

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 15, 2011

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	899-65-BZ	<p>Sheldon Lobel, P.C.  <b>231-245 East 63<sup>rd</sup> Street, aka 1201 1222 2<sup>nd</sup> Avenue, Manhattan</b>                      Extension of Term permitting 75 surplus tenant parking spaces, within an accessory garage, for transient parking pursuant to §60 (3) of the Multiple Dwelling Law (MDL), which expired on November 16, 2010. C2-8/R8B zoning district.  <b>Community Board #8M</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Granted – 3/15/11</b></p>
2.	172-99-BZ	<p>The Law Office of Fredrick A. Becker  <b>34-42 West 14<sup>th</sup> Street, Manhattan</b>                      Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>New York Sports Club</i>) which expired on August 13, 2009; Waiver of the Rules. C6-2M/C6-2 zoning district.  <b>Community Board #2M</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Granted – 3/15/11</b></p>
3.	299-99-BZ	<p>Carl A. Sulfaro, Esq.  <b>8-16 Malcom X Boulevard, Brooklyn</b>                      Extension of Term for the continued operation of a gasoline service station (<i>Getty</i>) which expired on July 25, 2010. C2-3/R6 zoning district.  <b>Community Board #3BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Granted – 3/15/11</b></p>
4.	259-00-BZ	<p>The Law Office of Fredrick A. Becker  <b>26 Court Street, Brooklyn</b>                      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 expires on February 6, 2011. C5-2A (DB) zoning district.  <b>Community Board #2BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Granted – 3/15/11</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY MORNING, MARCH 15, 2011**

**10:00 A.M.**

<b><i>SOC – DECISIONS</i></b>		
<b>5.</b>	<b>259-08-BZ</b>	Jeffrey A. Chester/Einbinder & Dunn <b>242-02 61<sup>st</sup> Avenue, Queens</b> Amendment of a variance (§72-21) permitting the expansion of a non-conforming supermarket (UG 6). The amendment would remove a condition limiting the signage to C1 regulations. R4 zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 3/15/11</b>

\*\*\*\*\***DISCLAIMER**\*\*\*\*\*

**This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.**

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 15, 2011

10:00 A.M.

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>6.</b>	<b>964-87-BZ</b>	<p>Sheldon Lobel, P.C.  <b>780-798 Burke Avenue, Bronx</b>                      Extension of Term for the continued operation of (UG16) Gasoline Service Station (<i>Getty</i>) which expired on February 6, 2010; Extension of Time to obtain a Certificate of Occupancy which expired on January 15, 2003; Amendment to the hours of operation and Waiver of the Rules. C1-3/R6 zoning district.  <b>Community Board #12BX</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 4/12/11</b></p>
<b>7.</b>	<b>289-00-BZ</b>	<p>The Law Office of Fredrick A. Becker  <b>160 Water Street, Manhattan</b>                      Extension of Term of a previously approved Special Permit (§73-36) for the continued operation of a Physical Cultural Establishment (<i>New York Sports Club</i>) which expires on March 6, 2011. C5-5 (LM) zoning district.  <b>Community Board #1M</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 3/29/11</b></p>
<b>8.</b>	<b>197-02-BZ</b>	<p>Gary Silver, AIA  <b>2825 Nostrand Avenue, Brooklyn</b>                      Extension of Term of a previously approved Special Permit (§73-36) permitting the operation of a Physical Culture Establishment which expired on November 26, 2007; Extension of Time to obtain a Certificate of Occupancy; Waiver of the Rules. C2-2/R3-2 zoning district.  <b>Community Board #18BK</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Closed, Decision – 3/29/11</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 15, 2011

