

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, DECEMBER 7, 2010
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	156-73-BZ	<p>Gary Maranga, R.A. 1975 Eastchester Road, Bronx Extension of Term for surplus transient parking in a multiple dwelling which is accessory to Albert Einstein College of Medicine which expired on June 26, 2008; Waiver of the Rules. R6 zoning district. Community Board #11BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 12/7/10</p>
2.	180-99-BZ	<p>Michael T. Cetera 564/66 East New York Avenue, Brooklyn Extension of Term of a previously granted Variance (§72-21) for a non-conforming (UG9A) catering establishment which expired on April 4, 2010; waiver of the rules. R6 zoning district. Community Board #9BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 12/7/10</p>
3.	344-03-BZ	<p>Goldman, Harris LLC 2777 Flatbush Avenue, Brooklyn Extension of Term of a Special Permit (§73-242) permitting an eating and drinking establishment which expired on July 12, 2010. C3 zoning district. Community Board #18BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 12/7/10</p>

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<i>SOC – CONTINUED HEARINGS</i>		
4.	575-37-BZ	<p>Carl A. Sulfaro, Esq. 60-93 Flushing Avenue, Queens Extension of Term (§11-411) for the continued operation of a gasoline service station (<i>Gulf</i>) which expired on February 14, 2008; waiver of the Rules. C1-3/R5B zoning district. Community Board #5Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 1/11/11</p>
5.	15-99-BZ	<p>The Law Office of Fredrick A. Becker 217 Broadway, Manhattan Extension of Term of a Special Permit (§73-36) for the continued operation of a physical culture establishment (<i>New York Sports Club</i>) which expired on June 15, 2009; waiver of the rules. C5-3 (LM) zoning district. Community Board #1M</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 1/11/11</p>
6.	43-99-BZ	<p>Carl A. Sulfaro, Esq. 88-02 Northern Boulevard, Queens Extension of Term of a Special Permit (§73-243) for the continued operation of a drive-thru accessory to an eating and drinking establishment (<i>White Castle</i>) which expired on December 7, 2009; Waiver of the Rules. C1-2/R4 zoning district. Community Board #3Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 1/11/11</p>

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<i>SOC – NEW CASES</i>		
7.	200-24-BZ	<p>Stephen Ely 3030 Jerome Avenue, Bronx Extension of Term (§11-411) for the continued operation of a UG6 bookstore and distribution center which expired on September 23, 2010. R8/C8-2 zoning district. Community Board #7BX</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 1/11/11</p>
8.	230-98-BZ	<p>Mitchell S. Ross, Esq. 5820 Bay Parkway, Brooklyn Extension of Term of a previously granted Variance (§72-21) for an automotive repair shop and car sales which expired on June 22, 2010. R-5 zoning district. Community Board #12BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 1/11/11</p>
9.	299-99-BZ	<p>Carl A. Sulfaro, Esq. 8-16 Malcom X Boulevard, Brooklyn Extension of Term for the continued operation of a gasoline service station (<i>Getty</i>) which expired on July 25, 2010. C2-3/R6 zoning district. Community Board #3BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 1/25/11</p>
10.	276-02-BZ	<p>Eric Palatnik, P.C. 160 Norfolk Street, Brooklyn Extension of Time to Complete Construction and an Amendment to a previously approved Special Permit (§73-622) to an existing one family dwelling, contrary to lot coverage and floor area (§23-141) and side yard (§23-461). R3-1 zoning district. Community Board #15BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 1/11/11</p>

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<i>DISMISSAL CASES</i>		
11.	118-10-BZ	NYC Board of Standards and Appeals Applicant: Eric Palatnik, P.C. 2102/04 Avenue Z, Brooklyn Dismissal for lack of prosecution – Special Permit (§11-411) to re-establish a variance for an auto-related use. R4 zoning district. Community Board#15BK
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing for Dismissal – 12/14/10

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<i>APPEALS – DECISIONS</i>		
12.	43-08-A 3-10-A/ 4-10-A	<p>Akerman Senterfitt 144-25 Bayside Avenue and 29-45/29-46 145th Street, Queens</p> <p>Proposed construction in the bed of mapped street, contrary to General City Law Section 35. R2A zoning district. Community Board #7Q</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Granted – 12/7/10</p>
13.	137-08-A thru 139-08-A	<p>Philip L. Rampulla 50, 55, 60 Blackhorse Court, Staten Island</p> <p>Proposed construction of a one-family residence within the bed of a mapped street, contrary to General City Law Section 35. R1-2 zoning district. Community Board #2SI</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Granted – 12/7/10</p>
14.	38-10-A	<p>Jack Lester 26-18 210th Street, Queens</p> <p>Appeal challenging the Department of Building's issuance of a building permit to allow for the waiver of parking per §25-35 for a house of worship/community facility. R2A zoning district. Community Board #11Q</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Denied – 12/7/10</p>
15.	132-10-A	<p>Adam Leitman Bailey, P.C. 105 West 72nd Street, Manhattan</p> <p>Appeal challenging Department of Buildings determination not to reinstate revoked permits and approval based on failure to provide owner authorization in accordance with Section 28-104.8.2 of the Administrative Code. C4-6A zoning district. Community Board #6M</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Denied – 12/7/10</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
16.	274-09-A	Fire Department of New York 3920 Merritt Avenue aka 3927 Mulvey Avenue, Bronx Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building. Community Board #12BX
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 1/11/11
17.	123-10-A & 124-10-A	Fire Department of the City of New York 3931 & 3927 Mulvey Avenue, The Bronx Application to modify Certificate of Occupancy to require automatic wet sprinkler system throughout the entire building. Community Board #12BX
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 1/11/11

