

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, AUGUST 23, 2011

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>887-54-BZ</b>	<p>Eric Palatnik, P.C.  <b>218-01 Northern Boulevard, Brooklyn</b>                      Extension of Time to obtain a Certificate of Occupancy for an existing gasoline service station (<i>British Petroleum</i>) with accessory convenience store (<i>7-Eleven</i>) which expired on June 15, 2011. C2-2/R6B zoning district.  <b>Community Board #11BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Granted – 8/23/11</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>2.</b>	<b>281-39-BZ</b>	<p>Eric Palatnik, P.C.  <b>1605 Lexington Avenue, Manhattan</b>                      Extension of Term (§11-411) of a variance permitting the operation of an automotive service station (UG 16B) with accessory uses which expired on May 18, 2009; Waiver of the Rules. C1/R7-2 zoning district.  <b>Community Board #11M</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Continued Hearing – 9/27/11</b></p>
<b>3.</b>	<b>713-55-BZ</b>	<p>Walter T. Gorman, P.E.  <b>181-05 Horace Harding Expressway, Queens</b>                      Extension of Term (§11-411) of a variance for the continued operation of a gasoline service station (<i>Mobil</i>) which expired on December 11, 2011. C2-2/R3-1 zoning district.  <b>Community Board #11Q</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 9/27/11</b></p>

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<b>SOC – CONTINUED HEARINGS</b>		
<b>4.</b>	<b>827-55-BZ</b>	<p>Eric Palatnik, P.C.  <b>245-20 139<sup>th</sup> Avenue, Queens</b>                      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.  <b>Community Board #13Q</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 9/20/11</b></p>
<b>5.</b>	<b>926-86-BZ</b>	<p>Sheldon Lobel, P.C.  <b>217-07 Northern Boulevard, Queens</b>                      Extension of Term of a variance for the operation of an automotive dealership with accessory repairs (UG 16B) which expired on November 4, 2010; Extension of time to obtain a Certificate of Occupancy which expired on January 6, 2006; Waiver of the Rules. C2-2/R6-B/R3X zoning district.  <b>Community Board #11Q</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 9/27/11</b></p>
<b>6.</b>	<b>93-95-BZ</b>	<p>Akerman Senterfeit  <b>149-56/58 Cross Island Parkway, Queens</b>                      Extension of Term of a Variance (§72-21) for the continued operation of a (UG 6a) eating and drinking establishment and (UG 9) catering establishment which expired on June 10, 2007 and waiver of the rules. R3A zoning district.  <b>Community Board #7Q</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 9/20/11</b></p>
<b>7.</b>	<b>188-96-BZ</b>	<p>Mitchell S. Ross, Esq.  <b>444 Soundview Avenue, Bronx</b>                      Extension of Term (§11-411) of a variance for the continued operation of a Gasoline Service Station (<i>Gulf</i>) with accessory convenience store which expired January 6, 2008; Waiver of the rules. R5 zoning district.  <b>Community Board #9BX</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Adjourned, Continued Hearing – 9/27/11</b></p>

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<b><i>SOC – NEW CASES</i></b>		
<b>8.</b>	<b>1045-64-BZ</b>	<p>Hal Dorfman, R.A.  <b>300-330 East 33<sup>rd</sup> Street, Manhattan</b>                      Extension of Term permitting 120 tenant parking spaces, within an accessory garage, for transient parking, pursuant to §60(1)(b) of the Multiple Dwelling Law (MDL), which expired on June 21, 2011. R8 zoning district.  <b>Community Board #6M</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Postponed Hearing – 9/13/11</b></p>
<b>9.</b>	<b>86-92-BZ</b>	<p>Randy M. Gulkis, DDS  <b>15 First Street, Staten Island</b>                      Extension of Term of a Variance (§72-21) for the continued operation of a UG6B dental office which expired on June 11, 2011. R3X zoning district.  <b>Community Board #2SI</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 9/20/11</b></p>
<b>10.</b>	<b>201-02-BZ</b>	<p>Eric Palatnik, P.C.  <b>6778 Hylan Boulevard, Staten Island</b>                      Extension of Time to Complete Construction of a Variance (§72-21) for the construction of a new automotive service station with accessory convenience store which expired on May 22, 2011 and a waiver of the rules. C1-1/R3X (SRD) zoning district.  <b>Community Board #3SI</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 9/20/11</b></p>