10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
<b>9.</b>	<b>881-59-BZ</b>	<p>Dorothy Ames  <b>15 Vandam Street, Manhattan</b>                      Extension of Term (§11-411) for the continued use of a theatre (<i>Sobo Playhouse</i>) which expires on April 11, 2011. R6 zoning district.  <b>Community Board #2M</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Closed, Decision – 4/5/11</b></p>
<b>10.</b>	<b>516-75-BZ</b>	<p>Tarter Krinsky &amp; Drogin, LLP  <b>330 East 61<sup>st</sup> Street aka 328 East 61<sup>st</sup> Street, Manhattan</b>                      Amendment of a bulk variance (§72-21) for a building occupied by a Physical Culture Establishment (<i>The Sports Club/LA</i>). The amendment proposes an increase in PCE floor area and a change operator;                      Extension of Term which expired on October 17, 2010; Extension of Time to obtain a Certificate of Occupancy which expired on October 17, 2002; and Waiver of the Rules. C8-4 zoning district.  <b>Community Board #8M</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p style="color: red;"><b>Status: Continued Hearing – 4/5/11</b></p>
<b>11.</b>	<b>866-85-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>2338 Cambreleng Avenue, Bronx</b>                      Extension of Term of a Variance (§72-21) for a UG8 open parking lot and storage of motor vehicles which expired on May 12, 2007;                      Extension of Time to obtain a Certificate of Occupancy which expired on November 23, 2000; Waiver of the Rules. R7-1 zoning district.  <b>Community Board #6BX</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Continued Hearing – 4/5/11</b></p>
<b>12.</b>	<b>216-97-BZ</b>	<p>Moshe M. Friedman  <b>1384 Carroll Street aka 352 Kingston Avenue, Brooklyn</b>                      Amendment to a special permit (§73-125) to enlarge UG4 medical offices within the cellar of an existing four-story residential building. R-2 zoning district.  <b>Community Board #9BK</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Continued Hearing – 4/5/11</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY MORNING, MARCH 15, 2011**

**10:00 A.M.**

<b><i>SOC – NEW CASES</i></b>		
<b>13.</b>	<b>11-00-BZ</b>	Rothkrug, Rothkrug & Spector, LLP <b>550 5<sup>th</sup> Avenue, Bronx</b> Extension of Term of a Special Permit (§73-36) for a Physical Culture Establishment ( <i>Harbor Fitness</i> ) in the cellar and first floor of an existing mixed use building which expired on October 3, 2010; Amendment for increase in hours of operation. C4-3A/R6B zoning district. <b>Community Board #7BX</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Postponed Hearing – 5/3/11</b>

\*\*\*\*\***DISCLAIMER**\*\*\*\*\*

**This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.**

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 15, 2011

10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
14.	<b>201-10-BZY</b>	<p>Law Offices of Marvin B. Mitzner  <b>180 Orchard Street, Manhattan</b>                      Extension of Time (§11-332) to complete construction of a minor development commenced under the prior C6-1 zoning district. C4-4A zoning district.  <b>Community Board #3M</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Granted – 3/15/11</b></p>
15.	<b>214-10-A</b>	<p>Carol E. Rosenthal, Esq./Fried Frank  <b>97-45 Queens Boulevard, Queens</b>                      Appeal challenging the Department of Buildings determination regarding maximum number of dwelling units (§23-22) allowed in a residential conversion of an existing building. C4-2 zoning district.  <b>Community Board #6Q</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Granted – 3/15/11</b></p>
16.	<b>220-10-BZY</b>	<p>D.A.B. Group, LLC  <b>77, 79, 81 Rivington Street, aka 139, 141 Orchard Street, Manhattan</b>                      Extension of Time (§11-332) to complete construction of a minor development commenced under the prior C6-1 Zoning District. C4-4A Zoning District.  <b>Community Board #3M</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Granted – 3/15/11</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, MARCH 15, 2011

10:00 A.M.

