

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 20, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	191-53-BZ	<p>Walter T. Gorman, P.E. 42-02/18 Queens Boulevard, Queens Extension of Time and Waiver of the Rules to obtain a certificate of occupancy for a Gasoline Service Station (<i>Mobil</i>) which expired on September 21, 2001. C2-2/R7-1 zoning district. Community Board #2Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/20/09</p>
2.	613-74-BZ	<p>Greenberg Traurig LLP 1095 Avenue of the Americas, Manhattan Amendment to a previously granted Variance (§72-21) to permit the relocation of illuminated signs (<i>Metlife</i>) from the north facade to the east façade of an existing 42-story commercial building. C6-6, C5-3, C6-7, C5-2.5/Special Midtown District/Theater Subdistrict. Community Board #5M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/20/09</p>
3.	590-76-BZ	<p>Joseph P. Morsellino, Esq. 243 East 59th Street, Manhattan Extension of Term of a previously granted Variance (§72-01(b)) for an existing illuminated sign that exceeds the permitted height above curb level. C2-8 zoning district. Community Board #8M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/20/09</p>
4.	194-97-BZ	<p>Sheldon Lobel 84-12 164th Street, Queens Extension of Term for a Variance (§72-21) for an automotive repair facility (UG 16B), which expired on November 29, 2007; Extension of Time to obtain a certificate of occupancy which expired on December 22, 1999; Waiver of the Rules. R4B zoning district. Community Board #8Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 10/20/09</p>

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5.	272-07-BZ	Wachtel & Masyr, LLP 344 Amsterdam Avenue, Manhattan Amendment of a Special Permit (§73-36) to allow an enlargement of a Physical Culture Establishment. C2-7A and C4-6A zoning districts. Community Board #7M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 10/20/09

SOC – CONTINUED HEARINGS

6.	115-53-BZ	Eric Palatnik, P.C. 252-02 Union Turnpike, Queens Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station (<i>Mobil</i>) which expired on July 11, 2008. C2-2/R3-2 zoning district. Community Board #13Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 11/17/09
7.	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 – 11/24/09

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<i>SOC – NEW CASES</i>		
8.	1715-61-BZ	<p>Mitchell S. Ross, Esq. 129-02 Guy R. Brewer Boulevard/129-02 New York Boulevard, Queens Extension of Term (§11-411) for a dry cleaning establishment (UG 6A), which expired on June 5, 2007; Extension of Time to obtain a certificate of occupancy, which expired on December 14, 2000; Waiver of the Rules. R3X zoning district. Community Board #12Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 11/17/09</p>
9.	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>) which expired on January 6, 2009. M2-1 zoning district. Community Board #7Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 11/10/09</p>
10.	1016-86-BZ	<p>The Law Office of Fredrick A. Becker 2162-2166 Broadway, Manhattan Extension of Term for a special permit (§73-36) which expired on May 5, 2007 for the operation of a Physical Culture Establishment (<i>New York Sports Club</i>); Extension of Time to obtain a Certificate of Occupancy which expired on OCTOBER 26, 2000; and Waiver of the Rules. C4-6A zoning district. Community Board #7M</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 11/17/09</p>
11.	311-04-BZ	<p>Rothkrug Rothkrug & Spector 380 Lighthouse Avenue, Staten Island Amendment to a previously granted Variance (§72-21) for a proposed one family dwelling which is contrary to lot coverage (§105-33) and maximum height (§23-631) regulations. R1-2(NA-1) zoning district. Community Board #2SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 11/17/09</p>

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<i>APPEALS – DECISIONS</i>		
12.	233-09-BZY	Sheldon Lobel, P.C. 91-12 175th Street, Queens Application to complete construction of a minor development (§11-332) commenced under the prior R6 Zoning District. R4-1 zoning district. Community Board #12Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 10/20/09

<i>APPEALS – CONTINUED HEARINGS</i>		
13.	140-08-BZY	Eric Palatnik, P.C. 1016 East 13th Street, Brooklyn Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R5 zoning district. Community Board #14BK
		Examiner: Toni Matias (212) 788-8752
		Status: Withdrawn – 10/20/09
14.	178-09-A	Marvin B. Mitzner, Esq. 120 St. Marks Place (East 8th street), Manhattan Appeal contesting an Order of Closure issued by the Department of Buildings that the use of the cellar at the subject premises as a Veterinarian's Office (UG6) constitutes an illegal use in a residential district pursuant to Administrative Code Section 28-212.1. R8B zoning district. Community Board #3M
		Examiner: Toni Matias (212) 788-8752
		Status: Withdrawn – 10/20/09

