

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, OCTOBER 5, 2010
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	60-90-BZ	<p>EPDSCO, Inc. 525 Forest Avenue, Staten Island Extension of Term of a previously granted Special Permit (§73-211) for the continued use of a Gasoline Service Station (<i>Citgo</i>) and Automotive Repair Shop which expired on February 25, 2001; Waiver of the Rules. C2-1/R3X zoning district. Community Board #1SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/5/10</p>
2.	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: Granted – 10/5/10</p>
3.	164-04-BZ	<p>Sheldon Lobel, P.C. 2241 Westchester Avenue, Bronx Extension of Time to obtain a Certificate of Occupancy for a previously granted physical culture establishment (<i>Planet Fitness</i>) which expired on February 7, 2007; Amendment to change operator, hours of operation and interior modification; Waiver of the Rules. C2-1/R6 zoning district. Community Board #10BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/5/10</p>
4.	124-05-BZ	<p>Greenberg Traurig 482 Greenwich Street, Manhattan Amendment to a Variance (§72-21) for the construction of a mixed-use building to allow an increase in dwelling units, increase in street wall height and reduction of overall building height; Extension of Time to Complete Construction which expires on September 12, 2010. C6-2A zoning district. Community Board #2M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 10/5/10</p>

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<i>SOC – CONTINUED HEARINGS</i>		
5.	656-69-BZ	<p>Rothkrug, Rothkrug & Spector 2617/23 Harway Avenue, aka - 208/18 Bay 43rd Street, Brooklyn Extension of Term of a (UG9) parking lot accessory to an existing funeral home establishment which expired on May 27, 2010; Extension of Time to obtain a Certificate of Occupancy; waiver of the rules. R-5 zoning district. Community Board #13BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/19/10</p>
6.	322-98-BZ	<p>The Law Office of Fredrick A. Becker 300 West 125th Street, Manhattan Extension of Term of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (<i>New York Sports Club</i>) which expired on March 23, 2009; Amendment to legalize the increase in floor area; Waiver of the Rules. C4-4(125) zoning district. Community Board #10M Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/19/10</p>
7.	161-00-BZ	<p>Stuart A. Klein, Esq. 320 East 52nd Street, Manhattan Extension of Term of a previously granted Variance (§72-21) for the operation of a Physical Culture Establishment (<i>Bodescu Skin Care</i>) which expired on June 2, 2010; Extension of Time to obtain a Certificate of Occupancy. R8B zoning district. Community Board #6M Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/19/10</p>

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<i>SOC – NEW CASES</i>		
8.	26-94-BZ	Rampulla Associates, AIA 141 Mansion Avenue, Staten Island Extension of Term of a Special Permit (§73-242) for a (UG6) eating and drinking establishment which expires on June 6, 2011. C3A (SSRD) zoning district. Community Board #3SI Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/26/10
9.	33-99-BZ	Rothkrug, Rothkrug & Spector 630 5th Avenue, Manhattan Extension of Term of a Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>The Sports Club/LA</i>) which expired on January 11, 2010; waiver of the rules. C5-3(MID) zoning district. Community Board #5M Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/26/10
10.	344-03-BZ	Goldman, Harris LLC 2777 Flatbush Avenue, Brooklyn Extension of Term of a Special Permit (§73-242) permitting an eating and drinking establishment. C3 zoning district. Community Board #18BK Examiner: Carlo Costanza (212) 788-8739 Status: Continued Hearing – 10/19/10
11.	179-07-BZ	Sheldon Lobel, PC 74-21 Queens Boulevard, Queens Dismissal for Lack of Prosecution - Variance (§72-21) to allow a seven-story hotel building contrary to floor area regulations (§33-122). C8-1 zoning district. Community Board #4Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Dismissed – 10/5/10

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<i>APPEALS – DECISIONS</i>		
12.	315-08-A	<p>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</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Denied – 10/5/10</p>
13.	10-10-A	<p>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</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 10/5/10</p>

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APPEALS – CONTINUED HEARINGS

14.	110-10-BZY	Cozen O'Connor 93-06 Shore Front Parkway, Queens Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning. R5A zoning district Community Board #14Q Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 10/19/10
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<i>APPEALS – NEW CASES</i>		
15.	113-10-BZY	Rothkrug Rothkrug & Spector 30-86 36th Street, Queens Extension of time (§11-331) to complete construction of a minor development commenced under the prior R6 zoning. R5B zoning district. Community Board #1Q Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 10/26/10
16.	125-10-A	Simons & Wright 346 Ovington Avenue, Brooklyn Appeal challenging the interpretation of ZR §23-22 as it applies to the required density factor for existing buildings in an R5B zoning district. Community Board #10BK Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 11/16/10

