

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, MAY 25, 2010
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	4-00-BZ	<p>Eric Palatnik, P.C. 243 West 30th Street, Manhattan 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. Community Board #5M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/25/10</p>
2.	369-03-BZ	<p>The Law Office of Fredrick A. Becker 99-01 Queens Boulevard, Queens 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. Community Board #1Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 5/25/10</p>
3.	51-06-BZ	<p>Sheldon Lobel, P.C. 188-02/22 Union Turnpike, Queens 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 Community Board #1Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 5/25/10</p>

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<i>SOC – CONTINUED HEARINGS</i>		
4.	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> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Adjourned, Continued Hearing – 6/22/10</p>
5.	16-92-BZ	<p>NYC Board of Standards and Appeals Applicant: Sheldon Lobel, P.C. 72/84 Sullivan Street, Brooklyn Dismissal for lack of prosecution for an extension of time to obtain a Certificate of Occupancy, and an Amendment to allow an additional non-conforming use on the zoning lot. R5/C1-3 zoning district. Community Board#6BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Off Dismissal Calendar, Public Hearing – 6/22/10</p>

<i>SOC – NEW CASES</i>		
6.	336-98-BZ & 337-98-BZ	<p>Rothkrug, Rothkrug & Spector LLP 312/18 & 324/34 Flatbush Avenue, Brooklyn Extension of Time to obtain a Certificate of Occupancy of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (<i>Crunch Fitness</i>) which expired on February 11, 2010; waiver of the rules. C2-4 zoning district.. Community Board # 6BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 6/8/10</p>

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<i>APPEALS – DECISIONS</i>		
7.	300-08-A	<p>Marvin Mitzner 39-35 27th Street, Queens An appeal seeking a determination that the property owner has acquired a common law vested right to continue development under the prior M1-3 zoning district regulations. M1-2 /R5B zoning district. Community Board #1Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 5/25/10</p>
8.	303-09-BZY	<p>Eric Palatnik, P.C. 517 53rd Street, Brooklyn Extension of time (§11-332) to complete construction of an enlargement commenced under the prior C4-3 zoning district. R6B zoning district Community Board #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Withdrawn – 5/25/10</p>
9.	57-10-A	<p>Eric Palatnik, P.C. 517 53rd Street, Brooklyn 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. Community Board #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 5/25/10</p>
10.	1-10-A	<p>Elizabeth Safian 527 East 86th Street, Brooklyn Appeal to an Order of Closure issued by the Department of Buildings. Per the Order, the site’s commercial vehicle storage, public parking lot, trucking terminal and a salvage yard uses constitute an illegal use in a residential district contrary to Administrative Code Section 28-212.2. R5 zoning district. Community Board #18BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Denied – 5/25/10</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
11.	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> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 7/27/10</p>
12.	274-09-A	<p>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</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 6/22/10</p>
13.	283-09-BZY thru 286-09-BZY	<p>Rothkrug, Rothkrug & Spector, LLP 90-18 176th Street, 175/19/21/23 Lauren Court, Queens Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R4-1 zoning district. Community Board #12Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 6/22/10</p>
14.	295-09-A & 296-09-A	<p>Rothkrug Rothkrug & Spector, LLP 81 and 83 Cortlandt Street, Staten Island Proposed construction of one family home located within the bed of a mapped street (Bache Street), contrary to Section 35 of the General City Law. R3A Zoning District Community Board #2SI</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 6/15/10</p>

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<i>BZ – DECISIONS</i>		
1.	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</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 5/25/10</p>
2.	331-09-BZ	<p>Slater & Beckerman, LLP 141 East 45th Street, Manhattan Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>River View Spa</i>) located on the second and third floors in an existing three-story building. C5-2.5 zoning district. Community Board #6M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 5/25/10</p>
3.	20-10-BZ	<p>DeCampo Diamond & Ash 1470 Third Avenue aka 171-173 East 83rd Street, Manhattan 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. Community Board #8M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 5/25/10</p>

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<i>BZ – CONTINUED HEARINGS</i>		
4.	160-08-BZ	<p>Dominick Salvati and Son Architects 651-671 Fountain Avenue, Brooklyn Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district. Community Board #5BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 6/15/10</p>
5.	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</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 6/8/10</p>
6.	31-09-BZ	<p>Eric Palatnik, PC 117-04 Sutphin Boulevard, Queens Special Permit (§11-411, §11-412, §11-413) for re-instatement of previous variance, which expired on November 12, 1990; amendment for a change of use from a gasoline service station (UG16b) to automotive repair establishment and automotive sales (UG16b); enlargement of existing one story structure; and Waiver of the Rules. C2-2/R3-2 zoning district. Community Board #12Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Adjourned, Continued Hearing – 6/22/10</p>

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BZ – CONTINUED HEARINGS		
7.	162-09-BZ	<p>Sheldon Lobel, P.C. 30-33 Steinway Street, Queens Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Planet Fitness</i>) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts. Community Board # 1Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 6/8/10</p>
8.	173-09-BZ	<p>Law Offices of Howard Goldman LLC 845 Broadway, Brooklyn Variance (§72-21) to allow a seven-story mixed use building, contrary to use regulations (§32-00, 42-00). C8-2/M1-1 zoning districts. Community Board #4BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 6/22/10</p>
9.	271-09-BZ	<p>Sheldon Lobel, P.C. 132-40 Metropolitan Avenue, Queens Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (<i>Planet Fitness</i>) on the first, second, and third floors of an existing three-story building. C2-3 zoning district. Community Board #9Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 6/15/10</p>
10.	282-09-BZ	<p>Steven Williams, P.E. 54-19 Myrtle Avenue, Queens Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>Ritchie's Gym</i>) on the third floor of a four-story commercial building. C4-3 zoning district. Community Board #5Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 6/8/10</p>

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11.	325-09-BZ	<p>Sheldon Lobel, P.C. 1364 & 1366 52nd street, Brooklyn Variance (§72-21) to permit the proposed four-story and mezzanine synagogue (<i>Congregation Yetev Lev</i>), contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district. Community Board #12BK Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 6/15/10</p>
12.	9-10-BZ	<p>Eric Palatnik, P.C. 231-10 Northern Boulevard, Queens Variance (§72-21) to allow a restaurant use in an existing building, contrary to §22-00. R1-2 zoning district. Community Board#11Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 6/22/10</p>
13.	30-10-BZ	<p>Law Office of Fredrick A. Becker 1384 East 22nd Street, Brooklyn 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. Community Board #14BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 6/8/10</p>

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<i>BZ – NEW CASES</i>		
14.	333-09-BZ	<p>Moshe M. Friedman 360 Troy Avenue aka 348-350 Troy Avenue aka 1505-1513 Carroll Street, Brooklyn Variance (§72-21) to permit the vertical extension of an existing religious school (<i>Congregation Yeshiva Beis Chaya Mushika</i>), contrary to floor area, lot coverage, height, sky exposure plane, front yard, and side yard regulations (§§24-11, 24-521, 24-34, and 24-35). R4 zoning district. Community Board # 9BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 6/15/10</p>
15.	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>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 6/15/10</p>
16.	41-10-BZ	<p>Kramer Levin Naftalis & Frankel LLP 522-566/596-600 First Avenue aka 400-424 East 34th Street and 423-437 East 30th Street, Manhattan Variance pursuant (§72-21) to allow for the enlargement of a community facility (<i>NYU Langone Medical Center</i>) contrary to rear yard (§24-36) and signage regulations (§§22-321, 22-331, 22-342). R8 zoning district. Community Board #6M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 6/22/10</p>

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