

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, JUNE 19, 2012  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>678-74-BZ</b>	<p>Tyree Service Corp. <b>63 Eighth Avenue, Manhattan</b> Amendment of a previously approved variance (§72-21) which permitted the operation of an automotive service station (UG 16B) with accessory uses. The application seeks to legalize the placement of fueling islands and number of fueling dispensers. C1-6 zoning district. <b>Community Board #2M</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Granted – 6/19/12</b></p>
<b>2.</b>	<b>290-06-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel, LLP <b>372 Lafayette Street, Manhattan</b> Amendment of an approved variance (§72-21) for a new residential building with ground floor commercial, contrary to use regulations. The amendment requests an increase in commercial floor area and a decrease in the residential floor area. M1-5B zoning district <b>Community Board #2M</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Granted – 6/19/12</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>319-53-BZ</b>	<p>Ficara &amp; Associates, P.C. <b>1135 East 222<sup>nd</sup> Street, Bronx</b> Extension of Term (§11-411) for the continued operation of an automotive repair shop with no body work which expired on January 31, 2011; Waiver of the Rules. R5 zoning district. <b>Community Board #12BX</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 7/24/12</b></p>

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

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<i><b>SOC – NEW CASES</b></i>		
4.	<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></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p style="color: red;"><b>Status: Continued Hearing – 8/7/12</b></p>
5.	<b>311-71-BZ</b>	<p>Eric Palatnik, P.C. <b>1907 Crospey 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 style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Continued Hearing – 7/24/12</b></p>
6.	<b>120-02-BZ</b>	<p>Stuart Klein, Esq. <b>42-46 Avenue A, Manhattan</b> Extension of Term of previously granted special permit (§73-36) for the continued operation of a physical culture establishment (<i>Iron &amp; Silk Fitness Center</i>) which expired on February 1, 2012; an Amendment for the change in ownership; waiver of the rules. R7A zoning district. <b>Community Board #3M</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Closed, Decision – 7/24/12</b></p>

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<b><i>SOC – NEW CASES</i></b>		
<b>7.</b>	<b>294-06-BZ</b>	<p>Goldman Harris LLC <b>31-11 Broadway, Queens</b> 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. <b>Community Board #1Q</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Continued Hearing – 7/17/12</b></p>
<b>8.</b>	<b>238-07-BZ</b>	<p>Goldman Harris, LLC <b>5-11 47<sup>th</sup> Avenue, Queens</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) to construct a 13-story residential and community facility building which expires on September 28, 2012. M1-4/R6A(LIC) &amp; M1-4 zoning district. <b>Community Board #2Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 7/24/12</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
9.	86-11-A	<p>Cozen O'Connor <b>663-673 Second Avenue, Manhattan</b> Appeal of the Department of Buildings' revocation of an approval to permit a non-conforming sign. C1-9 zoning district. <b>Community Board #6M</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Denied – 6/19/12</b></p>
10.	38-12-A & 39-12-A	<p>Rothkrug Rothkrug &amp; Spector, LLP <b>131 &amp; 133 Aviston Street, Staten Island</b> Proposed construction of a single family home that does not front on a legally mapped street, contrary to General City Law Section 36. R3-1 Zoning District. <b>Community Board #3SI</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Granted – 6/19/12</b></p>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
11.	180-11-A & 181-11-A	<p>Eric Palatnik, P.C. <b>34-57 &amp; 34-59 107<sup>th</sup> Street, Queens</b> An appeal seeking a common law vested right to continue development commenced under the prior R6B zoning district. R5 zoning district. <b>Community Board #3Q</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Closed, Decision – 7/10/12</b></p>

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<b>APPEALS – NEW CASES</b>		
12.	47-12-A	Rothkrug Rothkrug & Spector, LLP <b>22 Lewiston Street, Staten Island</b> Appeal to Department of Building's 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>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 8/7/12</b>
13.	103-12-A	Sheldon Lobel, P.C. <b>74-76 Adelphi Street, Brooklyn</b> Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district. <b>Community Board #2BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 7/24/12</b>

