

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, JULY 27, 2010
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	803-61-BZ	<p>Eric Palatnik, P.C. 1416 Hylan Boulevard, Staten Island Extension of Term for the continued use of a Gasoline Service Station (<i>British Petroleum</i>) which expires on November 14, 2011; Waiver of the Rules. C2-1/R3-2 zoning districts. Community Board #2SI</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 7/27/10</p>
2.	617-80-BZ	<p>Eric Palatnik, P.C. 770/780 McDonald Avenue, Brooklyn Extension of Term of a previously granted Variance (§72-21) of a UG9 catering establishment which expires on December 9, 2010; an Amendment to the interior layout; Extension of Time to Complete Construction and to obtain a Certificate of Occupancy which expires on March 14, 2010 and Waiver of the Rules. M1-1 zoning district. Community Board #12BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 7/27/10</p>
3.	189-96-BZ	<p>John C. Chen 85-12 Roosevelt Avenue, Queens Extension of Term for a previously granted Special Permit (§73-244) of a UG12 Eating and Drinking establishment with entertainment and dancing (<i>Flamingos</i>) which expires on May 19, 2010. C2-3/R6 zoning district. Community Board #4Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 7/27/10</p>

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<i>SOC – CONTINUED HEARINGS</i>		
4.	11-93-BZ	<p>Sheldon Lobel, P.C. 46-45 Kissena Boulevard, aka 140-01 Laburnum Avenue, Queens Extension of Term (§§11-411 & §11-412) to allow the continued operation of an Eating and Drinking establishment (UG 6) which expired on March 15, 2004; Amendment to legalize alterations to the structure; Waiver of the Rules. C2-2 and R3-2 zoning districts. Community Board #7Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision – 9/14/10</p>
5.	268-98-BZ	<p>Sheldon Lobel, P.C. 1252 Forest Avenue, Staten Island Extension of Term for the continued use of a Gasoline Service Station with accessory Convenience Store (<i>7-Eleven</i>) which expired on August 10, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on August 10, 2000; Waiver of the Rules. C2-1/R3-2 zoning district. Community Board #1SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 8/17/10</p>

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<i>SOC – NEW CASES</i>		
6.	395-60-BZ	<p>Sheldon Lobel, P.C. 2557-2577 Linden Boulevard, Brooklyn Extension of Time to obtain a Certificate of Occupancy for a previously granted Automotive Repair Shop and Convenience Store use which expired on May 17, 2010. R-5 zoning district. Community Board #5M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 8/24/10</p>
7.	16-92-BZ	<p>Sheldon Lobel, PC 72/84 Sullivan Street, aka 115 King Street, Brooklyn Extension of Time to obtain a Certificate of Occupancy; Amendment to expand the variance into portion of the lot fronting on King Street to allow a warehouse and storage use (UG 16) and to facilitate a tax lot subdivision; Extension of Term. R5/C1-3 zoning district. Community Board #6BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision – 8/24/10</p>
8.	200-98-BZ	<p>The Law Office of Fredrick A. Becker 633 Third Avenue, Manhattan Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>New York Sports Club</i>) which expired on April 30, 2008; Waiver of the Rules. C5-3(Mid) zoning district. Community Board #6M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 8/17/10</p>
9.	290-99-BZ	<p>Rothkrug, Rothkrut & Spector 99/101 Greenwich Avenue, Manhattan Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (<i>Equinox</i>) which expired on March 28, 2010. C1-6/R6 zoning district. Community Board #2M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 8/17/10</p>

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<i>APPEALS – DECISIONS</i>		
10.	217-09-A	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
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 8/3/10
11.	10-10-A	Law Office of Fredrick A. Becker 1882 East 12th Street, Brooklyn Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district. Community Board #15BK
		Examiner: Toni Matias (212) 788-8752
		Status: Deferred Decision – 8/24/10

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<i>APPEALS – CONTINUED HEARINGS</i>		
12.	315-08-A	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 exceeding of maximum permitted floor area. M1-6 zoning. Community Board #2M
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 9/14/10
13.	237-09-A/ 238-09-A	Rothkrug Rothkrug & Spector, LLP 81, 85 Archwood Avenue aka 5219 Amboy Road, Staten Island Proposed construction in the bed of a mapped street, contrary to General City Law Section 35. R3X zoning district. Community Board #3SI
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 9/14/10