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<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>11.</b>	<b>176-10-A</b>	<p>Sheldon Lobel, P.C.  <b>62 Brighton 2<sup>nd</sup> Place, Brooklyn</b>                      Proposed construction of a residential building not fronting a mapped street, contrary to General City Law Section 36. R6 zoning District.  <b>Community Board #13BK</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/27/11</b>

<b><i>APPEALS – NEW CASES</i></b>		
<b>12.</b>	<b>15-11-A</b>	<p>Slater &amp; Beckerman, LLP  <b>860 Sixth Avenue, Manhattan</b>                      Appeal challenging the Department of Building's determination that a non-illuminated advertising sign and structure is not a legal non-conforming advertising sign pursuant to ZR §52-00. C6 zoning district.  <b>Community Board #5M</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 10/18/11</b>
<b>13.</b>	<b>40-11-A</b>	<p>Bryan Cave LLP  <b>25 Central Park West, Manhattan</b>                      Appeal challenging the Department of Building's determination that non-conforming commercial use was discontinued pursuant to ZR §52-61. R10A &amp; C4-7 LSD Zoning district.  <b>Community Board #7M</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 9/27/11</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, AUGUST 23, 2011  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>201-08-BZ</b>	Rothkrug Rothkrug & Spector, LLP <b>40-38 216<sup>th</sup> Street, Queens</b> Variance (§72-21) to allow a one story commercial building (UG 6); contrary to use regulations (§22-00). R3X zoning district. <b>Community Board #11Q</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Granted – 8/23/11</b>
<b>2.</b>	<b>169-09-BZ</b>	Sheldon Lobel, P.C. <b>186 Saint George’s Crescent, Bronx</b> Variance (§72-21) to allow a multi-family residential building, contrary to floor area (§23-145), rear yard (§23-47), height and setback (§23-633), rear setback (§23-663), minimum distance between windows and lot lines (§23-861), and maximum number of dwelling units (§23-22) regulations. R8 zoning district. <b>Community Board# 7BX</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Granted – 8/23/11</b>
<b>3.</b>	<b>128-10-BZ</b>	Eric Palatnik, P.C. <b>147-58 77<sup>th</sup> Road, Queens</b> 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. <b>Community Board #8Q</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Granted – 8/23/11</b>
<b>4.</b>	<b>27-11-BZ</b>	Rothkrug Rothkrug & Spector, LLP <b>86-88 Franklin Street, Manhattan</b> Special Permit (§73-36) to allow the operation of a physical culture establishment ( <i>Acqua Ancien Bath</i> ). C6-2A zoning district. <b>Community Board #1M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Granted – 8/23/11</b>

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<b><i>BZ – DECISIONS</i></b>		
<b>5.</b>	<b>57-11-BZ</b>	<p>Sheldon Lobel, P.C.  <b>208 West 125<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Planet Fitness</i>). C6-3/C4-4D.  <b>Community Board #10M</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Granted – 8/23/11</b></p>