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1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	<b>183-11-BZ</b>	<p>Friedman &amp; Gotbaum, LLP  <b>1133 York Avenue, Manhattan</b>                      Variance (§72-21) to allow the construction of a new outpatient surgical center (<i>Memorial Hospital for Cancer and Allied Diseases</i>), contrary to floor area ratio (§33-123); rear yard (§33-261) height and setback (§33-432); and curb cut (§13-142) regulations. C1-9/C8-4 zoning districts.  <b>Community Board #8M</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Granted – 6/19/12</b></p>
2.	<b>40-12-BZ</b>	<p>Francis R. Angelino, Esq.  <b>2385 Richmond Avenue, Staten Island</b>                      Special Permit (§73-36) to allow a physical culture establishment (<i>Global Health Clubs</i>). C2-1 zoning district.  <b>Community Board #2SI</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Granted – 6/19/12</b></p>
3.	<b>42-12-BZ</b>	<p>Sheldon Lobel, P.C.  <b>158 West 27<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow a physical culture establishment (<i>Planet Fitness</i>) on a portion of the cellar, first and second floors of the existing twelve-story building at the premises. M1-6 zoning district.  <b>Community Board #5M</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Granted – 6/19/12</b></p>
4.	<b>49-12-BZ</b>	<p>Sheldon Lobel, P.C.  <b>34-09 Francis Lewis Boulevard, Queens</b>                      Special Permit (§73-36) to allow the legalization of the operation of a physical culture establishment (<i>Powerhouse Gym</i>) in a portion of an existing one-story commercial building. C2-2\R5B zoning district.  <b>Community Board #11Q</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Granted – 6/19/12</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
5.	21-11-BZ	<p>Eric Palatnik, P.C.  <b>1810 Voorhies Avenue, Brooklyn</b>                      Special Permit (§73-44) to permit the reduction in required parking for an ambulatory or diagnostic treatment facility. C1-2/R4 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 7/24/12</b></p>
6.	35-11-BZ	<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: Adjourned Hearing – 8/7/12</b></p>
7.	93-11-BZ	<p>Moshe M. Friedman, P.E.  <b>1536 62<sup>nd</sup> Street, aka 1535 63<sup>rd</sup> Street, Brooklyn</b>                      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  <b>Community Board #4BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Adjourned Hearing – 7/17/12</b></p>
8.	104-11-BZ	<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: Continued Hearing – 8/7/12</b></p>

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<b>9.</b>	<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></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 8/7/12</b></p>
<b>10.</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></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 7/17/12</b></p>
<b>11.</b>	<b>31-12-BZ</b>	<p>Sheldon Lobel, P.C.  <b>280 West 155<sup>th</sup> Street, Manhattan</b>                      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.  <b>Community Board #10M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Closed, Decision – 7/17/12</b></p>

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<b><i>BZ – NEW CASES</i></b>		
12.	165-11-BZ	<p>Sheldon Lobel, P.C.  <b>1561 50<sup>th</sup> Street, Brooklyn</b>                      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.  <b>Community Board #12BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 7/17/12</b></p>
13.	12-12-BZ & 110-12-A	<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>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 8/7/12</b></p>
14.	58-12-BZ	<p>Law Office of Fredrick A. Becker  <b>3960 Bedford Avenue, Brooklyn</b>                      Special Permit (§73-622) to permit the enlargement of an existing single family home contrary to floor area, lot coverage and opens space (§23-141); side yards (§23-461); 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: Closed, Decision – 7/24/12</b></p>
15.	70-12-BZ	<p>Francis R. Angelino, Esq.  <b>78 Franklin Street, Manhattan</b>                      Special Permit (§73-36) for the operation of a physical culture establishment (<i>Aqua Studio NY LLC</i>). C6-2A zoning districts.  <b>Community Board #1M</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 7/24/12</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>16.</b>	<b>76-12-BZ</b>	Sheldon Lobel, P.C <b>148 Norfolk Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single-family home, contrary to floor area, open space and lot coverage (§23-141) and less than the minimum side yards (§23-461). R3-1 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 7/24/12</b>

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