

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, DECEMBER 11, 2012
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	1005-66-BZ	<p>Moshe M. Friedman, P.E. 320 West 30th Street, aka 314-322 West 30th Street, Manhattan Extension of Term of a previously granted variance pursuant to Section 60(1b) of the Multiple Dwelling Law which permitted 22 transient parking spaces which expired on May 2, 2012; Waiver of the Rules. R8B zoning district. Community Board #4M</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 12/11/12</p>
2.	299-82-BZ	<p>Bryan Cave LLP 207-217 Chrystie Street, Manhattan Amendment to a previously granted variance (§72-21) which allowed a residential building. Proposed amendment would permit a new mixed use hotel and residential building on the subject zoning lot. C6-1 zoning district. Community Board #3M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 12/11/12</p>
3.	95-90-BZ	<p>Akerman Senterfitt, LLP 242-24 Northern Boulevard, Queens Extension of Term of an approved variance (§72-21) which permitted retail (UG 6) with accessory parking for 28 vehicles which expired on January 28, 2012. R1-2 zoning district. Community Board #11Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 12/11/12</p>
4.	271-90-BZ	<p>Rothkrug Rothkrug & Spector LLP 68-01/5 Queens Boulevard, Queens 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. Community Board #2Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 12/11/12</p>

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5.	67-91-BZ	<p>Sheldon Lobel, P.C. 260-09 Nassau Boulevard, Queens Extension of Term (§11-411) of an approved variance permitting the operation of an automotive service station (UG 16B) with accessory uses which expired on March 17, 2012; Waiver of the Rules. C1-2 zoning district. Community Board #11Q Examiner: Carlo Costanza (212) 788-8739 Status: Granted – 12/11/12</p>
6.	302-01-BZ	<p>Greenberg Traurig 2519-2525 Creston Avenue, Bronx Extension of Term of a previously granted variance (§72-21) for the continued operation of a parking facility accessory to commercial use which expired on April 23, 2012; Extension of Time to obtain a Certificate of Occupancy which expired on July 10, 2012. R8 zoning district. Community Board #7BX Examiner: Henry Segovia (212) 788-8757 Status: Granted – 12/11/12</p>
7.	314-08-BZ	<p>Kramer Levin Naftalis & Frankel LLP 437-447 West 13th Street, Manhattan Extension of Time to complete construction of an approved variance (§72-21) to permit the construction of a 12-story commercial office and retail building, which will expire on November 24, 2013; waiver of the Rules. M1-5 zoning district. Community Board #2M Examiner: Ronald Rizzotti (212) 788-8781 Status: Granted – 12/11/12</p>

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<i>SOC – NEW CASES</i>		
8.	107-06-BZ	Rothkrug Rothkrug & Spector LLP 140 East 63rd Street, Manhattan Amendment to previously granted Special Permit (§73-36) for the increase (693 square feet) of floor area of an existing Physical Culture Establishment (<i>Equinox</i>). C10-8X/R8B zoning district. Community Board #8M
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 1/8/13

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<i>APPEALS – DECISIONS</i>		
9.	232-10-A	<p>Goldman Harris 59 Fourth Avenue, Manhattan An appeal challenging Department of Buildings’ denial of a sign permit on the basis that the advertising sign had not been legally established and not discontinued as per ZR §52-83. C1-6 zoning district. Community Board #3M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 12/11/12</p>
10.	88-12-A 89-12-A	<p>Fried Frank 462 11th Avenue, Manhattan Appeal from determination of the Department of Buildings regarding right to maintain existing advertising signs. C6-4 zoning district. Community Board #4M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Denied – 12/11/12</p>

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APPEALS – CONTINUED HEARINGS