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<i>BZ – DECISIONS</i>		
1.	173-09-BZ	<p>Law Offices of Howard Goldman LLC 845 Broadway, Brooklyn Variance (§ZR 72-21) to allow for a four story mixed use building contrary to use regulations. (ZR §32-00, §42-00) C8-2 / M1-1 zoning districts. Community Board #4BK</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Deferred Decision – 10/26/10</p>
2.	100-10-BZ	<p>Law Office of Fredrick A. Becker 2512 Avenue R, 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), side yard (§§23-461 & 23-48) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 10/5/10</p>

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<i>BZ – CONTINUED HEARINGS</i>		
3.	210-07-BZ	<p>Eric Palatnik, P.C. 15 Luquer Street, Brooklyn Variance (§72-21) to allow for a residential use in a manufacturing district, contrary to §42-00. M1-1 zoning district. Community Board #6BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 11/9/10</p>
4.	277-07-BZ	<p>Miele Associates, LLP 165-35 North Conduit Avenue, Queens Variance (§72-21) proposed to erect a one story automotive service station with accessory convenience store, contrary to §22-10. R3-1 zoning district Community Board #12Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Adjourned, Continued Hearing – 11/9/10</p>
5.	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>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Adjourned, Continued Hearing – 11/16/10</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: Continued Hearing – 11/9/10</p>

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<i>BZ – CONTINUED HEARINGS</i>		
7.	219-09-BZ thru 223-09-BZ	<p>Gerald J. Caliendo, RA 806 – 810 East 147th Street, The Bronx Variance (§72-21) to allow for five, two family residential buildings, contrary to §42-00. M1-2 district. Community Board #1BX</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Adjourned, Continued Hearing – 11/16/10</p>
8.	234-09-BZ	<p>Sheldon Lobel, P.C. 25-71 44th Street, Queens Variance (§72-21) for the construction of a detached two-family home contrary to side yard regulations (§23-48). R-5 zoning district. Community Board # 1Q</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision – 10/19/10</p>
9.	35-10-BZ	<p>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</p> <p style="color: green;">Examiner: Rory Levy (212) 788-8749</p> <p style="color: red;">Status: Continued Hearing – 11/9/10</p>
10.	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> <p style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Continued Hearing – 11/9/10</p>

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<i>BZ – NEW CASES</i>		
11.	309-09-BZ	<p>Harold Weinberg, P.E. 2173 65th Street, Brooklyn Variance (§72-21) to allow a mixed use building, contrary to lot coverage (§23-145), side yard (§35-541) and height (§35-542) regulations. R6A/C2-3 zoning district. Community Board #11BK</p> <p style="text-align: center;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: center;">Status: Continued Hearing – 11/16/10</p>
12.	104-10-BZ	<p>Moshe M. Friedman, P.E. 5002 19th Avenue, aka 1880-1890 50th Street, Brooklyn Variance (§72-21) to permit the extension and conversion of an existing residential building to a synagogue and rectory, contrary to lot coverage and floor area (§24-11) front yard (§24-34), side yard (§24-35) and wall height and sky exposure plane (§24-521). R5 zoning district. Community Board #12BK</p> <p style="text-align: center;">Examiner: Rory Levy (212) 788-8749</p> <p style="text-align: center;">Status: Continued Hearing – 11/16/10</p>
13.	105-10-BZ	<p>Eric Palatnik 269 77th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to side yard regulations (§23-461). R4A zoning district. Community Board #10BK</p> <p style="text-align: center;">Examiner: Henry Segovia (212) 788-8757</p> <p style="text-align: center;">Status: Closed, Decision – 10/19/10</p>
14.	108-10-BZ	<p>Roberts Organization (LRNC Myrtle Avenue NY LLC) 54-32 Myrtle Avenue, Queens Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>Lucille Roberts</i>) in an existing two-story building. C4-3 zoning district. Community Board #5Q</p> <p style="text-align: center;">Examiner: Rory Levy (212) 788-8749</p> <p style="text-align: center;">Status: Closed, Decision – 10/26/10</p>

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15.	126-10-BZ	Sheldon Lobel, P.C. 856 Remsen Avenue, Brooklyn Special Permit (§73-36) to allow the operation of the proposed physical culture establishment (<i>Canarsie Fitness</i>) in a two-story building under construction. M1-1 zoning district. Community Board #18BK
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 10/26/10

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