

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MAY 11, 2010  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>389-37-BZ</b>	<p>The Law Office of Fredrick A. Becker <b>31-08 -31-12 45<sup>th</sup> Street, Queens</b> Extension of Term (§11-411) of a previously granted Variance for the operation of a UG8 parking lot which expired on June 13, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on December 12, 2004 and Waiver of the Rules. R5/C1-2 zoning district. <b>Community Board#1Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 5/11/10</b></p>
<b>2.</b>	<b>223-98-BZ</b>	<p>Andrea Claire/Peter Hirshman <b>51-59 Maujer Street aka 451-459 Lorimer Street, Brooklyn</b> Extension of Term of a previous variance that permits the operation of an automotive service station (UG 16B) which will expire on February 1, 2010; Amendment to allow used car sales (UG 16B); Extension of Time to obtain a Certificate of Occupancy which expired on June 10, 2003; Waiver of the Rules. R6B zoning district. <b>Community Board #1BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 5/11/10</b></p>
<b>3.</b>	<b>199-00-BZ</b>	<p>John C. Chen <b>76-19 Roosevelt Avenue, Queens</b> Extension of Term of a Special Permit (§73-244) for an Eating and Drinking Establishment (<i>Club Atlantis</i>) without restrictions on entertainment (UG12A) which expired on March 13, 2010. Waiver of the Rules. C2-3/R6 zoning district. <b>Community Board #3Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 5/11/10</b></p>
<b>4.</b>	<b>121-02-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector LLP <b>9215 4th 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> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 5/11/10</b></p>

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<b>5.</b>	<b>363-04-BZ</b>	Moshe M. Friedman, P.E. <b>6002 Fort Hamilton Parkway, Brooklyn</b> Extension of Time to Complete Construction of a previously approved variance (§72-21) to convert an industrial building to commercial/residential use, which expired on July 19, 2009; Waiver of the Rules. M1-1 zoning district. <b>Community Board #12BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 5/11/10</b>

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<b>SOC – CONTINUED HEARINGS</b>		
<b>6.</b>	<b>16-36-BZ</b>	<p>Sheldon Lobel, P.C. <b>1885 Westchester Avenue, Bronx</b> Extension of Time to obtain a Certificate of Occupancy of an existing Gasoline Service Station (<i>Gulf</i>) which expired on March 18, 2009; Waiver of the Rules. C2-2/R5 zoning district. <b>Community Board#9BX</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 5/18/10</b></p>
<b>7.</b>	<b>834-60-BZ</b>	<p>Sheldon Lobel, P.C. <b>140 Vanderbilt Avenue, Brooklyn</b> Extension of Term for the continued use of a Gasoline Service Station (<i>Gulf</i>) with minor auto repairs which expired on March 7, 2006; Extension of Time to obtain a Certificate of Occupancy which expired on March 2, 2000; Amendment to legalize an accessory convenience store and Waiver of the Rules. C2-4/R-7A, R-5B zoning district. <b>Community Board #2BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 6/8/10</b></p>
<b>8.</b>	<b>11-93-BZ</b>	<p>Sheldon Lobel, P.C. <b>46-45 Kissena Boulevard aka 140-01 Laburnum Avenue, Queens</b> Extension of Term (§§11-411 &amp; §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. <b>Community Board # 7Q</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing – 6/8/10</b></p>
<b>9.</b>	<b>201-01-BZ</b>	<p>Sheldon Lobel, P.C. <b>2591 Atlantic Avenue, Brooklyn</b> Extension of Term (§72-01 &amp; 72-22) of a previously approved variance permitting the operation of a automobile laundry, lubrication and accessory automobile supply store (UG16b); Amendment seeking to legalize changes and increase in floor area; and Waiver of the Rules. C4-1 zoning district. <b>Community Board #5BK</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing – 6/8/10</b></p>

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***SOC – CONTINUED HEARINGS***

<b>10.</b>	<b>51-06-BZ</b>	Sheldon Lobel, P.C. <b>188-02/22 Union Turnpike, Queens</b>
		Amendment of a variance (§72-21) which permitted a Physical Culture Establishment, contrary to §32-00, and a dance studio (Use Group 9), contrary to §32-18. The amendment seeks to enlarge the floor area occupied by the PCE. C1-2/R2 zoning district
		<b>Community Board #1Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 5/25/10</b>

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<b><i>SOC – NEW CASES</i></b>		
<b>11.</b>	<b>887-54-BZ</b>	<p>Eric Palatnik, P.C. <b>218-01 Northern Boulevard, Queens</b> Extension of Term (§11-411) for the continued use of gasoline station (<i>British Petroleum</i>) with accessory convenience store (<i>7-Eleven</i>) which expires on September 23, 2010. C2-2/R6B zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/8/10</b></p>
<b>12.</b>	<b>102-95-BZ</b>	<p>The Law Office of Fredrick A. Becker <b>50 West 17<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Special Permit (§73-244) for a UG12 Eating and Drinking Establishment (<i>Splash</i>) which expired on March 5, 2010. C6-4A zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/15/10</b></p>
<b>13.</b>	<b>189-96-BZ</b>	<p>John C. Chen <b>85-12 Roosevelt Avenue, Queens</b> 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. <b>Community Board #4Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/22/10</b></p>
<b>14.</b>	<b>4-00-BZ</b>	<p>Eric Palatnik, P.C. <b>243 West 30<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Special Permit (§73-36) for the continued use of a Physical Culture Establishment (<i>West Garden</i>) which expires on May 30, 2010. M1-5 zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 5/25/10</b></p>

