1624 Shore Boulevard, Brooklyn Special Permit (§73-622) and a Variance (§72-21) for the in-part legalization and enlargement of a single family home. This application seeks to vary floor area, open space and lot coverage (§23-141), side yard (§23-461) and front yard (§23-45) in an R3-1 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 3/17/09
9.	223-08-BZ	Rothkrug Rothkrug & Spector, LLP 4553 Arthur Kill Road, Staten Island Variance (§72-21) to permit a commercial development (UG 6) in an R3-2/SSRD zoning district. Community Board #3SI
		Examiner: Roy Starrin (212) 788-8797
		Status: Closed, Decision – 3/3/09

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<i>BZ – NEW CASES</i>		
10.	133-08-BZ	<p>Sheldon Lobel, P.C. 1601 Bronxdale Avenue, Bronx Special Permit (§§73-48 & 73-49) to allow rooftop parking above the first floor of an existing one and two-story commercial building and waive limitation on number of vehicles in a group parking facility. M1-1 zoning district. Community Board #11BX</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 3/17/09</p>
11.	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 – 3/17/09</p>
12.	253-08-BZ	<p>Law Office of Fredrick A. Becker 2623 East 11th Street, Brooklyn Variance (§72-21) to legalize a rear enlargement and to allow a new enlargement to an existing single family home. This variance seeks to vary floor area ratio, open space, lot coverage (§23-141(b)); side yards (§23-461(a)) & (§23-48) and rear yard (§23-47) regulations. R-4 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 2/24/09</p>
13.	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: Continued Hearing – 3/17/09</p>

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14.	276-08-BZ	Alfonso Duarte 150 East 55th Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment on the sixth floor of a seven-story office building. The proposal is contrary to ZR §§32-10. C5-2 district. Community Board #6M
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 3/17/09
15.	291-08-BZ	Moshe M. Friedman 3141 Bedford Avenue, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area ration (§23-141(a)) and less than the required rear yard (§23-47) in an R-2 zoning district. Community Board #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 3/3/09

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