<i>APPEALS – NEW CASES</i>		
18.	136-10-A	Joseph A. Sherry 26 Park End Terrace, Queens Proposed reconstruction and enlargement of a single family dwelling in the bed of a mapped street, contrary to General City Law Section 35, and upgrade of private disposal system within the bed of a private service road, contrary to Department of Buildings policy. R4 zoning district. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 12/7/10
19.	153-10-A	Eric Palatnik, P.C. 101-01 39th Avenue, Queens Proposed construction of a three story, five family residential building located within the bed of a mapped street (101 st Street), contrary to General City Law Section 35. R5 Zoning District. Community Board #3Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 1/11/11

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<i>BZ – DECISIONS</i>		
1.	305-09-BZ	<p>Davidoff Malito & Hutcher, LLP 110-04 Atlantic Avenue, Queens Variance (§72-21) to permit the enlargement of an existing community facility building (<i>South Queens Boys & Girls Club</i>) contrary to floor area (§33-121) and height (§33-431). C2-2/R5 zoning district. Community Board #9Q</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Granted – 12/7/10</p>
2.	60-10-BZ	<p>Sheldon Lobel, P.C. 54 Thompson Street, Manhattan Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to §42-14(D)(2)(b). M1-5B zoning district. Community Board #2M</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Granted – 12/7/10</p>
3.	66-10-BZ	<p>Eric Palatnik, P.C. 1618 Shore Boulevard, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (23-141) and side yards (23-461). R3-1 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 12/7/10</p>

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<i>BZ – CONTINUED HEARINGS</i>		
4.	189-09-BZ/ 190-09-A	<p>Eric Palatnik, P.C. 3067 Richmond Terrace, Staten Island Variance (§72-21) and waiver to the General City Law Section 35 to permit the legalization of an existing mosque and Sunday school (<i>Nor Al-Islam Society</i>), contrary to use and maximum floor area ratio (§§42-00 and 43-12) and construction with the bed of a mapped street. M3-1 zoning district. Community Board #1SI Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 2/15/11</p>
5.	192-09-BZ	<p>Sheldon Lobel, P.C. 912 Broadway, Brooklyn Special Permit (§72-52) to allow for the construction of a commercial building with accessory parking. R6 and R6/C2-3 zoning districts. Community Board #3BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Closed, Decision – 2/8/11</p>
6.	194-09-BZ	<p>Sheldon Lobel, P.C. 2113 Utica Avenue, 2095-211 Utica Avenue, Brooklyn Variance to allow the construction of a four story mixed use building contrary to floor area (§23-141), open space (§23-141), lot coverage (§23-141), front yard (§23-45), height (§23-631), open space used for parking (§25-64) and parking requirements (§25-23); and to allow for the enlargement of an existing commercial use contrary to §22-10. R3-2 zoning district. Community Board# 18BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 1/25/11</p>
7.	6-10-BZ	<p>Sheldon Lobel, P.C. 2147 Mill Avenue, Brooklyn Variance (§72-21) to allow for legalization of an enlargement of a commercial building, contrary to §22-00. R2 zoning district. Community Board #18BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Adjourned, Continued Hearing – 1/25/11</p>

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8.	29-10-BZ	Sheldon Lobel, P.C. 22-32/36 31st Street, Queens Special Permit (§73-52) to allow for an outdoor eating and drinking establishment within a residential district. C1-2 and R5 zoning districts. Community Board #1Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 1/25/11
9.	35-10-BZ	Sheldon Lobel, P.C. 144-11 77th Avenue, Queens Variance (§72-21) to permit the legalization of an existing synagogue (<i>Congregation Torath Haim Obel Sara</i>), contrary to front yard (§24-34), side yard (§24-35) and rear yard (§24-36). R4 zoning district. Community Board #8Q Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 1/11/11
10.	68-10-BZ	Eric Palatnik, P.C. 80-15 Lefferts Boulevard, Queens Variance (§72-21) to allow a commercial building, contrary to use regulations (§22-00). R5 zoning district. Community Board #9Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 2/1/11
11.	134-10-BZ	Slater & Beckerman 107 Union Street, Brooklyn Variance (§72-21) to allow a residential building, contrary to floor area (§43-12), height (§43-43), and use (§42-10) regulations. M1-1 zoning district. Community Board#6BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 1/11/11

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12.	151-10-BZ	<p>Sheldon Lobel, P.C. 224 West 35th Street, Manhattan Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>Bamboo Garden Spa</i>). M1-6 zoning district. Community Board#5M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Withdrawn – 12/7/10</p>
13.	175-10-BZ	<p>Sheldon Lobel, P.C. 3400 Baychester Avenue, Bronx Special Permit (§11-411) for an Extension of Term of a previously approved Automotive Service Station (UG 16B) which expired on December 18, 2001; Extension of Time to obtain a certificate of occupancy which expired on September 21, 1994; Waiver of the Rules of Practice and Procedures. R4 zoning district. Community Board#12BX</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Continued Hearing – 1/11/11</p>

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<i>BZ – NEW CASES</i>		
14.	130-10-BZ	Sheldon Lobel, P.C. 1153 85th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141) and perimeter wall height (§23-631) regulations. R3X zoning district. Community Board #10BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 1/11/11
15.	174-10-BZ	The Briarwood Organization, LLC 36-29 Bell Boulevard, Queens Special Permit (§73-44) to allow for a reduction in parking for a mixed office and community facility building. R4/C2-2 zoning district. Community Board #11Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 1/25/11
16.	181-10-BZ	Patrick W. Jones, P.C. 143/155 Roebling Street, aka 314/330 Metropolitan Avenue and 1/10 Hope Street, Brooklyn Special Permit (§73-46) to waive parking for a proposed residential conversion of an existing building. M1-2/R6A (MX-8) zoning district. Community Board #1BK Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 1/25/11

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