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<i>BZ – DECISIONS</i>		
1.	326-09-BZ	<p>Bryan Cave LLP 38-15 138th Street, Queens Special Permit (§73-66) to allow for the development of four mixed use buildings (Flushing Commons) which exceed the height regulations around airports, contrary to §61-21. C4-3 zoning district. Community Board #7Q</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Granted – 7/27/10</p>
2.	22-10-BZ	<p>Harold Weinberg, P.E. 620 East 102nd Street, Brooklyn Special Permit (§73-19) to allow the proposed one-story day care center (<i>Sunshine Day Care</i>). C8 zoning district. Community Board #18BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 7/27/10</p>
3.	37-10-BZ	<p>Eric Palatnik, P.C. 1230 East 27th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space (23-141); side yard (23-461) and rear yard (23-47). R2 zoning district. Community Board #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 7/27/10</p>
4.	70-10-BZ	<p>Sheldon Lobel, P.C. 37-08 Union Street, Queens Special Permit (ZR §73-66) to allow for the construction of a 14 story mixed use building to exceed the maximum height limits around airports, contrary to §61-21. C4-3 zoning district. Community Board #7Q</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Granted – 7/27/10</p>

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<i>BZ – CONTINUED HEARINGS</i>		
5.	92-08-BZ	<p>Juan D. Reyes, Esq. 13 Crosby Street, Manhattan Variance (§72-21) to allow for Use Group 6 below the floor level of the second story in an existing building, contrary to use, rear yard and floor area regulations (§42-14, 43-12 and 43-26). M1-5B zoning district. Community Board #4M</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 9/14/10</p>
6.	304-09-BZ	<p>Stuart A. Klein, Esq. 75-121 Junius Street, Brooklyn Variance (§72-21) to allow the erection of a ten-story, mixed-use community facility (<i>Women In Need</i>) and commercial building, contrary to floor area (§42-00, 43-12 and 43-122), height and sky exposure plane (§43-43), and parking (§44-21). M1-4 zoning district. Community Board #16BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 9/21/10</p>
7.	327-09-BZ	<p>Sheldon Lobel, P.C. 255 Butler Street, Brooklyn Special Permit (§73-19) to allow a Use Group 3 charter school (<i>Summit Academy</i>) with first floor retail use in an existing warehouse. M1-2 zoning district. Community Board #6BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Closed, Decision – 8/17/10</p>

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8.	21-10-BZ	<p>Sheldon Lobel, P.C. 2801 Roelbling Avenue, aka 1590 Hutchison River Parkway, Bronx Special Permit (§73-243) to legalize an eating and drinking establishment with a drive-through. C1-2/R4A zoning district. Community Board #10BX</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Continued Hearing – 8/24/10</p>
9.	59-10-BZ	<p>Sheldon Lobel, P.C. 519 Eighth Avenue, Manhattan Special Permit (73-36) to allow a physical culture establishment (<i>Luxe Den Salon & Spa</i>). M1-6/C6-4M zoning district. Community Board #4M</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Closed, Decision – 8/17/10</p>
10.	64-10-BZ	<p>Law Office Fredrick A. Becker 1253 East 29th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141); side yards (§23-461 & 23-48) and less than the required rear yard (§23-47). R-2 zoning district. Community Board #14BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 8/17/10</p>
11.	88-10-BZ	<p>Dennis D. Dell'Angelo 1327 East 21st Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence contrary to floor area and open space (§23-141) and side yards (§23-461). R-2 zoning district. Community Board #14BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 8/24/10</p>

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<i>BZ – NEW CASES</i>		
12.	98-08-BZ	<p>Gerald J. Caliendo 583 Franklin Avenue, Brooklyn Variance (§72-21) to allow a four-story residential building containing four (4) dwelling units, contrary to use regulations (§ 42-00). M1-1 district. Community Board #8BK</p> <p style="text-align: center;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: center;">Status: Continued Hearing – 8/24/10</p>
13.	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> <p style="text-align: center;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: center;">Status: Continued Hearing – 8/24/10</p>
14.	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</p> <p style="text-align: center;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: center;">Status: Continued Hearing – 9/21/10</p>
15.	63-10-BZ	<p>Gerald J. Caliendo 163-18 Jamaica Avenue, Queens Special Permit (§73-36) to legalize the operation of a physical culture establishment on the second floor of a seven-story commercial building. C6-3 zoning district. Community Board #12Q</p> <p style="text-align: center;">Examiner: Rory Levy (212) 788-8749</p> <p style="text-align: center;">Status: Continued Hearing – 8/17/10</p>

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16.	85-10-BZ	Sheldon Lobel, P.C. 309-311 East Fordham Road, aka 316 East Kingsbridge Road, Bronx Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>Planet Fitness</i>) on the first and second floors of an existing two-story building. C4-4 zoning district. Community Board #7BX
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 8/17/10

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