

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, DECEMBER 4, 2012  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	30-58-BZ	<p>Vassalotti Associates Architects, LLP <b>184-17 Horace Harding Expressway, Queens</b> Extension of Term (§11-411) of a variance permitting the operation of an automotive service station (UG 16B) which expired on March 12, 2004; Waiver of the Rules. C2-1/R3-1 zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 12/4/12</b></p>
2.	311-71-BZ	<p>Eric Palatnik, P.C. <b>1907 Cropsey Avenue, Brooklyn</b> Amendment (§11-412) to permit the conversion of automotive service bays to an accessory convenience store of an existing automotive service station (Sunoco); Extension of Time to obtain a Certificate of Occupancy which expired July 13, 2000; waiver of the rules. R-5 zoning district. <b>Community Board #11BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 12/4/12</b></p>
3.	84-91-BZ	<p>Eric Palatnik, P.C. <b>2344 Eastchester Road, Bronx</b> Extension of Term of a previously granted variance (§72-21) which permitted professional offices (Use Group 6) in a residential building which expires on September 15, 2012. R4A zoning district. <b>Community Board #11BX</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 12/4/12</b></p>
4.	5-96-BZ	<p>Sheldon Lobel, P.C. <b>564/92 St. John's Place, Brooklyn</b> Extension of Time to obtain a Certificate of Occupancy of an approved variance which permitted the operation a one-story public parking garage for no more than 150 cars (UG 8) which expired on February 2, 2011; Waiver of the Rules. R7-1 zoning district. <b>Community Board #8BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 12/4/12</b></p>

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

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>5.</b>	<b>96-00-BZ</b>	<p>Greenberg Traurig, LLP <b>4 East 77<sup>th</sup> Street, Manhattan</b> Extension of Term (§11-411) of an approved variance which permitted an art gallery on a portion of the second floor in an existing five-story building which expired on August 8, 2010; Extension of Time to Obtain a Certificate of Occupancy; Waiver of the Rules. R8B/R10 zoning district. <b>Community Board #8M</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Granted – 12/4/12</b></p>
<b>6.</b>	<b>209-04-BZ</b>	<p>Eric Palatnik, P.C. <b>109-09 15<sup>th</sup> Avenue, Queens</b> Extension of Time to complete construction of an approved variance (§72-21) to permit the conversion and enlargement of an existing industrial building to residential use. M2-1 zoning district, which expired on July 19, 2012. <b>Community Board #7Q</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Granted – 12/4/12</b></p>
<b>7.</b>	<b>143-07-BZ</b>	<p>Law Office of Fredrick A. Becker <b>6404 Strickland Avenue, Brooklyn</b> Extension of Time to complete construction of an approved variance (§72-21) to permit the construction of a three-story and cellar synagogue, which expired on July 22, 2012. R2 zoning district. <b>Community Board #18BK</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Granted – 12/4/12</b></p>

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<b><i>SOC – NEW CASES</i></b>		
<b>8.</b>	<b>135-46-BZ</b>	<p>Eric Palatnik, P.C. <b>3802 Avenue U, Brooklyn</b> Extension of Term (§11-411) of approved variance which permitted an Automotive Service Station (UG 16B) with accessory uses, which expired on January 29, 2012, and an Amendment (§11-413) to convert the use to Auto Laundry (UG 16B) hand car wash; waiver for the Rules. R4 zoning district. <b>Community Board #18BK</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p style="color: red;"><b>Status: Continued Hearing – 1/29/13</b></p>
<b>9.</b>	<b>812-61-BZ</b>	<p>Peter Hirshman <b>74-82 Park Avenue, Manhattan</b> Extension of Term (§11-411) of a approved variance permitting the use of accessory multiple dwelling garage for transient parking, which expires on October 24, 2012. R10, R8B zoning district. <b>Community Board #6M</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p style="color: red;"><b>Status: Closed, Decision – 1/15/13</b></p>
<b>10.</b>	<b>165-91-BZ</b>	<p>Law Offices of Stuart A. Klein <b>45 Williamsburg Street West, aka 32-46 Hooper Street, Brooklyn</b> Extension of Term of a approved Special Permit (§73-19) which permitted the construction and operation of a school (UG 3) which expires on September 15, 2012. M1-2 zoning district. <b>Community Board #1BK</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Closed, Decision – 1/8/13</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>11.</b>	<b>114-12-A</b>	<p>Leavitt, Kerson &amp; Duane <b>24-59 32<sup>nd</sup> Street, Queens</b> Appeal challenging Department of Buildings’ determination that an existing sign is not a legal non-conforming advertising sign. R5B zoning district. <b>Community Board #1Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Denied – 12/4/12</b></p>
<b>12.</b>	<b>136-12-A</b>	<p>Fried Frank, LLP <b>37-27 Hunter’s Point, Queens</b> Appeal from Department of Buildings’ determination that an existing sign is not a legal non-conforming advertising sign. R4 zoning district. <b>Community Board #2Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Denied – 12/4/12</b></p>
<b>13.</b>	<b>140-12-A</b>	<p>Rothkrug Rothkrug &amp; Spector <b>69 Parkwood Avenue, Staten Island</b> Proposed construction of a two-family dwelling located in the bed of a mapped street, contrary to General City Law Section 35. R3A zoning district. <b>Community Board #3SI</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Granted – 12/4/12</b></p>