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15.	147-07-BZY	Cozen O'Connor 144 North 8 Street, Brooklyn Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 (M1-2) district regulations. R6B zoning district. Community Board #1BK
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 11/17/09
16.	249-09-A	Bryan Cave LLP 363 Lafayette, Manhattan Appeal challenging Department of Building's determination that the permit for the subject premises expired and became invalid because the permitted work was not commenced within 12 months from the date of issuance, per Title 28, §28-105.9 of the Administrative Code. Community Board #2M
		Examiner: Toni Matias (212) 788-8752
		Status: Postponed, Public Hearing – 11/10/09

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NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 20, 2009

1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	63-08-BZ	<p>Eric Palatnik, P.C. 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. C4-2 zoning district. Community Board #6Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Reopened, Closed, Decision – 11/10/09</p>
2.	210-08-BZ	<p>Sheldon Lobel, P.C. 130-15 89th Road, Queens Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations (<i>Samaritan Village</i>), contrary to use regulations (ZR §43-00). M1-1 district. Community Board #9Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 10/20/09</p>
3.	297-08-BZ	<p>Lewis E. Garfinkel 3496 Bedford Avenue, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)) and rear yard (§23-47) regulations. R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/20/09</p>
4.	54-09-BZ	<p>Riker Danzig 150 Mercer Street (a/k/a 579 Broadway), Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Haven Day Spa</i>) on the cellar level of a four-story mixed-use building. M1-5B district. Community Board #2M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Deferred Decision – 11/17/09</p>

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<i>BZ – DECISIONS</i>		
5.	183-09-BZ	<p>The Law Office of Fredrick A. Becker 1400 5th Avenue, Manhattan Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>NY Sports Club</i>) on a portion of the ground floor and cellar in an eight-story mixed-use building. C4-5X zoning district. Community Board #10M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 10/20/09</p>

<i>BZ – CONTINUED HEARINGS</i>		
6.	254-08-BZ	<p>Eric Palatnik, P.C. 1214 East 15th Street, Brooklyn Variance (§72-21) to legalize and enlarge a Yeshiva (<i>Yeshiva Obr Yitzchok</i>) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane). §43-301 (required open area). M1-1D zoning district. Community Board # 14BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Adjourned, Continued Hearing – 12/15/09</p>
7.	37-09-BZ	<p>Law Office of Fredrick A. Becker 3950 Bedford Avenue, Brooklyn Special Permit (§73-622) for the in-part legalization and enlargement of an existing single family home, contrary to floor area, open space and lot coverage (ZR §23-141(b)); side yard (ZR §23-461(a)) & (ZR §23-48); rear yard (ZR §23 -47), and perimeter wall height (§23-631) regulations. R3-2 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 11/10/09</p>
8.	56-09-BZ	<p>Omnipoint Communications, Inc. 6736 Hylan Boulevard, Staten Island Special Permit (§73-30) to allow a proposed non-accessory radio tower and related equipment. R3X zoning district. Community Board #3SI</p> <hr/> <p>Examiner: Roy Starrin (212) 788-8797</p> <hr/> <p>Status: Closed, Decision – 11/17/09</p>

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BZ – CONTINUED HEARINGS

9.	198-09-BZ	Eric Palatnik, P.C. 143 West 19th Street, Manhattan Special Permit (§73-36) to allow the operation of the proposed physical culture establishment (<i>Personal Training Institute</i>) on the first floor of an eight-story building. C6-3A zoning district. Community Board #4M
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 11/17/09

BZ – NEW CASES

10.	180-09-BZ	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
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Continued Hearing – 11/24/09
11.	187-09-BZ	Law Office of Fredrick A. Becker 94 Amherst Street, Brooklyn Variance (§72-21) to permit the construction of a mikvah (ritual bath) in the proposed building (<i>Torath Israel Sephardic Congregation</i>), contrary to FAR and lot coverage (§24-11), side yard (§24-35) and rear yard (§24-36). R3-1 zoning district. Community Board #15BK
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 11/17/09

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