

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, September 22, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	416-87-BZ	<p>Slater & Beckerman 547-551 West 133rd Street, Manhattan Extension of Term of a Variance (§72-21) for a automobile repair shop (UG16) which expired on June 27, 2009 and an Extension of Time to obtain a Certificate of Occupancy which expired on February 26, 2009. R7-2/C6-1 zoning district. Community Board #9M Examiner: Henry Segovia (212) 788-8757 Status: Granted – 9/22/09</p>

<i>SOC – CONTINUED HEARINGS</i>		
2.	395-60-BZ	<p>Sheldon Lobel, P.C. 2557-2577 Linden Boulevard, Brooklyn Extension of Term (§11-411, §11-413) for change of use from a gasoline service station (UG16) to automotive repair establishment (UG16), which expired on December 9, 2005; Amendment to reduce the size of the subject lot and to request a UG6 designation for the convenience store; and an Extension of Time to obtain a certificate of occupancy which expired on January 19, 2000. R5 zoning district. Community Board #5BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 11/17/09</p>
3.	194-97-BZ	<p>Sheldon Lobel, P.C. 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 Examiner: Carlo Costanza (212) 788-8739 Status: Closed, Decision – 10/20/09</p>

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<i>SOC – NEW CASES</i>		
4.	115-53-BZ	<p>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</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 10/20/09</p>
5.	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 style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 10/20/09</p>
6.	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 facade 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 style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 10/20/09</p>
7.	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</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 11/10/09</p>

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8.	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: Closed, Decision – 10/20/09

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<i>APPEALS – DECISIONS</i>		
9.	45-09-A	<p>Eric Palatnik, P.C. 142-19 Cherry Avenue, Queens Appeal for a common law vested right to continue construction commenced under the prior R7-1/C1-2 zoning district. R7B/C1-3 zoning district. Community Board #7Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 9/22/09</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
10.	62-08-A	<p>Eric Palatnik, P.C. 398 Nugent Street, Staten Island Proposed construction not fronting on a legally mapped street, contrary to General City Law, Section 36. R1-2 zoning district. Community Board #2SI</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Adjourned, Continued Hearing – 11/10/09</p>
11.	318-08-A	<p>Joseph A. Sherry 1009 Beach 21st Street, Queens Proposed construction of an enlargement to an existing commercial establishment located within the bed of a mapped street, contrary to General City Law §35. C8-1 zoning district. Community Board #14Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 9/22/09</p>
12.	159-09-A	<p>Rothkrug, Rothkrug & Spector, LLP 85 Woodland Avenue, Staten Island Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue), contrary to General City Law §35. R2 zoning district. Community Board #3SI</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 10/27/09</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
13.	167-09-A	<p>Harold Weinberg, P.E. 820 39th Street, Brooklyn Appeal challenging Department of Building’s determination that the reconstruction of non-complying building must be done in accordance with §54-41 and be required to provide a 30 foot rear yard. M1-2 zoning district. Community Board #12BK</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 11/10/09</p>

<i>APPEALS – NEW CASES</i>		
14.	188-09-A	<p>John Natoli 214 Noel Road, Queens Legalization of a one-story enlargement to an existing home located within the bed of a mapped street, contrary to General City Law §35. R3-2 zoning district. Community Board #14Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 9/22/09</p>
15.	217-09-A	<p>Marvin B. Mitzner, Esq. 514-516 East 6th Street, Manhattan An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non- fireproof tenement buildings. R7-2 zoning district. Community Board #3M</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 11/17/09</p>

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<i>BZ – DECISIONS</i>		
1.	220-07-BZ	<p>Moshe M. Friedman, P.E. 847 Kent Avenue, Brooklyn Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 zoning district. Community Board #3BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Deferred Decision – 11/10/09</p>
2.	241-08-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 546 Midland Avenue, a/k/a 287 Freeborn Street, Staten Island Variance (§72-21) to permit a one-story commercial building (Use Group 6), contrary to §32-10. R3-1 zoning district. Community Board #2SI</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Denied – 9/22/09</p>
3.	166-09-BZ	<p>Slater & Beckerman 360-366 McGuinness Boulevard and 237 Freeman Street, Brooklyn Special Permit (§75-53) to permit the enlargement of a manufacturing building contrary to floor area, height and setback and permitted obstruction in rear yard regulations (§43-12, §43-43, §43-23(b)). M1-1 District. Community Board #1BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 9/22/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
4.	97-08-BZ	<p>Eric Palatnik, P.C. 84 Sanford Street, Brooklyn Special Permit (§73-19) to allow the legalization of an existing school (<i>Central UTA</i>) (UG 3). M1-1 district. Community Board #3BK Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 11/10/09</p>
5.	249-08-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 130 Adelaide Avenue, Staten Island Variance (§72-21) for the construction of a single family residence, contrary to floor area and open space (§23-141); required front yard (§23-45), rear yard (§23-47), side yard (§23-46) and off street parking (§25-622) regulations. R2 (LDGM) zoning district. Community Board #3SI Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/27/09</p>
6.	314-08-BZ	<p>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: Adjourned, Continued Hearing – 10/27/09</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 Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/20/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	49-09-BZ	<p>Law Office of Fredrick A. Becker 1323 East 32nd Street, Brooklyn Variance (§72-21) to permit the enlargement of a synagogue contrary to side yard regulations (§24-35(a)). R4 district. Community Board #18BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Closed, Decision – 10/6/09</p>
9.	51-09-BZ	<p>Eric Palatnik, P.C. 2032 East 17th Street, Brooklyn Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to side yard requirements (§461). R-5 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 11/10/09</p>
10.	53-09-BZ	<p>Harold Weinberg, P.E. 540 Schenck Avenue, Brooklyn Variance (§72-21) for the construction of a three-family home on a vacant undersized lot. This application seeks to vary floor area (§23-141); front yard (§23-45) side yard (§23-461) and parking (§25-161) in an R5 zoning district. Community Board #5BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 11/10/09</p>
11.	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 Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision – 10/20/09</p>

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12.	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 Examiner: Roy Starrin (212) 788-8797 Status: Adjourned, Continued Hearing – 10/20/09</p>

<i>BZ – NEW CASES</i>		
13.	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 Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 11/24/09</p>
14.	28-09-BZ	<p>Moshe M. Friedman, P.E. 133 Taaffe Place, Brooklyn Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district. Community Board #3BK Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 11/17/09</p>
15.	214-09-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 1464 Astor Avenue, Bronx Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq ft maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district. Community Board #11BX Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 11/10/09</p>

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