

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, MAY 3, 2011
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	164-60-BZ	<p>Carl A. Sulfaro 100-20 Metropolitan Avenue, Queens Extension of Term (§11-411) for an automotive service station (UG 16B) (<i>Sunoco</i>) with accessory uses which expired on April 10, 2010; Waiver of the Rules. C1-3/R3-2 zoning district. Community Board #6Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 5/3/11</p>
2.	516-75-BZ	<p>Tarter Krinsky & Drogin, LLP 330 East 61st Street, aka 328 East 61st Street, Manhattan 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. Community Board #8M</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 5/3/11</p>
3.	406-82-BZ	<p>Eric Palatnik, P.C. 2411 86th Street, Brooklyn Extension of Time to obtain a Certificate of Occupancy for a Special Permit (§73-243) for an eating and drinking establishment (<i>McDonald's</i>) with accessory drive-thru, which expired on January 22, 2009; waiver of the rules. C1-3/R5 zoning district. Community Board #11BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/3/11</p>
4.	866-85-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 2338 Cambreleng Avenue, Bronx 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. Community Board #6BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/3/11</p>

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5.	216-97-BZ	<p>Moshe M. Friedman 1384 Carroll Street aka 352 Kingston Avenue, Brooklyn 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. Community Board #9BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 5/3/11</p>
6.	276-02-BZ	<p>Eric Palatnik, P.C. 160 Norfolk Street, Brooklyn Extension of Time to Complete Construction and an Amendment to a previously approved Special Permit (§73-622) to an existing one family dwelling, contrary to lot coverage and floor area (§23-141) and side yard (§23-461). R3-1 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 5/3/11</p>

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<i>SOC – CONTINUED HEARINGS</i>		
7.	435-74-BZ	<p>Eric Palatnik, P.C. 552 Midland Avenue, Staten Island Extension of Term of a Variance (§72-21) for the continued operation of an automotive repair center which expired on January 14, 2011; waiver of the rules. R3-1 zoning district. Community Board #2SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 5/24/11</p>
8.	95-97-BZ	<p>The Law Office of Fredrick A. Becker 69-47 Austin Street, Queens 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 May 1, 2007; Waiver of the Rules. C4-5X zoning district. Community Board #6Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 5/17/11</p>
9.	289-99-BZ	<p>Vito J. Fossella, LPEC 265 Hull Avenue, Staten Island Extension of Term of a variance (§72-21) for a parking facility accessory to a permitted use (UG16 automotive repair and accessory sales) which expired on December 12, 2010. C8-1/R3-1 zoning district. Community Board #2SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 6/7/11</p>
10.	273-00-BZ	<p>Mitchell Ross 3 West 33rd Street, Manhattan Extension of Term of a Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>Spa Sol</i>) which expires on February 13, 2011; Amendment to legalize interior layout/increase in number of treatment rooms. C6-4 zoning district. Community Board #5M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Adjourned, Continued Hearing – 5/24/11</p>

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<i>SOC – NEW CASES</i>		
11.	188-78-BZ	Ronny A. Livian 8102 New Utrecht Avenue, Brooklyn Amendment (§11-412) to a Variance (§72-21) to add automobile body and sales (UG16) to an existing (UG16) automobile repair and laundry. R-5 zoning district. Community Board #11BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 5/17/11
12.	11-00-BZ	Rothkrug, Rothkrug & Spector, LLP 550 5th Avenue, Brooklyn 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. Community Board #7BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Withdrawn – 5/3/11

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<i>APPEALS – DECISIONS</i>		
13.	221-10-A	<p>Robert W. Cunningham, R.A. 123 87th Street, Brooklyn</p> <p>An appeal challenging a determination by Department of Buildings that owner authorization is needed from the adjacent property owner in order to perform construction at the site in accordance with Section 28-104.8.2 of the Administrative Code. R3-1 zoning district</p> <p>Community Board #10BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Denied – 5/3/11</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
14.	17-05-A	<p>Sheldon Lobel, P.C. 3329 Giles Place, Bronx</p> <p>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</p> <p>Community Board #8BX</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Adjourned, Continued Hearing – 6/7/11</p>

<i>APPEALS – NEW CASES</i>		
15.	195-10-BZY	<p>Eric Palatnik, P.C. 38-28 27th Street, Queens</p> <p>Extension of time (§11-332) to complete construction of a minor development commenced under the prior M1-3D zoning. M1-2/R5B zoning district.</p> <p>Community Board #1Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 6/7/11</p>

