

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, March 17, 2009
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	74-49-BZ	<p>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</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 3/17/09</p>
2.	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: Granted – 3/17/09</p>
3.	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: Granted – 3/17/09</p>
4.	66-90-BZ	<p>Walter T. Gorman, P.E., P.C. 43-07 Astoria Boulevard, Queens Extension of Time/waiver to obtain an Certificate of Occupancy for a UG16 Gasoline Service Station (<i>Mobil</i>), in an R-5 zoning district, which expired on December 31, 2008. Community Board #1Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 3/17/09</p>

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5.	332-98-BZ	<p>Law Office of Howard Goldman, LLC 3155 Grace Avenue, Bronx Extension of Time/waiver to Complete Construction of a previously approved Variance (§72-21) for the enlargement of a (UG3) existing nursing home, in an R5 zoning district, which expired on April 13, 2003. Community Board #12BX</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Granted – 3/17/09</p>
6.	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 style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Granted – 3/17/09</p>
7.	215-06-BZ	<p>Sheldon Lobel, P.C. 202-06 Hillside Avenue, Queens Extension of Time/waiver to obtain a Certificate of Occupancy for an existing gasoline service station (<i>Exxon</i>) with accessory convenience store, in a C1-2/R4 zoning district, which expired on January 24, 2008. Community Board #3Q</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Granted – 3/17/09</p>

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<i>SOC – CONTINUED HEARINGS</i>		
8.	337-90-BZ	<p>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</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 3/31/09</p>

<i>SOC – NEW CASES</i>		
9.	316-73-BZ	<p>Vassalotti Associates Architects 31-02 68th Street, Queens Extension of Term for the continued operation of a (UG16) Gasoline Service Station (<i>Husky</i>) in an R4 zoning district which expired on January 8, 2009. Community Board #3BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 3/31/09</p>
10.	1038-80-BZ	<p>Davidoff Malito & Hutcher LLP 31-07/09/11 Downing Street, Queens Extension of Term of a Special Permit for the continued operation of a UG15 Amusement Arcade (<i>Smile Arcade</i>) in an M2-1 zoning district which expired on January 6, 2009. Community Board #7Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/31/09</p>
11.	336-98-BZ & 337-98-BZ	<p>Rothkrug, Rothkrug & Spector LLP 312/18 & 324/34 Flatbush Avenue, Brooklyn Extension of term of a special permit (§73-36) authorizing a physical culture establishment (<i>Crunch Fitness</i>), Amendment to include additional area in the cellar and on the first floor and a change in operator; and extension of time to obtain a certificate of occupancy. C2-4 zoning district. Community Board #6BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 4/7/09</p>

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<i>APPEALS – DECISIONS</i>		
12.	142-08-A	Eric Palatnik, P.C. 225 Brighton 2nd Lane, Brooklyn Proposed construction of a residential building which does not front on a legally mapped street, contrary to General City Law Section 36. R6-OP Zoning District. Community Board #13BK
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 3/17/09
13.	168-08-A	Cozen O'Connor 63 Brighton 2nd Place, Brooklyn Legalization of an existing building not fronting on a legally mapped street contrary to General City Law Section 36. R6 (OP) zoning district. Community Board #13BK
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 3/17/09

<i>APPEALS – CONTINUED HEARINGS</i>		
14.	60-08-A/ 39-09-A thru 41-09-A	Eric Palatnik, P.C. 101-20 39th Avenue (formerly 101-20, 101-22 & 101-24 103rd Street & 101-18 39th Avenue), Queens Proposed construction of a four-story community facility located within the bed of a mapped street (102 nd Street) contrary to General City Law, Section 35. R6B (C1-4) zoning district. Community Board #3Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 3/24/09

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APPEALS – NEW CASES		
15.	252-08-A	Gary D. Lenhart 11 Clinton Walk, Queens Reconstruction and enlargement of an existing single family home located within the bed of a mapped street, contrary to General City Law Section 35. R4 zoning district. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 3/17/09
16.	292-08-A	Robert Cunningham 123 87th Street, Brooklyn An Appeal challenging Department of Buildings interpretation that §23-49-(a) Special Provisions for Party or Side Lot line Walls is not applicable to this site. R3-1 zoning district. Community Board #10BK
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 4/28/09
17.	2-09-A	Gary D. Lenhart 936 Bayside, Queens Reconstruction and enlargement of a single family dwelling not fronting on a legally mapped street, contrary to General City Law Section 36. R4 zoning district. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 3/17/09

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	222-08-BZ	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
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 3/17/09
2.	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: Granted – 3/17/09
3.	319-08-BZ	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
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Granted – 3/17/09

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<i>BZ – CONTINUED HEARINGS</i>		
4.	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: Continued Hearing – 4/28/09</p>
5.	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: Closed, Decision – 3/31/09</p>
6.	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 bulk 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: Adjourned, Continued Hearing – 4/21/09</p>
7.	201-08-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 40-38 216th Street, Queens Variance (§72-21) to allow a one-story warehouse/ commercial vehicle storage building (UG16); contrary to use regulations (§22-00). R3X district. Community Board #11Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 4/21/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	216-08-BZ	<p>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</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 4/7/09</p>
9.	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 – 4/28/09</p>
10.	230-08-BZ	<p>Law Office of Fredrick A. Becker 1019 East 23rd Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary floor area and open space (§23-141); and less than minimum rear yard requirement (§23-47) in an R-2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 3/31/09</p>
11.	234-08-BZ	<p>Eric Palatnik, P.C. 1702 Avenue Z, Brooklyn Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district. Community Board #15BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 4/7/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
12.	275-08-BZ	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
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 4/7/09
13.	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 – 4/7/09

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<i>BZ – NEW CASES</i>		
14.	287-06-BZ	Sheldon Lobel, P.C. 32-12 23rd Street, Queens Variance (§72-21) to allow a residential/community facility building contrary to yard regulations. R5 zoning district. Community Board #1Q
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Continued Hearing – 4/21/09
15.	265-08-BZ	Herrick Feinstein LLP 70 Wyckoff Avenue, Brooklyn Variance (§72-21) to allow for the legalization of residential units located in a manufacturing building, contrary to §42-00; M1-1 zoning district. Community Board #4BK
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Continued Hearing – 4/21/09
16.	312-08-BZ	Law Office of Fredrick A. Becker 1134 East 23rd Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area and open space (§23-141), side yard (§23-461) and less than the minimum required rear yard (§23-47). R2 zoning district. Community Board #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 4/21/09
17.	316-08-BZ	Bryan Cave LLP 345-349 Second Avenue, aka 247-249 East 20th Street, Manhattan Variance (§72-21) to permit the development of a three- and eight-story school building (<i>Learning Spring Elementary School</i>). The proposal is contrary to ZR §35-24c (minimum base height). R9A/C1-5 district. Community Board #6M
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 4/7/09

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<i>BZ – NEW CASES</i>		
18.	3-09-BZ	Duane Morris LLP 831 Eagle Avenue, Bronx Special Permit (§73-19) to allow the conversion of an existing two-story warehouse into a high school (<i>New Life School</i>). The proposal is contrary to the use requirements of the underlying M1-1 district. Community Board #1BX
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 3/31/09

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