

NYC Board of Standards and Appeals

December 14, 2010

Special Order Calendar

10:00 A.M.

<i>Decisions</i>		
1.	914-86-BZ Closed 11/23	Stuart A. Klein, Esq 1-19 Eastern Parkway, Brooklyn Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (<i>Eastern Athletic</i>) which expired on May 17, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on November 12, 1998; Amendment to the interior layout and the hours of operation; Waiver of the Rules. R8X zoning district. Community Board #8BK <i>Segovia</i>
2.	175-05-BZ Closed 11/23	Eric Palatnik, P.C. 18-24 Luquer Street, Brooklyn Extension of Time to Complete Construction of a previously approved Variance (§72-21) to construct a four-story multiple dwelling with accessory parking which expires on January 9, 2011. M1-1 zoning district. Community Board #16BK <i>Segovia</i>

<i>Continued Hearings</i>		
3.	66-90-BZ Heard 11/23 <u>1 – Hearing</u>	Eric Palatnik, P.C. 43-03 Astoria Boulevard, Queens Extension of Term for a UG16 Gasoline Service Station (<i>Mobil</i>) which expired on October 1, 2010. R5 zoning district. Community Board #1Q <i>Segovia</i>
4.	315-90-BZ Heard 11/16 <u>1 – Hearing</u>	Sheldon Lobel, P.C. 82-06 Astoria Boulevard, Queens Extension of Term (§11-411) for the continued operation of a Gasoline Service Station (<i>Gulf</i>) with accessory convenience store which expires on March 13, 2011; Extension of Time to obtain a Certificate of Occupancy which expired on March 13, 2003; waiver of the rules. C2-2/R4 zoning district. Community Board #3Q <i>Segovia</i>

<i>New Cases</i>		
5.	55-45-BZ	Walter C. Maffei, AIA 51 Kingsland Avenue, Brooklyn Extension of Term (§11-411) for an existing Gasoline Service Station (<i>Spirit</i>) which expired on February 27, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on May 2, 2001; waiver of the rules. C2-4/R6B zoning district. Community Board #1BK <i>Costanza</i>

DISCLAIMER

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<i>New Cases</i>		
6.	245-49-BZ	<p>Simons & Wright LLC 78-09 Springfield Boulevard, Queens Amendment of previous approval to legalize the conversion of one residential unit to be used as an accessory residential management office and elimination of the term; waiver of the rules. R3-2 zoning district. Community Board # 11Q</p> <p style="text-align: right;"><i>Costanza</i></p>
7.	827-55-BZ	<p>Eric Palatnik, P.C. 245-20 139th Avenue, Queens Extension of Term (§11-411) for the continued operation of a Gasoline Service Station (<i>British Petroleum</i>) which expires on January 31, 2011. R3-2 zoning district. Community Board #13Q</p> <p style="text-align: right;"><i>Segovia</i></p>
8.	758-84-BZ	<p>David L. Businelli, R.A. 1444 Clove Road, Staten Island Extension of Term of a variance (§72-21) to legalize a two-story and cellar commercial building contrary to use regulations. R3X zoning district. Community Board #1SI</p> <p style="text-align: right;"><i>Costanza</i></p>
9.	93-00-BZ	<p>The Law Office of Fredrick A. Becker 19 West 44th Street, Manhattan Extension of Term of a Special Permit (§73-36) for the continued operation of a physical culture establishment (<i>New York Sports Club</i>) which expired on July 25, 2010. C6-4.5 (MID) zoning district. Community Board #3M</p> <p style="text-align: right;"><i>Segovia</i></p>
10.	128-00-BZ	<p>Rothkrug Rothkrug & Spector, LLP 10/16 Wall Street, Manhattan Extension of Term of a Special Permit (ZR §73-36) for the continued operation of a physical culture establishment (<i>Equinox</i>) which expired on September 12, 2010. C5-5(LM) zoning district. Community Board #1M</p> <p style="text-align: right;"><i>Segovia</i></p>

<i>Dismissal Cases</i>		
11.	<p>118-10-BZ Heard 12/7</p> <p><u>1 - Hearing</u></p>	<p>NYC Board of Standards and Appeals Applicant: Eric Palatnik, P.C. 2102/04 Avenue Z, Brooklyn Dismissal for lack of prosecution – Special Permit (§11-411) to re-establish a variance for an auto-related use. R4 zoning district. Community Board#15BK</p> <p style="text-align: right;"><i>Costanza</i></p>