11.	117-12-A thru 135-12-A 171-12-A thru 180-12-A 273-12-A thru 274-12-A	Stroock & Stroock & Lavan, LLP <u>Borough of Queens</u> Van Wyck Expressway & Atlantic Avenue (CB 12) Brooklyn Queens Expressway and Queens Boulevard (CB 2) Brooklyn Queens Expressway and 31 st Street (CB 1) Brooklyn Queens Expressway and 31 st Avenue (CB 1) Brooklyn Queens Expressway and 32 nd Avenue (CB 1) Brooklyn Queens Expressway and 34 th Avenue (CB 2) Long Island Expressway, East of 25 th Street (CB 2) Brooklyn Queens Expressway and Northern Boulevard (CB 1) Brooklyn Queens Expressway and Queens Boulevard (CB 2) Queens Boulevard and 74 th Street (CB 4) Skillman Avenue between 28 th and 29 th Streets (CB 2) Van Wyck Expressway, north of Roosevelt Avenue (CB 1) Woodhaven Boulevard, north of Elliot Avenue (CB 6) Long Island Expressway and 74 th Street (CB 5) <u>Borough of the Bronx</u> Cross Bronx Expressway, east of Sheridan Expressway (CB 9) Cross Bronx Expressway and Bronx River (CB 6) Cross Bronx Expressway, east of Bronx River and Sheridan Expressway (CB 6) I-95 and Hutchinson Parkway (CB 11) Bruckner Boulevard and Hunts Point Avenue (CB 2) Bruckner Expressway, north of 156 th Street (CB 2) Major Deegan Expressway, south of Van Cortland (CB 8) Major Deegan Expressway and 167 th Street (CB 4) Appeal challenging Department of Buildings' determination that multiple signs located on railroad properties are subject to the NYC Zoning Resolution. Queens/Bronx
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 1/29/13

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<i>APPEALS – CONTINUED HEARINGS</i>		
12.	182-12-A	Davidoff Hutcher & Citron LLP Major Deegan Expressway and 161st Street, Bronx Appeal challenging Department of Buildings' determination that a sign located on railroad property is subject to the NYC Zoning Resolution. Community Board #4BX
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 1/29/13
13.	183-12-A thru 188-12-A	Herrick Feinstein, LLP 476, 477, 475 Exterior Street and Major Deegan Expressway, Bronx Appeal challenging Department of Buildings' determination that six signs located on railroad properties are subject to the NYC Zoning Resolution. Community Board #1BX
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 1/29/13

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<i>APPEAL – NEW CASES</i>		
14.	162-12-A	Davidoff Hutcher & Citron, LLP 49-21 Astoria Boulevard North, Queens Appeal from Department of Buildings' determination that sign is not entitled to continue non-conforming use status as advertising sign, pursuant to Z.R. §52-731. R4 zoning district. Community Board #1Q Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 2/5/13
15.	167-12-A	Davidoff Hutcher & Citron, LLP 101-07 Macombs Place, Manhattan Appeal from Department of Buildings' determination that sign is not entitled to continued non-conforming use status as advertising sign, pursuant to Z.R. §52-731. R7-2 zoning district. Community Board #10M Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 2/5/13
16.	169-12-A 170-12-A	Davidoff Hutcher & Citron LLP 24-28 Market Street, Manhattan Appeal from Department of Buildings' determination that signs are not entitled to continued non-conforming use status as advertising signs, pursuant to Z.R. §52-731. R7-2 zoning district. Community Board #3M Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 2/5/13

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<i>BZ – DECISIONS</i>		
1.	160-11-BZ	<p>Slater & Beckerman, LLP 42 East 69th Street, Manhattan Variance (§72-21) to allow for the enlargement of a community facility (<i>Jewish National Fund</i>), contrary to rear yard (§24-33), rear yard setback (§24-552), lot coverage (§24-11), and height and setback (§§23-633, 24-591) regulations. R8B/LH-1A zoning district. Community Board # 8M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 12/11/12</p>
2.	104-12-BZ	<p>Sheldon Lobel, P.C. 178-21 & 179-19 Hillside Avenue, Queens Re-instatement (§11-411) of a previously approved variance which expired on May 20, 2000 which permitted accessory retail parking on the R5 portion of a zoning lot; Extension of Time to obtain a Certificate of Occupancy which expired on April 11, 1994; Waiver of the Rules. C2-4/R6A and R5 zoning district. Community Board #8Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 12/11/12</p>
3.	112-12-BZ	<p>Rothkrug Rothkrug & Spector LLP 244 Demorest Avenue, Staten Island Special Permit (§73-621) for the enlargement of an existing one-family dwelling, contrary to open space regulations (§23-141). R2 zoning district. Community Board #1SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 12/11/12</p>
4.	137-12-BZ	<p>Fried Frank Harris Shriver & Jacobson, LLP 515-523 East 73rd Street, Manhattan Variance (§72-21) to allow for an ambulatory diagnostic and treatment health care facility (<i>Hospital for Special Surgery</i>), contrary to rear yard equivalent, use, height and setback, floor area, and parking spaces (§§42-12, 43-122, 43-23, 43-28, 43-44, and 13-133) regulations. M1-4/M3-2 zoning districts. Community Board #8M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 12/11/12</p>

