

**NYC Board of Standards and Appeals**

**November 27, 2012**

**Special Order Calendar**

**10:00 A.M.**

<i>Decisions</i>		
1.	<b>299-82-BZ</b> Closed 10/16	Bryan Cave LLP <b>207-217 Chrystie Street, Manhattan</b> 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. <b>Community Board #3M</b> <i>Rizzotti</i>
2.	<b>135-01-BZ</b> Def. Dec. 10/16	Rothkrug Rothkrug & Spector, LLP <b>1815/17 86<sup>th</sup> Street, Brooklyn</b> Extension of Term (§11-411) of an approved variance which permitted a high speed auto laundry (UG 16B) which expired on October 30, 2011; Extension of Time to obtain a Certificate of Occupancy which expired on October 30, 2002; Waiver of the Rules. C1-2(R5) zoning district. <b>Community Board #11BK</b> <i>Costanza</i>

<i>Continued Hearings</i>		
3.	<b>197-08-BZ</b> Heard 10/23  <u>1 – Hearing</u>	Stuart Klein, Esq. <b>341-349 Troy Avenue aka 1515 Carroll Street, Brooklyn</b> Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment. R4 zoning district. <b>Community Board #9BK</b> <i>Levy</i>

<i>New Cases</i>		
4.	<b>743-59-BZ</b>	Peter Hirshman <b>30 Park Avenue, Manhattan</b> Extension of Term of a previously approved variance (Section 7e 1916 zoning resolution and MDL Section 60 (1d)), which permitted 20 attended transient parking spaces, which expired on June 14, 2011; Waiver of the Rules. R10/R9X zoning district. <b>Community Board #6M</b> <i>Costanza</i>

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

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**November 27, 2012  
Appeals Calendar  
10:00 A.M.**

<b><i>Continued Hearings</i></b>		
5.	<b>103-12-A</b> Heard 10/23  <u>4 – Hearings</u>	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>  <div style="text-align: right;"><i>Matias</i></div>

<b><i>New Cases</i></b>		
6.	<b>85-12-A</b>	Fried Frank <b>50 East 153<sup>rd</sup> Street, Bronx</b> Appeal from determination of the Department of Buildings regarding right to maintain existing advertising signs. M1-1 zoning district <b>Community Board #4BX</b>  <div style="text-align: right;"><i>Matias</i></div>
7.	<b>90-12-A</b>	Fried Frank <b>111 Varick Street, Manhattan</b> Appeal from determination of the Department of Buildings regarding right to maintain existing advertising signs. M1-6 zoning district <b>Community Board #2M</b>  <div style="text-align: right;"><i>Matias</i></div>

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**November 27, 2012  
Zoning Calendar  
1:30 P.M.**

<i><b>Decisions</b></i>		
1.	<b>5-11-BZ</b> Closed 10/16	Akerman Senterfitt, LLP <b>9 Old Fulton Street, Brooklyn</b> Variance (§72-21) to allow for a new five-story residential development, contrary to use regulations (§42-00). M2-1 zoning district. <b>Community Board #2BK</b> <span style="float: right;"><i>Rizzotti</i></span>
2.	<b>43-12-BZ</b> Def. Dec. 9/25	Wachtel & Masyr, LLP <b>25 Great Jones Street, Manhattan</b> Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district. <b>Community Board #2M</b> <span style="float: right;"><i>Rizzotti</i></span>
3.	<b>71-12-BZ</b> Closed 10/16	Akerman Senterfitt, LLP <b>165-10 Archer Avenue, Queens</b> Variance (§72-21) to allow for a new 14-story residential building with ground floor retail, contrary to floor area (§§115-211/23-942), height and setback (§115-233), and accessory off street parking (§115-51). C6-2/Downtown Jamaica Special Zoning District. <b>Community Board #12Q</b> <span style="float: right;"><i>Rizzotti</i></span>
4.	<b>165-12-BZ</b> Closed 10/23	Law Office of Fredrick A. Becker <b>286 East 23<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement and partial legalization of an existing single family home contrary to floor area and open space (§23-141) and rear yard (§23-47) regulations; R2 zoning district. <b>Community Board #4BK</b> <span style="float: right;"><i>Segovia</i></span>

<i><b>Continued Hearings</b></i>		
5.	<b>147-11-BZ</b> Heard 9/11  <u>2 – Hearings</u> <u>1-Adjournment</u>	Sheldon Lobel, P.C. <b>24-47 95<sup>th</sup> Street, Queens</b> Variance (§72-21) to permit the construction of a single-family, semi-detached residence, contrary to floor area (§23-141) and side yard (§23-461) regulations. R3-2 zoning district. <b>Community Board #3Q</b> <span style="float: right;"><i>Segovia</i></span>
6.	<b>157-11-BZ</b> Heard 10/16  <u>1 – Hearing</u> <u>1-Adjournment</u>	Sheldon Lobel, P.C. <b>1968 Second Avenue, Manhattan</b> Variance (§72-21) to allow for the legalization of an existing supermarket, contrary to rear yard (§33-261) and loading berth (§36-683) requirements. C1-5/R8A and R7A zoning districts. <b>Community Board #11M</b> <span style="float: right;"><i>Rizzotti</i></span>