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**December 14, 2010
Appeals Calendar
10:00 A.M.**

<i>Continued Hearings</i>		
12.	114-10-BZY & 115-10-BZY Heard 11/23 <u>1 – Hearing</u>	Nikolaos Sellas 26-58 & 26-60 30th Street, Queens Extension of time (§11-331) to complete construction of a major development commenced under the prior R6 zoning district. R6B zoning district Community Board #1Q <div style="text-align: right;"><i>Matias</i></div>
13.	125-10-A Heard 11/16 <u>1 – Hearing</u> <u>1 – Adjourned</u>	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 <div style="text-align: right;"><i>Matias</i></div>

<i>New Cases</i>		
14.	135-10-A	Zygmunt Staszewski 107 Beach 216th Street, Queens Proposed enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law, Section 36. R4 zoning district. Community Board #14Q <div style="text-align: right;"><i>Matias</i></div>

<i>Dismissal Cases</i>		
15.	212-10-A	NYC Board of Standards and Appeals Applicant: Marvin Mitzner 96 Greenwich Street, Manhattan Dismissal for lack of Jurisdiction - Appeal of a determination by the Department of Buildings that an engineer's report violated Building Code Section 28.211.1. (False Statements). C6-9M Zoning District. Community Board #1M <div style="text-align: right;"><i>Matias</i></div>

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**December 14, 2010
Zoning Calendar
1:30 P.M.**

<i>Decisions</i>		
1.	98-08-BZ Closed 11/16	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 <i>Rizzotti</i>
2.	173-09-BZ Def. Dec. 11/23	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 <i>Rizzotti</i>
3.	92-10-BZ Closed 11/9	Sheldon Lobel, P.C. 39 East 10th Street, Manhattan Variance (§72-21) to allow for the construction of an elevator in an existing residential building, contrary to floor area, open space (§23-142) and court regulations (§§23-85, 23-87). R7-2 zoning district. Community Board #2M <i>Rizzotti</i>
4.	103-10-BZ Closed 11/16	Law Office of Frederick A. Becker 1036 East 24th Street, Brooklyn Special Permit (§73-622) for the enlargement and in-part legalization of an existing single family home contrary to floor area, open space (§23-141), side yard requirement (§23-461) and less than the required rear yard (§23-47). R2 zoning district. Community Board #14BK <i>Segovia</i>
5.	104-10-BZ Closed 11/16	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 <i>Levy</i>
6.	122-10-BZ Closed 11/23	Bryan Cave LLP 163 West 78th Street, Manhattan Variance (§72-21) to permit the rooftop addition for a community facility use (<i>Rodeph Sholom School</i>), contrary to maximum height regulations (§23-692). R8B zoning district. Community Board #7M <i>Levy</i>

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Zoning Calendar
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<i>Continued Hearings</i>		
7.	277-07-BZ Heard 11/9 <u>2 – Hearings</u> <u>1 - Adjournment</u>	Miele Associates, LLP 165-35 North Conduit Avenue, Queens Variance (§72-21) for the development of a one-story automotive service station with accessory convenience store, contrary to §22-10. R3-1 zoning district Community Board #12Q <div style="text-align: right;"><i>Costanza</i></div>
8.	31-09-BZ Heard 11/9 <u>5 – Hearings</u> <u>2 –Adjournments</u>	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 <div style="text-align: right;"><i>Costanza</i></div>
9.	43-10-BZ Heard 11/23 <u>2 – Hearings</u> <u>1 – Adjourned</u>	Gerald J. Caliendo, R.A., AIA 23-70 Steinway Street, Queens Special Permit (§73-244) to allow an eating and drinking establishment without restrictions and no limitation on entertainment and dancing. C2-2/R5 zoning district. Community Board#1Q <div style="text-align: right;"><i>Levy</i></div>
10.	55-10-BZ Heard 10/19 <u>1 – Hearing</u>	Eric Palatnik, P.C. 40-22 Main Street, Queens Special Permit (§73-44) to permit a reduction in required parking for an ambulatory or diagnostic treatment center. C4-2/C4-3 zoning districts. Community Board #7Q <div style="text-align: right;"><i>Rizzotti</i></div>
11.	101-10-BZ Heard 10/26 <u>2 – Hearings</u>	Sheldon Lobel, P.C. 54 Crosby Street, Manhattan Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to use (§42-14(D)(2)(b)). M1-5B zoning district. Community Board #2M <div style="text-align: right;"><i>Rizzotti</i></div>
12.	107-10-BZ Heard 11/16 <u>1 – Hearing</u>	Akerman Senterfitt 12-24 149th Street, Queens Variance (§72-21) to allow for a community facility use (<i>Associazione Sacchese D’America</i>), contrary to side yard regulations (§24-35). R2 zoning district. Community Board #7Q <div style="text-align: right;"><i>Rizzotti</i></div>

