

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MAY 15, 2012  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	<b>808-55-BZ</b>	<p>Sheldon Lobel, P.C. <b>35-04 Bell Boulevard, Queens</b> Extension of Term (§11-411) for the continued operation of a gasoline service station (<i>Gulf</i>) with accessory convenience store which expired on March 27, 2012; Waiver of the Rules. C2-2/R4 zoning district. <b>Community Board #11Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 5/15/12</b></p>
2.	<b>188-78-BZ</b>	<p>Eric Palatnik, P.C. <b>8102 New Utrecht Avenue, Brooklyn</b> Amendment (§11-413) to a previously granted Variance (§72-21) to add (UG16) automobile body with spray painting booth and automobile sales to an existing (UG16) automobile repair and auto laundry. R5 zoning district. <b>Community Board #11BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 5/15/12</b></p>
3.	<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: Deferred Decision – 6/5/12</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
4.	<b>196-49-BZ</b>	<p>Walter T. Gorman, P.E. <b>1280 Allerton Avenue, Bronx</b> Extension of Term of an approved variance for the continued operation of a gasoline service station (<i>Sumoco</i>) which expired on September 30, 2005; Amendment for the addition of a lift in the service building and an air tower and car vacuum on the site. R4 zoning district. <b>Community Board #11BX</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 6/12/12</b></p>

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

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MAY 15, 2012  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
5.	849-49-BZ	<p>Greenberg Traurig, LLP <b>110 West 57<sup>th</sup> Street, Manhattan</b> Extension of Term of a previously granted Variance (§72-21) for the continued use of a motion picture theater which expired on January 31, 2012. C5-3(MID) zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 6/12/12</b></p>
6.	12-91-BZ	<p>Rampulla Associates <b>2241 Victory Boulevard, Staten Island</b> 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. <b>Community Board #1SI</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Continued Hearing – 6/12/12</b></p>
7.	136-01-BZ	<p>Eric Palatnik, P.C. <b>11-11 44<sup>th</sup> Drive, Queens</b> Extension of Time to complete Construction and obtain a Certificate of Occupancy for a previously granted Variance (§72-21) which permitted non-compliance in commercial floor area and rear yard requirements which expired on March 21, 2012. M1-4/R-7A zoning district. <b>Community Board #2Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Closed, Decision – 6/12/12</b></p>

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

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MAY 15, 2012  
10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
8.	125-11-A	<p>Law Offices of Marvin B. Mitzner, LLC <b>514-516 East 6<sup>th</sup> Street, Manhattan</b> Appeal challenging the Department of Buildings’ determination to deny the reinstatement of permits that allowed an enlargement to an existing residential building. R7B zoning district. <b>Community Board #3M</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Deferred Decision – 6/12/12</b></p>
9.	25-12-A	<p>Slater &amp; Beckerman, LLP <b>110 East 70<sup>th</sup> Street, Manhattan</b> Appeal challenging a determination by the Department of Buildings not to revoke the permit associated with the reconstruction of a building, which includes construction in the required rear yard and does not comply with the requirements of ZR §54-41. R8B (LH-1A) Zoning District. <b>Community Board #8M</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Denied – 5/15/12</b></p>
10.	27-12-A	<p>Greenberg Traurig, LLP <b>110 East 70<sup>th</sup> Street, Manhattan</b> Appeal challenging a determination by the Department of Buildings that more than 75 percent of the floor area was demolished and the building was not a single-family home so that reconstruction of the non-complying building was not permitted pursuant to ZR §54-41. R8B (LH-1A) Zoning District. <b>Community Board #8M</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Denied – 5/15/12</b></p>

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

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MAY 15, 2012  
10:00 A.M.