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<i>BZ – DECISIONS</i>		
1.	187-07-BZ	<p>Dennis D. Dell’Angelo 4677 Hylan Boulevard, Staten Island Variance (§72-21) to permit accessory parking for an existing eating and drinking establishment, contrary to use regulations (§22-00). R3X zoning district. Community Board#3SI</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 5/3/11</p>
2.	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>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 5/3/11</p>
3.	127-10-BZ	<p>Law Office of Fredrick A. Becker 45 Coleridge Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space, lot coverage (§23-141), exceeds the maximum perimeter wall height (§23-631) and less than the required rear yard (§23-47). R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 5/3/11</p>
4.	134-10-BZ	<p>Slater & Beckerman 107 Union Street, Brooklyn Variance (§72-21) to allow a residential building, contrary to floor area (§43-12), height (§43-43), and use (§42-10) regulations. M1-1 zoning district. Community Board#6BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 5/3/11</p>

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<i>BZ – DECISIONS</i>		
5.	156-10-BZ thru 164-10-BZ	<p>Rothkrug, Rothkrug & Spector LLP 1204, 1208, 1214, 1220, 1226, 1232, 1264, 1270, 1276 37th Street, Brooklyn Variance (§72-21) to allow residential buildings, contrary to rear yard (§23-47) and minimum distance between windows and lot lines (§23-861) regulations. M1-2/R6A zoning district. Community Board #12BK</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Granted – 5/3/11</p>
6.	165-10-BZ thru 172-10-BZ	<p>Rothkrug, Rothkrug & Spector LLP 1304, 1310, 1316, 1322, 1328, 1334, 1362, 1368 37th Street, Brooklyn Variance (§72-21) to allow residential buildings, contrary to rear yard (§23-47) and minimum distance between windows and lot lines (§23-861) regulations. M1-2/R6A zoning district. Community Board #12BK</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Granted – 5/3/11</p>
7.	7-11-BZ	<p>Sheldon Lobel, P.C. 177 Dyckman Street, Manhattan Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>Planet Fitness</i>). C4-4 zoning district. Community Board #12M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 5/3/11</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	201-08-BZ	Rothkrug Rothkrug & Spector, LLP 40-38 216th Street, Queens Variance (§72-21) to allow a one story commercial building (UG 6); contrary to use regulations (§22-00). R3X zoning district. Community Board #11Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Adjourned, Continued Hearing – 6/7/11
9.	24-09-BZ	Sheldon Lobel, PC. 78-10 164th Street, Queens 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. Community Board #8Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Adjourned, Continued Hearing – 6/7/11
10.	45-10-BZ	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 Examiner: Carlo Costanza (212) 788-8739 Status: Adjourned, Continued Hearing – 5/24/11
11.	61-10-BZ	James Chin & Associates, LLC 183 East Broadway, Manhattan Variance (§72-21) to legalize an existing building contrary to height (§23-692), lot coverage (§23-245), rear yard (§23-532) and floor area (§23-145) regulations. R7-2/C1-5 zoning district. Community Board #3M Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 6/21/11

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12.	119-10-BZ	Sheldon Lobel, P.C. 787 Cornaga Avenue, Queens 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. Community Board #14Q
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Adjourned, Continued Hearing – 6/14/11
13.	196-10-BZ	James Chin & Associates 234 East 53rd Street, Manhattan Variance (§72-21) to allow ground floor commercial use in an existing residential building, contrary to use regulations (§22-00). R8B zoning district. Community Board #6M
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Adjourned, Continued Hearing – 6/7/11

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<i>BZ – NEW CASES</i>		
14.	13-11-BZ	<p>Law Office of Fredrick A. Becker 1040 East 26th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence contrary to floor area and open space (§23-141); side yard (§23-461 and 23-48); and rear yard (§23-47). R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 5/24/11</p>
15.	16-11-BZ	<p>Eric Palatnik, P.C. 181-30 Aberdeen Road, Queens Special Permit (§73-621) for the enlargement of an existing two story with attic single family home contrary to floor area and open space (§23-141(a)). R1-2 zoning district. Community Board #8Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 6/7/11</p>
16.	20-11-BZ	<p>The Law Office of Fredrick A. Becker 30 West 18th Street, Manhattan Special Permit (73-36) to allow the proposed physical culture establishment (<i>Just Calm Down</i>). C6-4A zoning district. Community Board #5M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 5/24/11</p>

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