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Zoning Calendar
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<i>Continued Hearings</i>		
13.	140/142/144/ 146-10-BZ 141/143/145/ 147-10-A Heard 11/9 <u>1 – Hearing</u>	Rothkrug Rothkrug & Spector, LLP 160, 170, 181, 191, Edinboro Road, Staten Island Variance (§72-21) to allow four single-family homes on a zoning lot that does not meet the minimum lot width requirements (§23-32), and waiver to the General City Law, Section 36, for development not fronting a mapped street. R1-2 (NA-1) zoning district. Community Board #2SI <i>Rizzotti</i>
14.	178-10-BZ Heard 11/16 <u>1 – Hearing</u>	Law Office of Fredrick A. Becker 943 East 24th Street, Brooklyn Special Permit (§73-622) for the legalization and enlargement of a single family home, contrary to floor area and open space (§23-141); side yards (§23-461) and rear yard (§23-47) regulations. R2 zoning district. Community Board #14BK <i>Segovia</i>
15.	179-10-BZ Heard 11/16 <u>1 – Hearing</u>	Sheldon Lobel, P.C. 249 Duffield Street, Brooklyn Special Permit (§73-36) to legalize the operation of a Physical Culture Establishment (<i>Planet Fitness</i>). C6-4 zoning district. Community Board #2BK <i>Levy</i>
16.	182-10-BZ Heard 11/16 <u>1 – Hearing</u>	Law Office of Fredrick A. Becker 1082 East 23rd Street, Brooklyn Special Permit (§73-622) for the enlargement of a single family home, contrary to floor area and open space (§23-141); side yard (§23-461) and rear yard (§23-47) regulations. R2 zoning district. Community Board #14BK <i>Segovia</i>
17.	190-10-BZ Heard 11/23 <u>1 – Hearing</u>	Sheldon Lobel, P.C. 250-10 Grand Central Parkway, Queens Variance (§72-21) to permit the addition of a third floor to an existing two-story school building (<i>Yeshiva Har Torah</i>), contrary to rear yard (§24-36) and setback (§24-551) regulations. R3-2 zoning district. Community Board #13Q <i>Levy</i>

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Zoning Calendar
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<i>New Cases</i>		
18.	45-10-BZ	<p>Sheldon Lobel, PC 1413-1429 Edward L. Grant Highway, Bronx Special Permit (§11-411 and §11-412) for the reinstatement of a Variance for the continued operation of a gasoline service station (<i>Getty</i>) which expired on June 23, 1986; Amendment to increase the size of the auto laundry; Extension of Time to obtain a Certificate of Occupancy. C1-4/R7-1 zoning district. Community Board #4BX</p> <p style="text-align: right;"><i>Costanza</i></p>
19.	128-10-BZ	<p>Eric Palatnik, P.C. 147-58 77th Road, Queens Variance (§72-21) to permit proposed synagogue, religious school and Rabbi's residence (<i>Jewish Center of Kew Gardens</i>) contrary to floor area and lot coverage (§24-11), height, setback and sky exposure plane (§24-521), front yard (§24-34), side yards (§24-35), side setback (§24-551), and minimum distance between windows (§24-672 and §23-863). R4 zoning district. Community Board #8Q</p> <p style="text-align: right;"><i>Levy</i></p>
20.	183-10-BZ	<p>Rothkrug, Rothkrug & Spector LLP 873 Belmont Avenue aka 240 Milford Street, Brooklyn Variance (§72-21) for the construction of a detached two-story, two family residence, contrary to front yard (§23-45) and side yard requirements (§23-461). R5 zoning district. Community Board #5BK</p> <p style="text-align: right;"><i>Segovia</i></p>

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