<i><b>APPEALS – NEW CASES</b></i>		
17.	17-05-A	<p>Sheldon Lobel, P.C.  <b>3329 Giles Place, Bronx</b>                      Application to reopen pursuant to a court remand for a determination of whether the property owner has established a common law vested right to continue construction under the prior R6 zoning district. R4A zoning district  <b>Community Board #8BX</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 5/3/11</b>
18.	222-10-A	<p>Laleh Hawa  <b>97 Saint Marks Avenue, Brooklyn</b>                      Appeal challenging the Department of Buildings’ revocation of a permit for a parking space and curb cut. R6B zoning district  <b>Community Board #8BK</b></p>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 4/12/11</b>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

**NEW YORK CITY BOARD OF STANDARDS AND APPEALS**

**REGULAR MEETING**

**TUESDAY AFTERNOON, MARCH 15, 2011**

**1:30 P.M.**

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>186-10-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel <b>400-424 East 34<sup>th</sup> Street aka 522-566 &amp; 596-600 First Avenue, Manhattan</b> Variance (§72-21) to allow for the construction of two community facility buildings (<i>NYU Langone Medical Center</i>), contrary to rear yard (§24-36), rear yard equivalent (§24-382), height and setback (§24-522), rear yard setback (§24-552), tower coverage (§24-54), maximum permitted parking (§13-132), minimum square footage per parking space (§25-62), and curb cut requirements (§13-142). R8 zoning district. <b>Community Board #6M</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Granted – 3/15/11</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

**This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.**

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, MARCH 15, 2011  
1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>2.</b>	<b>24-09-BZ</b>	<p>Sheldon Lobel, PC. <b>78-10 164th Street, Queens</b> Variance to allow the enlargement of a community facility (<i>Meadow Park Rehabilitation and Health Care Center</i>), contrary to floor area, lot coverage (§24-11), front yard (§24-34), height (§24-521) and rear yard (§24-382) regulations. R3-2 district. <b>Community Board #8Q</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Continued Hearing – 5/3/11</b></p>
<b>3.</b>	<b>309-09-BZ</b>	<p>Harold Weinberg, P.E. <b>2173 65th Street, Brooklyn</b> 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. <b>Community Board #11BK</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Closed, Decision – 5/3/11</b></p>
<b>4.</b>	<b>31-10-BZ</b>	<p>Eric Palatnik, P.C. <b>85-15 Queens Boulevard aka 51-35 Reeder Street, Queens</b> Variance (§72-21) to allow for a commercial building, contrary to use (§22-00), lot coverage (§23-141), front yard (§23-45), side yard (§23-464), rear yard (§33-283), height (§23-631) and location of uses within a building (§32-431) regulations. C1-2/R6, C2-3/R6, C1-2/R7A, R5 zoning districts. <b>Community Board #4Q</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Adjourned, Continued Hearing – 4/12/11</b></p>
<b>5.</b>	<b>45-10-BZ</b>	<p>Sheldon Lobel, PC <b>1413-1429 Edward L. Grant Highway, Bronx</b> 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. <b>Community Board #4BX</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Continued Hearing – 5/3/11</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, MARCH 15, 2011  
1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
6.	47-10-BZ	<p>Eric Palatnik, P.C. <b>895 Zerega Avenue aka 2352 Story Avenue, The Bronx</b> Variance (§72-21) to allow a manufacturing use in a residential district, contrary to ZR 22-00. M1-1/R3-2 zoning district. <b>Community Board #9BX</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Closed, Decision – 4/12/11</b></p>
7.	118-10-BZ	<p>Eric Palatnik, P.C. <b>2102/24 Avenue Z, aka 2609/15 East 21<sup>st</sup> Street, Brooklyn</b> Reinstatement (§11-411 &amp; §11-413) of an approval permitting the operation of an automotive service station (UG 16B), with accessory uses, which expired on December 9, 2003; amendment to legalize a change in use from automotive service station to automotive repair, auto sales and hand car washing. R4 zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Adjourned, Continued Hearing – 4/5/11</b></p>
8.	130-10-BZ	<p>Sheldon Lobel, P.C. <b>1153 85<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141) and perimeter wall height (§23-631) regulations. R3X zoning district. <b>Community Board #10BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 4/12/11</b></p>
9.	149-10-BZ	<p>Eric Palatnik, P.C. <b>1415 East 29<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and lot coverage (§23-141); side yard (§23-461) and less than the minimum 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 – 4/12/11</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, MARCH 15, 2011  
1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>10.</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></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Continued Hearing – 5/3/11</b></p>
<b>11.</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></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Continued Hearing – 5/3/11</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*