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>6.</b>	<b>119-10-BZ</b>	<p>Sheldon Lobel, P.C.  <b>787 Cornaga Avenue, Queens</b>                      Variance (§72-21) to allow legalization of an enlargement of a residential building, contrary to front yard (§23-45) and height (§23-631) regulations. R2X zoning district.  <b>Community Board #14Q</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 9/20/11</b></p>
<b>7.</b>	<b>196-10-BZ</b>	<p>James Chin &amp; Associates  <b>234 East 53<sup>rd</sup> Street, Manhattan</b>                      Variance (§72-21) to allow ground floor commercial use in an existing residential building, contrary to use regulations (§22-00). R8B zoning district.  <b>Community Board #6M</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 9/13/11</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
8.	227-10-BZ	<p>Eric Palatnik, P.C. <b>204-12 Northern Boulevard, Queens</b> Re-instatement (§11-411) of a previously approved variance permitting the operation of an automotive service station (UG 16B) (<i>Getty</i>) which expired on October 11, 2000; Amendment to legalize fuel dispensing islands; Extension of Time to obtain a certificate of occupancy which expired on November 17, 1993; Waiver of the rules. C2-2/R3-2 zoning district. <b>Community Board #11Q</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Closed, Decision – 9/20/11</b></p>
9.	1-11-BZ	<p>Martyn &amp; Don Weston Architects <b>189-191 Atlantic Avenue, Brooklyn</b> Variance (§72-21) to allow a ground floor enlargement to a pre-existing non complying commercial building, contrary to floor area regulations (§53-31). C2-3/R6 zoning district. <b>Community Board #2BK</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Closed, Decision – 9/20/11</b></p>
10.	2-11-BZ	<p>Cozen O’Connor <b>117 Seventh Avenue South, Manhattan</b> Variance (§72-21) to allow for a residential and community facility enlargement to an existing commercial building, contrary to setback (§33-432) and open space regulations (§23-14). C4-5 zoning district. <b>Community Board #2M</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Continued Hearing – 10/18/11</b></p>
11.	21-11-BZ	<p>Eric Palatnik, P.C. <b>1810 Voorhies Avenue, Brooklyn</b> Special Permit (§73-44) to permit the reduction in required parking for an ambulatory or diagnostic treatment facility. C1-2/R4 zoning district. <b>Community Board #15BK</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Adjourned, Continued Hearing – 9/27/11</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
12.	31-11-BZ	<p>Goldman Harris LLC <b>1665 Jerome Avenue, Bronx</b> Variance (§72-21) to allow a mixed use community facility and commercial building, contrary to use (§32-12), floor area (§33-123), rear yard (§33-292), and height and setback (§33-432) regulations. C8-3 zoning district. <b>Community Board #5BX</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Adjourned, Continued Hearing – 9/27/11</b></p>
13.	56-11-BZ	<p>Sheldon Lobel, P.C. <b>957 East 7<sup>th</sup> Street, Brooklyn</b> Variance (§72-21) for the enlargement of an existing one-family semi-detached residence, contrary to use (§ 22-11) and (§52-22); side yard (§23-461(a)) and floor area (§ 23-141). R2X zoning district. <b>Community Board #12BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 9/27/11</b></p>
14.	60-11-BZ	<p>Sheldon Lobel, P.C. <b>1214 East 29<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of existing single family home, contrary to floor area and open space (§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: Closed, Decision – 9/27/11</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>15.</b>	<b>235-10-BZ</b>	<p>Cozen O'Connor <b>2063 Ralph Avenue, Brooklyn</b> Variance (§72-21) to allow a commercial use in a residential zone, contrary to use regulations (§22-00). R3-2 zoning district. <b>Community Board #18BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 9/27/11</b></p>
<b>16.</b>	<b>17-11-BZ</b>	<p>Sheldon Lobel, P.C. <b>2255 East 2<sup>nd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family residence, to be converted to a single family residence, contrary to floor area, lot coverage and open space (§23-141(b)) and rear yard (§23-47) regulations. R4/OP zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 9/27/11</b></p>
<b>17.</b>	<b>18-11-BZ</b>	<p>Law Office of Fredrick A. Becker <b>1025 East 22<sup>nd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence contrary to floor area and open space (§23-141); side yards (§23-461) and rear yard (§23-47) regulations. R2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 9/20/11</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>18.</b>	<b>64-11-BZ</b>	<p>Rampulla Associates Architects  <b>32-28 49<sup>th</sup> Street, Queens</b>                      Special Permit (§73-36) to allow the operation of a physical cultural establishment (<i>Retro Fitness</i>). C8-1 zoning district.  <b>Community Board #1Q</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Continued Hearing – 9/13/11</b></p>
<b>19.</b>	<b>72-11-BZ</b>	<p>Walter T. Gorman, P.E.  <b>101-06 Astoria Boulevard, Queens</b>                      Re-Instatement (§11-411) of a previously approved variance permitting the operation of an automotive service station (UG 16B) which expired on October 8, 1994. R3-2 zoning district.  <b>Community Board #3Q</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing – 9/20/11</b></p>

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