

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, July 21, 2009

10:00 A.M.

## *SOC – DECISIONS*

1.	174-96-BZ	Sheldon Lobel, P.C. <b>1108/10 Allerton Avenue, Bronx</b> Extension of Term and Waiver for a previously granted variance of an existing food products manufacturing establishment (UG 17B) within a R4 zoning district. <b>Community Board #11BX</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 7/21/09</b>
2.	303-99-BZ	Vito J. Fossella, P.E. <b>2122 Richmond Avenue, Staten Island</b> Extension of Time to obtain a Certificate of Occupancy which expired on September 12, 2004 and an amendment to legalize the change in use from the previously granted Auto Sales Establishment (UG16) to Commercial/Retail (UG6) in an R3-2 zoning district. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/21/09</b>

## *SOC – CONTINUED HEARINGS*

3.	55-97-BZ	Sheldon Lobel, P.C. <b>76-36 164<sup>th</sup> Street, Queens</b> Extension of Term of a variance and Extension of Time to obtain a Certificate of Occupancy allowing the continued operation of an automotive repair shop (UG 16) located in a C2-2/R3-2 zoning district. <b>Community Board #8Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 7/28/09</b>

\*\*\*DISCLAIMER\*\*\*

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<i><b>SOC – NEW CASES</b></i>		
<b>4.</b>	<b>853-53-BZ</b>	<p>Walter T. Gorman, P.E. <b>2402/16 Knapp Street, Brooklyn</b> Extension of Term to permit the continued operation of a gasoline service station (<i>Mobil</i>) which expires on October 23, 2009 in R3-2/C2-2 zoning district. <b>Community Board #15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 8/11/09</b></p>
<b>5.</b>	<b>709-55-BZ</b>	<p>Walter T. Gorman, P.E. <b>2000 Rockaway Parkway, Brooklyn</b> Extension of Time to obtain a Certificate of Occupancy for a Gasoline Service Station (<i>Mobil</i>), in a C1-2/R4 zoning district, which expired on March 24, 2009. <b>Community Board #18BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 8/18/09</b></p>
<b>6.</b>	<b>32-91-BZ</b>	<p>Walter T. Gorman, P.E., <b>838/846 Fulton Street, Brooklyn</b> Extension of Term and waiver of a Special Permit for a (UG16) Gasoline Service Station (<i>Coastal</i>) in a C2-4/R7A zoning district which expired on May 19, 2007. <b>Community Board #2BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 8/18/09</b></p>
<b>7.</b>	<b>203-00-BZ</b>	<p>Jay A. Segal, Greenberg Traurig, LLP <b>603 Greenwich Street, aka 43 Clarkson Street, Manhattan</b> Application to amend variance to permit the conversion of the second floor from commercial to residential use. The proposal is contrary to sections §42-10 (use) and §42-133 (no new dwelling units allowed). M1-5 district. <b>Community Board #2M</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Continued Hearing – 8/11/09</b></p>

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## *SOC – NEW CASES*

8.	327-04-BZ	Sheldon Lobel, P.C. <b>66-35 108<sup>th</sup> Street, Queens</b>
		Extension of Time to Complete Construction and Extension of Time to obtain a Certificate of Occupancy of a previously granted Variance for the enlargement of an existing Synagogue and School (Beth Gavriel), in an R1-2 zoning district, which expired on June 7, 2009.
		<b>Community Board #6Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/18/09</b>

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<b><i>APPEALS – NEW CASES</i></b>		
9.	296-08-A	Gerald J. Caliendo, R.A., <b>45-02 111<sup>th</sup> Street, Queens</b> Proposed four-story, six-family dwelling with a community facility use located within the bed of a mapped street, contrary to General City Law, Section 35. R6B Zoning District. <b>Community Board #4Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/15/09</b>
10.	179-09-A	Eric Palatnik, P.C. <b>252-02 Rockaway Boulevard, Queens</b> 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. <b>Community Board #13Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 8/11/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, July 21, 2009

