

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, JULY 17, 2012
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	534-65-BZ	<p>Alfonso Duarte 104-40 Queens Boulevard, Queens Extension of Term permitting surplus tenant parking spaces, within an accessory garage, for transient parking pursuant to §60 (3) of the Multiple Dwelling Law, which expired on July 13, 2010; waiver of the Rules. R7-1 zoning district. Community Board #6Q Examiner: Carlo Costanza (212) 788-8739 Status: Granted – 7/17/12</p>
2.	12-91-BZ	<p>Rampulla Associates 2241 Victory Boulevard, Staten Island Extension of Term of a previously granted Variance (§72-21) for the continued operation of a UG6 food store (<i>Bayer's Market</i>) which expired on April 21, 2012; Amendment to eliminate landscaping, legalize an outdoor refrigeration unit, eliminate hours for garbage pickup, and request to eliminate the term of the variance. R3-2 zoning district. Community Board #1SI Examiner: Henry Segovia (212) 788-8757 Status: Granted – 7/17/12</p>
3.	163-04-BZ	<p>Rothkrug Rothkrug & Spector LLP 671/99 Fulton Street, Brooklyn Extension of Time to obtain a Certificate of Occupancy of a special permit (§73-63) for the operation of a physical culture establishment (<i>Crunch Fitness</i>) which expired on April 24, 2011; Waiver of the Rules. R7A (C2-4) zoning district. Community Board #2BK Examiner: Henry Segovia (212) 788-8757 Status: Granted – 7/17/12</p>

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<i>SOC – CONTINUED HEARINGS</i>		
4.	292-55-BZ	<p>Alfonso Duarte 239-15 Jamaica Avenue, Queens Extension of Term (§11-411) for the continued operation of an Automotive Service Station (GULF) which expired on April 10, 2011; Waiver of the Rules. R3-2 zoning district. Community Board #13Q</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Closed, Decision – 8/14/12</p>
5.	294-06-BZ	<p>Goldman Harris LLC 31-11 Broadway, Queens Amendment of a previously approved special permit (§73-36) which permitted the operation of a physical culture establishment (<i>Club Fitness</i>) on the second and third floors in a three-story building. C2-2 zoning district. Community Board #1Q</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Closed, Decision – 8/14/12</p>

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<i>SOC – NEW CASES</i>		
6.	39-65-BZ	<p>Eric Palatnik, P.C. 2701-2711 Knapp Street and 3124-3146 Voochries Avenue, Brooklyn Amendment of a previously-approved variance (§72-01) to convert repair bays to an accessory convenience store at a gasoline service station (<i>Sunoco</i>); Extension of Time to obtain a Certificate of Occupancy, which expired on January 11, 2000; and Waiver of the Rules. C3 zoning district. Community Board #15BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 8/14/12</p>
7.	579-78-BZ	<p>Alfonso Duarte 236-238 East 58th Street, Manhattan Extension of Term of a previously-approved variance (§72-21) which permitted retail use on a portion of the first floor and cellar of an existing six story multiple dwelling, which expired on January 30, 2004; Waiver of the Rules. R8B zoning district. Community Board #6M</p> <p style="color: green;">Examiner: Carlo Costanza (212) 788-8739</p> <p style="color: red;">Status: Closed, Decision – 8/14/12</p>
8.	406-82-BZ	<p>Eric Palatnik, P.C. 2411 86th Street, Brooklyn Extension of Time to obtain a Certificate of Occupancy for a previously-approved special permit (§73-243) for an eating and drinking establishment (<i>McDonald's</i>) with accessory drive-thru, which expired on May 3, 2012. C1-3/R5 zoning district. Community Board #11BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 8/14/12</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
9.	80-11-A 84-11-A 85-11-A 103-11-A	<p>Marvin B. Mitzner, Esq. 331, 333, 335, 329 East 9th Street, Manhattan Appeals pursuant to §310 of the Multiple Dwelling Law (MDL) to allow for enlargement to a five-story building, contrary to MDL §§ 51, 143, 146, 148 and 149. R8B zoning district. Community Board #3M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 8/14/12</p>
10.	83-11-A	<p>Marvin B. Mitzner, Esq. 159 West 78th Street, Manhattan Appeal pursuant to §310 of the Multiple Dwelling Law (MDL) to allow for a one-story enlargement of a four-story building, contrary to Multiple Dwelling Law §171(2)(f). R8B zoning district. Community Board #7M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 8/14/12</p>

<i>APPEALS – NEW CASES</i>		
11.	46-12-A	<p>Eric Palatnik, P.C. 4215 Park Avenue, Bronx Application to permit a mixed use development located partially within the bed of a mapped but unbuilt street (East Tremont Avenue), contrary to General City Law Section 35. C4-5X/R7X zoning district Community Board #6BX</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 8/14/12</p>

