

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, AUGUST 7, 2012  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	433-61-BZ	<p>Harold Weinberg, P.E. <b>1702-12 East 16<sup>th</sup> Street, Brooklyn</b> Extension of Term (§11-411) of a variance which permitted a one story and mezzanine retail building, contrary to use regulations; Waiver of the Rules. R7A zoning district. <b>Community Board #15BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 8/7/12</b></p>
2.	337-90-BZ	<p>Sheldon Lobel, P.C. <b>1415-17 East 92<sup>nd</sup> Street, Brooklyn</b> Extension of Term (§11-411) of a previously approved variance which permitted an automotive repair establishment (UG 16B) and a two-story mixed-use building with retail (UG 6) and residential (UG 2), which will expire on June 2, 2012. C1-3/R5D zoning district. <b>Community Board #18BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 8/7/12</b></p>
3.	37-93-BZ	<p>Sheldon Lobel, P.C. <b>2040 Forest Avenue, Staten Island</b> Extension of Term of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (<i>Planet Fitness</i>) which expired on November 9, 2003; Waiver of the Rules. C8-1 zoning district. <b>Community Board #1SI</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 8/7/12</b></p>
4.	112-07-BZ	<p>Law Office of Fredrick A. Becker <b>1089-1093 East 21<sup>st</sup> Street, Brooklyn</b> Amendment for the increase in floor area and Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a two story and cellar (UG4) synagogue (<i>Bnai Shloima Zalman</i>) which expired on September 11, 2011. R-2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 8/7/12</b></p>

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>5.</b>	<b>718-56-BZ</b>	<p>Walter T. Gorman, P.E. <b>741 Forest Avenue, Staten Island</b> Extension of Term (§11-411) of a previously approved variance permitting the operation of an automotive service station (UG 16B) with accessory uses which will expire on July 2, 2012. C2-1/R3-2 zoning district. <b>Community Board #1SI</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Closed, Decision – 8/21/12</b></p>
<b>6.</b>	<b>271-90-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP <b>68-01/5 Queens Boulevard, Queens</b> Extension of Term (§11-411) for the continued operation of a UG16 automotive repair shop with used car sales which expired on October 29, 2011. R7X/C2-3 zoning district. <b>Community Board #2Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 9/11/12</b></p>
<b>7.</b>	<b>128-10-BZ</b>	<p>Eric Palatnik, P.C. <b>147-58 77<sup>th</sup> Road, 150<sup>th</sup> Street and 77<sup>th</sup> Road, Queens</b> Amendment to previously approved variance (§72-21) for a synagogue. Amendment would allow increased non-compliance in building height (§24-521), floor area (§24-11) and lot coverage (§24-11) regulations. R4 zoning district. <b>Community Board #8Q</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision – 8/21/12</b></p>

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<b><i>SOC – NEW CASES</i></b>		
8.	<b>548-69-BZ</b>	<p>Eric Palatnik, P.C. <b>107-10 Astoria Boulevard, Queens</b> Extension of Term for a previously granted variance for the continued operation of a gasoline service station (<i>BP North America</i>) which expired on May 25, 2011; Waiver of the Rules. R3-2 zoning district. <b>Community Board #3Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 9/25/12</b></p>
9.	<b>69-91-BZ</b>	<p>The Law Office of Fredrick A. Becker <b>49-61 West 62<sup>nd</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 November 26, 2012; an Amendment for a decrease in floor area; Waiver of the Rules. C4-7 (L) zoning district. <b>Community Board #7M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 8/21/12</b></p>
10.	<b>93-97-BZ</b>	<p>Eric Palatnik, P.C. <b>136-21 Roosevelt Avenue, Queens</b> Amendment to a previously granted variance (§72-21) to permit the change in use of a portion of the second floor (5,902 sf) from accessory parking spaces to UG 6 office use. C4-3 zoning district. <b>Community Board #7Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Postponed Hearing – 9/11/12</b></p>
11.	<b>72-04-BZ</b>	<p>Eric Palatnik, P.C. <b>141-54 Northern Boulevard, Queens</b> Extension of Term (§11-411) of a previously granted variance which permitted the construction and maintenance of an automotive service station (UG 16B) with accessory uses which expired on June 3, 2010; Waiver of the Rules. R6/C1-2 zoning district. <b>Community Board #7Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 8/21/12</b></p>