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

**REGULAR MEETING**

**TUESDAY MORNING, DECEMBER 4, 2012**

**10:00 A.M.**

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>14.</b>	<b>142-12-A</b>	Sheldon Lobel, P.C. <b>24-02 89<sup>th</sup> Street, Queens</b> Amendment of a previously approved (BSA Cal No. 187-99-A) waiver of the General City Law Section 35 which permitted the construction of a two family dwelling in the bed of a mapped street (24th Avenue). The amendment seeks to construct a community facility building. R3-2 zoning district. <b>Community Board #3Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 1/15/13</b>

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<b><i>APPEAL – NEW CASES</i></b>		
15.	97-12-A & 98-12-A	<p>Fried Frank <b>620 12<sup>th</sup> Avenue, Manhattan</b> Appeal from Department of Buildings' determination regarding right to maintain existing advertising sign in manufacturing district. M1-5/CL zoning district. <b>Community Board #4M</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 2/5/13</b></p>
16.	108-12-A & 109-12-A	<p>Davidoff Malito &amp; Hatcher LLP <b>4612 Third Avenue, Brooklyn</b> Appeal from Department of Buildings' determination that signs are not entitled to non-conforming use status as accessory business or non-commercial signs, pursuant to Z.R. §§42-58 and 52-61. <b>Community Board #7BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 2/26/13</b></p>
17.	205-12-A	<p>Fried Frank <b>355 Major Deegan Expressway, Bronx</b> Appeal challenging the Department of Buildings' determination that the subject sign is not entitled to non-conforming use status as an advertising sign. R7-2 /C2-4 (HRW) Zoning District. <b>Community Board #1BX</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 1/29/13</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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TUESDAY AFTERNOON, DECEMBER 4, 2012

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	<b>74-12-BZ</b>	<p>Harold Weinberg, P.E.  <b>252 Exeter Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of a single family home, contrary to floor area, open space and lot coverage (§23-141); side yard (§23-461) and rear yard (§23-47) regulations. R3-1 zoning district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 12/4/12</b></p>
2.	<b>152-12-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP  <b>146-61 105<sup>th</sup> Avenue, Queens</b>                      Variance (§72-21) to permit construction of a four-story mixed use commercial and residential building, contrary to side yard (§23-462) requirements. C2-4/R6A zoning district.  <b>Community Board #12Q</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Granted – 12/4/12</b></p>
3.	<b>210-12-BZ</b>	<p>Herrick, Feinstein LLP  <b>44 West 28<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow a physical culture establishment (<i>CrossFit</i>) to be located on second story of an existing 16-story building. C6-4X and M1-6 zoning district.  <b>Community Board #5M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted – 12/4/12</b></p>
4.	<b>237-12-BZ</b>	<p>Wachtel Masyr &amp; Missry LLP  <b>220 West 19<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow a physical culture establishment (<i>Crunch</i>). C6-4A zoning district.  <b>Community Board #4M</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted – 12/4/12</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>5.</b>	<b>115-12-BZ</b>	<p>Sheldon Lobel, P.C.  <b>701/745 64<sup>th</sup> Street, Brooklyn</b>                      Special Permit (§73-44) to allow for a reduction in parking from 331 to 221 spaces in an existing building proposed to be used for ambulatory diagnostic or treatment facilities in Use Group 6 parking category B1. C4-2A zoning district.  <b>Community Board #4BK</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 1/8/13</b></p>
<b>6.</b>	<b>150-12-BZ</b>	<p>Goldman Harris LLC  <b>39 West 21<sup>st</sup> Street, Manhattan</b>                      Special Permit (§73-36) to permit a physical culture establishment (<i>Flywheel Sports</i>). C6-4A zoning district.  <b>Community Board #5M</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Closed, Decision – 2/5/13</b></p>
<b>7.</b>	<b>249-12-BZ</b>	<p>Lewis E. Garfinkel  <b>1320 East 27<sup>th</sup> Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141(a)); side yards (§23-461(a)) and rear yard (§23-47) regulations. R-2 zoning district.  <b>Community Board #14BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 1/15/13</b></p>

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<b><i>BZ – NEW CASES</i></b>		
8.	<b>75-12-BZ</b>	Sheldon Lobel, P.C. <b>547 Broadway, Manhattan</b> Variance (§72-21) to permit the legalization of retail use (UG 6) on the first floor and expand the use into the cellar with accessory use in the sub-cellar, contrary to §42-14 (D)(2)(b). M1-5B zoning district. <b>Community Board #2M</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Continued Hearing – 1/15/13</b>
9.	<b>200-12-BZ</b>	Sheldon Lobel, P.C. <b>154 Hester Street, Manhattan</b> Variance (§72-21) to permit the enlargement of UG4 house of worship, contrary floor area (§109-121), lot coverage (§109-122) and enlargement of non-complying building (§54-31). C6-2 zoning district. <b>Community Board #2M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision – 1/8/13</b>
10.	<b>244-12-BZ</b>	Watchel, Masyr & Missry LLP <b>600 Washington Street, Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>Gotham Gym</i> ). M1-5 zoning district. <b>Community Board #2M</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision – 1/15/13</b>
11.	<b>258-12-BZ</b>	Holland & Knight, LLP <b>113 East 90<sup>th</sup> Street, Manhattan</b> Variance (§72-21) to permit the conversion of two buildings into a single-family residence, which does not comply with lot coverage, minimum distance between buildings and minimum distance of legally required windows. R8B zoning district. <b>Community Board #8M</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Closed, Decision – 1/8/13</b>

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