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>11.</b>	<b>99-11-A</b>	<p>Eric Palatnik, P.C. <b>16 Brighton 7<sup>th</sup> Walk, Brooklyn</b> Legalization of changes to a two-family residence which does not front upon a legally mapped street, contrary to General City Law Section 36. R6 Zoning District <b>Community Board #13BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 6/12/12</b></p>
<b>12.</b>	<b>154-11-A</b>	<p>Eric Palatnik, P.C. <b>23-10 Queens Plaza South, Queens</b> Appeal seeking reversal of a Department of Buildings’ determination that the non-illuminated sign located on top the building of the site is not a legal non-conforming advertising sign that may be maintained and altered. M1-9 zoning district. <b>Community Board #2Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 6/5/12</b></p>

<b><i>APPEALS – NEW CASES</i></b>		
<b>13.</b>	<b>196-11-A</b>	<p>Bryan Cave, LLP <b>178-06 90<sup>th</sup> Avenue, Queens</b> An appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district regulations. R4-1 zoning district. <b>Community Board #12Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 6/12/12</b></p>

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

**This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.**

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, MAY 15, 2012

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>102-11-BZ</b>	<p>H. Irving Sigman  <b>131-23 31 Avenue, Queens</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>New York Spa</i>). M1-1 (CP) zoning district.  <b>Community Board #7Q</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Granted – 5/15/12</b></p>
<b>2.</b>	<b>176-11-BZ</b>	<p>Eric Palatnik, P.C.  <b>150 Norfolk Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home, contrary to lot coverage and floor area (§23-141(b)); side yards (§23-461(a)) and less than the required rear yard (§23-47). R3-1 zoning district.  <b>Community Board #15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Granted – 5/15/12</b></p>
<b>3.</b>	<b>3-12-BZ</b>	<p>Sheldon Lobel, P.C.  <b>1913 East 28<sup>th</sup> Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement an existing single family home, contrary to floor area (§23-141(b)) and side yard (§23-461(b)) requirements. R4 zoning district.  <b>Community Board #15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Granted – 5/15/12</b></p>

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

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, MAY 15, 2012

1:30 P.M.

<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></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 6/19/12</b></p>
5.	<b>71-11-BZ</b>	<p>Sheldon Lobel, P.C.  <b>41-02 Forley Street, Queens</b>                      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.  <b>Community Board #4Q</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 6/12/12</b></p>
6.	<b>96-11-BZ</b>	<p>Law Office of Marvin B. Mitzner  <b>514-516 East 6<sup>th</sup> Street, Manhattan</b>                      Variance (§72-21) to legalize enlargements to an existing residential building, contrary to floor area (§23-145) and dwelling units (§23-22). R7B zoning district.  <b>Community Board #3M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Adjourned Hearing – 6/12/12</b></p>
7.	<b>107-11-BZ</b>	<p>Sheldon Lobel, P.C.  <b>1643 East 21<sup>st</sup> Street, Brooklyn</b>                      Variance (§72-21) to permit the enlargement of a synagogue (<i>Congregation Yeshiva Bais Yitzchok</i>) contrary to the bulk requirements for community facility buildings. R4-1 zoning district.  <b>Community Board #14BK</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Continued Hearing – 6/12/12</b></p>

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

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, MAY 15, 2012

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>8.</b>	<b>26-12-BZ</b>	<p>Sheldon Lobel, P.C.  <b>73-49 Grand Avenue, Queens</b>                      Special Permit (§73-52) to allow the extension of accessory commercial parking in a residential zoning district. C1-2/R6B &amp; R4-1 zoning districts.  <b>Community Board #5Q</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Closed, Decision – 6/12/12</b></p>

<b><i>BZ – NEW CASES</i></b>		
<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 #3SI</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Continued Hearing – 6/19/12</b></p>
<b>10.</b>	<b>20-12-BZ</b>	<p>Herrick, Feinstein LLP,  <b>203 Berry Street, aka 195-205 Berry Street; 121-127 N. 3<sup>rd</sup> Street, Brooklyn</b>                      Special Permit (§73-36) to allow the legalization of the operation of a physical culture establishment (<i>Retro Fitness</i>) in an under construction mixed residential/commercial building. M1-2/R6B zoning district.  <b>Community Board #1BK</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Continued Hearing – 6/12/12</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> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Continued Hearing – 6/19/12</b></p>

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

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, MAY 15, 2012

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>12.</b>	<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></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Closed, Decision – 6/19/12</b></p>
<b>13.</b>	<b>53-12-BZ</b>	<p>Law Office of Frederick A. Becker  <b>1232 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); less than the minimum required side yard (§23-461 &amp; 23-48) and less than the required rear yard (§23-47). R2 zoning district.  <b>Community Board #4BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 6/12/12</b></p>

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

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*