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	71-11-BZ	<p>Sheldon Lobel, P.C. 41-02 Forley Street, Queens Variance (§72-21) to legalize the conversion of a mosque (<i>Masjid Al-Taufiq</i>), contrary to lot coverage (§24-11), front yard (§24-34), and side yard (§24-35) regulations. R4 zoning district. Community Board #4Q Examiner: Rory Levy (212) 788-8749 Status: Granted – 7/17/12</p>
2.	174-11-BZ	<p>Sahn Ward Coschignano & Baker, PLLC 145-15 33rd Avenue, Queens Variance (§72-21) to permit the development of a two-story chapel (<i>The Church of Jesus Christ of Latter-day Saints</i>), contrary to floor area ratio (§24-111) and permitted obstructions in the side yards and rear yard (§24-33). R2A zoning district. Community Board #7Q Examiner: Rory Levy (212) 788-8749 Status: Granted – 7/17/12</p>
3.	31-12-BZ	<p>Sheldon Lobel, P.C. 280 West 155th Street, Manhattan Special Permit (§73-50) to seek a waiver of rear yard requirements (§33-292) to permit the construction of commercial building. C8-3 zoning district. Community Board #10M Examiner: Ronald Rizzotti (212) 788-8781 Status: Granted – 7/17/12</p>
4.	91-12-BZ	<p>Jorge Lee 846 Gerard Avenue, Bronx Re-instatement (§11-411) of a previously approved variance permitting commercial retail (UG 6) in a residential district, which expired on March 29, 1998. R8 zoning district. Community Board #4BX Examiner: Carlo Costanza (212) 788-8739 Status: Granted – 7/17/12</p>

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<i>BZ – DECISIONS</i>		
5.	111-12-BZ	<p>Eric Palatnik, P.C. 52-66 New Street, 54-68 Broad Street, Manhattan. Special Permit (§73-36) for a physical culture establishment (<i>Cross Fit Wall Street</i>). C5-5 (LM) zoning district. Community Board #1M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 7/17/12</p>

<i>BZ – CONTINUED HEARINGS</i>		
6.	93-11-BZ	<p>Moshe M. Friedman, P.E. 1536 62nd Street, aka 1535 63rd Street, Brooklyn Special Permit (§73-19) to allow the conversion of the third and fourth floors in an existing four-story factory and warehouse building to a Use Group 3 school (<i>Yeshiva Ore Mordechai</i>). M1-1 zoning district Community Board #4BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 8/21/12</p>
7.	117-11-BZ	<p>Sheldon Lobel, P.C. 86-50 Edgerton Boulevard, Queens 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. Community Board # 8Q</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Closed, Decision – 8/7/12</p>
8.	165-11-BZ	<p>Sheldon Lobel, P.C. 1561 50th Street, Brooklyn Variance (§72-21) to enlarge an existing Use Group 4A house of worship (<i>Agudath Israel Youth of Boro Park</i>) for an educational center on proposed third and fourth floors and to legalize two interior balconies, contrary to rear yard (§24-36) and lot coverage (§24-11) regulations. R6 zoning district. Community Board #12BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Adjourned Hearing – 7/24/12</p>

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<i>BZ – CONTINUED HEARINGS</i>		
9.	191-11-BZ	<p>Sheldon Lobel, P.C. 1246 77th Street, Brooklyn 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. Community Board #10BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 8/7/12</p>
10.	5-12-BZ	<p>Moshe M. Friedman, P.E. 812 Dahill Road, Brooklyn 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. Community Board #12BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 8/7/12</p>
11.	23-12-BZ	<p>Simons & Wright, LLC 951 Grand Street, Brooklyn Variance (§72-21) to allow for the development of a residential building, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #1BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 8/21/12</p>
12.	48-12-BZ	<p>Law Office of Marvin B. Mitzner, LLC 336 West 37th Street, Manhattan Variance (§72-21) to permit the legalization of an existing 14-story commercial building for use as offices, contrary to Special Garment Center regulations (§121-11). C6-4 (GC, P2) zoning district. Community Board #4M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 8/21/12</p>

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<i>BZ – NEW CASES</i>		
13.	113-11-BZ	Slater & Beckerman, LLP 66 Van Cortlandt Park South, Bronx Variance (§72-21) to permit a proposed enlargement of a Use Group 3 nursing home, contrary to rear yard equivalent requirements (§24-382). R7-1 zoning district. Community Board #8BX Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 9/11/12
14.	178-11-BZ	Eric Palatnik, P.C. 1944 East 12th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing two story, semi-detached single family home, contrary to floor area and open space (§23-141(b)); side yard (§23-461) and rear yard (§23-47) requirements. R5 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 8/21/12
15.	9-12-BZ	Eric Palatnik, P.C. 186 Girard Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141). R3-1 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 8/21/12
16.	43-12-BZ	Wachtel & Masyr, LLP 25 Great Jones Street, Manhattan Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district. Community Board #2M Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 8/21/12

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<i>BZ – NEW CASES</i>		
17.	87-12-BZ	Troutman Sanders, LLP 1720-28 Sheepshead Bay Road, Brooklyn Special Permit (§73-36) to permit the continued operation of the existing physical culture establishment (<i>Bally Total Fitness</i>). C2-2/R4 zoning district. Community Board #15BK
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 8/14/12

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