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	287-06-BZ	Sheldon Lobel, P.C. <b>32-12 23<sup>rd</sup> Street, Queens</b> Variance (§72-21) to allow a residential/community facility building contrary to yard regulations. R5 zoning district. <b>Community Board #1Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Denied – 7/21/09</b>
2.	228-08-BZ	Law Office of Fredrick A. Becker <b>2802 Avenue R, Brooklyn</b> 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. <b>Community Board #15BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 7/21/09</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>203-07-BZ</b>	<p>Sheldon Lobel, P.C.  <b>137-35 Elder Avenue, Queens</b>                      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 &amp; §36-21). R6/C2-2 zoning district.  <b>Community Board #7Q</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Closed, Decision – 8/25/09</b></p>
<b>4.</b>	<b>173-08-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP  <b>42-59 Crescent Street, Queens</b>                      Variance (§72-21) to allow a 12-story hotel building containing 99 hotel rooms; contrary to bulk regulations (§117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C.  <b>Community Board #2Q</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Closed, Decision – 8/25/09</b></p>
<b>5.</b>	<b>266-08-BZ</b>	<p>Lewis E. Garfinkel R.A.  <b>2007 New York Avenue, Brooklyn</b>                      Special Permit (§73-621) for the enlargement of an existing single family home. This application seeks to vary §34-141(b) as the proposed floor area ratio (FAR) exceeds what is permitted in an R-4 zoning district.  <b>Community Board #18BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 8/11/09</b></p>
<b>6.</b>	<b>288-08-BZ</b>	<p>Jeffrey Geary  <b>2955 Veterans Road West, Staten Island</b>                      Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Costanzo's Martial Arts Studio</i>) on the second floor of a two-story commercial building. M1-1 district.  <b>Community Board #1SI</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 8/18/09</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
7.	314-08-BZ	Kramer Levin Naftalis & Frankel, LLP 437-447 West 13 <sup>th</sup> Street, Manhattan Variance (§72-21) to allow for the construction of a 12-story commercial building contrary to bulk regulations §43-12, §43-43, §43-26 and use regulations §42-12. M1-5 District. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Adjourned, Continued Hearing – 8/11/09</b>
8.	13-09-BZ	Moshe M. Friedman, P.E. 5611 21 <sup>st</sup> Avenue, Brooklyn Variance (§72-21) to permit a synagogue contrary to bulk regulations (ZR §24-34, §24-35, §24-11). R5 district. <b>Community Board #12BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 8/18/09</b>

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<b><i>BZ – NEW CASES</i></b>		
9.	197-08-BZ	<p>Stuart A. Klein  <b>341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn</b>                      Variance (§72-21) to permit a four-story and penthouse residential building. The proposal is contrary to §23-141 (Floor Area, FAR &amp; Open Space Ratio), §23-22 (Number of Dwelling Units), §23-45 (Front Yard), §23-462 (Side Yard), and §23-631 (Wall Height). R4 district.  <b>Community Board #9BK</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Continued Hearing – 9/15/09</b></p>
10.	49-09-BZ	<p>Law Office of Fredrick A. Becker  <b>1323 East 32<sup>nd</sup> Street, Brooklyn</b>                      Variance (§72-21) to permit the enlargement of a synagogue contrary to side yard regulations (§24-35(a)). R4 district.  <b>Community Board #18BK</b></p> <p style="color: green;"><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p style="color: red;"><b>Status: Closed, Decision – 8/25/09</b></p>
11.	164-09-BZ	<p>Eric Palatnik, P.C.  <b>124 Irwin Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing two-family home. This application seeks to vary floor area, lot coverage and open space (§23-141) and less than the required rear yard (ZR §23-47) in an R3-1 zoning district.  <b>Community Board#15BK</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Continued Hearing – 8/25/09</b></p>
12.	171-09-BZ	<p>James Chin &amp; Associates, LLC  <b>325 Fifth Avenue, Manhattan</b>                      Special Permit (§73-36) to allow the legalization of a physical culture establishment on a portion of the first floor in an existing 42-story mixed-use building. The proposal is contrary to section 32-10. C5-2 district.  <b>Community Board #5M</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Closed, Decision – 8/18/09</b></p>

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## *BZ – NEW CASES*

13.	184-09-BZ	<p>Law Office of Fredrick A. Becker 4072 Bedford Avenue, Brooklyn</p> <p>Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space, lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§23-47) in an R3-2 zoning district.</p> <p>Community Board #15BK</p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 8/11/09</b></p>
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