

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, February 24, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	617-56-BZ	<p>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</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 2/24/09</p>
2.	218-96-BZ	<p>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</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 2/24/09</p>
3.	124-99-BZ	<p>The Law Office of Fredrick A. Becker 1372 Broadway, Manhattan Extension of term of a previously granted special permit allowing the operation of a physical culture establishment in portions of the cellar and first floor of a 20-story commercial building located in a C6-6 (Mid) zoning district. Community Board #5M</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 2/24/09</p>

*****DISCLAIMER*****

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<i>SOC – CONTINUED HEARINGS</i>		
4.	74-49-BZ	Sheldon Lobel, P.C. 515 Seventh Avenue, Manhattan Extension of term (§11-411) of a variance allowing a parking garage, an amendment to increase the number of parking spaces, extension of time to obtain a Certificate of Occupancy, and a waiver of the Rules. M1-6 zoning district Community Board #5M
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 3/17/09
5.	217-03-BZ	Sheldon Lobel, P.C. 142 Pennsylvania Avenue, Brooklyn Extension of Time to Complete Construction of a previously granted variance for the proposed expansion of a one story and cellar building in an R-5 zoning district. Community Board #5BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 3/31/09

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<i>SOC – NEW CASES</i>		
6.	885-78-BZ	<p>Kramer Levin Naftalis & Frankel LLP 120 West 25th Street, Manhattan Amendment to a previously-granted Variance (§72-21) to allow the transfer of development rights from the subject site (Lot 53) to an adjoining site (Lot 49) in an M1-6 zoning district. Community Board#3M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/17/09</p>
7.	771-89-BZ	<p>Mark D. Lipton, AIA 2078 Richmond Avenue, Staten Island Extension of Term/waiver of a previously-granted Variance (§72-21) to allow the change of use from residential to office use (UG6) with accessory parking which expired on September 18, 2000 in an R3-2 zoning district. Community Board #2SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/17/09</p>
8.	200-01-BZ	<p>Davidoff Malito & Hutcher LLP 182-15 Hillside Avenue, Queens Extension of Time to complete construction and to obtain a Certificate of Occupancy for a previously granted Variance (§72-21) for the enlargement of an existing 11-story and penthouse rehabilitation/long term care facility (<i>Hillside Manor</i>), in an R6A/C2-4 Special Downtown Jamaica District zoning district, which expired on January 11, 2009. Community Board #8Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/17/09</p>

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<i>APPEALS – DECISIONS</i>		
9.	19-08-BZY	Edward Lauria, P.E. 3871 Amboy Road, Staten Island Extension of time to complete construction (§11-332) of a minor development commenced under the prior zoning district regulations. C4-1 SRD Community Board #3SI
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 2/24/09
10.	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: Granted – 2/24/09
11.	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: Granted – 2/24/09

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APPEALS – CONTINUED HEARINGS

12.	245-08-BZY	Sheldon Lobel, P.C. 219-05 North Conduit Avenue, Queens Extension of time to complete construction (§11-331) of minor development commenced under the prior C2-2/R3-2 district. C1-1/R3X zoning district. Community Board #13Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 4/7/09

APPEALS – NEW CASES

13.	83-08-A	NYC Department of Buildings 3218 Emmons Avenue, Brooklyn An appeal seeking to revoke Certificate of Occupancy due to failure to comply with ZR §62-711 (waterfront certification) and the failure to comply with ZR §12-10(d) in the formation of the zoning lot. R5/Sheepshead Bay District. Community Board #15BK
		Examiner: Toni Matias (212) 788-8752
		Status: Postponed, Hearing – 5/12/09
14.	147-08-BZY	Hui-Li Xu 95-04 Allendale Street, Queens Extension of time (§11-331) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on April 30, 2008. R5 zoning district Community Board #12Q
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 4/7/09

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REGULAR MEETING

TUESDAY AFTERNOON, February 24, 2009

1:30 P.M.