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<b><i>SOC – NEW CASES</i></b>		
<b>15.</b>	<b>103-05-A</b>	Rothkrug, Rothkrug, Spector, LLP <b>366 Nugent Street, Staten Island</b> Application to reopen pursuant to a court remand (Appellate Division) for a determination of whether the Department of Buildings issued a permit in error based on alleged misrepresentations made by the owner during the permit application process. <b>Community Board #2SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 6/15/10</b>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>16.</b>	<b>287-09-BZY &amp; 288-09-BZY</b>	Sheldon Lobel, P.C. <b>87-85 &amp; 87-87 144<sup>th</sup> Street, Queens</b> Extension of time (§11-332) to complete construction of a major development commenced under the prior R6 zoning. R5 zoning district. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 5/11/10</b>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>17.</b>	<b>303-09-BZY</b>	Eric Palatnik, P.C. <b>517 53<sup>rd</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of an enlargement commenced under the prior C4-3 zoning district. R6B zoning district <b>Community Board #7BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 5/25/10</b>
<b>18.</b>	<b>57-10-A</b>	Eric Palatnik, P.C. <b>517 53<sup>rd</sup> Street, Brooklyn</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior C4-3 zoning district. R6B zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 5/25/10</b>

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<b><i>APPEALS – NEW CASES</i></b>		
<b>19.</b>	<b>43-08-A, 3-10-A &amp; 4-10-A</b>	Akerman Senterfitt <b>144-25 Bayside Avenue and 29-45/29-46 145<sup>th</sup> Street, Queens</b> Proposed construction in the bed of mapped street contrary to the General City Law Section 35. R2A zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 6/8/10</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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TUESDAY AFTERNOON, MAY 11, 2010  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>214-07-BZ</b>	<p>Sheldon Lobel, P.C. <b>3217 Irwin Avenue, Bronx</b> 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. <b>Community Board #8BX</b></p> <p><b>Examiner: Ronald Rizzotti (212) 212-788-8781</b></p> <p><b>Status: Granted – 5/11/10</b></p>
<b>2.</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><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted – 5/11/10</b></p>
<b>3.</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><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 5/11/10</b></p>
<b>4.</b>	<b>308-09-BZ</b>	<p>Jorge F. Canepa <b>366 Husson Street, Staten Island</b> Variance (§72-21) to legalize a swimming pool located partially within a front yard and to allow two parking spaces to be located between the street line and the building street wall, contrary to §23-44 and §25-622. R3X zoning district. <b>Community Board #2SI</b></p> <p><b>Examiner: Ronald Rizzotti (212) 212-788-8781</b></p> <p><b>Status: Withdrawn – 5/11/10</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
5.	14-09-BZ	<p>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></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 7/13/10</b></p>
6.	192-09-BZ	<p>Sheldon Lobel, P.C.  <b>912 Broadway, Brooklyn</b>                      Variance (§72-21) to allow for the construction of a department store (UG10), contrary to use regulations (§§22-00, 32-00). R6 and R6/C2-3 zoning districts.  <b>Community Board #3BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 212-788-8781</b></p> <p><b>Status: Adjourned, Continued Hearing – 6/8/10</b></p>
7.	270-09-BZ	<p>Sheldon Lobel, P.C.  <b>1910 Homecrest Avenue, Brooklyn</b>                      Variance (§72-21) for the construction of a single family home on a vacant corner lot, contrary to floor area (§23-141), side yards (§23-461) and front yard (§23-47). R4-1 zoning district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/8/10</b></p>
8.	19-10-BZ/ 62-10-A	<p>Akerman Senterfitt, LLP  <b>100 Oak Point Avenue, Bronx</b>                      Special Permit (ZR§ 73-482) to allow for an accessory parking facility in excess of 150 spaces, and proposed construction not fronting a legally mapped street, contrary to General City Law Section 36. M3-1 zoning district.  <b>Community Board #2BX</b></p> <p><b>Examiner: Ronald Rizzotti (212) 212-788-8781</b></p> <p><b>Status: Closed, Decision – 6/15/10</b></p>

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<b>9.</b>	<b>20-10-BZ</b>	DeCampo Diamond & Ash <b>1470 Third Avenue aka 171-173 East 83rd Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>Soul Cycle</i> ) on the ground floor of an existing six-story building. C1-9 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 5/25/10</b>

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<b>10.</b>	<b>6-09-BZ</b>	<p>Rampulla Associate Architects <b>24 Nelson Avenue, Staten Island</b> Variance (§72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10. C4-1 (Special South Richmond Development District &amp; Special Growth Management District) zoning district. <b>Community Board #3SI</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 6/22/10</b></p>
<b>11.</b>	<b>189-09-BZ/ 190-09-A</b>	<p>Eric Palatnik, P.C. <b>3067 Richmond Terrace, Staten Island</b> 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. <b>Community Board #1SI</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 7/13/10</b></p>
<b>12.</b>	<b>27-10-BZ</b>	<p>Eric Palatnik, P.C. <b>117 Norfolk Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of a single family home, contrary to open space, lot coverage and floor area (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-1 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/22/10</b></p>
<b>13.</b>	<b>30-10-BZ</b>	<p>Law Office of Fredrick A. Becker <b>1384 East 22<sup>nd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141) and less than the required rear yard (§23-47). R-2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 5/25/10</b></p>

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