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**REGULAR MEETING**

**TUESDAY MORNING, AUGUST 7, 2012**

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<b><i>SOC – NEW CASES</i></b>		
<b>12.</b>	<b>98-06-BZ/ 284-06-A</b>	<p>Eric Palatnik, P.C. <b>1045 Beach 9<sup>th</sup> Street, Queens</b> Amendment to a previously granted waiver to Section 35 of the General City Law and a variance (§72-21) for a Yeshiva (<i>Yeshiva Siach Yitzchok</i>), contrary to height and setbacks (§24-551 and §24-521), floor area (§24-11), lot coverage (§24-11), front yards (§24-34), and side yards (§24-35) regulations. The amendment includes an increase in floor area and building height; Extension of Time to complete construction. R4A Zoning District. <b>Community Board #14Q</b></p> <hr/> <p><b>Examiner: Levy (212) 788-8749 / Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Continued Hearing – 9/11/12</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>13.</b>	<b>24-12-A &amp; 147-12-A</b>	<p>Fried Frank <b>2368 Twelfth Avenue, Manhattan</b> Appeal challenging the Department of Buildings’ determination that outdoor accessory signs and structures are not a legal non-conforming use pursuant to §52-00. M1-2 zoning district. <b>Community Board #9M</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Denied – 8/7/12</b></p>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>14.</b>	<b>47-12-A</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP <b>22 Lewiston Street, Staten Island</b> Appeal to Department of Building’ determination that the proposed two-family building did not qualify for rear yard reduction pursuant §23-52. R3-1 zoning district. <b>Community Board #2SI</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Closed, Decision – 9/11/12</b></p>

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<b><i>APPEAL – NEW CASES</i></b>		
15.	45-03-A thru 62-03-A & 64-03-A	<p>Joseph Loccisano, P.C. <b>Hall Avenue, Staten Island</b> Proposed construction of a single-family dwelling which is not fronting on a legally mapped street and is located within the bed of a mapped street, contrary to Sections 35 and 36 of the General City Law. R3-1 zoning district. <b>Community Board #2SI</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Postponed Hearing – 9/25/12</b></p>
16.	83-12-A & 84-12-A	<p>Fried Frank, LLP <b>653 Bruckner Boulevard, Bronx</b> Appeal from Department of Buildings’ determination that a sign is not entitled to continued, non-conforming use status as an advertising sign. C8-3 zoning district. <b>Community Board #2BX</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Closed, Decision – 9/25/12</b></p>
17.	164-12-A	<p>Joseph A. Sherry <b>210 Oceanside Avenue, Queens</b> Proposed construction not fronting on a mapped street and within the bed of a mapped street, contrary to Section 35 and 36 of the General City Law. R4 zoning district. <b>Community Board #14Q</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Postponed Hearing – 8/21/12</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY AFTERNOON, AUGUST 7, 2012  
1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>117-11-BZ</b>	<p>Sheldon Lobel, P.C. <b>86-50 Edgerton Boulevard, Queens</b> Variance (§72-21) to permit the development of a new athletic center accessory to an existing UG 3 school (<i>Mary Louis Academy</i>), contrary to maximum height and sky exposure plane (§24-521), minimum rear yard, (§24-382) minimum front yard (§24-34) and nameplates or identification signs (§22-321). R1-2 and R5 zoning districts. <b>Community Board # 8Q</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Granted – 8/7/12</b></p>
<b>2.</b>	<b>191-11-BZ</b>	<p>Sheldon Lobel, P.C. <b>1246 77<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the in-part legalization and enlargement of an existing single family home, contrary to maximum allowable floor area (§23-141(b)). R 4-1 zoning district. <b>Community Board #10BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 8/7/12</b></p>
<b>3.</b>	<b>5-12-BZ</b>	<p>Moshe M. Friedman, P.E. <b>812 Dahill Road, Brooklyn</b> Variance (§72-21) for the addition of a third floor to an existing two family residential building, contrary to front yard requirements (§23-146(c)), front yards and side yard requirement (§23-146(d)). R5 zoning district/Borough Park. <b>Community Board #12BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 8/7/12</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
4.	<b>35-11-BZ</b>	<p>The Law Office of Fredrick A. Becker <b>226-10 Francis Lewis Boulevard, Queens</b> Variance (§72-21) to allow for the enlargement of an existing synagogue (<i>Congregation Obel</i>), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district. <b>Community Board #13Q</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Continued Hearing – 10/16/12</b></p>
5.	<b>97-11-BZ</b>	<p>Eric Palatnik, P.C. <b>1730 Cross Bronx Expressway, Bronx</b> Variance (§72-21) to permit the expansion of an auto service station (UG 16B) and enlargement of an accessory convenience store use on a new zoning lot, contrary to use regulations. The existing use was permitted on a smaller zoning lot under a previous variance. R5 zoning district. <b>Community Board #9BX</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Continued Hearing – 9/25/12</b></p>
6.	<b>104-11-BZ</b>	<p>Eric Palatnik, P.C. <b>1936 East 26<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to floor area, lot coverage and open space (§23-141(b)) and less than the required rear yard (§23-47). R3-2 zoning district. <b>Community Board #15BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Adjourned, Continued Hearing – 9/25/12</b></p>
7.	<b>192-11-BZ</b>	<p>Eric Palatnik, P.C. <b>2977 Hylan Boulevard, Staten Island</b> Variance (§72-21) to allow for the development of a Use Group 3 child care center, contrary to minimum lot width/area (§23-35), and required parking (§25-624). R2/LDGMA zoning district. <b>Community Board #3S.I.</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Adjourned, Continued Hearing – 9/25/12</b></p>