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<b><i>Continued Hearings</i></b>		
7.	<b>16-12-BZ</b> Heard 10/16  <u>3 – Hearings</u>	Eric Palatnik, P.C. <b>184 Nostrand Avenue, Brooklyn</b> Special Permit (§73-19) to allow for a school ( <i>Congregation Adas Yereim</i> ) contrary to use regulations (§42-00). M1-2 zoning district. <b>Community Board #4BK</b>  <div style="text-align: right;"><i>Rizzotti</i></div>
8.	<b>56-12-BZ</b> Heard 10/16  <u>1 – Hearing</u>	Eric Palatnik, P.C. <b>168 Norfolk Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23-141); side yard (§23-461); and rear yard (§23-47) regulations. R3-1 zoning district. <b>Community Board #4BK</b>  <div style="text-align: right;"><i>Segovia</i></div>
9.	<b>63-12-BZ</b> Heard 10/16  <u>1 – Hearing</u>	Sheldon Lobel, P.C. <b>2701 Avenue N, Brooklyn</b> Variance (§72-21) to permit the construction of a Use Group 4A House of Worship ( <i>Khal Bnei Avrohom Yaakov</i> ), which is contrary to floor area (24-11), lot coverage, front yard (24-34), side yard (24-35a) parking (25-31), height (24-521), and setback requirements. R2 zoning district. <b>Community Board #14BK</b>  <div style="text-align: right;"><i>Levy</i></div>
10.	<b>72-12-BZ</b> Heard 10/16  <u>1 – Hearing</u>	Watchtel Masyr & Missry, LLP <b>213-223 Flatbush Avenue, Brooklyn</b> Variance (§72-21) to allow for the construction of a new mixed use building, contrary to off-street parking (§25-23), floor area, open space, lot coverage (§23-145), maximum base height and maximum building height (§23-633) regulations. R7A/C2-4 and R6B zoning districts. <b>Community Board #6BK</b>  <div style="text-align: right;"><i>Rizzotti</i></div>
11.	<b>73-12-BZ</b> Heard 10/23  <u>2 – Hearings</u> <u>1 - Adjournment</u>	Jeffrey Chester, Esq. <b>41-19 Bell Boulevard, Queens</b> Application for a special permit to legalize an existing physical culture establishment ( <i>Lucille Roberts</i> ). C2-2 zoning district. <b>Community Board #11Q</b>  <div style="text-align: right;"><i>Levy</i></div>
12.	<b>189-12-BZ</b> Adj. 11/20  <u>2 – Hearings</u>	Kramer Levin Naftalis & Frankel, LLP <b>98 Montague Street, Brooklyn</b> Variance (§72-21) to permit the conversion of an existing building into a transient hotel (UG 5), contrary to use regulations (§22-00). C1-3/R7-1, R6 zoning districts. <b>Community Board #2BK</b>  <div style="text-align: right;"><i>Rizzotti</i></div>

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<b>New Cases</b>		
13.	<b>106-12-BZ</b>	Eric Palatnik, P.C. <b>2102 Jerome Avenue, Bronx</b> Special Permit (§73-50) to permit the development of a new one-story retail store (UG 6), contrary to rear yard regulations (§33-292). C8-3 zoning district. <b>Community Board #5BX</b> <i>Rizzotti</i>
14.	<b>156-12-BZ</b>	Sheldon Lobel, P.C. <b>816 Washington Avenue, Brooklyn</b> Variance (§72-21) to permit construction of a mixed-use residential building with ground floor commercial use, contrary to minimum inner court dimensions (§23-851). C1-4/R7A zoning district. <b>Community Board #8BK</b> <i>Rizzotti</i>
15.	<b>195-12-BZ PH 10/6</b>	Law Office of Eduardo J. Diaz <b>108-15 Crossbay Boulevard, Queens</b> Re-instatement (§11-411) of a previously approved variance which allowed a two-story office building (UG6) and four parking spaces, which expired on May 13, 2000. Waiver of the Rules. R4 zoning district. <b>Community Board #10BK</b> <i>Costanza</i>
16.	<b>260-12-BZ PH 11/20</b>	John M. Marmora, Esq. <b>114-01 Sutphin Boulevard, Queens</b> Special Permit (§73-243) to permit an accessory drive-through facility to an eating and drinking establishment (McDonald's) within the portion of the lot located in a C1-3/R5D zoning district contrary to §§32-15 & 32-32 as well as a Special Permit (§73-52) to extend the commercial use by 25' into the R3A portion of the lot contrary to § 22-10. <b>Community Board #12Q</b> <i>Costanza</i>
17.	<b>276-12-BZ</b>	Rothkrug Rothkrug & Spector LLP <b>833/45 Flatbush Avenue aka 2/12 Linden Boulevard, Brooklyn</b> Special Permit (§73-36) to permit a physical culture establishment ( <i>Blink</i> ) within portions of an existing commercial building. C2-4 zoning district. <b>Community Board #14BK</b> <i>Levy</i>
18.	<b>278-12-BZ</b>	John M. Marmora, Esq. <b>3143 Atlantic Avenue, Brooklyn</b> Special Permit (§73-52) to extend by 25'-0" a commercial use into a residential zoning district to permit the development of a proposed eating and drinking establishment ( <i>McDonald's</i> ) with accessory drive thru. C8-2 and R5 zoning district. <b>Community Board #5BK</b> <i>Costanza</i>

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