

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MARCH 9, 2010  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>74-49-BZ</b>	<p>Sheldon Lobel, P.C. <b>515 Seventh Avenue, Manhattan</b> Extension of Time to obtain a Certificate of Occupancy for an existing parking garage which expired on September 17, 2009; Waiver of the Rules. M1-6 (Garment Center) zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 4/13/10</b></p>
<b>2.</b>	<b>369-03-BZ</b>	<p>The Law Office of Fredrick A. Becker <b>99-01 Queens Boulevard, Queens</b> Amendment to a variance (§72-21) for a physical culture establishment (<i>New York Sports Club</i>) to change in the owner/operator, decrease floor area, modify days and hours of operation, and eliminate parking condition. C1-2/R7-1 zoning district. <b>Community Board #1Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Adjourned, Continued Hearing – 4/20/10</b></p>
<b>3.</b>	<b>111-06-BZ</b>	<p>Sheldon Lobel, P.C. <b>136 Norfolk Street, Brooklyn</b> Application to reopen pursuant to court remand (Appellate Division) to revisit the findings of a Special Permit (§73-622) for the in-part legalization of an enlargement to a single family residence. This application seeks to vary open space and floor area (§23-141); side yard (§23-48) and perimeter wall height (§23-631) regulations. R3-1 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Adjourned, Continued Hearing – 4/13/10</b></p>
<b>4.</b>	<b>58-07-BZ</b>	<p>Eric Palatnik, P.C. <b>18-02 Clintonville, Queens</b> Amendment to previously granted variance for a residential building to include two additional objections: dwelling unit size (§23-23) and side yard regulations (§23-461(a)). R3A zoning district. <b>Community Board #7Q</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Adjourned, Continued Hearing – 4/20/10</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

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<b><i>SOC – NEW CASES</i></b>		
<b>5.</b>	<b>617-80-BZ</b>	<p>Eric Palatnik, P.C. <b>770/780 McDonald Avenue, Brooklyn</b> 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. <b>Community Board #12BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 4/13/10</b></p>
<b>6.</b>	<b>121-02-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector LLP <b>9215 4<sup>th</sup> Avenue, Brooklyn</b> Amendment (§73-11) to a special permit (§73-11) for an enlargement of a Physical Culture Establishment. C8-2 zoning district. <b>Community Board #10BK</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing – 4/20/10</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
7.	252-09-A	<p>Marc A. Chiffert, P.E.  <b>2788 Grand Concourse Boulevard, Bronx</b>                      Appeal challenging the NYC Fire Department determination that construction of a proposed building on a private street does not provide proper fire access for emergency vehicles. R8 zoning district.  <b>Community Board #15BX</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Denied – 3/9/10</b></p>
8.	12-10-A	<p>Slater &amp; Beckerman, LLP  <b>1734 Saint John’s Place, Brooklyn</b>                      Proposed construction of a five-story, 18-unit residential building located within the 30 foot required setback of Eastern Parkway Extension, contrary to Administrative Code §18-112. R6 zoning district.  <b>Community Board #16BK</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Granted – 3/9/10</b></p>

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<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>9.</b>	<b>313-08-A</b>	Law Office of Howard Goldman, LLC <b>363-371 Lafayette Street, Manhattan</b> Appeal to Department of Building's refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district. <b>Community Board #2M</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Withdrawn – 3/9/10</b>
<b>10.</b>	<b>280-09-A</b>	Kramer Levin Naftalis & Frankel, LLP <b>330 West 86<sup>th</sup> Street, Manhattan</b> Appeal challenging Department of Building's authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law as it applies to the construction of a proposed 16 story+ penthouse. R10A Zoning district. <b>Community Board #7M</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Adjourned, Continued Hearing – 3/23/10</b>

<b><i>APPEALS – NEW CASES</i></b>		
<b>11.</b>	<b>185-09-A &amp; 186-09-A</b>	Diffendale & Kubec, AIA <b>61 and 67 Elder Avenue, Staten Island</b> Construction not fronting on a mapped street, contrary to Section 36 of the General City Law. R3 Zoning district <b>Community Board #3SI</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 4/13/10</b>
<b>12.</b>	<b>283-09-BZY thru 286-09-BZY</b>	Rothkrug, Rothkrug & Spector LLP <b>90-18 176<sup>th</sup> Street, 175/19/21/23 Lauren Court, Queens</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R4-1 zoning district. <b>Community Board #12Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 4/20/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 9, 2010

1:30 P.M.

## *BZ – DECISIONS*

1.	161-09-BZ	Rizzo Group
		<b>580 Carroll Street, Brooklyn</b>
		Variance (§72-21) for the development of two residential buildings (20 dwelling units) contrary to rear yard equivalent, floor area, lot coverage, minimum distance between buildings and minimum distance between legally required window regulations (§§23-532, 23-145, 23-711, 23-861). R6B zoning district.
		<b>Community Board #6BK</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Denied – 3/9/10</b>

## *BZ – CONTINUED HEARINGS*

2.	14-09-BZ	Eric Palatnik, P.C.
		<b>2294 Forest Avenue, Staten Island</b>
		Special Permit (§73-211) to allow an automotive service station with an accessory convenience store and automotive laundry (UG 16B). C2-1/R3-2 zoning district.
		<b>Community Board #1SI</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 5/11/10</b>
3.	44-09-BZ	Philip L. Rampulla
		<b>2175 Richmond Avenue, Staten Island</b>
		Variance (§72-21) to allow for a two-story commercial building (UG 6) with accessory parking, contrary to use regulations (§22-00). R3-1 district.
		<b>Community Board #2 SI</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 5/18/10</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>4.</b>	<b>234-09-BZ</b>	<p>Sheldon Lobel, P.C.  <b>25-71 44<sup>th</sup> Street, Queens</b>                      Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district.  <b>Community Board #1Q</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Continued Hearing – 4/13/10</b></p>
<b>5.</b>	<b>272-09-BZ</b>	<p>Jeffrey A. Chester, Esq.  <b>32-62 Steinway Street, Queens</b>                      Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (<i>Lucille Roberts</i>) on the second and third floors in an existing three-story building. C5-2.5 (M.D) zoning district.  <b>Community Board #1Q</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Adjourned, Continued Hearing – 4/13/10</b></p>
<b>6.</b>	<b>307-09-BZ</b>	<p>Law Office of Fredrick A. Becker  <b>1358-1360 East 28<sup>th</sup> Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of existing single family home, contrary to open space and floor area (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R2 zoning district.  <b>Community Board #14BK</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Continued Hearing – 4/13/10</b></p>

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<b><i>BZ – NEW CASES</i></b>		
7.	<b>254-09-BZ thru 256-09-BZ</b>	<p>Ivan F. Khoury  <b>101/03/05 Astoria Boulevard, aka 27-31 Kearney Street, Queens</b>                      Variance (§72-21) to legalize three existing homes, contrary to front yard (§23-45) and rear yard (§23-47) regulations. R3-2 zoning district.  <b>Community Board #3Q</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 4/20/10</b></p>
8.	<b>325-09-BZ</b>	<p>Sheldon Lobel, P.C.  <b>1364 &amp; 1366 52<sup>nd</sup> street, Brooklyn</b>                      Variance (§72-21) to permit the proposed four-story and mezzanine synagogue, contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district.  <b>Community Board #12BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 4/13/10</b></p>
9.	<b>15-10-BZ</b>	<p>Dennis D. Dell’Angelo  <b>3114 Bedford Avenue, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141); side yards (§23-461), and rear yard (§23-47) regulations. R-2 zoning district.  <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 4/13/10</b></p>

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