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<b>8.</b>	<b>12-12-BZ &amp; 110-12-A</b>	<p>Greenberg Traurig, LLP <b>100 Varick Street, Manhattan</b> Variance (§72-21) for a new residential building with ground floor retail, contrary to use (§42-10) and height and setback (§§43-43 &amp; 44-43) regulations. Variance to §§26(7) and 30 of the Multiple Dwelling Law (pursuant to §310) to facilitate the new building, contrary to court regulations. M1-6 zoning district. <b>Community Board #2M</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Continued Hearing – 9/11/12</b></p>
<b>9.</b>	<b>68-12-BZ</b>	<p>Vassalotti Associates Architects, LLP <b>89-15 Rockaway Boulevard, Queens</b> Re-instatement (§11-411) of a previously approved variance which permitted the operation of an Automotive Service Station (UG 16B) with accessory uses which expired on December 22, 1999; Waiver of the Rules. R5 zoning district. <b>Community Board #9Q</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Closed, Decision – 9/11/12</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>10.</b>	<b>2-12-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP <b>95-36 115<sup>th</sup> Street, Queens</b> Variance (§72-21) for the construction of a three-story, two-family dwelling, contrary to side yard requirement (§23-48); less than the required number of parking spaces (§25-21) and location of one parking space within the front yard (§23-44). R5 zoning district. <b>Community Board #9Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 9/11/12</b></p>
<b>11.</b>	<b>11-12-BZ</b>	<p>Law Office of Fredrick A. Becker <b>3599 Bedford Avenue, Brooklyn</b> Special Permit (§73-622) for the legalization of an enlargement to an existing single-family home, contrary to floor area and open space (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R-2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 9/11/12</b></p>
<b>12.</b>	<b>61-12-BZ</b>	<p>Sheldon Lobel, P.C <b>216 Lafayette Street, Manhattan</b> Variance (§72-21) to permit a UG 6 restaurant in a portion of the cellar and first floor, contrary to use regulations (§42-10). M1-5B zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 9/25/12</b></p>
<b>13.</b>	<b>141-12-BZ</b>	<p>Eric Palatnik, P.C. <b>65-02/10 164<sup>th</sup> Street, Queens</b> Re-Instatement (§§11-411 &amp; 11-412) of a previously approved variance which permitted retail (UG 6) in a residential district which expired on October 14, 1989; amendment to permit the installation of awnings/signage, and changes to the interior layout; Waiver of the Rules. R4 zoning district. <b>Community Board #8Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 9/11/12</b></p>

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