BZ – DECISIONS

1.	258-08-BZ	Rizzo Group 343-349 West 42nd Street, Manhattan Special Permit (§73-36) to allow a Physical Culture Establishment (<i>Mid-City Gym</i>) on the cellar in a 41-story mixed-use building. The proposal is contrary to ZR Section 32-10. C6-4 district. Community Board #4M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 2/24/09

BZ – CONTINUED HEARINGS

2.	99-08-BZ	Rothkrug, Rothkrug & Spector, LLP 102 Drumgoole Road, Staten Island Variance (§72-21) to construct a three-story single family home, contrary to rear yard requirement (§23-47) in an R3-2/SRD zoning district. Community Board #3SI
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 3/24/09
3.	161-08-BZ	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
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 3/3/09

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<i>BZ – CONTINUED HEARINGS</i>		
4.	206-08-BZ	<p>Eric Palatnik, P.C. 737 Elvira Avenue, Queens Variance (§72-21) to permit the expansion of an existing three-story UG 3 yeshiva (<i>Yeshiva B'nei Torah</i>) which includes sleeping accommodations, contrary to ZR §24-111 (maximum floor area), §24-35 (side yard), §24-551 (side yard setback), and parking (§25-31). R2X zoning district. Community Board #14Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 3/31/09</p>
5.	215-08-BZ	<p>Davidoff Malito & Hutcher, LLP by Howard S. Weiss 1778-1800 Southern Boulevard, Bronx Variance (§72-21) to allow a 7-story mixed-use building containing 68 dwelling units and ground floor retail use; contrary to use regulations (§32-00). C8-3 district. Community Board #3BX</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 4/7/09</p>
6.	222-08-BZ	<p>Rothkrug, Rothkrug & Spector LLP 71 Beumont Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary lot coverage, open space and floor area (§23-141); rear yard (§23-47) and exceeds the perimeter wall height (§23-631) in an R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/17/09</p>
7.	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 – 3/24/09</p>

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<i>BZ – NEW CASES</i>		
8.	284-07-BZ	Ellen Hay, Wachtel & Masyr, LLP 52-54 East 13th Street, Manhattan Special Permit (§73-36) to allow the legalization of a Physical Culture Establishment (<i>Crunch Fitness</i>) on portions of the cellar, and first floor, second floor, and the third floor of a mixed-use building, contrary to §32-10. C6-1 district. Community Board #2M
		Examiner: Rory Levy (212) 788-8749
		Status: Withdrawn – 2/24/09
9.	188-08-BZ	Rizzo Group, LLP 35 East 76th Street, (975-983 Madison; 981 Madison; 35-53 East 76th Street) Manhattan Special Permits (§73-36 and 73-52) to allow the legalization of a Physical Culture Establishment and to extend this use into an R8B district, contrary to ZR §32-10. C5-1/R8B zoning districts. Community Board #8M
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 4/7/09
10.	229-08-BZ	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
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 3/31/09
11.	269-08-BZ	MetroPCS New York 90-10 Grand Central Parkway, Queens Special Permit (§73-30) to allow an extension to an existing non-accessory radio tower. Community Board #3Q
		Examiner: Roy Starrin (212) 788-8797
		Status: Closed, Hearing – 3/17/09

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12.	303-08-BZ	<p>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</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 4/7/09</p>
13.	304-08-BZ	<p>Bryan Cave LLP 312-318 East 95th Street, Manhattan Variance (§72-21) and Special Permit (§73-19) to allow a school (<i>Trevor Day School</i>) in a C8-4 district contrary to bulk regulations (§§ 33-123, 33-451, 33-453, 33-454, 33-26). C8-4 District. Community Board #8M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Hearing – 4/21/09</p>
14.	319-08-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 323/25 and 327 6th Avenue; 14 Cornelia Street, Manhattan Special Permit (§73-201) for an expansion of an existing motion picture theater (<i>IFC Center</i>). C1-5 District. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Hearing – 3/17/09</p>

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