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<i>BZ – DECISIONS</i>		
5.	154-12-BZ	<p>Law Office of Fredrick A. Becker 1202 East 22nd Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141); side yard (§23-461(a)) and rear yard (§23-47) regulations. R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 12/11/12</p>
6.	163-12-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 435 East 30th Street, Manhattan Variance (§72-21) to permit the development of a new biomedical research facility on the main campus of the NYU Langone Medical Center, contrary to rear yard equivalent, height, lot coverage, and tower coverage (§§24-382, 24-522, 24-11, 24-54) regulations. R8 zoning district. Community Board #6M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 12/11/12</p>

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<i>BZ – CONTINUED HEARINGS</i>		
7.	42-10-BZ	<p>Sheldon Lobel, P.C. 2170 Mill Avenue, Brooklyn Variance (§72-21) to allow for a mixed use building, contrary to use (§22-10), floor area, lot coverage, open space (§23-141), maximum dwelling units (§23-22), and height (§23-631) regulations. R3-1/C2-2 zoning district. Community Board #18BK</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 2/12/13</p>
8.	35-11-BZ	<p>The Law Office of Fredrick A. Becker 226-10 Francis Lewis Boulevard, Queens 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. Community Board #13Q</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Adjourned, Continued Hearing – 2/26/13</p>
9.	113-11-BZ	<p>Slater & Beckerman, LLP 66 Van Cortlandt Park South, Bronx Variance (§72-21) to permit a proposed enlargement of a Use Group 3 nursing home (<i>St. Patrick's Home for the Aged and Infirm</i>) contrary to rear yard equivalent requirements (§24-382). R7-1 zoning district. Community Board #8BX</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Closed, Decision – 1/15/13</p>
10.	190-11-BZ	<p>Sheldon Lobel, P.C. 1197 Bryant Avenue, Bronx Variance (§72-21) to legalize Use Group 6 retail stores, contrary to use regulations (§22-10). R7-1 zoning district. Community Board #3BX</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Closed, Decision – 1/15/13</p>

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11.	30-12-BZ	<p>Eric Palatnik, P.C. 142-41 Roosevelt Avenue, Queens Special Permit (§73-49) to permit accessory parking on the roof of an existing one-story supermarket, contrary to §36-11. R6/C2-2 zoning district. Community Board #7Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Closed, Decision – 1/15/13</p>
12.	209-12-BZ	<p>The Law Offices of Stuart Klein 910 Manhattan Avenue, Brooklyn Special Permit (§73-36) to permit the operation of a physical culture establishment. C4-3A zoning district. Community Board #1BK Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision – 1/8/13</p>
13.	241-12-BZ	<p>Greenberg Traurig, LLP 8-12 Bond Street aka 358-364 Lafayette Street, Manhattan Variance (§72-21) to permit the construction of a new mixed residential and retail building, contrary to use regulations (§42-10 and 42-14D(2)(b)). M1-5B zoning district. Community Board #2M Examiner: Ronald Rizzotti (212) 788-8781 Status: Closed, Decision – 1/8/13</p>

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<i>BZ – NEW CASES</i>		
14.	57-12-BZ	<p>Eric Palatnik, P.C. 2670 East 12th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141); side yards (§23-461); less than the required rear yard (§23-37). R4 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 1/15/13</p>
15.	212-12-BZ	<p>Gerald J. Caliendo, R.A., AIA, 38-03 Bell Boulevard, Queens Special Permit (§73-36) to permit a physical culture establishment (<i>Massage Envy</i>) in the cellar and first floor of the existing commercial building. C2-2/R6B zoning district. Community Board #11Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 1/8/13</p>
16.	275-12-BZ	<p>Law Office of Fredrick A. Becker 2122 Avenue N, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family residence, contrary to floor area and open space (§23-141), and side yard (§23-461) regulations. R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 1/15/13</p>
17.	283-12-BZ	<p>Sheldon Lobel, P.C. 440 Broadway, Manhattan Variance (§72-21) to permit a UG 6 retail use on the first floor and cellar of the existing building, contrary to Section 42-14D(2)(b). M1-5B zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 1/15/13</p>

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