

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 24, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	728-29-BZ	<p>Walter T. Gorman, P.E. 154-04 Horace Harding Expressway, Queens Extension of Term for the continued use of a gasoline service station (<i>Mobil</i>) which expires on March 19, 2010. R4 zoning district. Community Board #8Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 11/24/09</p>
2.	467-58-BZ	<p>Walter T. Gorman, P.E. 172-11 Northern Boulevard, Queens Extension of Term for the continued operation of a Gasoline Service Station (<i>Mobil</i>) which expires on December 4, 2009. R3-2 zoning district. Community Board #7Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 11/24/09</p>
3.	60-82-BZ	<p>Eric Palatnik, P.C. 60-11 Queens Boulevard, Queens Extension of Time to obtain a Certificate of Occupancy for a gasoline service station (<i>BP North America</i>) which expired on December 13, 2007; Waiver of the Rules. C2-3/R7X zoning district. Community Board #2Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 11/24/09</p>
4.	149-01-BZ	<p>Eric Palatnik, P.C. 88 Jane Street, Manhattan Amendment to a previously issued resolution that seeks to remove the condition that a residential unit be occupied by a qualified senior citizen at a subsidized rate for a term of 10 years, from the date of the issuance of the Certificate of Occupancy. R6 zoning district. Community Board #2M Examiner: Henry Segovia (212) 788-8757 Status: Dismissed – 11/24/09</p>

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5.	197-05-BZ	Marvin Mitzner, Esq. 813/815 Broadway, Manhattan
		Amendment to a variance (§72-21) to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. C6-1 zoning district.
		Community Board #2M
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Closed, Decision – 1/12/10

SOC – CONTINUED HEARINGS

6.	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: Continued Hearing – 12/15/09
7.	5-96-BZ	Sheldon Lobel, P.C. 564/92 Saint John's Place, Brooklyn
		Extension of Term (§11-411) to permit the operation a one-story public parking garage for no more than 150 cars (UG 8), which expired on March 18, 2007; Amendment to change the parking layout; and an Extension of Time to obtain a certificate of occupancy, which expired on March 18, 1998. R7-1 zoning district.
		Community Board #8BK
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 1/12/10

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<i>SOC – NEW CASES</i>		
8.	389-37-BZ	<p>The Law Office of Fredrick A. Becker 31-08 -31-12 45th Street, Queens Extension of Term (§11-411) of a previously granted Variance for the operation of a UG8 parking lot which expired on June 13, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on December 12, 2004 and Waiver of the Rules. R5/C1-2 zoning district. Community Board#1Q</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 1/12/10</p>
9.	389-85-BZ	<p>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</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 12/15/09</p>
10.	68-03-BZ	<p>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</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 12/15/09</p>
11.	326-04-BZ	<p>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</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 12/15/09</p>

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APPEALS – DECISIONS

12.	228-09-A & 229-09-A	Sheldon Lobel, P.C. 37-45 and 37-47 98th Street, Queens
		An Appeal seeking a common law vested right to complete construction commenced under the prior R6B zoning district. R5 zoning district.
		Community Board #3Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 11/24/09

APPEALS – CONTINUED HEARINGS

13.	147-08-BZY	Hui-Li Xu 95-04 Allendale Street, Queens
		Extension of time (§11-331) to complete construction of a minor development commenced under the prior zoning district. R5 zoning district
		Community Board #12Q
		Examiner: Toni Matias (212) 788-8752
		Status: Adjourned, Continued Hearing – 2/2/10
14.	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: Closed, Decision – 12/15/09

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<i>APPEALS – NEW CASES</i>		
15.	315-08-A	<p>Stuart A. Klein, Esq. 246 Spring Street, Manhattan An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceedance of maximum permitted floor area. M1-6 zoning. Community Board #2M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 1/26/10</p>
16.	244-09-BZY	<p>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</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 12/15/09</p>
17.	245-09-BZY	<p>Sheldon Lobel, P.C. 120 Adelphi Street, Brooklyn Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R6B Zoning District. Community Board #2BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 1/12/10</p>
18.	301-09-BZY	<p>Nelson A. Padilla 539 59th Street, Brooklyn Extension of time (§11-332) to complete construction of an enlargement commenced prior to the text amendment on September 30, 2009. R6B Zoning district. Community Board #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 12/8/09</p>

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	314-08-BZ	Kramer Levin Naftalis & Frankel, LLP 437-447 West 13th Street, Manhattan Variance (§72-21) to allow for the construction of a 12-story commercial building (office and UG10 retail), contrary to FAR, height and setback and rear yard regulations (§43-12, §43-43, §43-26) and use regulations (§42-12). M1-5 zoning district. Community Board #2M
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Granted – 11/24/09
2.	23-09-BZ	Eric Palatnik, P.C. 114 Amherst Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing one family home, contrary to open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) regulations. R3-1 zoning district. Community Board#15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 11/24/09
3.	164-09-BZ	Eric Palatnik, P.C. 124 Irwin Street, Brooklyn Special Permit (§73-622) for enlargement of an existing two-family home, contrary to floor area, lot coverage and open space (§23-141) and rear yard (ZR §23-47) regulations. R3-1 zoning district. Community Board#15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 1/12/10

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<i>BZ – CONTINUED HEARINGS</i>		
4.	214-07-BZ	<p>Sheldon Lobel, P.C. 3217 Irwin Avenue, Bronx Variance (§72-21) to allow a public parking garage and increase the maximum permitted floor area in a mixed residential and community facility building, contrary to §22-10 and §24-162. R6 zoning district. Community Board #8BX</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 1/12/10</p>
5.	187-08-BZ	<p>Sheldon Lobel, P.C. 1247 38th Street, Brooklyn Variance (§72-21) to permit the construction of a six-story community facility building (<i>Congregation & Yeshiva Machzikei Hadas</i>), contrary to ZR §42-00. M2-1 zoning district. Community Board #12BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 1/12/10</p>
6.	260-08-BZ	<p>Eric Palatnik, P.C. 148 Oxford Street, Brooklyn Special Permit (§73-622) to legalize and enlarge a single family home, contrary to floor area (§23-141) regulations. R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Withdrawn – 11/24/09</p>
7.	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: Continued Hearing – 12/15/09</p>

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BZ – CONTINUED HEARINGS		
8.	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: Continued Hearing – 12/15/09
9.	247-09-BZ	Kramer Levin Naftalis and Frankel 123 East 55th Street, Manhattan Variance (§72-21) to allow for expansion of the community house for the Central Synagogue (UG 4), contrary to floor area and height and setback regulations. (§§33-12, 81-211, 33-432). C5-2, C5-2.5 MiD zoning districts. Community Board #5M
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Continued Hearing – 1/12/10

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<i>BZ – NEW CASES</i>		
10.	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 Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 12/15/09</p>
11.	224-09-BZ	<p>Sheldon Lobel, P.C. 218-51 aka 218-59 Hempstead Avenue, Queens Special Permit (§73-52) to allow for accessory commercial parking to be located in the residential portion of a split zoning lot. C2-3/R3-2 and R3-2 zoning districts. Community Board #13Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Postponed, Public Hearing – 1/26/10</p>
12.	246-09-BZ	<p>Sheldon Lobel, P.C. 636 Louisiana Avenue, Brooklyn Variance (§72-21) to allow for the construction of a four story assisted living facility (<i>Brooklyn Boulevard ALP</i>) contrary to floor area, dwelling units and parking regulations (§§ 23-141/62-321, 23-22, 25-23). R5 district. Community Board #18BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 1/12/10</p>
13.	250-09-BZ	<p>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: Closed, Decision – 12/15/09</p>

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