

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 27, 2012  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>299-82-BZ</b>	<p>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> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Deferred Decision – 12/11/12</b></p>
<b>2.</b>	<b>135-01-BZ</b>	<p>Rothkrug Rothkrug &amp; 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> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Deferred Decision – 1/15/13</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>197-08-BZ</b>	<p>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> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Adjourned, Continued Hearing – 1/8/13</b></p>

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

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<b><i>SOC – NEW CASES</i></b>		
<b>4.</b>	<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>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 1/8/13</b>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
<b>5.</b>	<b>103-12-A</b>	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: Adjourned, Continued Hearing – 1/8/13</b>

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<i><b>APPEAL – NEW CASES</b></i>		
<b>6.</b>	<b>85-12-A</b>	<p>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></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 1/15/13</b></p>
<b>7.</b>	<b>90-12-A</b>	<p>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></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 1/15/13</b></p>

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1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>5-11-BZ</b>	<p>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></p> <p style="color: green;"><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p style="color: red;"><b>Status: Granted – 11/27/12</b></p>
<b>2.</b>	<b>43-12-BZ</b>	<p>Wachtel &amp; 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></p> <p style="color: green;"><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p style="color: red;"><b>Status: Deferred Decision – 1/15/13</b></p>
<b>3.</b>	<b>71-12-BZ</b>	<p>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></p> <p style="color: green;"><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p style="color: red;"><b>Status: Granted – 11/27/12</b></p>
<b>4.</b>	<b>165-12-BZ</b>	<p>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></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Granted – 11/27/12</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>5.</b>	<b>147-11-BZ</b>	<p>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>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Adjourned, Continued Hearing – 1/8/13</b></p>
<b>6.</b>	<b>157-11-BZ</b>	<p>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>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Adjourned, Continued Hearing – 1/8/13</b></p>
<b>7.</b>	<b>16-12-BZ</b>	<p>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>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Adjourned, Continued Hearing – 1/15/13</b></p>
<b>8.</b>	<b>56-12-BZ</b>	<p>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>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Adjourned, Continued Hearing – 1/15/13</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
9.	<b>63-12-BZ</b>	<p>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></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Adjourned, Continued Hearing – 1/8/13</b></p>
10.	<b>72-12-BZ</b>	<p>Watchtel Masyr &amp; 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></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 1/8/13</b></p>
11.	<b>73-12-BZ</b>	<p>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></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 1/8/13</b></p>
12.	<b>189-12-BZ</b>	<p>Kramer Levin Naftalis &amp; 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></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Closed, Decision – 1/8/13</b></p>

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<b>13.</b>	<b>106-12-BZ</b>	<p>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></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 1/29/13</b></p>
<b>14.</b>	<b>156-12-BZ</b>	<p>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></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 1/8/13</b></p>
<b>15.</b>	<b>195-12-BZ</b>	<p>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></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Continued Hearing – 1/15/13</b></p>
<b>16.</b>	<b>260-12-BZ</b>	<p>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 &amp; 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></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Closed, Decision – 1/15/13</b></p>

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<b>17.</b>	<b>276-12-BZ</b>	<p>Rothkrug Rothkrug &amp; 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></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Closed, Decision – 1/8/13</b></p>
<b>18.</b>	<b>278-12-BZ</b>	<p>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></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Closed, Decision – 1/15/13</b></p>

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